



Volume 7. Nazi Germany, 1933-1945

Law to Safeguard the Unity of Party and State (December 1, 1933)

On July 14, 1933, Hitler's "Law against the Establishment of Parties" marked the factual end of the party system and parliamentary democracy. On that same day, he passed the "Law on Plebiscites," which allowed the Nazi regime to use strategically organized plebiscites to create the appearance of democratic decision-making. Within the one-party state established by these laws, the following "Law to Safeguard the Unity of Party and State" secured the National Socialist monopoly on power on a legislative basis. This law was formulated so vaguely, however, that no binding regulation of the relationship between party and state could be inferred from it. The law thus shows that even at the beginning of Hitler's rule there was no functional regulation or division of power and competencies. This lack eventually drove rival party apparatuses and state offices toward the institutional anarchy that characterized Hitler's regime.

Law to Safeguard the Unity of Party and State (December 1, 1933)

§1. After the victory of the National Socialist revolution, the National Socialist German Workers' Party is the bearer of the concept of the German State and is inseparable from the State.

It is a corporation under public law. Its organization will be determined by the Führer.

§ 2. The deputy of the Führer and the Chief of Staff of the SA [Röhm] will become members of the Reich government in order to insure close cooperation of the offices of the party and the SA with the public authorities.

§ 3. The members of the National Socialist German Workers' Party and the SA (including its subordinate organizations), as the leading and driving force of the National Socialist State, will bear greater responsibility toward Führer, people, and state.

In case they violate these duties, they will be subject to special jurisdiction by Party and State.

The Führer may extend these regulations in order to include members of other organizations.

§ 4. Every action, or failure to act, on the part of members of the SA (including its subordinate organization) that attacks or endangers the existence, organization, activity, or reputation of the National Socialist German Workers' Party – in particular, any infraction against discipline and order – will be regarded as a violation of duty.

§ 5. Custody and arrest may be imposed in addition to the usual penalties.

§ 6. The public authorities have to grant legal and administrative assistance to the officers of the Party and the SA, which are entrusted with exercising jurisdiction over the Party and the SA.

§ 7. The law of April 28, 1933, regarding the authority to impose penalties on members of the SA and the SS (*Reich Law Gazette*, p. 230) is invalidated.

§ 8. The Reich Chancellor, as Führer of the National Socialist German Workers' Party and as the supreme commander of the SA will issue the regulations needed for the execution and augmentation of this law, particularly with respect to the juridical organization and procedure of the Party and the SA. He will determine the date upon which the regulations concerning this jurisdiction will become effective.

Reich Chancellor
Adolf Hitler

Reich Minister of the Interior
Frick

Source of English translation: Law to Safeguard the Unity of Party and State (December 1, 1933). In United States Chief Counsel for the Prosecution of Axis Criminality, *Nazi Conspiracy and Aggression*, Volume III. Washington, DC: United States Government Printing Office, 1946, Document 1395-PS, pp. 978-79. (English translation accredited to Nuremberg Staff; edited by GHI staff.)

Source of original German text: Gesetz zur Sicherung der Einheit von Partei und Staat (1. Dezember 1933), in *Reichsgesetzblatt*, 1933, Part I, p. 1016; reprinted in Paul Meier-Benneckenstein, ed., *Dokumente der deutschen Politik*, Band 1: *Die Nationalsozialistische Revolution 1933*, edited by Axel Friedrichs. Berlin, 1935, pp. 90-91.