

# **Dachau and the Nazi Terror**

## **1933-1945**

Vol. II Studies **and** Reports

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## Preface

The Dachauer Hefte, established in 1985 and published with the moral authority of the **Comite International de Dachau**, carries the subtitle "**History**" of Nazi Concentration Camps: Studies, Reports, Documents. Devoted to all aspects of National Socialist persecution, the journal is not limited to events directly connected to the concentration camp at Dachau.

Articles by contemporary witnesses who experienced the horror of Dachau, Auschwitz and Buchenwald, of Treblinka and Theresienstadt and other camps are followed in this second volume of the English edition by articles, unabridged and selected from 16 issues of the Dachauer Hefte between 1985-2000, from 12 scholars of various disciplines engaged in establishing and analysing the history of National Socialist persecution and oppression. It is the intent of the Dachauer Hefte - and this English edition shall also give expression to this - to overcome the boundary between academic scholarship and the recollections of survivors. The goal is to hold a dialogue between survivors and historians in the service of enlightenment.

The texts presented in this edition shall contribute to this endeavour.

*Wolfgang Benz, Barbara Distel*

There were a number of leaders in the period January-February-March 1934 on German affairs, including fourth leaders which were intended to be humorous. There was one, for instance, on the need to be recognizably English in Germany especially if one was of "non-Aryan appearance," achievable perhaps by carrying *The Times* and/or wearing an English hat. Other fourth leaders dealt with the Nazi salute, the gift of Hitler's *My Fight* to all couples marrying in Germany, the banning of comic postcards in Munich because they were seen as deleterious to the national image, beer in Munich, and the banning of the golliwog because the toy was identified with the wrong music and the wrong skin color. There were also serious leaders about Austrian-German relations, the Reichstag fire trial and the continuing detention of people acquitted in it, about disarmament and unemployment.

Readers of *The Times*, and probably especially those in government circles, could be expected to read the paper daily and to read the news and comment about Germany and Austria, whether contained in short reports, longer articles, leaders, or readers' letters. They were aware of the discourse patterns of their times: that reports, comment, and leaders, and in the case of *The Times* the readers' letters, were to be read as a whole and between the lines too.

In this correspondence from *The Times* archives something of the way decisions were reached, modified, and revoked can be seen. There is no direct word in it from Geoffrey Dawson, who finally recommended against publication. This may be because he communicated directly and not by letter or memorandum or perhaps because letters, etc., were not kept or were subsequently lost. It is possible that this article was published elsewhere in a journal less conscious of its responsibility to the government. It hasn't been possible to find such a publication, and perhaps Simpson, having been paid ten guineas by *The Times*, didn't try to find another publisher for information now many months old.

## Jürgen Zarusky

### "That is not the American Way of Fighting"

#### The Shooting of Captured SS-Men During the Liberation of Dachau

In the afternoon of April 29, 1945, a Sunday, American soldiers liberated the concentration camp Dachau, where about 32,000 prisoners from all over Europe were incarcerated at that moment. The arrival of the Americans brought freedom to the prisoners, the deliverance from hunger, typhus and the dreaded plans of extermination by the SS.<sup>1</sup> Though the capture of the camp by the Americans was not accomplished without some combat, they had no losses, and it took place rather quickly. However, many of the SS-men still in the camp were killed, part of them after they had surrendered. "These killings are a very sensitive issue - outside of Germany because of the shadow they cast on the reputation of the liberators, and within Germany due to their potential and actual use by apologetic circles to retroactively justify Nazi atrocities and pseudo-exonerate German perpetrators," states Harold Marcuse.<sup>2</sup> The existing accounts of the events are in many respects contradictory and unclear.

#### *Memoirs, Propaganda, Research*

The shooting of the overpowered SS-guards is mentioned in a whole series of memoirs of prisoners. This subject is only a marginal aspect of the overwhelming events of the liberation in the memoirs of the concentration camp survivors. Yet in the right-radical polemic against the Dachau camp

<sup>1</sup> The most recent detailed account of the liberation by Klaus-Dietmar Henke, *Die amerikanische Besetzung Deutschlands*, München 1995, pp. 862-931. Regarding the rumors of extermination and plans, *ibid.*, p. 915 ff.

<sup>2</sup> Harold Marcuse, *Nazi crimes and identity in West-Germany*. Collective memories of the Dachau concentration camp, 1945-1990 (Diss), Ann Arbor, Mich. 1992, p.88.

memorial, it occupies a central role.<sup>3</sup> Since there is hardly any historical event which compresses the true character of the Third Reich and the political-moral justification of the allied victory over the national-socialist Germany as the liberation of the concentration camps, those who are nationalistic and neo-Nazi-motivated pseudohistorians are anxious to distort the events. Depending on disposition and the degree of political extremism, these authors try to create the impression that war crimes are a general and evenly widespread occurrence of the Second World War in order to relativize the condemnation of National Socialism. Or they virtually turn the spear around and proclaim the American soldiers as "V5-Killers" who organized a massacre of several hundred defenseless SS and members of the Wehrmacht and thus "demonstrated the wretchedness (Erbärmlichkeit) of the American 'crusaders'".<sup>4</sup> The former SS-Untersturmführer Erich Kernmayer, alias Erich Kern, was the first representative of the right-extreme scene who took up this topic. He presented the witness testimony of a Hans Linberger, who survived a shooting action by American soldiers, in several publications.<sup>5</sup> Kern implanted this testimony in a description that meant to play down the conditions in the concentration camps and discredit the prisoners. For this purpose, he used a one-sided and misleading selection of citations, mostly from the books of Edgar Kupfer-Koberwitz and Nerin Gün,<sup>6</sup> which resulted in the image of the prisoners of Dachau as a band of Communists and brutal criminals who terrorized their fellow prisoners and who altogether lived relatively well.<sup>7</sup> Once the Neo-Nazi packaging of the testimony of Linberger, in which Kern had wrapped it, is removed, one must, however, take it quite seriously as it withstands a critical examination.

3 Cf. in general, Barbara Distel, *Diffamierung als Methode. Erfahrungen an der Gedenkstätte des ehemaligen Konzentrationslagers Dachau*, in: Wolfgang Benz (Hrsg.), *Rechtsextremismus in der Bundesrepublik. Voraussetzungen, Zusammenhänge, Wirkungen, aktualisierte Neuausgabe*, Frankfurt a.M., 1989, pp. 189-201, about the liberation, especially pp. 193-197.

4 Quoted by Distel, p. 194, loc. cit.

5 Erich Kern, *Verbrechen am deutschen Volk. Eine Dokumentation alliierter Grausamkeiten*, Göttingen, 1964, pp. 314-316. The same, *Meineid gegen Deutschland. Eine Dokumentation über politischen Betrug*, Preußisch Oldendorf, 1971, pp. 243-247. In the following, reference will be made to the last-cited publication. Regarding Erich Kern, see Astrid Lange, *Was die Rechten lesen: fünfzig rechtsextreme Zeitschriften. Ziele, Inhalte, Taktik*, München 1993, p. 152.

6 Edgar Kupfer-Koberwitz, *Die Mächtigen und die Hilflosen. Als Häftling in Dachau*, 2 vols., Stuttgart 1957 and 1960; Nerin E. Gün, *The Hours Of the Americans*, Velbert, 1968, (first published under the title, *The Day of the Americans*, New York, 1966)

7 Kern, *Meineid*, p. 233 H. and p. 310 H.

The propagandistic and unscientifically motivated use of sources by the right-extremist authors is revealed itself, among other things, in that they regard as a matter of course that all 55-men found in the Dachau camp were shot, though the testimony of Linberger, especially, contradicts this. Thus, Alfred Schickel, active in the grey zone between conservatism and right-extremism, stated in 1981 that the real significance of the statement of the V.5. High Command that about 300 55-men were put out of action at the capture of the camp can be gathered from a photo that he saw in the National Archives in Washington. "It shows three German soldiers standing with raised arms in front of a wall, amidst a mass of corpses, and in front, two American soldiers loading their guns, evidently about to 'put out of action' the still standing soldiers".<sup>8</sup> The picture, which, incidentally, had already been published in 1964, actually shows quite unmistakably the scene of an execution, and the official caption that it involves men who feign death after American soldiers fired a volley at the fleeing 55-men, is not very convincing, considering the wall the men stand in front of.<sup>9</sup> Schickel's method, to conclude a total event from a snap shot is, however, more than questionable and clarifies that what is taking place here is more a search for confirmation of prejudices than for a factual reconstruction of historical events.

When, in 1986, the former army colonel and army doctor Howard A. Buechner published his book "Dachau, The Hour of the Avenger," it seemed, however, to present a definite confirmation of the systematic massacre by American soldiers of the guard detachment in the Dachau camp. Buechner represents the double authority as an eye witness and as a member of the liberating forces. Briefly, Buechner told the following story: Deeply shocked when confronted by the cruelties committed by the 55, a burning rage erupted among the soldiers of the 157th infantry regiment who captured the camp. The 1977 deceased 1st lieutenant Jack Bushyhead — a Cherokee Indian — supposedly collected 346 German guards in a yard of the 55-garrison, after having seen the concentration camp and the crematorium, and had them shot by a machine gun. Survivors were reputedly liquidated by prisoners armed with pistols. Altogether, 480 Germans supposedly have been shot by V.5. soldiers, 40 presumably were the victims of revenge acts by

8 Alfred Schickel, *Zeitgeschichte am Scheideweg. Anspruch und Mängel westdeutscher Zeitgeschichte*, Würzburg 1981, p. 20 f.

9 The first publication of the in the meantime often duplicated photo known to me, in Rodney G. Minott, *The Fortress That Never Was. The Myth of Hitler's Bavarian Stronghold*, New York a.o. 1964, picture section. Reproduction of the photos with the official caption in Andrew Mollo, *Dachau, in After The Battle*, Number 27: Dachau, (London 1980), pp. 1-19, here p. 15.

prisoners.<sup>10</sup> Buechner refers to his own observations and the interpretation of a series of photos, among them the above mentioned picture. They had to be made just prior to his arrival.<sup>11</sup>

Buechner's book was received by the German right-extremist circles shortly after its publication and interpreted by Ingrid Weckert, in the periodical "Deutschland in Geschichte und Gegenwart" as "indubitable confirmation" of an American massacre, while nevertheless rejecting Buechner's description of the gruesome conditions in the concentration camp Dachau.<sup>12</sup> Similar to Weckert, an American, publishing under the pseudonym "John Cobden," also strives to play down the conditions in the concentration camp and, during Buechner, to depict the liberation as a great massacre.<sup>13</sup>

Among serious historians, Harold Marcuse in his dissertation of 1992, and Klaus-Dietmar Henke in his 1995 book about the American occupation of Germany were the first to deal with the events in detail.<sup>14</sup> Though Henke indicates a strictly skeptical attitude in regard to Buechner and registers doubts both about the number of 480 executions and also regarding Jack Bushyhead as the main culprit, his description still depends strongly on Buechner, due to the lack of relevant sources. Similarly, this applies to Marcuse's research.

Now, new material came recently to the archive of the KZ-Gedenkstätte Dachau that enables one to depict these events in detail, and, especially, to scrutinize the description by Buechner more thoroughly. It concerns the copies of an investigation by the Assistant Inspector General of the 7th Army, Joseph M. Whitaker, who by order of the Headquarters of the 7th Army from May 2, 1945, on the next day already initiated a meticulous investigation of the events at the liberation of the concentration camp Dachau,<sup>15</sup> and

10 Howard A. Buechner, *Dachau. The Hour of the Avenger*, Metairie, Louisiana, 1989 (first edition 1986), pp. 84-107.

11 *Ibid.*, p. 102.

12 Ingrid Weckert, *Dachau - Tag der Rache*, in: *Deutschland in Geschichte und Gegenwart*, 35 (1987) H. 2, pp. 14-20.

13 John Cobden, *Dachau, Reality and Myth*, Newport Beach 1994.

14 Marcuse, *Nazi Crimes*, pp. 87-95; Henke, *Amerikanische Besetzung*, pp. 920-928; Robert H. Abzug, *Inside the Vicious Heart. Americans and the Liberation of Nazi Concentration Camps*, New York a.o. 1985, p. 92, also mentions already the shooting of prisoners.

15 The documents consist of over 160 pages and contain a reference with recommendations for further proceedings, the conclusion of the investigation, the transcription of Whitaker's interrogations (altogether 960 questions directed at 38 witnesses under oath), a statement of the Headquarters of the 7th Army, as well as a report of the commander of the 1st battalion of the 222nd infantry regiment of the 42nd infantry division. The originals of the sources are in the National Archives in Washington and were released in the summer of 1992.

also a collection of sources assembled by John H. Linden, for the purpose of documenting the role of his father, General Henning Linden, in liberating the concentration camp Dachau.<sup>16</sup>

### *The Initial Situation*

The final months of Dachau were the worst. The camp was extremely overcrowded due to the continuous arrivals of transports evacuating the camps near the front. These transports resulted in a large number of fatalities. Most of the survivors arrived near death from exhaustion, undernourished and physically completely broken down. The hygienic conditions and the food situation were catastrophic. A typhus epidemic broke out in December 1944. Over 15,000 prisoners died due to sickness, undernourishment and by assault of the SS from the end of 1944 to the liberation. This is nearly half of the total of the fatalities of the Dachau camp. Cremation of the corpses was no longer possible. The bodies were piled up in the mortuaries and around the crematorium. There were over 32,000 prisoners in the camp at the end of April 1945. Hope of imminent liberation and fear of extermination by the SS or an evacuation of the camp caused the most diverse rumors and resulted in an atmosphere of the highest nervous tension. Actually, a mass murder of the prisoners was at least considered. The various evacuation transports, especially the death march put into action on April 26th, precipitated a high number of casualties.<sup>17</sup>

The disintegration of the Nazi regime resulted both in more brutalization and also in a feverish search by individual leading figures for options to avoid the visible collapse. The attempts by Heinrich Himmler to use the Jews in his power as "bargaining chips" is the most characteristic example.<sup>18</sup> In this context belong also the modest achievements of the International Red

16 The material assembled by Linden is of the most varied origin. Partly, it derives from the estate of his father, and contains, among others, newspaper items, personal testimonies, correspondence and copies from archives. The background of Linden's efforts regarding documentation is an old quarrel between the 42nd and 45th division of the 7th army about which of them should have the credit for the liberation of Dachau. Cf. Henke, *Amerikanische Besetzung*, pp. 916 u. 918 ff.

17 Henke, *Amerikanische Besetzung*, p. 867 ff.; Barbara Distel, *Der 29. April 1945 - Die Befreiung des Konzentrationslagers Dachau*, in: *Dachauer Hefte*, 1 (1985), pp. 3-11j regarding the evacuation marches, Henke, *ibid.*, pp. 898-913; Andreas Wagner, *Todesmarsch. Die Räumung und Teilräumung der Konzentrationslager Dachau, Kaufering und Mühldorf Ende April 1945*, Ingolstadt 1995.

18 Yehuda Bauer, *Freikauf von Juden? Die Verhandlungen zwischen dem national-sozialistischen Deutschland und jüdischen Repräsentanten 1933-1945*, Frankfurt a.M. 1996, p. 376ff.

The following 18 pages are omitted. Vol. II available on amazon: <http://www.amazon.com/Dachau-Review-History-Concentration-Documents/dp/B000LMMXL6>

and who got the name "Heinrich Skodzensky" from later authors? He is alleged to have been ordered by an American major onto his jeep and taken away after he had tried to deliver an explanation. His corpse is supposed to have been found with a shot in the head in a distance of five hundred meters. But, the Q'Leary biographer Brome, in certain details not quite precise, says that the 55-lieutenant had awaited the arrival of the Americans at or near the camp.<sup>140</sup> Heinrich Wicker's fate is in any case considered as unexplained by the "German Competent Authority" (Dienststelle) responsible for ascertaining the civil status of people until today. His family received the last sign of life from him in January 1945 from the infirmary in Dachau.<sup>141</sup>

It is certain, however, that, shocked by the confrontation with the conditions in the camp, further excesses were committed by American soldiers. "They could not understand that we were in such good mood," reported the former Dutch prisoner Carel Steensma about the Americans. He observed how they came out of the barracks white as a sheet, and how some had to vomit. Steensma also witnessed the shooting of a young 55-man. It is not clear if this incident took place at the guard tower B or if it dealt with another occurrence. Steensma saw how five or six young 55-men came out of the tower. "I talked with one of them, he was 17, inducted only a few weeks ago, he showed me his pay-book. While I talked to him, an American soldier shot him, his blood splattered on me. I was besides myself. I yelled at the American 'How dare you, you fucking son of a bitch'. I thought of the mother of this youth. What had he done? Nothing. 14 days in uniform and sent onto the tower."<sup>142</sup>

Buechner mentions in his book a testimony of the military chaplain Leland L. Loy in which he describes how a soldier of the 4211d Division, who had completely lost control of himself, shot a German just taken prisoner from the closest range.<sup>143</sup>

Prisoners also committed acts of revenge on 55-men, Kapos, or prisoners who had collaborated with the 55. The Polish prisoner Walenty L. told Whitaker that after the shootings at the guard tower B, four fleeing 55-men had been stopped and killed by prisoners.<sup>144</sup> According to estimates of the 42nd Division, at least 25, perhaps up to 50 55-men were killed by

<sup>140</sup> Brome, *Histoire*, p. 237.

<sup>141</sup> Information from the Deutsche Dienststelle, Berlin, May 13, 1997.

<sup>142</sup> Holzhaider, Hans, *Und am Ende war das Leben. Konzentrationslager Dachau, Häftling Nr. 103050: Die Geschichte eines befreiten Holländers*, in: *Süddeutsche Zeitung* Nr. 99, April 29-May 1, 1995, p. 3.

<sup>143</sup> Buechner, *Avenger*, p. 75.

<sup>144</sup> Whitaker, *Interrogation protocol* 402. Cf. *ibid.* 108. It is not clear if this deals with the same incident.

prisoners during the first 24 hours of the liberation.<sup>145</sup> Individual reprisals took yet place several days after the liberation. Thus a carbine was snatched from a soldier of the L-Company of the 157th Infantry Regiment, who was assigned to guard duty on May 2nd, by prisoners, supposedly Russians. These killed two persons, who were accused of being 55-men, with it.<sup>146</sup> And Marcus J. Smith, a military physician, observed the next day how prisoners hit 55-collaborators for hours in the presence of American soldiers.<sup>147</sup> American newspapers treated acts of revenge by prisoners briefly and altogether sympathetically.<sup>148</sup>

### Conclusions

"Stories about Dachau are so varied that no one will ever know exactly what happened on the day of liberation," so writes Howard A. Buechner.<sup>149</sup> It would be certainly presumptuous to intend to maintain the opposite. The reconstruction of a historical event can always be only an approximation of the authenticity, but especially when one deals with quickly moving events that take place on a spacious and vast terrain, with a great number of people participating, as was the case here. This, however, is no justification for inaccuracy or arbitrariness. On the contrary: There are different degrees of completeness and precision of personal recollection as well as of the historical representation. Buechner dealt both with his personal recollections and his historical sources carelessly, for whatever motives. In his book, the capture of Dachau camp by the Americans appears only as a great massacre that not a single 55-man survived. This version is untrue. Admittedly, there was the disposition among the GIs not to take prisoners. Lieutenant M. of the 157th Infantry Regiment testified to this among others, who at the same time made it clear: "However, we did take prisoners."<sup>150</sup>

The numbers mentioned in Buechner are incorrect; his description regarding the course of events is in large parts distorted and confused. A systematic execution of 55-prisoners in connection with the liberation of the camp, as described by Buechner, did not take place.

<sup>145</sup> Henke, *Amerikanische Besetzung*, p. 927. Kupfer-Koberwitz, however, reports only two acts of lynching of a Capo and a room elder (Stubenältester), and generally states: "Excesses hardly occurred [...]", Kupfer-Koberwitz, *Dachauer Tagebücher*, p. 448.

<sup>146</sup> Whitaker, *Interrogation protocol* 135-38, 749-779.

<sup>147</sup> Smith, *Dachau*, pp. 132 H.

<sup>148</sup> Weiß, *Internationale Öffentlichkeit*, p. 24, 28 and 31.

<sup>149</sup> Buechner, *Avenger*, p. 95.

<sup>150</sup> Whitaker, *Interrogation protocol* 884; according to Marcuse, *Nazi crimes*, p. 90, about 160 persons were taken prisoner.

Yet it is a fact that, as a [result of the shock among the liberators by their encounter with the train full of corpses at the entrance of the SS-domain and the conditions in the concentration camp, American soldiers shot SS-men taken prisoner. Four 55-men were shot by the commanding officer of the I-Company of the 157th Infantry Regiment together with a private at the train. In the coal yard, 16 German prisoners were also shot at the initiative of the commanding officer of the company; one was killed by prisoners working in the power station, most likely with the acquiescence of the present Americans. During the seizure of the concentration camp, the entire company of guard tower B, comprising 17 men, was killed in two evidently successive actions, shortly apart, after they had surrendered. A group of prisoners who had climbed over the camp fence participated in this action in a way that cannot be precisely ascertained. Another 55-man was shot by an GI in the area of the *Jourhaus*, according to the testimony of the Chaplain Loy. The number of SS-men, confirmed to some extent, who were killed by Americans contrary to international law during the liberation of the concentration camp amounts, therefore, to 39. Possibly the 17-year-old recruit, whose killing is reported by Carel Steensma, is to be added. He could have, however, been included among the guard tower B company. The question of whether the shot SS-lieutenant, about whom Pat O'Leary reports, is the *Untersturmführer* Heinrich Wicker cannot be definitely clarified. It is possible that additional shootings of captured SS-men took place, however there are no clues to an especially high number of unrecorded cases; thus the total number could hardly have been greater than 50.

Though there were considerations among officers on the spot to cover up the events by removal of the corpses,<sup>153</sup> it evidently did not happen. This is demonstrated by the testimony of Johann Steinbock about the dead at the guard tower B, and from the concurrence of various testimonies, and Whitaker's findings regarding the coal yard on May 2nd.

It is to be recorded that the killings by US-soldiers involved excesses of individuals of small groups that did not result from orders of superiors. The shootings at the coal yard were stopped by Col. Sparks. Already on May 2nd, an official inquiry of the events in Dachau was initiated by the Inspector General of the Seventh Army and his deputy, respectively. On June 8th, Whitaker's report, derived from extensive and thorough investigations, was on hand. The Assistant Inspector General recommended the court martial proceedings for murder against the commanding officer of I-Company, Lieutenant Bushyhead, the Private P. on account of the shootings at the railroad train and in the coal yard and against Sergeant W. because of the

151 Henke, *Amerikanische Besetzung*, p. 920 H.

shooting of the guard detail of guard tower B. He recommended proceedings against Lieutenant O., who had ordered the placement of the machine gun in the coal yard, without participation in the subsequent events, and, for dereliction of duty, against military doctor Howard Buechner, who failed to provide medical help for the wounded he discovered there. The superior of the soldier, with whose gun prisoners shot two alleged SS-men, was to be reprimanded for failure to initiate an official inquiry.<sup>152</sup> A comment of the Headquarters of the Seventh Army under General Alexander Patch indicates, however, that higher echelons were striving to play down the charges. Only the conclusions about the shootings directly at the train were approved. The events in the coal yard and at the guard tower B were interpreted as the prevention of an attempted escape of the prisoners or as a combat action, respectively, i.e. the general accepted the interpretations of the principal accused. The head of the investigation was criticized for having conducted a biased inquiry, and that he lacked comprehension of small unit combat action and of the unbalancing effects of the horrors and shock of Dachau on combat troops already fatigued with more than 30 days continuous combat action.

A new investigation was recommended in the statement.<sup>153</sup> It is evidently false, as presented by Buechner,<sup>154</sup> that General Patton, the Military Governor of Bavaria, had personally burned the records of the investigation. The available documents are, however, derived exclusively from departments of the Seventh Army. Buechner possibly mixes up the investigation of the shootings with proceedings that General Linden tried to initiate against Sparks regarding their dash at the camp gate.<sup>155</sup> That Whitaker did not raise any accusations against Sparks supports this assumption. However, it is a fact that no American proceedings regarding the killings in Dachau ever took place.<sup>156</sup>

The shootings of prisoners during the capture of the Dachau camp undoubtedly cast a shadow on the US-Army. These deeds did nothing to contribute to the liberation of the concentration camp. They violated inter-

152 Report Whitaker *from* Jun. 8, 1945.

153 Headquarters Seventh Army, Memorandum *from* June 18, 1945. Investigation material.

154 Buechner, *Avenger*, p. 119.

155 Cf. Spark's own description in Buechner, *Avenger*, p. 67 ff. and Carlo D'Este, *A Genius for War. A Life of General George S. Patton*, London 1945, p. 741 H. Here there is only a general reference of proceedings against Sparks and some of his soldiers, that was oppressed by Patton in recognition of Spark's soldierly qualities. The disputes between Sparks and General Linden are given as background, the shootings are not mentioned.

156 Henke, *Amerikanische Besetzung*, p. 925, Fn. 762.

national norms and just as well American laws.<sup>157</sup> The officers and soldiers who participated in the shootings forgot themselves and acted as judges and avengers. Overwhelmed by the sudden confrontation with a hitherto unimaginable horror, they saw the SS-uniform as proof of guilt.

A special tragedy of the event — and simultaneously a sad lesson about the inappropriateness of self-administered justice — is due to the fact that the camp-55 had left already when the Americans arrived and had been replaced by other units. These also would probably have left, had not the delegate of the Red Cross, Maurer, persuaded the acting camp commandant Wicker to remain.

The reactions of the prisoners, as well of the Americans, to the shootings were quite disparate. Only a minority of both groups allowed their lust for revenge to provoke them to violence. Many observers were shocked and depressed by the events. Lieutenant D., one of the witnesses interrogated by Whitaker, expressed it thus: “You would not have to come here to do that. That is not the American way of fighting.”<sup>158</sup>

157 Contrariwise, the Third Reich issued orders for the systematic killings of prisoners of war when the Soviet Union was attacked. One of the execution sites was the SS-shooting range of the Dachau Garrison in the vicinity of Hebertshausen, where about 4000 Soviet prisoners of war were shot. Cf. also Reinhard Otto: “Vernichten oder Ausnutzen?” Aussonderung und Arbeitseinsatz sowjetischer Kriegsgefangener im Reichsgebiet in den Jahren 1941/42. Diss. phil., Paderborn 1996.

158 Whitaker, Interrogation protocol 299.

Florian Freund

## The Mauthausen Trial

### About the American Military Trial in Dachau in the Spring of 1946

#### *Introduction*

Although research about the complexity of KZ Mauthausen-Gusen depended significantly on the files of the Allied, German and Austrian courts during the last years, the trials themselves were, until now, never a research subject.<sup>1</sup> This, in general, may be due to the meager research into the history of Concentration Camp Mauthausen-Gusen, which then indicated a need to reconstruct the history of the Camp system that would not only encompass the dual camp Mauthausen-Gusen, but also its 40 sub-camps. The trials had been held in Germany and in Austria and records for research are no longer easily accessible. Also it is no longer possible through the court proceedings to give an overview about all the criminal matters that took place in Mauthausen/Gusen.<sup>2</sup> In what follows I limit myself to the most important aspects of the trial that was held in Dachau by the American Military Court known as “USA versus Altfuldisch et. al.”,<sup>3</sup> which went under the name of “The Mauthausen Concentration Camp Case” or as “Parent-Mauthausen-Case” and was given file number “Case No. 000. so. S”.<sup>4</sup> This trial took place in

- 1 Florian Freund, About the condition of the research on the sub-Camps of Mauthausen, in: *Nouvelles recherches sur l'univers concentrationnaire et d'extermination Nazi* (Textes réunis et publiés sous la direction de Jacques Bariety). *Revue d'Allemagne et des pays de langue allemande*, tome 17, numero 2, Avril-Juin 1995, pp. 275-282; Bertrand Perz, Das Konzentrationslager Mauthausen in der historischen Forschung, in: *Nouvelles recherches sur l'univers concentrationnaire et d'extermination Nazi* (= Textes réunis et publiés sous la direction de Jacques Bariety). *Revue d'Allemagne pays de langue allemande*, tome 27, numero 2, Avril-Juin 1995, pp. 265-274.
- 2 This article was made possible through a Melzer-Fellowship at the U.S. Holocaust Memorial Museum during the summer of 1997.
- 3 Hans Altfuldisch had been the 2nd Commander of the Protective Detention Camp and was the first accused based on alphabetical order.
- 4 The files of the Mauthausen-Main-Case as well as the other trials are in the National archives in Washington, NARA RG 338.