



Enactment of the April 1, 1933 anti-Jewish laws: The sign reads, "Germans, defend yourselves. Do not buy from Jews." "This was the beginning of the process that led, inexorably, to the Final Solution."

USIA

and that Adolf Hitler had assumed his new responsibilities as head of state and Commander-in-Chief of the Armed Forces. The title of President was abolished, and Hitler was to be referred to thereafter as "Führer and Reich Chancellor."

Also, all members of the Armed Forces were required to swear a new oath which stated: "I swear by God this sacred oath, that I will render unconditional obedience to Adolf Hitler, the Führer of the German Reich and people, Supreme Commander of the Armed Forces, and will be ready as a brave soldier to risk my life at any time for this oath." As they said later, some of the military command hated it—but they signed!

So it was, that on Aug. 19, 1934, the German people went to the polls in a plebiscite to "vote" on Hitler's new leadership

Schmitt's Justification Of Hitler's Blood Purge

On the night of June 30, 1934—the "Night of the Long Knives"—Chancellor Adolf Hitler ordered the murders of many tens (perhaps hundreds) of his political opponents. Among them were Gen. Kurt von Schleicher, who had preceded Hitler as Chancellor; von Schleicher's wife; and Gen. Ferdinand von Bredow, von Schleicher's long-time aide-de-camp; as well as many leaders and associates of the SA Brownshirts of Ernst Röhm, including Röhm himself. The murders were perpetrated by death squads that were handpicked from the ranks of Herman Göring's Gestapo and Heinrich Himmler's SS.

The savagery with which they were carried out almost defies description. General von Schleicher and his wife answered a knock at their door, only to be shot dead on the spot. General von Bredow met a similar fate. Gustav von Kahr, the man who had successfully suppressed Hitler's Munich Beer Hall Putsch attempt in 1923, and who had long since retired from politics, was found in a swamp near Dachau, having been hacked to death with pickaxes.

Loyal associates were executed, because "they knew too much." Father Bernhard Stempfle, who had helped edit Hitler's book *Mein Kampf*, but who had spoken too loosely about the circumstances surrounding the suicide of Hitler's former girlfriend, Geli Raubal, was found in a forest near Munich with his neck broken and three gunshots through the heart. Karl Ernst, the SA man who was deployed by Göring to set fire to the Reichstag on Feb. 27, 1933, was dispatched to Berlin for execution. Three other members of his Reichstag arson team met the same fate.

people, and thereby I became the supreme judge of the German people."

Von Schleicher was killed in this slaughter, his alleged crime that he had conspired with a foreign diplomat against Germany, Hitler said. Hitler's obedient Cabinet had already "legalized" the slaughter, when on July 3, they had endorsed Hitler's actions as necessary for the "defense of the state."

Out of all the senior officers of the Wehrmacht, only General Hammerstein-Equord, who had been Commander-in-Chief of the Army at the time of the Nazi seizure of power, raised a voice of strong condemnation against the murders of Generals Schleicher and von Bredow. He organized the retired Field Marshal von Mackenson to join him in his protest campaign. Their efforts were pitifully limited, and succeeded in merely prompting Hitler to admit, on the occasion of a secret meeting of military leaders and party officials on Jan. 3, 1935, that the murder of the two generals had been "in error," and that their names would be restored to the honor rolls of their regiments.

As for the population-at-large, they had been desperately seeking relief from the rampages of Röhm's brown-shirted thugs. Hitler, in one unspeakably bloody, lawless evening, had apparently provided them that relief. But this was a numb population, whose former standards of law and justice had become warped and twisted by the preceding 18 months of non-stop convulsion.

The Final Consolidation

President Hindenburg died on Aug. 2, 1934, less than six weeks after Hitler's bloodbath. At noon, it was announced that Hitler's Cabinet had enacted a law the preceding day, which combined the offices of the President and Chancellor,

responsibilities. Ninety-five percent of the registered voters went to the polls, and over 90% voted to affirm Hitler as the “Führer.” That is, over 38 million Germans voted to ratify Hitler as Führer, and approximately 4,250,000 voted against the Führer. Only 18 months earlier, Hitler had received fewer than 17,300,000 votes, in a multi-party election, in which over 38 million voters had participated. What a change! What a descent into Hell!

That descent was paved with the delusions of the Germans, not unlike the way America’s descent into Hell is being paved with delusions of a similar nature today. As Lyndon LaRouche recently stated about the nature of delusion: A person “is fooled, simply, because each such fool wishes to be deceived into any illusion, which, for even a mere moment,

‘makes him or her feel good’. . . . The most effective way in which magicians and others succeed in causing people to fool themselves, is to say to the intended victims: ‘Seeing is believing’. . . . Or, ‘All the eyewitnesses agreed.’ Or, ‘But he had such an honest face!’ So, direct the victim to what you wish them to focus upon, give them the sense-experience they wish to believe, and, often, they are easily fooled.”⁴

It is time that Americans stopped deluding themselves. It is time that we learned the lessons of history from the deluded German experience of 1933-34. It is time that Americans finally listened to LaRouche.

4. LaRouche, Lyndon, “Once Again, They Have Fooled You,” *EIR*, June 21, 2002.

There was no hint of “legal justification” for this purge, before the fact. Hitler simply wanted to eliminate leading elements of his real, imagined, and potential opposition, so as to terrorize all others into submitting to his dictatorship. He commenced his efforts to veil his mass murder with a veneer of legality on July 3, when he submitted a draft law for the Emergency Defense of the State to his Cabinet, which stated simply, “The measures taken on 30 June and 1 and 2 July for the suppression of high treasonable and state treasonable attacks are, as emergency defense of the state, legal.” Minister of Justice Franz Gürtner declared that Hitler’s draft did not create new law, but merely confirmed pre-existing law. The Cabinet then unanimously adopted Hitler’s bill.

Ten days later, Hitler made a two-hour speech to the Reichstag (13 of whose members had been executed on June 30) and the nation, brazenly justifying his actions. “Mutinies are broken according to eternal, iron laws,” he said. “If I am reproached with not turning to the law courts for sentence, I can only say: In this hour I was responsible for the fate of the German nation, and thereby the supreme judge of the German people. . . . I gave the order to shoot those most guilty of this treason, and I gave the order to burn out, down to the raw flesh, the ulcers of our internal well-poisoning and the poisoning from abroad!”

It then fell to Carl Schmitt—the man who is the inspiration and “legal” godfather of the Federalist Society of Judge Samuel Alito—to present an elaborated legal justification of Hitler’s actions, in the August 1934 edition of the *Journal of German Lawyers*. Schmitt had already been providing legal cover for Hitler’s drive toward dictatorship during the prior 18 months. In an article entitled “The Leader Protects the Law,” Schmitt claimed that every murderous and criminal act ordered to be carried out during the bloodbath of June 30 and its aftermath, was both legal and courageous. Schmitt asserted that the Leader/Dictator,

acting in a time of crisis, by definition *both is and creates* the law. The action of the Dictator is not subordinate to justice; it is, itself, the “highest justice.” Furthermore, the greater the crisis, and the more “exceptional the action or deed of the Leader/Dictator, the greater the purity/essence of the law so created. . . .

“The Leader protects the law from the worst abuse, when he, at the moment of danger, by virtue of his leadership as the supreme judge, directly creates the law. ‘In this hour, I was responsible for the fate of the German nation, and as such [I became] the supreme judge of the German people. . . .’ [said Hitler to the Reichstag]. The true Leader is always also judge. From the realm of the Leader, flows the realm of the Law. . . . In reality, the act of the Leader was the true authority. The deed is not subordinate to justice; it is, in fact, the highest justice. It was not the action of a republican dictator, who, in a legal vacuum, while the law momentarily turns a blind eye, creates *faits accomplis*, and thereby, on the basis of such newly created facts, perpetuates the fiction of a seamless, continuing legality. The power of the Leader as judge springs from the same fount of law, from which spring the rights of the people. In times of the greatest emergency, the supreme law proves itself worthy, and only in such great crises, does there appear, to the highest degree, the juridical, vengeful realization of this law. All law is derived from the people’s right to existence. Every state law, every judgment of the courts, contains only so much justice, as it derives from this source. . . . The content and the scope of his action, is determined only by the Leader himself.”

Thus, in a continuing or permanent state of emergency, the Leader continuously creates “new law,” with each new “exceptional deed.” And, after Sept. 11, 2001, just like after Feb. 27, 1933, all such exceptional deeds are justified in the name of “defending the existence of the people.”

—Steve Douglas