

The Nazi Consolidation of Power

1. Parliament: "Were the Nazis responsible for burning down the German Reichstag?"

What happened?

In February 1933, only a month after Hitler became Chancellor, the Reichstag Parliament building mysteriously burnt to the ground. Hitler claimed that the communists were responsible and called fresh elections. The Nazis won a record amount of seats. Hitler was now in a position to pass whatever laws he wished...



Who was responsible?

Some historians insist that the Nazis started the fire themselves. Others insist that the fire was started by the communists and Hitler just took advantage of it. **Your Task is to investigate the evidence and reach your own conclusion on this genuine mystery.**

The Nazis on Trial

Stage 1: Choosing your witnesses

Paired Task

- Your teacher will provide a **Witness Statements Sheet to each pair of students in the class**. Cut these up into slips and organise them into two piles: (i) Prosecution witnesses (=blaming the Nazis for the fire); (ii) Defence Witnesses (blaming the communists).
- Decide upon three "star" witnesses in each pile.

Group Task

- The class will now be divided into two teams:
 - The PROSECUTION team will try to prove the Nazis started the fire themselves.
 - The DEFENCE team will try to prove that the Nazis did not start the fire.
- As a group, discuss your findings and settle upon three "star" witnesses for your side. Keep your choices secret from the other group!
 - Once you are in agreement, the teacher will give a **Witness Report Sheet to each group**.
 - Each group will have a few minutes to decide whether to "stick" with their chosen witnesses, or to "swap" one or more of their witnesses for others they consider more reliable.

Stage 2: Preparing the questions and answers for the examination of your witnesses

- Both teams now need to provide at least **THREE** questions for each of their THREE witnesses.
- Both teams must also decide who should be in role as each of the witnesses when the trial starts.
- Rehearse the questions, and make sure each "witness" knows how to respond.
- **TIP:** One question should cover what the witness knows; at least one should cover why we should trust them.

NOTE: you will NOT be allowed to use notes when you are in the witness box. You will have to answer the questions from memory!

Stage 3: Preparing questions for the cross-examination of your opponents' witnesses

- Your teacher will now ask each team to publicly name which witnesses it will use. These can be recorded in the **Trial Record Sheet by the teacher**.
- For several minutes, each team should consider what questions they can put to each of their opponents' witnesses. These "cross examination" questions should aim to discredit the witnesses!

Stage 4: The Trial

- The judge will call each of the **prosecution** witnesses in turn.
 - The witness will answer the three questions provided by the prosecution.
 - The witness will answer the three questions provided by the defence.
- The judge will then call each of the defence witnesses in turn, and the process will be repeated.
- The teacher will record the main findings as the trial proceeds.
- The teacher may also throw in some "Surprise Exhibits" which will require each team to "think on its feet" quite quickly!

Student Handout: Trial Record Sheet

	Name of witness	PROSECUTION: Evidence that the Nazis did cause the Fire		DEFENCE: Evidence that the Nazis did not cause the Fire
Prosecution Witness 1	William Shirer	What does he say?	Why should we trust him?	Why should we not trust him?
Prosecution Witness 2	Arthur Koestler	What does he say?	Why should we trust him?	Why should we not trust him?
Prosecution Witness 3	Bernd Gis	What does he say?	Why should we trust him?	Why should we not trust him?
	Name of witness	DEFENCE: Evidence that the Nazis did not cause the Fire		PROSECUTION: Evidence that the Nazis did cause the Fire
Defence Witness 1	Van Der Lubbe	What does he say?	Why should we trust him?	Why should we not trust him?
Defence Witness 2	Alfons Sack	What does he say?	Why should we trust him?	Why should we not trust him?
Defence Witness 3	Arthur Hays	What does he say?	Why should we trust him?	Why should we not trust him?
	Name of witness			
Surprise Witness 1		What does he say?	Do you trust him? Why?	Do you trust him? Why?
Surprise Witness 2		What does he say?	Do you trust him? Why?	Do you trust him? Why?
Surprise Witness 3		What does he say?	Do you trust him? Why?	Do you trust him? Why?

Stage 5: The Verdict

Based on the evidence, you should now vote individually and out of role to decide which of the following four verdicts you think is most appropriate. Highlight your personal choice, and then record the classroom verdict in the second column.

	Votes
a. The Nazis were responsible for the fire, and Hitler knew all about it.	
b. The Nazis were responsible for the fire, but Hitler was not made aware of it.	
c. The Communists were responsible for the fire.	
d. Van Der Lubbe acted alone.	

Conclusion

What were the main points of agreement between the witnesses?

What were the main points of disagreement between the witnesses?

Which witness did you think was the least reliable? Explain your answer.

Which witness did you think was the most reliable? Explain your answer.

Witness Statements

Note to students: cut this sheet up into slips and organise them into "prosecution" and "defence" piles.

Van Der Lubbe: Witness Statement

I was a member of the Communist Party in Holland. I decided to go to Germany to see for myself what Hitler was doing. I came to Germany all by myself. The government of Germany is bad. So I decided to burn down a building. I did not wish to harm anybody, so I chose a building that belonged to the government. I acted alone. No-one helped me, and I didn't see anyone else in the Reichstag.

William Shirer: Witness Statement

Van der Lubbe was tricked by the Nazis. They tricked him to start a fire in the Reichstag. What he didn't know was that – while he was setting a little fire – the main job would be done by Nazi SA stormtroopers. Van der Lubbe was a half-wit. He didn't know what was going on. At the trial, it was found that he didn't have enough to start so great a fire – just a shirt and some matches. It would have taken massive amounts of chemicals and petrol to start such a fire.

Fireman Roth: Witness Statement

The glass of the huge dome roof broke, and caused a big up-draught of air. This made the fire burn right up through the cracks in the dome, and the flames were dragged through the whole building.

Arthur Koestler: Witness Statement

You possess a document dated June 1934 saying: "I declare that I, Karl Ernst, and 2 other SA men (Heines and Schultz) set fire to the German Reichstag. Goring told me to do it, and he and Goebbels planned the fire. There was a young man called Van der Lubbe. We tricked him into setting a small fire in the Reichstag, but we set the main fires in the main Chamber...If I die, you must publish this letter to the world".

Herr Rauschnig: Witness Statement

They laughed about it, and made jokes about it. Goring told people that his 'boys' had gone into the Reichstag along an underground tunnel. He said they only had a few minutes. He said that they were almost discovered. He was sorry that the whole building had not burned down completely. They had been in such a hurry that they had not been able to make a proper job of it.

General Franz Halder: Witness Statement

It was Hitler's birthday in 1942. We were eating a meal. And we started talking about the Reichstag fire. I heard with my own ears when Goring said this: 'The only one who really knows about the fire is me – because I set it on fire!'

Alfons Sack: Witness Statement

It is silly to suggest that the Nazis would have chosen Van der Lubbe to start the fire – a tramp, begging for food, in rags, sleeping outside. Only a fool would have told him to climb up the outside of the building, break windows, and then get caught starting the fire.

Herr Wingurth: Witness Statement

The Nazis couldn't have started the fire. It is true that there was an underground tunnel into the Reichstag, but it had many locked doors. After the fire, it was found that they were all locked shut.

Arthur Hays: Witness Statement

Heines the SA chief could not have started the fire. He, his wife and children, and their nurse, and their friends, were in the far-away city of Gleiwitz on the night of the fire. Heines gave a speech at a public meeting there on the night the fire started.

Sefton Delmer: Witness Statement

That night, Hitler was certain that the fire had been started by the Communists. 'I hope it's the work of the Communists,' he told me. 'If it is, I will destroy them completely.' What I saw – how Hitler behaved when he saw the fire – does NOT fit in with the theory that the Nazis had started the fire.

Witness Statement: Hermann Goering

I had no reason or motive for setting fire to the Reichstag. From the artistic point of view I did not at all regret that the assembly chamber was burned; I hoped to build a better one. But I did regret that I had to move the Reichstag into the Kroll Opera House. The opera seemed to me much more important than the Reichstag.

Witness Statement: Bernd Gisevius

Ten SA men equipped with highly inflammable liquid set fire to the Reichstag. The unit was under the orders of Karl Ernst, SA commander in Berlin. They entered the Reichstag by the underground tunnels leading from the house of the Reichstag president, Goering.