

Ruth Hoffmann

# Germany's Alibi

[Das deutsche Alibi]

Outline + Sample Translation



Non-Fiction, History & Politics

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## The truth about the legendary assassination attempt

It might seem like there is nothing new to be said about 20 July 1944: we know how Claus von Stauffenberg placed the bomb, why the assassination attempt ultimately failed, and that the conspirators nevertheless deserve credit. However, what only few people know is that, in reality, as many as 200 people were involved in the plot – a wide-ranging association drawn from all walks of life and political persuasions. Yet to this day, 20 July 1944 is celebrated as an 'insurrection of the conscience' of just a small group of conservative military leaders. And to this day, its legendary status prevents us from fully understanding the truth about what actually happened, and how socially diverse the conspiracy really was.

In "Germany's Alibi", journalist Ruth Hoffmann embarks on a comprehensive and long overdue deconstruction of the myth of the 20 July plot, and reveals how this historical date has been instrumentalised since the founding of the Federal Republic: sometimes to create a false distinction between West and East Germany, and defame Communist dissidents; at other times, to help politicians who were once Nazi collaborators create the illusion that they in fact fought against the regime; or, as lately by the AfD, in order to hide anti-democratic policies beneath the sheen of a supposed spirit of resistance in the best Von Stauffenberg tradition.

"Germany's Alibi" is the profoundly researched and eye-opening account of a fateful event that reflects Germany's difficult relationship with its past. The definitive critical account, published to coincide with the 80th anniversary of the 20 July plot – compulsory reading for anyone interested in modern German history.

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# Sample Translation

By Gesche Ipsen

Ruth Hoffmann

## GERMANY'S ALIBI

*The myth of the 'Stauffenberg plot': how the 20th of July 1944 is romanticised and exploited for political ends*

*For those who refused to look away.*

'I want people to know that there were no nameless heroes, that these people had names, faces, desires and hopes, and this is why the suffering of the last among them is as important as the suffering of the first whose names will be remembered.'

Julius Fučík (1903–43), Czech communist and resistance fighter,  
executed in Plötzensee Prison, Berlin, 8 September 1943

## Introduction

In early July 1944, all was lost. Several attempts on Hitler's life had failed, the Red Army had broken through the German line near Minsk, countless German towns and cities lay in ruins, and the Allies were rolling in from the west. Claus von Stauffenberg asked his comrade Henning von Tresckow on the Eastern Front whether there was any point risking a coup d'état now. The reply came by return of post: the assassination had to happen, no matter the cost. 'What it comes down to is no longer that it has a practical purpose, but that the German resistance stake their lives on achieving the decisive victory, in full view of the world and of history. Nothing else matters.'<sup>1</sup>

These, perhaps the most famous lines written in the context of 20 July 1944, sound as if their author was already speaking to posterity. And perhaps he was. Whether or not they were Tresckow's actual words is unclear, but also not particularly relevant, because what we do know is that the conspirators acted accordingly. They knew the Allies would not be prepared to agree to German peace terms, and believed their chances of ever bringing down the regime were slim; nevertheless, they took the risk, gambled with their lives and lost.

After the war, it took years before people stopped considering them 'traitors of the nation'. That in itself demonstrates how little support they had from the general population, and how lonely a decision they had to make back then. The latest research shows that around two hundred people took part in planning the coup d'état, with several thousands more part of the wider-ranging network<sup>2</sup> – and yet the resistance constituted a small minority among the c. 65 million Germans. The resistance fighters sacrificed themselves for something that most of their fellow citizens did not even want, and were long unable to appreciate even after 1945.

Today, when, as if it had ever been thus, politicians lay wreaths and make self-congratulatory speeches on the anniversary of the assassination attempt, the commemorative routine conceals how hard-won this recognition was, and for how long it remained unwanted, even by politicians. The 20th of July 1944 always was a difficult date

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<sup>1</sup> Cited in Bodo Scheurig, *Henning von Tresckow. Ein Preuße gegen Hitler*, revised 1987 edn (Berlin 1997, p. 210).

<sup>2</sup> Linda von Keyserlingk-Rehbein, 'Nur eine "ganz kleine Clique"? Die NS-Ermittlungen über das Netzwerk vom 20. Juli 1944', *Schriften der Gedenkstätte Deutscher Widerstand, Reihe A: Analysen und Darstellungen*, volume 12, ed. Peter Steinbach and Johannes Tuchel (Berlin 2018), p. 13; Ludger Fittkau and Marie-Christine Werner, *Die Konspiration. Der zivile Widerstand hinter dem 20. Juli 1944* (Darmstadt 2019).

and a thorn in the side of Germany's self-confidence – because it belied the fairy tale of a people that was seduced and knew nothing about anything, and because it showed that one could have behaved differently. Only few were willing to admit this; the rest were happy to use the resistance fighters as their alibi. They made of them the chief witnesses of that 'other Germany', of the fact that not all Germans were Nazis – useful for creating the desired image abroad, and a sense of reassurance within.

The 20th of July was especially suited to the role, because it was associated with professional soldiers, politicians and high officials. The old elites – who had facilitated Hitler's promotion to Reich Chancellor in the first place, and largely welcomed it – could thus be rehabilitated. The fact that the resistance to the Nazis originated with communists, socialists and social democrats, years before the bomb exploded in the Wolf's Lair, was widely forgotten by the young federal republic: the various conservative administrations under Chancellor Konrad Adenauer, which included several former members of the NSDAP, had a different agenda.

What they wanted was to integrate millions of former party comrades, public servants and fellow travellers into the new democracy. With the July plot as proof of German righteousness Adenauer was able to push on with rearmament, and the new federal army founded in 1955 could later announce its break with the Wehrmacht, even though Hitler's old army fed its staff all the way up to the officer corps. It also provided the ideological basis for the federal republic by delineating it from the GDR, where remembrance of the communist resistance was built into official party doctrine.

The increasing idolisation of the 'men of 20 July 1944' – whom Theodor Heuss, president of West Germany, described in 1954 as the 'Christian aristocracy of the German nation' – thus went hand in hand with the devaluation of left-wing resistance and the defamation of emigrés such as Willy Brandt. After the war, West German society found in anti-communism – which, together with anti-semitism, had formed one of the pillars of Nazi ideology – a unifying factor, something about which the majority of the population could agree. The official interpretation of the 20 July plot provided this unifier, too, with the necessary legitimacy.

The CDU knew how to exploit this, and as early as the 1950s claimed to be the heirs of the resistance. Afraid of being once again vilified as 'fatherland-less', SPD politicians joined in with the hymns of praise for the national-conservative military officers and their 'insurrection of the conscience', instead of reminding people of the brave women and men

in their own ranks who had battled the rise of the Nazis from the start, and who were consequently among the first victims.

Which is why, nowadays, hardly anyone remembers that socialists and social democrats, too, were involved in the years-long planning that went into the attempted coup d'état, and that the conspirators in the end even sought contact with the communist underground. Hitler's lie of the 'tiny clique' of officers has prevailed. The image of the handsome Colonel Stauffenberg became iconic, and the 20th of July 1944 the symbol of resistance par excellence.

For years, the very use of the term 'resistance' was subject to conservative interpretive hegemony – whether to discredit the 1968 student protests, express outrage at the social democrats' liberal government or bat away any criticism 'from below'. Helmut Kohl used its memory to beautify the 'spiritual and moral turn' he posited and to justify the shift away from overcoming the past (*Vergangenheitsbewältigung*). Recently, even the AfD and other New Right extremists have started claiming that they are following in the tradition of the 'Claus von Stauffenberg group'.

'Throughout my life,' wrote Helmuth James von Moltke shortly before his execution, 'I have always fought against a spirit of narrow-mindedness and violence, of arrogance [...], of intolerance and an absolute and merciless stringency, which is inherent in the Germans and has found expression in the National Socialist state.'<sup>3</sup> Like his comrades-in-arms, he died hoping that this spirit would one day be replaced by more salubrious forces, or at least exorcised. In the eighty years that have passed since the coup d'état failed, many such positive forces have emerged. But the spiritual revolution of the kind called for in the 1950s by the Hessian attorney general Fritz Bauer has not transpired: fundamental changes on the outside notwithstanding, the 'zero hour' represented no radical fresh start within. It is telling that the first laws passed by the freshly established German Bundestag concerned amnesty for former Nazis. It was not the perpetrators who were on the defensive, but the victims. By construing the 20 July plot as a sort of founding myth for the federal republic, politicians masked many unfortunate continuities. Not a few among them who, because of their past, had every reason to keep their mouth shut, were able to pass themselves off as great democrats or even claim fellowship with murdered resistance fighters. Over the decades, the handling of the 20 July plot has reflected prevailing political interests and

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<sup>3</sup> Letter to his sons, Caspar and Konrad, Tegel Prison, 11 October 1944; in Helmuth James and Freya von Moltke, *Last Letters: Prison Correspondence 1944–45*, trans. Shelley Frisch (NYRB, 2019), p. 34.

social conditions as well as our evolving relationship with the past; the various phases of its reception are thus themselves part of Germany's history.

Today, our assessment of the events of 20 July is not based on social consensus, but the product of a variegated development full of contradictions, outrageous appropriation and shameful omissions – and it is the purpose of this book to trace these.

## Chapter 1: Making Our Peace with the Offenders (1945–1952)<sup>4</sup>

### *The Great Suppression*

'Whether gassing the Jews was the best approach is arguable. Perhaps there were other means to get rid of them,'<sup>5</sup> said Wolfgang Hedler from the Deutsche Partei (DP) in a speech in November 1949. 'I personally doubt that gassing was the right way to go about it,' he added with a smile, causing much hilarity among his audience in the Deutsches Haus inn just outside Neumünster.<sup>6</sup>

The Federal Republic of Germany was not even six months old. Chancellor Konrad Adenauer of the centre-right Christian Democrats (CDU) had refused a grand coalition with the centre-left Social Democrats (SPD), and instead chosen to govern together with the liberal Free Democrats (FDP) and the right-wing nationalist DP. That both factions counted former Nazis in their ranks<sup>7</sup> did not impede the work of government. On the contrary: right-wing nationalist views continued to enjoy support among a not inconsiderable section of the population, and ten of the seventeen DP representatives alone were elected directly to parliament. And by appointing Hans Globke his chief of staff, Adenauer personally made a man who had played a decisive role in formulating the legal commentary for the

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<sup>4</sup> As Ralph Giordano aptly described it in *Die zweite Schuld oder Von der Last, Deutscher zu sein*, new edn (Munich 2020), p. 117.

<sup>5</sup> 'Kalenderblatt 10.3.1950', *Der Spiegel*, [www.spiegel.de/geschichte/kalenderblatt-10-3-1950-a-948190.html](http://www.spiegel.de/geschichte/kalenderblatt-10-3-1950-a-948190.html). See also Nathan Ziprin, 'German Justice', *Southern Jewish Weekly* (Jacksonville, FL), 24 Feb 1950, <https://original-ufdc.uflib.ufl.edu/AA00083643/00405>.

<sup>6</sup> Quoted in Norbert Frei, *Vergangenheitspolitik. Die Anfänge der Bundesrepublik und die NS-Vergangenheit*, 2nd rev. edn (Munich 1997), p. 311, n. 6.

<sup>7</sup> Christian Bommarius, "'Staatskrise" sieht anders aus', *Frankfurter Rundschau*, 5 Jan 2019.

Nuremberg Race Laws – a commentary that was a prerequisite for the disenfranchisement, persecution and annihilation of Jews in Europe – his closest government colleague. Globke was also the author of the decree forcing Jewish Germans to use the first names 'Sara' and 'Israel' from August 1938 onwards, for 'ease of identification'.<sup>8</sup>

Germany was 'the least to blame for the outbreak of the Second World War', Hedler intoned on that November day, four years after the war's end, adding that 'the resistance fighters bear responsibility for our misery'. It was their betrayal that had caused Germany's collapse, he said.<sup>9</sup> Hedler was not alone in this view. Many Germans still saw the 20 July conspirators as traitors and partly responsible for the country's military defeat. It was the second 'stabbed-in-the-back' myth in Germany's history, and it survived well into the 1970s.<sup>10</sup>

In January 1950, Hedler was tried by the state court in Kiel on charges relating to this speech. The prosecutor accused him of disparaging the memory of the resistance fighters, malicious slander and defaming 'members of the Jewish race' (*sic!*), and demanded he be sentenced to ten months in prison. The list of co-plaintiffs read like a roll-call of the biggest names in Germany's resistance against the Nazis: alongside survivors like Gustav Dahrendorf and Hans Gisevius, it included among others the descendants of Carl Goerdeler, Ernst von Harnack, Julius Leber, Henning von Tresckow, Adolf Reichwein and Friedrich Olbricht.

After eight days of argument, the three judges – two of them former NSDAP members – acquitted Hedler of all charges. A cheering crowd greeted the fifty-year-old outside the court and led him off to an inn, where he celebrated his victory with party colleagues and other likeminded souls.<sup>11</sup> One reason that Hedler's acquittal marked a triumph was that the DP, worried about being excluded from government, had previously suspended him from the party. From this moment on, accusing the resistance fighters of treason was considered legally justified. Even blatant anti-semitism went unpunished.<sup>12</sup>

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<sup>8</sup> Klaus Bästlein, *Der Fall Hans Globke. Propaganda und Justiz in Ost und West* (Berlin 2018).

<sup>9</sup> Quoted in 'Kalenderblatt', *Spiegel*. Compare also Claudia Fröhlich, "'Verräter" oder "Helden"? Fritz Bauer und der "Prozess um den 20. Juli 1944"', exhibition catalogue, German Resistance Memorial Centre (Berlin 2022).

<sup>10</sup> Johannes Tuchel, 'Vergessen, verdrängt, ignoriert – Überlegungen zur Rezeptionsgeschichte des Widerstandes gegen den Nationalsozialismus im Nachkriegsdeutschland', in idem (ed.), *Der vergessene Widerstand: zu Realgeschichte und Wahrnehmung des Kampfes gegen die NS-Diktatur; Dachauer Symposien zur Zeitgeschichte*, vol. 5 (Göttingen 2005), pp. 10f.

<sup>11</sup> Frei, *Vergangenheitspolitik*, pp. 310ff.

<sup>12</sup> *Ibid.*, p. 312.

The court's decision was received with widespread indignation at home and abroad. Jewish communities expressed their dismay, trade unions organised protest rallies, and there were strikes; countless local SPD associations called for the judges to be sacked and demanded that the government issue an official statement, arguing that the verdict signified a 'retrospective endorsement of the crimes of the Third Reich'.<sup>13</sup> A large part of the press agreed. Yet at the same time, a line of argument crept into the discourse surrounding how to deal with Germany's past which would remain the typical stance for the next several years: there was a risk – as the *Frankfurter Allgemeine*, for one, put it – that fighting fervently against National Socialism would merely land you 'once again in the midst of National Socialism'. The real, 'deeper cause for unease' was that a court had been urged to convict a man 'merely because he had politically dangerous ideas'.

The weekly newspaper *Die Zeit*, too, referred to the principle of freedom of opinion, and found that the judiciary was simply powerless against a speaker who 'declared that he could not feel sympathy for the Jews' and 'thought that the 20 July conspirators had acted wrongly'.<sup>14</sup> The federal government made a few vague comments, and left it at that. Justice minister Thomas Dehler (FDP) went as far as to expressly defend the three justices, insisting on the independence of the judiciary.<sup>15</sup>

The day of the verdict, the SPD tabled two bills: one for an 'enemies of democracy' law, designed to prevent the use of 'freedom of opinion' as a defence in criminal trials, and which also envisaged prison sentences for defaming victims of the Nazi regime and 'refusing to condemn genocide or persecution on the basis of race'; and a law 'concerning the redress of National Socialist injustices in the criminal justice system' that would have set aside every single decision made on the basis of politically or racially discriminatory Nazi laws, including the death sentences handed down to hundreds of resistance fighters by the infamous People's Court – and which implied that resistance against the Third Reich and the war did not constitute breaking the law.

Passing these two laws would have been an opportunity for the government to codify the federal republic's professed anti-fascism, and to explicitly distance itself from Nazi revenants such as Hedler; an opportunity to categorise the National Socialist regime as a criminal state, nullify the verdicts delivered by its justice system and legitimise the

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<sup>13</sup> *Ibid.*, pp. 316f.

<sup>14</sup> Quoted by Frei, *Vergangenheitspolitik*, p. 313.

<sup>15</sup> *Ibid.*, p. 322.



German resistance. But it did not come to that: after several heated debates in parliament and a year and a half of political tug-of-war, the judiciary committee buried the draft laws.<sup>16</sup> The young republic's political focus simply lay elsewhere – and had done so from the very beginning.

Even during the Bundestag's inaugural session on 7 September 1949, it was already clear that reaching a consensus on how to deal with the Nazi past would be very difficult. The party members present in the chamber of the Bundeshaus in Bonn covered a broad spectrum, comprising former resistance fighters, soldiers and Nazis, fellow travellers and concentration camp inmates, conservatives and communists. Some wanted to deal with the past, others preferred to forget it, others still sought to cast a more positive light on it. Father of the House Paul Löbe (SPD) was heckled several times during his opening speech, as he spoke of an 'enormous measure of guilt' and reminded those assembled that the last freely elected parliament had abolished itself on March 1933, and that the social democrats were the only bloc to vote against the Enabling Act. One right-winger interjected, 'Other parties made sacrifices too – best not start doing the sums!'<sup>17</sup>

They saw eye to eye on one thing, at least, and knew that the voters agreed: it was time to end the 'victor's justice' business and the Allies' imputation of wholesale guilt, end the humiliating re-education programmes and political purges. The founding of the federal republic was thus not the democratic fresh start many former opposition members had hoped for. What turned out to be more important than distancing oneself from the past was to reintegrate former Nazis, in particular the 8.5 million party members:<sup>18</sup> for the army of ex-conformists represented a majority, and demanded that a line be drawn under the whole affair. None of the parties could afford to ignore that demand, and there was a general consensus across all of them that, at the very least, they should put an immediate stop to denazification initiatives.<sup>19</sup>

And so, two weeks later, during his first state of the nation address, Adenauer struck a very different note from Löbe: he served up balm for the much abused German soul, arguing that the war and postwar confusion had posed a severe test, and it was necessary to

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<sup>16</sup> *Ibid.*, pp. 318f.

<sup>17</sup> *Ibid.*, pp. 25ff.

<sup>18</sup> Wolfgang Benz, 'Demokratisierung durch Entnazifizierung und Erziehung', *Bundeszentrale für politische Bildung*, 13 Jul 2005, [www.bpb.de/shop/zeitschriften/izpb/deutschland-1945-1949-259/10067/demokratisierung-durch-entnazifizierung-und-erziehung](http://www.bpb.de/shop/zeitschriften/izpb/deutschland-1945-1949-259/10067/demokratisierung-durch-entnazifizierung-und-erziehung).

<sup>19</sup> Frei, *Vergangenheitspolitik*, pp. 13 and 397f.

show understanding for some of the misdeeds that were committed. The 'truly guilty' had to be punished, of course, but one must 'without delay' stop differentiating between those who were 'politically irreproachable' and those who were not. The federal government was thus determined 'to leave the past behind'. On the victims, especially the Jewish victims, he wasted not a single word.<sup>20</sup> Although Kurt Schumacher, the SPD opposition leader, subsequently took that task upon himself, he tellingly stopped short of making the Germans directly liable: 'The barbarous Hitler regime and its annihilation of six million Jews has brought shame on the German people. We will have to live with the consequences [...] for a very, very long time.'<sup>21</sup> Even a passionate opponent of the Nazis like Schumacher, who was imprisoned in concentration camps almost without interruption from 1933 until the end of the war, did not dare call a spade a spade. Even he exculpated the Germans, by suggesting that they had been the victims of a demonic, 'barbarous' regime.

Those first speeches of the newly elected parliament thus already foreshadowed what would drive West German policy in years to come: not a concern for the survivors of Nazi terror and bereaved families of the murdered millions, but the rehabilitation of former Nazis, whether fellow travellers or mass murderers. In short: making peace with the perpetrators, and the moral exoneration of an entire society.<sup>22</sup>

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<sup>20</sup> Bundestag, plenary session minutes, 20 Sep 1949.

<sup>21</sup> Bundestag, plenary session minutes, 21 Sep 1949.

<sup>22</sup> Anna J. Merritt and Richard L. Merritt (eds), *Public Opinion in Occupied Germany: The OMGUS Surveys, 1945–1949* (Chicago, 1970), p. 33; Ralph Giordano, *Die zweite Schuld*, p. 121.