

VIA: ATR  
(SPECIFY AIR OR SEA ROUTE)

DIS CH NO. EOL-A-10917

**SECRET**  
CLASSIFICATION

- 1 OCT 1954

TO : Chief, EE  
FROM : Chief of Base, Pullach  
SUBJECT: GENERAL— Operational/CART/UJDRIZZLY  
SPECIFIC— CAUSA

**KAPOV**

DATE: \_\_\_\_\_  
Info: COM

1. Particularly since the desertion of Otto JOHN, we have attempted to channel POB UJDRIZZLY efforts toward the detection of alleged Rote Kapelle contacts or personalities who are today most critically placed and potentially dangerous. There is reason to believe that CAUSA falls within this category. His position as Ministerialdirektor in the German Federal Chancellery certainly qualifies him as critically placed. We are providing below a review of material which tends to indicate that CAUSA was connected with the Harro SCHULZE-BOYSEN group of the Rote Kapelle.

2. In paragraph 5 of MSB-1231, Herbert ENGELSING lists a group of persons from whom he collected information which he claims to have passed on to Harro SCHULZE-BOYSEN. The persons allegedly did not know where the information went. This list included Subject, described as:

"former official in Ministry of Interior, Berlin. Classed as one of Fossilien along with Buschmann. Always passed warnings on arrests, raids, etc., from his dealings with police affairs. Was involved in the July 20th affair and while waiting to be called in for questioning, escaped with ENGELSING who drove him out of Berlin in a car which had been concealed on the outskirts. Is now employed in a government post in the British Zone."

The identity is definite. The "Fossilien" were otherwise described by ENGELSING as "a group of older and more experienced men who joined the SCHULZE-BOYSEN group and who were humorously called the "Fossilien". This description plus the necessary subject matter of information CAUSA reportedly obtained from police contacts for ENGELSING strongly suggests a witting role on the part of CAUSA, in spite of ENGELSING's statement that the group CAUSA belonged to did not know where the information went.  
*SEE DOC FOR QUOTE INFO IN ENGELSING*

3. In the absence of other corroborating evidence, the accuracy of the information contained in para 2 above depends upon the veracity of Dr. Herbert ENGELSING, and there are some reasons to call this factor into question. This point is discussed in WGH-1033, but the conclusions reached in that document cannot in our opinion be considered definite. On the other hand, we have not yet found other evidence connecting ENGELSING with the SCHULZE-BOYSEN group except the statements of ENGELSING himself. We would certainly appreciate having such material called to our attention if it exists. This point may have been previously considered, and an answer may exist in headquarters Rote Kapelle files.

DIST:  
3 - EE w/2 attachs.  
3 - COM w/2 attachs.  
D-32W-5-38/10  
29 Sept. 54  
FORM NO. 51-28A  
MAR. 1949

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*Att 14.2 NA*

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4. When CAUSA was being considered for his present job, he enlisted UTILITY's assistance, and requested that UTILITY arrange to place a group of testimonial letters on CAUSA written by a number of his friends in American channels. We forwarded this material to CCM attached to MOLA-1149 (not to EE), 25 January 1950. In the interest of expediting their transmittal, FOB did not copy or study the letters, as they were of no immediate FOB interest. During June 1954, however, to our surprise UTILITY expressed reservations concerning CAUSA (probably on the basis of CAUSA's definite and close contact with Dr. Josef MUELLER and members of his circle), and we soon decided to try to get the CAUSA letters back for study. Copies of these letters, together with other indications concerning ODYOKE and allied consideration of CAUSA's fitness for his present job were received at FOB attached to EGNA-4753 and EGNA-4948 (neither went to EE).

5. The CAUSA testimonial letters are rather impressive. Several high Catholic church officials are represented, including Cardinal von PREYSING, stating that CAUSA is known to the Cardinal as a convinced Catholic Christian who always tried to prevent or ward off the injustices of the Nazi regime. Several well known persons testify that CAUSA, in spite of the fact that he was author of the "Kommentare zur deutschen Rassenengesetzgebung" later showed personal courage in giving every possible assistance to Jews in an attempt to modify the effects of the Nuernberg Laws. In the UJDRIZZLY context, the most pertinent of the letters are signed by Dr. Otto LENZ, Jacob KAISER, and Dr. Josef MUELLER. The Jacob KAISER letter dated 31 December 1945 is typical of the group and reads in part:

"From 1940 on I brought CAUSA together with the people around Dr. GOERDELER and the Generals BECK and von HAMMERSTEIN; I too belonged to that circle, the aim of which was to have the German people liberate themselves from the Nazi yoke. CAUSA was informed of our intentions, and he informed us currently of the things that went on in the Ministry of the Interior and the RSHA. He collaborated with us in the planning of personal and factual decisions which were required for the time immediately after the planned overthrow of the Hitler regime. CAUSA, whom we, the men of the 20th of July - trusted implicitly, was supposed to take over the responsibilities of a state secretary of the Ministry of Education."

6. Interesting as the above may be in definitely pin-pointing CAUSA as a key member of the 20th of July plot, the really significant item in the CAUSA recommendation letters within sense of para 1 above, is a sworn declaration signed by Dr. Herbert ENGELSING and his wife Ingeborg ENGELSING, nee KOHLER. A copy of the declaration is attached. It reads in part as follows:

"When we were involved in the active SCHULZE-BOYSEN anti-Nazi group (in connection with which most of our friends were hanged), he (CAUSA) did everything possible to provide an alibi for us. When I, the undersigned Herbert ENGELSING, was involved in the GOES anti-Nazi action, he (CAUSA) saved my life by providing timely warning. We also know from many nocturnal conferences that CAUSA was one of the most clever participants of the 20th of July revolt."

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7. The ENGELSING affidavit tends to counteract the lack of other evidence that ENGELSING was a member of the SCHULZE-BOYSEN group. Certainly CAUSA was in an excellent official position to know complete details concerning the nature, composition and fate of the group. If he had had no connection with ENGELSING, it is inconceivable that CAUSA would have solicited and obtained the declaration in the first place. If he had had no connection whatever with the SCHULZE-BOYSEN group, CAUSA, as a legal expert, would almost certainly not have included the affidavit in his group of supporting letters, unless he felt that the advantage to be gained by use of the ENGELSING letter outweighed any danger incurred by clearly implying a former witting connection on his part to the SCHULZE-BOYSEN group.

8. Our copy of the ENGELSING affidavit is not dated. It was notarized as a true copy in Aachen on 25 February 1949. However, it is obvious that the basic CAUSA recommendation letters, including the ENGELSING memo and the letters revealing CAUSA as a 20th of July personage were written during 1945 and 1946 and used by CAUSA to obtain his first post war position. During that period, it will be recalled, the main criterion for holders of public office under the occupation was an anti-Nazi record. Other affiliations were definitely secondary if not unimportant. Sensing this fact, many Germans freely made admissions of (Communist) contacts, then considered harmless or even commendatory, which have today become highly derogatory. It is possible that CAUSA fell in this category when preparing his first group of letters and that through oversight, or otherwise, the ENGELSING affidavit remained in the original file which was notarized during February 1949 for re-use in connection with CAUSA's efforts to obtain his present federal position.

9. We have apparently received most of the HICOG Biographic Information Section file on CAUSA. There is no indication that the ENGELSING affidavit received any consideration whatever. In fact, it would seem that the only reservations on the part of anybody (German or allied) concerned solely the question of whether CAUSA's former position in the Interior Ministry and his authorship of the Nuernberg Racial Law commentary associated him too closely with the Nazi regime to allow his consideration for a key position in the Bundesrepublik.

10. We have no other information dating from WWII days which ties CAUSA with suspect Rote Kapelle circles. If CAUSA did provide the warning information ENGELSING claims he did, however, there is a possible clue as to where CAUSA obtained the information. As Ministerialdirigent in the Nazi Ministry of Interior, it is quite possible that CAUSA had access to Abwehr Rote Kapelle files. As reported in MGLA-5986, the Chief of the OKW/Amt Abwehr, Abt. II card file was Dr. Kurt BEHNKE. CAUSA and BEHNKE may have been previously associated professionally. While CAUSA during the thirties was a member of the Prussian Interior Ministry assigned to the Constitution and Law division (writing his Nuernberg Racial Law commentary in 1936), BEHNKE was employed by the Prussian Staatsanwaltschaft and in January 1937 authored an official commentary to the Reich Disciplinary Code. Recently, UTILITY informed [ ] that Dr. BEHNKE visits CAUSA regularly in Bonn. UTILITY's interest in BEHNKE stems from the fact that BEHNKE must be considered a member of the Josef MUELLER circle, maintaining close contact with MUELLER, himself, with CAPOTE, Jacob KAISER, and with a number of other personalities considered suspect by UTILITY.

11. Please let us have traces of Dr. Kurt BEHNKE, born during 1899 in Stolp, Pomerania. POB traces of BEHNKE are attached and of course need not be repeated. Since 1 April 1954, Dr. BEHNKE has lived at Berlin/Wilmersdorf, Brandenburgischerstr. 22, telephone 915625.

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12. Aside from tracing and further study, probably no KUBARK action can be taken on the basis of the above information. Nevertheless, we felt that the ENGEL-SING statements on CAUSA ought to be recalled, and the matter of ENGEL-SING's affidavit among the CAUSA letters deserves to be put on the record, since its significance has apparently never before been noticed. We have called this specific item to UTILITY's attention, but we have no indication of what action, if any, he may take. Any comments and pertinent traces you may be able to provide POB will certainly be appreciated.

Comment:

1. @LERSNER "produced" CAUSA for ZIPPER at the time that he was under rather violent press attacks as a candidate for the position of State Secretary in the Chancellory in the first postwar West German government. It was @LERSNER who came to UTILITY with the CAUSA documents and it has been @LERSNER who maintained the regular link between CAUSA and ZIPPER. Incidentally, it was also @LERSNER who sometime in 1950 took up contact with BEHNKE in the Interior Ministry in Bonn.

2. The CAUSA dossier meant little to us four or five years ago when I received it. We considered it to be a political matter ~~of~~ interest to the High Commissioner to whom we passed it via the [ ] Oscar D. Hyman channel to RICOG that we maintained at that time. During the past year or so I have repeatedly thought of that dossier and decided sometime during the spring of this year (certainly long before the JOHN defection) to obtain it for study. In the process we have acquired, as [ ] states above, what we believe to be the entire RICOG file on CAUSA. In this context the CAUSA letters passed by us to ZIPPER assume significant proportions; they constitute practically the only substantive information in the RICOG file. EUCOM, for example, replied to a RICOG request for information with a brief reference to CAUSA's authorship of the Nuernberg Law commentary and the statement that he "enjoyed confidence of several high officers involved in the 20th of July plot".

3. We do not know the exact cause of UTILITY's renewed interest in CAUSA and ENGEL-SING. Sometime early in the spring of 1954, UTILITY asked [ ] for current information on ENGEL-SING without linking the matter to CAUSA. About the same time @KLAUSNER confided to [ ] that the ZIPPER CE staff had reservations about CAUSA. From conversations with UTILITY subsequent to the JOHN defection, I got the distinct impression that ZIPPER must have retained copies of the CAUSA dossier produced by [ ] and that UTILITY was quite familiar with the contents. In any case, UTILITY expressed no interest in obtaining access to the originals that he had passed to us.

4. The extreme political sensitivity of this matter is obvious. UTILITY is aware of this and is also acutely aware of the great stake that ZIPPER has in CAUSA who has been, for several years, their anchor man in UPGROWTH. There has been a good deal of evidence recently that the UTILITY/CAUSA relationship has cooled considerably. However, we doubt that either has a real capability of changing the present situation as long as CAUSA is in office and UTILITY heads ZIPPER.

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5. I do not think that UTILITY for a moment considers CAUSA to be a witting servant of the Soviets. He does, however, feel that during the early years of the UTILITY/CAUSA cooperation he failed to accurately judge the nature of the relationship between CAUSA and a number of other UNDRIZZLY personalities who occupy top positions in the government. UTILITY does not feel that he can rule out at this time the possibility that CAUSA may be able to adjust his own religious and political views to support of a neutralist Germany.

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