

THE UHLAN CHANCELLOR

Franz von Papen and the End of the Weimar
Republic

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CONTENTS

| | |
|---|-----|
| Foreword | i |
| I Chancellor von Papen Comes to Power | 1 |
| II Reform and Consolidation | 37 |
| III " <u>Et tu</u> ," Schleicher--The Fall of von Papen | 82 |
| IV Failure and Triumph--From von Schleicher to Hitler | 103 |
| V Afterword | 152 |
| Bibliography | 163 |

Foreword

It is difficult at best to untangle the story of the last months of the Weimar Republic. The drama of that time was enacted against a background of severe depression, and above all of stubborn and growing unemployment; and from these disastrous economic conditions arose nation-wide a sense of frustration and anger against the political system that had allowed a ruinous situation to develop. The principal beneficiaries of public disenchantment with republican government were, of course, the anti-democratic parties of the Left and Right. In the end, the winner of the political stakes was the NSDAP--the National Socialist German Workers' Party of Adolf Hitler.

By 1932, democratic government in Germany had all but ceased to function. Chancellor Heinrich Brüning had taken office in 1930 as the head of a minority cabinet of the moderate Right. Unable to find adequate support in the Reichstag or to win a general election, he was forced to rule permanently through presidential emergency decrees issued by President Paul von Hindenburg under authority granted to the chief of state by Article 48 of the constitution. This mode of government was tolerated, perforce, by the Reichstag and by its largest party, the Social Democrats; in time the regime of emergency decrees--of Notverordnungen--became definitive.

Brüning attempted to remedy the situation which faced him. He fought the depression with a deflationary program, which signified cutting both wages and prices. Towards the end of his administration, he thought to combat the political radicalism and growing physical violence of the Nazis especially by banning Hitler's paramilitary formations of the SA and the SS, the Sturm-Abteilungen

and the Schutz-Staffel, as well as other uniformed party organizations. Hitler was stymied for the moment, but Brüning's policies as a whole were gaining him enemies in various other quarters than among the Nazis alone. The Stahlhelm or Steel Helmets, a vehemently nationalist association of war veterans; the Junker class in general; and some industrialists came to distrust the chancellor. Many of his opponents were associated through the influential Herrenklub of Berlin, a resort of people important in the social and economic life of the capital and of the nation. Most costly to Brüning of all was the hostility of his one-time mentor, Reichswehr General Kurt von Schleicher, an habitual conspirator who, from his position as an intimate advisor to the President, secretly exerted much influence on the political stage. Finally, and decisively, von Hindenburg himself turned against his chancellor. In mid-May, 1932, the Reichstag (again) passed a vote of no-confidence in Brüning's government, but it was not until the end of the month when the abandoned minister lost the President's confidence that he was forced to resign.

At this point chancellor Franz von Papen came to office and reclaimed the attention of historians, who last took note of his activities in connection with his notoriously unsuccessful mission to Washington as embassy military attaché before and during the Great War. In postwar times a wealthy aristocrat and Center Party member of the Reichstag, von Papen in June, 1932, found himself called to power most suddenly--thanks to the continuing machinations of General von Schleicher in the presidential palace.

The cabinet over which Franz von Papen was to preside for six months was memorable principally for the noblemen who dominated

it and for the anti-democratic views most of them entertained. Baron Konstantin von Neurath was minister for foreign affairs; Count Lutz Schwerin von Krosigk held the portfolio of finance and Baron Wilhelm von Gayl that of the interior; Baron Magnus von Braun was given the ministry of agriculture; and Baron Paul von Eltz-Rübenach took the ministry of postal services and transportation. Others in the cabinet included Dr. Franz G["]ürtner at the ministry of justice; Hermann Warmbold, minister of economics; and Dr. Hans Schäffer, minister of labor. For the first time, finally, General von Schleicher too received a cabinet post; he became Reichswehr minister. With the advent of this government at the first of June, the Weimar Republic took a fateful step towards the disaster which was to engulf it eight months later.

I

Chancellor von Papen Comes to Power

May 30, 1932--July 31, 1932

With the end of May and the beginning of June, 1932, the German political scene was one of indescribable confusion. The constant shifts and maneuvers for power at the top level reflected little other than the personal ambitions of the intriguers around President von Hindenburg.¹ On May 30 Heinrich Brüning had resigned upon von Hindenburg's order, the latter having been persuaded that chancellor Brüning was the sole obstacle to a peace with Adolf Hitler and thus to a government based upon a democratic majority.²

Another apparent reason for the resignation was von Hindenburg's unwillingness to accept two provisions of Brüning's latest emergency decree. One of these had provided for a cut in war pensions; the other for the resettlement of a large number of unemployed on the bankrupt estates of East Prussia.³ With regard to the latter arrangement, the East Prussian landowners had seen von Hindenburg at Neudeck, the President's estate in East Prussia, before Brüning's fall, and had presented their case against the chancellor. They had won the day.⁴ Brüning, however, stated that the reason for the cabinet's resignation was the President's refusal to take the necessary action to remove the military intrigue against his government, and not any disagreement over the economic proposals.⁵

Von Hindenburg had Hitler call upon him, Göring--one of Hitler's lieutenants--attending too, and informed the Nazi leader that he

1 Telford Taylor, Sword and Swastika: Generals and Nazis in the Third Reich (New York, 1952), p. 62.

2 A.J.P. Taylor, "The Seizure of Power," in Baumont, Fried, and Vermeil, ed., The Third Reich (New York, 1955), p. 528.

3 E.L. Woodward and Rohan Butler, eds., Documents on British Foreign Policy 1919-1939 (London, 1948), Second series, III, 162.

4 Ibid., p. 164.

5 Department of State, ed., Foreign Relations of the United States: Diplomatic Papers 1932 (Washington, 1947), II, 294.

was going to appoint Franz von Papen chancellor.⁶ Hitler promised to tolerate the new government on the conditions that new elections would be held, that the ban on the SA and SS would be removed, and that the National Socialist Party would be given the right to make use of the radio.⁷ General Kurt von Schleicher had already received Hitler's promise of toleration for the new government in return for the promise that the Reichstag would be dissolved and the ban be lifted.⁸ Thus it was that von Hindenburg, after having talked to several other party leaders, "casually" announced shortly after seven o'clock on the night of May 31 that he had commissioned von Papen to form a new cabinet.⁹

The choice of von Papen was largely due to von Schleicher. The latter believed that by replacing one Centrist chancellor with another he could split the Center Party and could thereby destroy it as a political factor. He believed that von Papen would serve the government well because of the latter's desire for a Franco-German industrial rapprochement and a Franco-German military alliance against the Soviet Union. And von Papen was also on intimate terms with many important people in France.¹⁰ Von Schleicher felt

⁶ Roger Manvell and Heinrich Fraenkel, Goering (New York, 1962), p. 82.

⁷ Charles Bewley, Hermann Göring and the Third Reich--A Biography Based on Family and Official Records (New York, 1962), p. 89.

⁸ S: William Halperin, Germany Tried Democracy: A Political History of the Reich From 1918 to 1933 (Hamden, 1963), p. 486.

⁹ Foreign Relations of the United States, II, 293.

¹⁰ John Wheeler-Bennett, Wooden Titan: Hindenburg in Twenty Years of German History 1914-1934 (New York, 1936), p. 397.

that by appointing von Papen the unholy alliance of Brüning with the Socialists would be ended. With a von Papen cabinet, which would be accepted by the Nazis, the government would also rest upon a stable majority.¹¹ And several of von Papen's ideas also appealed to von Schleicher. Von Papen had recently called upon the Center Party to help draw the Nazis into responsible cooperation with the government, and at the same time urged the Center to help in the forming of a new conservative bloc out of the remnants of the liberal parties. He had also written, and von Hindenburg shared this viewpoint,¹² that only such a bloc "can restore our health and help us master the party political chaos into which Weimar democracy has plunged us with its artificial mechanics."¹³

Von Papen, before becoming chancellor, had also in public speeches called upon Brüning to form a national coalition government and to unite the post of chancellor with the post of Prussian prime minister so that the federal cabinet might be able to bring the Prussian services of public order under its authority and thus secure stability for the government. And before he became chancellor he also made it clear to von Schleicher that the problem should be solved by amending the constitution, by replacing the proportional representation system with a system of individual constituencies, and by the introduction of a revamped upper house. Von Schleicher was not much interested in this, but was more in

11 Andreas Dorpalen, Hindenburg and the Weimar Republic (Princeton, 1964), p. 319.

12 Ibid., p. 328

13 Walther Schotte, Die Regierung Papen-Schleicher-Gayl, quoted in Dorpalen, p. 328.

favor of negotiations among the political parties, trade unions, cabinet, and President.¹⁴ But with von Papen as the new chancellor von Schleicher felt that he could appease the nationalists, gain the support of the National Socialists, and stabilize the relationship between the cabinet and the presidency.¹⁵

Von Hindenburg had been at first not completely convinced of von Papen's qualifications, and he had spent some time with Meissner, his State Secretary, and von Schleicher considering other possible choices. But von Schleicher finally prevailed and the choice of von Papen was made,¹⁶ although the final decision was also largely due to the fact that no other candidate of any standing was willing to take the office.¹⁷ Von Schleicher himself was under no illusions about the abilities of von Papen, but he did know the latter's ambitions and believed that he could make these serve his own ends. He was convinced too that von Papen's background and social talents would commend him to von Hindenburg.¹⁸

Von Schleicher said of the new chancellor: "People sometimes say that Herr von Papen is frivolous. But that is what we need." Of course von Schleicher meant by this only that he could control such a person much more easily. But for all his insight the General miscalculated. While von Papen was a member of the Center Party, von Schleicher did not realize that he no longer carried any

14 Franz von Papen, Memoirs (New York, 1953), p. 152.

15 Earl R. Beck, The Death of the Prussian Republic: A Study of Reich-Prussian Relations--1932-34 (Tallahassee, 1959), p. 170.

16 Dorpalen, p. 328.

17 Woodward and Butler, III, 166.

18 Erich Eyck, A History of the Weimar Republic, trans. Harlan P. Hanson and Robert G.L. White (Cambridge, 1963), II, 395.

weight in the party. Von Schleicher had calculated that a functioning Reichstag could be erected with Centrist support of von Papen and with Nazi toleration. But instead of the Center's cooperating, it insisted that Hitler take real responsibility in the government and not exercise the influence from behind the scenes.¹⁹ And von Papen would also, in foreign affairs, be likely to be persona non grata in Washington because of his actions during World War I. Von Papen had no political abilities, and no one took him seriously. But then von Schleicher did not expect to let the chancellor really rule; rather he felt that he himself would be the power in the new government.²⁰

When von Papen was told by von Schleicher on May 28 of his possible appointment, he did not wish to accept the office.²¹ He felt that, "There was also the question of whether my personal capacity would suffice for a task of such importance." He was "fully aware" of his "limitations."²² But von Schleicher did not feel that von Papen could refuse the offer, and thus made use of the friendship between himself and von Papen in an attempt to change the latter's mind.

Von Papen was entreated by Monsignor Kaas, the leader of the Center Party, to refuse the appointment because the party would find it intolerable if the post vacated by Brüning was taken by another Centrist. Kaas felt certain after this discussion that

19 Taylor, "The Seizure of Power," p. 528.

20 Dorpalen, p. 332.

21 Ibid., pp. 332-3.

22 Papen, p. 153.

von Papen would not accept the chancellorship. But when von Papen went to see von Hindenburg to turn the appointment down, the President's appeal to his loyalty and obedience was enough to make von Papen accept. He accepted the chancellorship more like a "'Lieutenant Colonel' taking orders from his 'Field Marshal,'" than a political leader coming to an agreement with a head of state.²³ Thus the support of the Center Party, upon which von Schleicher had hoped, was made impossible.

Franz von Papen had become chancellor. He was a lover of classical music, a collector of fine porcelain, and a well-groomed aristocrat. He was an admirer of Bismarck and of Plato's Republic-- the first blueprint of a totalitarian world. And his one real passion was political power.²⁴ But his first declaration as chancellor was no more than his background capable of inspiring the trust and support of the parties or of the people. He declared that he was taking office not as a politician but rather as a German. He said that the post-war governments had begun a program of state socialism that was beyond the country's means, and which had turned the government into a type of charity institution. By this the moral strength of the nation had been weakened, and if the nation was to be able to combat Marxist and atheist teachings it would have to be rebuilt on a basis of Christian principles. He also stated, something perhaps more appealing to the nation, that Germany must achieve equality of rights and political freedom in foreign relations, something which would be accomplished in consultation with other nations.²⁵

23 Dorpalen, pp. 333-4.

24 S.L. Solon, "Hitler's Gentleman of Intrigue," The American Mercury (April, 1941), LII, 475.

25 Papen, p. 160.

Von Papen had come to power. But he enjoyed little mass support. He had the confidence of von Hindenburg and the powers behind the President--the camarilla which von Schleicher and Oskar von Hindenburg dominated. He was accepted by Hugenberg, by the Stahlhelm, and by the influential Herrenklub, as these hoped that von Papen would organize a solid political bloc of the non-Fascist Right which would spear-head an attack upon the Weimar Republic.²⁶ He had the backing of the armed forces, and the unreliable support of the Nazis through their promise of toleration.²⁷ But the chancellor and his cabinet could expect only 71 of the 577 votes in the Reichstag to be cast for government legislation.²⁸ And thus it was that from the first day the reception of the von Papen cabinet from the public and in political circles was the very worst imaginable. Jibes and invective rained down upon the chancellor and his colleagues from every quarter.²⁹

Business circles were worried. Some businessmen feared that the government would do something foolish which would further depress trade and perhaps endanger the currency.³⁰ And the strong preponderance of aristocrats in the cabinet also angered the German nation which in a large part scorned the nobility as a class and which did not wish to see the monarchy restored. To most Germans the cabinet seemed a retreat to an outdated past to which

26 Walter H. Kaufmann, Monarchism in the Weimar Republic (New York, 1953), p. 208.

27 John Wheeler-Bennett, The Nemesis of Power: The German Army in Politics 1918-1945 (London, 1953), p. 249.

28 Hannah Vogt, The Burden of Guilt: A Short History of Germany 1914-1945, trans. Herbert Strauss (New York, 1964), p. 101.

29 André François-Poncet, The Fateful Years: Memoirs of a French Ambassador in Berlin--1931-1938, trans. Jacques LeClercq (New York, 1949), p. 30.

30 Woodward and Butler, III, 187.

they did not want to return. For these reasons, if for no others, the Nazis could not tolerate the von Papen cabinet for long and still retain the respect of their followers.³¹ And something as unique as the cabinet was the lack of a single representative of labor in the new government.³²

The cabinet was soon nicknamed by the people the "Cabinet of Barons."³³ And this is exactly what it was. It was held together by its social homogeneity and by the close socio-military relationship between its members--something which linked it closely to von Hindenburg. It was also politically homogeneous. None of its members was directly tied to any political party. And also its members shared the same outlook--monarchist, antidemocratic and entrepreneurial. It was a group of Rightists.³⁴ Indeed it also looked as if an attempt was being made to erect the reserve officers into the ruling class of Germany. As one of the cabinet members, von Braun, states:

One really could not deny that most of us ministers came from quite similar milieux. Papen, Gayl, Eltz, and I all belonged to Potsdam guard regiments. Schleicher had served in the same regiment as the Hindenburgs, father and son. Gurtner was from the Bavarian artillery; Neurath, from the Württemberg dragoons; and Krosigk, from the Pomeranian cavalry.

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31 Dorpalen, p. 336.

32 Halperin, p. 487.

33 Vogt, p. 101.

34 Dorpalen, p. 335.

35 Magnus Freiherr von Braun, Von Ostpreussen bis Texas, quoted in Dorpalen, p. 397.

And the appointment of von Neurath as foreign minister also indicated a revolt against democracy. The aristocracy once again was in control of Germany's foreign policy. And although the cabinet would argue about the sacrifice of agriculture to exports and vice versa, the big industrial interests soon almost unanimously welcomed von Papen's social and economic plans, and the aristocracy welcomed the chancellor's almost unlimited subsidization of agriculture. Both groups acknowledged that these policies were an attempt to place the burden on the shoulders of the privileged working class.³⁶

What could the people expect from this government? Von Papen soon told them. He said that the country's chief task was strengthening Germany's influence in the world, of restoring the Holy Roman Empire--that government under which all German-speaking peoples had been united. This had to be done, and because of the critical domestic situation this task had to be entrusted to him. For he and his colleagues alone knew how to succeed in this task. Privately he outlined further what he and his cabinet planned to do. They would steal from Hitler his followers and use them for another purpose. They would restore private capitalism and fortify it against any future Socialist attack; they would re-establish the almost obsolete Christian foundation of the German State; they would change the German constitution so as to perpetuate the rule of a few strong-minded nationalists like themselves. In fact von Papen and his colleagues seemed to be of the opinion that only they were capable of saving the "'absolute' Germany of their dreams from the possibly less heroic whims of merely mortal Germans."³⁷

³⁶ R.T. Clark, The Fall of the German Republic: A Political Study (New York, 1964), pp. 416-7.

³⁷ Edgar Ansel Mowrer, Germany Puts the Clock Back (New York, 1933), p. 301.

The von Papen cabinet was convinced that Germany could be renovated against the will of the German people. For as the chancellor said more than once, a conservative policy finds its support in the divinely established order of things and conservative rulers are responsible to God alone.³⁸ He and his ministers believed that their task was to establish the "authoritative State." And they said that they would support the constitution in this task. But this did not in fact extend to Article 54 which stated that the cabinet must have the confidence of the Reichstag. For they had decided to dissolve any Reichstag that would disagree with them and to continue to rule by emergency decree until the people would elect a Reichstag that would do the government's bidding.³⁹

Thus had begun the use of the presidial--or presidential--cabinet, a cabinet led by a man who was not a party leader, who stood above the parties, and who enjoyed the special confidence of the President. The nation was now to be ruled by a cabinet that would carry out government business without the consent of the Reichstag. For the sole function of the Reichstag now was that it give its sanction or toleration to government business after that business had been already put into effect.⁴⁰

At first the cabinet was divided as to the proper manner for dealing with Hitler. Von Hindenburg, supported by von Papen and his minister of interior von Gayl, believed that the Nazi movement would disappear with improved economic conditions, and for this reason he was unwilling to let the Nazis have a share in the

38 Mowrer, p. 307.

39 Ibid., p. 302.

40 Konrad Heiden, Der Fuehrer--Hitler's Rise to Power, trans. Ralph Manheim (Boston, 1944), pp. 496-7.

government. But another group of ministers headed by minister of justice G^urtner wanted to take the more moderate Nazis into the government. Von Schleicher would not commit himself to either side. But von Papen was chancellor, and he decided that the best thing to do would be to use the breathing space created by the Nazi toleration to institute reforms. After this the Nazis could be dealt with.⁴¹ But first this toleration had to be obtained.

This, however, did not mean that von Papen was going to allow everything as Hitler wished. The chancellor wanted political power for himself, not Hitler. And besides he and his cabinet as a whole did not care for Hitler because of his connection with the socialistic ideas of Gregor Strasser. And they disliked him because they saw in him a demagogue and a parvenu. For these reasons the new chancellor, at the same time when he was seeking toleration for his government, would also try to canalize Hitler's movement into his own fold.⁴² He would attempt to steal Hitler's thunder, an effort that was to continue throughout his time in office, by trying again to popularize ideas like authority, conservatism, concentration of power, divine will, and Christian militarism.⁴³ But never would von Papen endeavor to build support by creating a political party, for this would have destroyed the concept of a presidial cabinet.

At the first cabinet meeting on June 2 the dissolution of the Reichstag, which was to meet four days later, was discussed. Von Schleicher, the dominating figure in the cabinet at the

⁴¹ Wheeler-Bennett, The Nemesis of Power, p. 249.

⁴² Mowrer, p. 302.

⁴³ Ibid., p. 308.

moment, suggested that new elections should be postponed for the longest time permissible.⁴⁴ On June 4 the decree of dissolution, based on the fact that the composition of the Reichstag no longer corresponded to public opinion, was issued. How justifiably this could be reconciled with the legal powers granted by Article 48 of the constitution is hard to judge, but previous presidential decrees had certainly been founded on as weak grounds.⁴⁵ And then it was also said that if Germany's interests were to be properly represented abroad the first task had to be the clarification of the internal political situation.⁴⁶

Hitler had wanted the dissolution because he was confident that new elections would bring the Nazis more seats in the Reichstag. Thus after June 4 the Nazis concentrated all their efforts on the election, and in the process became more and more critical of the government.⁴⁷

The attitude taken by von Papen, however, on this occasion indicated that he had plans of his own and would not bow entirely to Nazi wishes. The election was set for the last possible day, July 31, with the hope that this would allow sufficient time to impress the nation with the government's achievements. This, von Papen hoped, would provide the government with a means whereby the Nazis could be outflanked.⁴⁸ And on June 4 von Papen issued a proclamation to the country. In this he attacked the previous Brüning regime for having attempted to turn the state into a

⁴⁴ Reichskanzlei, Kabinettsprotokolle, June 2, 1932, quoted in Beck, p. 79.

⁴⁵ Karl Dietrich Bracher, Die Auflösung der Weimarer Republik: Eine Studie zum Problem des Machtverfalls in der Demokratie, quoted in Beck, p. 79.

⁴⁶ Papen, p. 160.

⁴⁷ Wheeler-Bennett, The Nemesis of Power, p. 250.

⁴⁸ Dorpalen, p. 337.

welfare institution, an attempt which, said von Papen, had undermined the nation's moral strength. Germany was also being led to financial ruin by the Treaty of Versailles, the economic crisis, and the inept system of parliamentary democracy. To solve these problems, von Papen announced, his government was seeking an amalgamation of all patriotic elements in the nation. It would be the duty of his cabinet to check the "moral disintegration of the people, [which was being aggravated by class warfare and cultural Bolshevism...." On the whole this proclamation was Nazi in tone, for the chancellor was trying both to placate Hitler and also to steal some of the support that Hitler acquired by his appeals to German nationalism.⁴⁹

The proclamation was met by an explosion of wrath. Vorwärts, the Socialist newspaper, spoke of a "declaration of war by the Nazi-Barons against the working class" and of the government as "a revolutionary clique." The Democrats took the legalist view that the constitution had been violated. They maintained that von Papen been unconstitutionally appointed because he had neither a party following nor any hope of finding a majority in the Reichstag. To them the chancellor had taken his mandate from the President instead of from the people, an act that violated the spirit of the constitution.⁵⁰

On June 9 von Papen met with Hitler for the first time. The meeting was held in a flat belonging to von Schleicher's friend, one Herr von Alvensleben. Von Papen had taken the initiative in calling the meeting, for he wanted to hear Hitler's version of the agreement that he had made with von Schleicher. Hitler told the chancellor that he considered the von Papen government only of a

49 Halperin, p. 488.

50 Clark, pp. 369-70.

temporary nature, and that he would continue to increase the strength of his party to such a point that the von Papen cabinet would have to resign. The talk, which lasted about an hour, was not very constructive. But it did impress upon von Papen the necessity of gaining a political success at the coming Lausanne conference and of beginning a program to combat unemployment and radicalism so that he could thereby gain the backing of the nation.⁵¹

Hitler then began to demand that the ban on the SA be lifted. Von Papen asked first for a written promise that Hitler would support his government. Hitler wrote such a promise for von Schleicher, but both men then forgot it, and von Papen never did receive it. For this reason the chancellor became distrustful of the Nazis, and began to hesitate about lifting the ban. Soon both sides were accusing the other of broken promises.⁵²

But the von Papen cabinet still hoped to gain the support of the nation before the July 31 elections. Therefore the chancellor now embarked on his ideas of reform. After having called on the Prussian government to begin steps to form a new ministry, von Papen proposed that a Reich commissioner be appointed to govern Prussia in default of the Prussian government. This instantly aroused the hostility of the Center Party. The government also proposed that the legal age for voting be raised to the age of twenty-five.⁵³

At the cabinet meeting of June 13 the second major action of the von Papen government was discussed, and then put into effect. One of the important problems that faced the government was the

51 Papen, pp. 162-3.

52 Heiden, pp. 465-6.

53 Woodward and Butler, III, 169.

balancing of the budget in the face of the broad variety of social security payments to which the government was committed. For the unemployment insurance, "crisis support," welfare payments, pensions for invalids and disabled war veterans, and other varieties of local welfare payments placed a heavy burden on the government's resources at a time when the tax yield was declining. Because of this situation the cabinet had acted. But the slashing of these payments, the requirement that need for assistance be demonstrated, and an increase of the contributions that were required of each employed person for these payments were indeed harsh measures,⁵⁴ and measures that were sure to meet opposition. As noted in Vorwärts this meant cuts of 15% in pension payments to invalids and sub-marginal wage-earners, 20% cuts for partially disabled veterans, 23% cuts for unemployment insurance payments, 10% cuts for "crisis support," and 15% cuts for welfare support payments.⁵⁵

On June 16 the Reich government finally issued an emergency decree with regard to political disturbances. Finally the Nazis had their demand fulfilled. This decree superseded earlier decrees on the subject, and set out those provisions of the earlier decrees which were still to be applicable. The decrees dissolving the Storm Detachments and forbidding the wearing of uniforms were omitted from this list, and were in this way rescinded.⁵⁶

The von Papen government felt that the ban had been a one-sided prohibition against the Nazis, as it was only to them that it really applied. Of course von Papen was also keeping his promise

⁵⁴ Reichskanzlei, Kabinettsprotokolle, June 13, 1932, quoted in Beck, pp. 79-80.

⁵⁵ Vorwärts, June 15, 1932, quoted in Beck, p. 238, fn. 63.

⁵⁶ E.L. Woodward and Rohan Butler, eds., Documents on British Foreign Policy 1919-1939 (London, 1950), Second series, IV, 3.

to Hitler. It was felt that giving all parties equality in this respect would eliminate a dangerous source of Nazi propaganda. And, as von Papen noted later, the repeal of the ban was not given as a license for political acts of violence, for included with the decree was a warning by von Hindenburg that acts of violence resulting from the decree would bring an immediate prohibition of the guilty organization.⁵⁷ Von Papen also said privately that he had lifted the ban "so that they Nazis might hang themselves by their own words."⁵⁸

But with the removal of the ban outbreaks of violence between Nazis and Communists became more frequent and bloody. All the political parties were soon demanding action to terminate these conditions. And even the Army was becoming worried that it might have to crush a rising of the Left and the Right at the same time.⁵⁹

Von Papen's program of winning the nation's support was not working. Added to these denunciations of his action had come trouble from below the Main. The South German states and their governments were largely Catholic in population, and had therefore already been embittered by the fall of Brüning. They distrusted the Prussian Junkers and the military camarilla in Berlin, and they were beginning to show resistance to the hegemony of the North and East in Germany.⁶⁰ These states, Bavaria, Baden, and Württemberg, were also greatly opposed to the lifting of the ban on the SA and SS lest this would plunge the country into more chaos. And they were worried about the rumor that the Prussian caretaker government

⁵⁷ Secretariat of the Tribunal, Trial of the Major War Criminals Before the International Military Tribunal (Nuremberg, 1948), XIX, 131. (Referred to hereafter as IMT).

⁵⁸ Louis P. Lochner, "Introduction"; The Goebbels Diaries (London, 1948), p. xxiv.

⁵⁹ Wheeler-Bennett, The Nemesis of Power, p. 251.

⁶⁰ Heiden, p. 473.

would be replaced by a Reich commissioner--a rumor that was fairly widespread. They, themselves, were unable to form majority governments, and thus having similar caretaker arrangements were afraid that if the Reich was allowed to administer Prussia similar fates might befall them. It was because of this fear that the heads of these three states in mid-June, before the ban had been lifted, visited von Papen and von Hindenburg in Berlin.⁶¹

After having talked with von Papen they talked jointly with von Papen and von Hindenburg--neither conversation being very reassuring. Dr. Heinrich Held, the Bavarian minister-president, warned the two men that intervention in the internal affairs of Prussia would likely be unconstitutional, and that the repeal of the ban would impair the authority of the President and might lead to civil war. Von Papen, who guided the discussion for the President, replied that he had no intention of intervening in Prussia and that the appointment of a Reich commissioner there would be justifiable only as an ultima ratio if the vital interests of Germany were at stake. He said that the removal of the ban would merely restore equality to all parties, and that to check the activities of the parties they would be placed under supervision of the Reich minister of interior. If civil war threatened, all para-military organizations would be outlawed.⁶² Held, speaking for Premier Eugen Bolz of Württemberg and Premier Christian Schmitt of Baden also, continued to point out that the appointment of a Reich commissioner might lead the South German states to secede, that this would destroy the federalist basis of the Reich, and that the

⁶¹ Dorpalen, p. 338.

⁶² Waldemar Bessen, Württemberg und die deutsche Staatskrise, 1928-1933, quoted in Dorpalen, pp. 338-9.

moment any Reich commissioner stepped on Bavarian soil he would be arrested. He also noted that newspaper reports were saying that von Papen had told the Prussian government that he did not intend to pay Prussia for her realty transfers to the Reich⁶³ shares held by Prussia in the German Bank for Rural Settlements.

The South German ministers left the meeting doubtful that anything had been accomplished. And when von Papen issued his decree lifting the ban, Bavaria and Baden forbade at once all outdoor meetings and the wearing of political uniforms, while Württemberg prohibited only open-air demonstrations. But this interfered with the government's attempt to achieve a temporary compromise with Hitler, and for this reason von Schleicher demanded these restrictions be removed. The South German states would not yield. Therefore von Papen had a new presidential decree issued on June 28 which by superseding all state regulations thereby removed these South German restrictions on his June 14 decree.⁶⁴

Political affairs had reached this point when chancellor von Papen and his cabinet moved into--what soon proved to be--the momentous month of July. Two major events were to take place during this month, both of which were of great importance to Germany and to the von Papen government. These were the Prussian coup of July 20 and the elections of July 31.

On April 24, 1932, the Social Democrats had lost their traditional majority in the Prussian diet to the Nazis in the diet elections.⁶⁵ The election did not give the NSDAP a majority of the seats in that body, and therefore the party was unable to form

⁶³ "South Germany's Threat of Revolt," The Literary Digest (June 25, 1932), CXIII, 13.

⁶⁴ Cabinet meetings, June 18, 21, 25, 1932, RKz./1710/790237-40, 790250-51, 790277-82, quoted in Dorpalen, pp. 340-1.

⁶⁵ Wheeler-Bennett, The Nemesis of Power, p. 252.

a government by itself. But its results, nonetheless, had made it necessary for Prime Minister Braun's government to resign on May 19, although it remained in office as a caretaker government until a new cabinet could be formed. Consequently the election had created a hopeless situation. For the Nazis with 162 seats and the Communists with 57 seats constituted an absolute majority, but neither thought of joining with the other to form a government.⁶⁶ And then with the advent of the von Papen government rumors began that the Prussian government would be disposed of and would be replaced by a Reich commissioner.

Von Papen was determined to take over the Prussian government, for it was the last major stronghold of the Social Democrats and as such was a symbol of the Weimar Republic and an obstacle to the establishment of an authoritarian government. The German Nationals and the German People's Party had been clamoring for the absorption of Prussia into the Reich for some time. And the Reichswehr was also in favor of this action which would concentrate the power resources of the Reich and Prussia in the same hands. In addition the Nazis had been complaining about Prussia, and had said that a Reich intervention would be a sign of the government's good faith. Finally the unfavorable reaction to the Lausanne settlement, which had reduced Germany's reparations in an attempt to lessen her financial difficulties, made von Papen feel that he needed some accomplishment by his government which would improve its prestige; especially as the Reichstag election was soon to be held. The removal of the Prussian government seemed to him the best move.⁶⁷

66 Vogt, p. 101.

67 Dorpalen, pp. 342-3.

By removing the Prussian government von Papen hoped also to improve his bargaining position with Hitler once the Reich had control over the Prussian police.⁶⁸ In fact the dismissal of the Prussian government and its replacement by a Reich commissioner had been a subject of discussion between the Nazi leaders and von Papen's government almost from the time von Papen took office. And besides the Nazi press had been calling for a solution to the Prussian problem, one that would sweep away the taint of Marxism, especially in the police department, in this state.⁶⁹ It would also appear that one important factor accounting for the Nazi toleration of the von Papen government was von Schleicher's promise to them that there would be changes made in Prussia. Of course this was no real concession on the part of von Schleicher who did not care for the existing Reich-Prussia dualism anyway. But if the Reich could take over the state, perhaps this would improve von Papen's relations with the Nazis, who did not like the restrictions placed upon them by the present Prussian government.⁷⁰

The Weimar Republic had inherited from Bismarck a system which involved many uncertainly defined limitations of functions on the part of the Länder and the central government. And although the new republic was more centralistic than the former Reich, the bureaucracies of both the Reich and the Länder were eager to retain as broad an area of activity and power as possible. The result was a number of problems which vexed Reich-Länder relationships, and which caused some persons to advocate a reform of this system. It was these demands for reform which deprived von Papen's

68 Bracher, Auflösung, quoted in Dorpalen, p. 342.

69 Wheeler-Bennett, The Nemesis of Power, p. 253.

70 Beck, p. 94.

opponents of a clear and unequivocal ground for opposition to the chancellor's Prussian policies.⁷¹

Little had been really secret about the intentions of von Papen's cabinet with regard to Prussia. It was well-known that one of its objectives would be a replacement of the Braun regime by an administration more pleasing to the Right. An indication of this was seen soon after von Papen came into office. At the first cabinet meeting, June 2, the State Secretary of the Prussian Ministry of State, who had traditionally attended Reich cabinet meetings, was told that he could attend only those meetings that concerned Prussian issues.⁷²

Prussia would not strike back at the cabinet. Braun and Severing, the Prussian minister of interior, did not want to provide a situation which von Papen could use as an excuse for intervention. And in keeping with this policy, the Prussian government complied completely with the Reich government's requests by readmitting the SA and SS and by permitting the wearing of uniforms and the holding of open-air demonstrations. But von Papen could not be appeased.⁷³

The chancellor's next move was to create a basis for interference in Prussian affairs. The Brüning cabinet had engaged in respect to the Prussian budget of 1932 to provide 100 million marks for shares held by Prussia in the German Bank for Rural Settlements. Von Papen now decided to revoke this promise, which had the effect of causing a deficit in the Prussian budget. The result was a financial crisis which might have been exploited as

71 Beck, p. 94.

72 Reichskanzlei, Kabinettsprotokolle, June 2, 1932, quoted in Beck, p. 95.

73 Dorpalen, pp. 341-2.

a grounds for Reich intervention had not the Prussian government taken valiant measures to fill the gap. At this point the problems of the Lausanne Conference took the attention of the government, and von Papen decided to postpone the solution of the Prussian question for a while.⁷⁴

After the Lausanne Conference the main problem again was to find the legal grounds upon which an intervention could be based--grounds which would satisfy both von Hindenburg and the South German states. On July 11, three days after von Papen's return from Lausanne, the cabinet met and agreed, with the exception of labor minister Schäffer, on intervention. But it was stressed that a valid reason for this action was necessary.⁷⁵

Von Gayl, a leading advocate of such action at the same cabinet meeting, presented the view of a shattered state authority in Prussia: efforts of the Prussian police to combat the Nazis made it impossible to combat the Communists; Prussian finances were in disorder, and the state had to borrow from the Reichsbank to meet its current needs; Severing had issued a statement which implied an open criticism of the Reich government's prohibition the Vorwärts from publishing for a week. Under these circumstances von Gayl felt that the Reich chancellor should be made the Reich commissioner of Prussia, and that the latter should then subordinate the Prussian ministers who would remain until administrative reform of the state could be completed.⁷⁶

It is important to note that at this meeting there was clearly an uncertainty as to how an intervention would be justified.

⁷⁴ Beck, pp. 96-7.

⁷⁵ Cab. mts., July 11, 1932, RKz./1710/790365, 790369-71, 790377-82, quoted in Dorpalen, p. 343.

⁷⁶ Reichskanzlei, Kabinettsprotokolle, July 11, 1932, 5:30 P.M., quoted in Beck, p. 98.

And no other grounds for action could be thought of than that excuse of Görtner who suggested the possibility of using the Prussian budgetary deficits as a means for action.⁷⁷

At the July 12 cabinet meeting a draft decree for the establishment of a Reich commissioner was read and discussed.⁷⁸ The institution of the chancellor as Reich commissioner for Prussia was set for July 20. At this meeting also von Gayl and von Schleicher argued that the customary ultimatum should not be presented in this case.⁷⁹ Then at the July 13 cabinet meeting Meissner suggested that the Prussian government should be presented with a formal complaint about its failure to act effectively against the Communists. But as Severing had issued the same day a strong proclamation calling for order and moderation, the cabinet decided to postpone any action in this direction.⁸⁰

The Severing proclamation had called for the strictest police measures against anyone found in illegal possession of arms and for the prohibition of all political demonstrations for which adequate police protection could not be provided.⁸¹ This had added one more grievance to von Papen's list, for Severing was being very uncooperative in his police action by dealing with the Nazis as strictly as he did with the Communists.⁸² This proclamation indicated that the Prussian government was strongly

⁷⁷ Reichskanzlei, Kabinettsprotokolle, July 11, 1932, 5:30 P.M., quoted in Beck, p. 99.

⁷⁸ Reichskanzlei, Kabinettsprotokolle, July 12, 1932, quoted in Beck, p. 99.

⁷⁹ Cab. mtg., July 12, 1932, RKz./1710/790386-88, quoted in Dorpalen, p. 344.

⁸⁰ Reichskanzlei, Kabinettsprotokolle, July 13, 1932, quoted in Beck, p. 99.

⁸¹ Carl Severing, Mein Lebensweg, II, quoted in Dorpalen, p. 344.

⁸² Dorpalen, p. 344.

determined to maintain law and order.⁸³ Indeed on July 13 the leaders of the Social Democratic Party Rudolf Breitscheid and Otto Wels, had a conference with minister of interior von Gayl to whom they explained the necessity of reinstating the ban on party uniforms. But von Gayl declined to renew the ban saying that the maintenance of law and order was the responsibility of the Land governments.⁸⁴

On July 14 von Papen, von Gayl, and von Schleicher visited von Hindenburg at Neudeck, ostensibly to make a report on the Lausanne Conference, but in fact to obtain the President's signature for the decree with which they would attack the Prussian government.⁸⁵ Von Papen offered von Hindenburg his resignation because of the reception of the Lausanne settlement in Germany, but the latter refused to accept any resignation. Then the decree was presented. Von Hindenburg was at first reluctant to sign, but in the end von Papen won out and the President signed the decree, leaving the date for the intervention blank.⁸⁶

When von Papen had returned from Lausanne he had been greeted with the report from von Schleicher that Wilhelm Abegg, the Social Democrat State Secretary of Prussia, had met with Caspar, a Communist member of the Prussian diet. Von Papen therefore came to the conclusion that "An alliance between the two Marxists parties was by no means unlikely, and if it came about, would present a most menacing situation."⁸⁷ It is true that this meeting had taken

⁸³ Joachim Petzold, "Der Staatsstreich vom 20. Juli 1932 in Preussen," quoted in Dorpalen, p. 344.

⁸⁴ Cuno Horkenbach, Das Deutsche Reich von 1918 bis heute, I, quoted in Eyck, p. 409.

⁸⁵ Eyck, p. 411.

⁸⁶ Dorpalen, p. 344.

⁸⁷ Papen, pp. 188-9.

place on June 4. But Abbegg was no Social Democrat, rather he considered himself a member of the German Democratic Party, and belonged to the Democratic Club. In fact Severing knew nothing of the meeting, and when on July 20 von Papen summoned him the chancellor was careful not to mention to Severing anything about the Abbegg-Caspar meeting. And Severing's memoirs show that the Social Democrats had no desire for an alliance with the Communists, and that between June 4 and July 14 nothing whatsoever took place that could be considered a change in the Communist opposition to the Prussian government.⁸⁸ It would seem that von Papen gives this event added importance in his memoirs only as an afterthought.

By July 16 all final doubts, if any, had been removed from the chancellor's mind. And it had been decided that the formal complaint (Mangelrüge) which had always precluded the usage of presidential emergency powers against the state (Reichsexekution) would not be issued on this occasion.⁸⁹

On July 17 in the north German city of Altona the Nazis paraded through the working class districts of the city with the result of 81 casualties and 17 deaths. This was, of course, the fault of the Reich government because of its lifting of the ban.⁹⁰ Nonetheless this Nazi-Communist riot was seized upon by von Papen as an excuse to intervene in Prussia on the flimsy pretext that the Prussian government could not be relied upon to deal firmly with the Communists or to maintain law and order. This would also help, von Papen estimated, to conciliate the Nazis. And it would

88 Eyck, p. 413.

89 Beck, p. 99.

90 Dorpalen, p. 345.

give the chancellor an opportunity to lessen the Nazi propaganda against "Marxism," and in this way enable him to gain the support of the anti-Communists in Germany.⁹¹

The chancellor next called a meeting of the Prussian cabinet for the afternoon of July 20, attempting to lull his opponents into a sense of false security.⁹² On July 19 he declared that the government would await the effect of the decree which he had issued on the 18th before taking any action. This decree had forbade open-air meetings and processions.⁹³

In the meantime von Papen had issued an invitation on July 18 to Severing and Braun's representative, Hirtsiefer, for a discussion at the Reich Chancellery. An invitation was later extended to the Prussian finance minister, Otto Klepper. On July 20 at 10:00 A.M. the three Prussian representatives arrived at the Reich Chancellery. Von Papen told them that the President in view of his concern for security and order in Prussia had made use of paragraphs one and two of Article 48 of the constitution to establish the Reich chancellor as Reich commissioner for Prussia.⁹⁴

Von Papen next told the three men that only the offices of prime minister and minister of interior would be taken over, and only for a short time, and that the other ministers would be asked to continue in their present capacities. He said that Dr. Bracht, the mayor of Essen, would be appointed his deputy in Prussia. Von Papen hoped that as Dr. Bracht was "a moderate and intelligent politician and administrator" the appointment of the Essen mayor would assuage any fears they might have that "unnecessary

91 Alan Bullock, Hitler: A Study in Tyranny (New York, 1953) p. 193.

92 Wheeler-Bennett, The Nemesis of Power, p. 253.

93 Woodward and Butler, IV, 10.

94 Beck, p. 101.

experiments" would be made in Prussia.⁹⁵ But in fact the Reich chancellor was authorized to suspend ministers and to name whom he wished to cabinet rank.⁹⁶

Von Papen then, in the presence of von Schleicher and von Gayl, asked the three Prussian representatives to sign a protocol recognizing their dismissal "by mutual consent." Severing, angered, denied the lack of police protection and said that he would yield only to force.⁹⁷ To provide the force that Severing requested, and which was not of great physical nature but merely to show that the Prussian minister of interior was leaving office under protest, a second presidential decree was issued which proclaimed "a state of siege" for Berlin and Brandenburg with General von Rundstedt as its executor.⁹⁸

No strike was called by the Social Democrats against a coup which was all but ruinous to the Weimar Republic. They limited their action to a verbal protest. But even if they had called a strike, the trade union leaders would have prevailed in any case upon their members to wait in their action. For von Schleicher had foreseen, perhaps, an occurrence of this type, and had placed the trade union leaders on his side. Von Schleicher had assured these leaders when von Papen had taken office that his real aim was not to bring the Nazis into the government, but rather to do away with the Reichstag and create in its place a form of corporative parliament, based largely upon the trade unions.⁹⁹

95 Papen, p. 190.

96 Francois-Poncet, p. 34

97 Wheeler-Bennett, The Nemesis of Power, p. 253.

98 Beck, pp. 102-3.

99 Wheeler-Bennett, The Nemesis of Power, pp. 404-5.

After the coup von Papen began a series of attempts to justify his action in the face of the appeal of the Prussian ministers to the Supreme Court on the 21st and the protests of the South German states. In a radio broadcast on the evening of July 20 he said that Prussia had been incapable of forming a government. He noted that the Communists held the key position in Prussia, but that they aimed to overthrow the constitution by violence. And the Prussian government had been unable to control the Communist agitation, and had been even playing into the hands of the Communists. He said that he hoped the commissional government would be of short duration.¹⁰⁰ And he alluded to the possible alliance¹⁰¹ of the Social Democrats and Communists in Prussia.

On July 20 von Papen also sent Kurt von Lersner, his representative to Baden and Bavaria, to the Bavarian minister-president to give him an account of the Prussian action that would be favorable to the chancellor and to quiet any fears that the presidential decree might be the first step in a general action against the federal structure of the Reich. Von Lersner explained that the Prussian affair was merely a temporary measure and that the chancellor was a sincere federalist at heart and had no thoughts of proceeding in the same way with the other Länder. But Held was unconvinced.¹⁰² At a meeting of the governments of the Länder on July 23 at Stuttgart von Papen used the same line of argument, but he again was unable to convince the Land governments. They carried a resolution against his Prussian action.¹⁰³

100 Woodward and Butler, IV, 113.

101 Papen, p. 192.

102 Eyck, p. 418.

103 Vorwärts, July 24, 1932, quoted in Beck, p. 108.

On July 23, after the July 21 appeal by the Social Democrats, the Supreme Court began its consideration of the Prussian government's request for a temporary injunction which would stop the action of the Reich. But when the Reich pointed out that the granting of an injunction would be merely deciding the case before it was heard and would be denying that an emergency had existed, the court refused to grant the injunction.¹⁰⁴ This was at least a small victory for von Papen, and it would provide him with more time during which he might carry out his changes in Prussia.

The news of the Prussian coup was received with deep pessimism in the democratic circles of Germany. It was felt that the revolution of November, 1918, had been undone, that a staggering blow to the federalism of the republic had occurred. And this feeling was strengthened when the Supreme Court failed to grant the injunction.¹⁰⁵ And this feeling was justified. For with von Papen's action in Prussia disappeared the last possibility of a successful resistance to the non-parliamentary government of the chancellor or any other similar government which might follow his.¹⁰⁶

Von Papen was able to carry out his changes at first with no opposition. For the President's original decree had also done away with personal immunities that were guaranteed by Articles 114, 115, 116, 117, 118, 123, 124, and 153 of the constitution.¹⁰⁷ This made possible the use of the death sentence for such crimes

104 Beck, pp. 108-9.

105 Halperin, p. 494.

106 Calvin B. Hoover, Germany Enters the Third Reich (New York, 1933), p. 58.

107 Berliner Tageblatt, July 20, 1932, P.M., quoted in Beck, p. 107

as treason, arson, floodings, sabotage, and bombings.¹⁰⁸ And in addition the martial law that had been declared was not withdrawn until July 26.¹⁰⁹

Von Papen states in his memoirs that the preamble of the July 20 decree made it clear that under the Reich commissioner the independence of Prussia would not be affected.¹¹⁰ But available evidence seems to contradict this statement. Berlin's chief of police and his aides were soon replaced by members of the officers' corps. Prussian cabinet members were replaced with men of conservative outlook, and the provincial governors and police chiefs throughout Prussia, most of them Social Democrats, were also replaced by Rightists.¹¹¹ The very arrest of Police President Grzesinski on July 20 was a violation of his parliamentary immunity as a member of the Prussian Landtag.¹¹² The new head of police in Berlin, Melcher,¹¹³ was a man a little more to von Papen's liking.

In the days following the Prussian coup almost every outspoken republican official in the upper ranks of the Prussian administration, whether a Social Democrat or not, was relieved of his post. These posts were then filled with men none too friendly to the Weimar Republic, mostly men of noble birth, and even former officials who had in 1920 lost their positions for participating in the Kapp insurrection against the republic were reinstated to

108 Beck, p. 107.

109 Wheeler-Bennett, The Nemesis of Power, p. 256.

110 Papen, p. 189.

111 Halperin, p. 493.

112 Albert Grzesinski, Inside Germany, quoted in Beck, p. 107.

113 Papen, p. 192.

office.¹¹⁴ Franz Bracht, von Papen's representative in Prussia and the Reich commissioner for the Prussian ministry of interior, said that his purpose was to raise the state above political parties. His utterances were directed strongly toward an increase in the authority of the Reich and implied considerable friendship to the Nazi position. It soon became clear that he was moving toward administrative reform of considerable scope. The groundwork for such reform had, to be sure, been laid out by the Braun-Severing government, but it had not been expected that this would be carried out by a representative of a reactionary Reich commissioner.¹¹⁵

By July 25 Bracht was able to report to the von Papen cabinet that he had almost completed the reorganization of the police presidency in Berlin.¹¹⁶ On July 26 he notified the Prussian civil service officials that they now had the right to belong to the Nazi Party.¹¹⁷ On July 27 he by means of an emergency decree closed a good number of the offices of the Landkreise (counties) and of the district courts.¹¹⁸ Thus before the court proceedings on the Prussian coup had opened in October von Papen had had ample time to make the changes in Prussia that he felt necessary.¹¹⁹

Now the von Papen government had to prepare for the coming elections on the 31st. But what had the government to show the people in accomplishments during its almost two months in office? On the domestic scene von Papen had been almost entirely unsuccessful. The lifting of the ban on the SA and SS had not promoted

114 Mowrer, p. 5.

115 Beck, pp. 110-1.

116 Reichskanzlei, Kabinettsprotokolle, July 25, 1932, quoted in Beck, p. 110.

117 Der Angriff, July 26, 1932, quoted in Beck, p. 110.

118 Berliner Tageblatt, July 29, 1932, quoted in Beck, pp. 110-1.

119 Beck, p. 109.

internal peace, but rather had increased the clashes between Right and Left. The financial decrees had aroused bitterness, for although they had largely been prepared by Brüning they had been amended so as to be acceptable to von Hindenburg and his agrarian friends.¹²⁰ And the Prussian affair had not helped von Papen's popularity either.

In the field of international affairs von Papen had been successful to a degree, but this success was not recognized in Germany. In this category von Papen had been trying to implement his idea of a revived and strengthened Germany, and also he had been trying to gain a triumph over the Nazis. At the Lausanne Conference he had explained the domestic political situation in Germany, and had pointed out that if he failed to achieve his goals at Lausanne the only persons who would benefit from such a failure would be the Nazis.¹²¹ The conference, which opened on June 16, signed a new agreement which reduced all remaining reparations due by Germany to a lump sum of 3 billion marks. Von Papen failed, however, to secure a repudiation of the "war-guilt clause." Yet even though the chancellor's accomplishments at this conference were not negligible, Germany considered the conference merely another defeat. The Right was unimpressed because the "war-guilt clause" was still intact, and the Center gave the credit for what had been done entirely to Brüning who had laid the German groundwork for the conference. Only the Socialists seemed to appreciate von Papen's accomplishments here, but the latter cared little for what

120 Dorpalen, pp. 337-8.

121 IMT, XIX, 129.

the Socialists thought.¹²² Then on July 11 von Papen had declared that the cancellation of reparations to this sum constituted a formal abrogation of Part VII of the Treaty of Versailles, together with its "war-guilt clause." But this was to no avail, for neither London nor Paris recognized this claim.¹²³ Then on July 23 as a result of Germany's failure to secure the assent of the Western Powers to equality in the field of armaments and to a right to some measurement of rearmament, von Papen withdrew Germany from the Disarmament Conference.¹²⁴

On the domestic scene von Papen had also begun many innovations which were to be implemented further during his last months as chancellor. These indicated his desire to create a re-invigorated state through an overhaul of the republic's morals and through an enhancement of Germany's world prestige. Nakedness, both on the beaches and in nudist clubs, became the object of official disapproval. Theaters and cabarets were strictly censored. In Prussia the commissioner prescribed the extent and cut of swimming suits. From the broadcasting stations, which von Papen had monopolized for the government, bands blared forth military hymns, and German patriots sought to inculcate their listeners with the Christian virtues of obedience, reverence, and patriotism. History was interpreted to show that the Reichstag had been largely responsible for the defeat of Germany in 1918. To this barrage of propaganda Germans responded by discontinuing their radio subscriptions. Hardly a speech made by a member of the von Papen

122 Schleicher, in cab. mtg., July 11, 1932, RKz./1710/790369-70; Mierendorff, in Sozialistische Monatshefte, LXXV (1932); Hugenberg to Papen, July 23, 1932, copy in RKz./1710/790473, quoted in Dorpalen, p. 337.

123 Wheeler-Bennett, The Nemesis of Power, p. 250, fn. 3.

124 Ibid., p. 250, fn. 4.

cabinet failed to mention "that the Lord was on the side of reaction." Thus the chancellor's fight against Kultur-Bolschewismus was undertaken in the name of God. Jews, though protected from violence, were more or less eliminated from public administration, with the result that private persons took the hint and a general dismissal of Jews from moving pictures, theaters, newspapers, and a fair number of businesses followed. The von Papen government concentrated into its hands all available power: it governed by emergency decrees; it controlled the army and Prussian police; it monopolized the broadcasting stations and gagged its opponents; it suppressed newspapers which criticized it; it almost merged the Prussian administration with that of the Reich government; and it even thought of taking over control of education from the "Lander".¹²⁵

The von Papen government also, and this was partially in effort to take support away from the ranks of the Nazis, turned its sights toward the numerous semi-military associations and private armies that had been developing and toward the midnight military maneuvers which were becoming commonplace in many parts of Germany. Von Papen now wished to concentrate these organizations into his own hands. For this reason the government organized the National Trusteeship for the Training of Youth, which at first in twenty camps, and later in more, trained the German youth in military life, physical culture, weaponless military games, and the like. Military publications began to designate the home, church, and army as the instruments through which the country could be made military-minded. And in the autumn of 1932 Tübingen University

125 Mowrer, pp. 311-13.

created a chair for Military Science, and Wolfgang Nuff, the commanding general of the Fifth Infantry Division, occupied it. It was hoped that these military activities and instructions would appeal to the German youth, and would in this way provide a substitute for the Nazi military organizations. If this could be done the von Papen government might relieve Hitler of some of his support among the German youth.¹²⁶

With the background of growing criticism and increasing Nazi intolerance of the government, von Papen and von Gayl started on a campaign tour throughout the country before elections. Von Papen spoke of constitutional reforms that would destroy party government and limit the power of the Reichstag while increasing the powers of the chancellor and the president. Von Gayl proposed a return to the system of multiple votes for certain individuals and a raising of the voting age--changes which would give a greater advantage to conservatives in elections. It looked to the people as if a Hohenzollern restoration was only a question of time. Or at least they thought they could foresee a more autocratic regime than had existed before the war.¹²⁷ In fairness to von Papen, it must be admitted that there was a real need for constitutional reform, for the Reichstag, to mention only one problem, had long been unable to formulate any constructive program and had even under Brüning passively accepted the conduct of the government by emergency decrees.¹²⁸

On the night of July 29 von Papen made his final appeal to the German people over the radio. It was a speech which left the

126 Mowrer, pp. 308-9.

127 Hoover, pp. 66-7.

128 Mowrer, p. 300.

listener with the impression that civil war would have broken out in Germany had not the von Papen government come to power when it did. But the chancellor completely forgot to take notice of the fact that the "political casualty list" had only reached "formidable proportions" after he had lifted the ban. And he declined to mention that "the political tension and the potential dangers of civil war remained, owing largely to the Government's refusal to prohibit the wearing of party uniforms" on July 18. The chancellor also described the Nazis as nothing more serious than "a constructive force striving only for national regeneration," and the speech itself reflected a "benevolent attitude" toward the Nazis on the part of the chancellor. Instead von Papen placed the blame for all the political riots and turmoil entirely on the Communists.¹²⁹ It looked as if von Papen was trying to placate the Nazis, before he sat back and awaited the election returns.

129 Foreign Relations of the United States, II, 303-5.

II

Reform and Consolidation

July 31, 1932--November 6, 1932

The Prussian government's appeal to the Supreme Court had forced von Papen to be very careful in his proceedings before the case was decided. For this reason he had moved into the July elections with the utmost care, attempting at every step to demonstrate that his government was observing the constitution. . But this policy was a failure, as the July 31 elections showed. The new Reichstag was less capable of providing a cabinet majority than any of its predecessors.¹

During the election von Papen had not wished to be burdened with any party affiliations. And thus the government could be backed only indirectly by a vote for the German Nationals or the German People's Party, for these were the closest parties to the cabinet in their political and socio-economic positions. But for those who did not already support these two parties neither choice was attractive. The German Nationals lost almost 300,000 votes, while the German People's Party lost over a million. Thus it had been wise for von Papen not to affiliate himself with either of the parties. For now, as the election returns showed a serious vote of no-confidence in a national front, von Papen was able to declare that because of the inconclusiveness of the returns and because he was identified with no party he could ignore the returns and stay in office; notwithstanding that von Hindenburg was determined to keep him in office in any case.²

The election had the same monotonous outcome that had been repeated for two years: the majority was against Hitler, but it was for nothing at all. And the election had seen the middle of the

1 Arnold Brecht, Prelude to Silence: The End of the German Republic (New York, 1944), p. 68.

2 Franz von Papen, Der Wahrheit eine Gasse, quoted in Dorpalen, pp. 347-8.

road bourgeois parties vanish almost entirely.³ The democratic parties had received only 35% of the seats, while the Nazis and Communists had 52% of the seats and thus could block anything in which neither had a voice.⁴

There was a new pattern to the election though. The Nazis had increased their votes to 37.3%, but they still had fallen short of a clear majority in the Reichstag, and the rate of the increase in the Nazi vote per election was dropping.

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| September, 1930(<u>Reichstag</u>) | 18.3% of votes cast |
| March, 1932(1st Presidential election) | 30.0% of votes cast |
| April, 1932(2nd Presidential election) | 36.7% of votes cast |
| April, 1932(Prussian Diet) | 36.3% of votes cast |
| July, 1932(<u>Reichstag</u>) | 37.3% of votes cast |

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The Nazis had secured only a minor gain. But a moderate coalition cabinet was now impossible. There were only two ways in which a cabinet could be formed: (1) the Nazis could form a coalition with the Center, but both parties distrusted each other; or (2) the Nazis could come to terms with von Papen, von Schleicher, and von Hindenburg.⁶

The latter solution looked as if it could perhaps be implemented, although von Papen, having let it be known that he considered the election results a vindication of the presidential system, would say nothing to encourage this solution.⁷ And then the chancellor in an interview with the Associated Press, besides

3 Heiden, pp. 476-7.

4 Dorpalen, p. 348.

5 Bullock, p. 196.

6 Dorpalen, p. 348.

7 Clark, p. 382.

showing no desire to give up his post, said that he had no intention of worrying about finding a coalition and that he would make no attempt to find a majority in the new Reichstag.⁸

But von Papen's backing in the Reichstag had fallen from 72 to 44 votes,⁹ and as long as von Hindenburg continued to adhere to the Weimar Constitution it was not quite enough to rule by presidential authority alone. The government needed also the support of the Reichstag. And to obtain this support it would be necessary to take some Nazi ministers into the government.¹⁰

Indeed the July election had in von Schleicher's mind increased the urgency of finding grounds for a compromise with the Nazis.¹¹ And thus when von Papen did not show himself as ready to do so as von Schleicher friction between the two men easily continued to develop. Already von Papen had shown at the Lausanne Conference that he was a man who acted and thought for himself. And thus von Schleicher's critical treatment of von Papen's actions here may well mark the beginning of a rivalry between the two.¹² Also on July 26 von Schleicher had addressed the nation over the radio and had apologized for the government that he had created, while promising that there was no threat of a military government's being created, but that rather in his opinion any government must be supported by strong popular sentiment.¹³ Thus it was that for the six months following the July coup von Papen and von Schleicher

8 Woodward and Butler, IV, 22.

9 Vogt, p. 102.

10 Dorpalen, p. 349.

11 Beck, p. 170

12 Ibid., p. 89.

13 Heiden, p. 476.

pursued their policies which were not only conflicting, but which in the course of time were to become opposite. The only beneficiary of this schism could be Hitler.¹⁴

On August 1 the Völkischer Beobachter had declared that it was no longer possible to form a government without National Socialism. The same day von Papen in a news interview indicated that he was ready to invite the Nazis to participate in the government. Von Papen and his colleagues felt that the election had shown again the need for a continuation of the presidential government, and besides von Papen felt that the Nazis had now reached their peak in the election, and that thus he was strong enough to set the terms for a Nazi entry into the government.¹⁵

And besides the urgent need for coming to terms with the Nazis did seem as if it had increased. The July 31 election campaign had already cost more lives than any other during the Republic, and had been climaxed by the bloody battles of election day, primarily in Königsberg, where the Nazis had run wild during a "night of long knives."¹⁶ And since the election the Nazis had perpetrated acts of extraordinary violence throughout the Reich, apparently chagrined by their failure to have won a majority in the Reichstag. All this happened although von Papen had proclaimed a ten days' political truce from August 1-11. It was thus that the government was obliged to show whether it was capable of maintaining order impartially or if it would give in to Hitler. Von Papen made his policy clear by issuing three decrees. The first was a presidential decree, based on Article 48, which

14 Wheeler-Bennett, The Nemesis of Power, p. 258.

15 Halperin, p. 498.

16 Vogt, p. 102.

provided the death sentence for offenses normally punishable by a term in the penitentiary and commitment to a penitentiary for offenses normally punishable by routine imprisonment. The second was also a presidential decree which extended the political truce to August 31, thus prohibiting all political meetings until then also. The third was an executive decree that set up summary courts in the Prussian districts where acts of terrorism had been recently committed.¹⁷

It was with the background of adverse and violent actions that the negotiations for a Nazi entry into the government took place. Von Schleicher initiated the talks with the Nazis because he was on better terms with them than was von Papen. And it would seem that von Papen did not always know what was being said during these conversations. On August 3 von Schleicher learned that Hitler would demand the chancellorship. What disturbed von Schleicher most about this was that he was afraid such a demand would destroy his plans for taming the Nazis by bringing them into office, for he knew that von Hindenburg would not agree to make Hitler chancellor.¹⁸ Thus von Schleicher at once began an attempt to gain the consent of von Hindenburg either by hurried visits to Neudeck (the evidence is not clear on this point) or through telephone calls to Oskar von Hindenburg, the President's son and advisor.¹⁹

On August 5 Hitler and von Schleicher met at the Fürstenberg Barracks outside of Berlin. Here Hitler outlined his plans: Hitler would become chancellor; his followers would get the posts of

17 Foreign Relations of the United States 1932, II, 306-9.

18 Dorpalen, p. 349.

19 Ibid., p. 351.

Premier of Prussia, Reich and Prussian Ministries of Interior, and the Ministry of Justice; von Schleicher would remain as Minister of Defense; Hitler would obtain a majority in the Reichstag; an Enabling Act would have to be passed, and if not the Reichstag would be dissolved. To all of this von Schleicher was entirely favorable. There was no mention of von Papen's name for a post.²⁰

On August 10 von Hindenburg returned to Berlin from Neudeck. At the same time a Nazi official statement was issued which stated that Hitler deserved to be named chancellor, and which agreed with von Hindenburg's desire to maintain a non-party government. The statement added that Nazism was not a political party, but rather a national movement. This idea von Papen rejected and maintained that a presidial government must be kept. At the same time von Neurath made it known that the German Foreign Office would not assume the responsibility if Hitler was named chancellor, and that certain governments were taking an unfavorable view of recent happenings in Germany and might be expected to take drastic action if Hitler were to become chancellor.²¹

Also on August 10 von Papen reported to von Hindenburg Hitler's demands for the chancellorship and offered to resign to clear the way for such a solution. Von Hindenburg refused to accept this offer.²² The previous day Roehm and Count Helldorf had visited von Papen, with the former inquiring as to what proposals the chancellor was going to make Hitler. But von Papen had replied that he would talk only with Hitler, and a conversation between them had taken place the same afternoon. Hitler,

20 Wheeler-Bennett, The Nemesis of Power, p. 258.

21 Halperin, p. 500.

22 Dorpalen, p. 351.

accompanied by Frick, was told by von Papen that von Hindenburg was unwilling to give him the chancellorship. But von Papen had offered Hitler some of the ministries for his followers, and he had said that he was prepared to give Hitler the chancellorship after Hitler had become better known to the President as vice-chancellor. Hitler had said no to the offer. Then von Papen had tried to convince him to give one of his lieutenants the vice-chancellorship. The answer had been the same.²³ Thus did von Papen gain the knowledge that he imparted to von Hindenburg on the 10th.

On the 10th of August again, a cabinet meeting was held. Here von Papen noted that some middle path between Hitler's chancellorship and the presidential cabinet must be found. He emphasized though that the major tasks of the cabinet--constitutional regulation of the relationship between the Reich and Prussia, reform of the voting rights, creation of a second chamber in the parliament, and administrative reform of the Reich and Länder--would be greatly hampered if Hitler were to become chancellor. Nonetheless von Schleicher felt that discussions toward letting the Nazis take a part in the government should be held.²⁴ Indeed these were trying days for the von Papen government. The Nazi terror spread unabated. The Ruhr industrialists wanted Hitler to be appointed chancellor so as order might be restored and the democratic-parliamentary system might be done away with. And millions of Germans were calling for the appointment of Hitler, many of them close to the government. The Nazis had also

23 Papen, pp. 193-6.

24 Beck, p. 113.

mobilized the Brown Shirts around Berlin in an attempt to frighten von Papen into giving in to Hitler's demands.²⁵

At the same time according to republican constitutional usage it was the duty of the President to allow the leader of the most numerous party in the Reichstag to form a government. But Hitler helped once again to render the situation difficult by insisting that before he would take part in any government he must have complete power.²⁶

Late on the evening of August 12 Hitler reached Berlin and Goebbels' house at Caputh.²⁷ On the morning of August 13 Hitler talked briefly with von Schleicher, where he no found out that von Schleicher could not live up to his August 5 agreement, and then with von Papen for over an hour. During the latter conversation Hitler berated the government, and when von Papen reminded him of his promise to tolerate the government beyond the July elections Hitler replied that this was no longer a question, but that the question was now the taking over of power by the National Socialists. Von Papen then offered Hitler the vice-chancellorship, although he had no authorization to do so. And next he assured Hitler that he was ready to vacate the chancellorship once Hitler had proved himself in the vice-chancellorship. It seems odd that von Papen would do this after hearing the demands of Hitler, but perhaps he felt that Hitler would never pass the test.²⁸ The chancellor also offered the Prussian Ministry of Interior to one of Hitler's lieutenants. But Hitler insisted that he wanted the

25 Dorpalen, p. 252.

26 Bewley, p. 89.

27 Bullock, p. 189.

28 Dorpalen, pp. 352-3.

same degree of power that had been given to Mussolini after the March on Rome; that the Reichstag would have to enact an Enabling Act giving his government full power or else be dissolved. He also demanded three days during which he would mow down the Marxists. To this tirade von Papen replied that further discussions were useless, that Hitler would have to put his views before the President, and that he, von Papen, would not act as Hitler's emissary to von Hindenburg.²⁹ Obviously neither von Papen nor von Schleicher, who was also at the conversation, was well-grounded in current history. They knew that Mussolini was dictator in Italy, but they forgot the slow process that had taken him to that position.³⁰

Hitler left not in the happiest frame of mind. Then at three o'clock in the afternoon a call came to Goebbels' flat on the Reichskanzlerplatz from Erwin Planck, Secretary of State to the Reichskanzlei. Planck told Goebbels that von Hindenburg would receive Hitler in an hour.³¹ The conversation took place. Hitler again went through his harangue calling for full power and the same position granted Mussolini after the March on Rome. Von Hindenburg refused.

Now the government moved fast. It issued a communiqué which left the humiliation of Hitler at the meeting in no doubt. Then in an additional version of the interview the government portrayed Hitler as having been contemptuously dismissed. The breach between von Papen and Hitler was now open.³² The communiqué stated that

29 Wheeler-Bennett, Wooden Titan, pp. 408-9.

30 Taylor, "The Seizure of Power," p. 529.

31 Wheeler-Bennett, Wooden Titan, p. 409.

32 Clark, pp. 388-9.

von Hindenburg would not turn over full power because Hitler wanted to use it one-sidedly; that von Hindenburg had charged Hitler with breaking his promise of support to the von Papen government; and that von Hindenburg had admonished Hitler to fight the government like a gentleman and keep in mind his duty to the nation. This was then broadcast over the radio, issued in the newspaper extras, and posted. It caused a great sensation throughout the country. And the next day all the newspapers, heretofore critical of the government, hailed von Hindenburg as the nation's hero--as a wave of relief spread over Germany.³³

The National Socialist press immediately denied any promise of Hitler's support for the von Papen government. Von Papen then asked von Schleicher to issue a public statement, and this statement confirmed the opposite of what the Nazi press had claimed.³⁴ The toleration which the Nazis had shown previously to the von Papen cabinet was now ended. They now adopted the attitude of definite opposition toward the government.³⁵

The interview of August 13, and the communiqué issued after it, was the sharpest set-back that National Socialism had ever received. It was now clearly seen that the Nazis could come to power only with the permission of the President.³⁶ The negotiations had not offered Hitler an equal share in the government, but merely a meaningless role. Thus it was that the cabinet and von Papen had made sure that the negotiations would fail.³⁷ But out of the event

33 Dorpalen, pp. 355-6.

34 Papen, p. 198.

35 Woodward and Butler, IV, 29.

36 Taylor, "The Seizure of Power," p. 529.

37 Beck, pp. 114-6.

arose again forebodings. Hitler was less irate about the setback at von Schleicher and felt that the latter had a real desire to obtain a working agreement between the Nazis and the government. And von Schleicher let it be known that there was nothing final about the rebuff of August 13;³⁸ after all had not von Schleicher created the von Papen cabinet so as to bring the Nazis into a national front?

Now new problems began to face the Nazis. The first result of the rupture between von Hindenburg and Hitler was an exodus of nearly all the aristocratic, conservative, and very rich elements from the National Socialist Party. Now that von Papen looked like a better bet they gladly changed to his side.³⁹ Also many of the party's members were beginning to feel that Hitler was throwing away the future of the party by not accepting von Papen's offer. They were afraid of losses in the Nazi vote in the next election; already some of the Nazi deputies were out of jobs. By the end of August it was known that von Papen had a decree of dissolution, and thus Gregor Strasser frantically implored Hitler to compromise, and besought von Schleicher to persuade the chancellor to come to some terms which Hitler would be able to accept. Von Schleicher was unable to do so, and was himself also becoming a little peeved that von Papen was exploiting the rift between the President and Hitler. The chasm between von Schleicher and his chancellor was continuing to broaden. And it was obvious to Strasser that the Nazis had reached their peak in votes with the July election. But while Strasser was supported by Feder,

38 Halperin, p. 502.

39 Mowrer, p. 305.

Rosenberg, and Frick, Göring and Goebbels said no, and Hitler sided with them.⁴⁰ Nonetheless Strasser, who had some influence because he was responsible for the party machine, was able to prevail in another and minor area. In late August negotiations between the Nazis and the Centrists were begun with the view of forming some type of parliamentary majority, although this would later fail largely because of Hitler's callous demands and frightening behavior.⁴¹

The Nazis were also in difficult financial troubles. They had lost their subventions from business and industry for several reasons. The industrialists had hoped that Hitler's movement would break the influence of the trade unions and reduce the social legislation enacted since the war. But they now found a better friend in von Papen who was vigorously enacting such economic measures as the reduction of the benefits of unemployment insurance, the remission of taxes on a large scale, and the giving of subsidies to business and industry. Also the Nazis, in the fear that the chauvinism of the von Papen regime might help the German Nationals take votes from them in the next election, were beginning to stress the socialistic part of their program. This worried businessmen and industrialists. Finally, business was afraid that if frequent elections were continued these would retard the government's effort at economic reconstruction.⁴²

Von Papen's tactics were to strike blow after blow at the party until Hitler decided to accept the presidential form of

⁴⁰ Halperin, pp. 505-6.

⁴¹ Heiden, pp. 490-1.

⁴² Foreign Relations of the United States, II, 315-6..

government as his own salvation. Von Papen was confident that the Nazi party would lose heavily in future elections. And the signs of discouragement and disillusion that were seen in the party, with the financial difficulties which it was having, due partly to the influence that he had brought to bear upon his industrial friends to stop subsidies to Hitler, increased his optimism.⁴³

Given these irritations, no doubt, and also because of von Hindenburg's refusal to accept Hitler on August 13, the Nazis now began a campaign of violent attacks on the government, and an attempt to defeat von Papen by parliamentary means through a possible alliance with the Centrists.⁴⁴ The threat of a Nazi-Centrist coalition meant that von Papen was certain to face a vote of no-confidence as soon as the new Reichstag assembled. But the chancellor was nonetheless satisfied with the outcome of the discussions with Hitler, as he stated in the cabinet meeting of August 15. Yet he was far from believing that the relations between his government and the Nazis were settled for good, and he still felt that it was necessary to associate National Socialism more closely with his government because of the movement's numerical strength.⁴⁵ Von Papen still looked to the Nazis for the majority that would be needed to revamp the constitution by legal means. And thus while he would not compromise with Hitler, he would leave the door open slightly for the Nazis.⁴⁶

At any rate the Nazi opposition did not hurt von Papen a

43 Clark, p. 413.

44 Foreign Relations of the United States, II, 314.

45 Dorpalen, p. 358.

46 Clark, p. 413.

great deal after August 13. The chancellor's regime did not rest upon popular support or upon the backing of the Reichstag, even though the strong moves that von Papen had taken against political excesses had begun to create some support for his government among previously hostile observers. It rested instead on the personal authority of von Hindenburg, and this power had been strengthened rather than weakened by the events of August 10-13.⁴⁷

Nonetheless von Papen decided that every effort should be made to strengthen the popular support of his government. Neither Lausanne nor the Prussian coup had produced the backing that he had hoped for, and it was now decided that the way to gain this would be through economic accomplishments, especially a successful attack on the unemployment problem.⁴⁸

This desire was made evident in the speech which von Papen delivered on August 28 to the Westphalian Association of Farmers and Peasants at Münster. Here he enumerated the plans that he intended to put into effect. Additional public works projects, largely already prepared by Brüning, would be created. There would be an extension of the voluntary labor service, again based on plans that had been worked out by Brüning. A large-scale program of repair and maintenance work that would be stimulated by giving tax credits would be begun. Employers would be given tax credits for hiring additional workers. And included in this program would be a series of constitutional and administrative reforms too.⁴⁹ The program would also authorize employers to reduce wages, although von Papen was quick in adding that the government

47 Beck, p. 117.

48 Dorpalen, p. 358.

49 Schulthess, August 28, 1932, quoted in Dorpalen, p. 359.

still intended to maintain the collective wage agreement and the existing system of compulsory arbitration. He also added that the currency of Germany must not be endangered, and that any risky experiments would be avoided. But unemployment was the central problem of his concern,⁵⁰ and these measures, he claimed, when put into operation by emergency decree, some of them already being introduced, would reduce unemployment by one-third. He declared that no deviation was to be made from the fundamental principles of the constitution, for the use of presidential power had been conferred deliberately on the President by the constitution so as to let him act as a makeweight against all parties. Von Papen alluded to the necessity of giving his government a much stricter authority which would place it above party and interest, and of basing this authority not on outworn principles but rather on "Christian Conservatism" and the rule of law.⁵¹

The latter topic was another part of von Papen's speech. The chancellor, having troubles with Hitler over the sentencing of the Beuthen murderers,⁵² now declared that he was determined to "stamp out" the "flames of civil war" and to end the "political unrest and political violence," which was partly due to the trial at Beuthen, and that "The licentiousness emanating from the appeal of the leader of the National Socialist Movement [with regard to this trial] does not comply very well with his claims

50 Halperin, p. 504.

51 Clark, pp. 398-9.

52 Five stormtroopers, who had killed a Communist miner in the Upper Silesian village of Potempa, were sentenced to the death penalty in Beuthen, where their trial had begun on August 19. Hitler was violently clamoring for their release.

to governmental power."⁵³ Thus von Papen was appealing to the people for support in his attempt to bring law and order to Germany. But he also added what would appear to be an appeal to Hitler: "I can not believe that the great liberating movement can remain permanently in conscious stark opposition to the aims of a government which thinks only of Germany's future!" Although von Papen would, on his own terms, have welcomed Hitler into the government, he knew that Hitler dared not enter the government on the chancellor's conditions. Thus the appeal was addressed really to the party in which von Papen saw a continually greater number of followers asking just why Hitler did not dare to do something.⁵⁴

Von Papen continued toying with the idea of strengthening his government by means of constitutional changes, as he had indicated he would at Münster. This had also been evidenced on August 11 at the Reichstag ceremony on Constitution Day. Here the main address had been delivered by Baron von Gayl, an address that had dwelt on the flaws of the constitution rather than on an eulogy of the constitution as had been customary. Von Gayl outlined the reforms that the government was considering: a revision of the suffrage system; an elimination of splinter parties; an establishment of a new upper house; and a permanent end to the dualism between the Reich and Prussia. Indeed, this exposition reflected a widely held attitude that at least some basic reforms were needed for the constitution, a consensus

⁵³ Office of U.S. Chief Counsel for Prosecution of Axis Criminality, Nazi Conspiracy and Aggression (Washington, 1948), VI, 2.

⁵⁴ Clark, p. 399.

that even the republic's supporters endorsed.⁵⁵

In time the reforms that von Papen, von Gayl, and von Schleicher favored took form. The electoral age would be raised from 20 to 25, and the head of each family would be given a double vote, as would ex-soldiers also. The President would be elected by the people, but neither he nor the cabinet would be responsible to the legislature, which would consist of the Reichstag, elected by the people but subject to repeated presidential dissolution, and a new upper house, which would consist of the existing National Council (Reichsrat) appointed by the Länder and representatives of various social levels and professions and of other distinguished persons that would be appointed for life by the President. This upper house would have some type of a veto right. Also a structural reform whereby all but the three Southern states would be merged with the Reich was planned, this of course further strengthening the central government.⁵⁶

Von Papen realized that he did not have the support which would be necessary to amend the constitution, and for this reason it seems possibly that his intention was to emasculate it by means of the President's emergency powers. He expected that the Reichsrat would ratify the proposed changes, as he anticipated that he would be able to cast the large bloc of Prussian votes in the Reichsrat. This, of course, depended on the assumption that his commissional government in Prussia would be allowed to appoint the Prussian delegates to the Reichsrat. But the Bavarian government, soon joined by Baden and Württemberg, became greatly alarmed

55 Dorpalen, p. 357.

56 Mowrer, p. 315.

by the course of events, and it began an attempt to combat von Papen's plans. And all efforts by the chancellor to appease the Bavarians failed, even though he made a thinly veiled proposal that they might restore the Wittelsbachs any time they liked, and it was even rumored that to the Bavarian crown might be added the sovereignty of a Danubian confederation.⁵⁷

Moving into the month of September von Papen, von Gayl, and the other members of the cabinet began looking for any possible coup, more comprehensive than the one they had accomplished in July, that they might carry out. They were now entering a period during which they looked for presidential support for measures that would be transitional in nature, and that would be designed to prepare for a constitutional monarchy. But von Hindenburg did not think that the time for this was right, and therefore the von Papen government remained for the time being an authoritarian government without any real authority, a monarchist-minded regime without a king, an anti-parliamentary government forced to go through the motions of governing in a parliamentary manner.⁵⁸

Indeed, after September 2 there remained to von Papen only a slim chance for success, and to exploit even this, perceptible economic recovery had to be generated and at least a partial reform of the constitution accomplished. Some economic progress was made, but no constitutional revision was possible for various reasons. The weakness and indecision of von Hindenburg, the schemes and intrigues of von Schleicher, and the partially successful legal defense of its rights by the deposed Prussian

57 Hoover, pp. 67-9.

58 Beck, pp. 118-9.

government all played approximately equal parts in this political failure.⁵⁹

Nevertheless von Papen continued his tactics of attrition vis-à-vis the Nazis, and his political "Erbschleicherei" (adopting Nazi slogans), doing everything possible to steal the Nazi thunder, and claiming to have saved the Reich from ruin.⁶⁰ But he made one political blunder in his attempt to show that the government could be merciful, and in his endeavor to deprive the Nazis of an opportunity for political propaganda. It was a blunder that he later admitted was a "grave political error."⁶¹ This was his September 2 commutation of the Potempa assassins' death sentences to sentences of life imprisonment.⁶² This could easily be interpreted not as a sign of clemency, but rather as an indication of weakness on the part of the government and of a tendency to submit to Hitler's demands.

In early September von Papen continued his economic program with the issuance of an economic decree on the 4th. This decree, designed to spur the economic revival of Germany, provided that those individuals and businesses that paid in advance taxes of certain types due during the period of October 1, 1932, to September 30, 1933, would receive tax certificates counting as a reduction of the tax concerned which could then be used in 1934 and after. The benefits of this portion of the decree were directed clearly toward the larger businesses, as the tax certificates were not issued in denominations smaller than 10 RM, thus excluding

59 Beck, pp. 118-9.

60 Kurt G.W. Ludecke, I Knew Hitler: The Story of a Nazi Who Escaped the Blood Purge (New York, 1937), p. 444.

61 Papen, pp. 200-1.

62 Eyck, p. 421.

the small farmer and small businessman. The decree also provided that enterprises that could prove that they had employed more men during the period October 1, 1932, to September 30, 1933, than in the period of June-August 1932, would receive for each extra man so employed a subsidy of 400 RM. Those companies that had thus hired more workers would also be able to reduce wages below official, legal wages of the day.⁶³ But the principal means that would supposedly provide the economic revival were the tax certificates which taxpayers were to receive in an amount equal to 40% of their sales and land taxes and business license fees. And until 1934 these could be used as "basic credit for new business" and would be negotiable on the open market.⁶⁴

In the decree there was also a move toward the establishing of a quota tariff system for agricultural products.⁶⁵ The von Papen cabinet, which was very partial to agriculture, believed that the internal market should be secured exclusively for the benefit of German agriculture. Thus was the policy of quotas introduced to restrict importations of agricultural products. But with this measure other nations began to retaliate against German goods, with the result that German industry became greatly opposed to the whole quota system. This would cause friction within the government, and the results of this friction would become evident in the coming months.⁶⁶

Although the reaction in business circles was fairly favorable to the decree and although von Papen began to find more support from the great industrialists because of the decree, there

63 Beck, pp. 122-4.

64 Eyck, p. 429.

65 Beck, p. 124.

66 Hoover, pp. 70-1.

was little in the decree to appeal to the general public, or to the unemployed except for a vague hope that business and agriculture might decide to employ more persons.⁶⁷ For the decree also seemed an attempt to curb the power of organized labor: it authorized the government to modify the existing social insurance laws, to revise the collective wage contracts, and to overhaul the compulsory wage-arbitration system.⁶⁸ It provided for a maximum wage reduction of 12.5% for all works coming under the "relief" program plan, and it freed all industries that changed to a 40-hour week (Germany at the time was on a 30-hour week) from their obligations under the existing wage and arbitration agreements.⁶⁹ And, in fact, the labor vouchers which were intended to create work could not even "affect conditions to any great extent because the ratio of such relief to the millions of unemployed was totally inadequate."⁷⁰

Thus the decree was execrated by the trade unions and by most of the political parties. And even the persons who benefited from the decree were not completely pleased. Employers cautioned against "limitless" public works projects, and the Landbund complained bitterly that the decree failed to meet agricultural needs.⁷¹

With this decree issued it was not long until von Papen was faced with a crisis in the parliamentary system, one that had

67 Beck, p. 124.

68 Halperin, p. 506.

69 "The Week," The New Republic (September 14, 1932), LXXII, 110.

70 Hjalmar Schacht, My First Seventy-Six Years, trans. Diana Pyke (London, 1955), p. 294.

71 Thilo Vogelsang, Reichswehr, Staat und NSDAP: Beiträge zur deutschen Geschichte 1930-1932, quoted in Dorpalen, p. 361.

been coming to a head already.

The new Reichstag had met on August 30, and an alliance amongst the Nazis, Centrists, and Bavarian People's Party had helped to elect Goring President of the Reichstag. Then in his first speech as president Goring had proceeded to deliver an attack on von Papen.⁷² On the same day, however, von Papen, von Schleicher, and von Gayl were visiting von Hindenburg at Neudeck. Here the President approved of his chancellor's economic program, and merely urged him to assure that the new burdens were distributed evenly. Von Hindenburg said that he did not believe that any working majority could be found in the Reichstag, and that if no such majority could be found that would work with von Papen he would dissolve that body. Then came the question of an election which according to the Constitution (Article 25) must be held within sixty days after dissolution. The chancellor felt that a postponement beyond this limit would be justifiable due to the emergency situation which faced the country. Von Gayl seconded him, and von Hindenburg yielded. The President then signed a decree dissolving the Reichstag with the date and reason to be filled in later. He also signed a document placing the Prussian police under the jurisdiction of the Reich minister of interior should the Nazis and Centrists form a coalition in Prussia.⁷³ At noon a communiqué was then issued from Neudeck stating that the President and his chancellor were agreed upon internal matters. This was interpreted by the members of the Reichstag to mean that that body would probably be dissolved.⁷⁴

72 Manvell and Fraenkel, p. 83.

73 Minutes of Neudeck Conference, August 30, 1932, Schleicher Papers/17,iv/115-23, quoted in Dorpalen, pp. 359-60.

74 Woodward and Butler, IV, 46.

The session of the Reichstag opened on September 9, and it was agreed among the party leaders, none of whom wanted a new election, and between them and the Reichstag President, that the House would hear the declaration of the chancellor and then adjourn for a week in order to give the government a chance to attempt a negotiation for a majority. They by this time knew that von Papen had a decree of dissolution. The first plenary meeting of the Reichstag was set for September 12.⁷⁵

On August 29 von Papen had talked with Hitler a last time before he left for Neudeck. He had again offered the Nazi leader the vice-chancellorship and several ministries, but Hitler, still demanding full power, had refused the offer.⁷⁶ Then on August 30 a communiqué stating that the Nazis and Centrists had begun negotiations to obtain "a long-term settlement and pacification of political conditions" was issued.⁷⁷ And the Centrists professed that they were now putting the issue of a presidial regime or a parliamentary majority before the country. They said that as a parliamentary majority existed the need for a presidial regime had passed, and von Hindenburg should entrust someone--no names were officially mentioned--with the task of forming a new cabinet.⁷⁸ The talks between the two parties were continued, but it is doubtful if they would have succeeded even if they had not been ended by the events of September 12.⁷⁹

At any rate, after von Hindenburg had returned to Berlin,

75 Wheeler-Bennett, Wooden Titan, pp. 411-2.

76 Woodward and Butler, IV, 44.

77 Clark, p. 405.

78 Ibid., p. 406.

79 Dorpalen, p. 362.

"Göring and the three vice-presidents of the Reichstag (Center Party, Bavarian People's Party, German National Party) visited him at the presidential palace. The date was September 9. Göring announced that they had come because they had heard a rumor that the President was going to dissolve the Reichstag because there was no majority, and that this was a fallacy because there was in actuality a majority. The German National vice-president now retorted that no such majority existed and that Göring was merely trying to deceive the President. After an angry scene the delegation left in disarray. Von Papen now suggested that he and Hitler serve in a von Schleicher government, but he knew that von Schleicher did not want the chancellorship. And he knew too that if Hitler refused the offer it would emphasize Hitler's lack of magnanimity. Hitler refused. The nation now stiffened its opinion of Hitler.⁸⁰

The Reichstag opened on the 12th with the opening speech by the oldest member, Communist Clara Zetkin, "a haggard old witch stammering out a shaky appeal for world revolution and the dictatorship of the proletariat."⁸¹ Then scarcely had the proceedings begun but the Communist leader, Torgler, asked to be heard. He moved for an alteration of the order of the day so as to enable a vote of no confidence and a rejection of von Papen's recent economic decree. By the rules of the Reichstag the objection of a single member would have defeated the motion,⁸² but no objection was made. Torgler's move had been meant only as an "empty gesture" as it was known that the German Nationals would object to any change of the order of the day. But now to the surprise of all, the German Nationals did not raise an objection. Hugenberg had

80 Clark, pp. 407-8.

81 Ludecke, p. 444.

82 Clark, p. 409.

decided on this course of action lest the Nazis and Centrists would reach a last minute agreement.⁸³ And then also, von Papen and Hugenberg had agreed that no objection should be made if the motion came up, although this agreement was not known to any of Hugenberg's fellow party leaders.⁸⁴

But von Papen had not been informed of the change of plans and had not brought his dissolution decree with him. He was, however, saved by the Nazis, who asked for a half hour adjournment so that they might consult Hitler on what to do. During this brief adjournment the chancellor sent for the decree. But when the session reopened von Papen's request to be heard was ignored by Göring, who was presiding as the President of the Reichstag. Göring, instead, called for a vote on the motion. Von Papen advanced, Göring pretending not to see him, with the traditional red dispatch case containing the dissolution decree and placed in on the President's desk, whereupon he, followed by his ministers, left the building in anger. Göring had seen the red dispatch case and had known that the order for the dissolution was in it, but had instead decided to let the vote be carried through first.⁸⁵ The vote had no legal effect, but it was a significant demonstration. Of the 559 votes in the chamber 512 had voted for the no-confidence motion, 42 had voted against it, and 5 had abstained.⁸⁶

There followed an argument as to the legal effect of the vote. Göring appealed to Article 33, Paragraph 4 of the

83 Dorpalen, pp. 362-3.

84 Wheeler-Bennett, Wooden Titan, p. 413.

85 IMT, IX, 245.

86 Dorpalen, p. 363.

Constitution which said that the representatives of the government "are subject to the ruling of the chairman of the Reichstag." Thus his contention was that as the motion had been presented before the chancellor advanced the motion could not be interrupted until the vote had been taken. The Opposition parties wanted the Reichstag to meet the next day and invite von Hindenburg to select a new cabinet.⁸⁷ Von Papen based his argument on Article 33, Paragraph 3 of the Constitution which gave the chancellor the right to address the Reichstag at any time, a right which was valid even when undebatable motions were before the chamber. He held that Goring's thesis that the vote of censure had voided the dissolution was untenable. And thus both von Hindenburg and von Papen also ignored the Reichstag's resolution which had also repealed the emergency decree of September 4, and this remained in effect. But even though the vote had no legal meaning it could not be erased from the people's minds, and it clearly showed to them that the von Papen government suffered a "degree of political isolation unique in German history."⁸⁸

Goring maintained for only a short time his pretense that the Reichstag had not been actually dissolved.⁸⁹ His action was in clear violation of the rules of the Reichstag,⁹⁰ and had Goring not ceased his arguments and had continued his efforts to renew the full session of the Reichstag the Prussian police stood ready, under the authority of the Reich Commissioner Bracht, to prevent the assembly from meeting.⁹¹ But, even though

87 Sidney B. Fay, "The German Dictatorship," Current History (November, 1932), XXXVII, 223.

88 Eyck, pp. 431-2.

89 Beck, p. 126.

90 Dorpalen, p. 363.

91 Reichskanzlei, Kabinettsprotokolle, September 12, 1932, quoted in Beck, p. 126.

von Papen could claim the victory, the event did underscore the fact that the Reich government had forfeited all hope of gaining the support of the nation for its position.⁹²

On the night of September 12 von Papen addressed the nation by radio. This address contained the political program that he had intended to present to the Reichstag that day, and it contained a new attack on the Nazis for their actions in the Reichstag and for their continual failure to think above the party. The chancellor indicated that the cabinet still expected to bring into being a new era of German history. He proposed that first and foremost the "Reich-Prussian dualism" must be ended, and promised that this would be followed by steps necessary to end the "liberal" era of politics and move to one of greater stability and security for the state. He did not say how this would be done, but he did cross out a statement on the draft of his speech which noted that constitutional methods alone would be used.⁹³ He declared the action of the Reichstag unconstitutional and invalid, and announced that the government would proceed with complete confidence to a reform of the constitution which would take it back to the original class basis on which Germany had grown great. He ended with the words: "With Hindenburg for Germany."⁹⁴ The following day von Papen received "thousands of letters and telegrams" approving his stand and asking him to continue with the path that he had set out on.⁹⁵

The chancellor had won. Von Hindenburg, in essence the only

92 Beck, p. 126.

93 Ibid., p. 126-8.

94 Clark, pp. 410-1.

95 Papen, p. 209.

figure who commanded power, stood firmly behind him ready to proclaim a state of emergency if necessary. Yet if the dissolution could not be attacked on technical grounds, it was vulnerable on substantive ones. The decree had named as the reason for the dissolution the expectancy that the Reichstag would ask for the repeal of the presidential decree of September 4. But to ask for such a repeal was one of the prerogatives of the Reichstag, and to use this as a reason for dissolving that body was clearly counter to the intent of the constitution. This point was raised by the Center Party, but no one attempted to press it; each party now welcomed the dissolution for its own reasons.⁹⁶ Previous chancellors had also strained the constitution unduly, but in each case there had been a crisis and in each case a free vote had endorsed the crisis action. But now von Papen had gone a step further. A crisis did exist, but the free vote was now ignored, and the cause of the crisis was represented to be the presence of a free vote system. In addition, a permanent amendment of the constitution, not temporary suspension, was to be the cure. But the dice were loaded in von Papen's favor at the moment. Nearly one-half of the nation was resolved on the destruction of the constitution and the erection of a dictatorship of one kind or another, and the other half had not the slightest idea as to how an amendment of the constitution would be made.⁹⁷

The situation in Germany after September 12 was greatly changed, or at least so it seemed to one observer. The American Ambassador to Germany, Sackett, pictured the situation arising

96 Dorpalen, p. 363.

97 Clark, pp. 412-3.

from the September 12 result of the tension existing between the Nazis and the von Papen government in these terms:

As a result of the renewed elimination of the Reichstag and the ousting of the Prussian Ministers, Germany is now being governed virtually by a military directorate which derives its strength principally from the fact that it enjoys the support and confidence of the President and controls the Reichswehr and the police of a State comprising two-thirds of the Reich.⁹⁸

Von Papen was prepared to continue having elections in the hope of wearing down the Nazi strength--a short-sighted policy as such contests would most likely hinder the gradual economic recovery that had begun and also would cause a lack of confidence and a sense of insecurity at home and abroad.⁹⁹

But the chancellor was also aware that he would need some popular support and that for this reason reforms must be continued. The introduction of some of these reforms would present no difficulty, but the introduction of some also posed the chancellor some problems. How he planned to do this is doubtful. Perhaps he intended to use his coup in Prussia to pack the Reichsrat with delegates named by the Commissionial regime in Prussia. But this plan was killed by the opposition of the South German states in that body to the admission of the Commissionial government's delegates. Thus two courses remained open. If the Supreme Court upheld the action of the Reich in Prussia then these delegates could enter the Reichsrat. Or von Hindenburg could be prevailed upon to violate the constitution by proroguing the Reichstag and carrying out the constitutional reforms by his decree power.¹⁰⁰

98 Foreign Relations of the United States, II, 314-5.

99 Wheeler-Bennett, Wooden Titan, p. 413.

100 Beck, p. 120.

It was recognized that the government could not expect to secure a majority in the new election under the existing electoral system, and thus von Schleicher and von Gayl were for postponing the election. But the chancellor and his other ministers felt that the time was premature for a breach of the constitution. Thus von Papen's next move would have seemed to be an immediate referendum on the government's constitutional reforms. But in fact his hands were tied. There was no indication that the country would even accept the reforms. There was no time left to campaign for their acceptance, and it was not technically possible to complete the involved referendum procedure within the allotted 60-day period during which new Reichstag elections had to be held. Von Papen for these reasons decided that he needed more strength before he could effect successfully a coup as bold as indefinitely proroguing the Reichstag. He also learned that the Nazis were planning to impeach the President, and although this could not be done with the Reichstag out of session he did not want to subject von Hindenburg to the indignity of such a threat. Therefore the election was set for the last possible day--November 6.¹⁰¹ He also hoped that this would give him enough time to make the blessings of his economic laws felt by the people.¹⁰²

Although his September 4 decree had already been rejected more or less by the Reichswehr which had struggled during the previous twelve years to gain the working man's sympathy, and although this had further increased the estrangement between

101 Cabinet meeting, September 14, 1932, RKz./1710/790745-52; Karl Schwend, Bayern zwischen Monarchie und Diktatur; Dt. Führer-Briefe, August 26, 1932, Nazi Party Records/1/11344, quoted in Dorpalen, p. 364.

102 Heiden, p. 493.

von Papen and von Schleicher, von Hindenburg stood behind his chancellor, and the latter continued during the end of September and the month of October his attempt to gain support for his government¹⁰³ and his attempt to strengthen it by a possible amendment of the constitution. The economic recovery program, providing for an expenditure of 2.2 milliard marks, was gradually introduced in October in the form of emergency decrees.¹⁰⁴

Emphasis was still placed on the provisions of the September 4 decree. This included the interest-bearing tax-bonds which were intended to help industry employ more and produce more by providing more capital. This included also the alterations in the tax scale which were still being used as an encouragement for the introduction of a 40-hour 5-day week.¹⁰⁵ In addition the von Papen government continued its effort to increase the liquidity of the commercial banks by the creation of two holding institutions, the Industrial and Financial Corporation and the Amortization Bank, which were to take over the frozen and doubtful claims of commercial banks and also a part of the latter's stock exchange securities which were at the moment either unrealizable or uncertain in value. The reconstruction of corporations was continued. The practice of fixing by quotas the amount of food that could be imported from any one country was continued for the benefit of agriculture, although the industrialists were still against the policy from fear of reprisals by foreign countries with regard to Germany's export of manufactured goods.

103 Heiden, p. 487.

104 Papen, p. 209.

105 Ibid., p. 210.

Also to aid agriculture the government ordered a decrease of 2% on farm mortgages, provided that the interest rate nowhere fell below 4%. The reduction thereby accomplished would be paid later.¹⁰⁶ Hjalmar Schacht was appointed to head the office controlling big banks and industries which were under government supervision. He had the job of reorganizing these institutions in conformity with the government's economic plan and of increasing the savings by reducing the enormous salaries and bonuses of their directors and high officials.¹⁰⁷

During the first half of September it looked as if the chancellor's economic measures had been doing some good. During this period the number of unemployed had increased only 38,000--in autumn unemployment tended to increase--as against 109,000 in the same period of 1931.¹⁰⁸ But the reforms still were producing only slow benefits for the masses. The situation remained largely the same as it had been before. Industry had attained its heart's desire--the standard of living of labor had been reduced to meet not only foreign competition but also foreign tariffs. The decrees of Brüning and von Papen had combined to reduce wages in some trades as much as 40%. The social service, an especially hated unemployment relief, had been reduced to the level at which industry no longer considered it a burden. The result was a Germany in which one-third of the population was slowly disintegrating physically, that was maddened politically and was driven to despair mentally. Berlin was marked during this time by wholesale begging in the streets.¹⁰⁹

106 Fay, "The German Dictatorship," pp. 225-6.

107 "The Week," p. 110.

108 Fay, "The German Dictatorship," p. 226.

109 William Zukerman, "The Grip of Famine," Current History (December, 1932), XXXVII, 285-6.

Von Papen also continued his attempts to reform the constitution. In Munich on October 12 in speeches to a group of high federal and Bavarian State officials and to a group of Bavarian industrialists he unveiled again his proposals. The office of State President of Prussia was to be held by the President of the Reich, and the latter would appoint the Prussian premier. Only the Prussian ministers of Finance and of Interior would remain, while all other Prussian State Ministries would be filled by the corresponding ministers in the Reich cabinet. The Prussian Landtag would have the right to vote on the government appointed by the State President once at the beginning of each legislative session. (This would of course restore affairs as they had been under the Hohenzollerns.) The Länder would have the right to determine whether they wanted a republican or monarchist constitution. For Reichstag elections the age of suffrage would be raised to twenty-five, and a one-man election district system would be instituted. In municipal elections a person would be given more than one vote according to property and other qualifications which would be instituted later. An upper house would be created. The Reichsrat would constitute one-third of the new house, the National Economic Council the second third, and persons appointed by the President of the Reich the final third. Legislative decisions would then be binding only if approved by a majority of both houses. A bill could become law over the veto of the upper house only if repassed by a two-third majority of the Reichstag. These proposals would in effect reenact in good part the constitution that Germany had had in 1871, and would conform to the principle of one-man rule with Parliament merely

a cardboard facade before a structure of arbitrary government.¹¹⁰

This had to be done, von Papen said, because governing by Article 48 had to cease, and this could be accomplished only by remodeling the constitution along authoritarian lines with a federal government standing "like a rock" high above the parties. He noted that the power of the state must be wielded by the government and not by the Reichstag, that only those institutions capable of constructive work were fit to live. The upper house would act as a check on the Reichstag.¹¹¹ He attempted to gain the support of his audience by noting that "the essence of conservative ideology is its being anchored in the divine order of things." And it was this that differentiated his "conservative ideology" from the "doctrine of the NSDAP," and which made the Nazis nothing but another political party. Thus he was again attacking the National Socialists with these statements, as he was also when he said:

In the interest of the entire nation we decline the claim to power by parties which want to own their followers body and soul, and which want to put themselves, as a party or movement, over and above the whole nation.¹¹²

The chancellor then closed with the words: "With Hindenburg for a new Germany!" This brought the audience to its feet cheering as no chancellor had been cheered before in the state of Bavaria.¹¹³

On the 24th von Papen continued his campaign to win support for his government. He spoke in Berlin on that day, declaring

¹¹⁰ Ludwig Lore, "Will the Hohenzollerns Return?" Current History (December, 1932), XXXVII, 289.

¹¹¹ Sidney B. Fay, "Germany Again Goes to the Polls," Current History (December, 1932), XXXVII, 362.

¹¹² Nazi Conspiracy and Aggression, VI, 3.

¹¹³ Fay, "Germany Again Goes to the Polls," p. 362.

that his government was determined to proceed with constitutional reforms which were necessary to meet Germany's economic and political needs. He also denied that the government had any thoughts of a restoration of the monarchy, and said that this issue had been injected into the campaign as a smoke screen to confuse the people.¹¹⁴

Besides wishing to wear the Nazis down by repeated elections if necessary, von Papen still hoped to strengthen his position by taking Hitler into his government, but on his own terms of course. Thus various middlemen continued to move between Berlin and Munich to let Hitler know that both the chancellor and von Schleicher still hoped to admit Hitler to the government in the not too distant future. But again Hitler insisted on the chancellorship. And he also sent out orders that the party was not to antagonize needlessly either business or the government, but instead to point out that the government was not using its powers wisely and that a Hitler government could do much more for Germany.¹¹⁵ Thus von Papen failed on this front. And the government was not gaining support in any direction with which it could consolidate its position. The economic recovery was now lagging behind expectations; agricultural measures were meeting with furious objections of agrarian organizations; and labor resented the government's social policies and reacted with a series of strikes.¹¹⁶

But it was now also in the month of October that von Papen suffered a stunning defeat. This came with the Supreme Court's decision on his coup in Prussia.

114 Fay, "Germany Again Goes to the Polls," p. 362.

115 Dorpalen, p. 366.

116 Ibid., p. 365.

The decision was not rendered until about three months after the deed, and von Papen had taken advantage of this fact. The Bracht regime had moved ahead in its constitutional revision by emergency decrees which completely ignored the legal limitations that existed on the Commissionial government's authority. In early September a decree for administrative reform had recast the functions of the officials that headed the administrative subdivisions--the Oberpräsidenten, Regierungspräsidenten, and the Landräte. This began the general trend of increasing the authority of the subordinate officials while at the same time binding them all the more closely to the central government of Prussia. It freed these officials from much of previously needed consultation with the elected assemblies on these levels and increased their supervisory powers. Then Bracht continued his cleaning out of the Prussian bureaucracy by removing numerous officials and placing many more on "forced" leave. In this the major criterion for dismissal was whether or not the official had been connected with the parties that had formed the previous coalition government in that state. Several newspapers were also prohibited for varying lengths of time, although this, with the exception of Communist newspapers, was not pressed too severely.¹¹⁷

On the 10th of October the case was opened in Leipzig before the German Supreme Court, the Staatsgerichtshof. The appellants acknowledged that Article 48 did give the President the power to take over the state and local police and many other functions of the state government of Prussia, but they protested that the outright dismissal of the parliamentary state ministers by

117 Beck, pp. 129-31.

federal decree was unconstitutional.¹¹⁸ Joining the Prussian government in its complaints before the court were the states of Baden and Bavaria, the Prussian Landtag delegations of the Center and Social Democratic parties, and a number of the displaced Prussian ministers pleading as individuals.¹¹⁹

On October 25 the court decision in Prussia contra Reich was delivered. The court, first, declared that it was not competent to comply with the requests of Baden and Bavaria and to prescribe limitations for some indefinite action by the Reich in the future. Thus it would not issue what would amount to an advisory opinion interpreting the constitution in advance of a specific legal litigation. The court also rejected the competency of the Social Democratic and Center party delegations of the Landtag to plead before the court. It said that its jurisdiction lay only with disputes between the Reich and the Länder and that the Landtag party delegations were not competent to represent Prussia. It finally ruled that the complaints of individual ministers were beyond the court's jurisdiction as these were disputes within a Land.¹²⁰

The court then asserted that it was within its jurisdiction to review the actions of the President of the Reich under Article 48 and rejected the contention of the Reich that the President's use of the Article was subject to his own discretion. It proceeded to reject the whole line of reasoning set forth by the Reich for the employment of Paragraph 1 of the Article (Execution)

118 Brecht, p. 65.

119 Beck, p. 133.

120 Ibid., p. 142.

in Prussia, and found no reason to justify a charge that Prussia had failed to live up to its obligations with respect to the Reich.¹²¹ This decision that there had been no derilection of duties on the part of Prussia was a severe blow to von Papen, for he had made this assertion the basis of his decree.¹²²

By implication but far less explicitly the court questioned the complete accuracy of the Reich's on the usage of Paragraph 2 (Dictatorship). It admitted that there was evidenced here the clear fact that there had been a considerable disturbance to public order and to the security of Germany on July 20. It found that in this paragraph there was no strong limitation expressed in regard to the President's discretion. As a result the court decided that the action of the government in this instance was covered by Paragraph 2, and that if the President felt that the situation had required the removal of the Prussian government this was perfectly in order. But, the court said, his actions must not be permanent in effect, but only temporary. And the President's actions could not extend into the area which affected the constitutional relationships of the Reich and the Länder. Thus the actions of the Reich were invalid insofar as they implied a permanent removal of the Prussian officials in this area. The Prussian State Ministry could not be removed even temporarily from some of its functions. It retained the rights of sovereignty in its representation of Prussia in the Reichsrat, the Prussian Landtag, and in its relations with the other Länder. All efforts of the Reich to intrude into these areas were declared invalid.¹²³

121 Beck, p. 143.

122 Eyck, p. 422.

123 Beck, pp. 143-4.

The court decision, in effect, said that the Commissionial government had the right to carry on the executive functions of the Prussian government, but that the sovereignty of Prussia still resided in the former Social Democratic coalition and Prussia could be represented in the Reichsrat only by delegates appointed by this government. Here the court decision had struck a telling blow against the von Papen government.¹²⁴ Thus two governments now existed in Prussia, and trouble in the future was bound to develop. The court was aware of the problems that its verdict would create. But the judges were faced by a delicate task. They realized that the Reich had overstepped its rights, but they did not want to weaken, indeed wished to safeguard, the authority of the President and the Reich government. Given this desire a full reinstatement of the Prussian government was out of the question, and even the Prussian ministers had not expected a complete reversal of von Papen's coup.¹²⁵ Finally the court had rejected as unproved the charge that the coup in Prussia had been taken due to an agreement between von Papen and Hitler.¹²⁶

Thus the tendency under the von Papen government to expand the conception of the President's decree power even further, as shown both in the coup and subsequent action in Prussia and in the September 12 dissolution of the Reichstag,¹²⁷ had suffered a partial setback, at least legally and in the eyes of the nation. Although von Papen hailed the decision as a complete victory

124 Hoover, p. 72.

125 Preussen contra Reich vor dem Staatsgerichtshof, quoted in Dorpalen, pp. 368-9.

126 Eyck, p. 422.

127 Beck, p. 138.

for the government, it did remove the last possibility that any already existing legislative body would sanction constitutional reform. And it was under these circumstances that the government moved into the critical period of the electoral campaign handicapped by the fact that the path to constitutional reform along the desired lines was hopelessly blocked.¹²⁸

The court decision on this case was one of the fundamental factors in the downfall of the von Papen government.¹²⁹ This decision hurt the chancellor very much during the electoral campaign, and was one of the decisive factors influencing the election results.¹³⁰ Although von Papen called it a total triumph for the government, in the secrecy of his cabinet he noted that "it was urgently necessary that something occur to weaken the disturbing influences on public opinion" which had been a result of the court decision.¹³¹ Von Papen nevertheless still regarded the elimination of the "Reich-Prussian dualism" as the cornerstone of his policies for governmental reform. And as he foresaw no hope of gaining a victory in the coming November 6 election he determined that the only path open still was the continuance of his drive for an alteration of the governmental system in Prussia. Thus it was that after the Braun cabinet had been reinstated it gave vent to continual protests against actions of the Commissionial government which seemed to it as lacking in the temporary nature that had been required by the Supreme Court decision.¹³²

128 Hoover, pp. 72-3.

129 Beck, p. 147.

130 Brecht, p. 71.

131 Reichskanzlei, Kabinettsprotokolle, October 28, 1932, quoted in Beck, p. 148.

132 Beck, pp. 147-8.

On the 28th of October von Papen announced at the cabinet meeting that he had told Dr. Bracht that within a day or so decree action must follow that would ensure the destruction of the remnants of the "Reich-Prussian dualism," and that he, von Papen, would announce to the press that the court decision had no influence on the government's reform plans.¹³³ At the same time the government was faced with criticism from the Right whose newspapers were calling for drastic action in Prussia. In answer to this was the government's emergency decree which was partially released to the press on the 28th and then officially proclaimed on the 29th. It was issued in the name of the Commissionial government and was based on the Dietramszeller Decree that von Hindenburg had issued on August 24 which had empowered the Land governments to balance their budgets by extraordinary means if necessary--even freeing them from the restrictions of their own Land constitutions. The decree extensively revised the Prussian administrative arrangement.¹³⁴ Thus it was that the Commissionial government, which had been prohibited from calling itself a Land government by the Leipzig decision, now used the authority the August decree had created for the Länder to abolish the Prussian Ministry of Welfare, assigning its duties to the Ministries of Agriculture, Finance, Economics, Interior, and Education, and to alter significantly the rôles of the other ministries also.¹³⁵

On October 29 Otto Braun, accompanied by von Papen and in the presence of Meissner, met von Hindenburg at Neudeck.

¹³³ Reichskanzlei, Kabinettsprotokolle, October 28, 1932, quoted in Beck, p. 148.

¹³⁴ Beck, pp. 149-50.

¹³⁵ Berliner Tageblatt, October 28, 1932, quoted in Beck, p. 150.

Von Papen acted as the President's spokesman during the conversation and parried all questions that Braun asked. Von Hindenburg said that the government intended to act in harmony with the court decision when Braun mentioned that the recent events that had taken place in Prussia were not in accordance with the court decision, and continued to maintain that the Reich could be governed properly only if both Reich and Prussia pursued the same policies and only if the power resources of both were combined. Braun at this meeting was shocked by the dotage of the President and felt that he was completely under von Papen's control. Repeated protests by the Braun government after the meeting met with no better fate.¹³⁶ When the Bavarian government submitted a formal protest against von Papen's actions in Prussia, the chancellor merely retorted that he had done nothing that could be construed as contrary to the Leipzig decision.¹³⁷

On October 31 von Papen used his authority as Commissioner in Prussia to appoint "deputies" for all the Prussian ministries, although these were really ministers, and in effect a direct repudiation of the Leipzig decision. After this the "deputies" soon began to remove subordinate Prussian officials unacceptable to them.¹³⁸ Thus the merging of the two governments was carried a step further. Edler von Braun, Reich Minister of Agriculture, was appointed to administer the Prussian Ministry of Agriculture; Professor H.J. Popitz, formerly Reich Under-Secretary of the

¹³⁶ Otto Braun, Von Weimar zu Hitler, quoted in Beck, p. 150 and in Dorpalen, pp. 369-70.

¹³⁷ Berliner Tageblatt, November 1, 1932, quoted in Beck, p. 151.

¹³⁸ Eyck, p. 425.

Treasury, was appointed to administer the Prussian Finance Ministry; and Professor Wilhelm Käbler was to conduct the Prussian Ministry of Education. Von Hindenburg also appointed Professor Popitz and Hans Bracht, von Papen's chief Federal Commissioner of Prussia, to serve as Federal Ministers without portfolio in the Reich cabinet.¹³⁹ Under Käbler the reinstatement of authoritarian controls over education was soon evidenced. Technically the changes were semi-constitutional as the officials appointed were to act as personal representatives of von Papen in his capacity as Reich Commissioner for Prussia. But in reality these officials were acting as Prussian ministers in all but name and represented Prussia in the various internal and external government organs. For this the Reich found a new if precarious point of legal support when it said that it was following the court's statement that it was proper for the federal government to seek the coordination of both Reich and Prussian policies.¹⁴⁰ But as the American Charge in Germany wrote to the Secretary of State, the action of the von Papen government has "flagrantly" violated "the spirit, if not the letter, of the Supreme Court's decision."¹⁴¹

With the November 6 election drawing near von Papen was second only to Hitler in the zeal and frequency with which, in speeches, he pressed his case with the public. In these he developed his ideas of an "authoritarian State" with its "Presidential Cabinet" representing the efficiency of the ablest talents

139 Fay, "Germany Again Goes to the Polls," p. 361.

140 Beck, p. 151.

141 American Charge in Germany, Gordon, to Secretary of State, November 2, 1932, No. 2007, U.S. State Department Files, 862.00/2865 G.C., quoted in Beck, p. 152.

and standing above the parties. Due to federal control of the radio he had virtually a monopoly in using that segment of the mass media. His aim was not to obtain a majority in the Reichstag, which he knew anyway was impossible, but rather to present his economic and political program to the people and to rally them to his support as well as to the support of von Hindenburg and the cabinet--a support as distinct from party support.¹⁴²

It was the general opinion in Germany by now that the Hitler movement had reached its peak. It was hard to maintain the fervor of an organization as large as the National Socialist party for long, and it was equally hard as the party, so close to its goal-- a goal that Hitler kept promising, had not yet been able to attain supreme power in Germany. And the discontented middle class and youth in Germany, who wanted a nationalistic and aggressive government that would free the nation from the Versailles Treaty, were finding that in this area von Papen was producing much better than Hitler was. Von Papen had at Lausanne rid Germany of reparations for the present and had withdrawn from the Disarmament Conference when German equality had not been granted. Also on September 14 the government had given orders for the shipyard at Wilhelmshaven to start construction on Germany's third "pocket battleship." And on September 14 too a proclamation by von Hindenburg had authorized the founding of a "national institute for the physical training of youth," and the appropriation of an initial sum of about \$360,000. This organization and its uniforms of coarse duck would have something of the same appeal to the youth as did Hitler's Brown Shirts. Finally

¹⁴² Fay, "Germany Again Goes to the Polls," pp. 361-2.

the masses still regarded von Hindenburg with veneration, and this personal popularity could some extent be expected to work to the advantage of the von Papen government.¹⁴⁴

Preceding the elections the Nazis were suffering tremendously from the lack of money, as no more subsidies were coming in and the four elections since March had taken much of the party's financial reserves. Hitler was losing support because of his condoning the Potempa violence, his refusal to come to terms with the government by asking for nothing but full power, and his party's swing toward radicalism in its campaign against the "Government of Reaction."¹⁴⁵

To aggravate still more the woes of the NSDAP before election day, von Papen proceeded against the Nazis more and more rigidly. He had to go beyond the general ban on meetings in the open-air by forbidding a mass meeting of the Nazis indoors at the Berlin Sport Palace. Similar orders were given to stop Nazi indoor meetings in the Rhineland, East Prussia, and in other areas of the Republic.¹⁴⁶ On November 4 von Papen in a radio speech denounced the Nazis' political methods and accused them of desiring "complete and permanent power in Germany."¹⁴⁷ And with the transport workers' strike in Berlin--both Communists and Nazis--he called out the city's entire police force to maintain order, although the Nazis were treated more leniently than were the Communists. This strike was still in effect on election day.¹⁴⁸

144 Fay, "The German Dictatorship," pp. 224-5.

145 Bullock, p. 206.

146 Brecht, p. 70.

147 Nazi Conspiracy and Aggression, VI, 920.

148 Halperin, p. 509.

III

"Et tu," Schleicher--The Fall of von Papen
November 6, 1932--December 2, 1932

Von Papen, knowing that he had no chance of winning under the existing electoral law, would have liked to change this law before the November 6 election. But he and his cabinet felt that this could not be done by emergency decrees, and therefore they contented themselves during the election campaign with an attempt at knocking the Nazis out of their position as chief party.¹

The chancellor sought to attain this goal by means of a vigorous campaign. He made numerous, lengthy speeches, and his cabinet used every effort to rally the nation to the government. The radio became little more than a vehicle of patriotic propaganda and political indoctrination for the government, and each cinema performance was usually preceded with short sketches of German life on the eastern frontier, pictures of ceded German territory, and statistics and pictures of Germany's history and military successes. But von Papen still had to make herculean efforts, for his was perhaps the most unpopular government that the Weimar Republic had seen.² And, besides, the entire campaigning was conducted with a divided cabinet, a division of the cabinet into agricultural and economic factions which had already caused the suspension of the quota system for agricultural imports just before the election campaign began.³

But, as in the July 31 election, the people who wished to vote for von Papen, and these were growing in number, did not know how to vote, for he had no party of his own and to back him by voting for the German Nationals was distasteful to them.⁴ Nonetheless, the nation as a whole still distrusted von Papen, and even

1 Papen, pp. 210-1.

2 Butler and Woodward, IV, 62.

3 Ibid., p. 88.

4 Ibid., p. 53.

the newspapers which supported the chancellor were unable to change this opinion. These newspapers instead expressed the idea that the cabinet should not be restrained by a respect for the constitution, and that the government had the law and the Reichswehr on its side. This caused widespread worry which von Papen tried to stop by disclaiming any intention of altering the constitution by illegal means, while instead asserting that his job was to curb the "exaggerated parliamentarianism" that had "wrought such havoc."⁵

But, regardless of von Papen's efforts, the November 6 election repudiated his government, although the people did not express themselves positively in favor of democracy either. The election virtually exterminated the bourgeois parties.⁶ And also with the exception of the Center Party, which had ceased to have the power to influence events due to its having been discredited by its previous negotiations with the Nazis, all the moderate parties had to all intents and purposes been destroyed. The Center Party had even lost votes in southern Germany where its real strength was, as von Papen's ideas for reform of the republic had seemed to make some favorable impression upon the people there.⁷

The November 6 election had been the fifth major contest of that year, and the country was emotionally exhausted. Largely for this reason the vote brought an inconclusive result. The Nazis declined in strength. They lost 2 million votes and 34 seats in the Reichstag. Their vote sank from 37.3% to 33.1%, a set-back that was thrown into deeper relief by the success of the

5 Halperin, p. 514.

6 Brecht, p. 60.

7 Clark, p. 414.

Nationalists and the Communists, the latter's new votes coming largely from disillusioned supporters of the Nazis and Social Democrats who were now looking for a genuinely revolutionary party.⁸ The Communists had increased their number of seats in the Reichstag to 100, and had reached the level at which the National Socialists had first terrified the world in 1930.⁹ Thus much of the nation's fear of the Nazis would be turned hereafter upon the menace of Communism.¹⁰ The German Nationals had increased their vote by almost 800,000, while the German People's Party had increased their vote about 250,000, proof of the fact that von Papen was gaining ground. But the chancellor still had no majority, although at least the Nazis and Centrists could now no longer form a majority without the support of the German Nationals.¹¹ And thus, in effect, the election had terminated any possibility of a parliamentary regime in Germany.¹²

The reasons for the Nazis' defeat had been diverse. They had ceased to enjoy the confidence of many people because of their actions with regard to the President and von Papen. Their shortage of money had hurt them. And the number of unemployed, on whose discontent the Nazis had depended for votes, had appreciably decreased. For it can be said that the peak of the Nazi vote was attained in July 1932 when the unemployment in Germany was at its height. Time was running out for the Nazis.¹³

8 Bullock, p. 209.

9 Heiden, p. 494.

10 Clark, p. 414.

11 Dorpalen, p. 373.

12 Walter H. Kaufmann, Monarchism in the Weimar Republic (New York, 1953), p. 210.

13 Manvell and Fraenkel, p. 86.

The most important result of the election was the revelation that the Nazis were not invulnerable. Hitler had for the first time been defeated as many had already predicted. And thus it was that the Strasser group of the party, Frick, Feder, Deputies Kube, Kaufmann, and Erich Koch, arose to demand that the party should now adopt a policy of concessions. Gregor Strasser publicly stated that Hitler must now abandon the idea of the chancellorship, and Hitler privately admitted that one of his lieutenants would have to accept this position.¹⁴ During the next two months the struggle between Göring and Strasser for this privilege would go on. But while this would divide the Nazis, so would the von Papen government be divided as von Schleicher soon demanded that von Papen should patch matters up and find a majority, while the chancellor maintained that the days of the majority were over. But the ill-luck of the Nazis did not end on November 6, for the ensuing weeks would see them continue to lose votes at the local elections.¹⁵

Von Papen's tactics had thus succeeded in defeating Hitler.¹⁶ And the election results made him more sure that Hitler had now been thoroughly chastised and had been made more reasonable.¹⁷ Hitler was calling the election a victory for the Nazis, but the Storm Troopers were saying the opposite when they talked of dispensing with legality if power was not achieved. Von Papen thus felt confidently that the Nazi power was waning, and that he was in an advantageous position with the Junker and industrialist

¹⁴ Heiden, pp. 494-5.

¹⁵ Wheeler-Bennett, Wooden Titan, p. 416.

¹⁶ Clark, p. 423.

¹⁷ Kaufmann, p. 215.

18

cliques supporting him.

The election should have marked the turning point in the history of the republic. The myth of the Nazi movement's irrepressibility was broken. There now were three courses open to the von Papen government. It could continue its path to constitutional reform--a course that would in the long run necessitate an open breach of the constitution and a temporary rule by emergency measures supported by military force. It might attempt to divide the Nazi movement by offering part of the party some representation in the government. Or it could reverse itself, repeal at least some of its emergency decrees, and seek a share with the Center in the projected Nazi coalition. This last course was the only one that offered some promise of preserving parliamentary democracy in Germany. But it was this one that the von Papen cabinet did not even discuss, and it was indeed von Papen's fear that the Nazis might be able to form some type of coalition with the Center, which would then return the old system of shifting coalitions.¹⁹ But as von Papen notes: "The situation was now really serious and made any continuation of political life within the framework of the Weimar Constitution more or less hopeless."²⁰

Von Papen was delighted with the election results and held that it was a moral victory for the government, for he regarded the Nazi losses as being actually heavier than the figures really showed.²¹ Even the great optimism that this election awakened in some persons was reflected outside of Germany. In Paris Léon Blum

18 Halperin, p. 511.

19 Beck, pp. 153-4.

20 Papen, p. 211.

21 Bullock, p. 209.

wrote in Le Populaire: "Hitler is henceforth excluded from power; he is even excluded, if I may say, from the hope of power."²²

But the election also brought troubles that von Papen did not need. The press throughout the country continued to appeal to von Hindenburg to change the composition of the government, while also during November powerful business interests besought the President not to govern the country in defiance of its wishes.²³ And the election results had not reduced the antipathy of all the parties, except the German Nationals, toward the von Papen government. The journals criticized the government, and this criticism was intensified apparently because of the fear that constitutional reform was about to be effected by force.²⁴ And on November 10 Prussia was joined in the Reichsrat by Bavaria, Saxony, Hamburg, Hesse, Württemberg, and the Rhine province in its plea for a loyal execution of the Supreme Court decision with regard to Prussia. The question was then turned over to a Reichsrat committee for constitutional questions for investigation and report. This procedure was also accompanied with strong warnings against any illegal revision of the constitution.²⁵ Amid this endless criticism of the chancellor the German Nationals alone continued to plead with von Hindenburg to keep the von Papen cabinet, but with Hugenberg as economics minister and General Joachim von Stülpnagel as a replacement for von Schleicher who was now suspected of opportunism.²⁶

22 Jacques Chastenet, Histoire de la Troisième République: Déclin de la Troisième 1931-1938 (Paris, 1962), VI, 41.

23 Butler and Woodward, IV, 155.

24 Beck, p. 155.

25 Deutschland, Reichsrat, Niederschriften über die Vollsitzungen des Reichsrats, Jrg. 1932, 22nd Sess., 10 November 1932, No. 349, quoted in Beck, p. 156.

26 Dorpalen, p. 373.

Nevertheless, for all the trouble that the Prussian coup had caused the chancellor, the von Papen-Bracht regime continued to slash the numbers of the civil service personnel in that state. On November 11 the Welfare Ministry was liquidated and in an administrative "economy" move some 140 official posts were abolished. A purge was also now directed against school officials, and the commissional government began to move strongly into that area in Prussia.²⁷ On November 12 the Reichsrat met and passed two resolutions: (1) for the annulment of those measures that the Reich had taken that had altered the Prussian-Reich and Land-Reich relations, (2) a request that the government abstain from over-hasty attempts at constitutional reform. But von Papen was again undeterred by this, and on November 14 he set out to visit the Länder in the hope that he might be able to gain support for himself or at least new instructions for the Land representatives in the Reichsrat. But he was only to be met with a hostile demonstration at Dresden, and therefore he cancelled the rest of his trip²⁸ and returned to Berlin.

Now the chancellor began to venture in another direction. On November 9 the cabinet reconvened and agreed not to resign because no alternative government seemed in sight. It was decided that in order to show that no majority government could be formed talks with the parties would have to be held. In this connection von Schleicher proposed a series of conferences first between the chancellor and the parties and after this had failed talks between the President and the parties. Then when it was shown that no

27 Beck, p. 156.

28 Butler and Woodward, IV, 92-3.

majority could be formed the Reichstag should not meet at all. Most of the cabinet members agreed that discussions should be held, as every legal path should be tried before the constitution should be suspended.²⁹ Von Gayl argued against a proposal that the cabinet should resign and disagreed with von Papen's previous public statements that he, von Papen, should not be an obstacle to a "national concentration." Therefore von Gayl endorsed the plan that the chancellor now decided upon--the completion of reform projects no matter what public opposition. Von Schleicher was agreed upon as being more able to consult the Nazis than von Papen. And it was decided therefore that he should be the chancellor's consultant in this process.³⁰

On the 13th invitations were sent out to the parties, the response being negative. The Social Democrats refused to call on the chancellor. The Center was equally uncooperative. The Bavarian People's Party supported von Papen, but since he could not obtain adequate support they felt too that he should resign. The Nazis refused to enter direct negotiations. Hitler was still haunted by the memory of August 13 and did not want needlessly to raise the hopes of his followers again. Only the German Nationals and the German People's Party stood fully behind the chancellor.³¹

Thus Hitler had refused to be drawn in by the chancellor's first indirect approach. Therefore on November 13 von Papen wrote officially to Hitler suggesting, despite the discouraging

²⁹ Cabinet meeting, November 9, 1932, RKz./1711/791161-71, quoted in Dorpalen, pp. 373-4.

³⁰ Reichskanzlei, Kabinettsprotokolle, November 9, 1932, quoted in Beck, p. 154.

³¹ Franz von Papen, Der Wahrheit eine Gasse, quoted in Dorpalen, p. 374.

statements that had appeared in the National Socialist press, that negotiations be renewed and that there should be a discussion of the situation created by the recent election and possibly the construction of a "national concentration" government. Hitler replied by letter on November 16 stating that he would agree to von Papen's proposal only on the conditions that the discussions be conducted in writing, that von Papen did not deflect his own responsibility on von Hindenburg, that there would be no question of continuing the policy hitherto followed in domestic, external, and economic matters, and that Hugenberg would now be ready to cooperate with the Center Party.³² In this Hitler was playing his game shrewdly. For while in von Papen's initial letter the phrasing was such as to make it appear conciliatory, the letter was in fact intended to provide a repetition of the August 13 abortion. Many of the chancellor's phrases were designed to damage Hitler's image in the eyes of the public, and it was evidently the chancellor's intention to publish the correspondence that would follow. But Hitler's reply slashed at von Papen with so much irony, venom, and effectiveness that von Papen was hardly tempted to publish this correspondence.³³

But it was during this period when von Papen was ready to send the country into new elections in an attempt to tame the Nazis that unexpectedly von Schleicher opposed the chancellor. Von Papen had become too independent in his actions and too close to von Hindenburg for von Schleicher's liking. And it looked as if the chancellor was going to press his quarrel with Hitler to

32 IMT, XXV, 223-30.

33 Beck, p. 157.

the limit. This would mean that no "national concentration" would be created, and this goal had been the main reason that von Schleicher had created the von Papen government in the beginning. Now von Papen was also talking of a dictatorship if Hitler did not enter the government on the chancellor's terms, and this might mean civil war. Therefore the General decided that von Papen had become a hindrance to his policy of an accommodation with the Nazis.³⁴ And with his decision that new tactics had to be adopted to break the political stalemate von Schleicher began an attempt to convince von Hindenburg of the validity of his reasoning. Now he buttressed his arguments with the President with information from Gregor Strasser: the new strength of the radical revolutionary current among the Nazis; the drift of the Nazi supporters into the ranks of the Communists, and thus the growth of the Communist menace to Germany; and the fact that Hitler was having a hard time restraining his followers. He emphasized that the only differences³⁵ between the chancellor and Hitler were personal ones.

On the 17th of November the cabinet discussed the situation and decided to let von Hindenburg conduct discussions with the parties with his hands free and without the cabinet serving as an obstacle to a solution of the political deadlock.³⁶ For von Papen, himself, stood in the way of this solution because of the personal antagonism to him by the Centrists arising in part from his policy in Prussia and by the National Socialists.³⁷ Thus the cabinet

³⁴ Bullock, p. 210.

³⁵ Halperin, pp. 511-3.

³⁶ Reichskanzlei, Kabinettsprotokolle, November 17, 1932, quoted in Beck, p. 158.

³⁷ Clark, p. 431.

resigned on the same afternoon and remained in office as a caretaker government until a new cabinet could be formed. The parties learned of the government's resignation with satisfaction, although they were disturbed by the thought that possibly von Papen might possibly find some way to return to power.³⁸ But von Papen was confident that the President's negotiations with Hitler and the other party leaders would not solve the deadlock and that after this failure he would return to office with his hand strengthened. Events followed the course that von Papen foresaw.³⁹

Von Hindenburg received the party leaders of the German National Party, the Center Party, the German People's Party, the Bavarian People's Party, and Hitler. But the talks accomplished nothing. Göring had flown in from Rome on the 17th to make the necessary arrangements with the President's State Secretary, Otto Meissner, for the meeting of von Hindenburg and Hitler.⁴⁰ The President then met with Hitler on the 19th and 21st. The Nazi leader was offered two choices: he could become vice-chancellor,⁴¹ or he could become chancellor if he fulfilled several stipulations. He must obtain a working majority in the Reichstag for the government that he would head; he must submit a satisfactory economic program to von Hindenburg for his approval; he must allow the President of the Reich to name the ministers of war and of foreign affairs; and he must allow the President the right to pass

38 Woodward and Butler, IV, 76.

39 Bullock, p. 211.

40 Manvell and Fraenkel, p. 86.

41 Wheeler-Bennett, Wooden Titan, p. 418.

on the names of all cabinet members that Hitler would appoint.⁴² But Hitler demanded that he be able to head a presidential government as von Papen had done. This von Hindenburg refused to countenance, saying on November 24 that that would only lead to a dictatorship of the party.⁴³

After Hitler's meetings with von Hindenburg he retired to the Hotel Kaiserhof and during the following days carried on a correspondence with the President which indicated only the unbridgeable gulf that lay between the two men. Hitler maintained his demand for the chancellorship with a presidential regime, but von Hindenburg refused to abandon his position that he could not give a party leader his presidential power.⁴⁴ On November 23 Goring brought Hitler's written reply to the President. Hitler said in this that he was unable to solve the government crisis in purely parliamentary terms as this would be contrary to his basic convictions.⁴⁵ And by November 27 Hitler had retired from Berlin to Weimar. An attempt to form a coalition by the Centrist leaders was equally unsuccessful, and thus by the close of the month the situation had developed exactly as von Papen anticipated.⁴⁶

It would appear that the Reich President had launched these negotiations not with the intent to compromise with Hitler and so form a government but rather with the sole purpose of presenting evidence to the public that a solution of the crisis was impossible by parliamentary means. Under these circumstances

⁴² Hoover, p. 77.

⁴³ Vogt, p. 104.

⁴⁴ Wheeler-Bennett, Wooden Titan, p. 418.

⁴⁵ Papen, p. 215.

⁴⁶ Wheeler-Bennett, The Nemesis of Power, p. 262.

it would be much easier to have the constitutional reform of von Papen accepted by the public.⁴⁷

During these negotiations von Papen had continued to press his campaign against the republic, a campaign that brought continued denunciation by his opponents. On November 18 an emergency decree which regulated the respective jurisdictions in Prussia of the Prussian commissional and Braun-Severing regimes was issued by von Hindenburg. This stipulated that the representatives of the Reich in Prussia were to sign all orders with "the Commissioner of the Reich." The deposed Prussian ministers were officially to have the right to represent Prussia in the Reichsrat, the Reichstag, the Landtag, the Staatsrat, etc., but they were to be excluded from all functions of government and from the buildings of the ministries that they had formerly directed. They were to be informed by the proper State Secretaries of the Commissional government of such current operations of the government as they would need to know for the purpose of fulfilling their task of "representing" Prussia in the aforementioned bodies. The right of amnesty, considered one of the sovereign rights of the Länder,⁴⁸ was also to be transferred to the Commissional government.

Also on the 18th the Reichsrat had accepted the report of its committee on constitutional questions. This report sharply criticized the measures of administrative reform that the Reich had taken on October 29 and 30 in Prussia and declared that these went far beyond the measures that had been taken under the decree of July 20. The report expressed the hope that the Reich would

⁴⁷ Beck, p. 162.

⁴⁸ Deutschland, Reichstag, Verhandlungen des Reichstages, VII. Walp., 1932, Bd. 455, Anlage No. 6, quoted in Beck, p. 159.

take the steps necessary to restore the proper equilibrium between the Reich and Länder and said that the Reich had quite ignored the legal Prussian government in its enactment of reforms, even though the Braun government had expressed a willingness to take part in this reform.⁴⁹ This was a sharp rebuke to von Papen.

Also during the latter part of November Dr. Schwalb, a member of the Supreme Court that had rendered the Leipzig decision who had now retired thus gaining new freedom of expression, stated that the present situation existing in Prussia would not have been established if the court decision had been followed. Instead, he said, this situation did exist because the Reich⁵⁰ government had seen fit to disregard the court's decision. Indeed during this same period almost all of the political parties and all of the functioning legislative bodies in the Reich and Prussia were joining in a chorus of criticism of the von Papen government's Prussian policy, although the chancellor and his cabinet⁵¹ seemed to be impervious to this criticism.

After the November 6 election the industrialists had begun to think better of withholding financial aid from Hitler, as the Nazis were in the throes of crisis which might throw even more⁵² of their supporters into the arms of the Communists. Thus it was that some of the leaders of west German finance and industry had now petitioned von Hindenburg to appoint Hitler to the chancellorship of a Nazi-Nationalist coalition. This petition was

⁴⁹ Deutschland, Reichsrat, Niederschraften über die Vollsitzen des Reichsrats, Jrg. 1932, 23rd Sess., 18 November 1932, quoted in Beck, p. 160.

⁵⁰ Berliner Tageblatt, November 31, 1932, quoted in Beck, p. 161.

⁵² Halperin, p. 521.

⁵³ Frankfurter Allgemeine Zeitung, 1932, 77-7.

was signed by such men as Schroeder, Schacht, Thyssen, Krupp, Keyserling, Cuno, and Kiep, men who felt that this would solve the political impasse. And besides this solution was favorable to them. Both political organizations in the proposed coalition were opposed to the parliamentary system, and hopefully with the largest party in the government the presidial cabinet, which would then have at its services the best technical and personal forces in the country, would be able to function more properly than a government of parties was capable of doing.⁵³

During the period of November 18 to December 2 even the government's own supporters were still divided into industrial and agricultural factions. In the main the industrialists, hoping for a cabinet with dictatorial powers which would enable it to attempt a conciliation of the trade unions and Social Democrats while abstaining from attempts with constitutional reform, supported von Schleicher. The Junkers supported von Papen, wishing as a result an authoritarian government, agrarian in outlook, which would not compromise with the unions, the Social Democrats, or the industrialists.⁵⁴

In late November the news of von Papen's impending return to full government was received with dismay in almost all quarters and particularly by the Stock Exchange. And while Hugenberg and to some degree the East Prussian Junkers were trying to convince von Hindenburg that the dismissal of von Papen would be unwise, the moderate parties through the press and telegrams were deluging the President with the warning that the country could not settle

⁵³ Nazi Conspiracy and Aggression, VI, 796-7.

⁵⁴ Hoover, p. 79.

down as long as the von Papen-von Gayl ministry remained in office.⁵⁵ This widespread opposition to von Papen did not fail to impress von Hindenburg.⁵⁶

That the country would not accept von Papen was probably true, for the chancellor's plans at the end of November for his reform of the constitution involved the proroguing of the Reichstag, a temporary dictatorship based on force, constitutional revision by decree to raise the voting age, to establish a revamped second house to offset the Reichstag, and to increase the authority of the government.⁵⁷ And it is indicated too that von Papen may have intended to dissolve all the political parties and their auxiliaries.⁵⁸

Von Hindenburg would have liked to return von Papen to office, even if it meant a violation of the constitution by proroguing the Reichstag for an indefinite period of time. But now General von Schleicher began to act.⁵⁹ The cabinet had already begun to worry about a general strike or an armed Nazi uprising, although von Schleicher had said on November 25 that there was no longer any enthusiasm for the Nazis in the Reichswehr. He had also said that "all the questions which concern exceptional military measures will be carefully considered in the Ministry of Defense today, the 25th of November, and again tomorrow. One need have no concern that anything will be found wanting."⁶⁰

⁵⁵ Woodward and Butler, IV, 96-7.

⁵⁶ Dorpalen, p. 388.

⁵⁷ Beck, p. 164.

⁵⁸ Ibid., p. 164. (Beck bases this upon Heinrich Brüning, "Ein Brief," Deutsche Rundschau, 70 Jrg., 1-22 (July, 1947), and Otto Meissner, Staatssekretär unter Ebert-Hindenburg-Hitler).

⁵⁹ Vogt, p. 105.

⁶⁰ Reichskanzlei, Kabinettsprotokolle, November 25, 1932, quoted in Beck, p. 163.

But a week later von Schleicher was telling von Papen that Major Ott had made an inquiry--the "war game"--with the seven leaders of the major divisions of the Reichswehr, navy commanders, representatives of the Prussian government, the representatives of the Prussian state police, and representatives of the "Technical Emergency Service" (which had been designed to provide the necessary functions that would be interrupted by a general strike). And the result of these soundings was that the armed forces could not cope with a civil war involving the Nazis and Communists, particularly in the view of a possible Polish intervention in East Prussia.⁶¹

On December 1 von Papen and von Schleicher met with von Hindenburg at 6:00 P.M. to discuss the situation for two hours. Von Papen proposed that he, the chancellor, should form a cabinet; that all political parties, trade unions, and industrial and agricultural associations should be done away with, if necessary with the help of the police and Reichswehr; and that the Reichstag should be prorogued indefinitely, pending the preparation of constitutional reforms,⁶² a new electoral law and a second chamber,⁶³ which would then be submitted to a referendum or a new national assembly. He recognized that this would be a breach of the constitution, but felt that the seriousness of the situation would justify the President's following this course of action.⁶⁴ But von Schleicher now said that this approach involved the risk of civil war; that the Army had no confidence in von Papen and would not

61 Beck, p. 163

62 Wheeler-Bennett, The Nemesis of Power, pp. 262-3.

63 Bullock, p. 213.

64 Papen, p. 216.

face such a prospect of civil war; that the course was unconstitutional;⁶⁵ and that he was sure that a government with a majority in the Reichstag could be formed, if not under von Papen then under someone else, by splitting the Nazi forces. For this he suggested that negotiations with the disgruntled members of the Nazis be left to him.⁶⁶ So came the von Papen-von Schleicher break.

Prior to December 1 von Schleicher had already begun to negotiate with Gregor Strasser with the aim of creating the desired split by gaining the support of Strasser. The General had also decided to bring into the von Schleicher-Strasser combination all of the trade union leaders, an accomplishment that he hoped would perhaps convince the political parties that were connected with the trade unions at least to tolerate the government.⁶⁷ Von Papen, noting to himself that his relationship with von Schleicher had for some time been growing cold, doubted that this plan would work, for this solution would mean an end to the independent cabinet that had been established in June and would be unable to put through reforms, besides being only a temporary solution to the problems.⁶⁸ Von Hindenburg accepted this line of reasoning and therefore stood by his chancellor, feeling that Hitler was too strong for him to allow a schism to take place within his party. The President asked von Papen to take the necessary steps to form a government and indicated that he should follow the course of action that he, von Papen, had outlined.⁶⁹

65 Bullock, p. 213.

66 Wheeler-Bennett, The Nemesis of Power, p. 263.

67 Eyck, p. 444.

68 Papen, pp. 217-8.

69 Wheeler-Bennett, The Nemesis of Power, p. 263.

Von Hindenburg's personal affection for von Papen most assuredly played a large part in the President's decision.⁷⁰ That General von Schleicher offered to become chancellor during the meeting,⁷¹ as von Papen claims, is unsupported by contemporary evidence.

After this meeting von Papen talked with G^urtner and von von Eltz and told them of his visit to the presidential palace. They agreed that a state of emergency existed and that von Papen's program should be carried out. They also informed the chancellor that for some time von Schleicher had been talking with different persons in the cabinet, telling them that the Army was not prepared for the civil war that would probably come if von Papen remained in office. A cabinet meeting was called for the morning of December 2 at 9:00 A.M.⁷²

When the cabinet convened the next day, von Papen, after telling his ministers of the talk with von Hindenburg the night before, asked von Schleicher to present his view of the situation, although he made it known that he, von Papen, did not agree with this view.⁷³ Major Ott of the General Staff was then called in to outline the same story that von Schleicher had previously presented to the chancellor. Ott's theme was that the Nazis were a "national" element and would thus be doubly dangerous. But while there is no doubt that the Reichswehr was a limited force, it had managed to maintain the internal order in 1920 and 1923, when the chance of a Polish intervention had been even much greater.⁷⁴

70 Eyck, p. 444.

71 Wheeler-Bennett, The Nemesis of Power, p. 263, fn. 1.

72 Papen, pp. 219-20.

73 Ibid., p. 220.

74 Taylor, "The Seizure of Power," p. 531.

The cabinet was on the whole in favor of von Schleicher's views, and when this became apparent von Papen adjourned the meeting and went to explain to von Hindenburg the new situation regarding the Army which von Schleicher had not presented to the President the day before.⁷⁵ With this exposition before him, von Hindenburg dismissed von Papen with the words: "I am too old and have been through too much to accept the responsibility for a civil war. Our only hope is to let Schleicher try his luck."⁷⁶

Von Schleicher now wished to appoint a straw man to head the government; he suggested one possibility in Hjalmar Schacht. But von Hindenburg was angry that von Schleicher had turned against von Papen and had made him resign. Thus the President made von Schleicher himself accept the chancellorship. Von Schleicher had already opened, prior to December 2, negotiations with the Social Democrats, Centrists, trade union leaders, and representatives of the employers' associations in an effort to create a broad social foundation for his new government. And he was trying to entice Hitler through Strasser to enter the government.⁷⁷ Now he, perhaps so as to facilitate his task by ridding himself of the former chancellor, offered von Papen the embassy in Paris. But von Hindenburg asked von Papen not to accept the offer, and this request was complied with.⁷⁸

Why had the von Papen regime fallen? Besides the reasons just developed there were others. Von Papen's government was

⁷⁵ Papen, p. 222.

⁷⁶ Taylor, "The Seizure of Power," p. 531.

⁷⁷ Halperin, pp. 516-7.

⁷⁸ Papen, pp. 223-4.

largely wrecked by his Prussian policy. In his efforts for constitutional reform he had destroyed the state of law and respect for the limitations of the constitution and court decisions. He was opposed by the Social Democrats above all because of Prussia. He was opposed by the Communists largely because they, while being against the republic anyway, had suffered most from the police regulations of the Commissionial government in Prussia. The Nazis, whose strength had arisen and long remained in the south,⁷⁹ now were stronger in Prussia than they were in southern Germany. And von Schleicher was, of course, a major factor in von Papen's downfall. Von Papen during this latter period had begun to lean much heavier on the support of von Gayl than he did on the support of von Schleicher. And, besides, the only way von Papen could achieve his program was by force, and some type of civil war could, presumably, have resulted. This would have, a civil war, sabotaged the negotiations underway for the lifting of the armament prohibition in Germany. And it would have placed the burden of governing Germany solely on the shoulders of a feeble octogenarian. Finally, it would have undoubtedly strengthened the cause of Communism, already in the ascendant. Therefore all the logic seemed to lie with von Schleicher.⁸⁰

How did von Papen feel about the event? He was filled with bitterness. His taste of politics and power, his ambition and wounded pride,⁸¹ gave him an obsessive desire for revenge.

79 Beck, p. 166.

80 Ibid., p. 171.

81 François-Poncet, p. 41.

IV

Failure and Triumph--From
von Schleicher to Hitler

December 2, 1932--January 30, 1933

Thus Kurt von Schleicher's chancellorship began. It was one of the weakest and most inept governments that ever held office during the Weimar Republic, and not least because of the chancellor who headed it. But then von Schleicher had not wanted the office, and he had accepted it with great reluctance.¹ Above all, the retention of a majority of the old von Papen cabinet would seriously hurt von Schleicher's own hope of securing left-wing support.²

Prussia continued to play an important part in the history of the republic. This state offered to von Schleicher two prospects, but these were contradictory. The Prussian government gave the chancellor a means whereby he could entice the job-hungry Strasser Nazis into office, for it had the necessary patronage jobs. But it also presented an obstacle to the chancellor's aims as long as the Commissionial regime was continued. This would deprive von Schleicher of whatever chance he had to gain support from the trade unions because of the continued hostility of the Social Democrats on this issue.³

It is probable that von Schleicher thought that the Goring-Hitler wing of the Nazis might be led into a more conciliatory attitude toward the government.⁴ Kurt Ludecke appears to suggest that in late November von Hindenburg proposed to Gregor Strasser a coalition of von Schleicher, Strasser, and Leipart, leader of the Socialist Trades Union. But Strasser felt that he could not accept this unless von Hindenburg changed his negative view of

1 Wheeler-Bennett, The Nemesis of Power, p. 267.

2 Beck, p. 172.

3 Ibid., p. 173.

4 Ibid., p. 177.

Hitler, and this von Hindenburg would not do. Strasser reported the affair to Hitler, who said that he would not tolerate any other chancellor or assign any of his party to office in any other cabinet than one headed by himself. But he did decide to reserve final decision on the formation of a government with Strasser as chancellor or vice-chancellor until he had talked with von Schleicher in Berlin on December 1.⁵ At that point he came to agree in principle to Strasser's becoming vice-chancellor. But now, according to Otto Strasser, the Junkers took fright as they saw the government moving to the Left. Hugenberg and Schacht sought to stop the development of such a situation by negotiations with Hitler, and von Papen sought to join them in these efforts.⁶ At the same time G^oring and Goebbels, furious at being excluded from the government, told von Papen of this development. Von Papen then goaded the two Nazi lieutenants into taking action by telling them that he could change von Hindenburg's attitude to Hitler, if he, von Papen, would become chancellor or vice-chancellor. He also promised both men posts in such a government. As a result G^oring intercepted Hitler at Jena as the latter was making his way to Berlin and took him to Weimar. Here he and Goebbels told Hitler that Strasser had lied about von Hindenburg's attitude, with the aim of eliminating Hitler, breaking up the Nazi party, and taking over control of the government with von Schleicher.⁷

At any rate von Schleicher was unsuccessful in his attempts

5 Ludecke, pp. 546-7.

6 Otto Strasser, Hitler and I, trans. Gwenda David and Eric Mosbacher (Boston, 1940), pp. 138-9.

7 Ludecke, p. 547.

to come to some kind of terms with Hitler. And so he continued to deal with Gregor Strasser. On December 3 the chancellor sent for Strasser and offered him the vice-chancellorship and the post of minister-president of Prussia. He also promised that he would allow Strasser to take over his own, von Schleicher's, plans for dealing with the unemployment problem and would help him to establish cooperation with the trade unions.⁸ As a result of these promises Strasser now began to urge the party to tolerate the government, and threatened that if this was not done he would create a schism within the NSDAP by submitting his own list of candidates in the next elections. Then the elections in Thuringia came, and the Nazis lost 40% of their July gain in the popular vote.⁹ Strasser raised the standard of revolt. And this election was followed by similar election reverses in Bremen and Hamburg.¹⁰ Hitler now sent Göring to talk with von Schleicher about the possibility of appointing a Nazi as premier of Prussia. But von Schleicher said that the Center would not cooperate with Göring and would only give its vote to Strasser. On December 7 Hitler and Strasser met in the Kaiserhof, and a bitter argument ensued. The same night Strasser wrote a letter to Hitler in which he resigned from the party leadership, and by December 9 he had left for Italy with his family.¹¹ Hitler then broke up Strasser's party machine in Berlin and rallied the NSDAP leadership to him by threatening suicide.¹²

In the meantime von Schleicher had been successful in at

8 Bullock, pp. 215-16.

9 Wheeler-Bennett, The Nemesis of Power, p. 269.

10 Halperin, p. 518.

11 Heiden, pp. 504-7.

12 Wheeler-Bennett, The Nemesis of Power, p. 269.

least some areas. On the 6th the Reichstag had opened, and the Nazis, anxious not to face another election, had kept away from a head-on collision with the government which might mean the Reichstag's dissolution. The Reichstag, meanwhile, rejected the Social Democrats' motion calling on the chancellor to make a declaration of policy, and so too did vote down a Communist motion to put a no-confidence resolution on the December 7 agenda. Then it enacted a bill which revoked the wage reductions of von Papen's September decree for industries taking on new workers. And it passed an amnesty bill for all party members that were in jail for party meetings, processions, etc.¹³ On December 9 the Nazi bill for the succession to the presidency was passed, making it impossible for the chancellor to succeed the president of the Reich. The bill may have been introduced because Hitler had plans for impeaching von Hindenburg for the use of his powers under Article 48.¹⁴ Or it may be, and this has more credence, that von Schleicher had suggested the move to Hitler as a means of eliminating part of von Hindenburg's reason for refusing to give Hitler the chancellorship.¹⁵ Then the Reichstag adjourned still without demanding a program of the chancellor, or subjecting him to a vote of no-confidence. On the 14th the leading representative of German industry, Dr. Gustav Krupp von Bohlen und Halbach, chairman of the Reich Association of German Industry, said that the depression was slowly disappearing.¹⁶ Finally, on the 11th of December the Powers and Germany agreed on the formula of "equality of

13 Halperin, pp. 518-9.

14 Wheeler-Bennett, The Nemesis of Power, p. 270

15 Woodward and Butler, IV, 91.

16 Heiden, p. 509.

rights within a system of security for all nations," and on this¹⁷
basis Germany returned to the Disarmament Conference.

Despite these encouraging developments, however, within ten days after von Schleicher had come to office the whole rationale for his coming to power had been destroyed. By December 10 it was clear that he could not divide the Nazis and could not get the party's support or even its toleration. The Center would have none of him, and his attempts to come to some understanding with the Left had been abortive. But von Schleicher would not recognize this or the failure that was gradually engulfing him,¹⁸ and an amazing and deadly optimism seemed to permeate his thought.

A basis for this optimism did not exist. During the first fifteen days of the chancellor's administration his go-slow policy with regard to the economy had contributed to raising the number of unemployed by no less than 1/4 million.¹⁹ And within a week of von Schleicher's appointment the first feelers had been put out for an alliance between the Nationals and the Nazis. Werner von Alvensleben and Joachim von Ribbentrop were zealous in their attempts to ally these two groups.²⁰

Von Papen also was still dreaming of a government in which the Nazis would supply the mass support while he would determine policy. He was picturing himself as he would be portrayed in the newspapers as the man who had saved the Fatherland by his cleverness and courage.²¹ The President and his son were living in the

17 Wheeler-Bennett, The Nemesis of Power, p. 250.

18 Ibid., p. 270.

19 Adolf Hitler, Hitler's Secret Conversations: 1941-1944 (New York, 1953), p. 402.

20 Wheeler-Bennett, Wooden Titan, p. 423.

21 Hoover, p. 87.

Reichskanzlei while von Papen was lodged very nearby in the vacant quarters of the Prussian minister of interior, where he was permitted to remain after his resignation, and so was able to talk frequently with von Hindenburg. Von Papen now believed that the Nazis' fortunes were so low that they would never recover fully and that if he could help them with some provision of funds he would thus be able to get rid of von Schleicher and also to bring the Nazis into his own camp as captives.²²

Von Hindenburg and von Papen, who remained as an advisor to the President and undoubtedly influenced his thinking, were now also beginning to doubt the sagacity of von Schleicher's attempts to bring the socialistic-minded Strasser into the government. Therefore when Hitler now claimed to have crushed the radicals in his party and stated that no more war would be waged against the barons this statement appealed more and more to the President and his former chancellor.²³

Von Hindenburg, bitter also over his losing von Papen and even more perturbed to find that the Army no longer stood fully behind their Field-Marshal, found his resentment all the greater because, weary and helpless, he felt that he had to submit to the Army's decision. And thus von Schleicher had begun his chancellorship without its most important prerequisite--the full support of the President.²⁴ Indeed it would appear that von Schleicher was pushed into office not that he might succeed, but rather that he might fail. In this way his associates, who were tired of his

22 Wheeler-Bennett, The Nemesis of Power, p. 271.

23 Heiden, p. 519. (During von Papen's chancellorship repairs had begun upon the President's Palace, and von Papen had given his quarters in the Reichskanzlei to von Hindenburg and his son.)

24 Dorpalen, p. 396.

intrigues and who never felt quite secure in their offices while he remained about, would be rid of him. Von Papen, although not singlehandedly, would be the strategist of this operation.²⁵

On December 15 von Schleicher made a further mistake by broadcasting a "fireside chat" over the radio. He said that he was a supporter of neither capitalism nor socialism but of what was best for the country. He also made it known that he had no respect for the sanctity of the large landowners' property in East Prussia, and that he would proceed faster with his resettlement of peasants and unemployed on small and medium farms in this area,²⁶ allocating 750,000 acres belonging to the large bankrupt estates for this purpose.²⁷ He stated that his aim was also to provide work, and for this purpose he would ask the President to create a Reich commissioner whose task would be to draw up plans for the providing of work and then to see that such programs were carried out. He said he would reduce the prices of meat and coal and possibly of milk and bread in order to make the coming winter easier. And he declared himself in favor of trade unions and the equal sharing by all classes of the economic burdens²⁸ caused by the depression. He promised that for the time being there would be no new taxes or further wage cuts, and he then followed up his speech with restorations of the recent wage and relief cuts, an action which demonstrated the chancellor's support of the Reichstag's repeal of part of the September decree on December 6, and by granting greater freedom of press and assembly.

25 François-Poncet,, p. 43.

26 Heiden, p. 512.

27 Woodward and Butler, III, p. 43.

28 Halperin, p. 520.

During his radio broadcast the chancellor also announced that the system of agricultural quotas that von Papen had introduced would be ended. This infuriated the farmers, and soon some of the East Elbian landowners began to refer to von Schleicher's resettlement program as "agrarian Bolshevism." The industrialists, too, intensely disliked the chancellor's conciliatory attitude toward labor,²⁹ and they were able by calling his program for reemployment inflation and through various pressures to make von Schleicher reduce the cost of the program from \$1 billion to only \$.5 billion.³⁰ Only the moderate bourgeois circles greeted the speech with any favor.³¹

At about the same time von Papen was again trying to end the political impasse and come to an understanding with Hitler. This he tried to do at a Herrenklub banquet on December 16. As the guest of honor he spoke briefly, saying that he considered the main objective of his administration the incorporation of the National Socialist movement into a "national concentration." This, he said, should also be the aim of any government. He warned the Nazis not to see in their movement an end in itself, and declared that they could not gain power through lies and slander but only through the unchangeable rules of the Christian world view, and thus through faith and truth. He admonished von Schleicher not to lose sight of the goals of incorporating the Nazis into the government, of retaining an authoratarian government, of accomplishing the necessary constitutional reforms, and of reviv-³²ing the private economy. Although von Papen was speaking as a

29 Bullock, p. 218.

30 Heiden, pp. 512-3.

31 Halperin, p. 520.

32 Ring, December 27, 1932, quoted in Dorpalen, pp. 405-6.

private citizen many observers saw in his speech the words of the special representative of the President.³³ And many neutral onlookers considered that what von Papen was actually saying was that he would like Hitler to begin conversations towards entering the government not with von Schleicher but rather with himself, von Papen.³⁴ After the speech Baron von Schröder, a Cologne banker and one of the initiators of the November petition which had called upon von Hindenburg to appoint Hitler chancellor, approached von Papen. Both men agreed on the need to come to terms with the Nazis. But as to who suggested a meeting between von Papen and Hitler in early January--this is still a matter of controversy.³⁵

By Christmas, 1932, however, the von Schleicher government seemed somewhat on the road to success. The Strasser-Hitler break had occurred. Von Schleicher's approach to the labor leaders had borne some fruit, although the leaders of the Social Democrats were still resisting. And economic conditions were somewhat better, unemployment was now lessening, there had been a decrease in insolvencies, a rise in production had developed, and an increased liquidity of finances was achieved.³⁶ Although von Schleicher still had found no alternative for developing support for the government than through negotiations with the parties, which remained inflexible in their viewpoints, the American Consul-General in Berlin was able to report: "There is a general impression that this betterment in the industrial and general economic situation came

33 Dorpalen, p. 406.

34 Beck, p. 182.

35 Dorpalen, p. 406.

36 Beck, p. 181.

as a direct result of the Schleicher Government which seemed to bring promise of stability."³⁷

But it was during the Christmas season that the members of the Herrenklub came to the conclusion that von Schleicher was now attacking his own class's interests. Thus big business and the landed aristocracy joined forces to destroy him. And a major figure in this work of demolition was von Papen,³⁸ who had other motives for this action than just those held by the Herrenklub members.

The meeting of January 4 between von Papen and Hitler seems to have had its beginning on December 10 when von Papen made his first advances for a meeting with Hitler to von Schröder through the help of a Freiherr von Lersner. At the same time von Schröder had already been contacted by Wilhelm Keppler with a similar request from Hitler. After the Cologne banker had telephoned von Papen late in the month to see if the latter would meet with Hitler, the meeting took place in complete secrecy several days later, January 4, at von Schröder's home. The actual date of the meeting had been arranged by Wilhelm Keppler.³⁹

Von Papen found Hitler in anything but a fighting mood, for the loss of Strasser had been a serious blow for Hitler,⁴⁰ and the Nazis were in such dire financial troubles that SA men had begun to beg in the streets, asking people to donate something "for the wicked Nazis."⁴¹ The conference began with a conversation

³⁷ American Consul-General in Berlin to Secretary of State, No. 1128, February 3, 1933, U.S. State Department Files, 862.50/748, quoted in Beck, pp. 181-2.

³⁸ Clark, p. 447.

³⁹ Nazi Conspiracy and Aggression, II, 921-3.

⁴⁰ Clark, p. 447.

⁴¹ Bullock, p. 219.

between von Papen, Hitler, and von Schröder in the latter's study which lasted about two hours. Here von Papen tried to gain Hitler's confidence by claiming that the death sentences in the Beuthen murder trial were not his fault but rather von Schleicher's, while the August 13 débâcle had been von Hindenburg's responsibility. After this talk had eliminated many points of conflict the men adjourned for lunch with Hess, Himmler and Keppler whom Hitler had brought with him, and after lunch had chatted until they all left at 4:00 P.M.⁴² Von Schröder says, and von Papen denies, that von Papen also told Hitler that it was not his fault that von Hindenburg would not discuss the chancellorship with Hitler.⁴³ With this meeting, however, the fifteen month-old Harzburg Front had been formally renewed.⁴⁴

Von Papen states in his memoirs that at this meeting he suggested to Hitler that the latter should take the vice-chancellorship, or even that von Schleicher might accept a duumvirate of himself and Hitler. But he says that at no time was there any discussion of a Hitler government's taking the place of the von Schleicher government.⁴⁵ It would seem more plausible, however, to suppose that this duumvirate was to consist of Hitler and von Papen and would be based on the support of the Nazis and on the support of the conservatives and nationalists who supported von Papen. But Hitler remained adamant claiming that he must be chancellor in a new government, although he would take some of von Papen's friends into it as ministers. He also demanded the right

⁴² Nazi Conspiracy and Aggression, II, 922-4.

⁴³ IMT, XVI, 348.

⁴⁴ Halperin, p. 524.

⁴⁵ Papen, pp. 227-8.

to eliminate Jews, Communists, and Social Democrats from public life.⁴⁶ Von Ribbentrop says that Hitler was offered the vice-chancellorship,⁴⁷ which also is entirely credible. While Chastenet feels that Hitler was offered the chancellorship,⁴⁸ it would seem much more likely that this post was not offered by von Papen, especially in view of the working of von Papen's mind later in the month. There is a possibility also that von Papen sounded Hitler out with regard to the latter's supporting a government not under his chancellorship; and Hitler purportedly replied that if General Joachim von Stülpnagel were made minister of the Reichswehr he would not ask for his own cabinet and would not create trouble for a von Papen government.⁴⁹ At any rate Hitler wanted to see the results of the Lippe election before any solution was decided upon.⁵⁰

Hitler and von Papen then agreed that further details would have to be worked out later, and that this could be done in Berlin or in some other convenient place.⁵¹ Although the specific understanding that was arrived at on this date is not exactly clear, both men did leave the meeting confident that they had accomplished something. Hitler felt that von Papen had carried out the meeting on von Hindenburg's behalf and therefore that the latter must be weakening in his opposition to appointing the Nazi leader chancellor. Von Papen felt that Hitler had become

46 Nazi Conspiracy and Aggression, II, 923.

47 IMT, X, 228.

48 Chastenet, p. 53.

49 Heiden, p. 521.

50 Clark, p. 448.

51 Nazi Conspiracy and Aggression, II, 923-4.

more tractable, although Hitler had not scaled down his demands. ⁵²

Hitler made one most important maneuver at the meeting by indicating that he favored a hands-off industry policy. Because of this the meeting probably saved the Nazis from bankruptcy. For a consortium of heavy industrialists was now formed for the purpose of putting the Nazis' finances in order. Otto Wolff was the most important member of this group; Fritz Thyssen also was a member. ⁵³ It does seem true, as von Papen says, that he did not arrange this financial aid. ⁵⁴ These new funds calmed the Nazis who were becoming rebellious and undisciplined. But it was uncertain whether order could long be maintained within the NSDAP. And thus the downfall of von Schleicher became a matter of political life and death for Hitler, who now did learn one bit of useful information. He learned from von Papen that he could overthrow the von Schleicher government with the help of the Communists if he wanted, for von Schleicher had no dissolution decree for the Reichstag from von Hindenburg. ⁵⁵

Overall that the meeting between von Papen and Hitler was anti-von Schleicher in nature would seem fairly true. Goebbels notes with regard to the meeting that "people seem to sense what is really going on here...At least there is one thing that the present government knows, namely that we are earnestly working toward its fall." ⁵⁶ In a letter from Keppler to von Schröder

⁵² Harry Picker, Hitlers Tischgespräche im Führer-Hauptquartier, 1941-1944 and Papen, Wahrheit, quoted in Dorpalen, pp. 410-11.

⁵³ Heiden, p. 522.

⁵⁴ Papen, p. 229.

⁵⁵ Heiden, pp. 522-3.

⁵⁶ Josef Goebbels, Vom Kaiserhof zur Reichskanzlei: Eine historische Darstellung in Tagebuchblättern, quoted in Eyck, p. 467.

dated December 26, 1932 we read

In consequence of the events of August 13th, which the Führer always took as a personal defeat, his attitude in regard to von Papen was, for a long time, very bad. I have always interceded with him for von Papen and against von Schleicher; the feeling became better with time, and he is said to have taken well the expressed wish for a conference; I hope that your adroitness will succeed in removing the last obstacles to the conference. ⁵⁷

This seems to indicate clearly the nature of the von Papen-Hitler meeting of January 4, 1932.

After the meeting von Papen went to the Excelsior Hotel in Cologne and sent a letter to von Schleicher in which he described his conference with Hitler and outlined the subject matter of the talk. ⁵⁸ Yet it does seem odd that von Papen had not told von Schleicher about the meeting before it was actually held. ⁵⁹ But as he knew that the meeting was not secret as had been agreed on, he was photographed as he entered von Schröder's home, ⁶⁰ perhaps he decided that the best thing to do would be to let von Schleicher know something of what had happened. On the 5th von Papen was surprised to find the morning papers attacking his disloyalty to the chancellor because of his démarche with Hitler. That von Schröder then told the papers that he, von Schröder, had taken the initiative in calling the meeting ⁶¹ probably did not help von Papen's image much.

⁵⁷ Thilo Vogelsang, "Dokumentation: Zur Politik Schleichers gegenüber der NSDAP," quoted in Beck, pp. 255-6, fn. 62.

⁵⁸ Papen, p. 231.

⁵⁹ Eyck, p. 465.

⁶⁰ Papen, p. 227.

⁶¹ Ibid., p. 231.

The same day von Papen proceeded to Düsseldorf to spend several days with his mother. He he also found time to talk with the German National spokesmen about the formation of a new national front. And at Dortmund he spoke next with some leading industrialists. They were favorable to a rapprochement with Hitler.⁶²

On January 9 von Papen returned to Berlin where he first talked with von Schleicher. Here he gave the chancellor his word of honor that he was not plotting against him,⁶³ and although von Schleicher seemed satisfied with von Papen's explanation, this satisfaction was not expressed in private to his, the chancellor's, friends.⁶⁴ Nevertheless it does seem that von Schleicher did not grasp the true meaning of von Papen's conference with the Nazi leader. He considered it nothing but a private intrigue on von Papen's part, and considered von Papen nothing but a "complete washout."⁶⁵

After having seen the chancellor von Papen then met with von Hindenburg. Here von Papen was informed by von Hindenburg that von Schleicher had presented the meeting on the 4th to him as "an act of gross disloyalty" and had asked the President to refrain from seeing his former chancellor. But von Hindenburg accepted von Papen's version of the meeting.⁶⁶ At this meeting with the President there seems to have been no mention of the terms that Hitler had set, for the President left the conversation with the impression that Hitler had now abandoned his demand for total

62 Papen, Wahrheit, Theodor Eschenburg, "Franz von Papen," and Otto Meissner, Staatssekretar, quoted in Dorpalen, p. 411.

63 Strasser, p. 140.

64 Papen, p. 232.

65 Clark, p. 448.

66 Papen, p. 232.

authority and might tolerate another chancellorship of von Papen. Thus it was that von Hindenburg authorized von Papen to remain in informal and exploratory contact with Hitler. These relations would be maintained in the utmost secrecy though, and the President told Meissner later that he was not to reveal any of this matter even to von Schleicher.⁶⁷ If this report is true it would seem that von Papen had vastly exaggerated Hitler's willingness to compromise. It would also seem that Hitler's demand to be appointed chancellor had not been conveyed to von Hindenburg, for it was just on this point that the President would not give in. He wished to see von Papen become chancellor again.⁶⁸

Von Papen states that he did not take part in any discussions that might lead to the formation of a government between January 9-22.⁶⁹ But von Papen, according to Frau von Ribbentrop, met with Hitler late on the night of January 10 at the von Ribbentrops' home. Here Hitler again demanded the chancellorship, and when von Papen restated that von Hindenburg simply would not accept this Hitler refused to talk about the question again until after the Lippe election. He was hoping that the Lippe election would place him in a stronger position vis-a-vis von Papen and von Hindenburg. Von Papen understood what Hitler was hoping and foresaw the troubles that would develop if this success came.⁷⁰

On January 15 the Lippe election was held. The Nazis received

⁶⁷ Hans Otto Meissner and Harry Wilde, Die Machtergreifung: Ein Bericht über die Technik des nationalsozialistischen Staatsstreichs, quoted in Dorpalen, p. 412.

⁶⁸ Eyck, p. 469.

⁶⁹ IMT, XVI, 261.

⁷⁰ Joachim von Ribbentrop, Zwischen London und Moskau: Erinnerungen und letzte Aufzeichnungen, quoted in Dorpalen, pp. 419-20.

39.6% of the vote,⁷¹ and increased their votes from the 33,000 that they had received on November 6 to 38,000. The Nazi press was jubilant, and claimed that this had negated the charge that the party was on the decline. Von Papen accepted this Nazi ver-⁷²sion and therefore took the election results seriously. After this triumph Hitler at once served notice to von Papen that he would now increase his demands for the party's entry into the government. Thus he would again claim the chancellorship. But von Hindenburg's answer, like Hugenberg's, was no. Both men wanted von Papen in that office.⁷³

In the meanwhile von Schleicher's maneuvers continued to progress somewhat fruitfully on some fronts, this making his enemies all the more anxious to be rid of him. And his policies, while perhaps winning him little support, continued to increase the bitterness of his foes. The chancellor continued to court the labor unions, and thus to lose the good-will of the industrialists. Gregor Strasser was now back in Berlin after his sojourn in Rome and was conspiring with the General to become vice-chancellor and in the process to lead part of the Nazis out of Hitler's fold.⁷⁴ Thus in early January von Schleicher was in the midst of his most serious negotiations with Strasser.⁷⁵ Strasser had told Hitler that he was ready for a reconciliation with him, but that he also planned to enter the Reich government. On January 3 Strasser conversed with von Schleicher, and on the 4th he had an interview

71 Bullock, p. 222.

72 Dorpalen, p. 419.

73 Halperin, pp. 524-5.

74 Manvell and Fraenkel, p. 87.

75 Beck, p. 183.

with von Hindenburg.⁷⁶ The President was greatly impressed by Hitler's unruly aide, and at this time it seemed almost that Strasser was ready to accept the offer of the vice-chancellorship. But von Schleicher's attempts in this field were actually thwarted by von Hindenburg's later authorization of von Papen's continued contacts with Hitler.⁷⁷ This undoubtedly encouraged Hitler to combat the attempts of Strasser to join the government.

But the situation was changed drastically between January 15-17. The Center now made it known to von Schleicher that they would not accept Hugenberg in the cabinet. And even Strasser was beginning to become discouraged by von Schleicher's continual hesitations and conferences. Strasser asked to see Hitler and was told that Hitler was now finished with him. Slowly the weight was shifting, and not in von Schleicher's favor. Hitler was threatening to combine with the Communists to make any type of parliamentary government impossible. And after the Lippe victory the Nazis did everything they could to increase the seriousness⁷⁸ of the Communist menace in the eyes of the nation.

By January 20 it had become clear that von Schleicher's attempt to create a government that would be based on a broad political representation of all but the extremist parties had failed.⁷⁹ One by one the party leaders had left the chancellor. Von Schleicher had refused to give Hugenberg the ministry of agriculture on the 13th of January.⁸⁰ Then the Nationals had

76 Heiden, p. 517.

77 Meissner and Wilde, Machtergreifung, and Meissner, Staatssekretär, quoted in Dorpalen, p. 412.

78 Heiden, pp. 525-6.

79 Bullock, p. 222.

80 Papen, p. 233.

been alienated by the chancellor's colonization plans, which began to be discussed in earnest on the 16th,⁸¹ and by the threat of a Reichstag investigation of the Osthilfe subsidies. On January 17 Hugenberg had talked with Hitler.⁸² For these reasons a last crushing blow to the government came on the 21st when von Schleicher received the German National Party's resolution:

The German National party takes the view that a fundamental decision on a number of vital questions, including a thoroughgoing solution of economic problems, is indispensable in order to cope with the intolerable social distress...A complete reconstruction of the cabinet is necessary...The present policy of shilly-shally...is ruinous to confidence... The present hostility between the peasants and the big landowners is a grave danger and, if allowed to develop, may give rise to bolshevism in the country. Suspicion is cropping up everywhere that the present Government represents ...the liquidation of the authoritative idea which was laid down by the President when he set up the Papen Cabinet....⁸³

Von Schleicher soon seemed to do nothing right. He was suited to intrigue, not leadership, and he lacked constructive statesmanship. But at first two factors appeared to be in his favor: (1) the Nazis were faced with seemingly insurmountable problems and (2) the political parties were agreed that another election should be avoided as Germany was exhausted from elections and as only the Communists stood to gain from a new one. For the latter reason they were willing to let von Schleicher delay in reconvening the Reichstag until after the Christmas recess which ended on January 31.⁸⁴ But the chancellor refused this offer,

81 Beck, p. 186.

82 Bullock, p. 223.

83 Woodward and Butler, IV, 389.

84 Wheeler-Bennett, The Nemesis of Power, pp. 268-9.

stating that the President had assured him a dissolution decree if necessary. In this von Schleicher had been misled by Oskar von Hindenburg with the intent of giving the chancellor a little illusory confidence while the von Papen-Hitler negotiations could progress to a point at which von Schleicher might be dropped. ⁸⁵

By January the chancellor had lost, and would continue to lose throughout the month, most of what little remained of his former support from the big industrialists. This repudiation occurred because of von Schleicher's repeated efforts to gain the favor of labor; because of his wage and anti-inflationary policies; because of his interests in social reorganization; because of the fact that he had appointed a minister of labor who was more sympathetic to labor than the previous labor minister had been; because of the uncertainty of the capitalists about the position of the Reichswehr and their fear of a coalition between ⁸⁶ the Army and the trade unions; and because of the chancellor's movement to Left, an indication of this being his rescinding of ⁸⁷ von Papen's social legislation.

The Junkers also were up in arms against von Schleicher. On January 11 the directorate of the Reichslandbund, an organization of the great landowners, published a vitriolic denunciation of the chancellor's agrarian policies; a denunciation accompanied by propaganda that marked that organization's drift toward the Nazis. The statement called for an extension of the quota system and for more protection for the farmer with regard

85 Wheeler-Bennett, Wooden Titan, p. 428.

86 Halperin, pp. 521-2.

87 Woodward and Butler, IV, 396.

88

to foreclosures on mortgages and condemned the government's refusal to institute a higher tariff on imported food stuffs. It also attacked von Schleicher's resettlement scheme as "agrarian Bolshevism,"⁸⁹ and Count von Kalkreuth, president of the Reichslandbund, called on von Hindenburg to protest the projected con-⁹⁰fiscation of some of the bankrupt estates in eastern Germany. In this protest the Junkers were supported by the President's⁹¹ son, Oskar.

Then during January another problem arose that threatened the interests of the large landowners. The Budget Commission of the Reichstag in the process of examining public finances came upon sums voted under previous governments for the relief of distressed landowners in the East Elbian districts. An examination of these sums soon unearthed one scandal after another. The minister of agriculture tried to suppress evidence and avoid giving⁹² names. But the Junkers considered his efforts halfhearted and⁹³ were therefore further irritated. On January 20 excitement increased when one deputy revealed that von Oldenburg-Januschau, and old friend of von Hindenburg, had received 60,000 marks; and another deputy disclosed that many of the beneficiaries of the funds had used these to purchase automobiles or to travel to the⁹⁴ Riviera rather than to use them to pay off their debts. It became evident that the parties would call for a Reichstag

88 Beck, p. 185.

89 Halperin, p. 522.

90 Wheeler-Bennett, The Nemesis of Power, p. 274.

91 Halperin, p. 522.

92 Clark, p. 451.

93 Woodward and Butler, IV, 395.

94 François-Poncet, p. 46.

commission of enquiry. If this were done it would hurt the large landowners very much and would also create popular support for von Schleicher's resettlement program. Therefore the Junkers wanted the enquiry stopped, and intrigues against the chancellor increased rapidly.⁹⁵ And besides, any election in which the Osthilfe issue played a part would prove disastrous to the German National Party.⁹⁶

Now with opposition aligned against him von Schleicher threatened to publish the report of the Reichstag enquiry into the Ostpreussenhilfe loans of 1927-28.⁹⁷ The chancellor hoped by these maneuvers to become popular with the masses and to lay some foundation for the labor government that he wished to institute.⁹⁸ By the threat to publish embarrassing facts on the old loans he wished also to subjugate the Junkers to his demands. He would destroy the forces of the Right by placing the Nazis against them, for he was sure that he would receive Nazi support in an issue like this that would be popular with the masses. But in attempting this he destroyed the union of two forces which might have supported him, those of the Officer Corps and the Junkers, a union that had been in effect for well over two hundred years. He underestimated the strength of the political and economic interests which he was attacking, and he showed further naïveté by maintaining that von Hindenburg had given him his full support and that von Papen had promised not to intrigue against his government any further. He really seemed to believe this, and all while the

95 Clark, p. 451.

96 Woodward and Butler, IV, 395.

97 Wheeler-Bennett, Wooden Titan, p. 424.

98 Publisher's Note, in Fritz Thyssen, I Paid Hitler, p. 113.

Junkers continued to demand from von Hindenburg the chancellor's dismissal and while the Nazis' fortunes began to rise once again.⁹⁹

The affair also served to irritate von Hindenburg, who had till now confined his opposition to the chancellor to a hostile coolness which grew with time.¹⁰⁰ The President was himself a large landowner, but nonetheless he most likely did not oppose the punishment of corruption. He did feel, however, that there was not enough cause to interfere with the landowning class in its entirety. And he was also afraid that the issue would create among the masses a general distrust with regard to the ownership of land.¹⁰¹ It would seem doubtful that von Schleicher was eliminated by von Hindenburg because of this affair alone. But it most assuredly increased von Hindenburg's desire to have his favorite, von Papen, back once more, and it did heighten the efforts of von Schleicher's enemies to bring about his fall. Thus it was that the publication of the Osthilfe report, which was to have been published on January 29, was held up after von Schleicher was dismissed on January 28.¹⁰²

Von Papen writes that the Osthilfe enquiry played no part in Hitler's advent to power and that it was not used to bring pressure to bear on von Hindenburg.¹⁰³ But as usual von Papen speaks half-truths, and molds the facts to protect his own position.

99 Wheeler-Bennett, The Nemesis of Power, pp. 275-6.

100 Wheeler-Bennett, Wooden Titan, p. 424.

101 Publisher's Note, in Fritz Thyssen, I Paid Hitler, pp. 113-4.

102 A.J.P. Taylor, The Course of German History: A Survey of the Development of Germany Since 1815 (New York, 1946), p. 211.

103 Papen, p. 165.

The Budget Commission of the Reichstag had meanwhile begun its investigation into the use and misuse of the Eastern Aid funds. The Commission resolved on the 25th with the support of Nazi votes that the Reich court of accounts should conduct a thorough investigation of the scandal and that it should issue a detailed account of its findings. Also with Nazi votes it was decided that the government should supply a list of all estates over 250 acres in size that had received state funds, and that inquiry should then be made to determine whether these landowners, mostly nobles, had used the funds to pay their debts and if they could have paid these from private sources instead. Only the German Nationals¹⁰⁴ voted against the resolution.

Prior to the Commission's action on the 25th, von Papen and Hitler had met again on January 18, once more in von Ribbentrop's house. Hitler had again demanded the chancellorship in any joint government; but von Papen, trying to find his way out of this dilemma, had replied that von Hindenburg could not be persuaded to such an arrangement. Hitler, ignoring this statement, had repeated his demand. The talk had settled nothing.¹⁰⁵ But at the last moment before the meeting had broken up von Ribbentrop had suggested that a meeting between Hitler and Oskar von Hindenburg should be held--as Oskar was known to be, of his father's advisers,¹⁰⁶ the one most violently opposed to Hitler.

Then from January 19 to 21 a new series of talks began. Von Ribbentrop called upon von Papen to suggest again a meeting

¹⁰⁴ Heiden, pp. 529-30.

¹⁰⁵ Eyck, p. 472.

¹⁰⁶ Ribbentrop, London und Moskau, quoted in Dorpalen, p. 420.

between Hitler and Oskar. After von Papen agreed to talk to the younger von Hindenburg, von Ribbentrop presented some new proposals that he had brought along with him. Hitler still demanded the chancellorship, but he would allow non-Nazis to hold most of the other ministry posts. Hitler demanded only two posts for his Nazi lieutenants. He wanted the ministry of interior and the ministry of aviation which he now proposed be created. He desired also the post of Reich commissioner of Prussia. These new proposals were not very generous for the latter would give the Nazis complete control over the Prussian police, and the ministry of aviation would allow them to build an air force and might lead to their control over the Reichswehr. The minister of interior's powers Hitler planned to expand by decrees when he became chancellor. Von Papen might well have seen this, but he was so much obsessed with bringing Hitler into a government that he accepted the proposals as the basis for further negotiations. He decided that as Hitler would settle for nothing less than the chancellorship then perhaps it would be best to let him have it.¹⁰⁷

It seems that von Papen looked upon the formation of an alliance with Hitler as a kind of personal challenge to his political talents. If he could manage this, it would send him to the pinnacle of statesmanship. He felt, naturally, that he and his conservative colleagues in the cabinet would be able to control Hitler and to dominate national policy because of their superior talents and experience.¹⁰⁸

Having made this decision von Papen now tried to gain Meissner's support for his plans. But the State Secretary would

107 Dorpalen, p. 421.

108 Ibid., pp. 421-2.

not commit himself, and he did not think that von Hindenburg would agree. Von Papen now talked to the President, and after he had finished Meissner and Oskar were called in to hear what von Papen had to say. Von Papen explained Hitler's demands to them, and said that he agreed with the Nazi leader, especially as the National Socialists were the largest party and as Hitler was asking for only two ministry posts. Von Papen continued by stating that he himself would be content with the vice-chancellorship. Meissner now agreed, noting that this course would be constitutional. Von Papen then outlined the ways in which the power of the Nazis would be hedged round with safeguards. This could be done through the constitutional powers of the President, through the President's position as commander-in-chief of the Reichswehr, and through the rights of the Reichstag and Reichsrat. Hitler would also be outnumbered in the cabinet, and he had promised to respect the rights of the President, Reichstag, and press. By bringing the Nazis into the government, finally, they would be weaned away from their revolutionary ideas and thus tamed. But von Hindenburg could not be convinced that Hitler was to be trusted in the chancellery, although he did tell von Papen not to break off his negotiations with the Nazi leader. Only Oskar was still opposed to the whole plan, and he continued to warn his father against adopting it.¹⁰⁹

On January 20 the necessity for a Hitler-von Papen agreement became more urgent when the council of elders, the Ältestenrat, of the Reichstag decided, contrary to von Schleicher's previous wishes, that the chamber would be reconvened on the 31st. This

109 Papen, Wahrheit and Meissner, I.M.T., Case No. 11, transcript, quoted in Dorpalen, pp. 422-3.

would give the chancellor a period of grace.¹¹⁰ On January 22 von Ribbentrop called on von Papen to invite him to a meeting at his home with Hitler. Von Papen then talked with von Hindenburg, received the President's permission to go, and asked him whether he could take Meissner and Oskar along. Von Papen again states that no mention of a Hitler chancellorship was made at the meeting and that this was the first contact he had had with Hitler since January 4. But this is about as true as his contention that the meeting was initiated merely because Hitler now realized that with the defection of Hugenberg and the Reichslandbund von Schleicher was now very weak and that therefore Hitler did not care to join the von Schleicher government.¹¹¹ Von Papen also claims that between January 15 and 28 he did not see the President.¹¹²

In truth von Papen had already seen that it was Oskar who had to be won over in order to bring about successfully an alliance with Hitler. Therefore he had, having already grown friendly with him while he had been chancellor, talked to Oskar and had urged him to meet with Hitler. This the President's son had reluctantly agreed to, on the condition that Meissner accompany him.¹¹³

The meeting was held in the deepest of secrecy at the von Ribbentrop villa that evening. After the men had chatted a while Hitler asked Oskar if he would talk with him alone. This conversation lasted for more than an hour. Oskar was won over, and as he later told Meissner on the way home he now believed that Hitler should receive the chancellorship. Meissner had already come to

110 IMT, XIX, 135.

111 Papen, pp. 235-6.

112 IMT, XVI, 263.

113 Meissner and Wilde, Machtergreifung, quoted in Dorpalen, pp. 423-4.

this opinion. Von Papen remained behind after they had left. He now promised Hitler that he would insist upon Hitler's being given the chancellorship and that he would not accept it himself. ¹¹⁴ "Göring was also at the meeting. He was now beginning the task, assigned him by Hitler, of conducting negotiations for ¹¹⁵ the purpose of forming a government.

On the morning of the 23rd von Papen called upon the President in an attempt to convince him that Hitler should be named chancellor. But von Hindenburg rejected the idea. ¹¹⁶ On the same day von Schleicher asked the President for a decree of dissolution, as his attempts to find a majority had failed, and authority to postpone elections indefinitely. Von Hindenburg pointed out that this was the same unconstitutional course that von Papen had suggested on December 2 and that von Schleicher had then resisted the idea. But the chancellor said that the situation was different now. He enjoyed good relations with the trade unions, and for this reason he did not fear a general strike. With regard to this von Schleicher was perhaps given to "optimistic self-delusions." ¹¹⁷ He had decided in any case that sharp steps should ¹¹⁸ be taken by the government against the Nazis and Communists, for he had learned of the meeting at the von Ribbentrop villa and had decided that he must work fast to save his regime. And besides, the Reichstag was to reconvene on the 31st. But von ¹¹⁹ Hindenburg refused von Schleicher's request.

114 Papen, Wahrheit, Meissner, I.M.F., Case No. 11, transcript, and Meissner and Wilde, Machtergreifung, quoted in Dorpalen, pp. 423-4.

115 IMT, IX, 390-1.

116 Ribbentrop, London und Moskau, quoted in Dorpalen, pp. 424-5.

117 Eyck, pp. 472-3.

118 Beck, p. 189.

119 Dorpalen, p. 425.

News of von Schleicher's proposal to the President carried swiftly. The Center and Social Democrats, still unaware of the grave political developments that were taking place, denounced this action. Then on the 24th the chancellor issued a statement denying that he had any intentions of violating the constitution. This in turn only infuriated the German Nationals, who wanted the continuation of an authoritarian government, and they now made public their break of January 21 with von Schleicher. This came as a stroke of good fortune for Hitler and von Papen. If Hugenberg could be persuaded to join with them von Hindenburg might be induced to accept Hitler as chancellor.

On the afternoon of January 24 von Papen invited Hitler to meet with him for further discussions. Now von Papen informed the Nazi leader that von Schleicher had asked the President the day before for powers to set up a military dictatorship, but that von Hindenburg had replied to him that he intended to call upon Hitler, as leader of a national front, to accept the chancellorship and to form a government with the stipulation that von Papen become vice-chancellor. Hitler then told von Papen that he would accept this only if he was given permission to dissolve the Reichstag and call for new elections. When a suggestion was made that Hitler might have a ten-minute talk with von Hindenburg, Hitler said that he would be away from Berlin. He did not want to raise the hopes of his followers again as had been done on August 13. It looked almost as if von Papen was leading the Nazis on by deluding them into thinking that they or

120 Otto Schmidt-Hannover, Umdenken oder Anarchie: Männer-Schicksale-Lehren, quoted in Dorpalen, pp. 425-6.

121 Hitler, pp. 402-3.

would really, or could at the moment, be taken into a government with Hitler as chancellor. For von Ribbentrop states in his diary: "Decision to form a national front to support Papen's position with old Hindenburg." And after having conversed with Oskar on the afternoon of the 25th and after having been promised by him that before his father would make any decision he would talk to von Ribbentrop again, the latter notes further that "it appears that a Hitler chancellorship under the auspices of a new national front is not entirely hopeless."¹²²

In the meantime von Schleicher and General von Hammerstein, Commander-in-Chief of the Army, had agreed that if a von Papen-Hugenberg cabinet were appointed there would result a civil war in which the sympathies of the Reichswehr would not be with von Papen. They decided that von Hammerstein should put these views before von Hindenburg.¹²³ Von Hammerstein visited the President on January 26. But von Hindenburg resented the intrusion of the Reichswehr into a matter which he considered purely political, and he therefore refused to discuss the matter. Instead he criticized von Schleicher's intriguing.¹²⁴ Von Hindenburg did, however, tell von Hammerstein that he had no intention of appointing Hitler chancellor.¹²⁵

On the same day, January 26, von Papen began negotiation with the Stahlhelm and the German Nationals. The two Stahlhelm leaders were divided in their beliefs. Seldte said that he would accept a government with Hitler as chancellor, but Duesterberg was

¹²² Ribbentrop, London und Moskau, quoted in Dorpalen, p. 427.

¹²³ Wheeler-Bennett, The Nemesis of Power, pp. 279-80.

¹²⁴ Schwerin von Krosigk's diary entry for February 5, 1932, quoted in Wheeler-Bennett, The Nemesis of Power, p. 280.

¹²⁵ Dietrich Mende, "The Birth of the Third Reich," quoted in Wheeler-Bennett, The Nemesis of Power, p. 281. (Hereafter referred to as Hammerstein Memorandum).

opposed to this. Hugenberg could not decide what position to take and was somewhat reluctant to accept von Papen's plan.¹²⁶

But these negotiations were misleading, for while von Papen was thinking of some way to bring Hitler into the government he was still thinking also that he himself might resume the chancellorship with the support of Hugenberg and the Nationals. And as this alliance would have no popular backing he was even ready to dissolve the Reichstag, for he felt certain that von Hindenburg would allow him to do this. This solution would have been acceptable to the President who was still adverse to appointing Hitler chancellor, and also to Oskar who, having just quarreled with von Schleicher, was telling his father that von Papen must head the new government.¹²⁷

Von Papen called on von Hindenburg on January 27 and told him that he would not accept the chancellorship. He also asked the President to let von Schleicher know that he, von Papen, had no intention of threatening the government's position in this way.¹²⁸ Then, while von Schleicher was still worrying about von Papen's becoming chancellor, von Papen began again to work for the candidacy of Hitler. He felt that the greatest obstacle to his success in this was Hugenberg and his German Nationals whom von Hindenburg would want represented in any cabinet. But Hugenberg was insisting that as prerequisites for his party's entry into the new government his economic program must be accepted and the economic and agriculture ministries of both the Reich and Prussia

¹²⁶ Theodor Duesterberg, Der Stahlhelm und Hitler, quoted in Dorpalen, p. 427.

¹²⁷ Wheeler-Bennett, The Nemesis of Power, p. 278.

¹²⁸ Papen, p. 237.

must be his. He was also balking at facing another election, for he knew that with the Nazis in power they would increase their vote, while the German Nationals could expect only to lose support among the electorate.¹²⁹ But Hitler, who had returned to Berlin on the 27th,¹³⁰ felt that Hugenberg was asking for more representatives in the government than the strength of his party merited.¹³¹ And Hugenberg's objections to Hitler's chancellorship enraged Hitler so much that he was ready to break off the negotiations and leave Berlin.¹³²

It was decided therefore that Hitler should meet with Hugenberg the same day, January 27, and then later with von Papen. Göring had arranged that during the same time Meissner would take Hitler's case to von Hindenburg and would again impress upon the President the fact that Hitler would respect the rights of the President, the Reichstag and Reichswehr, that he would try to shield the Reichswehr from an involvement in politics, and that he was asking for only two seats in the cabinet. While making this arrangement Meissner told Göring that although von Hindenburg had not yet reached a decision he was sure that von Papen had told the President of the merits of a Hitler government and that the formation of such a government would come within a few days. Göring carried this news to the Hitler-Hugenberg meeting. Nonetheless Hugenberg was unimpressed by the information and would not yield to Hitler's demands concerning the cabinet posts, the

129 Papen, Wahrheit and Schmidt-Hannover, Umdenken, quoted in Dorpalen, p. 429.

130 Woodward and Butler, IV, 396.

131 Hitler, p. 403.

132 Ribbentrop, London und Moskau, quoted in Dorpalen, p. 429.

Prussian police, and the Reichstag. The meeting ended in a fierce argument; and Hitler, in a rage, was persuaded by his followers not to break off the negotiations and return to Munich as he wanted to do.¹³³

On the night of the 27th the Reichstag's council of elders reiterated its decision to reconvene that body on January 31. Von Schleicher's fate was fairly certain, for he was sure to face a vote of no-confidence.¹³⁴ "Papen is now convinced," wrote von Ribbentrop, "that he must insist on Hitler's chancellorship under all circumstances and that he ought not to hold himself in reserve for Hindenburg as a last resort. To my mind this conclusion of Papen's is the turning point in the matter."¹³⁵

On the morning of January 28 von Papen called upon von Hindenburg to explain that a government of himself and Hugenberg could not be, but rather that a Hitler government with safeguards was the only solution. The President, who had already been deluged by letters, telegrams, and petitions calling for the appointment of Hitler as chancellor, seemed to be wavering under the weight of pressure that was slowly enveloping and crushing him.¹³⁶

During the same morning von Schleicher held a cabinet meeting at which it was decided that the government should resign if the decree of dissolution which von Schleicher would ask of the President that day was not forthcoming.¹³⁷ The chancellor then

133 Papen, Wahrheit, Ribbentrop, London und Moskau, Schmidt-Hannover, Umdenken, and Picker, Hitlers Tischgespräche, quoted in Dorpalen, p. 430.

134 Schulthess' Europäischer Geschichtskalender, January 27, 1933, quoted in Dorpalen, p. 431.

135 Ribbentrop, London und Moskau, quoted in Dorpalen, p. 431.

136 Meissner, Staatssekretär, Schmidt-Hannover, Umdenken, and Ribbentrop, London und Moskau, quoted in Dorpalen, p. 431.

137 Wheeler-Bennett, The Nemesis of Power, p. 280.

presented himself to von Hindenburg that morning and asked, as he had already done on the 26th,¹³⁸ for the decree and dictatorial powers. With these he would be able, he told the President, to hush up the Osthilfe scandal. But von Hindenburg told him that he would have to do this without a dictatorship. Von Schleicher then resigned. But before he left the President he urged the appointment of Hitler to replace him.¹³⁹ He was still worried above all about von Papen's return to office.

At midday von Papen visited von Hindenburg again, and in the presence of Meissner and Oskar the situation was examined thoroughly. Von Hindenburg once more brought up the idea of von Papen's appointment; he was still reluctant to appoint Hitler and still feared a coup d'état by the National Socialists.¹⁴⁰ But it was evident that the President did not seriously expect that any of the men present would accept his suggestion. Von Papen, Meissner, and Oskar all said that the only constitutional way out was by appointing Hitler chancellor, and that this would be safe because of the restriction that would be placed upon Hitler's power in such an event. The President then told von Papen to explore the possibility of a Hitler government "within the framework of the Constitution and in agreement with the Reichstag."¹⁴¹

Von Papen now continued his negotiations. Hugenberg was told of the President's new request. It looked as if Hugenberg, since von Hindenburg was at last willing to take Hitler into a government and since the Stahlhelm seemed ready to accept Hitler too,

138 Beck, p. 190.

139 Heiden, pp. 533-5.

140 Bewley, p. 91.

141 Papen, Wahrheit and Meissner and Wilde, Machtergreifung, quoted in Dorpalen, p. 434.

might come around, if only for the reason that he feared being left out of the impending agreement. He still voiced apprehension, but when von Papen assured him there were enough safeguards to hold Hitler in check he agreed to collaborate, on the condition that he have the Reich and Prussian ministries of economics and agriculture.¹⁴²

With a solution near, however, the negotiations with Hitler's spokesmen proved to be more difficult yet. Hitler now raised his demands, requiring in addition to the chancellorship that he be made Reich commissioner for Prussia and that a member of his party, he meant Göring, be named minister of interior for both the Reich and Prussia. He also refused to establish a cabinet "within the terms of the Constitution," which meant basing it on a parliamentary majority, and insisted instead that he have a presidential cabinet independent of Reichstag support.¹⁴³ As von Papen's mandate called for a cabinet acceptable to the Reichstag he should have secured such a cabinet, or he should have returned his mandate to von Hindenburg.¹⁴⁴

But instead von Papen continued to act contrary to this mandate. When the Centrists, who were willing to tolerate a Hitler government if it conformed to parliamentary principles,¹⁴⁵ asked that same afternoon, along with the Bavarian People's Party, to be allowed to enter the discussions, von Papen rejected their offer.¹⁴⁶

¹⁴² Papen, Wahrheit and Meissner and Wilde, Machtergreifung, quoted in Dorpalen, p. 434.

¹⁴³ Manvell and Fraenkel, p. 88

¹⁴⁴ Dorpalen, p. 434.

¹⁴⁵ Halperin, p. 526.

¹⁴⁶ Dorpalen, p. 434.

Later that evening von Papen reported back to von Hindenburg, to whom he portrayed Hitler as a moderate. Apparently he did not mention Hitler's demand for the post of Reich commissioner. Instead he made much of the Nazi leader's willingness to retain Gurtner, von Neurath, Schwerin von Krosigk, and von Eltz in the capacities they already exercised. Von Papen, however, showed little concern with the appointment of a new Reichswehr minister, proposing here General von Fritsch. But when von Hindenburg mentioned von Blomberg, whom von Papen did not know and whom he later did not even bother to check into, he accepted this choice. Thus was this most important post filled by a general who would be most unlikely to be willing to fight Hitler if necessary. But von Papen was driven by the fear that he must act rapidly for time was running out, and a delay might deny final success to him. It does not seem either that he made any mention at this meeting of the fact that the question of elections was still dividing the Nazis and the Nationals, for perhaps he considered this a minor issue that could be easily settled. He also continued to leave the President with the impression that the Nazis would be able, and willing, to form a majority in the Reichstag. At the end of the conference von Hindenburg asked von Papen to assume the vice-chancellorship, and the latter agreed to do this if the Hitler government came into being.

147

Von Papen had still been hesitating on the 28th as to whether he should form a government under his own chancellorship or should give this office to Hitler, even though when he had that morning talked with his former colleagues in the von Schleicher cabinet

¹⁴⁷ Papen, Wahrheit, Schwend, Bayern, and Karl Dietrich Bracher, Auflösung der Weimarer Republik: Eine Studie zum Problem des Machtverfalls in der Demokratie, quoted in Dorpalen, pp. 434-5.

he had been told that they preferred an appointment of Hitler to a von Papen-Hugenberg government.¹⁴⁸ Von Papen knew that if he formed a government with Hugenberg the Reichstag would have to be dissolved perhaps indefinitely. He felt, however, that the proroguing of this body was impossible, as was the declaration of a state of emergency, for the President had denied this to von Schleicher.¹⁴⁹ He now decided that Hitler would have to have the chancellorship; and it was, then, with great reluctance that von Hindenburg late on Saturday night, January 28, authorized Hitler¹⁵⁰ to form a cabinet.

On the morning of January 29, Sunday, the situation was still unresolved. Two days before von Schleicher's fall Hitler might have accepted a von Papen government, but now the Nazi leader had become unbending. The negotiations went on for two days. The German Nationals were against Hitler's becoming chancellor and wanted von Papen in his place. They were against the idea of forming a majority government under Hitler and opposed the participation of the Center in that government. Hitler wanted the Centrists so as to avoid being entirely at the mercy of Hugenberg's party. Meissner also wanted the Centrists in the government, but von Papen did not. The Stahlhelm was divided with Duesterberg supporting Hugenberg and with Seldte supporting Hitler.¹⁵¹

Early on the morning of the 29th Hitler and Goring again called on von Papen. They now proposed that the ministries of interior for the Reich and Prussia be held by Frick and Goring

148 Schwerin von Krosigk's diary entry for January 29, 1932, quoted in Wheeler-Bennett, The Nemesis of Power, p. 282.

149 IMT, XVI, 267.

150 Wheeler-Bennett, Wooden Titan, p. 431.

151 Heiden, p. 536.

respectively. Von Papen accepted this proposal on condition that he would occupy the post of Reich commissioner for Prussia, and Hitler agreed "with a bad grace."¹⁵² Surprisingly, von Papen considered Dr. Wilhelm Frick "a man of moderate opinions,"¹⁵³ even though in 1930 Frick, as Thuringian minister of interior, had tried to Nazify that federal state's police and had also introduced "racist-chauvinist" prayers into Thuringia's schools.¹⁵⁴ And although it was decided that Göring would have the Prussian ministry of interior, this giving Hitler control of the Prussian police, von Papen felt that as Reich commissioner of this state he would be able to control any decisions in that area--a delusion on his part.¹⁵⁵

Shortly before noon von Papen made his final offer, proposing the chancellorship for Hitler, along with the interior ministries of the Reich and Prussia. Von Papen himself would have the vice-chancellorship and the post of Reich commissioner for Prussia. Hugenberg would get the ministries of economics and agriculture in both the Reich and Prussia. Von Neurath would retain the ministry of foreign affairs and Schwerin von Krosigk the ministry of finance. Von Blomberg was to become the new minister of defense. While this went a long way towards meeting Hitler's demands, the offer was refused. For the proposal neglected to mention an Enabling Act or the dissolution of the Reichstag, and it also necessitated Hitler's agreement with Hugenberg's economic theories of "autarchie."¹⁵⁶

152 Manvell and Fraenkel, p. 88.

153 Papen, p. 241.

154 Dorpalen, p. 436.

155 Eyck, p. 480.

156 Wheeler-Bennett, Wooden Titan, pp. 431-2.

If von Papen had neglected to discuss, and continued to ignore, the policies that the new government would pursue, he did this intentionally. For he believed that decisions in this matter would remain in the hands of himself and his friends, and that to bring up questions of policy now would only complicate the negotiations. He wanted first to achieve his aim of bringing Hitler into the government, for then he would have "engaged" Hitler to work for him and his conservative colleagues.¹⁵⁷ And as he told his friend von Kleist-Schmenzin, "In two months we'll have pushed Hitler into a corner so hard he'll be squeaking."¹⁵⁸ After this meeting Hitler left to discuss the formation of a government with von Hindenburg.¹⁵⁹

During the same morning von Papen conferred with Hugenberg, Dingeldey, leader of the German People's Party, Seldte, and Duesterberg. He told the German National leader that Hitler wanted him to take over the economic ministries, and that if he did not Hitler might form a government with the help of the Center. Hugenberg now agreed to Hitler's becoming chancellor if there would be no elections. Then Duesterberg, pointing out that he did not like Hitler's "dynamism," was reminded by Hugenberg of all the safeguards that would be incorporated into the government which would make Hitler's exercise of independent power impossible. Seldte and Dingeldey agreed here with Hugenberg. And it was noted that the participation of Seldte in the government would insure the support of the Stahlhelm, which would serve as a

157 Dorpalen, p. 443.

158 Ewald von Kleist-Schmenzin, "Letzte Möglichkeit," quoted in Dorpalen, p. 443.

159 Manvell and Fraenkel, p. 88.

counterweight to the Brown Shirts. That a large number of the Stahlhelm's members had voted for Hitler in the recent elections does not seem to have been mentioned. After the meeting von Papen and Hugenberg were besieged by conservative friends who tried to convince them of the dangers contained in the appointment of Hitler as chancellor. But neither would listen to this counsel. In the early afternoon of the same day von Papen called on von Hindenburg to report that all sides were agreed and that preparations for the formation of the government were completed. He did now mention that Hitler wanted a new election, although he passed over the fact that Hugenberg was against this, and said that he felt this was a good idea. For, as he told the President, a Hitler government represented such a striking departure that the electorate should be asked to voice their opinion of it. He also told the President that Hitler had promised that this would be the last election. The presentation of the new cabinet to the President was then set for 11 o'clock the next morning.

Other developments were also unfolding during this momentous weekend. On the afternoon of the 29th von Schleicher sent Commander-in-Chief of the Army, General Kurt von Hammerstein-Equord, to see Hitler. Von Hammerstein warned Hitler that both he and von Schleicher might be left out in the cold and that therefore von Schleicher was offering Hitler a Hitler-von Schleicher coalition that would rule through the support of the Army and the Nazis.¹⁶¹ The General also wanted to find out if the negotiations for Hitler's chancellorship could be considered important,

160 Papen, Wahrheit, Ribbentrop, London und Moskau, Schmidt-Hannover, Umdenken, Duesterberg, Stahlhelm, and Kleist-Schmenzin, "Letzte Möglichkeit," quoted in Dorpalen, pp. 437-8.

161 Bullock, p. 225.

and what, if any, possibility remained for a von Papen-Hugenberg government. But it was still 4:00 in the afternoon, and Hitler as yet did not know the outcome of the talks underway between von Papen and Göring. He therefore told von Hammerstein that he would let him know how the negotiations were progressing after he himself found out.¹⁶² But Hitler did not call, although shortly after von Hammerstein had left Göring returned with the news that Hitler would be chancellor.¹⁶³

Von Schleicher also sent Werner von Alvensleben to Göring to tell him that von Papen's real intention was to deceive the Nazis, and that it would be better if Hitler were to combine with von Schleicher instead. Von Alvensleben indicated as well that means to neutralize the President might be found, and that all von Schleicher wanted out of the bargain was the ministry of defense. But Göring declined this offer and then reported it to von Papen.¹⁶⁴

Throughout all the negotiations at the end of January von Schleicher was kept entirely in the dark as to what was going on. On January 28 at his last cabinet meeting it had been still feared that von Papen would be the head of a new government in which Hugenberg would be part of the ruling coalition. For this reason the cabinet had sent von Neurath to warn von Hindenburg of this possibility.¹⁶⁵ Then on the morning of January 30 von Schleicher's State Secretary at the Chancellery, Erwin Planck, telephoned

¹⁶² Hammerstein Memorandum, quoted in Wheeler-Bennett, The Nemesis of Power, p. 283.

¹⁶³ Wheeler-Bennett, The Nemesis of Power, p. 283.

¹⁶⁴ Manvell and Fraenkel, p. 89.

¹⁶⁵ Reichskanzlei, Kabinettsprotokolle, January 28, 1933, 11:00 A.M., quoted in Beck, p. 191.

Schwerin von Krosigk to report that the negotiations with Hitler had broken down and that Hitler had left for Munich. Two hours later Hitler became chancellor of Germany.¹⁶⁶

But although von Schleicher was still worrying about the possibility of Papen's coming into office again, by the 29th von Papen, as we have seen, had given this idea up and was negotiating with Göring for the formation of a Hitler-Seldte-Hugenberg-von Papen government.¹⁶⁷

On the night of the 29th the actual composition and formation of the new government were still being considered. Disagreement among the negotiators, however, continued until the news arrived that von Schleicher had summoned the trade union leaders to a conference in the Defense Ministry. This momentarily brought dispute to an end. Then Werner von Alvensleben arrived from a dinner party to report that the Potsdam garrison might be called out. He had heard von Schleicher's closest friend, General von Bredow, say at the party that von Schleicher should--or would--call it out.¹⁶⁸

Rumor now had it that von Hammerstein had put the garrison on alarm-footing, that the President was to be bundled off to East Prussia to prevent his interference, and that the Reichswehr was to be mobilized to stop by force the assumption of power by the NSDAP. Hitler's response to these stories was to send for Count Helldorf, the commander of the Berlin SA, and to tell him to alert his organization. He also instructed Major Wecke of the

¹⁶⁶ Schwerin von Krosigk's diary entry for February 5, 1933, quoted in Wheeler-Bennett, The Nemesis of Power, 3p. 283, fn. 3.

¹⁶⁷ Wheeler-Bennett, The Nemesis of Power, 3p. 283, fn. 3.

¹⁶⁸ Wheeler-Bennett, Wooden Titan, pp. 431-2.

city police, with whom he was on good footing and whom he knew he could trust, to prepare for the seizure of the Wilhelmstrasse¹⁶⁹ by the six police battalions.

Otto Strasser maintains that as von Papen, Hitler, Seldte, Hugenberg, and Duesterberg met that night, Hitler insisting on the chancellorship in concurrence with von Papen and Hugenberg refusing to agree to this and supported by Oskar, Seldte, and Meissner, von Papen left the room. He returned to whisper something in Hitler's ear, and some time afterward von Alvensleben rushed in with his news. There was a general panic. Hugenberg and Seldte feared a "Red military dictatorship" above everything else. Of the negotiators only von Papen was able to smile "secretly, while Hitler made a bold display of resolution." Strasser¹⁷⁰ therefore calls this rumor "Papen's ruse."

At any rate the negotiators were now thrown into a panic. Hitler accepted the proposal that von Papen had made that morning, with the stipulation that Goring should become a minister without portfolio. This would give the Nazis three instead of two votes in the cabinet. But the real obstacle to the negotiations remained the Enabling Act. Now von Papen offered his trump card. He verbally promised Hitler that he could have the Enabling Act if he would promise that no use would be made of it on any matter to which von Hindenburg objected. Von Papen also said, so as to relieve the President of another burden, that he would exercise this veto in von Hindenburg's name. Von Papen also promised that¹⁷¹ a decree of dissolution would be given Hitler for the Reichstag.

169 Hitler, p. 405.

170 Strasser, pp. 142-3.

171 Wheeler-Bennett, Wooden Titan, p. 433.

The rumor of the mobilization of the Potsdam garrison had done the trick. Who launched this rumor is hard to say. Perhaps it was started at von Papen's instigation. But regardless of who was responsible, it worked. Von Hindenburg and his advisers believed without a doubt that a Putsch was to be staged to keep the Nazis out of the government.¹⁷² Von Alvensleben's amazing report presumably had at least one of two purposes. It may have been intended to scare von Schleicher from office, or it may, as was generally understood, have been begun to stampede the Nazis into the government at the time when negotiations were proving to be unsuccessful.¹⁷³ At any rate Hitler feared possible Army intervention by von Schleicher and von Hammerstein.¹⁷⁴ And under these circumstances he made further concessions by promising no massacres and no inflation or socialization. In the end Hitler won power by declaring that he would be strictly a parliamentary chancellor and would tolerate continuing interference from von Hindenburg.¹⁷⁵

With this fear overriding all other considerations, arrangements were made for General von Blomberg, who had been recalled from Geneva to become the new minister of defense, to be taken immediately to von Hindenburg the moment he reached Berlin on the morning of the 30th.¹⁷⁶ Consequently von Blomberg received his formal appointment even before Hitler was sworn in as chancellor. This procedure according to Article 53 of the Constitution was unconstitutional.¹⁷⁷

172 Wheeler-Bennett, The Nemesis of Power, p. 285.

173 Hoover, p. 93.

174 Bullock, p. 225.

175 Heiden, pp. 536-7.

176 Bullock, p. 225.

177 Eyck, p. 484.

Perhaps von Papen had gained von Hindenburg's consent to the appointment of Hitler by suggesting to him that the new government would mean that Germany would again become a power in the world and that the German army would resume once more its rightful position in German affairs. There is room to wonder, too, whether he also said that the President would be able to restore the monarchy under this government of nationalists. Meissner and Oskar too had influenced the President in his final decision.¹⁷⁸ And then von Hindenburg had also been promised by Hitler that von Papen would be present at all conferences between himself and the President, that von Papen would have the post of Reich commissioner for Prussia, and that the President's wishes to have von Neurath as foreign minister, von Blomberg as minister of defense, Schwerin von Krosigk as finance minister, von Eltz-Rübenach as minister of transportation, and Seldte as cabinet member in an undesignated post would be respected.¹⁷⁹ In any case the day had finally arrived. Von Papen had been successful in his great design of statesmanship.

Monday, January 30, was a day that would pass in feverish excitement. Early on the morning of that day Hugenberg, Seldte, and Duesterberg were summoned to von Papen's house. Von Papen, aware of Hugenberg's remaining misgivings, of the strong objections in the German National camp to the appointment of Hitler, and of the fact that Duesterberg and Schmidt-Hannover had pleaded with Seldte that morning not to join the government, was afraid that the new arrangements might collapse at the last moment. He knew

178 Wheeler-Bennett, Wooden Titan, pp. 434-5.

179 Beck, pp. 190-1.

too that conservative circles had approached von Hindenburg the day before and that Hitler and Hugenberg had still not agreed on the question of new elections. For this reason when Hugenberg arrived at von Papen's lodgings he was met with the exclamation: "If the new government has not been formed by eleven o'clock, the Reichswehr is going to march. Schleicher and Hammerstein may establish a military dictatorship." It is most probable that von Papen said this in an attempt to rid Hugenberg of his misgivings, for it is unlikely that he really believed this. In any case Hugenberg seemed willing not to press the issue. But as the cabinet--the other members of the cabinet had assembled at von Papen's by 10:30--waited to proceed to the presidential palace, Hitler complained that he had had to relinquish the post of Reich commissioner for Prussia and that therefore he should be granted new elections. This resulted in a bitter argument between Hitler and Hugenberg. Meissner arrived to tell the cabinet members that they were already five minutes late. Von Papen, becoming impatient with Hugenberg's argument and his unwillingness to yield, now addressed him: "Herr Geheimrat...do you want to risk the national unity which has finally been achieved after so many difficult negotiations? You cannot possibly doubt the solemn word of honor of a German man!" But the bitter debate continued, until Hugenberg finally decided to leave the final decision to the President, perhaps because he felt that von Hindenburg would not want to dissolve the Reichstag. The cabinet proceeded to the presidential palace twenty minutes late. Von Hindenburg did not say a word. He merely swore the cabinet in, and then after some silence,

said, as if wishing to wash his hands of the whole affair, "And now, gentlemen, forward with God." The cabinet left.¹⁸⁰

In this manner had Hitler been brought to power by the "normal interplay of democratic processes."¹⁸¹ And thus did the cabinet take office. But the list of persons that it would include could reassure only a man, such as von Hindenburg, who had been for some time out of the current of political realities. Hitler, of course, was chancellor, and von Papen was vice-chancellor and Reich commissioner for Prussia. Frick was Reich minister of interior. Von Neurath was foreign minister, but nothing of this career diplomat's character or past suggested that he would be much hindrance to the Nazis' wishes. Seldte,¹⁸² a man uneasy in political life, became minister of labor. Von Krosigk was minister of finance and General von Blomberg was minister of defense and head of the Reichswehr. Goring was named minister of interior for Prussia, minister without portfolio, and Reich commissioner of aviation. Although he was technically under the supervision of von Papen as Reich commissioner for Prussia, he now held for the Nazis the police power of the most important state in Germany.¹⁸³ Von Ertz stayed on in the cabinet as minister of transportation, Gereke was retained as commissioner of public works, and Gurtner remained as minister of justice.¹⁸⁴

¹⁸⁰ Papen, Wahrheit, Schmidt-Hannover, Umdenken, Duesterberg, Stahlhelm, Bracher, Auflösung, Meissner, Staatssekretar, and Meissner and Wilde, Machtergreifungen, quoted in Dorpalen, pp. 440-2.

¹⁸¹ Papen, p. 250.

¹⁸² Eyck, pp. 480-1.

¹⁸³ Manvell and Fraenkel, pp. 91-3.

¹⁸⁴ Dorpalen, pp. 443-4.

Only Hugenberg in the ministry of economics and agriculture seemed a potential serious opponent to policies Hitler would probably espouse. At all points, cabinet posts representing tangible power were in the hands of the Nazis or of those they had no reason to fear.¹⁸⁵

The American Charge in Germany wrote to the Secretary of State:

Von Schleicher's downfall is attributed largely to his failure to secure the cooperation of the Nazis, his conciliatory attitude toward organized labor, and his refusal to yield to unreasonable demands by the powerful agrarian interests...It appears now that von Papen...was chiefly instrumental in causing the latter's own defeat. There can be no doubt that von Papen's secret meeting with Hitler about four weeks ago was a plot against von Schleicher's chancellorship and that the attacks upon von Schleicher by the Landbund and the Hugenberg Nationalists which followed had been deliberately planned with a similar purpose in view...his [von Papen's] negotiations with the Nazis which made the Hitler cabinet possible...were conducted with unusual secrecy, reminiscent of von Papen's activities during the war...The reactionary and monarchist influence...predominates [in] the new cabinet....¹⁸⁶

No matter what other thought, however, von Papen and Meissner thought their feat a masterstroke. They had brought Hitler into the government, and now he would see that holding power was more difficult than demanding that it be given him. He would not be any more successful than had any other of the chancellors, and when the people saw this Hitler would thereby be reduced to the stature of just another chancellor.¹⁸⁷

Nothing about the advent of Hitler's cabinet is more notable than that no one had lifted a finger to prevent its creation.

185 Eyck, p. 481.

186 Foreign Relations of the United States, II, 183-5.

187 Heiden, pp. 538-40. Diary of Sir Horace (New York, 1930), p. 201.

Hitler himself had held his car ready at the Kaiserhof for flight if necessary.¹⁸⁸ His fits of hysteria and pessimism were calmed only through the encouragement of Goring.["] The workers in the Wedding and Berlin-Ost suburbs on their own initiative chased the stormtroopers down the streets. But the leaders of the Communists made no move. The whole Reichstag representation of the Communist Party, the leaders of the trade unions, and the Communist leaders, Thaelmann, Pieck, Torgler, Muenzenberg, and Kutz had spent nights in the Karl Liebknecht House, where only great confusion reigned. The left-wing Socialists, Brandlerists, and Trotskyists came to plead for action, urging a general strike, the mobilization of a united Red fighting force, but again nothing was done. In the absence of action merely two banners were hung out the window of the Karl Liebknecht House. One read, "Berlin remains Red!" The other:¹⁸⁹ "The third international will liberate the human race."

¹⁸⁸ Pierre van Passen, Days of Our Years (New York, 1939), p. 204.

¹⁸⁹ Ibid., p. 204.

v

Afterword

What is the verdict on von Papen? History has yet to pronounce it, but historians of the past generation have not judged his case sympathetically. Today and for some time to come students who examine it will ask, above all, whether von Hindenburg's "Franzsen" foresaw the domination of Germany by the Nazis--a prospect brought the closer to realization by the embittered ex-chancellor's easing Hitler into the government. This, apparently, he did not. Von Papen was surely no believer in the parliamentary, democratic regime, but neither did he relish the totalitarianism of the Nazis (which he publicly condemned, at the risk of his life, as it developed, shortly before the "Blood Purge" of June, 1934). He was a monarchist who looked less to the modern "popular monarchy" of Britain and Scandinavia than to an order of government and society belonging to the time before that event which European conservatives used to consider the ruin of sound public principles--the French Revolution.¹

Von Papen anticipated the possible development of two types of government that would lead to the growth of despotic administrative systems. He saw both of these trends in the democratic governments of his time; and he expected them to merge in a later government, which might, indeed, still continue under the name of a democracy. The first of these regimes would deify the state and so would come to gain complete mastery over the individual. Such a system was offered by the Nazis. The second was the state of social services, in which the state controlled the individual purportedly for his own good. This was the society offered by Bolshevism.²

1 Hermann Rauschning, Men of Chaos (New York, 1942), p. 138.

2 Ibid., pp. 138-9.

But von Papen felt that a third kind of state should be sought. This state had nothing to do with a parliamentary or representative system. Here the central government would be reduced in its functions to the minimum. Power would be left to a group of independent intermediate bodies, to the people that were directly concerned with given problems at issue. This regime was not militaristic, nor was it expansionistic. But it would demand full political equality of rights for Germany--rights which would help to affirm Germany's place among the Christian society of European states.³

This meant, however, that Germany must leave the path of the democratic-parliamentarian government. Christian conservatism, which espoused the restoration of the prewar ruling class with its privileges and powers in an authoritarian state, would have to be returned to its rightful place in the Reich.⁴ Von Papen had written that "democracy has enslaved the ideals and thrown them away with scornful laughter... [and for this reason] leadership can never be with the broad masses, authority never with the majority...."⁵

This was the essence of von Papen's thinking as he expressed himself in his speeches and other utterances and writings. And so believed also Walther Schotte who became a kind of publicist for the ideas of von Papen. He too was a member of the Herrenklub. It was he who wrote that "the government can no longer be dependent on parliamentary parties, but must be presidential-authoritative...

3 Rauschnig, pp. 139-40.

4 Bullock, p. 190.

5 Franz von Papen, "Die Parteien," in Alfred Bozi and Alfred Niemann, eds., Die Einheit der Nationalen Politik, quoted in Kaufmann, p. 207.

It can no longer depend on the changing political factions, on their majorities which are built only on quicksand!"⁶

Von Papen was not alone in his desire to effect changes in the system of government that Germany had had now for fourteen years. At the time in Germany there was a widely-held belief that the extravagances of the political parties and the parliamentary system should be checked. Von Papen and his colleagues attempted to capitalize on this feeling. Thus the basic concept of the "New State" was that it would free the country from the restrictive older system; that it would place the authority with the federal government again, which meant that the government could carry out its task of ruling without appealing to the wishes of the electorate.⁷ To help in the establishment of this type of government both von Papen and Schotte developed vague concepts which they hoped would appeal to the people: "Christian regeneration," "personality," "creative forces," and "conservative revolution."⁸

Von Papen had, therefore, in his search for his third way in government some support throughout the country. He drew this directly from adherents of his policies and indirectly from people who wished to see the Weimar order changed. Supporting his policies was the conservative Right, for von Papen, in his own interests perhaps, was attempting to accomplish just what they asked of him. Indeed, on September 27, 1932, the DNVP Reichstag deputy Graef had showed exactly what this group expected of the chancellor in a speech at Breslau: "We are of the opinion...that we can never finish

⁶ Walther Schotte, Der Neue Staat, quoted in Kurt Sontheimer, Antidemokratisches Denken in der Weimarer Republik (München, 1962), p. 256.

⁷ Beck, p. 78.

⁸ Walther Schotte, Die Regierung Papen-Schleicher-Gayl, quoted in Beck, p. 78.

off the Weimar system without a violation of the constitution. Herr von Papen will take care of that; we can trust him in that...."⁹

In an allied camp, growing strength was also evident among the monarchist faction. During the last few months of 1932 a number of monarchist organizations were founded, which, although numerically unimportant, showed the expanding monarchist sentiment in Germany. The Social Monarchist League was established with its organ Die Monarchie; likewise was the German Kaiser Party with its organ Fanal. And the Bunder Aufrechten, a monarchist propaganda organization that had been dissolved in 1922 for subversive activities, was told by the Prussian ministry of interior that it would function again if it so wished. On September 4, 1932, at the Reichs Frontsoldatentag of the Steel Helmets Franz Seldte said: "our revolution needs creative genius and that strong head which, for centuries past, directed the destinies of Germany with sure and efficient hands." Among the guests of honor were the entire cabinet of von Papen, the Crown Prince and Princess, three other Hohenzollern Princes, five former "ruling heads," the entire military aristocracy, and the finest representatives of the German nobility. And on October 9 at another Stahlhelm meeting in Berlin von Papen assured his audience, which included the Crown Prince and his brothers, that the thirteen-year struggle of the Steel Helmets would not be in vain.¹⁰

With this background of anti-democratic sentiment von Papen had come to office. It looked now as if this sentiment might triumph in Germany, for the new chancellor's cabinet contained

⁹ BZ am Mittag, No. 233, September 29, 1932, quoted in Kaufmann, p. 208.

¹⁰ Lore, p. 292.

seven members of the nobility with right-wing views and two members who were closely connected with big business. But the cabinet did not have the support of the nation, and it therefore had to rely upon the backing of the Army and the President of the Reich. From the beginning it was seen that von Papen could not even escape a defeat in the Reichstag once it met,¹¹ although the threat of such action did not mean that the chancellor's government could be overthrown by parliamentary methods. The cabinet was formed, and existed, during a time of great economic, political, and parliamentary depression. Under Brüning "unusual methods" had already been adopted in an effort to heal the diseased state of the nation, and during the chancellorship of Brüning the Reichstag had already been excluded by emergency decrees from its legislative function. Thus there was strong precedent for some of the actions of the chancellor and his cabinet--a cabinet of experts, not bound to any party, who would effect a cure for Germany. But this was, nonetheless, impossible to do unless some modus vivendi could be found with the Nazis who were powerful in the Reichstag and also among the people.¹²

So it was that the von Papen government at first hoped to reform the constitution and embark upon conservative policies with the help of the Nazis. But when the Nazis deserted them, von Papen and his colleagues thought that they could do their job without Nazi support.¹³ The chancellor now began an attempt to realize his aims, to rekindle in Germany a nationalism like that of Kaiser Wilhelm's time, to create a state respectful of law and order--a state that would be managed by the aristocrats and capitalists

11 Bullock, pp. 190-1.

12 IMT, XIX, 128.

13 Hoover, p. 66.

until perhaps in the future the monarchy might be restored.¹⁴ He also hoped that he might by stifling parliamentary government, by creating a strongly nationalistic foreign policy, and by elevating the symbolic position of the Reich Presidency, be able to drain off from the National Socialists those elements who had joined the party merely in protest against the parliamentary republic then floundering in Germany.¹⁵

After the July 31 elections neither von Schleicher nor von Papen had any illusions with respect to National Socialism. It is extremely likely that they envisioned a chancellorship of Hitler, except in the very last resort, and only when Hitler was the prisoner of men who would bring him to the Wilhelmstrasse. Neither leader had any intention of yielding power to Hitler.¹⁶ But then with the coming months differences arose between von Schleicher and von Papen. The former had raised von Papen to the government in order to bring the Nazis into the cabinet in a national concentration, and soon it began to look as if von Papen intended rather the destruction of the Nazis. Thus von Schleicher's plan would not be put into effect, and even civil war might ensue. And at the same time the cabinet was working under the worst conditions. It was deeply divided into two opposing groups. One was made up of the supporters of the industrialists, who were for freer trade and unrestricted capitalistic competition; the other favored the landowners, who sought neo-mercantilism or precapitalist patriarchalism.¹⁷

14 Francois-Poncet, p. 42.

15 Beck, p. 65.

16 Clark, p. 305.

17 Rauschnig, p. 8.

When von Schleicher came into office and launched his attempt to divide the Nazis by splitting off the Left of the Nazi Party, he made his appeal to the masses and to the national Left, criticizing the agriculturists, and indicating that he would abandon the idea of a presidential cabinet which had been established in June. But the chancellor did not have the most important prerequisite for his office: the support of the President. Von Hindenburg was still angry with him for having forced von Papen out of office. For von Papen was still the favorite of the President: he amused von Hindenburg with his humor and vivacity, he flattered him with his respect and devotion, and he "captivated him by his daring and stood, in Hindenburg's eyes, for the perfect type of gentleman."¹⁸

And von Schleicher had also von Papen against him. The ousted former chancellor's personal resentment against his supplanter was limitless, and he was piqued by von Schleicher's leftist policies--above all his withdrawing the September decrees which instituted social legislation. Von Papen was afraid, moreover, that a dissolution of the Reichstag would only with new elections bring an increase in the power of the Communists. He felt that an authoritarian government should take office, without the Reichstag, and was, at the same time, now convinced that a collapse of the Hitler movement, for which von Schleicher was working, would be a disaster, for it would mean that the last bulwark against Communism would disappear.¹⁹

But von Papen had already said in 1932, when asked if he

¹⁸ François-Poncet, p. 25.

¹⁹ Woodward and Butler, IV, 389-90.

would let Hitler come to power, "No, not if we can possibly help it. It would be terrible if Hitler were to seize power in Germany. What the National Socialist hordes would do to this poor country is horrible to contemplate."²⁰ Now--in January--von Papen wanted an alliance with the Nazis. There were two motives for this about-face. Von Papen wished, in the first place, to secure the support of the Nazis' mass movement on the assumption that it would submit to his control. And, secondly, he was afraid of the masses and a revolution of the Left, afraid that the masses of the Nazis might go over to the Left; although this fear, at least, was nonsense. He wanted, then, to put the Nazis, whose movement was slowly crumbling, under his thumb so that he might control them and so that they should not die.²¹

Fritz Thyssen thought that Hitler's taking office as chancellor was merely an intermediate stage leading to the restoration of the monarchy. The reason for this belief, he states, was due to a meeting at his house in September, 1932, at which he had assembled a group of industrialists so that they might put questions to Hitler. Here Hitler had said distinctly that he was merely a "pacemaker to the monarchy."²²

Von Papen, a monarchist himself, felt that the circumstances propitious for a restoration would more likely arise after the death of the President when the German people would feel the need for a new type of figurehead to sit above them "amid the ephemeral manifestations of political life."²³ Indeed, during his chancellorship

²⁰ Prince Starhemberg, Between Hitler and Mussolini: Memoirs of Ernst Rüdiger Prince Starhemberg (New York, 1942), p. 98.

²¹ Rauschning, p. 9.

²² Thyssen, p. 110.

²³ Papen, p. 245.

he had said that the question at the time was not the restoration of the monarchy.²⁴ This was probably true. But he and his monarchist friends were willing to accept the Nazis in the government, for they judged that this would be a transitional step towards a later restoration. They thought it inconceivable that a dictatorship could be established without their own agreement. But in yielding to this assumption von Papen made the mistake of seeing in the Nazi movement only its nationalism, while he underrated the revolutionary dynamism of it.²⁵

Thus ran the pattern from June to January. Von Papen, his colleagues, and at the very last even von Hindenburg had worked to bring about a coalition with the Nazis, a coalition in which the Nazis would supply the votes and yet would be held in check by the majority of conservatives in the cabinet. Never was there any attempt to build a coalition government which would exclude Hitler and the Nazi Party, and the delay in sealing the coalition came from Hitler, not his opponents. What Hitler appreciated and his conservative associates in the cabinet did not was that while the Nazi Party was not strong enough to seize power when the forces of the State were hostile, the party was strong enough to do so once these forces were neutral or on its side.²⁶

Von Papen, then, had not accurately reckoned with the Nazis. The major Nazi losses in the November, 1932, election, against those in the July election, were not from defections from the Nazis to other parties but from an increased "stay-at-home vote." The

24 Woodward and Butler, IV, 84-5.

25 Kaufmann, p. 238.

26 Taylor, "The Seizure of Power," pp. 532-3.

Strasser-Hitler break in the end failed to weaken Hitler's grasp upon his party. And all the forces which had contributed to the rise of the Nazis remained: the economic upturn of von Schleicher's time in office had not yet brought about any large reduction of unemployment, the sadism of the Nazi movement had not been lessened under the discipline of governmental controls, the activism of the movement still retained its allure, and Hitler did not compromise himself on January 30, but stubbornly raised himself to the chancellorship through months of despair. Yet von Papen was not alone in his conviction that Hitler and his party were now prisoners of his own vice-chancellor and of the conservatives in the cabinet.²⁷

The truth was, however, that none of the cabinet stood in thorough opposition to the basic principles of National Socialism. They disagreed not on the goals but on the manner Hitler used to gain them. In consequence, the conservative ministers found themselves in an awkward position. It was almost impossible for them to determine when to tighten the reins. For the time being they could find little fault in what was done, and when they finally began to take alarm it was too late.²⁸

Perhaps it was the British Ambassador Sir Horace Rumbold who best summed up von Papen's story, and who best expressed the evaluation that von Papen was later to receive in scholarly circles, when he wrote to Sir John Simon after an interview with the ex-chancellor a week before Hitler took office--on the night of January 24: "There is, perhaps, nothing very new in this, but his

27 Beck, pp. 194-5.

28 Ibid., p. 196.

von Papen's statements and outlook can only confirm the wonder of an observer that the destinies of this great country should have been, even for a short time, in charge of such a light weight." ²⁹

In fairness to von Papen, however, it must be asked in the end whether anyone could have solved the problems of state in whose attempted solutions the unfortunate chancellor failed. Von Schleicher, like his two predecessors, also proved unequal to the tasks which faced the premiers of the dying republic. Indeed, perhaps von Papen's policies as chancellor were the most imaginative of any that were tried in Germany in that period--and the ones that came the closest to defeating Hitler. Had not von Papen tried to cut off the Nazis by taking them into a government in which they would be powerless and in which they would lend merely the popular support which the chancellor needed? Had he not wished to strengthen the Reich government so that it might serve as a counterweight to the National Socialist movement? Had he not decided that the languishing regime of Weimar should be reformed in the face of a crisis which had shattered the republican order? Von Papen's maneuvering of Hitler into the government was, to be sure, disastrously shortsighted, though the strategy was adopted as a daring, radical step towards national reconstruction. And finally the question will inevitably be raised--in Berlin what other solution than von Papen's recommended itself so logically, given the circumstances of 1933 and the authoritarian character of Germany's principal political traditions?

29 Woodward and Butler, IV, 390.

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