

## The Avalon Project at Yale Law School

### Nuremberg Trial Proceedings Volume 22

TWO HUNDRED AND SIXTEENTH DAY

Saturday, 31 August 1946

## Final statements from the defendants

- **HERMANN GOERING**

THE PRESIDENT: Article 24 D (j) provides that each defendant may make a statement to the Tribunal. I therefore now call upon the defendants who wish--whether they wish to make statements.

### **Defendant Hermann Wilhelm Goering.**

HERMANN WILHELM GOERING (Defendant): The Prosecution, in the final speeches, has treated the defendants and their testimony as completely worthless. The statements made under oath by the defendants were accepted as absolutely true when they could serve to support the Indictment, but conversely the statements were characterized as perjury when they refuted the Indictment. That is very elementary, but it is not a convincing basis for demonstration of proof.

The Prosecution uses the fact that I was the second man of the State as proof that I must have known everything that happened. But it does not present any documentary or other convincing proof in cases where I have denied under oath that I knew about certain things, much less desired them. Therefore, it is only an allegation and a conjecture when the Prosecution says, "Who should have known that if not Goering, who was the successor of the Fuehrer?"

Repeatedly we have heard here how the worst crimes were veiled with the most secrecy. I wish to state expressly that I condemn these terrible mass murders to the utmost, and cannot understand them in the least. But I should like to state clearly once more before the High Tribunal, that I have never decreed the murder of a single individual at any time, and neither did I decree any other atrocities or tolerate them, while I had the power and the knowledge to prevent them.

The new allegation presented by Mr. Dodd in his final speech, that I had ordered Heydrich to kill the Jews, lacks every proof and is not true either. There is not a single order signed by me or signed in my behalf that enemy fliers should be shot or turned over to the SD. And not a single case has been established where units of my Luftwaffe carried out things like that.

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The Prosecution has repeatedly submitted some documents which contain alleged statements, reported and written down at third and fourth hand, without my having previously seen these statements in order to correct erroneous ideas or to preclude misunderstandings.

How easily completely distorted reports can arise from third hand notes is also proven, among other things, by the stenographic transcript of these court sessions, which often needed correction when checked.

The Prosecution brings forward individual statements over a period of 25 years, which were made under completely different circumstances and without any consequences arising from them at the time, and quotes them as proof of intent and guilt, statements which can easily be made in the excitement of the moment and of the atmosphere that prevailed at the time. There is probably not one leading personage on the opposing side who did not speak or write similarly in the course of a quarter of a century.

Out of all the happenings of these 25 years, from conferences, speeches, laws, actions, and decisions, the Prosecution proves that everything was desired and intended from the beginning according to a deliberate sequence and an unbroken connection. This is an erroneous conception which is entirely devoid of logic, and which will be rectified some day by history, after the proceedings here have proved the incorrectness of these allegations.

Mr. Jackson in his final speech points, out the fact that the signatory states are still in a state of war with Germany, and that because of the unconditional surrender merely a state of truce prevails now. Now, international law is uniform. The same must apply to both sides. Therefore, if everything which is being done in Germany today on the part of the occupying powers is admissible under international law, then German was formerly in the same position, at least as regards France, Holland, Belgium, Norway, Yugoslavia and Greece. If today the Geneva Convention no longer has any validity so far as Germans are concerned, if today in all parts of Germany industry is being dismantled and other great assets in all spheres can be carried away to the other states, if today the property of millions of Germans is being confiscated and many other serious infringements on freedom and property are taking place, then measures such as those taken by Germany in the countries mentioned above cannot have been criminal according to international law either.

Mr. Jackson stated further that one cannot accuse and punish a state, but rather that one must hold the leaders responsible. One seems to forget that Germany was a sovereign state, and that her legislation within the German nation was not subject to the jurisdiction of foreign countries. No state ever gave notice to the Reich

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at the proper time, pointing out that any activity for National Socialism would be made subject to punishment and persecution. On the other hand, if we, the leaders as individuals, are called to account and condemned--very well; but you cannot punish the German people at the same time. The German people placed their trust in the Fuehrer, and under his authoritarian government they had no influence on events. Without knowledge of the grave crimes which have become known today,

the people, loyal, self-sacrificing, and courageous, fought and suffered through the life-and-death struggle which had broken out against their will. The German people are free of guilt.

I did not want a war, nor did I bring it about. I did everything to prevent it by negotiations. After it had broken out, I did everything to assure victory. Since the three greatest powers on earth, together with many other nations, were fighting against us, we finally succumbed to their tremendous superiority.

I stand up for the things that I have done, but I deny most emphatically that my actions were dictated by the desire to subjugate foreign peoples by wars, to murder them, to rob them, or to enslave them, or to commit atrocities or crimes.

The only motive which guided me was my ardent love for my people, its happiness, its freedom, and its life. And for this I call on the Almighty and my German people to witness.

<https://avalon.law.yale.edu/imt/08-31-46.asp> (side 365-367)