

# What Moscow has to hide: Rudolf Hess and the Secret Protocol

by Molly Hammett Kronberg

The whispers and rumors started up almost as soon as Rudolf Hess, the 93-year-old former deputy Führer of the Nazi Party, died in August—the last Nazi prisoner in Berlin's huge Spandau Fortress prison.

First, it was reported simply (autopsy no. 1) that he had died. Next (autopsy no. 2), it was learned that the body showed strangulation marks. It was said he had throttled himself with an electrical cord.

Then, Hess's son, Wolf-Rüdiger Hess, requested a third autopsy, telling the press that he was certain his father had not committed suicide. Shortly thereafter, Wolf-Rüdiger suffered a stroke, which put him out of commission.

It is not astonishing when a 93-year-old man dies. Nor is it astonishing that someone who, like Hess, had attempted suicide in the past, should finally succeed (although self-strangulation seems a strenuous endeavor for a man in Hess's weakened physical condition).

Still, the ugly whispers and rumors won't die down. Many point to Soviet involvement. Is this a last, strange chapter in the story of Rudolf Hess and the Russians? First, a little background.

Hess remained in Spandau Fortress (after every other Nazi war criminal sentenced to life was released for old age or ill-health), because the Soviets insisted he never be let go. The British, Americans, French—the other three occupying powers of Berlin—urged that Hess be sent home. Moscow said, *nyet*. And so, Hess stayed in Spandau.

Why? Did Hess commit such horrible crimes in Russia?

In fact, from 1941 on, Hess was not in Germany, but in Britain, having flown to Scotland in May of that year. Thus, Hess had been a POW for six weeks before Hitler invaded Russia. Hess was out of Germany in the period of the slave-labor program; when SS *Einsatzgruppen* committed their atrocities on the Eastern Front; when the SS tried to exterminate European Jewry. In fact, at the postwar Nuremberg Trials, Hess was acquitted of crimes against humanity and war crimes. No clue here to the Russians' special virulence.

## Why Hess? Why the Russians?

But Moscow saw some important things about Hess:

1) The existence of the Secret Protocol to the August 1939 Hitler-Stalin Pact was first made public at Nuremberg, in Hess's defense, by Hess's lawyer.

2) His deputy was Martin Bormann.

3) His mission to England in 1941 was to conclude an Anglo-German understanding, whereby the two "Germanic nations" would band together against the Russians.

The first point is the most important.

When World War II ended, no one among the Western Allies knew of the existence of a Secret Protocol, attached to the Hitler-Stalin "Non-Aggression" Pact of Aug. 23, 1939 and signed by Nazi Foreign Minister Joachim von Ribbentrop and Soviet Foreign Minister Vyacheslav Molotov. Even after Germany and Russia were engaged in a vast and bitter war, both sides had reason to bury proof of their former brutal friendship. But at war's end, the Russian secret stood in danger of being exposed, as Nazi archives and prisoners fell into the hands of the Western Allies. Russia faced the threat that the Protocol would be revealed, and itself reveal Russian imperial ambition.

What did the Secret Protocol to the Hitler-Stalin Pact say? That, "in event of any war," Russia would be assigned "spheres of influence" in eastern Poland (40% of the country); the Baltic states of Latvia, Lithuania, and Estonia; a free hand in Finland; and that portion of Romania abutting Soviet territory. Soviet actions after Hitler's invasion of Poland on Sept. 1, 1939, showed how precisely the Soviets adhered to the Protocol's terms. On Sept. 17, Russia invaded Poland from the east; on Sept. 18 Russian and German troops shook hands in Poland. Then, Moscow invaded Finland. Next, it took the Baltic states.

Stalin was able, in conference with Britain and the United States (when they became his allies against Hitler), to present these actions as "defensive" against the Nazi threat. But the Secret Protocol would prove that, to the contrary, Russia had used the deal with Hitler to advance her ancient imperial designs on Europe.

To this day, therefore, the Soviet Union denies the existence of the Secret Protocol, and claims its appearance after the war was an "anti-Soviet forgery."

## The Hess defense and the Russian secret

Rudolf Hess's Nuremberg defense lawyer revealed the Protocol's existence to the West.

In March 1946, Hess's lawyer, Dr. Alfred Seidl, overheard in the Nuremberg prison a chat between Joachim von Ribbentrop, Hitler's foreign minister, and Hermann Goering, in which Ribbentrop told Goering that in August 1939,

when he, Ribbentrop, had visited Moscow to sign the Hitler-Stalin Pact, he had also signed a secret protocol. Ribbentrop told Goering: "This secret agreement defined the spheres of interest in the event of any war." Ribbentrop described how he and Soviet Foreign Minister Molotov—with Stalin standing by, nodding—had drawn a line in Poland, along the Vistula and Bug rivers, to the west of which would lie the German sphere of interest (occupation); to the east of which, the Russian. The Soviet sphere, Ribbentrop said, included Finland, Latvia, Estonia, Lithuania, eastern Poland, part of Romania. Ribbentrop also told Goering, as Seidl overheard, that since his indictment at Nuremberg, the Russians had warned him that things would go better for him if he did not talk about this protocol.

Seidl saw a way to use this in Hess's defense. If Seidl could prove such a protocol existed, then Stalin was as guilty as any Nazi, of plotting an aggressive war.

Hess had been indicted for conspiracy to wage aggressive war; crimes against peace; war crimes; and crimes against humanity. Seidl correctly reasoned that Hess would be acquitted, as indeed he was, on the last two, since he had not been in Germany in the relevant period. Thus the important charges against Hess were conspiracy to wage aggressive war, and crimes against peace. And those charges would be drastically affected by revelations of Russian conspiracy to do the same.

Obviously, if Stalin were shown to be guilty of plotting—with Hitler—to wage aggressive war, then the question arose: What were the Soviets doing as judges with the French, British, and Americans on the Nuremberg tribunal? The tribunal would have to be reconstituted.

Would not Molotov and Stalin have to be tried? They had stood at a map table with Ribbentrop in Moscow, while Ribbentrop consulted with Hitler on the phone from Germany, and the four of them had redrawn the map of Eastern Europe. Stalin and Molotov could be accused of having conspired with Hitler to wage war; shouldn't they take their places in the Nuremberg dock?

Seidl hunted for someone who had gone to Moscow with Ribbentrop in 1939, someone not indicted at Nuremberg, whose testimony would hence be credible. He found Dr. Friedrich Gaus, once undersecretary of state in the Nazi foreign ministry. "Was there such an agreement?" Seidl asked. "Yes," said Gaus. "I remember it quite clearly."

But Seidl needed a copy of the document. Gaus believed all archives of the German foreign ministry had been turned over to U.S. officials. Seidl probed American contacts; one evening, he was approached by an American officer who handed him an envelope: "Here is something that may interest you." It was a copy of the Protocol.

Seidl showed it to Gaus, who believed it to be a true copy of the Protocol, and signed this affidavit:

"About noon on Aug. 23, 1939, the plane in which I was traveling with von Ribbentrop landed in Moscow. I was acting as his legal adviser in regard to certain negotiations

with the government of the Soviet Union.

"Later in the afternoon the discussions started between Stalin and von Ribbentrop. . . .

"In the evening a second discussion took place for the purpose of completing and signing the necessary documents. I had prepared the draft for Herr von Ribbentrop. Ambassador Count Schulenburg and the counsellor from the embassy and Hilger were also there. Stalin and Molotov carried on the negotiations for the Russian side. . . .

"Besides the non-aggression pact," Gaus's affidavit continued, "there were negotiations at some length about a special secret document, which in my recollection, was called 'secret protocol' or 'secret additional protocol.' This aimed at the delimitation of the mutual spheres of influence in the European territories situated between the two countries. . . . In this document, Germany said she was disinterested in Latvia, Estonia, and Finland, but regarded Lithuania as part of 'her sphere of interest.' At the same time, Germany wanted to have an interest, but not political, in the Baltic ports which were free from ice. This, of course, was not acceptable to the Russians. Obviously, Ribbentrop was acting on instructions, as he had booked a phone call to Hitler which came through at this time. He was told to accept the Soviet point of view.

"For the Polish territory a demarcation line was fixed. . . . The agreement reached about Poland was to the effect that both powers should settle all questions concerning that country at a final meeting. . . ."

Armed with this, and the text of the Secret Protocol, Dr. Seidl dropped his bombshell on March 30, 1946. He questioned Ribbentrop, who admitted the Protocol's existence and said: "If war broke out, occupation of those zones was to be undertaken by Germany and Russia. At that time I heard expressions from both Stalin and Hitler that Polish and other territories thus delineated were regions which both sides had lost in an unfortunate war [World War II]."

The judges at Nuremberg stopped Seidl's questioning.

Thereupon, Seidl declared that if the court did not understand the relevance of this to Hess's case, he would demand that Soviet Foreign Minister Molotov be called as a witness. He added that at least one of the nations now acting as a prosecutor in the Nuremberg trials had been involved in the conspiracy that led to World War II.

### **The Russians rave**

Next, Baron Ernst von Weizsäcker (a former secretary of state in Ribbentrop's foreign ministry and, by the way, the father of the current West German President) was called. Seidl showed him a copy of the Protocol and asked, "This was given to me by an Allied army officer. Is this a copy of a document you have seen previously?"

Soviet prosecutor Gen. Roman Rudenko sprang up: "The court is investigating the case of the major German criminals. It is not investigating the foreign policy of the Allies. This anonymous document . . . can have no positive value."

The tribunal judges, after frantic caucus, upheld Ruden-

ko's objection to producing the document, but let Weizsäcker be questioned. Here is his testimony:

"The Secret Protocol, of extensive scope, drew a line of demarcation between areas which in certain circumstances would be of interest to the Soviet Union, and those which would belong to the German sphere of interest. In the Soviet sphere were included Finland, Estonia, Latvia, the eastern parts of Poland and certain parts of Romania. Everything west of that line was left to Germany. Later, in September or October 1939, amendments were agreed upon by which Lithuania, or the greater part of it, was transferred to the Soviet sphere, and the line of demarcation in Poland was moved considerably to the west [he means east]. Explicitly or implicitly, the secret agreement was to create a completely new order in Poland. And when it came into operation, this line of demarcation was followed closely."

Lord Justice Lawrence asked Weizsäcker if he knew the agreement existed in writing.

The latter replied: "I kept a photostat copy of that pact in my personal safe, and I will have no hesitation in recognizing it if it were put to me."

The tribunal judges, after another nervous caucus, decided that since the origin of Seidl's copy was not known, it could not be admitted as evidence.

In the event, Hess was sentenced to life in prison. The Russian on the tribunal, Maj.-Gen. Nikitchenko, demanded the death penalty, but lost out.

The Soviets got the next best thing: Hess served life in prison, under the proviso that he could never be interviewed by journalists, historians, or anyone else.

The Soviets seem to have exacted reprisals for the disaster of the revelation of the Protocol. For example, the American officer who gave the text to Seidl. Shortly after the trial, he died in a car accident in the Soviet sector of Berlin, caused, it seems, by a collision with a Red Army truck driven by officers of the Soviet Secret Police (see J. Bernard Hutton, *Hess*, Macmillan, 1970).

Did the Russians have Hess killed in August? Why bother, now? Some answers are offered by observers. One is just that the mills of Soviet vengeance may grind slow, but they grind exceedingly small. Another is that Hess was on the point of being released, or revealing new details of Soviet involvement with the Third Reich.

What could those have been?

### **Martin Bormann, Hess's deputy**

One rumor with a long life is that Martin Bormann, who started his career as deputy to Rudolf Hess, and became Hitler's secretary, was a Soviet mole.

After the war, Reinhard Gehlen (who ran German intelligence operations in the East) told an American debriefer that he believed Bormann to have been a Soviet agent. He said he was sure that, when Bormann left the *Führerbunker* in Berlin on May 1, 1945 (after Hitler's suicide), he was trying to reach the Russian lines.

In the late 1970s, reported the British press of the day, British intelligence's Sir Maurice Oldfield ("M," who had died not long before the articles were published) was quoted saying he believed that one of Rudolf Hess's top deputies had been a Soviet agent. Probably, this was gleaned from debriefings of Hess in 1941-45, when Hess was in Britain. Hess's top deputy was, of course, Bormann.

Bormann found his ticket to power as a faceless functionary in the mid-1930s, when, as Hitler was dumping Hess, Hess hit on the idea of having Bormann represent him at Hitler's headquarters. Bormann seemed to Hess the perfect buffer between himself and Hitler.

Bormann saw his chance, and took it. He began the process of undercutting Hess's access to, and influence on, Hitler. At the same time, Bormann began the delicate process of making himself "indispensable" to Hitler.

To this end, Bormann took over Hitler's personal finances. He ran the household budget, doled out money to Hitler's adjutants, and to Hitler's mistress, Eva Braun.

He took over Hitler's scheduling: He determined who saw the Führer, and thus whose views were heard. By the middle of the war, Bormann had become Hitler's shadow, *The Secretary*, controlling appointments, schedules, money.

Meantime, Bormann built up a file of nearly every word Hitler uttered. From this, Bormann issued what he said were Führer-Orders. Since, in the legal system enjoyed by Nazi Germany, anything Hitler said had the force of law, Bormann accrued great power this way.

The book *Hitler's Table Talk* represents Bormann's recording mania gone wild. Beginning 1941-42, Bormann employed stenographers to sit discreetly behind a curtain and record every word Hitler let fall at the dinner table.

Hitler never discussed military matters in these settings; the *Table Talk* is useless from a military standpoint. But it gives a full psychological profile.

What was Bormann doing? Hitler certainly hadn't ordered it; indeed, he was annoyed when he found out, and put a stop to it. Did Bormann have a destination for this material, someone waiting back at the Kremlin who wanted a reading on Hitler—after June 22, 1941, the day the Germans invaded Russia, after which the record starts?

At the war's end, as the Red Army besieged Berlin, Bormann swore to all in the *Führerbunker* that he would do himself to death; yet when Hitler was dead, Bormann slipped into the fiery night with an armful of documents.

If he were seeking the Russian lines, he failed. In the 1970s, his bones were found under a Berlin street.

Wouldn't Hess, the consummate anti-Russian who flew to England in 1941 to forge a grand Anglo-Saxon alliance against Russia, have suspected the truth, if his top deputy, who destroyed him politically, were a Soviet spy?

Probably the Russians thought so.

For now, we let the matter rest.

Hess persisted until August. It is a good hypothesis that in the Hess case, Moscow has one more thing to hide.