NUREMBERG
THE PHOTOGRAPHIC PROOF

DAVID WINGEATE PIKE

World Association of International Studies
COVER PHOTO

The Nuremberg Tribunal.

Seated in the front row from left to right: Reichsmarschall Hermann Göring, Reichsführer Rudolf Hess, Foreign Minister Joachim von Ribbentrop, Generalfeldmarschall Wilhelm Keitel, SS-Obergruppenführer Dr Ernst Kaltenbrunner.

In the second row, from left to right: Grossadmiral Karl Dönitz, Grossadmiral Erich Raeder, Gauleiter of Vienna Baldur von Schirach, SS-Obergruppenführer Fritz Sauckel.
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DAVID WINGEATE PIKE
The American University of Paris

World Association of International Studies
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To Those I Loved
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# Table of Contents

Preface .................................................................................................................. 9

Introduction: *Götterdämmerung* ........................................................................... 15

PART ONE: THE ANTECEDENTS
Chapter 1. The capitulation of Nazi Germany ...................................................... 18
Chapter 2. The Flensburg regime ........................................................................... 23
Chapter 3. The flight and death of Heinrich Himmler .............................................. 27

PART TWO: TWO LEADING NAZIS CONVERGE
Chapter 4. The background and role of Ernst Kaltenbrunner ............................... 31
Chapter 5. The background and role of Albert Speer .............................................. 43

PART THREE: PREPARATIONS FOR THE TRIAL
Chapter 6. The justification for holding the trial ............................................... 55
Chapter 7. The challenge to the right to hold the trial ........................................... 59
Chapter 8. The formation of the trial proceedings .............................................. 61
  - The judges
  - The prosecutors
  - The accused

PART FOUR: THE TRIAL
Chapter 9. The presentation of the photographic evidence .................................... 71
  Official Transcript of the testimony of Francesc Boix in the sessions held on
  January 28 and January 29, 1946 ........................................................................ 73
Chapter 10. Commentary on the testimony of Francesc Boix ................................. 110
Chapter 11. Proceedings against Ernst Kaltenbrunner .......................................... 120
Chapter 12. Proceedings against Albert Speer ..................................................... 134
Chapter 13. Reaction to the trial .......................................................................... 140

PART FIVE: THE STORY OF THE MAUTHAUSEN PHOTOGRAPHS ............... 143
Chapter 14. The polemic, 1941-2005: a short account (in English) ..................... 158
Chapter 15. The polemic, 1941-2005: a full account (in French) .......................... 172
Chapter 16. The polemic updated ....................................................................... 192

EPILOGUE ........................................................................................................... 204

ANNEX .............................................................................................................. 205

BIBLIOGRAPHY ............................................................................................... 208
The Nuremberg Trial, the first of several under that name, is very much a household word, known through videos that are constantly replayed, or through documentaries, docudramas, and fictional feature films that continue to appear.

Certain passages in the Trial stand out. The calm and steady hand of the chairman, Sir Geoffrey Lawrence. The eloquence of the American prosecutor Robert Jackson in his opening address. The scowl on the face of Göring. The brutishness of Sauckel. And the appearance in the witness box, following one another on the same day, of two survivors of SS camps. The first was a Frenchwoman, Marie-Claude Vaillant-Couturier, the witness ne plus ultra. When she appeared in the witness box, it was hard to imagine her as a prisoner of the SS. She was refined, poised, calm, resolute... and dazzling. She was young, and beautiful too, if beauty has a meaning, and her voice remained low, level and gentle, even when she spoke of horror. No one indicted the Nazis with a talent equal to hers. As she left the witness box she passed in front of Göring and his peers and looked them in the eye. And as she passed through the exit, the court sat reeling, from the blows she had dealt the Nazis and the emotion she had inspired in the crowd.

The witness who followed could not have been given a harder act to follow, but Francesc Boix, the next to speak, created his own sensation. Here was a young Spaniard of the working class, speaking in fluent if faulty French. Boix was there as a survivor of a different camp, to present to the Court sixteen photographs that had been taken by the SS and then stolen, hidden and ultimately saved by a group of Spanish prisoners among whom he had played the leading role.

The sight of these photographs, shown before a score of Nazi leaders who had struck, up to that point, a string of postures ranging from mockery to outright boredom, now ran like an electric current through the Court. The subjects of the sixteen photographs were
varied. The most striking were those that showed atrocities.\(^1\) But while these photographs had precisely the effect on the Court that the prosecutors intended, they were to make less impact when shown to the general public. The reason for that is simple. The peoples of the West had been exposed, for a full year, to the sight of photographs of Nazi atrocities. The horror of seeing bodies in piles, scattered or neatly stacked, alongside scenes of walking skeletons and other remnants of Nazi barbarism, was no longer a sensation. Tens of thousands of photographs had been taken by the Allies in the course of the liberation - if not of the seven extermination camps in Poland and Lithuania, certainly of the concentration camps in the west, notably Buchenwald, by the Americans (April 11, 1945), and Bergen-Belsen, by the British (April 15, 1945). The Allied peoples had been viewing the evidence, in magazines and news bulletins, for months.

And so the Court and the outside world passed by, without pausing to wonder. Of the tens of thousands of photographs taken by the SS of life in the camps, virtually all had been destroyed. The photographs displayed at Nuremberg concerned a single camp: Mauthausen, in Austria. The photographs of Mauthausen that survived represent more than 95 percent of all the photographs that

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\(^1\) On the afternoon of November 29, 1945, during a recess, a film titled *Nazi Concentration Camps* was shown to the audience. The film had been ordered up by General Eisenhower, Robert Jackson explained, and compiled from camera footage taken by Allied military photographers in SS camps at the moment that they were liberated. The film was produced by the eminent Hollywood film director George Stevens, who was then on army duty with the rank of lieutenant-colonel. Among the speakers was Lieutenant-Commander Jack H. Taylor USN, an American special agent who had survived torture by the Gestapo in Vienna before being sent to Mauthausen, where he was universally admired by his fellow-prisoners for his courage and decency. In the film he spoke of Mauthausen, but oddly he did not attend the Trial. He later gave evidence in the 1946 US military trial in Dachau.
still exist of an SS camp in actual operation. Boix presented to the Court no more than sixteen. The question can well be asked: why did the Court not insist on seeing more? More photos could easily have been shown. And whom would they indict?

This stupendous fact was lost on the Court at Nuremberg, where no basic questions were put or answered, and indeed the fact has rarely been understood by the public ever since. What the Court failed to see, and what many still fail to see today, is that this collection of photographs is unique. That camp, KL-Mauthausen, was special in several regards. It was the very last Lager to be liberated. It was designed by Himmler to be the camp from which no prisoner came out alive. To this end it was given the label of Stufe Drei—the only camp among the 16 Konzentrationslager to bear that title from beginning to end, while Buchenwald, for example, was given Stufe Zwei, and Dachau Stufe Eins.

Mauthausen was also the place to which eight thousand Spanish Republicans, who had been the first in Europe to fight fascism, were quietly dispatched. They had been taken captive in France in June 1940 while wearing French uniform. After a short sojourn in various Nazi stalags, they were told they were stateless, and thus denied the status of prisoners of war. Under an agreement that was never signed but silently endorsed—by Hitler, Franco and Pétain—and which served to rid all three of bodies and souls unneeded and unwanted, these men were sent ... to Mauthausen, of all camps. Among these Spaniards were two young Catalans who, with the support of other Spaniards, and the help of the bravest woman in Austria, pulled off a feat that appears in hindsight as close to a miracle. The two men, employed in the camp’s Erkennungsdienst (photographic identity service), succeeded in a task unmatched in any camp in the SS constellation, indeed in the Nazi universe: that of saving from destruction a quantity of photographs of Nazi crimes and activities that run into the thousands. Myriads of photographs exist of the scenes that confronted the Allies, showing the full horror of the

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2 By way of example, the photographs saved in Buchenwald by the French prisoner Georges Angeli (who worked in that camp’s Erkennungsdienst), put on exhibition at the Buchenwald Association in Paris, number no more than a dozen and none depicts an event of importance.

3 KL-Gross-Rosen, was also given that assignation, but only for a period.
treatment shown to the prisoners, but when it comes to photographs showing the reality of a camp in operation, almost all that we have are those of KL-M.

The Tribunal had no particular interest in Mauthausen. It was looking at all Nazi camps, including those liberated by the Red Army, insofar as the Soviet authorities wished them to question their affairs. Mauthausen became an issue to the Court because the only SS on trial at Nuremberg was an Austrian from Ried im Innkreis who had replaced Himmler at the top of the SS. Mauthausen thus becoming a point of interest to the Court, there were just two among the 22 accused who had an intimate knowledge of its particular working: Ernst Kaltenbrunner and Albert Speer.

It is for that reason that this book sets out by exploring the background of these two Nazi leaders before they appeared at Nuremberg. It then proceeds chronologically, providing the official transcript in French and English of the presentation to the Court of the sixteen photos, with a commentary on the accuracy of Boix’s presentation. It then examines the interrogation of Kaltenbrunner and Speer by the Court, the verdicts delivered and the sentences handed down. Finally, it presents the polemic that developed between the two Spanish prisoner-photographers, which ended in triumph and fame for the one and rejection and oblivion for the other.

The origin of this work, and the author’s first interest in Mauthausen and its photographs, date from 1969. While preparing Vae Victis! and in the office of his Paris publisher José Martínez, he came across the book by Antonio Vilanova, Los Olvidados, which was about to be published by the same house, Ruedo ibérico. Its large photo album included a small number of photos taken at Mauthausen. José Martínez did not discuss the provenance of his photos, and Vilanova was in Mexico. Then, years later in 1985, in Père Lachaise cemetery in Paris, the author met the Spanish photographer Antonio García. A friendship ensued, and in the 1990s he made frequent visits to Antonio in his home in Montrouge.

In the course of these visits, the author learnt from Antonio about his life, and especially about his work in the
Preface

Erkennungsdienst, the photographic section in Mauthausen. It was his talent in photography, that he learnt from his father in Catalonia, that had saved his life, for it allowed him to escape from certain death as a slave-laborer in the quarry.

With the liberation, and the return of the Spanish survivors to France, their home of exile, it was not long before political quarrels, bitter disputes, pettiness and downright meanness rolled into play. The frenzy for recognition proved too powerful. The Spanish Communist Party was determined to keep the glory to itself, and it chose its champion, as always, from the ranks of those most loyal to the Party. The result was to distort the historical record, creating heroes and branding opponents as “losers”: in this case, Antonio García, a communist who never left the Party but who damned himself in the Party’s eyes by holding to his conscience and speaking out. This book concludes with the polemic that continues to the present day, and into the future, though all the players are long since dead.

Paris: June 1, 2018

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4 Of the 7,186 Spaniards who entered Mauthausen, 2,183 survived to the day of liberation, May 5, 1945. Cf. PIKE 2000 pp. 12, 317 n. 10 and n. 11.
INTRODUCTION

Götterdämmerung

In so far as Hitler still believed, at the beginning of 1945, in the possibility of *Endsieg*, or final victory, his hopes rested primarily on two men: Dönitz and Speer. Speer, to supply him with a truly mass production of V2s, turned out by slaves in the bomb-proof factories inside the mountains. Dönitz, to mount them on his U-boats and take the war to America. Above all, the introduction into the war of new wonder-weapons, built by Speer. The failure in January 1945 of the Ardennes counter-offensive raised the question, would there be time for any of this?

If there was a date that marked the moment when Hitler realized all was lost, it was March 19, 1945, the day he issued his *Nerobefehl*. In essence, what he ordered that day is that nothing must be left behind, either on German-occupied territory or on German territory itself, that could be of any use to the enemy. The order stated: “It must not be assumed that such property, if left intact, could be later recovered in a counter-attack or in a general German recovery. It must be assumed that the enemy, before withdrawing, will leave nothing intact behind.” It is as if Hitler knew about the Morgenthau Plan, rejected by Roosevelt, to turn Germany into a purely agricultural economy, essentially into one giant cabbage patch from the North Sea to Silesia.

As for Albert Speer, he took the risk of flying in to Berlin on April 23, 1945 to see his friend the Führer for the very last time. He lessened his risk by engaging an escort: a whole squadron of fighter-planes that were desperately needed elsewhere. The meeting and the parting had none of the warmth of the previous twelve years. Speer’s very last meeting with Hitler was on April 24 at 03h. “Hitler said, ‘So you’re leaving. Good. *Auf wiedersehen.*’ No regards to my family, no wishes, no thanks. No farewell. I was dismissed.” Speer, after a private meeting with Eva Bruan in the bedroom, left at around 04h on April 24, heading for Rechlin airfield and from there by car to Hamburg. At night, to avoid strafing by RAF fighter-planes.
Meanwhile, Grossadmiral Dönitz had established his headquarters in Plön (Holstein), while Reichsführer-SS Himmler had set up his own in Lübeck. The headquarters of Generalfeldmarschall Keitel and Generaloberst Jodl were now in Fürstenberg. On April 27, 1945, they all met in Rheinsburg. On the same day, the Red Army had completed the encirclement of Berlin.

By then, Reichsmarschall Hermann Göring, from his base in Innsbruck, had sent a telegram to Hitler telling him that since he was no longer in a position to lead the Reich, he, Göring, had replaced him at the helm. Hitler at once charged him with high treason and ordered his arrest. He was held first in Obersalzberg and then moved to his castle in Mauterndorf. In his last will and testament, Hitler expelled Göring from the Party and rescinded the decree making him his successor. In appointing Dönitz in his place, Hitler was honoring the only branch of the Wehrmacht that he considered had served nobly. After the suicide of Hitler and his bride Eva Braun on April 30, Göring was freed on May 5 by a passing Luftwaffe unit, and he made his way to Radstadt where he was arrested by a unit of the US 36th Infantry Division. This move no doubt saved his life, since Bormann had ordered his execution.

Meanwhile in Flensburg, at the first meeting of the Nazi leaders, Himmler took the chair as Deputy Führer, but on April 29 a telegram arrived from Martin Bormann. Hitler had discovered that Himmler was in negotiations with Swedish diplomat Count Folke Bernadotte in Sweden. Hitler, in unbridled fury, dismissed Himmler from all posts and ordered his arrest for high treason. Not being able to reach him, he ordered the arrest of Hermann Fegelein, Himmler’s liaison officer, and had him executed in the garden outside the Bunker.

\[5\] Hitler’s choice contained some irony. The Kriegsmarine, unlike the Japanese Navy, had never once in the war come out to fight as a fleet, thus doing worse than it did in the First World War, when at least it came out once, at Jutland. Its capital ships, beginning with Graf von Spee and Bismarck, had been picked off one by one. Hitler, of course, was thinking of the fine work performed by Dönitz’s U-boats in the first half of the Battle of the Atlantic.
On the same day, April 29, Hitler signed his Last Will and Testament, naming Dönitz his successor as President and Dr Joseph Goebbels as Reichskanzler, thus reviving the titles that Hitler had held in the first year of his dictatorship before President Hindenburg died and before Hitler replaced them with the single title of Führer. Goebbels never reached Flensburg, choosing to kill himself (and all his family) on May 1. Bormann was nominated Party Minister (a new post), but he did not reach Flensburg either. He disappeared en route, and it was not until 1954 that he was declared legally dead, after it was proved that he had died on May 2 near Berlin’s Lehrter-Bahnhof. Seyss-Inquart was appointed Foreign Minister, and Karl-Otto Saur Minister of Armaments, replacing Speer.

The list that Hitler had drawn up and which was radioed to Dönitz significantly curtailed his rights to form his own Cabinet. Along with this message came one from Bormann announcing that he would be coming shortly to see Dönitz. Dönitz responded in anger to the messages: “This is utterly impossible. I absolutely will not cooperate with them.” Dönitz and Speer then agreed that Bormann and Goebbels must somehow be placed under arrest. As events quickly unfolded, this would not be necessary.


April 1945. Hitler greets his newly appointed successor, Karl Dönitz, in the Führerbunker. His uniform shows his promotion to Grossadmiral.
PART ONE

The antecedents

Chapter 1. The capitulation of Nazi Germany, in three stages.

The end of Nazi Germany came in the form of a chain of capitulations. On April 29 in Caserta, Generalfeldmarschall Albert Kesselring (Oberkommando Süd), signed the surrender of all German forces in Italy and western Austria, with effect from May 2. Next came the surrender, on May 4, 1945, with effect from May 5, of all German forces in the Netherlands, the North Sea Islands, Northwest Germany and Denmark. The surrender, on Lüneburg Heath, to Field Marshal Montgomery’s 21st British-Canadian Army Group, was signed by Generaladmiral Hans Georg von Friedeburg, on behalf of Admiral Dönitz. The articles of surrender included the 5,000 German troops in the Flensburg enclave. This was followed by two further ceremonies of capitulation. On May 7, in Reims, Jodl, on behalf of Keitel, signed the surrender of the German military, while von Friedeburg, in the name of Dönitz, signed the surrender of the Kriegsmarine and the Flensburg Government. Signing on behalf of Eisenhower, chief of SHAEF, was General Walter Bedell Smith, his chief of staff. The final surrender took place on May 8 in Karlshorst, Berlin, when Keitel and the heads of all three Wehrmacht services signed in front of representatives of the four Allied nations.

As head of Supreme Headquarters Allied Expeditionary Force (SHAEF), Dwight D. Eisenhower.

For the United Kingdom: Air Chief Marshal Sir Arthur Tedder, Deputy Supreme Commander SHAEF.

For the Soviet Union: Marshal Georgy Zhukov, Supreme Command of the Red Army.

As witness for the United States: General Carl Spaatz, Commanding United States Strategic Air Forces.
The capitulation of Nazi Germany

As witness for France, General Jean de Lattre de Tassigny, Commanding French First Army.

For Germany, Generalfeldmarschall Wilhelm Keitel as Chief of the General Staff of the German Armed Forces (Oberkommando der Wehrmacht) and as representative of the Army (Heer).

Generaladmiral Hans-Georg von Friedeburg as Commander-in-Chief of the Kriegsmarine.

Oberstgeneral Hans-Jürgen Stumpff as representative of the Luftwaffe.


The capitulation of Nazi Germany

Reims, May 7, 1945. Supreme Commander Dwight Eisenhower and Deputy Supreme Commander Sir Arthur Tedder formally announce the German surrender.


Chapter 2. The Flensburg Government

Hitler’s choice of Dönitz rather than Bormann as his successor came as a surprise to many, but there was logic to it. Soviet Bolshevism was now once again Germany’s first enemy. For the new leader, alliance with the Western Allies was vital for the inevitable and imminent war. Dönitz blamed Eisenhower for his obstinacy in demanding unconditional surrender, and had nothing kind to say about the US land forces, “rampant as they now were with Jews, red necks, and Negroes.” The US Navy, on the other hand, was something to admire, and he thought he could approach its leaders, but there was no top-level US admiral in the European theater. The Naval commander in chief of the Allied Expeditionary Force had been Sir Bertram Ramsay, RN, but he had died in a plane crash on January 2, 1945. In winning any kind of Allied sympathy, he was to be disappointed.

President Dönitz proceeded to set up his residence at the Naval Academy at Murwik overlooking the Flensburg Fjord, and on the liner Patria moored alongside. In forming the following Cabinet, free from Hitler’s dictates, he readily found a place for Speer.

- Reich President and Supreme Commander: Grossadmiral Dönitz
- Head of Government: Lutz Graf von Schwerin von Krosigk
- Minister of the Interior: SS-Obergruppenführer Wilhelm Stuckart
- Minister of Justice: Otto Georg Thierack
- Minister of the Economy, Industry and Production: Albert Speer
- Minister of Food: Herbert Bäcke
- Minister of Labor and Social Affairs: Dr Franz Seidte
- Minister of Posts and Communications: Dr Julius Heinrich Dorpmüller

All were members of the NSDAP except for von Schwerin, who succeeded Goebbels but without the title of Reichskanzler. Several
were among the most desperate in their flight from justice. Stuckart had the distinction of having attended the Wannsee Conference in January 1942, and Bäcke the equal distinction of organizing the Hunger Plan of 1941 to massacre Soviet prisoners of war and civilians by programmed starvation.

Himmler now arrived in Flensburg to offer his services to Dönitz as successor to Goebbels. Dönitz politely declined the offer. Himmler still felt very much at home. Among the 350 in the Flensburg administrative staff, no fewer than 230 were members of the SS. Understandably, under the Flensburg regime the NSDAP was neither banned nor dissolved, the Heil Hitler salute was continued, and military execution was meted out to anyone caught insulting the memory of the Führer.

On his first evening in power, the new leader gave a nationwide radio address. Though he knew German forces could not resist Allied advances, he promised his people that Germany would continue to fight. Then, from the moment of the German capitulation on May 8, the Flensburg Government no longer existed, but the Western Allied leaders showed it a curious indulgence. They felt a certain sympathy with what Dönitz most wanted. Hundreds of thousands of Wehrmacht troops in early May 1945 found themselves locked inside a giant swath of territory in south-central Europe, and Dönitz was striving to rescue as many as possible from Soviet captivity. At the same time, a large number of German troops and civilians were trapped in the Baltic region. Dönitz’s Operation Hannibal set out to transport as many of them as possible to the west. Among others sheltering in Flensburg were Alfred Rosenberg, Hans-Georg von Friedeburg and Otto Ohlendorf.

As for Speer, he tells us he was “staggered” by the revelations of the crimes in the concentration camps and wrote to Schwerin von Krosigk, head of the Flensburg cabinet: “The previous leadership of the German nation bears a collective guilt for the fate that now hangs over the German people.”6 Speer now set out to separate himself as best he could from the seamiest elements in a criminal leadership.

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It was not until May 23, fifteen days after the capitulation of Nazi Germany, that British troops, in what was now the British Zone of Germany, marched in to arrest all the members of the Flensburg Government and their Kriegsmarine elements, bringing Nazi Germany to a formal end. Admiral von Friedeburg, about to be strip-searched, committed suicide by poison.

Meanwhile, Heinrich Himmler had to worry about himself.

Karl Dönitz under British escort, followed by Alfred Jodl and Albert Speer.
Chapter 3. The flight and death of Himmler

Valepp, Bavaria, 1935. Heinrich Himmler with his wife Margarete, their daughter Gudrun (center), their adopted son Gerhard (right), and a friend of Gudrun (left).

The man who became the Reichsführer-SS, with power second only to the Führer’s, led a private life that is remarkable only for its ordinariness. Himmler had married Margarete Boden, ex-Margarete Siegroth, in 1928. Their only child, Gudrun (whom Himmler called Puppi) was born in the following year. The couple later adopted a boy, Gerhard von Ahe, who was the son of an SS officer killed in battle. While Himmler doted on his daughter, there was another love in his life. Hedwig Potthast, born in 1912, had
become his secretary in 1936 and his mistress in 1939. The couple had two children: the boy Helge, born on February 15, 1942, and Nanette Dorothea, born on July 20, 1944. His wife Margarete learned of Himmler’s relationship with Potthast in 1941, when they were already separated. She tolerated the relationship and turned to a new life, joining the German Red Cross and rising to the rank of colonel. Himmler meanwhile stayed as close to “Puppi” as his SS tasks would allow, phoning her every day. With Hedwig it was the same. Their last meeting was in mid-March 1945, after which he continued to phone her daily up until April 19. In that month Himmler briefly joined Margarete and Gudrun in their residence in Gmund, Bavaria while Hedwig and her children had settled in Achensee, Austria.

Himmler with his daughter Gudrun.

Gudrun, Himmler and Karl Wolff on a visit to Dachau concentration camp.
In Flensburg on May 5, 1945, Dönitz saw the need to remove Himmler from the territory, but he agreed to provide him and many other SS with false identities and false papers. The next day, Himmler fled with a dozen of his closest followers, including Ohlendorf. Despite his long criminal record, Ohlendorf was not among those indicted at Nuremberg but instead was among those called as a witness.\(^7\)

Himmler and Kaltenbrunner, chief and deputy-chief of the SS, had created no fewer than four escape networks, of which the most important were ODESSA, Opera San Raffaelle, and Grünes Haus. What surprises most is that neither Himmler nor Kaltenbrunner made any provision for their own escape. While so many SS leaders were to find safety in South America, some with the help of the Vatican, both Himmler and Kaltenbrunner chose not to look farther than the Alpine redoubts for the refuge they hoped to find. Both thought that it would be necessary to wait only a few months before the Western Allies would seek their services in their new war against Bolshevism.

In the case of Himmler, after considering Sweden as a country of refuge, he decided to lead his trusted dozen from Flensburg to the Bavarian Alps. With the help of Dönitz, the Reichsführer-SS now assumed the name and wore the uniform of Heinrich Hitzinger, a sergeant in the Feldgendarmerie, and in his new persona he shaved off his moustache and hid his left eye under a black patch. The new identity did not help him: the Allies classified the Feldgendarmerie as a criminal organization like the SS, and on May 22, 1945, between Hamburg and Bremerhaven, Himmler, Ohlendorf and the others in the group were put under arrest. The next day they were taken to the British Centre 031, near Lüneburg, where Himmler admitted to his identity. Despite the efforts made by his British captors to prevent him from committing suicide, Himmler at a certain moment bit on a

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\(^7\) SS-Gruppenführer Otto Ohlendorf had served from June 1941 to June 1942 as commander of Einsatzgruppe D in the Ukraine before becoming head of Amt III in the RSHA. He told the Nuremberg Tribunal that the massacre under his command of 90,000 Ukrainian men, women and children, mostly Jews, was for the SS executioners "an immense burden to bear." Sentenced to death in April 1948, he spent three and a half years in detention before being hanged, along with three other Einsatzgruppe commanders, on June 8, 1951 in Landsberg prison.
capsule of potassium cyanide. The British press at that time reported that the capsule had been fitted into a cavity in his teeth, but in a photograph released later the capsule was shown to be too big; a small file was shown beside it, suggesting a reserve dose. Himmler died within 15 minutes, leaving behind a widow, a mistress and five children. His widow, Margarete, was then arrested, and held as a material witness at the Nuremberg Tribunal.

Himmler dying after swallowing potassium cyanide.

Hedwig learned of the death of Himmler on May 23, and went into hiding. She was arrested by US forces in June 1945, and taken for interrogation in Rosenheim, Bavaria. After the release of both Hedwig and Margarete, Margarete tried to make contact with Hedwig, but Hedwig refused.  

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8 The Himmlers’ daughter Gudrun later married Wulf Dieter Burwitz with whom she had three children. While settled down as a Munich housewife, she nevertheless remained an activist in the organization known as Stille Hilfe für Kriegsgefangene und Internierte, which at one point gave help to Klaus Barbie, formerly head of the Gestapo in Lyon, and to Martin Sommer, the “Hangman of Buchenwald.” More constructively, it provided support for a Protestant old people’s home in Pullach, near Munich.
PART TWO

Two leading Nazis converge

Among the twenty-two men selected for trial in Nuremberg, one had the responsibility, as Himmler’s right-hand man, for the entirety of the SS camps. The other was responsible for arms production, and to this purpose for the use of all human resources that the Reich could assemble.

Chapter 4. Ernst Kaltenbrunner: his background and his role

Within the Nazi leadership, no man had been more feared than Reinhard Heydrich. In 1942, no sooner was he buried than Himmler and Bormann separately, the latter accompanied by Hitler, entered Heydrich’s office in order to break into the two safes behind his desk. Bormann with Hitler arrived six hours ahead of Himmler and destroyed the locks. Hitler left with his own dossier under his arm, and Bormann with two cases of documents. When Himmler arrived he had to be content with the card indexes.9

The death of Heydrich left Himmler at a total loss for a replacement. Kaltenbrunner was certainly no automatic choice. Himmler’s first choice was SS-Standartenführer Walter Schellenberg, but he was only 32 and Hitler considered him too young. It was eight months before the decision was taken.

Ernst Kaltenbrunner was born in Ried im Innkreis, near Braunau, on October 4, 1903. His father, the lawyer Dr Hugo Kaltenbrunner, moved the family to Linz, where they became friends of the family of Adolf Eichmann. Eichmann’s father was manager of an electrical firm, and Kaltenbrunner’s father was hired as its lawyer. The two sons attended the same gymnasium. After gymnasium, Ernst studied law at the University of Graz, where he received a doctorate in 1926 and was called to the bar in 1928. The

next year he became a Rechtsberater (legal consultant), becoming more noted for his giant size (6ft 7ins), and physical strength than for his knowledge of law. On October 18, 1930 he joined the Austrian Nazi Party, and on August 31, 1931, the illegal Austrian SS. In 1932 he began working in his father's law practice and by 1933 was head of the National-Socialist Lawyers' League in Linz.

In January 1934, Kaltenbrunner and 490 other National Socialists were jailed at the Kaisersteinbruch detention camp for conspiracy against the Engelbert Dollfuss government. He took the lead in a hunger strike which forced the government to release them. The same year, he married Elisabeth “Lisl” Eder, a Nazi Party member born in Wittenberg in 1908. The marriage produced three children, Hansjörg (born 1935), Gertrud (born 1937), and Barbara (born 1944).

From mid-1935 Kaltenbrunner was head of the illegal SS Abschnitt VIII in Linz, making frequent visits to the SS in Bavaria. He was sentenced to six months’ imprisonment for conspiracy and lost his license to practise law. In 1937 he was again briefly arrested. In March 1938, acting on orders from Hermann Göring, Kaltenbrunner assisted in the Anschluss with Germany, and was thereafter awarded the post of state secretary for public security in the Seyss-Inquart cabinet. From April 10, 1938 he held a seat in the Reichstag. Meanwhile he began to move through the ranks of the SS, from Brigadeführer on March 21, 1938 to Gruppenführer on September 11 of that year (and later to Obergruppenführer on June 21, 1943). In 1938 he was appointed Höherer SS- und Polizeiführer (HSSPF) for Donau, which was the primary SS command in Austria, and in the

10 Elisabeth Kaltenbrunner died in Munich in 1983.
same year he helped to establish the concentration camp at Mauthausen near Linz.

In the course of the Second World War, in January 1943, Kaltenbrunner was chosen by Himmler to replace Heydrich for the number two position as head of the RSHA, comprising the Sicherheitspolizei (SiPo, the combined forces of the Gestapo and Kripo) and the Sicherheitsdienst (SD). In his responsibility for the concentration camps, Kaltenbrunner accompanied Himmler in April 1941 on his inspection of Mauthausen and made his own inspection of the Hauptlager (with its annex Gusen) in the summer of 1943. While there, 15 prisoners were selected to provide Kaltenbrunner with an exhibition of three methods of killing; by gunshot to the neck, by hanging and by gassing. Kaltenbrunner then inspected the crematorium and the quarry.

In October 1943, he told SS-Obersturmbannführer Herbert Kappler, the head of German police and security services in Rome, that the "eradication of the Jews in Italy" was of "special interest" and necessary for “general security.” Four days later, Kappler's SS and police units began rounding up and deporting Jews by train to Auschwitz.

In 1944, Kaltenbrunner was present at the meeting in Schloss Klessheim in Salzburg when Hitler met Admiral Horthy for the purpose of forcing Hungary into full alliance. Kaltenbrunner, together with Adolf Eichmann and an Einsatzkommando unit, then escorted Horthy back to Budapest, where the rounding up and deporting of the Hungarian Jews was put into motion.

Immediately in the wake of the July 20 plot on Hitler’s life, Himmler summoned Kaltenbrunner, in his RSHA headquarters in Berlin, to report to the Wolfsschanze to begin the investigation into

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11 Kaltenbrunner’s lowly subordinate, SS-Obersturmbannführer Adolf Eichmann, was the executive-designate, rather than the architect, of the Endlösung programme decided at Wannsee in January 1942. Eichmann was appointed head of the section of the RSHA known as Sipo IV B 4, with IV being the Gestapo, B being Repression, and 4 being the Jews. Eichmann, resident in Linz (he lived at 32 Landstrasse, on the first floor), had married the Czech Catholic Veronika Liebl. The Catholic connection would prove most useful.
those responsible for the attack.\textsuperscript{12} Some five thousand military and civil personnel were rounded up and executed, notably in Plötzensee prison in Berlin, where they were hanged naked with piano wire suspended from butcher’s hooks, and allowed to drip to death.\textsuperscript{13} Many more thousands were sent off to concentration camps. Interrogation reports were regularly sent by Kaltenbrunner to Martin Bormann (who was constantly at Hitler's side). The police work on this case continued until the very end of the war, with judge Roland Freisler of the Volksgericht presiding over the cases.

As head of the RSHA, Kaltenbrunner also saw to it that many members of the conspirators' families were also executed under the program known as the \textit{Sippenhaft} treatment.

In December 1944, Kaltenbrunner was granted the rank of General of the Waffen-SS. Other Allgemeine-SS officers in 1944 were granted similar Waffen-SS ranks, so that in the event of being captured by the Allies they could claim the status of military officers instead of police officials. Kaltenbrunner was thus listed on the SS rolls in 1945 as SS-Obergruppenführer und General der Polizei und Waffen-SS. On November 15, 1944 he was awarded the Knights Cross of the War Merit Cross with Swords, and in addition, the NSDAP Golden Party Badge and the \textit{Blutorden} (Blood Order).

In his authority as head of the RSHA, Kaltenbrunner issued a decree on February 6, 1945 that allowed policemen to shoot citizens at their own discretion and without judicial review. In the same month, the failure of the counter-offensive led by General Walther Wenck (commanding 12\textsuperscript{th} Army) diminished to some extent Himmler’s standing with Hitler while increasing that of

\textsuperscript{12} Kaltenbrunner delivered his report to Hitler on November 29, 1944.

\textsuperscript{13} The event was filmed, on Hitler’s orders, with only two copies made. One was sent to Tojo in Japan, the other retained in the Bunker. This copy was destroyed when the SS demolished the Bunker, but the Japanese copy remains intact.
Kaltenbrunner, who could now report directly to Hitler. The change also led to a closer bond between Kaltenbrunner and Bormann.

On March 12, 1945, on Himmler’s instructions, Kaltenbrunner met in Feldkirch near the Liechtenstein frontier with Professor Carl Jacob Burckhardt, president of the International Committee of the Red Cross (ICRC). Himmler’s interest was in exploring the possibility of a separate peace with the Western allies. Burckhart’s interest was in persuading Himmler not to order any further executions. In the same month in which Vienna was falling to the Red Army, Kaltenbrunner sent SS-Sturmbannführer Wilhelm Höttl, Acting Head of Intelligence and Counter-Espionage for Central and Southeast Europe, to Berne to negotiate with Allen Dulles, the head of the Office of Special Services (OSS), with the same mission of seeking a separate peace.

These were the first steps in Himmler’s effort to find the best possible ending to the war, and any step required making concessions to the ICRC. Meanwhile, unknown to Himmler, SS-Obergruppenführer Karl Wolff took the initiative of negotiating with the Allies for the capitulation of the entire southern front, under the name of Operation Sunrise. It was symbolic of the way that the Nazi leaders were acting in secret and falling into discord. Kaltenbrunner fell from grace but soon recovered when on April 18, 1945 Hitler named him commander-in-chief of all German forces in Southern Europe (merging the two commands (Südwest and Südest) and thus replacing Wolff. Kaltenbrunner reorganized his intelligence agencies as a stay-behind underground network. He divided the sub-commands between Otto Skorzeny, head of the sabotage units, and Wilhelm Waneck, RSHA foreign intelligence chief, who kept in contact not only with Kaltenbrunner and other

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14 Relations between Himmler and his chief of staff Wolff had not been cordial since March 1943, when Wolff divorced his wife and remarried. To Himmler such conduct was totally immoral, and Himmler dismissed him the following month. Wolff was not replaced until January 1944, when Himmler chose Hermann Fegelein as his new Chief of Staff, whose functions were primarily as intermediary to the Führer. Nevertheless, Wolff recovered when Hitler appointed him Supreme Commander of SS and Police (SSPHS) in Italy, and until April 18, 1945 Wolff was serving as acting supreme military commander in Italy.
centers in Germany but also with stay-behind agents in the southern European capitals.

Hitler marked his last birthday on April 20, 1945, in almost his last public appearance, by standing outside his bunker in Berlin and pinning medals for bravery on boys from Hitlerjugend. Kaltenbrunner was present at the ceremony, joining Göring, Himmler, Goebbels, Keitel, Dönitz, Speer and their chiefs of staff. It was to be their last meeting, except for some who would meet again in Nuremberg.

Choosing not to stay with Hitler in Berlin, Kaltenbrunner fled to the Alpine redoubt of Altaussee, where he had often vacationed and where he had many links. His wife Lisl and their three young children were already installed in the region. So too, but strictly apart, was his mistress Gisela Gräfin von Westarp née Wolff.15

Altaussee had taken on the look of an SS fortress. Kaltenbrunner was soon joined there by Franz Stangl (former

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15 Gisela was born in Wittenberg in 1920, the daughter of Albrecht Berengar Graf von Westarp and Constance von Gontard. She had been working at Himmler's Berlin headquarters when she and Kaltenbrunner first met in 1943.
commandant of Sobibor and Treblinka)\textsuperscript{16} and Wilhelm Höttl (acting head of Intelligence and Counter Espionage in Central and South East Europe).\textsuperscript{17} Then came Adolf Eichmann, with his wife and their three young children, but it was allegedly Kaltenbrunner who ordered Eichmann to leave the group because his very presence was a danger to all.

Earlier, a treasury of artworks that had been stolen by the Nazis from museums and private collections in Germany and all across German-occupied Europe, and was intended for Hitler’s Führermuseum in Linz, had been deposited in one or more of the salt-mines that dot the region extending from Attersee through St. Wolfgang and Bad Ischl to Bad Aussee. Special attention was directed to the salt mines near Lake Toplitz and to the lake itself.

The artworks found in that area by US troops numbered some 6,500, not counting a large number of statues. Kaltenbrunner later made the claim that Hitler ordered the destruction of all the artworks and that only Kaltenbrunner’s action prevented it from being carried out. This narrative was presented later by his nephew Michl Kaltenbrunner, endorsing the claims made by the Austrian journalist Konrad Kramar in his book \textit{Mission Michelangelo}. According to this account, Gauleiter August Eigruber, Gauleiter of Oberdonau,\textsuperscript{18} was determined to carry out what he had determined was Hitler’s desire – to prevent the artworks from falling into the hands of "Bolsheviks and Jews." Working with Dr. Emmerin Pöchmüller, the mine overseer, Kaltenbrunner countermanded the order and had the explosives removed. Thus, such world treasures as Michelangelo's \textit{Madonna} of Bruges, stolen from the \textit{Church of Our Lady} in Bruges,

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\textsuperscript{16} An Austrian born in Altmünster, Stangl was handed over by the Allies to Austrian authorities. After walking out of Linz prison in 1947, he escaped via Rome to Syria, thence in 1951 with his family to Brazil. It was only in 1967 that Austria called for and obtained his extradition. He was sentenced on October 22, 1970 to life imprisonment, and died on June 28, 1971.

\textsuperscript{17} An Austrian born in Vienna, holder of a doctorate in history from the University of Vienna, Höttl surrendered in Bad Aussee in May 1945 to the US authorities who held him until December 1947 when they enlisted him in the US Counter Intelligence Corps. He died in Altaussee on June 27, 1999.

\textsuperscript{18} His personal friendship with Hitler (and with Kaltenbrunner) explains his appointment as Gauleiter, two days before the Anschluss. It was in Eigruber's apartment in Linz that Hitler stayed on March 24, 1938 in his journey from Braunau, his birthplace, to Vienna.
and Jan van Eyck's Ghent Altarpiece, stolen from St. Bavo Cathedral in Ghent, were saved.

The Nazi escape route from Enns to the fortress-redoubt of Altausee
As for his personal escape, Kaltenbrunner had made no more provision than had Himmler. The circumstances of his arrest, given the charges against him, are remarkable. The Allied authorities up to the end of the war knew little about him. His name had rarely appeared in public print, and the official Reich photographer, Heinrich Hoffmann, was unable to find in his extensive collection any picture of Heydrich’s successor as head of the RSHA, despite the fact that Kaltenbrunner, and not Himmler, had been given the task of investigating the July 1944 bomb plot, and despite the fact that towards the end he was spending several hours daily with the Führer, whom he had known since their boyhood days in Austria.

On May 5, 1945, a platoon-size team of the US Counter Intelligence Corps, attached to the 319th Regiment of the US 80th Division and headed by Captain Robert E. Matteson, was dispatched with the mission of finding Kaltenbrunner. The search was not easy.

Matteson discovered at Gmunden that Kaltenbrunner, together with August Eigruber and Reichsleiter Robert Ley, head of the German Labor Front, had passed through the previous week, bound for Salzkammergut, in the heart of the Alpine redoubt.

The road along the shore of Traunsee brought the team to the huge Nebenlager Ebensee, whose prisoner population was as large as that of Hauptlager Mauthausen. Captain Matteson describes in his report his entry into the camp and his trauma at seeing the skeletons, the dead strewn out and others still walking, but he makes no mention at all about the control of the camp or any sight of the SS, alive or dead. Matteson continued on to Bad Ischl, home of Franz Lehar and once the summer residence of Emperor Franz Josef I.

The team continued on to Bad Aussee, and then up to Altaussee, the last village in the ascent up to the Totes Gebirge. With a population of 4,000, it contained the summer homes of three of Austria’s four Gauleiters: Eigruber, Jury and Henlein. While the team spent another three days searching for traces of
Kaltenbrunner’s movements,\textsuperscript{19} they located and arrested many lesser Nazis who had fled to the region to prepare their anti-Nazi alibis.

In Altaussee the team found Countess Gisela von Westarp, Kaltenbrunner’s mistress. The report described her as an attractive, blue-eyed blonde of twenty-two, vivacious and extremely intelligent. On March 12, 1945 she had borne him twins, Wolfgang and Ursula, in a local cowshed. Gisela proudly announced that one of the twins’ godfathers was Dr. Karl Brandt, Hitler’s personal physician.

With Gisela’s help the team found Iris Scheidler, the wife of Arthur Scheidler, formerly adjutant to Heydrich and now to Kaltenbrunner. Iris was a young and attractive brunette who, like Gisela, was inside the Hitler inner circle. Another whom the team found in Alt Aussee was SS-Brigadeführer Franz Josef Huber, the head of the Gestapo in Vienna, who was hiding in the hospital. Huber was duly arrested.\textsuperscript{20}

On May 11, Captain Matteson received his first solid piece of information as to the location of Kaltenbrunner’s hide-out. With Scheidler and two SS guards Kaltenbrunner had been seen five days earlier in a cabin called Wildensee Hütte atop the Totes Gebirge.

The team continued the pursuit, climbing the desolate Totes Gebirge to reach, on May 15, the cabin Wildensee Hütte. After a certain drama, four men came out of the cabin with their hands over their heads. Two of them admitted they were SS guards. The other two were Kaltenbrunner and his adjutant Arthur Scheidler, who refused to admit their identities. Kaltenbrunner, standing rigidly to attention, presented false papers showing that he was a doctor discharged from the Wehrmacht and held up a medical kit as proof. Inside the cabin the team found the identification discs of both, together with luxury food and drink and a large amount of counterfeit US and British currency. The four SS were escorted

\textsuperscript{19} In 2001, a Dutch citizen on vacation discovered, in an Alpine lake in Styria, Kaltenbrunner’s personal Nazi security seal, 56 years after he had thrown it away. Engraved on it are the words “Chef der Sicherheitspolizei und des SD.”

\textsuperscript{20} Huber went on trial in 1949, but astonishingly he was not imprisoned. He died in Munich on January 30, 1975.
down to Altaussee, the two officers still holding to their story, until Gisela and Scheidler's wife Iris ran up to embrace their respective men. Kaltenbrunner and Scheidler were thus exposed. In his subsequent interrogation at Third Army headquarters, Kaltenbrunner claimed that with Hitler's consent he had begun in 1945 “to counteract Ribbentrop's pernicious influence and to seek a political way out.” In his hope of exculpating himself, he wrote a letter to his wife Lisl which was clearly designed to catch the censor's eyes: “My own destiny lies in the hands of God. I am glad that I never separated from Him.... I cannot believe that I shall be held responsible for the mistakes of our leaders, for in the short time of my activity I have striven hard for a reasonable attitude, both internal and external.... They ought to have paid more attention to my words.... We have no property worth mentioning. Perhaps the only resource for you will be my small stamp collection.... Was it not my duty to open the door to socialism and freedom as we imagined them and yearned for them?... I have not given up hope that the truth will be revealed and the verdict just.”21 The head of the RSHA had restyled himself as an Austrian Catholic gentleman.

After passing through the prisons of Nordhausen and Bad Mondorf, Kaltenbrunner was sent in July to British Interrogation Centre 020 at Latchmere House to the southeast of London. According to an American intelligence officer working on the case, the British gave him third-degree treatment. Kaltenbrunner responded more defiantly than ever, denying that he had held any position of responsibility in the Nazi system, that he had ever been near a concentration camp, or had any connection with Nazi crimes. As a result, Kaltenbrunner became the only one of the 21 major defendants at Nuremberg to be transported there in handcuffs. On his arrival in Nuremberg, on the eve of the opening of the Trial, he was stricken with a cerebral haemorrhage, and it took him three weeks to recover. Before he made his first appearance in court,

21 “The last days of Ernst Kaltenbrunner.” This anonymous and unpaginated document was presumably drawn up by Captain Matteson. The account is told in the first person, and states that the author was accompanied by Sydney Bruskin of New Haven, Connecticut, working as his interpreter. The document was passed to the CIA and released on September 22, 1993.
Kaltenbrunner was interviewed by Peter Calvocoressi. Interviewed by the present author, Calvocoressi described his experience: “Our interview was not in his cell, but in a room placed at my disposal. Kaltenbrunner was very ugly, repulsive even, with his facial scars. He would talk, but he wouldn't discuss. His tone was flat, his discourse banal.” The British prosecutor Major Airey Neave also visited him and left the giant sobbing on his cot: “I want my family!”

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22 Calvocoressi, interview, Bath, July 22, 1996. Calvocoressi, who had served in the war in RAF Intelligence, was sent to Nuremberg not as a prosecutor but as an intelligence officer, on behalf of the Joint Intelligence Committee of the Allied Chiefs of Staff, headquartered in Washington, DC. His mission was to find out if the Nazi leaders had acquired any knowledge of Ultra, the Allied fear now being that the great secret could become known to the Soviets. Calvocoressi concluded, from his questioning of Kaltenbrunner, as head of the RSHA, that the Germans had reached the end of the war without learning of the secret.

23 Calvocoressi, interview.

24 PERSICO 1995 p. 84.
Chapter 5. Albert Speer: his background and his role

Among the 22 men on trial in Nuremberg, two apart from Kaltenbrunner were directly linked to the SS concentration camps. These two men were responsible for the supply and use of the hundreds of thousands of men and women assigned to slave labor. One of these was the coarse and savage Sauckel, who served as slave trader. The other was the suave and refined Speer, who served as slave-driver.

Berthold Albert Speer was born in Mannheim on March 19, 1905 into an upper-middle-class family. In 1918, the family moved permanently into their summer home, Villa Speer, on the grounds of Schloss-Wolfsbrunnenweg, Heidelberg.

At school Speer was active in sports. His school in Heidelberg offered rugby, in no way a mainstream sport in Germany, and Speer took to it. In choosing his career he decided to follow his father and grandfather, both of whom were architects, and his studies took him to the University of Karlsruhe, then to Technical University Munich and then to Technical University Berlin. In 1922 he met Margarete Weber, of the same young age as he, and in 1928 they married. The Weber family was prosperous but middle class, and Speer’s mother frowned on the marriage, spurning Margarete for six years, while it was she who provided Speer with a warmth he had not known within his own family.

Speer was to prove untruthful in speaking of himself. He would deny that he followed any political ideology in his youth, but in fact he joined the Nazi Party in March 1931. In a visit to Berlin in 1932, Speer’s friend Karl Hanke, a Nazi Party official, recommended him to Dr Joseph Goebbels to help renovate the Party’s Berlin headquarters. Speer undertook this, and he was then asked to submit
designs for the 1933 Nuremberg rally. This brought Speer into his first meeting with Hitler, which took place in Speer’s Munich apartment. Then, at a lunch together, Hitler spoke to Speer of his architectural dreams for the new Germany. Speer quickly became part of Hitler's inner circle, and was regularly invited to join the Führer in a walk or to meet for dinner.

The two men found much in common. Hitler spoke of Speer as a "kindred spirit," while the young, ambitious architect was dazzled by his sudden fame. Hitler instructed him to design structures, beginning with the new Reich Chancellery. This was completed by early January 1939. During the war, Allied air attacks and finally the Battle of Berlin were to destroy all but its outer walls, and these remnants were eventually dismantled by the Soviets.

Speer’s close relationship to the Führer guaranteed him a flood of commissions from the highest ranks of government and Party. Among these commissions was the Zeppelinfeld stadium—the vast Nuremberg parade ground able to hold 340,000 people and shown in full glory in Leni Riefenstahl's propaganda masterpiece Triumph of the Will. Speer insisted that as many events as possible be held at night, in order to heighten the effect of the lighting that required 130 anti-aircraft searchlights. Among the smaller commissions was the transformation of the German Embassy in London, at 6-9 Carlton House Terrace. The staircase that Speer redesigned was made from marble donated by Mussolini.

In 1937, Speer was given the rank of undersecretary of state in the Reich government, making him answerable to Hitler alone. He was now given the task of drawing up plans to rebuild Berlin. The plans centered on a north-south boulevard three miles long. Its northern end would house the Volkshalle, a huge assembly hall with a dome 210 meters high, with floor space for 180,000 people. Its southern end would hold a triumphal arch 120 meters high, high enough to fit the Arc de Triomphe inside its opening. These plans were interrupted by the war and later abandoned.
Speer went on to design the Olympic Stadium for the 1936 Summer Olympics and the German Pavilion for the 1937 international exposition in Paris.

Marble gallery of the new Reich Chancellery.
War came, and Speer expressed no objection whatever to the invasion of Poland or to Hitler's desire for world conquest. In 1940, Joseph Stalin, who had been deeply impressed by Speer's construction in Paris, proposed that Speer pay a visit to Moscow. Hitler refused to allow it, in spite of his alliance with Stalin.

When Germany invaded the Soviet Union in 1941, and failed to take Moscow by the end of the year, Speer felt a certain unease about his future as an architect, but an incident arose that altered his life. On February 8, 1942, Minister of Armaments Fritz Todt died in a plane crash shortly after taking off from Hitler's eastern headquarters at Rastenburg. On the same day, Hitler appointed Speer as Todt's successor in all his posts.

Speer went straight to Hitler and persuaded him that the war economy needed a centralization of power. That meant putting an end to the grip of the Reichsleiters with their national posts and Gauleiters running their regions. A central planning committee was thus set up with Speer at its head. Factories were given autonomy, and each factory concentrated on a single product. Experts rather than civil servants were put in charge. No department head could be older than 55—anyone older was deemed susceptible to "routine and arrogance"—and no deputy older than 40. Goebbels would note in his diary in June 1943, "Speer is still tops with the Führer. He is truly a genius with organization." By October 1943, when both Himmler and Speer were speakers at a meeting in Posen of Nazi party officials, Speer had wrested aircraft production from Göring and become the actual minister of the economy, with 12 million Germans and foreigners (slaves and volunteers) working under him.

In his desire to make the best possible use of German and foreign slave labor, Speer sought the appointment of Karl Hanke as its head. Hitler, under the influence of Martin Bormann, instead chose Fritz Sauckel. Rather than increasing female labor, as Speer favored, Sauckel gave priority to importing...
more slave labor from the conquered territories. More and more of the German factories were now built underground, and in 1943 aircraft production increased by 80 percent and tank production more than doubled, while production time for U-boats was reduced from one year to two months. Production would continue to increase until the second half of 1944.

German Minister of Armaments Albert Speer, Generalfeldmarschall Erhard Milch, and aircraft designer Willy Messerschmitt.

Speer receiving a reward from Hitler for his work at the Armaments Ministry.
German reverses in the field were met by ever increasing efforts in arms production. The Jägerstab was given extraordinary powers over labour and transportation resources, to the detriment of housing repairs for bombed-out civilians and even restoration of vital city services. On August 1, 1944, Speer reorganised the Jägerstab into the Rüstungsstab, allowing him for the first time to place all arms manufacturing projects for all three branches of the Wehrmacht under the authority of his ministry, further marginalising the Reich Ministry of Aviation and giving special priority to the production of the Heinkel-162, the Volksjäger ("people's fighter"), and the production of V1s and V2s. By November 1944, 1.8 million square meters of underground space were ready for the placement of machines. It was only at that point that Germany’s weapons production began to collapse.

The nearer the end, the greater the desperation. In this race against time, the human cost was never a consideration. Speer never slackened in the efforts he made. He did not tour the concentration camps as Himmler and Kaltenbrunner did. Instead he made only two visits, and to a single camp. That camp was Mauthausen and its annex Gusen. Years later, once again in freedom, he wrote about his experience.

Hitler’s Minister of Armaments was able to visit Mauthausen both times without noticing the camp’s mephitic odour. The sweet and sickening smell of burning human flesh did not spoil his visits, neither on March 31, 1943 nor on July 6, 1944. On the contrary, wrote Speer in his memoirs, the camp produced on him “an almost romantic impression.” Everything was clean, neat and orderly. As for cachexia, he saw no evidence of it: “I saw no emaciated inmates. They were probably at the infamous stone quarry at the time.” Nor was the Reichsführer-SS and his deputy any better informed than he, continues Speer in his memoirs, despite their visits to Mauthausen,

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25 BERNADAC 1976 pp. 326, 341, refers to a visit to Mauthausen and Gusen, by both Speer and Baldur von Schirach, Gauleiter of Niederdonau (Vienna), on February 15, 1943.
because “the camp directors disguised the true situation even from Himmler and Kaltenbrunner.”

In February 1945 the Red Army had overrun the Silesian industrial region, including the coal mines that supplied 60 percent of the Reich's coal. Speer warned Hitler that without Silesian coal Germany could not continue. Hitler responded on March 19, 1945 with his Nero Decree, ordering a scorched earth policy not only in the occupied territories but in Germany too. While Speer continued to promise Hitler his undying loyalty, their viewpoints now differed. While Hitler felt no sympathy for a people that had betrayed his trust and did not deserve to survive, Speer wanted to see Germany recover.

In April 1945, Speer was near Hamburg when he decided to make a final, risky visit to see Hitler in the Führerbunker in Berlin. Speer left the following morning, returning to Hamburg. There he discovered that he was to be replaced in the new government by his own subordinate, Karl-Otto Saur. Speer made his way to Flensburg, aware of his loss of status and aware that the Allies were targeting certain Nazi leaders for war-crimes trials. He—like many other Nazi Party members and SS officers—concluded that he could expect no mercy once captured. Unlike others, he did not commit suicide.

When taken into British custody, he was escorted to several internment centers and finally to Schloss Glücksburg (Schleswig-Holstein), where he was told, in September 1945, that he would be tried for war crimes. It was in Schloss Glücksburg that he was visited by Paul Nitze, a former investment banker now the vice chairman of the United States Strategic Bombing Survey. For Nitze it was imperative to get to Speer before he went on trial. With the war in Europe at its end, the US Government was hoping that strategic bombing in Japan could end the war in the Pacific. In order to achieve that, US officials hoped to learn more about how Germany had maintained its war machine while undergoing heavy bombing.

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26 SPEER 1981 pp. 41-42.
Nitze arrived at Schloss Glücksburg in the company of the economist John Kenneth Galbraith, who was also working for the Strategic Bombing Survey, and a team of interpreters and assistants. They interrogated Speer for seven straight days, during which he talked freely with the Americans, taking them through what he termed “bombing high school.” Each morning Speer, dressed in a suit, would pleasantly answer questions with what struck his questioners as remarkable candor, to such a point that Nitze and his associates dared not ask what Speer knew of the Holocaust, out of fear that his mood might change. Speer knew his best chance to survive was to cooperate and seem indispensable to the Americans, and his cooperation had a strange effect on his interrogators. One of them said that he “evoked in us a sympathy of which we were all secretly ashamed.”

Speer showed an unparalleled understanding of the Nazi war machine. He told Nitze how he had reduced the influence of the military and the Nazi Party in decision-making, and how he had adopted Henry Ford’s production principles to run the factories more efficiently. He told his interrogators why certain British and American air attacks had failed and why others had been effective. He explained how he had traveled around Germany to urge his workers on in speeches he now termed “delusional,” because he knew by then that the war was lost.

He also knew, in looking back, that he had directed a veritable armaments miracle, doubling Hitler’s production orders even under relentless air attacks and in so doing, prolonging the war by months. This he achieved through administrative genius and by the exploitation of millions of slave laborers who were starved and worked to exhaustion.
Göring, Hitler, Raeder, Speer.

Himmler, Speer, Heydrich, Wolff.
Early 1943. Hitler with Keitel and Jodl (left) and Speer (right) inspecting new weapons.

Atlantic Wall, 1943. To the left of Albert Speer, Franz Xaver Dorsch, chief engineer of the Todt Organisation.
Speer speaking with Generalleutnant der Flieger Adolf Galland.

The only known photograph of Speer (fourth from right) visiting the only concentration camp he visited: Mauthausen, in 1943. In the center: Gauleiter August Eigruber.
Above. An underground factory in the Bergwerk Seegrotte (Hinterbrühl bei Mödling), producing the world’s first single-engine jet fighter, Heinkel He-162. Photographer unknown, by courtesy of Hans H. Rau, Vienna.

Below. An underground factory. Site unknown.
Chapter 6. The justification

Of the eight top leaders of the Nazi Party alive on April 1, 1945 (Hitler, Göring, Hess, Bormann, Himmler, Goebbels, von Ribbentrop, and Kaltenbrunner), two (Hitler and Goebbels) committed suicide rather than live in a defeated Germany (or anywhere else). Another (Hess) had been in British captivity since 1941. Another (Himmler) hoped to reach and survive in an Alpine hideout but was arrested and committed suicide rather than face captivity and trial. Another (Bormann) disappeared and his body was never found. Göring, von Ribbentrop and Kaltenbrunner were taken prisoner without resistance.

At its outset, the Nuremberg Tribunal established a system of judgment on the basis of four counts, of which the most salient was crimes against humanity. In defining these, the Tribunal wrote: “Any person, without regard to nationality or the capacity in which he acted, is deemed to have committed a crime against humanity if he was the principal or was an accessory to the commission of any such crime or ordered or abetted the same or took a consenting part therein or was connected with plans or enterprises involving its commission….” Those who had served in the SS found themselves in a special category. Not only were they denied the presumption of innocence, they were also burdened with the presumption of guilt, for two reasons: the SS was recognized as a criminal organization, and it was understood that no one was ever forced into the SS. The notion that every SS was a volunteer is not true, and since some were indeed forced into its service, it encouraged many who were indeed

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27 Ribbentrop was the last of the Nazi ringleaders to be captured. He had been hiding in a Hamburg boarding house and he was arrested there on June 14, 1945 by British military police, who promptly stripped him of a vial of potassium cyanide before he had a chance to use it.
volunteers, and who would go on trial after Nuremberg, to claim that they had been given no choice in the matter of enrollment.

As Lord Lawrence stated at its opening, the trial was unique in the annals of world law; “the real plaintiff in this court is civilization itself.” Natural law became, for the first time ever, the basis for prosecution and for penal action in a court whose authority was certainly challenged. That challenge rested upon a principle universally upheld: *nullum crimen, nulla poena sine lege*. As Göring put it, “Our only crime was to have lost the war,” an argument which Robert Jackson, the US chief prosecutor, refuted at the outset: “The accused are on trial not because they lost the war but because they started it.” Indeed, the authority of the Tribunal derived not from victory in the struggle but from the weight of universal public opinion. If, of the four indictments, only one, War Crimes, had an existing status, another concept was also to be applied: the concept first expressed by Padre Vitoria, that laws among nations do indeed exist. Sir Hartley Shawcross, the British chief prosecutor, read long extracts from the Briand-Kellogg Pact of 1928 (“the most ratified instrument of international relations”), to which Germany, Italy and Japan were signatories. (The USSR, it was recalled, was not a signatory to the Geneva Conventions.)

The judicial procedure which was chosen reflected the dominance of the Anglo-American partnership in the preparations. The code would basically follow English Common Law. Given the nature of the Soviet Code of Law, best demonstrated by Vichinsky in 1936, the only valid criticism came from the French judges Henry Donnedieu de Vabres and Robert Falco, for whom the procedure was a novelty. There would be virtually no prior interrogation (*instruction criminelle*), The accused, all of whom pleaded not guilty, would be heard as witnesses at their own trial. Witnesses under Common Law are called only by the prosecution or by the defence. A compromise was nevertheless reached with the “continental jurists,” Jackson therein generously allowing the Soviet jurists to be lumped together with the French. In this mixed procedure, the bench would also have the right to interrogate any of
the accused, but without allowing them the protection of the Fifth Amendment to the US Constitution.

The four indictments (Conspiracy or the Common Design, Crimes against Peace, War Crimes, Crimes against Humanity) were agreed upon, but not without argument. The first, rooted in Anglo-American jurisprudence, reflected the horror of “combination” (Jacobin and other), against which Edmund Burke had warned (“When evil men combine, the good must associate”), and against which the British Combination Laws and US federal laws (the latter still in force) had provided protection. The notion of conspiracy against peace was nevertheless contested by Donnedieu de Vabres, who insisted that it had no basis in international law. It certainly embarrassed the Soviets, and to some extent the democracies which were responsible for the policy of appeasement. If you accept the principle of conspiracy, was there not conspiracy in the Molotov-Ribbentrop Pact? To Jackson’s bitter disappointment, a compromise was necessary, limiting conspiracy to the charge of waging aggressive war, hence to those present at the secret conference in Berlin in November 1937. It was remarked that none of the five principal Nazi conspirators (Hitler, Himmler, Bormann, Goebbels and Heydrich) was present at Nuremberg.

The compromise did nothing to solve the embarrassment over the second indictment, Crimes against Peace. If aggressive war is a crime, how should one qualify the 1939 Soviet attack on Poland? Or the Russo-Finnish War? While War Crimes presented no problem, Crimes against Humanity was to be restricted to crimes committed from September 1, 1939. Guernica, for example, was out of bounds.

The accused were to be judged individually, and to convict, the Tribunal required a majority of three of the four judges; in the event of a tie, the verdict would be decided by the vote of the presiding judge (Lawrence). The accused had the right to choose his own legal counsel, but was specifically denied the right to invoke the *tu quoque* defense. What was most obviously missing from the trial was any real understanding of the nature of the Nazi state. The twenty on the benches were selected largely because they were prominent Nazi figures and they were in Allied hands. The French prosecutor
Charles Dubost aptly pointed out that every concentration camp had had a commandant and not one of them was present. The SS, the state within the state, was represented only by Kaltenbrunner. The principal accusation against the SS, Crimes against Humanity, essentially the Holocaust, received the least attention.
Chapter 7. The challenge to the right to hold the trial

It should not be supposed that the concept of an Allied Military Tribunal, given title to judge the defeated Nazi leaders, won overall approval among the German people. The historian Nicholas Stargardt, of Magdalen College Oxford, has revealed some adverse reactions in high places.\textsuperscript{28}

The German Churches took the lead in voicing their opinion. Josef Frings, Archbishop of Cologne, had opposed the Nazis and retained a wide following in his city throughout the war (which might explain why the city fell so quickly to the Allied onslaught in 1945, despite Keitel’s promise to yield Cologne only as a heap of ashes).\textsuperscript{29} Frings decried the persecution of the Jews as “himmelschreiendes Unrecht” (a wrong that cries out to Heaven). He nevertheless viewed the work of the Tribunal as an indictment of the whole German people and denounced it in a pastoral letter: “To ascribe collective guilt to an entire people and to treat it accordingly is to usurp the powers of God.” On July 4, 1946, Frings, who had been elevated in the previous February to the rank of Cardinal, wrote directly to the Tribunal, trivializing its task and challenging the notion that “someone should be considered worthy of punishment merely on account of his membership in the SA or other National Socialist organizations.” He was supported in this by the Vicar General of Cologne who argued that “the SA rules of manly behavior were quite compatible with Christian philosophy and were approved by the Bishops.”

Far more deeply opposed to the work of the Tribunal was Paul Althaus, a leading Lutheran theologian and Professor of Theology at the University of Erlangen. Althaus had greeted Hitler’s advent as Chancellor in 1933 as “a miraculous gift from God.” When now he spoke of sacrifices he spoke exclusively of German sacrifices, and Nazi crimes he could reduce to a fog of abstractions in which they

\textsuperscript{28} Stargardt 2015, pp. 559-562.
\textsuperscript{29} “Der Trümmerhaufen Köln wurde dem Feind überlassen” (Oberkommando Wehrmacht, Cologne, March 6, 1945).
were merely part of universal human sin. His easy conclusion was that only God could judge the evil of these acts, for “this community of guilt in its depth and breadth is beyond the understanding and justice of a human court. Human judges cannot and may not speak to me about it.”

With the German Churches showing the way, the German press could follow suit. Paulheinz Wantzen, a Münster journalist covering the trials, reported that Nazi functionaries were undergoing treatment in Allied “concentration camps” in a form “no different from that shown earlier to former concentration camp inmates,” and that at Nuremberg, “among the people, sympathy for the ‘accused’ is growing by the hour.”

The experience of Martin Niemöller was equally significant. He had served as a U-boat commander in the First World War before becoming pastor in Berlin-Dahlem in 1931. As a prominent member of the anti-Nazi Confessional Church, he had been arrested in July 1937 and sent first to Sachsenhausen and later to Dachau. In January 1946, when invited to speak at the University of Erlangen, the home of Paul Althaus, he asked a student audience why no clergyman in Germany was asking about such matters as the fate of the 5.3 million Jews. Niemöller was shouted down.

Another current of German public opinion ran strongly in the other direction. How was it possible, it was asked by anti-Nazi Germans, for the Tribunal to acquit Nazis such as Fritsche, von Papen and Schacht.30

30 MARRUS 2017 p.72.
Chapter 8. The formation of the trial proceedings

Sir Geoffrey Lawrence, KC, Britain’s Lord Chief Justice and President of the Nuremberg Tribunal.
Judges Bench at the Nuremberg Tribunal, displaying the Soviet, British, American and French flags.

Ernst Kaltenbrunner addresses the Court.
The accused and the verdicts.

Marie-Claude Vaillant-Couturier with Francesc Boix, at Nuremberg.
The judges selected for the International Military Tribunal were as follows:

French Fourth Republic
- Professor Henri Donnedieu de Vabres (Main)
- Robert Falco (Alternative)

Union of Soviet Socialist Republics
- Major General Iona Nikitchenko (Main)
- Lieutenant-Colonel Aleksandr Volchkov (Alternative)

United Kingdom
- Lord Chief Justice Sir Geoffrey Lawrence (Main and President of the Tribunal)
- Sir Norman Birkett (Alternative)

United States
- Francis B. Biddle (Main)
- John J. Parker (Alternative)

The judges agreed to appoint Sir Geoffrey president of the tribunal.

It was agreed that the only official languages of the Tribunal would be English, French and Russian. All other text including German would therefore remain unofficial even if held as evidence.

The Allied prosecutors consisted of the following:

French Fourth Republic
- François de Menthon, replaced in January 1946 by:
  - Auguste Champetier de Ribes

Union of Soviet Socialist Republics
- Lieutenant-General Roman Andreyevich Rudenko

United Kingdom
- Sir David Maxwell-Fyfe, officially replaced after the 1945 British national elections by:
  - Attorney-General Sir Hartley Shawcross

United States of America
- Supreme Court Justice Robert H. Jackson
The formation of the trial proceedings

Robert H. Jackson

Sir David Patrick Maxwell-Fyfe

Sir Hartley Shawcross
The hearings of the International Military Tribunal consisted of 403 sessions, held between November 20, 1945 and October 1, 1946. A total of 94 witnesses were summoned: 33 for the Prosecution and 61 for the Defense. In the end, only twenty-two testified before the Tribunal. Among the prosecution witnesses, seven were survivors of SS camps including three from KL-Mauthausen, and two from KL-Buchenwald.

The grim atmosphere of the trial room stood in sharp contrast to the social life outside the court, especially in the Marble Room of the building that had been requisitioned for the purpose. The general mood was relaxed and jovial, the Western Allies freely associating and doing their best to strike up cordiality with the highly reticent Soviets. Music and dancing provided nightly entertainment, and the plump Sir Geoffrey was particularly popular on the dance floor. Among the entertainers was none other than the former star of Nazi film and radio, the Swedish actress-vocalist, Zarah Leander, erstwhile so popular with Nazi troops for ballads such as “Ich weiss, es wird einmal ein Wunder geschehen” (I know one day, a miracle comes my way). While the song had been too nostalgic for Goebbels’ ascetic taste, it was a favourite not only for the Nazi troops but also, in its ambiguity, for the suffering and starving prisoners in the camps, who heard it as a song of hope. To those at Nuremberg who knew her Nazi background, there was irony to see her now, singing happily to the Allied victors, the ballad "Der Wind hat mir ein Lied erzählt."
Opening Addresses of the Prosecutors

Each of the four prosecutors began with an opening address. Robert H. Jackson opened the proceedings on November 21, 1945 with a speech widely admired for its eloquence. In his second sentence, he declared “The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored, because it cannot survive their being repeated.” He followed this with a much needed message of comfort to the German people who were following the trial with apprehension:

*We would also make clear that we have no purpose to incriminate the whole German people. We know that the Nazi Party was not put in power by a majority of the German vote. We know it came to power by an evil alliance between the most extreme of the Nazi revolutionists....If the German populace had willingly accepted the Nazi program, no storm-troopers would have been needed....*

On behalf of the United Kingdom, Sir Hartley Shawcross gave an address on December 4, 1945 in which he repeated the warning which had already been addressed to the German people at war: “There comes a point where a man must refuse to answer to his leader if he is also to answer to his conscience.”

For the French, on January 17, 1946, François de Menthon delivered an address which jarred at points with the reality of events in France after June 1940. His statement: “My country never gave up the battle for freedom and was at no time absent from the field,” was hard for certain listeners to accept in the light of the extent of French collaboration with Nazi Germany.

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31 Shawcross had been appointed Attorney General after the victory of the Labour Party in the United Kingdom’s 1945 general election, succeeding Sir David Maxwell-Fyfe. With his ministerial duties, he had to divide his time between Westminster and Nuremberg, and for that reason he appointed Maxwell-Fyfe his deputy at the Trial. Although Shawcross delivered both the opening and the closing statements for the United Kingdom, it was Maxwell-Fyfe who handled daily responsibilities at the Tribunal, including a highly praised cross-examination of Göring.
As for the Soviets, General Rudenko presented on February 8, 1946 the longest of such addresses, cataloguing the long line of atrocities committed by both Wehrmacht and SS in Soviet and Soviet-occupied territories. In the light of the Nazi-Soviet pact of August 23, 1939, it was difficult for the Western Allies to accept his remarks on Poland. For those present in the court who had some knowledge of Stalin’s show trials in 1936, 1937 and 1938, Rudenko’s reference to the importance of justice sounded totally out of touch with reality.

For the first time in the history of mankind is justice confronted with crimes committed on so vast a scale, with crimes which have entailed such grave consequences. It is for the first time that criminals who have seized an entire state and made this state an instrument of their monstrous crimes appear before a court of justice…

When several criminals conspire to commit a murder, every one of them plays a definite part. One works out the plan of murder, another waits in the car, and the third actually fires at the victim. But whatever may be the part played by any individual participant, they all are murderers and any court of law in any country will reject any attempts to assert that the first two should not be considered murderers, since they themselves had not fired the bullet.

The accused

In regard to the accused, it came as a surprise to those well informed that out of the twenty-two who stood accused at Nuremberg, only one of them (Kaltenbrunner) belonged to the SS. It could well have astonished members of the audience to see that Rudolf Höss, the Lagerführer of Auschwitz, instead of being accused, was invited by a defense lawyer to serve as a witness for the Defense!

The justification for not giving more prominence to the SS included the fact that the work of the Tribunal rested on four separate indictments, of which one was Crimes Against Peace, and not even
the head of the SS, Himmler, could be held responsible for that. It could be said in rebuttal, that the court was learning, as the trial proceeded, more and more of the reality of Nazi Germany, and more and more of the responsibility of the SS for the worst of the crimes committed. As it was, however, Kaltenbrunner was the only one to represent the SS.
Chapter 9. The Presentation of the Photographic Evidence

What was to appear as a red-letter day in the entire course of the Nuremberg Trial was the appearance of the Spanish Republican refugee, Francesc Boix, originally from Barcelona and currently living in Paris. He appeared before the Court in two consecutive sessions, the first on the afternoon of January 28, 1946. He was preceded by another star turn, that of Marie-Claude Vaillant-Couturier, who was a survivor of Auschwitz. In Auschwitz, being of sound health, she was allowed to work and was assigned to a sewing unit. Her testimony included a statement on what she had heard from prisoners working in the Sonderkommando (the gas chamber Kommando): “We discovered … on the preceding day, the gas supply having run out, they had thrown the children into the furnaces alive.”

The following transcript provides the official account in French and English of the testimony provided by Francesc Boix, who was presented to the court by the French prosecutor Charles Dubost, an assistant attorney-general.

The official transcript in French is not a verbatim record of what Boix actually said in front of the Court, as shown by comparing the written text with the video recording. His grammatical and syntactical errors in French were corrected by the French authorities, leaving the corrected version as the official version. As for the official English version, it should not be taken in every regard as a precisely accurate translation. As an illustration of this, the English and French passages on the third page do not conform. “I was sent to Mauthausen …” is not a correct translation of the original “Je suis entré à Mauthausen dans le service d’identification.” The English version implies that Boix was sent to the job specifically from outside Mauthausen.
Wherever the English version differs, however slightly, in meaning from the French, priority is given here to the wording in French, this being the language used by Boix.

The author’s comments on Boix’s presentation can be found at the end of the transcript.
28 Janvier 1946

M. DUBOST. — Le témoin que je vais prier le Tribunal de bien vouloir entendre, doit apporter une précision sur un point particulier qui reste en suspens depuis plusieurs semaines. Le Tribunal se souvient que, pendant l’exposé des preuves de mes collègues américains, la question s’est posée de savoir si Kaltenbrunner était allé à Mauthausen. Or, j’apporte en preuve le témoignage de M. Boix qui doit démontrer au Tribunal que Kaltenbrunner a été à Mauthausen. Il a des photos de cette visite et le Tribunal va les voir. Nous allons montrer les photographies que le témoin a apportées avec lui.

LE PRÉSIDENT. — Très bien. (On introduit M. François Boix.) (Au témoin.) Comment vous appelez-vous ?

M. FRANÇOIS BOIX. — François Boix.

LE PRÉSIDENT. — Êtes-vous Français ?

M. BOIX. — Je suis réfugié espagnol.

LE PRÉSIDENT. — Voulez-vous répéter ce serment après moi : « Je jure de parler sans haine et sans crainte, de dire la vérité, toute la vérité, rien que la vérité.

28 January 1946

M. DUBOST: The witness whom I propose to ask the Tribunal to hear will elucidate a point which has been pending for several weeks. The Tribunal will remember that when my American colleagues were presenting their evidence, the question of ascertaining whether Kaltenbrunner had been in Mauthausen arose. In evidence of this, I am going to call M. Boix, who will prove to the Tribunal that Kaltenbrunner had been in Mauthausen. He has photographs of that visit and the Tribunal will see them, as the witness brought them with him.

THE PRESIDENT: Very well. [The witness, Boix, took the stand.]

THE PRESIDENT: What is your name?

M. FRANCOIS BOIX (Witness) : Francois Boix.

THE PRESIDENT: Are you French?

BOIX: I am a Spanish refugee.

THE PRESIDENT: Will you repeat this oath after me. I swear to speak without hate or fear, to say the truth, all the truth, only the truth.
Le témoign prête serment.

Levez la main droite et dites : « Je le jure.»

M. BOIX. — Je le jure.

LE PRÉSIDENT. —Voulez-vous épeler le nom, Monsieur Dubost ?

M. DUBOST. — B-O-I-X. Vous êtes né le 14 août 1920 à Barcelone?

M. BOIX. —Oui.

M. DUBOST. — Vous êtes reporter photographe, et vous étiez interné au camp de Mauthausen depuis ?

M. BOIX. — Depuis le 27 janvier 1941.

M. DUBOST. - Vous avez remis aux enquêteurs un certain nombre de photographies ?

M. BOIX. —Oui.

M. DUBOST. — Elles vont être projetées et vous direz, sous la foi du serment, dans quelles conditions et où ces photographies ont été prises.

M. BOIX. —Oui.

M. DUBOST. — Comment vous êtes-vous procuré ces photos ?

M. DUBOST: B-0-I-X. [Turning to the witness.] You were born on 14 August 1920 in Barcelona?

BOIX: Yes.

M. DUBOST: You are a news photographer, and you were interned in the camp of Mauthausen, since.

BOIX: Since 27 January 1941.

M. DUBOST: You handed over to the commission of inquiry a certain number of photographs?

BOIX: Yes.

M. DUBOST: They are going to be projected on the screen and you will state under oath under what circumstances and where these pictures were taken?

BOIX: Yes.

M. DUBOST: How did you obtain these pictures?
M. BOIX. — Par suite de mon métier, je suis entré à Mauthausen dans le service d'identification du camp. Il y avait un service de photos, et on pouvait photographier tout ce qui se passait dans le camp pour l'envoyer au Haut Commandement à Berlin.

(Projection des photographies.)

Voici la vue générale de la carrière.

M. DUBOST. — C'est ici que travaillaient les internés ?

M. BOIX. — La majeure partie des internés.

M. DUBOST. — A quel endroit est l'escalier ?

M. BOIX. — Au fond.

M. DUBOST. — De combien de marches se compose-t-il ?

M. BOIX. - 160 marches d'abord, mais après il y en avait 186.

M. DUBOST. — Nous pouvons passer à la photo suivante.

M. BOIX. — Ceci est une cour de la carrière, pendant une visite du Reichsführer Himmler, de Kaltenbrunner, du gouverneur de Linz et quelques autres chefs dont je ne sais pas les noms.

Ce que vous voyez en bas est le cadavre d'un homme tombé du haut de la carrière (70 mètres)

BOIX: Owing to my professional knowledge, I was sent to Mauthausen to work in the identification branch of the camp. There was a photographic branch, and pictures of everything happening in the camp could be taken and sent to the High Command in Berlin.

[Pictures were then projected on the screen.]

This is the general view of the quarry.

M. DUBOST: Is this where the internees worked?

BOIX: Most of them.

M. DUBOST: Where is the stairway?

BOIX: In the rear.

M. DUBOST: How many steps were there?

BOIX: 160 steps at first; later on there were 186.

M. DUBOST: We can proceed to the next picture.

BOIX: This was taken in the quarry during a visit from Reichsführer Himmler, Kaltenbrunner, the Governor of Linz, and some other leaders whose names I do not know.

What you see below is the dead body of a man who had fallen from the top of the quarry (70
comme il y en avait tant chaque jour.

M. DUBOST. — Nous pouvons passer à la suivante.

M. BOIX. — Ceci est pris en avril 1941. Mes camarades espagnols réfugiés en France traînent le wagonnet de terre ; c'était le travail que nous avions à faire.

M. DUBOST. — Par qui a été prise cette photo ?

M. BOIX. — A ce moment-là, c'était Paul Ricken, professeur à Essen.

M. DUBOST. — Nous pouvons passer à la suivante.

M. BOIX. — Ceci est une mascarade faite au sujet d'un Autrichien qui s'était évadé. Il était menuisier au garage, il a pu faire une caisse où on pouvait tenir et sortir ainsi du camp. Mais, au bout de quelque temps, il a été repris. On l'a mis sur la brouette qui servait à transporter chaque jour les morts au crématoire; il y avait des écriteaux en allemand disant: «Alle Vögel sind schon da », ce qui veut dire: «Tous les oiseaux sont de retour ». Il a été condamné, promené devant 10.000 déportés; il y avait un orchestre de gitans, qui, pendant tout ce temps, jouait l'air de: «J'attends.» Quand il a été pendu, il se balançait à cause du vent qu'il faisait et

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M. DUBOST: We can proceed to the next picture.

M. DUBOST: By whom was this picture taken?

BOIX: At that time by Paul Ricken, a professor from Essen.

M. DUBOST: We may proceed to the next one.

BOIX: This staged the scene of an Austrian who had escaped. He was a carpenter in the garage and he managed to make a box, a box in which he could hide and so get out of the camp. But after a while he was recaptured. They put him on the wheelbarrow in which corpses were carried to the crematorium. There were some placards saying in German, "Alle Vögel sind schon da," meaning "All the birds are back again." He was sentenced and then paraded in front of 10,000 deportees to the music of a gypsy band playing a song "J'attends." When he was hanged, his body swung to and fro in the wind while they played the very well known song, "Bill Black Polka."
on jouait une musique très connue qui s'appelle Bill Black Polka.

M. DUBOST. — La suivante.

M. BOIX. — Ceci est la mascarade. On voit à gauche et à droite tous les déportés en ligne. Ceux qui sont à gauche sont les Espagnols, ils sont plus petits. Celui qui est devant, avec le béret, est un criminel de Berlin qui s'appelle Schultz, qu'on employait pour ces mascarades. On voit au fond l'homme qui va être pendu.

M. DUBOST. — La suivante. Par qui ces photos ont-elles été prises?

M. BOIX. — Par Fritz Kornatz SS-Oberscharführer. Il a été tué en Hollande par les Forces américaines en 1944. (A propos de la projection.) Cet homme, prisonnier de guerre russe, a reçu une balle dans la tête. On l'a hissé pour faire croire que c'était un suicide et qu'il voulait se jeter par-dessus les barbelés.

Cette autre photo représente des Juifs hollandais. C'est à la baraque c dite de quarantaine. Les Juifs étaient obligés, le jour même de leur arrivée, de se jeter dans les barbelés, parce qu'ils se rendaient compte qu'il n'y avait aucun espoir pour eux d'en sortir.

M. DUBOST: The next one.

BOIX: This is the scene; in this picture we see on the right and left all the deportees in a row; on the left are the Spaniards, they are smaller. The man in the front with the beret: is a criminal from Berlin by the name of Schultz, who was employed on these occasions. In the background you can see the man who is about to be hanged.

M. DUBOST: Next one. Who took these pictures?

BOIX: By the SS Oberscharführer Fritz Kornatz. He was killed by American troops, in Holland in 1944. This man, a Russian prisoner of war, got a bullet in the head. They hanged him to make us think he was a suicide and had tried to hurl himself against the barbed wire. The other picture shows some Dutch Jews. That was taken at Barracks C, the so-called quarantine barracks. The Jews were driven to hurl themselves against the barbed wire on the very day of their arrival because they realized that there was no hope to escape for them.
M. DUBOST. — Par qui ces photos ont-elles été prises ?

M. BOIX. — A ce moment-là, c'était le SS-Oberscharführer Paul Ricken, professeur à Essen.

M. DUBOST. — La suivante.

M. BOIX. — Ce sont deux Juifs hollandais. On peut voir l'étoile rouge qu'ils portaient. C'était soi-disant une tentative d'évasion: « Fluchtversuch ».

M. DUBOST: By whom were these pictures taken?

BOIX: At this time by the SS Oberscharführer Paul Ricken, a professor from Essen.

M. DUBOST: Next one.

BOIX: These are 2 Dutch Jews. You can see the red star they wore. That was an alleged attempt to escape (Fluchtversuch).

M. DUBOST: What was it in reality?

BOIX: The SS sent them to pick up stones near the barbed wires, and the SS guards at the second barbed wire fence fired on them, because they received a reward for every man they shot down. The other picture shows a Jew in 1941 during the construction of the so-called Russian camp, which later became the sanitary camp, hanged with the cord which he used to keep up his trousers.

M. DUBOST: Was it suicide?

BOIX: It was alleged to be. It was a man who no longer had any hope of escape. He was driven to desperation by forced labor and torture.

M. DUBOST. — En réalité, qu'est-ce que c'était?

M. BOIX. — Ils étaient envoyés par les SS pour chercher des pierres à côté des barbelés. Les SS, qui étaient en surveillance à la deuxième enceinte de barbelés, tiraient sur eux parce qu'ils recevaient une prime pour chaque homme qu'ils tuaient.

Cette autre photo représente un Juif, en 1941, au moment de la construction du soi-disant camp russe, devenu après camp sanitaire. Il est pendu avec la ficelle qu'il employait pour tenir sa culotte.

M. DUBOST. — C'est un suicide ?

M. BOIX. — Soi-disant. C'est un homme qui ne pouvait plus envisager la possibilité de s'en sortir ; il était poussé à bout par les travaux et les tortures.
M. DUBOST.—Qu'est-ce que c'est que cette photo ?

M. BOIX.—C'est un Juif dont j'ignore la nationalité. Il a été mis dans un tonneau plein d'eau jusqu'à ce qu'il n'en puisse plus. On l'a frappé jusqu'à la mort et on lui a donné 10 minutes pour se pendre. Il a pris sa propre ceinture pour le faire, autrement il savait à quoi il fallait s'attendre.

M. DUBOST.—Par qui a été faite cette photo ?

M. BOIX.—Par le SS-Oberscharführer Paul Ricken.

M. DUBOST.—Qu'est-ce que c'est que cette photo ?

M. BOIX.—Ici on voit la Police de Vienne en train de visiter la carrière. C'était entre juin et juillet 1941. Les deux déportés qu'on voit ici sont deux camarades espagnols.

M. DUBOST.—Que font-ils ?

M. BOIX.—Ils montrent aux Messieurs de la Police la façon dont il fallait lever les pierres, parce qu'on n'avait pas d'outils pour le faire autrement.

M. DUBOST.—Vous avez connu des policiers parmi ceux qui sont venus ?

M. BOIX.—Non, parce qu'ils ne sont venus qu'une fois. On
a eu seulement le temps de les regarder.

(On passe une nouvelle photo.)

Cette photo date de 1943 ; c'était au moment de l'anniversaire du SS-Obersturmbannführer Franz Ziereis. Il est entouré par l'état-major du camp de Mauthausen. Je pourrais dire tous les noms de ceux qui sont là.

M. DUBOST. — Donnez la photo suivante.

M. BOIX. — C'est une photo prise le même jour de l'anniversaire du SS-Obersturmbannführer Franz Ziereis. L'autre était son adjudant, je ne me souviens pas de son nom. Il ne faut pas oublier que cet adjudant appartenait à la Wehrmacht. Une fois arrivé au camp, il a mis l'uniforme des SS.

M. DUBOST. — Qui est-ce ici?

M. BOIX. — C'est la même visite de la Police, entre juin et juillet 1941, à Mauthausen. C'est la porte de la cuisine. Debout, il y a un condamné disciplinaire. Ce petit machin sur leur dos leur servait à porter des pierres jusqu'à 80 kilos, jusqu'à épuisement. Il y en avait très peu qui pouvaient revenir de la compagnie disciplinaire.

(On passe une nouvelle photo.)

The date of this picture is September 1943, on the birthday of Obersturmbannführer Franz Ziereis. He is surrounded by the whole staff of Mauthausen Camp. I can give you the names of all the people in the picture.

M. DUBOST: Pass the next photo.

BOIX: This is a picture taken on the same day as Obersturmbannführer Franz Ziereis's birthday. The other man was his adjutant. I forgot his name. It must be remembered that this adjutant was a member of the Wehrmacht and put on an SS uniform as soon as he came to the camp.

M. DUBOST: Who is that?

BOIX: That is the same visit to Mauthausen by police officials in June or July 1941. This is the kitchen door. The prisoners standing there had been sent to the disciplinary company. They used that little appliance on their backs for carrying stones up to a weight of 80 kilos, until they were exhausted. Very few men ever came back from the disciplinary company.
Cette photo représente la visite de Himmler, en avril 1941, au Führerheim, au camp de Mauthausen. On voit Himmler à l’arrière, le gouverneur de Linz et à côté de lui à gauche, Franz Ziereis, commandant le camp à Mauthausen.

Cette photo est prise à la carrière. Au fond, à gauche, on peut voir un groupe de déportés en train de travailler. Devant, il y a Franz Ziereis, Himmler, puis l’Obergruppenführer Kaltenbrunner. Il a l’insigne d’or du Parti.

M. DUBOST. — Cette photo a été prise à la carrière ? Par qui ?

M. BOIX. — Par le SS-Oberscharführer Paul Ricken.

C’était entre avril et mai 1941. A ce moment-là, ce monsieur visitait assez souvent le camp pour voir la façon dont on pouvait les organiser dans toute l’Allemagne et les pays occupés.

M. DUBOST. — C’est terminé. Vous assurez qu’il s’agit bien là de Kaltenbrunner.

M. BOIX. — Je l’assure.

M. DUBOST. — Et que la photographie a été prise au camp ?

This picture shows Himmler’s visit to the Führerheim at Camp Mauthausen in April 1941. It shows Himmler with the Governor of Linz in the background and Obersturmbannführer Ziereis, the commanding officer of Camp Mauthausen, on his left.

This picture was taken in the quarry. In the rear, to the left, you see a group of deportees at work. In the foreground are Franz Ziereis, Himmler, and Obergruppenführer Kaltenbrunner. He is wearing the gold Party emblem.

M. DUBOST: This picture was taken in the quarry? By whom?

BOIX: By the SS Oberscharführer Paul Ricken.

This was between April and May 1941. This gentleman frequently visited the camp at that period to see how similar camps could be organized throughout Germany and in the occupied countries.

M. DUBOST: I have finished. You give us your assurance that it is really Kaltenbrunner.

BOIX: I give you my assurance.

M. DUBOST: And that this picture was taken in the camp?
M. BOIX. — Je l'assure.

M. DUBOST. — Vous étiez prisonnier de guerre ou prisonnier politique ?

M. BOIX. — Prisonnier de guerre.

M. DUBOST. — Vous vous étiez battu dans l'Armée française comme volontaire ?

M. BOIX. — Soit dans les bataillons de marche, soit dans la Légion étrangère, soit dans les compagnies de travailleurs pour l'Armée dans laquelle j'étais. J'étais dans les Vosges, à la 5e armée, quand nous avons été faits prisonniers. Nous avons fait la retraite jusqu'à Belfort où j'ai été fait prisonnier la nuit du 20 au 21 juin 1940. J'ai été mis avec d'autres copains espagnols et transféré à Mulhouse. Sachant qu'il s'agissait d'anciens républicains espagnols antifascistes, on nous a mis avec les Juifs, considérés comme « Untermensch ». Nous avons été 6 mois prisonniers de guerre, et, à ce moment-là, nous avons appris que le ministre de l'Extérieur avait eu une entrevue avec Hitler pour parler de la question des étrangers et autres questions. Nous avons su ici que, parmi les questions traitées, on avait parlé de notre condition. On disait que les Allemands avaient demandé ce qu'il fallait

BOIX: I give you my assurance.

M. DUBOST: Were you taken to Mauthausen as a prisoner of war or as a political prisoner?

BOIX: As a prisoner of war.

M. DUBOST: You had fought as a volunteer in the French Army?

BOIX: Either in infantry battalions or in the Foreign Legion, or in the pioneer regiments attached to the Army to which I belonged. I was in the Vosges with the 5th Army. We were taken prisoners. We retreated as far as Belfort where I was taken prisoner in the night of 20-21 June 1940. I was put with some fellow Spaniards and transferred to Mulhouse. Knowing us to be former Spanish Republicans and antifascists, they put us in among the Jews as members of a lower order of humanity (Untermensch). We were prisoners of war for 6 months and then we learned that the Minister for Foreign Affairs had had an interview with Hitler to discuss the question of foreigners and other matters. We knew that our status had been among the questions raised. We heard that the Germans had asked what was to be done with Spanish prisoners of war who had served in the
faire avec les prisonniers de guerre espagnols dans l'Armée française, ceux qui étaient des républicains, qui avaient appartenu à l'Armée républicaine. La réponse ...

M. DUBOST. — Peu importe ; bien que prisonnier de guerre vous avez été envoyé dans un camp qui n'était plus sous le contrôle de l'Armée?

M. BOIX. — Précisément ; nous étions cependant des prisonniers de guerre. On nous a dit qu'on nous transférerait dans un commando indépendant, comme tous les autres Français; ensuite nous avons été transférés à Mauthausen, où nous avons vu pour la première fois qu'il n'y avait plus de soldats de la Wehrmacht et nous avons compris que nous étions dans un camp d'extermination.

M. DUBOST. — Combien êtes-vous arrivés?

M. BOIX. — Nous étions 1500 à la fin. En tout, nous étions 8.000 Espagnols à l'arrivée.

M. DUBOST. — Combien étiez-vous quand vous avez été libérés?

M. BOIX. — On peut évaluer le chiffre à 1600.

M. DUBOST. — Je n'ai plus de questions à poser.
LE PRÉSIDENT. — Avez-vous quelques questions à poser?

GÉNÉRAL RUDEMNO. — J'aurai quelques questions à poser demain, dans la séance de la matinée.

LE PRÉSIDENT. — Nous suspendons l'audience jusqu'à dix heures demain matin.

(L'audience sera reprise le 29 janvier 1946 à 10 heures.)

QUARANTE-CINQUIEME JOURNÉE.

Mardi 29 janvier 1946.

Audience du matin.

L'HUISSIER AUDIENCE. — Plaise au Tribunal. L'accusé Kaltenbrunner, malade, ne paraîtra pas à l'audience ce matin.

M. DUBOST. — En qualité de représentant du Ministère Public français, je formerai un vœu, en priant le Tribunal de bien vouloir prêter attention à cette requête. Nos témoins, entendus hier, doivent être contre-interrogés par la Défense. Les conditions dans lesquelles ils sont ici sont assez précaires et il faut 30 heures de voyage pour rentrer à Paris. Nous

THE PRESIDENT: Do you want to ask any questions?

GEN. RUDEMNO: I shall have some questions. If the President will permit me I shall present them in tomorrow's session.

THE PRESIDENT: We will adjourn now.

The Tribunal adjourned until 29 January 1946 at 1000 hours.

FORTY-FIFTH DAY

Tuesday, 29 January 1946

Morning Session

MARSHAL: May it please the Court, I desire now to say that the Defendant Kaltenbrunner will be absent from this morning's session on account of illness.

M. DUBOST: In my capacity as representative of the French Prosecution, I wish to ask the Tribunal to consider this request. The witnesses that were interrogated yesterday are to be cross-examined by the Defense. The conditions under which they are here are rather precarious, for it takes 30 hours to return to Paris. We would like to know
voudrions savoir si vraiment la Défense a l'intention de les contre-interroger et nous voudrions qu'elle le fasse le plus rapidement possible, pour nous permettre d'assurer leur retour en France.

LE PRÉSIDENT. — Considérant ce que vous avez déclaré hier, Monsieur Dubost, et au nom du Tribunal, je dis que le Dr Babel doit avoir l'occasion de contre-interroger un de vos témoins, dans les deux jours qui vont suivre. Le Dr Babel est-il prêt à interroger le témoin aujourd'hui?

M. BABEL. — Monsieur le Président, je n'ai pas encore reçu la copie du compte rendu de l'interrogatoire ; c'est pourquoi je n'ai pas été en mesure de préparer le contre-interrogatoire. Le délai était trop court, d'hier à aujourd'hui. Je ne puis maintenant dire avec certitude si je contre-interrogerai ou non le témoin. Si on me donne la possibilité d'avoir le compte rendu dans ...

LE PRÉSIDENT. — Ce témoin, Monsieur Dubost, doit rester ici jusqu'à demain après-midi, mais les autres témoins peuvent partir. Voulez-vous faire le nécessaire, Monsieur Dubost, pour que le compte rendu soit fourni au Dr Babel, le plus tôt possible?

THE PRESIDENT: In view of what you said yesterday, M. Dubost, I said on behalf of the Tribunal that Herr Babel might have the opportunity of cross-examining one of your witnesses within the next two days.' Is Herr Babel ready to cross-examine that witness now?

HERR BABEL: No, Mr. President, I have not yet received a copy of his interrogation and consequently have not been able to prepare my cross-examination. The time from yesterday to today is, naturally, also too short., Therefore, I cannot yet make a definite statement whether or not I shall want to cross-examine the witness. If I were given an opportunity during the course of the day to get the Record.

THE PRESIDENT: [Interposing] Well, that witness must stay until tomorrow afternoon, M. Dubost, but the other witnesses can go. M. Dubost, will you see, if you can, that a copy of the shorthand notes is furnished to Herr Babel as soon as possible?
M. DUBOST. — Je vais en donner l'ordre, Monsieur le Président.

(On introduit M. François Boix.)

Nous continuons. Le Tribunal se souvient qu'hier soir, nous avons projeté six photographies de Mauthausen, qui nous ont été apportées par le témoin qui est encore à la barre et qui ont été commentées par lui. Ce témoin a notamment indiqué dans quelles conditions la photographie, qui représente Kaltenbrunner dans la carrière de Mauthausen, a été prise. Nous déposons ces photographies sous le n° RF-332 comme document français.

Permettez-moi de poser une question encore à ce témoin et j'en aurai fini avec lui, au moins quant à l'essentiel de cette déposition.

Témoin, reconnaissez-vous, parmi les accusés, quelques-uns des visiteurs du camp de Mauthausen, que vous avez vus lorsque vous y étiez interné ?

M. BOIX. — Speer.

M. DUBOST. — Quand l'avez-vous vu ?

M. BOIX. — Il est venu en 1943 au camp de Gusen pour faire

M. DUBOST: Yes, Mr. President. I shall have it done, My Lord.

[The witness, Boix, took the stand.]

We continue. The Tribunal will remember that yesterday afternoon we projected six photographs of Mauthausen which were brought to us by the witness who is now before you and on which he offered his comments. This witness specifically stated under what conditions the photograph representing Kaltenbrunner in the quarry of Mauthausen had been taken. We offer these photographs as a French document, Exhibit Number RF-332.

Will you allow me to formulate one more question to the witness? Then I shall be through with him, at least concerning the important part of this testimony.

Witness, do you recognize among the defendants anyone who visited the camp of Mauthausen during your internment there?

BOIX: Speer.

M. DUBOST: When did you see him?

BOIX: He came to the Gusen Camp in 1943 to arrange for
faire des constructions, et même à la carrière de Mauthausen. Moi-même je ne l'ai pas vu, parce que j'étais dans le service d'identification du camp et je ne pouvais pas sortir, mais, au cours de ces visites-là, le chef de service Paul Ricken a pris toute une pellicule Leica que moi-même ai développée. Dans cette pellicule, j'ai reconnu Speer, avec d'autres chefs des SS qui étaient venus avec lui. Il était habillé de couleur claire.

M. DUBOST. — Sur les photos que vous avez développées ?

M. BOIX. — Sur les photos, je l'ai reconnu, et ensuite il fallait écrire le nom et la date, parce que beaucoup de SS voulaient toujours des collections de toutes les photos des visites qui étaient faites au camp. J'ai reconnu Speer sur 36 photographies qui ont été prises par le SS-Oberscharführer Paul Ricken en 1943, pendant sa visite au camp de Gusen et à la carrière de Mauthausen. Il avait toujours l'air très satisfait sur les photos. Il y avait même des photos où il félicitait, avec une poignée de main cordiale, Franz Ziereis, Obersturmbannführer. A ce moment-là, c'était le chef du camp de Mauthausen.

M. DUBOST: You saw that on the pictures that you developed?

BOIX: Yes. I recognized him on the photos and afterward we had to write his name and the date because many SS always wanted to have collections of all the photos of visits to the camp. I recognized Speer on 36 photographs which were taken by SS Oberscharführer Paul Ricken in 1943, during Speer's visit to the Gusen Camp and the quarry of Mauthausen. He always looked extremely pleased in these pictures. There are even pictures which show him congratulating Obersturmbannführer Franz Ziereis, then commander of the Mauthausen Camp, with a cordial handshake.
M. DUBOST.— Une dernière question. Existait-il des services d'aumôniers dans votre camp? Comment mouraient les internés qui réclamaient les secours de leur religion?

M. BOIX. — Oui, il y en avait plusieurs, d'après ce que j'ai pu remarquer, et c'est une organisation des catholiques allemands qui s'appelle «Bibelforscher», mais officiellement......

M. DUBOST.— Mais officiellement, l'administration du camp leur donnait-elle l'autorisation de pratiquer leur religion?

M. BOIX. — Non, ils ne pouvaient rien faire. C'était complètement défendu pour eux, même de vivre.

M. DUBOST. — Même de vivre ?

M. BOIX.—Même de vivre.

M. DUBOST. — Est-ce qu'il y avait des aumôniers catholiques ou des pasteurs protestants?

M. BOIX. — Ces sortes de Bibelforscher étaient presque tous protestants, mais je ne m'y connais pas beaucoup là-dedans.

M. DUBOST. — Comment étaient traités les religieux, les prêtres, les pasteurs ?

M. BOIX. — Il n'y avait aucune différence avec nous. Ils mouraient de la même...

M. DUBOST: One last question. Were there any officiating chaplains in your camp? How did the internees who wanted religious consolation die?

BOIX: Yes, from what I could observe, there were several. There was an order of German Catholics, known as "Bibelforscher," but officially....

M. DUBOST: But officially did the administration of the camp grant the internees the right to practice their religion?

BOIX: No, they could do nothing, they were absolutely forbidden even to live.

M. DUBOST: Even to live?

BOIX: Even to live.

M. DUBOST: Were there any Catholic chaplains or any Protestant pastors?

BOIX: That sort of Bibelforscher were almost all Protestants. I do not know much about this matter. '

M. DUBOST: How were monks, priests, and pastors treated?

BOIX: There was no difference between them and ourselves. They died in the
façon que nous. Ils étaient parfois envoyés à la chambre à gaz, parfois fusillés, parfois mis dans de l'eau glacée, tous les moyens étaient bons. Les SS avaient une façon particulièrement dure d'agir avec eux, parce qu'ils savaient que ces hommes ne pouvaient pas travailler comme un travailleur normal. Ils agissaient ainsi avec tous les intellectuels de tous les pays.

M. DUBOST. — On ne les a pas laissés exercer leur ministère ?

M. BOIX. — Pas du tout.

M. DUBOST. — Les hommes qui mouraient avaient-ils un aumônier avant d'être exécutés?

M. BOIX. — Pas du tout, au contraire ; parfois, au lieu d'être comme vous dites, soulagés par quelqu'un de leur religion, devant même le peloton d'exécution, ils recevaient 25 ou 75 coups avec un nerf de bœuf, donnés parfois par le SS-Obersturmbannführer qui le faisait personnellement. J'ai pu remarquer le cas de quelques officiers commissaires politiques, prisonniers de guerre russes.

M. DUBOST. — Je n'ai plus de question à poser au témoin.

M. DUBOST: They were not allowed to exercise their functions?

BOIX: No, not at all.

M. DUBOST: Did the men who died have a chaplain before being executed?

BOIX: No, not at all. On the contrary, at times, instead of being consoled, as you say, by anyone of their faith, they received, just before being shot, 25 or 75 lashes with a leather thong even from an SS Obersturmbannführer personally. I noticed especially the cases of a few officers, political commissars, and Russian prisoners of war.

M. DUBOST: I have no further questions to ask of the witness.

The cross-examination commences.
LE PRÉSIDENT. — Bien. Général Rudenko ?

GÉNÉRAL RUDEIKO. — Dites, s'il vous plaît, ce que vous savez sur l'extermination des prisonniers de guerre russes.

M. BOIX. — Il est impossible que je dise tout ce que je sais, parce que je sais tant de choses que je n'aurais pas fini dans un mois.

GÉNÉRAL RUDEIKO. — Je voudrais vous demander d'exposer brièvement les choses principales, ce que vous savez sur l'extermination des prisonniers russes dans le camp de Mauthausen.

M. BOIX. — L'arrivée des premiers prisonniers de guerre a eu lieu en 1941. On avait annoncé l'arrivée de 2,000 prisonniers de guerre russes.

Il s'agissait de prisonniers de guerre. Ils ont pris les mêmes précautions que lorsque les prisonniers de guerre espagnols républicains sont entrés au camp. Ils ont placé des mitrailleuses partout autour des baraques et s'attendaient au pire. Aussitôt que les prisonniers de guerre russes sont entrés au camp, on a vu qu'ils étaient dans un très mauvais état, ils ne pouvaient même plus entendre. Ils étaient des loques humaines. A ce moment, on a alors décidé de les enfermer dans des baraques, 1,600 à 2,000 dans une même chambre.
moment-là, on les a placés dans des baraques, à raison de 1600 par baraque. Il faut se rendre compte qu'il s'agissait de baraques de 7 mètres de large sur 50 mètres de long. Ils ont été dépourvus de vêtements, du peu de vêtements qu'ils avaient avec eux. Ils ont pu garder seulement un caleçon et une chemise. Il faut remarquer que c'était au mois de novembre. A Mauthausen, il faisait plus de 10° au-dessous de zéro.

A leur arrivée, il y a eu déjà 24 morts, seulement pendant la marche des 4 kilomètres qui séparent la gare du camp de Mauthausen. Au début, ils ont suivi avec eux le même système qu'avec nous, les républicains espagnols ; ils nous ont laissés d'abord sans rien faire, sans travailler. Ils les ont laissés tranquilles, mais presque sans rien manger. Au bout de quelques semaines, ils étaient déjà à bout de forces. C'est alors qu'on a commencé avec eux le système d'élimination. On les faisait travailler dans des conditions épouvantables, matraqués, battus, bafoués, et au bout de trois mois, sur 7.000 prisonniers de guerre russes, venus de partout, il n'en restait que 30 survivants. Ces 30 survivants ont été photographiés au service de Paul Ricken, pour un document, et c'est moi qui ai ces photos-là, pour

barracks. You must bear in mind these barracks were 7 meters wide by 50 long. They were divested of their clothes, of the very little they had with them; they could keep only one pair of drawers and one shirt. One has to remember that this was in November and in Mauthausen it was more than 10 degrees (centigrade) below zero.

Upon their arrival there were already 20 deaths, from walking only the distance of 4 kilometers between the station and camp of Mauthausen. At first the same system was applied to them as to us Republican Spanish prisoners. They left us with nothing to do, with no work. They were left to themselves, but with scarcely anything to eat. At the end of a few weeks they were already at the end of their endurance. Then began the process of elimination. They were made to work under the most horrible conditions, they were beaten, hit, kicked, insulted; and out of the 7,000 Russian prisoners of war who came from almost everywhere, only 30 survivors were left at the end of three months. Of these 30 survivors’ photographs were taken by Paul Ricken's department as a document. I have these pictures and I can show
GÉNÉRAL RUĐENKO. — Vous avez les photos de ces prisonniers ?

M. BOIX. — Oui, je les ai données à M. Dubost.

GÉNÉRAL RUĐENKO. — Vous pouvez les montrer, ces photos ?

M. BOIX. — C’est M. Dubost qui les a.

GÉNÉRAL RUĐENKO. — Je vous remercie. Que savez-vous en ce qui concerne les Yougoslaves et les Polonais ?

M. BOIX. — Les premiers Polonais sont entrés au camp en 1939, au moment de la défaite de la Pologne. Ils ont reçu le même traitement que tous les autres : à ce moment-là il n’y avait que des bandits allemands, qui ont alors commencé ce travail d’extermination. Il y a des dizaines de milliers de Polonais qui sont morts dans les pires conditions. Mais ce qu’il faudrait remarquer, c’est la position des Yougoslaves. Les Yougoslaves ont commencé à arriver par des transports, habillés en civil, et ils étaient fusillés soi-disant légalement. Les SS, pour cela, mettaient même les casques d’acier. Ils les fusillaient deux par deux. Le premier transport

them if the Tribunal so wishes.

GEN. RUĐENKO: You do have these pictures?

BOIX: M. Dubost knows about that, yes. M. Dubost has them.

GEN. RUĐENKO: Thank you. Can you show these pictures?

BOIX: M. Dubost has them.

GEN. RUĐENKO: Thank you. What do you know about the Yugoslavs and the Poles?

BOIX: The first Poles came to the camp in 1939 at the moment of the defeat of Poland. They received the same treatment as everybody else did. At that time there were only ordinary German bandits there. Then the work of extermination was begun. There were tens of thousands of Poles who died under frightful conditions. The position of the Yugoslavs should be emphasized. The Yugoslavs began to arrive in convoys, wearing civilian clothes; and they were shot in a legal way, so to speak. The SS wore even their steel helmets for these executions. They shot them two at a time. The first transport brought 165, the second 180, and
était de 165, le deuxième de 180 et après il y a eu des petits groupes : 15, 50, 60, 30, et même des femmes.

Il faut bien remarquer qu’une fois parmi les quatre femmes qui ont été fusillées — et c’était l’unique cas dans les camps de déportés — certaines avant de mourir ont craché au visage de leurs assassins.

Les Yougoslaves ont souffert comme peu de gens ont souffert. Leur position ne peut être comparée qu’à la position des Russes. Ils étaient jusqu’à la fin massacrés par tous les moyens. Je voudrais bien dire encore quelque chose sur les Russes, parce qu’ils ont subi beaucoup de choses.

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COLONEL H. J. PHILLIMORE (Avocat Général pour la Grande Bretagne): Pas de questions.

LE PRÉSIDENT: Le Ministère Public américain?

M. THOMAS J. DODD (Avocat Général pour les États-Unis): Pas de questions.

LE PRÉSIDENT: La Défense a-t-elle l'intention de contre-interroger le témoin?

M. BABEL: Témoin, comment étiez-vous marqué dans le camp? Quelle était votre marque?

M. BOIX: Le numéro? Quelle sorte de marque?

M. BABEL: Les prisonniers étaient différenciés par des étoiles rouges, vertes, jaunes, etc. Était-ce aussi le cas à Mauthausen?

M. BOIX: Everybody wore insignia. They were not stars; they were triangles and letters to show the nationality. Yellow and red stars were for the Jews, stars with six red and yellow points, two triangles, one over the other.

HERR BABEL: Witness, how were you marked in the camp?

BOIX: What color did you wear?

HERR BABEL: The prisoners were marked by variously colored stars, red, green, yellow, and so forth. Was this so in Mauthausen also? What did you wear?

BOIX: A blue triangle with an 'S' in it, that is to say "Spanish political refugee."

HERR BABEL: What color did you wear?

BOIX: The number? What kind of brand?

HERR BABEL: The prisoners were marked by variously colored stars, red, green, yellow, and so forth. Was this so in Mauthausen also? What did you wear?

BOIX: Everybody wore insignia. They were not stars; they were triangles and letters to show the nationality. Yellow and red stars were for the Jews, stars with six red and yellow points, two triangles, one over the other.

HERR BABEL: What color did you wear?

BOIX: A blue triangle with an 'S' in it, that is to say "Spanish political refugee."
M. BABEL. — Étiez-vous « kapo » ?

M. BOIX. — Non, au début j'étais interprète.

M. BABEL. — Quelles étaient vos fonctions ?

M. BOIX. — Il fallait traduire en espagnol toutes les choses barbares que les Allemands voulaient dire aux prisonniers espagnols. Après, mon travail était celui de photographe : développer les films et les photos que l'on faisait partout dans le camp pour suivre le « processus », l'histoire du camp.

M. BABEL. — Comment faisait-on lors des visites ? Est-ce que les visiteurs ne venaient que dans l'intérieur du camp, ou allaient-ils sur les lieux de travail ?

M. BOIX. — Ils visitaient tous les camps. Il était impossible qu'ils ne sachent pas ce qui se passait dans le camp. Seulement, quand il y avait des visiteurs, des magistrats, ou des gens de ce genre, de la Pologne, de l'Autriche, de la Slovaquie et de tous ces pays, alors on leur faisait visiter seulement les meilleurs endroits. C'était Franz Ziereis qui disait: « Voyez ». Il allait chercher les cuisiniers, les déportés bandits, criminels qui étaient gros et gras, et il les choisissait pour dire que tous les déportés étaient pareils.

HERR BABEL: Were you a Kapo?

BOIX: No, I was an interpreter at first.

HERR BABEL: What were your tasks and duties there?

BOIX: I had to translate into Spanish all the barbaric things the Germans wished to tell the Spanish prisoners. Afterwards my work was with photography, developing the films which were taken all over the camp showing the full story of what happened in the camp.

HERR BABEL: What was the policy with regard to visitors? Did visitors go only into the inner camp or to places where work was being done?

BOIX: They visited all the camps. It was impossible for them not to know what was going on. Exception was made only when high officials or other important persons from Poland, Austria or Slovakia, from all these countries, would come. Then they would show them only the best parts. Franz Ziereis would say, "See for yourselves." He searched out cooks, interned bandits, fat and well-fed criminals. He would select these so as to be able to say that all internees looked like these.
M. BABEL. — Est-ce qu'il était interdit aux prisonniers de converser entre eux, au sujet du camp? Ce n'était naturellement guère possible?

M. BOIX. — C'était tellement interdit que si quelqu'un le faisait, ce n'était pas seulement pour lui la mort, mais une répression terrible pour tous ceux qui appartenaient à sa nationalité.

M. BABEL. — Quelles observations avez-vous pu faire au sujet des « kapos »? Comment se sont-ils comportés vis-à-vis de vos codétenus?

M. BOIX. — Parfois, ils étaient dignes d'être SS. Pour être kapo, il fallait être aryen, pur aryen, cela veut dire qu'ils avaient une allure martiale, et comme les SS avaient tous les droits sur nous, ils avaient le droit de nous traiter comme des bêtes. Les SS leur donnaient carte blanche pour faire tout ce qu'ils voulaient avec nous. C'est pour cela qu'à la libération, les prisonniers, les déportés ont exécuté tous les kapos qu'ils ont trouvés.

Un peu avant la libération, les kapos ont demandé à s'engager volontairement dans les SS. Ils sont partis avec eux, parce qu'ils savaient ce qui les attendait. Malgré cela, nous les avons cherchés

HERR BABEL: Were the prisoners forbidden to communicate with each other concerning conditions in the camp? Communication with the outside was, of course, scarcely possible.

BOIX: It was so completely forbidden that, if anyone was caught at it, it meant not only his death but for all those of his nationality terrible reprisals.

HERR BABEL: What observations can you make regarding the Kapos? How did they behave toward your fellow internees?

BOIX: At times they were really worthy of being SS themselves. To be a Kapo, one had to be Aryan, pure Aryan. That means that they had a martial bearing and, like the SS, full rights over us; they had the right to treat us like beasts. The SS gave them carte blanche to do with us what they wished. That is why, at the liberation, the prisoners and deportees executed all the Kapos on whom they could lay their hands.

Shortly before the liberation the Kapos asked to enlist voluntarily in the SS and they left with the SS because they knew what was awaiting them. In spite of that we looked
partout et nous les avons exécutés sur place.

M. BABEL. — Vous disiez « ils devaient vous traiter comme des bêtes ». D'où concluez-vous qu'ils le devaient ?

M. BOIX. — Il aurait fallu être aveugle pour ne pas le voir. On pouvait voir la façon dont ils se tenaient. Il était préférable de mourir comme un homme, plutôt que de vivre comme une bête. Tandis qu'ils préféraient vivre comme des bêtes, comme des sauvages, comme des criminels. Ils sont connus comme tels. J'ai vécu là-bas quatre ans et demi, et je sais très bien ce qu'ils faisaient. Il y en avait beaucoup d'entre nous qui avaient la possibilité d'être kapos pour leur travail, parce qu'ils étaient spécialistes dans un métier quelconque, dans le camp. Mais ils préféraient être frappés et massacrés si c'était nécessaire, plutôt que de devenir kapo.

M. BABEL. — Je vous remercie.

LE PRÉSIDENT. — D'autres avocats veulent-ils poser des questions au témoin ? M. Dubost, avez-vous des questions à poser ?

M. DUBOST. — Je n'ai plus de questions, Monsieur le Président.

for them everywhere and executed them on the spot.

HERR BABEL: You said "they had to treat you like wild beasts." From what facts do you draw the conclusion that they were obliged to?

BOIX: One would have to be blind in order not to see. One could see the way they behaved. It was better to die like a man than to live like a beast; but they preferred to live like beasts, like savages, like criminals. They were known as such. I lived there four and a half years and I know very well what they did. There were many among us who could have become Kapos for their work, because they were specialists in some field or another in the camp. But they preferred to be beaten and massacred, if necessary, rather than become a Kapo.

HERR BABEL: Thank you.

THE PRESIDENT: Does any other member of the defendants' counsel wish to ask questions of the witness ? M. Dubost, do you wish to ask any questions ?

M. DUBOST: I have no further questions, Mr. President.
LE PRÉSIDENT. — Très bien.

GÉNÉRAL RUĐENKO. — Monsieur le Président, le témoin a dit qu’il avait à sa disposition des documents photographiques de trente prisonniers de guerre soviétiques qui ont survécu sur plusieurs milliers de détenus dans ce camp. Je vous demanderais, Monsieur le Président, de présenter ce document photographique au témoin, pour qu’il puisse dire devant le Tribunal que c’est bien ce groupe de prisonniers de guerre soviétiques.

LE PRÉSIDENT. — Certainement, vous pouvez montrer la photographie au témoin, si elle est disponible.

GÉNÉRAL RUĐENKO. — Témoin, pouvez-vous exhiber cette photographie ?

(Le témoin présente la photo aux membres du Tribunal.)

LE PRÉSIDENT. — Est-ce là la photo?

M. BOIX. — Oui. Je peux assurer que ces trente survivants vivaient encore en 1942, mais étant donné les conditions de vie du camp, c’est très difficile de savoir si maintenant il y en a encore quelques-uns qui vivent.

LE PRÉSIDENT. — Voulez-vous donner la date à laquelle cette photo a été prise?

THE PRESIDENT: Very well.

GEN. RUĐENKO: My Lord, the witness informed us that he had at his disposal the photographic documents of 30 Soviet prisoners of war, the sole survivors of several thousand internees in this camp. I would like to ask your permission, Mr. President, to present this photographic document to the witness so that he can confirm before the Tribunal that it is really this group of Soviet prisoners of war.

THE PRESIDENT: Certainly you may show the photograph to the witness if it is available.

GEN. RUĐENKO: Yes. Witness, can you show this picture?

[The witness presented the picture to the Tribunal.]

THE PRESIDENT: Is this the photograph?

BOIX: Yes, I can assure you that these 30 survivors were still living in 1942. Since then, in view of the conditions of the camp, it is very difficult to know whether some of them are still alive.

THE PRESIDENT: Would you please give the date when
M. BOIX. — C'était à la fin de l'hiver 1941-1942. À ce moment-là, il y avait encore 10° au-dessous de zéro. On peut voir sur la photo la mine qu'ils ont, en raison du froid.

LE PRÉSIDENT. — Ce livre a-t-il été présenté comme preuve ?

M. DUBOST. — Ce livre est présenté comme preuve, Monsieur le Président, comme preuve officielle.

LE PRÉSIDENT. — La Défense trouvera-t-elle ces photographies ?

M. DUBOST. — Le livre a été déposé sous le n° RF-331. Les avocats ont aussi un exemplaire de ce livre en allemand. Les photographies n'y sont pas, Monsieur le Président.

LE PRÉSIDENT. — Il faudrait marquer ces photographies, Monsieur Dubost. Il faudrait les marquer avec le numéro de dépôt français.

M. DUBOST. — Nous donnerons le n° RF-333.

LE PRÉSIDENT. — On va les numérotter ainsi. Veuillez les faire parvenir au Dr Babel.

BOIX: It was at the end of the winter of 1941-42. At that time, it was still 10 degrees (centigrade) below zero. You can see from the picture the appearance of the prisoners because of the cold.

THE PRESIDENT: Has this book been put in evidence yet?

M. DUBOST: This book has been submitted as evidence, Your Honor. As official evidence.

THE PRESIDENT: Have the defendants got copies of it?

M. DUBOST: It was submitted as Exhibit Number RF-331 (Document F-321). The Defense have also received a copy of this book in German, but the pictures are not in the German version, Your Honor.

THE PRESIDENT: Well then, let this photograph be marked. It had better be marked with a French exhibit number, I think. What will it be?

M. DUBOST: We shall give it Exhibit Number RF-333.

THE PRESIDENT: Let it be marked in that way, and then hand it to Herr Babel.
GÉNÉRAL RUDENKO. — Je vous remercie, je n'ai plus de question à poser.

LE PRÉSIDENT. — Vous voulez-vous remettre la photo au Dr Babel? (La photo est présentée à M. Babel.)

Remettez-la également aux autres avocats, au cas où ils auraient des questions à poser concernant cette photographie.

Monsieur Dubost, je suppose qu'une copie entière de ce livre, y compris les photographies, a été déposée au centre de renseignements des accusés?

M. DUBOST. — Le livre entier, sauf les photographies.

LE PRÉSIDENT. — Pourquoi sans les photographies?

M. DUBOST. — Parce que nous ne les avions pas à ce moment-là, pour pouvoir les déposer. Nous n'avons pas fait état des photographies dans notre exposé.

LE PRÉSIDENT. — Les avocats allemands devraient avoir les mêmes documents que ceux qui sont déposés au Tribunal ; donc elles auraient dû être déposées au centre de renseignements.

M. DUBOST. — Monsieur le Président, nous avons

GEN. RUDENKO: Thank you, Sir. I have no more questions.

THE PRESIDENT: Will you hand the photo to Dr. Babel. [The photo was handed to Herr Babel.]

I think it should be handed about to the other defendants' counsel in case they wish to ask any question about it.

M. Dubost, I think that an approved copy of this book, including the photographs, have been deposited in the defendants' Information Center.

THE PRESIDENT: The German counsel ought to have the same documents as are submitted to the Tribunal. The photographs have been submitted to the Tribunal; therefore, they should have been deposited in the Information Center.

M. DUBOST: Mr. President, the French text, including the
déposé le livre en français, avec les photographies, au centre d'information de la Défense et, en outre, un certain nombre de textes en allemand auxquels n'étaient pas jointes les photographies parce que nous avons fait faire cette traduction à l'usage des défenseurs. Mais ils ont les textes français, auxquels les photographies, que vous avez sous les yeux, sont jointes.

LE PRÉSIDENT. — Très bien.

M. DUBOST. — Nous avons ici quatre exemplaires que nous allons vous remettre, de la photographie qui a été projetée hier soir, et qui présente Kaltenbrunner et Himmler dans la carrière de Mauthausen, suivant le témoignage de Boix. Une de ces photographies sera remise aussi à la Défense, à l'avocat de Kaltenbrunner.

LE PRESIDENT.—Maintenant, la photographie a été vue par la Défense. Y a-t-il parmi les avocats des défenseurs qui voudraient poser au témoin des questions concernant cette photographie?

Pas de question?

Le témoin peut se retirer.

M. BOIX. — Je voudrais bien dire quelque chose. Je voudrais pictures, was deposited in the Defense Information Center; and, in addition, a certain number of texts in German, to which the pictures were not added because we had that translation prepared for the use of the Defense. But there are French copies of the book that you have before you which include the pictures.

THE PRESIDENT: Very well.

M. DUBOST: We have here four copies of the picture which was shown yesterday afternoon, which we shall place before you. It shows Kaltenbrunner and Himmler in the quarry of Mauthausen, in accordance with the testimony given by Boix. One of these pictures will also be delivered to the Defense, that is, to the lawyer of the Defendant Kaltenbrunner.

THE PRESIDENT: Now the photograph has been handed around to the defendants' counsel. Do any members of the defendants' counsel wish to ask any questions of the witness about this photograph?

No question?

The witness can retire.

BOIX: I would like to say something more. I would
faire remarquer qu'il y a des cas où les officiers soviétiques ont été massacrés. Il faudrait le remarquer, surtout parce qu'il s'agit de prisonniers de guerre, et je voudrais bien que MM. les Jurés m'écoutent bien.

LE PRÉSIDENT. — Que désirez-vous dire concernant les prisonniers de guerre russes massacrés?

M. BOIX. — Il y a eu en 1943 un transport d'officiers. Le jour même où ils sont arrivés, ils ont commencé à être massacrés par tous les moyens. Mais il paraît que des sphères supérieures, des ordres sont arrivés concernant ces officiers, disant qu'il fallait faire quelque chose d'extraordinaire.

Alors, on les a mis dans le meilleur bloc du camp, dans le bloc le mieux placé, on leur a mis des vêtements tout neufs de prisonniers de guerre. On leur a même donné une cigarette, on les a fait couche dans des lits avec des draps, ils ont mangé tout ce qu'ils ont voulu. Ils ont été auscultés par un commandant médecin, Sturmbannführer, Dr Bresbach.

Ils sont descendus à la carrière, mais ils ont porté des petites pierres à quatre, et pendant ce temps-là, il y avait le chef du service, Oberscharführer Paul Ricken, chief of the service.

THE PRESIDENT: What is it you wish to say about the massacre of the Soviet prisoners of war?

BOIX: In 1943 there was a transport of officers. On the very day of their arrival in the camp they began to be massacred by every means. But it seems that from the higher quarters orders had come concerning these officers saying that something extraordinary had to be done.

So they put them in the best block in the camp. They gave them new prisoner's clothing. They gave them even cigarettes; they gave them beds with sheets; they were given everything they wanted to eat. A medical officer, Sturmbannführer Bresbach, examined them with a stethoscope.

They went down into the quarry, but they carried only small stones, and in fours. At that time Oberscharführer Paul Ricken, chief of the
Ricken, qui photographiait avec son Leica sans arrêt. Il a fait environ 48 photographies. Ces photographies ont été développées par moi, et cinq épreuves de chacune, en 13 X 18, ont été envoyées avec les négatifs — c'est dommage que je n'aie pas volé ces négatifs comme les autres — à Berlin, pour ces questions.

Lorsque cela a été fini, les Russes ont été dépouillés des vêtements propres et de tout, et ils ont passé à la chambre à gaz. La comédie était déjà finie. Tout le monde pouvait voir sur les photos que les prisonniers russes, les officiers, les commissaires politiques surtout, étaient bien. Cela, c'est une chose qu'il faudrait remarquer parce que je crois que c'est nécessaire.

Il y a encore une question : il y a une baraque qui s'appelait la baraque n° 20. Cette baraque-là était à l'intérieur du camp, et malgré les barbelés électrifiés qui étaient tout autour du camp, il y avait encore un mur avec des fils électrifiés.

Dans ces baraques-là, il y avait des prisonniers de guerre, officiers et commissaires russes, quelques Slaves, quelques Français, et on disait même quelques Anglais. Dans ces service, was there with his Leica taking pictures without stopping. He took about 48 pictures. These I developed and five copies of each, 13 by 18, with the negatives, were sent to Berlin. It is too bad I did not steal the negatives, as I did the others.

When that was done, the Russians were made to give up their clothing and everything else and were sent to the gas chamber. The comedy was ended. Everybody could see on the pictures that the Russian prisoners of war, the officers, and especially the political commissars, were treated well, worked hardly at all, and were in good condition. That is one thing that should be noted because I think it is necessary.

And another thing, there was a barrack called Barrack Number 20. That barrack was inside the camp; and in spite of the electrified barbed wire around the camp, there was an additional wall with electrified barbed wire around it.

In that barrack there were prisoners of war, Russian officers and commissars, some Slavs, a few Frenchmen, and, they said, even a few Englishmen. No one could enter that
baraques-là, personne ne pouvait entrer hors les deux Führer qui étaient dans la prison du camp, les commandants des camps intérieur et extérieur. Ces déportés étaient habillés comme nous en bagnards, mais sans numéros et sans indication de nationalité : on ne pouvait pas voir à quelle nationalité ils appartenaient.

Le service « Erkennungsdienst » a dû les photographier. On plaçait une plaque sur la poitrine avec le numéro, et ce numéro commençait à trois mille et quelques. Il y avait un numéro qui ressemblait à un n° 11 (deux traits bleus) et les numéros commençaient à 3,000 et ont fini environ à 7,000. Le photographe à ce moment-là était le SS-Unterscharführer Hermann Schinlauer. C'était un originaire de la région de Berlin, d'un pays au-dessus de Berlin, je ne me souviens pas du nom. Celui-là avait l'ordre de développer lui-même et de faire tout lui-même. Mais comme tous les SS des services intérieurs du camp, c'étaient des hommes qui ne savaient rien faire. Ils avaient toujours besoin de prisonniers pour faire leur travail. C'est pour cela qu'il avait besoin de moi pour développer les films. C'était moi qui faisais les agrandissements en format 5X7. Ils étaient remis à

barrack except the two Führer who were in the camp prison, the commanding officers of the inner and outer camps. These internees were dressed just as we were, like convicts, but without number or identification of, their nationality. One could not tell their nationality.

The service "Erkennungsdienst" must have taken their pictures. A tag with a number was placed on their chest. This number began with 3,000 and something. There were numbers looking like Number 11 (two blue darts), and the numbers started at 3,000 and went up to 7,000. SS Unterscharführer Hermann Schinlauer was the photographer then in charge. He was from the Berlin region, somewhere outside of Berlin, I do not remember the name. He had orders to develop the films and to do all work personally; but like all the SS of the interior services of the camp, they were men who knew nothing. They always needed prisoners to get their work done. That is why he needed me to develop these films. I made the enlargements, 5 by 7. These were sent to Obersturmführer Karl Schulz, of Cologne, the Chief of the Politische Abteilung. He told me not
l'Obersturmführer Karl Schulz de Cologne. C'était le chef du Politische Abteilung. Il m'a recommandé de ne rien dire à personne, du fait que nous développions cela nous-mêmes, autrement nous serions liquidés tout de suite. Sans souci des conséquences, je le disais à tous mes camarades, pour que si l'un de nous réussissait à sortir, il le dise au monde.

LE PRÉSIDENT. — Je crois que nous avons entendu suffisamment de détails sur ce que vous nous dites maintenant. Revenez au cas duquel vous parliez. Je voudrais que vous reparliez du cas concernant les prisonniers de guerre russes, en 1943. Vous disiez que les officiers étaient envoyés à la carrière pour porter de très lourdes pierres?

M. BOIX. — Non, pas du tout, de toutes petites pierres, qui ne faisaient même pas 20 kilos, et à quatre, pour pouvoir montrer sur les photographies que les officiers russes n'avaient pas un travail dur, mais un travail facile. C'était seulement pour les photographier, tandis qu'en réalité, c'était tout à fait différent.

LE PRÉSIDENT. — Je croyais que vous aviez dit qu'ils portaient des pierres très lourdes?

THE PRESIDENT: I think we have heard enough of this detail that you are giving us. But come back for a moment to the case you were speaking of. I wish you would repeat the case of the Russian prisoners of war in 1943. You said that the officers were taken to the quarry to carry the heaviest stones.

BOIX: No, just very small stones, weighing not even 20 kilos, and they carried them in fours to show on the pictures that the Russian officers did not do heavy work but on the contrary, light work. That was only for the pictures, whereas in reality it was entirely different.

THE PRESIDENT: I thought you said they carried big, heavy stones.
M. BOIX. — Non.

LE PRÉSIDENT. — Étaient-ils en uniforme sur la photographie, lorsqu'ils portaient ces pierres légères?

M. BOIX. — Ils avaient des uniformes propres et bien arrangés, pour pouvoir montrer que les prisonniers russes étaient très bien traités comme il fallait.

LE PRÉSIDENT. — Très bien. Y a-t-il d'autres incidents, desquels vous voulez parler?

M. BOIX. — Oui, c'est du bloc 20. J'ai pu réussir à le voir, grâce aux connaissances que j'avais dans la photographie : j'avais été aider mon chef pour maintenir la lumière quand il photographiait. C'est comme cela que j'ai suivi, détail après détail, tout ce qui se passait dans cette baraque-là. C'était un camp intérieur. Cette baraque, comme toutes les autres, avait 7 mètres de large sur 50 mètres de long. Les détenus étaient 1800 et ne touchaient même pas un quart de ce que nous touchions pour la nourriture. Ils n'avaient pas de cuillères, pas d'assiettes ; on vidait des chaudières de nourriture pourrie sur la neige, on attendait qu'elle commence à geler et on donnait l'ordre aux Russes de se jeter là-dessus. Les Russes avaient tellement faim qu'ils se battaient pour

BOIX: No.

THE PRESIDENT: Were the photographs taken while they were in their uniforms carrying these light stones?

BOIX: Yes, Sir; they had to put on clean uniforms, neatly arranged, to show that the Russian prisoners were well and properly treated.

THE PRESIDENT: Very well. Is there any other particular incident you want to refer to?

BOIX: Yes, about Block 20. Thanks to my knowledge of photography, I was able to see it; I had to be there to handle the lights while my chief took photographs. In this way I could follow, detail by detail, everything that took place in this barrack. It was an inner camp. This barrack, like all the others, was 7 meters wide and 50 meters long. There were 1,800 internees there, with a food ration less than one-quarter of what we would get for food. They had neither spoons nor plates. Large kettles of spoiled food were emptied on the snow and left there until it began to freeze; then the Russians were ordered to get at it. The Russians were so hungry they would fight for this food. The SS used these fights as a pretext to beat some of them with bludgeons.
pouvoir manger cela. Les SS profitaient de la bagarre pour en frapper quelques-uns à coups de matraque.

LE PRÉSIDENT. — Vous voulez dire que les Russes étaient mis directement dans la baraque 20?

M. BOIX. — Les Russes n’entraient pas directement au camp. Ceux qui n’étaient pas gazés tout de suite passaient directement à la baraque 20. Même le Blockführer intérieur du camp ne pouvait pas y entrer. Il en venait de petits transports de 50, 60, plusieurs fois par semaine, et on entendait toujours la bagarre intérieure.

En janvier 1945, quand les Russes ont su que les armées soviétiques s’approchaient de la Yougoslavie, ils ont tenté une dernière chance; ils ont pris les extincteurs d’incendie, et ensuite ont tué les soldats d’un poste qu’il y avait sous le mirador. Ils ont pris les mitraillettes et tout ce qui pouvait leur servir d’armes. Ils ont pris des couvertures et tout ce qu’ils ont pu. Ils étaient 700, sur lesquels 62 réussirent à passer en Yougoslavie avec les partisans.

Ce jour-là, Franz Ziereis, chef du camp, a donné l’ordre par radio à tous les civils de collaborer à « liquider » les criminels russes qui s’étaient évadés.

THE PRESIDENT: Do you mean that the Russians were put directly into Block 20?

BOIX: The Russians did not come to the camp directly. Those who were not sent to the gas chamber right away were placed in Block 20. Nobody of the inner camp, not even the Blockführer, was allowed to enter this barrack. Small convoys of 50 or 60 came several times a week and always one heard the noise of a fight going on inside.

In January 1945, when the Russians learned that the Soviet Armies were approaching Yugoslavia, they took one last chance. They seized fire extinguishers and killed soldiers posted under the watch tower. They seized machine guns and everything possible as weapons. They took blankets with them and everything they could find. They were 700, but only 62 succeeded in passing into Yugoslavia with the partisans.

That day, Franz Ziereis, camp commander, issued an order by radio to all civilians to co-operate, to "liquidate" the Russian criminals who had escaped from the concentration.
du camp de concentration. Il a déclaré que celui qui donnerait une preuve d'avoir assassiné l'un de ces hommes toucherait une quantité extraordinaire de mark. C'est pour cela que tous les partisans des nazis à Mauthausen se sont mis à cette tâche et sont parvenus à abattre plus de 600 évadés, parce que, d'ailleurs, certains des Russes ne pouvaient pas se traîner plus de dix mètres.

Après la libération, un Russe de ces survivants est venu à Mauthausen voir comment tout cela était resté. C'est lui qui nous a raconté tous les détails de sa marche pénible.

LE PRÉSIDENT. — Je ne crois pas que le Tribunal veuille entendre parler d'autres détails que vous n'ayez pas vus vous-même.

Les avocats désirent-ils poser des questions au témoin, concernant ce qu'il vient de dire?

M. BABEL. — Je n'ai qu'une question. Au cours de vos déclarations, vous avez donné des chiffres: une fois 165, une fois 180, maintenant vous parlez de 700. Vous étiez-il donc possible de compter vous-même?

M. BOIX. — Presque toujours, ces transports entraînaient au camp. He stated that everyone who could produce evidence that he had killed one of these men would receive an extraordinary sum of marks. This was why all the Nazi followers in Mauthausen went to work and succeeded in killing more than 600 escaped prisoners. It was not hard because some of the Russians could not drag themselves for more than 10 meters.

After the liberation one of the surviving Russians came to Mauthausen to see how everything was then. He told us all the details of his painful march.

THE PRESIDENT: I don't think the Tribunal wants to hear more details which you did not see yourself.

Does any member of the Defense Counsel wish to ask any question of the witness upon the points which he has dealt with himself?

HERR BABEL: One question only. In the course of your testimony you gave certain figures, namely 165, then 180, and just now 700. Were you in a position to count them yourself?

BOIX: Nearly always the convoys came into the camp in
camp en colonne de cinq. C'est très facile à compter. Ces transports étaient toujours envoyés de la Wehrmacht, des prisons de la Wehrmacht, quelque part en Allemagne. Ils étaient envoyés de toutes les prisons d'Allemagne et cela venait bien de la Wehrmacht, de la Luftwaffe, des SD ou des SS.

LE PRÉSIDENT. — Répondez simplement à la question, sans faire de discours. Vous avez dit qu'ils venaient en colonne par cinq, et qu'il était facile de les compter?

M. BOIX. — Très facile de les compter, surtout pour ceux qui voulaient pouvoirs le raconter un jour.

M. BABEL. — Vous aviez donc tant de temps pour pouvoir observer ces choses-là?

M. BOIX. — Les transports venaient toujours au soir, après l'entrée des déportés au camp. A ce moment-là, on avait toujours deux à trois heures à rester dans le camp, en attendant que la cloche nous oblige à aller nous coucher.

LE PRÉSIDENT. — Le témoin peut se retirer.

(M. François Boix se retire.)

columns of five. It was easy to count them. These transports were always sent from the Wehrmacht, from the Wehrmacht prisons somewhere in Germany. They were sent from all prisons in Germany, from the Wehrmacht, the Luftwaffe, the SD, or the SS.

THE PRESIDENT: Just answer the question and do not make a speech. You have said they were brought in in columns of five and it was easy to count them.

BOIX: Very easy to count them, particularly for those who wanted to be able to tell the story someday.

HERR BABEL: Did you have so much time that you were able to observe all these things?

BOIX: The transports always came in the evening after the deportees had returned to the camp. At this time, we always had two or three hours when we could wander about in the camp waiting for the bell that was the signal for us to go to bed.

THE PRESIDENT: The witness may now retire.

[The witness left the stand.]
Chapter 10. Commentary on the testimony of Francesc Boix

Boix stepped up, bristling with self-importance, so different in manner from the modest, self-effacing Marie-Claude who preceded him.

Boix gave his testimony in French, beginning with the oath “to speak without hatred and without fear.” Boix opened by telling the court that he was a Spanish refugee born in Barcelona on August 14, 1920 and interned in Mauthausen from January 27, 1941. Unsurprisingly, he made no reference to Antonio García and in various ways falsified his own role.

Kaltenbrunner was defended by the German lawyers Kurt Kaufmann and Ludwig Babel, the latter defense counsel for the SS in general.

1. p. 75. “Pictures of everything happening in the camp could be taken and sent to the High Command in Berlin.”

Not everything could be photographed. Pursuant to orders issued presumably by Pohl (SS administration) or his deputy Glücks (Lager), certain sections of the camp—the prison and the quarantine Block, for example—remained out of bounds.

Boix neither developed nor printed the films in the entire period that Ricken was in Mauthausen. If he had, he would have known that five prints were made of every photograph, but not all five prints were sent to Berlin. All five copies were delivered in person to Schulz, in his office 500 yards away, by an SS. Schulz had the job of sorting the five prints. One he kept, one went to the Linz Gestapo (Dr Spann), one to the Vienna Gestapo (Franz Hüber), one to Müller and one to Kaltenbrunner, both in Berlin.

2. p. 77. “The man in the front is a criminal from Berlin by the name of Schulz.”
The man was in fact Karl Maierhofer, a German gypsy known to the Spanish prisoners as Llup. Gypsy or not, the triangle he wore was Black (Antisocial) and not Brown (gypsy).

3. p. 77. *[This picture was taken] by Oscha. Fritz Kornacz. He was later killed by American troops in Holland in 1944.*

There were virtually no US units in Holland in 1944. The Allied forces in Holland were those of Crerar’s First Army (Canadian) and Dempsey’s Second Army (British). And how could Boix have known anything about Kornacz’ fate in Holland?

4. p. 78. “*The photos were taken by Oberscharführer Paul Ricken.*”

Ricken’s rank, as head of the unit, was Hauptscharführer, from first to last.32

5. p. 80. “*The date of this picture is September 1943, on the birthday of Ziereis.*”

Ziereis was born on August 13, 1905.

6. p. 82. Dubost: “*You had fought as a volunteer in the French Army.*”

Boix did not correct Dubost. In fact, he was not a volunteer, and like the other Spaniards in French uniform he was not called upon to take up arms.

7. p. 82. *The [Spanish] Minister for Foreign Affairs had had an interview with Hitler.*

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32 It was not a point of discussion at the Trial, but it was a point that Antonio García belabored in many discussions with the author: Paul Ricken was deep in graft. By graft, García meant the opportunities that Ricken seized, and which Schinlauer seized when he took Ricken’s place in his absence, to accept bribes from his SS colleagues for personal portrait photographs, in individual or group shots, as well as copies of photographs they wanted for themselves, especially those of visiting dignitaries. In 1944, as the normal work of the Erkennungsdienst wound down, the opportunities to make money greatly increased. Ricken, according to Garcia, was always afraid of being exposed, even by the prisoners who knew about it.
Boix in Paris had picked up a story. This myth has for long been demolished. It is curious, however, that Boix’s legal counsel should interrupt him by saying, “Never mind that.”

END OF SESSION ON EVENING OF JANUARY 28, 1946.

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SESSION ON MORNING OF JANUARY 29, 1946.

The Marshal announced: “The defendant Kaltenbrunner will be absent from this morning’s session on account of illness.”

It should be noted that Boix had answered the Court’s first question, “Je le jure.”

8. p. 86. Dubost: “Do you recognize among the defendants anyone who visited Mauthausen during your internment there?”

“Our. He came to the Gusen camp in 1943 and also to the quarry at Mauthausen. I did not see him myself as I was in the identification service at the time and could not leave. Ricken took a roll of film which I developed. On this film I recognized Speer and some leaders of the SS as well.”

Exactly how could Boix have known in 1943 what Speer (or the others) looked like?

9. p. 87. “I recognized Speer on 36 photos at Gusen and the Mauthausen quarry,”

If these photographs exist, why have they never been made public? Boix could reply that they were not among those he saved. But he remembered the exact number. Ricken’s film rolls were all of 45, not 36 prints.

10. p. 87. “[Pictures show Speer] with Ziereis in a cordial handshake.”

No such photograph was shown to the Tribunal and none has ever been published, which leaves their existence in doubt.
11. p. 91. [Speaking of the arrival of the first 2,000 Soviet prisoners of war] “There were already 20 deaths, from walking only the distance of 4 kilometers between the station and the camp.”

Boix could not have known anything about the deaths on the road. The SS left the corpses in place for the Gendarmerie to pick up in the morning. They are recorded only in the archives of the Gendarmerie of Mauthausen Marktgemeinde.

12. p. 92. “[Before the Poles arrived], there were only ordinary German bandits.”

Boix makes no mention of the Czech prisoners, almost all of whom had arrived before the Spaniards.

13. p. 93. [Some of the Yugoslav women] spat in the face of [Ziereis] before dying [at the execution site].

The execution site at Mauthausen was deliberately secluded, and there were never any prisoners present. But Boix claims he saw it.

14. p. 93 & 94. Lord Chief Justice Lawrence asked the British and American prosecutors, Colonel H. J. Phillimore and Thomas J. Dodd, if they had any questions. “No questions,” replied both, showing a curious lack of interest in the fate of their own nations’ prisoners of war, especially since the only Western Allied soldiers sent to a death camp were the special agents in the elite units, the British SOE and the American OSS. Dodd should have been alerted by the participation of Harold Taylor in the documentary shown earlier to the Tribunal, and Phillimore by what was then public knowledge of the fate of the 57 SOE agents.

15. p. 95. Ludwig Babel, Kaltenbrunner’s defense counsel, put the loaded question to Boix: “Were you a Kapo?”

Boix was aware he was under oath, and hesitated in his reply. He had indeed been a Kapo, in the Erkennungsdienst, but he knew the stigma attached to Kapo and denied that he was. His
answer was evasive: “I was an interpreter at first.” Boix had no knowledge of German when he arrived in Mauthausen, but it seems he was above normal in ability to pick up languages. He was assigned to the Baukommando on the Danube road, and understood enough German to convey the orders to the men.

Boix then said, “My work was with photography, developing the films and the photos,” separating the two and suggesting a difference between films and photos. No one up to today has produced a video film taken in KL-M.

Again it must be said that as long as Ricken remained in KL-M, and García in the darkroom, Boix never entered the darkroom.


Mauthausen had control of 49 Nebenlager, scattered over all of Austria except the Tyrol, each with its local Aussenkommandos. How would Boix know where they went and what they visited? SS photographs were not taken outside of Mauthausen Hauptlager and Gusen Unterkunft.

17. p. 96. “To be a Kapo, one had to be pure Aryan.”

Whatever definition is given to Aryan, Spaniards were indeed included in the Kapo class.

“There were many among us who could have become Kapos for their work, because they were specialists in some field or another in the camp. But they preferred to be beaten and massacred, if necessary, rather than become a Kapo.”

Boix is deliberately ignoring the difference between a Kapo and a Prominenten. The master-craftsmen who made up the Prominenten class included a very large number of Spaniards, beginning with the masons. The Prominenten, who were housed together in Block 2, included the Lagerschreiber such as Juan de Diego, and the photographic workers such as Boix. Boix could
not have forgotten the privileged Block 2 in which he slept, with bed-sheets.

If, now, the question turns to Kapo *qua* Kapo, then it is false in the extreme to say that the blue-triangle Spaniards never agreed to becoming Kapos. The Spanish Kapos in Mauthausen and its Nebenlager ran from the very best, such as César Orquín Serra, of the traveling Kommando,\(^{33}\) to the very worst, such as Indalecio González González. Another Spanish Kapo beyond reproach was Ramón Bargueño, responsible for the prison and a major participant in the hiding of the photographs, once they were transferred from the *Erkennungsdienst* into the fortress.

In accepting a job as Kapo, a prisoner from Aragon called Manuel (‘el Maño’) was probably the first Spaniard to obtain such a post. He found it in the Baukommando, constructing the rampart; he then succeeded in placing other *Blues* as Kapos.\(^{34}\) Manolo Alamán, from Madrid, became Kapo of the tailor’s shop Kommando.\(^{35}\) Another Spaniard called Cheka became a Kapo in the kitchens.\(^{36}\)

And then there were the criminal Kapos, with their Spanish representation. As Boix well knew, much more was known about the Spanish Kapos than about any other, and for a reason. The Spaniards were the only national group to go after their compatriots for the crimes they committed as Kapos, and they were to pay most dearly for them. Among these Kapos was José Palleja Caralt, known at Mauthausen as “el Negus.” His reputation travelled far beyond the Nebenlager at Schwechat, Floridsdorf, and Mödling where he worked. A notorious pederast, brutal and imbecilic, he beat his fellow-prisoners, including the sick, for the sheer love of it; more than one died from the beating. His particular targets were the French, out of revenge for the months he had spent in 1939 interned at Argelès-sur-Mer. The French captain Billotte, though marked for life by

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\(^{33}\) PIKE 2018 pp. 64–68.  
\(^{34}\) RAZOLA/CONSTANTE 1969 pp. 57-58.  
\(^{35}\) García Barrado, interview.  
\(^{36}\) VILANOVA 1969 p. 196.
blows inflicted by Palleja, lived to see the day when he would confront the Spaniard before a French military tribunal, held in Toulouse on March 11, 1947. He described him as the “most terrible of Kapos: Kapos in other camps would threaten prisoners with a transfer to the care of ‘el Negus’ if they caused trouble, and we knew what that meant.” Jean Laffitte was among those who gave evidence. Palleja was sentenced to death.37

While some of the Spanish Kapos would die anonymously, executed by their fellow-prisoners on the day of liberation, five besides Palleja would later be brought to justice in an Allied court. Four of them were arrested as war criminals in 1945 by the US Counter Intelligence Corps, and put on trial in the US Military Court in Dachau on July 23, 1947.

Among the Spaniards (Blues) who readily accepted the order by the SS to serve as Kapos, several proved to be as brutal as any in the criminal class (Greens). Such a one was Indalecio González González, known both as Asturias and Napoleón. Within a month of his arrival in Mauthausen he was promoted to Oberkapo in Kastenhofen, the largest quarry in Gusen. Responsible for 1,600 prisoners, he had under him a staff of between 14 and 16 Kapos, and between 40 and 45 assistant Kapos. He then rose to become Gusen II’s Lagerältester. Arrested in May 1945, he appeared before the US Military Court in Dachau, charged among other crimes with murdering seven fellow-prisoners in September 1944 by plunging their heads into a cesspit. He was sentenced to death and hanged in Landsberg prison.

Another who went on trial in Dachau was Moisés Fernández Pascual, who served from 1943 to 1945 as Kapo in the Hauptlager, in Gusen, and in Steyr. He was sentenced to a prison term of 20 years. There was also Joaquín Espinosa Muñoz, the kitchen Kapo in Gusen I and Gusen II, where his crimes included the drowning in January 1943 of two Polish prisoners by forcing them into a barrel and shutting the lid. For

37 TILLARD 1945 p. 20.
Commentary on the testimony

this and for crimes in Ebensee he received a sentence of three years.

Other Spanish were glad to serve as Kapos, winning reputations for brutality in the process. Laureano Navas García had served as an officer in the Spanish Republican Army, and in the Civil War had lost his right hand. In June 1941 he was appointed Kapo of latrines in Gusen, and used his left hand to strike. He too appeared at Dachau, where his crimes were enough to win him a life sentence, but he later obtained a release. There was also Domingo Félez Burriel “el loco,” who also served as a kitchen Kapo in Gusen. At Dachau he was sentenced to four years’ imprisonment, but was able to obtain a release in July 1947.

So much for Boix’s testimony: ‘No Spaniard ever agreed to serve as a Kapo.”

18. p. 98. When the president of the Court (Lord Chief Justice Lawrence) invited the Allied Counsels to question the witness, the Soviet Counsel (General Rudenko) asked Boix only about a group of 30 Soviet prisoners still alive in 1942. Rudenko made no mention of the Soviet mass-breakout of February 1945, which had no parallel in Mauthausen or in any other SS camp.

19. p. 104. LCJ Lawrence instructed the witness Boix to withdraw. Instead, Boix asked to speak further. Lord Lawrence allowed him to do so. Boix then presented the Potemkin-village version of life in KL-M which was intended for foreign consumption. Boix then stated that Schinlauer was at that time in charge, but he “knew nothing” about photography, so “he needed me to develop these films.” Justice Lawrence interrupted him in his account: “I think we have heard enough of this detail you are giving us.”

20. p. 106. Boix: I had to be there to handle the lights while my chief (Schinlauer) took photographs.
On the night of the great escape, Antonio García was still working in the *Erkennungsdienst* (he entered the *Revier* toward the end of the month). Schinlauer was in charge, since Ricken was now assigned to Nebenlager Aflenz. Antonio insisted to the present author that Ricken would never order a prisoner to accompany him to a site to help him with lighting. It was now up to Schinlauer, of course, and being a mediocrity he would have needed help. However, five photographs of the event are known to exist, and these five are available in the US archives. One shows the exterior of the Death Block wall, and four of the wrecked interior, showing what the Soviet officers, in their frenzy to escape, left behind, including shoes (in the month of February). All four of the interior shots show that the light is coming through the open windows.\(^3^8\) The photographs were therefore taken, not in the night of February 2-3, but in the morning of February 3.

Antonio told the present author that, between the time he entered the Revier in late February and the time he came out, he could tell from the register that no more photos had been developed.

21. p. 107. Boix then presented the great Soviet mass-breakout from Block 20, which Rudenko ignored. Boix dates it *January 1945*, when in reality it took place on the night of February 2-3. “They seized machine-guns. They were 700, but only 62 succeeded in passing into Yugoslavia.”

In the weeks that Boix remained in KL-M between the liberation and his return to France, he may have had the chance to speak to a survivor from the Loiblpass Nebenlager, on the Yugoslav frontier, after that camp had been set free by the Partisans on May 8, 1945. But this is very unlikely, and Boix’s figure of 62 survivors is the fruit of his vivid imagination.

As for the Soviet fugitives in the surrounding area of Mühlviertel,

\(^{3^8}\) (US) National Archives and Records Administration, Box 338/345.
[The Nazis] succeeded in killing more than 600. ... After the Liberation, [in the few weeks that we were still in the camp], a Russian returned and gave us all the details.

Boix could possibly guess how many escaped, but no “returning Russian” could know how many survived. There were in fact eleven Soviets known to be still alive on May 5, 1945.39

22. p. 108. For these speculations Boix received a rebuke from Justice Lawrence, “I don’t think the Tribunal wants to hear more details which you did not see yourself.”

23. p. 108. Ludwig Babel, defense counsel, had done virtually nothing for his client. He now spoke up, but with “One question only.” He had taken note of Boix’s figures: 165, 180, 700. He asked the witness Boix: “Were you in a position to count them yourself?” Boix replied, but not to the question. For that he received his second rebuke from the president of the Tribunal: “Just answer the question and do not make a speech.”

Summing up, Ludwig Babel for the Defense and Charles Dubost for the Prosecution were a perfect match. Neither had prepared his brief.40

39 For the names of the eleven Soviet survivors, see PIKE, 2000, p. 411.
40 At the Dachau “Parent” Trial of 1946, Boix attended and again presented photographs. Benito Bermejo has investigated this, and mentions it (pp. 274-276), recounting that some thirty photographs were shown, some of which had already been shown at Nuremberg. Boix moreover took some photos of the defendants, of great historical importance if no other photographs are available. But Bermejo gives no details as to what Boix said at the trial, or even what photos were shown.
Chapter 11. Proceedings against Ernst Kaltenbrunner

On trial at Nuremberg, Kaltenbrunner faced only three of the standard four charges. He was not subject to Charge 1: Conspiracy, on the grounds that he was not important enough at the time to be asked to take part. Instead he was charged with:

2. crimes against peace
3. war crimes
4. crimes against humanity

In the course of the Trial, Kaltenbrunner was absent on two occasions due to two onsets of subarachnoid haemorrhaging. A blood vessel located in the membrane covering his brain had ruptured, requiring several weeks of recovery time. The first onset occurred on the night of November 19, 1945, a day before the court convened. He did not arrive at the Tribunal to make his plea until December 10, 1945, twenty days later. The second onset occurred
within a week of his arrival, preventing him from returning to the Court until January.

Kaltenbrunner stricken by a cerebral haemorrhage.

There was a marked variety in the way that the 22 accused men treated one another, on their first arrival and throughout their imprisonment. Among the Army and Navy leaders there was warmth. Warmth was certainly not shown to Kaltenbrunner or to Julius Streicher, who were treated as unsavory characters. When Kaltenbrunner put out his hand to Generaloberst Jodl, Jodl refused to take it. He greeted Hans Frank, but Frank turned away. Even Kurt Kauffmann, his own legal defense and a fellow Nazi, gave him no more than a nod when Kaltenbrunner, on the front bench, leaned over the rail and put out his hand.\textsuperscript{41}

Kaltenbrunner was summoned to the box. In smooth and cultivated tones totally at odds with his brutal appearance, he declared: "I do not believe I have made myself guilty in the sense of the indictment." His next action in court was to request a pardon.

\textsuperscript{41} PERSICO 1995 p. 155.
This was promptly denied. Soon after entering his plea of not guilty to all three of the charges against him, Kaltenbrunner collapsed in his cell. The doctors found that he had again suffered a subarachnoid haemorrhage and rushed him to the hospital. Soviet film documentary of the Nuremberg Trial shows him blinking uncontrollably, especially in his right eye, and in a later scene, his jaw is trembling.

It was in hospital that Kaltenbrunner heard that Franz Ziereis, commandant of Mauthausen and potentially the most damning witness against him, had died from wounds.

More than anything else, Kaltenbrunner’s defense was naïve, and that of his legal counsel, even more naïve. The underlying theme of his defense was to back away from the title he carried as head of the Reichssicherheitshauptamt (RSHA). As such he was head of both the Sicherheitspolizei and the Sicherheitsdienst (Sipo-SD). Kaltenbrunner set out to stress the non-criminal “SD” and downplay or even deny its ultra-criminal prefix “Sipo”, which included Gestapo.42

Throughout the trial, Kaltenbrunner thus argued that his position as head of the RSHA chief existed only in title and that he was responsible only for matters of espionage and intelligence. "I do not feel guilty of any war crimes,” he said. “I have done my duty as an intelligence operative.” It was Himmler, he insisted, who had his own direct chain of command over the camps, bypassing him and leaving him to run the SD.

If it was not his superior Himmler whom Kaltenbrunner blamed, then it was his inferior Heinrich Müller, as head of the Gestapo. In cross-examination, hours were spent in pursuit of getting him to admit that thousands of documents bore his signature. His reply was to accuse Müller of illegally attaching his signature to the documents in question.

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42 The status of the Gestapo within the Nazi system is frequently misunderstood, even by historians who present Gestapo and Sipo-SD as separate units, when in fact the Gestapo is Amt IV within the Sipo. This is the case even in scholarly works, most recently that of Marrus on pp. 65, 96, 108. Müller reported to Heydrich and later to Kaltenbrunner, not directly to Himmler.
On the question of the concentration camps, Kaltenbrunner's lawyer, Kurt Kauffmann, brought Otto Ohlendorf to the witness stand and strove to get him to say that orders to the camps went directly from Himmler to the camp commandants, bypassing Kaltenbrunner, who had no authority to issue orders to the camps. Ohlendorf replied that Kaltenbrunner fitted directly into the chain of command. He relayed orders from Himmler or could initiate his own.

Another defense witness that Kauffmann brought to the stand was none other than Rudolf Höss, the commandant of Auschwitz from May 1, 1940 to November 10, 1943 when he became deputy head of Amt D (SS camps), under Gruppenführer Richard Glücks. Kauffmann’s desperate but mindless gamble (Document 58) was to show how distant Kaltenbrunner the bureaucrat was from the barbarities of Höss the hangman.

Outside the court and before the trial, SS-Obersturmführer Adolf Zutter had provided his own account to US Captain A.J. Hackl, in Linz on August 2, 1945: “The orders would originate in Berlin in the Reichssicherheitshauptamt, at first under Heydrich, later under Kaltenbrunner. Some orders would bear their signatures, and might pass through the Reichskriminalpolizeiamt (the Kripo under Arthur Nebe), but usually they were signed by Nebe’s subordinate, the Gestapo chief Heinrich Müller, who would instruct Schulz, the Gestapo chief in Mauthausen.”

Kaltenbrunner’s statements, best described as incoherent, were laced with denials that he had ever issued an order for anyone’s death or had ever visited a death camp. He had not known that they existed. He further claimed to know nothing about Mauthausen, despite witness reports from camp guards who testified that they had seen him there. Kauffmann himself referred to earlier testimony by a prosecution witness, a camp guard, who had sworn that Kaltenbrunner watched a demonstration of the gas chamber in operation on Mauthausen inmates. "I never saw a gas chamber," Kaltenbrunner answered. "I did not know they existed at

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Mauthausen.... I never set foot in Mauthausen.” To the bafflement of everyone present, Kauffmann did not let up in his questioning, with the result that Kaltenbrunner began to shriek his answers.

**Atrocities against Allied military, including those overlooked by the Court.**

The Court being as it was an Allied Military Tribunal, it was natural for the Court to show a special interest in atrocities committed against Allied personnel, in violation of the Geneva Convention. All four Allied Powers had in mind the fate of their military, including Special Forces, Commandos and Partisans, who had been taken prisoner. While accounts of certain atrocities were presented to the Court, many of the worst escaped its attention. It was known that many Allied prisoners of war had been sent to KL-Mauthausen, even from other camps, to be murdered there. This could well have made conversation matter for outside the court. Both sources of information, from inside and outside the Court, are presented here.
Hitler had responded to a British commando raid in Norway in 1942 by issuing a Reprisal Order, calling for the execution of all commandos, even if they were in uniform and surrendered willingly: “They are to be slaughtered to the last man, and without a trial.” The order went out over Keitel’s signature on October 18, 1942. Before the Court, Kaltenbrunner stated that he knew nothing of the Reprisal Order, but he was now undone by his own lawyer, who read from a document showing that Kaltenbrunner had ordered the execution of a team of OSS agents who had been captured in uniform behind the lines. He asked his client to explain. "Completely out of the question," Kaltenbrunner answered. “Such behavior would have been a crime against the laws of warfare.”

The massacre at Mauthausen on September 6-8, 1944, of 47 Dutch, British and American special agents belonging to the British Special Operations Executive (SOE) had been of such refined cruelty that it found a permanent place in the collective memory. A French survivor, Maurice Lampe, not of SOE, gave evidence to the Court on the treatment they received from the SS.  

Exactly two days after the last of these Allied officers in Mauthausen were murdered, a similar fate had befallen a group of sixteen British and French special agents. They were among a group of forty-three who were captured and sent to Buchenwald on August 17, 1944. Housed in Block 17, this group was hanged in the crematorium on September 9. Another twenty of the group were shot on October 5. In January 1945, fifteen members of an Allied military mission that had been parachuted into Slovakia (Operation Windproof) were sent to Mauthausen and executed. It was to be known as the Dawes Case. The two commandants, Hermann Pister of Buchenwald and Franz

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44 Cf PIKE 2000, pp. 187-188.
45 Cf. KOGON 1946 p. 269. The remainder, including notably RAF Wing Commander Forest ("Tommy") Yeo-Thomas, were able, with the help of the prisoners’ resistance network, to escape death by assuming the identities of dead prisoners.
Ziereis of Mauthausen, had undoubtedly received identical orders to treat the Allied prisoners in this way, and SS-Obersturmführer Adolf Zutter, who served as adjutant to Ziereis, admitted as much when taken prisoner by the Americans. “Some eight or ten days after the arrival of the Allied agents in Mauthausen,” he declared under oath, “the executive order arrived in the form of a radio message or teleprint. Ziereis came to me in the orderly room and said: ‘Kalten-brunner has approved their execution.’ The order was classified secret and bore his signature. I passed it on to Oberscharführer Niedermayer in the Bunker, who at once shot the lot of them and handed their belongings over to me.”

Zutter was admitting to only a small part of the story. While a Kugel-Erlass required merely that an arriving prisoner be greeted with a bullet in the back of the neck, it was never enough to satisfy the imagination of Zutter’s commandant, Ziereis, and opportunities like this one were not be missed. It was in this same month of January 1945 that Ziereis introduced the “Tibetan prayer” technique of torture, up until then unknown in Mauthausen, and applied now to the fifteen Allied agents captured in Slovakia. What made it special was the number of high-level SS that were involved in the interrogations, which began on Sunday, January 7, 1945 and lasted at least a week. Gauleiter Eigruber came from Linz on several nights to take part. Within the Linz Gestapo, the Oberregierungsrat Dr Spann had already died, killed in an Allied air-raid, but his deputy, SS-Sturmbannführer Schoenenseifen, accompanied Eigruber, and so too did Habacher and Arndt of the Gestapo in Berlin. The interpreters included SS-Obersturmführer Werner Mueller from Berlin, and Dr Hans Wilhelm Thost, from Linz, the latter an author and journalist working for Amt VI of the RSHA. Of the Mauthausen staff, Ziereis and Altfuldisch also attended, with Ziereis loath to miss

any part of it, and Altfuldisch, burdened by his Catholic conscience, looking for any excuse to leave it.

Postwar investigations did not uncover the full identity of these fifteen Allied agents. They were all British or American officers or NCOs, one of them a woman, and all captured in uniform. They included the British Major John Sehmer (in command of the operation); the four lieutenants Edward V. Baranski, Gaul (US Navy), Green, and Daniel Pavletich; the British sergeant Willis; the wireless operator Paris; and the AP war reporter Joseph Morton. The prisoners were more or less separated by nationality, most of the British being assigned to Habacher and Thost, and most of the Americans to Arndt and Mueller. The tortures applied by Habacher and Arndt over a period of three days were described by the SS as “very heavy,” and Major Sehmer was singled out for special treatment. It was Ziereis who proposed to Habacher that he hang Sehmer by the wrists, that he sit on Sehmer’s shoulders, that he force his fingers apart with a stick. A confession was finally obtained from Sehmer, who scrawled his name to it with every finger dislocated. All fifteen were then shot in the back of the neck, Ziereis ordering Altfuldisch to be present. Ziereis had detected in his subaltern clear signs of squeamishness. He warned his staff repeatedly: “I don’t want to see any man in this camp walking around with clean hands.” The Allied agents died on January 26, 1945, at the end of an agony of 19 days.

Two more convoys that included prisoners of war arrived in Mauthausen in mid-February 1945. The first, composed mainly of Soviets and numbering 1,700, arrived on February 15 from KL-Oranienburg; 800 had died en route. Those that arrived included Major-General Dimitry Michaelovich Karbychev of the Red Army, who was given the hose-treatment and died, with others, inside coffins of ice.47 On February 17, another convoy arrived from KL-Sachsenhausen, similar in the number who started out and the number who died en route. The sole survivor of this convoy was the French cavalry officer Lieutenant-Colonel Jacques de Dionne, who

47 A statue of Karbychev, showing him upright and wrapped in ice, now stands outside Mauthausen’s main gates.
gave evidence at Nuremberg of the atrocities inflicted on them inside Mauthausen, and of his own hair’s breadth escape.48

The Allied air raid over Linz on April 25, 1945 gave Ziereis his last opportunity to vent his rage on Allied servicemen. Again the details are scarce. Five Allied airmen, all in uniform, including a Canadian pilot and a Pole, bailed out and were picked up, one of them dead or badly wounded. The four were interrogated along the wailing wall at the main gate, by Eisenhöfer who spoke English, and by Lagerältester Franz Unek, who was called in to translate for the Pole. Schulz was as usual present, accompanied by SS-Rottenführer Michael Heller and SS-Sturmmann Josef Farkas, who slammed the prisoners’ heads against the wall. They were then dragged to the Bunker, and again Altfuldisch was ordered to be present at their execution.

Many a key action taken by the SS leaders was not revealed to the Court. What remained in doubt, virtually up to the day of liberation, was the fate reserved for the prisoners, and especially the Jews who were still alive. Himmler had earlier announced that not one Jew would live to see such a day. There was always an SS focus on Mauthausen. First, because it was Stufe Drei. Second, because it was the camp to which all camps not yet liberated were evacuated.

The surviving records show that orders were constantly countermanded, and all that a Lagerführer could do was carry out the last order he received. On May 7, 1944, Himmler issued a terse four-line message, whose only recipients were Kaltenbrunner and Pohl (head of WVHA) and which somehow survived destruction at the end. It ran: “For reasons of security, I forbid the release of any prisoner from Mauthausen for the duration of the war.” The message, dated prior to D-Day, could refer only to an Axis victory. In February 1945, Ziereis in Mauthausen received an order—from Pohl—to the effect that if the war were lost, every last prisoner was to die.

48 Cf. PIKE 2000, pp. 187-188.
A subsequent order from Himmler, passed through Kaltenbrunner, required that he convey all the prisoners into the Kellerbau and Bergkristall tunnels in Gusen I and II and to blow up the entrances with dynamite, thus killings tens of thousands inside those vast galleries. At the Trial, Colonel John Harlan Amen, US associate counsel, produced a version of Ziereis’s deathbed confession that implicated Kaltenbrunner in the plan to suffocate Mauthausen inmates in a sealed-off tunnel and in other atrocities.49

Himmler then had a second thought. On March 12, 1945, he was in the SS sanatorium at Hohenlychen when he signed a document, countersigned by his physician Dr. Felix Kersten, entitled “Agreement in the name of humanity.” Under the agreement, the concentration camps would not be blown up, and no more Jews would be killed. According to the testimony of Zutter, Ziereis’s adjutant, Himmler gave orders in that month (March 1945) to provide each prisoner with a private bed; “the Jews were to be given new beds with white linen”! At Buchenwald's Nebenlager at Ohrdruf, a prisoner serving as Lagerschreiber to SS-Sturmbannführer Dr Schuler reported at the Liberation what he had overheard in a telephone conversation on April 2 between Himmler and the chief of police in Weimar, SS-Standartenführer Schmidt: the Lagerführers was to liquidate all the Greens and the Reds but he was to spare the Jews.50

Himmler had become totally erratic. When Buchenwald fell to US forces on April 11, the commandants of Dachau and Flossenbürg allegedly proposed to Himmler that their camps be surrendered to the advancing Allies. Himmler’s reply came on April 14, three days after the liberation of Buchenwald. Clearly disturbed by the revenge the liberated prisoners were taking on residents in the Weimar area, Himmler sent a message to Pohl, hand-delivered by SS-Hauptsturmführer Schwarts: “Surrender is absolutely out of the

49 There are problems in citing the deathbed confession of Lagerführer Ziereis. The German-English interpreter, the ex-prisoner Hans Marsalek, told the present author that the interrogation was totally bungled; priority should have been given to keeping Ziereis alive. Instead of that, we have more than one version of what Ziereis actually said, because Ziereis on his stretcher was surrounded by a set of people, some of whom also understood German.
50 HACKETT 1945 p. 99.
question. The camps concerned here are to be evacuated immediately. No prisoner is to fall alive into enemy hands (kein Häftling darf lebendig in die Hände des Feindes fallen). The prisoners of Buchenwald have dealt cruelly with the local population.” Himmler then telephoned Ziereis in Mauthausen—the telephone recording was found—to repeat that no prisoner was to fall alive into enemy hands.51

Then Himmler had another change, if not of heart, at least of mind. On April 20, 1945, he gave orders that at Mauthausen the French, Belgian, Dutch and Luxemburger women prisoners were to assemble by national groups. They were to be evacuated to Switzerland by the Swedish Red Cross. Himmler could not have come to that decision easily. He was making certain that the truth he had taken such care to conceal would now be revealed to the whole world, and all his crimes made known.

On the night of April 23–24, Himmler met Count Folke Bernadotte in Lubeck and admitted to him that Germany was beaten. All but one of the sixteen SS concentration camps had by then been liberated. Mauthausen was the only hold-out. It was left to its Lagerführer to obey the last order received, or to make the decision himself on whether to liquidate or spare. The Hauptlager could prove a difficult task for liquidation, but the Gusen complex was very different. In a signed final statement, Ziereis confirmed the report that Himmler had given the order, through Kaltenbrunner, to wall up three of the four exits in Gusen's tunnels and then exterminate the populations of Gusen I and II.

When Justice Lawrence, as president of the Court, invited General Roman Rudenko on February 8, 1946 to cross-examine the defendant Kaltenbrunner, the general naturally put questions about the treatment of Soviet prisoners of war. He did so with force but without depth. He did not mention the heroic defiance of General Karbychev, nor the spectacular escape of the more than 500 Soviet officers and commissars who broke out of Mauthausen exactly one year earlier. It should be remembered that Mauthausen in late May

1945 fell just inside the Soviet Zone of Austria. The Soviet authorities controlled the souvenirs. That mass-breakout remains, from that day to this, an event unequalled in the memory of the surrounding populace. Ivan Baklanov and his ten fellow-officers were known to Austrians by name. The Nuremberg Tribunal would have shown great interest in knowing their fate. Kaltenbrunner’s entire defense was founded on his having nothing to do with the work of the Gemeine SS. It was 1943, he claimed, before he even heard about the Endlösung. He told the Tribunal that when he heard of it, he strongly opposed it, and opposed all maltreatment of the Jews. “I protested to Hitler and the next day to Himmler. I drew their attention to my humanitarian qualms, the personal qualms that I inherited from Austria, my birthplace.” And then: “It was due to my personal intervention that the persecution of the Jews ended in October 1944. I brought the Endlösung to an end.”

Kaltenbrunner’s empty bluster matched the juvenile errors of his defense counsel. A key moment in the trial, indeed a moment of calm reality, came when Kaltenbrunner returned from the witness box to the dock. As he passed Captain Gustav Gilbert, the prison psychologist, he expressed his exasperation. “I saw your people holding their sides with laughter,” he said. “Please extend my congratulations to them for finding me such a stupid attorney.”

The Prosecution Sums Up

Unlike all or most of the others on trial, Kaltenbrunner had in no way prepared his defense, and his evasions and tirades served only to confuse and antagonize the Court. He had also picked the worst imaginable defense counsel, who had no idea as to how to

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52 Cf. PIKE 2000, p. 411.
introduce evidence in a way that would help his client rather than incriminate him.

Reaching a verdict was among the easiest, if not the easiest of all. The only argument that Kaltenbrunner posed to the International Military Tribunal centered on Count 1: whether he was significant enough to have conspired with Hitler to launch a war. On Counts 3 and 4, the Tribunal conceded that Kaltenbrunner had been employed in the sphere of the RSHA's intelligence network, but this did not derogate from his role in the other half of his mandate, as an active authority and participant in many instances of war crimes and crimes against humanity.

Hence the verdict. On September 30, 1946, the International Military Tribunal found Kaltenbrunner, as a ranking SS general and as chief of the RSHA, not guilty of Count 2 (Crimes against Peace) but guilty of Count 3 (War Crimes) and Count 4 (Crimes against Humanity). On October 1, 1946 (Day 218), the IMT sentenced him to death by hanging. He was to show no remorse. Perhaps Göring expressed Kaltenbrunner's thoughts when, in a recreational walk with Frank while awaiting the verdicts, the Reichsmarschall told Frank: “Resign yourself to your fate. All that counts now is to stand fast and die like martyrs. Don't worry. One day, fifty years or so from now, when the German people have recovered from their defeat, the day of glory will arrive.”

In his last words, Kaltenbrunner carried his mendacity to the end. “I have loved my German people and my Fatherland with a warm heart. I have done my duty by the laws of my people and I am sorry that in this hardest of times my people were led by men who were not soldiers and that crimes were committed of which I had no knowledge. Germany, good luck.”

Kaltenbrunner was executed in Nuremberg by hanging on October 16, 1946, at 1:15 a.m. His body, with those of the other nine executed men and with that of Hermann Göring (who had committed suicide the previous day), was at once incinerated and the ashes thrown into the Contwentzbach, the stream that ran nearby. The

53 VARAUT 1992 p. 260. This piece of advice from Göring became known because Frank, ironically, happened to be the only criminal at Nuremberg to show remorse.
stream carried them into the Isar river, which conveyed them to the Danube. The ashes of Ernst Kaltenbrunner thus floated past the deserted walls of Mauthausen.
Chapter 12. Proceedings against Albert Speer

Speer was indicted on all four counts: first, participating in a common plan or conspiracy for the accomplishment of crimes against peace; second, planning, initiating and waging wars of aggression and other crimes against peace; third, war crimes; and lastly, crimes against humanity.

By the time that Albert Speer made his first appearance in court, the Court had had a look at Streicher and Sauckel, representing the coarse and raucous aspect of the Nazi model. Speer was everything that they were not. Cool and dignified, he spoke fluent English in cultivated tones.

Speer had sized up his situation most intelligently. He knew that his greatest danger was to be seen as being coupled to Sauckel, the conscript labor czar. Which of them would be found most responsible for what the prosecutors were calling the slave labor program: Sauckel, who had rounded up the workers, or Speer, who had used them? Sauckel the slave-trader, or Speer, the slave-driver?

Accordingly, early in the direct examination, Hans Flächsner, his defense counsel, asked Speer if he disapproved of Sauckel's recruitment of labour. Far from shrinking from the question, Speer replied: "I was grateful to Sauckel for every worker he provided me with…. I expected Sauckel to meet the demand for war production.” But he added that he did not control Sauckel, as proved by the fact that he did not get all the workers he requested. Running a country’s arsenal, Speer wanted to point out, was by itself no war crime.

The cross-examination turned to the question of the treatment meted out to the prisoners. A recording of Speer’s words was played to the court. "There is nothing to be said against the SS taking drastic steps and putting known slackers into concentration camps. There is no alternative."
When questioned about the abysmal conditions of the prisoners, Speer referred to Allied air raids as the major cause. “We made every effort to give food supplies priority over armament needs, so that the workers would be fed first of all, while armaments had to stand back somewhat.” That was an outright lie, and it should have met a much stronger challenge. Professor Josef Podlaha could have been summoned to speak on the prisoners’ starvation diets. Keitel could have been summoned to admit how the Wehrmacht complained about priority in rolling stock being given to the SS to make sure that the maximum number of Jews were delivered to death camps before the camps were overrun by the Allies.

Jackson put the question to Speer: “Will you tell me whether you were a member of the SS?” “No,” Speer replied evenly. “I was not a member of the SS.” The court had documents that proved indisputably that Speer had been a member of the SS. One, signed Heinrich Himmler, read: “Albert Speer has been enrolled on my staff by my order, Reichsführer-SS.” Jackson, curiously, did not press the matter.

Similar points arose where Speer looked far from credible. He was questioned on Himmler’s address in which he said: "I did not feel justified in exterminating the [Jewish] men, while allowing their children to grow up to avenge themselves on our sons and grandchildren. The hard decision had to be taken. These people must disappear from the face of the earth." Speer told the Allies that he had somehow missed this speech. His reply was meaningless. Its message had surely reached his ears.

Inevitably, Speer was questioned on Germany’s production of poison gas. Yes, Speer explained, three factories had been working on a gas of extraordinary lethality, but when he learned that Hitler might actually use it, Speer claimed, he ordered production stopped. That left open the question of less lethal poison gas, such as Zyklon B. But not every question was hammered home.

Jackson asked Speer about German experiments with the atom bomb. "We had not got as far as that," Speer answered, "because the finest minds we had on atomic research had emigrated to America."
Jackson then read from a document about steel whips used on workers at the Krupp works. Speer mumbled something about there being no rubber truncheons available. That was not the best reply. At this point Speer was looking highly vulnerable.

Unlike Kaltenbrunner, Speer did not deny he visited KL-Mauthausen.\textsuperscript{54} He had indeed gone there on March 31, 1943, and on July 6, 1944. He explained to his interrogators that his purpose was to inspect a site for a new railhead and had seen only a small part of the camp. He had witnessed no atrocities.

Speer was on firmer ground when questioned about Hitler’s \textit{Nerobefehl} of March 19, 1945, in which Hitler showed total disregard, contempt even, for the future life of the German people. Speer chose to read, rather than have his lawyer read, the memorandum he sent to Hitler in immediate reply: “Nobody has the right to destroy industrial plants, coal mines, electric plants, and other facilities.... We have no right at this stage of the war to carry out destruction which might affect the life of the people.” Speer was at ease in describing his actions in the last days of the Reich, when he had taken “enormous risks” to fly into Berlin to see the Führer in the bunker one last time. “Why?” Jackson asked. "I felt," replied Speer, "that it was my duty not to run away like a coward, but to stand up to him again.” Speer did not mention his bitter disappointment when Hitler told him he was dismissed from the Cabinet that he was delegating to his successor Dönitz.

\textit{The Prosecution Sums Up}

What, then, was the level of Speer’s personal guilt? In the summation of Adrian Fisher, legal adviser to Justice Biddle, Speer had acted with consummate efficiency—and total cruelty—in the application of a program “which took five million into slave labor and countless numbers to their death.” Speer always got his way over

\textsuperscript{54} PERSICO 1995 p. 239, gives the credit for spotting Speer at Mauthausen and in contact with Himmler to research by Harriet Zetterberg, adding that “a proud Harriet Zetterberg sat at the prosecution table.” There were indeed several other sources for this.
Sauckel, Fisher's analysis went on. "The violence used in recruiting was largely in response to Speer's high labor demands." In Justice Biddle's mind, there was no doubt. Speer's penalty must be death. Nitchenko immediately concurred. One of the other two judges would be enough to clinch the case.

But Speer’s performance had been brilliant, as Neave pointed out. He had managed to turn the attention of the court to issues that were not part of the writ against him. He was not charged with destroying or saving Germany's industrial base. He was not being accused of trying to or failing to assassinate Hitler. Yet he managed to make these issues the keystones of his defense. He readily admitted his responsibility “for the disaster,” a softer term to use than a catalogue of crimes virtually without precedent. He appeared contrite, so unlike Kaltenbrunner, and a plus in the eyes of the court. Speer chose as his final statement: “The German people will despise and condemn Hitler as the proven author of its misfortune.” Oblivious to the fact that Hitler could have done nothing without the support of millions of his people, and without the support of loyal and obsequious ministers such as Speer.

Speer had been indicted on all four counts. He was found not guilty of Counts 1 and 2. As Biddle declared, his activities did not amount to preparing wars of aggression. On Counts 3 and 4 he was found guilty and given a sentence of 20 years. Sauckel, on the other hand, received a death sentence, and the difference between the two was itself a cause célèbre.

The chief burden for enslaving five million foreign workers had been placed on Sauckel’s narrow shoulders. How could anyone, it was argued, lay the case against Sauckel alongside the case against Speer, and give one man, death and the other, twenty years? Wasn't it Speer who had cried at Hitler's death? Wasn't Speer at Mauthausen? Didn't he hear—directly or indirectly from the Gauleiters on the following day—that grisly speech in which Himmler twice (on October 4 and October 6, 1943) called publicly for the slaughter of every last Jew?
The forced labor system had inflicted untold death and suffering, and that system had been run by the combination of Sauckel and Speer. Few would claim that Sauckel deserved a lesser punishment than death. One who did was Sir Norman Birkett, who observed that of course Sauckel was a boor, but should one hang for lack of breeding? Many others would argue that it was Speer who deserved a heavier, and indeed an equal, punishment. Between slave trader and slave master, the moral difference is difficult to discern. In sending Sauckel to die, and allowing Speer to live, the Tribunal, consciously or unconsciously, made a class judgment.

Despite his repeated attempts to gain an early release, Speer served his full sentence, most of it in Spandau Prison in West Berlin. Following his release in 1966, Speer published two bestselling autobiographical works, *Inside the Third Reich* and *Spandau: The Secret Diaries*, detailing his close personal relationship with Hitler and providing readers with a special perspective on the workings of the Nazi regime. He wrote a third and final book, *Infiltration*, about the SS. It contained some remarkable passages which showed what Speer chose to remember about his life and what he hoped posterity would remember too.

Speer’s *Infiltration* carries a sub-title and a tone that sicken. He refers to his testimony at the Trial on June 19, 1946, and to his visit to Mauthausen on March 31, 1943, where he breathed none of the camp’s mephitic odor. The sweet and nauseating smell of burning human flesh did not spoil his visit. On the contrary, wrote Hitler’s Minister of Armaments, the camp produced on him an “almost romantic impression.” Everything was clean and orderly. As for cachexia, he saw no evidence of it. “I saw no emaciated inmates. They were probably at the infamous quarry at the time.” Nor were Himmler and Kaltenbrunner better informed than he, continues Speer, despite their visits to Mauthausen, because “the camp directors disguised the true situation even from them.”

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55 SPEER 1981b pp. 41-42. In his review of *Infiltration*, Alden Whitman wrote: “At Nuremberg, Speer insisted that he had ameliorated the conditions of his slave laborers, mostly Jews, and that in any case the Nazis’ crimes against humanity were due to Hitler’s misuse of modern technology…. [His] second book, *Spandau*, asked us to feel sorry for him because prison life
Speer was to live in freedom for many years, but to the end he was more haunted than happy. He was a complex figure, supremely proud of his pre-war life and alternately proud and ashamed of his wartime service. The love of his life was the woman he met very late. She fortified him in his belief he had no reason to feel guilty, but his conscience never let him go. “Was it the full truth?”, he kept thinking. He could go on insisting he never knew the reality of the camps, when he also knew he never wanted to know. Was he ever at ease with his Lebenslüge? Never, concluded Simon Wiesenthal from his meetings with him.56

Albert Speer died of a stroke in 1981, aged 86, while on a visit to London.

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56 Simon Wiesenthal, interview.

was so boring for a person of his intellect…. Now comes Infiltration. These tears do not strike me as coming from the heart” (International Herald Tribune, September 5-6, 1981).
Chapter 13. Reaction to the trial

Many a participant reported afterwards the trial was so long and tedious that even the accused fell asleep, but it also threw light in many a dark corner and it had its electrifying moments. Among the highlights was the Jackson-Göring duel, in which Göring, in the eyes of most, emerged the winner. Göring had placed a cue-card in front of him which read “Keep calm, behave correctly”, while Jackson, with the 1948 presidential elections in mind and on edge from the beginning, was easily provoked. Sir David Maxwell-Fyfe, Shawcross’s predecessor and now his understudy, showed himself to be a master of the art of cross-examination, his brief prepared to perfection. The defense was content to argue that while horrible crimes were committed, none of the defendants could be held responsible. Each in his separate way had simply carried out his patriotic duty, in that exemplary spirit of obedience that Tacitus had remarked about the Germans two millenia earlier.

The best moment for the defense was the revelation of the Secret Protocol (the Molotov-Ribbentrop Pact) of August 23, 1939, which until February 1946 was unknown in the West. The contents of this protocol remained secret throughout the trial, but its existence was left in no doubt. Dr. Alfred Seidl, counsel to both Hess and Frank, did his utmost to force the issue, vainly summoning Molotov to appear as witness. Both Varaut57 and Wieviorka58 write of the existence of only two copies of the protocol, both in Soviet hands from 1945, but in fact there were four copies (two in German, two in Russian), and photocopies of Germany’s two copies had escaped the Soviet seizure. While these photocopies were not introduced into the trial, Dr. Friedrich Gaus, who in 1939 had headed the legal department of the Wilhelmstrasse and had drafted both the Pact and the secret protocol, presented an affidavit after reproducing the protocol from memory. Margaret Blanck, von Ribbentrop’s private

58 WIEVIORKA 1995 p. 69.
secretary, also attested to the existence of the protocol. As for von Ribbentrop, he stated that Hitler had instructed him in March 1939 to see if there was not some common ground between national socialism and bolshevism that could provide for a pact, and that “if we speak here of aggression against Poland, then the two countries are guilty.” Seidl put the question point-blank: “Can one of the Powers sitting on the bench be the judge of a crime in which it was the accomplice?”

All of this unnerved General Rudenko, the Soviet chief prosecutor, who was recalled to Moscow for instructions. There was even talk of the USSR withdrawing from the Tribunal: the Cold War had made its entrée. Lord Lawrence agreed to censor four pages of the proceedings, but the secret was out: the world now knew that a secret protocol existed. If the truth about Katyn Forest did not emerge at the same time, the Soviet version of events, presented in all its cynicism by Rudenko, was placed on the record, allowing Stalin to be judged when, in 1992, the whole fabric of lies was finally torn apart.

Lord Lawrence, writes Wieviorka, was undeniably the great moral presence in the trial. The verdicts, handed down in those resonant cadences that Voltaire praised (“If Justice had a voice, it would speak in the tones of an English judge”), received, in every case except those of Hess, Jodl and the two admirals, the overall approval of the world. The presence of the Soviets diminished the Tribunal’s prestige to some extent, but the isolated vote of the Soviet judge, General I. T. Nikichenko, had little influence on the decisions.

One point of criticism remained, and still remains. Would it not have been better for the Nazis to have been judged by those states which had remained neutral in the war, rather than by the victors? Or by Germans who had resisted Hitler, in Germany or in exile? Varaut points out that the latter procedure could have backfired. If the Germans had been given the responsibility, they would have faced a cruel dilemma: if too stringent, they would have been accused of vengefulness, and if too lenient, of subservience to the victors. On the whole the verdicts were a milestone in the progress of justice, and
as the French prosecutor Edgar Faure put it, “a broadening of the collective conscience of mankind.”

It has also been said by many that the prosecution of the Nazi criminals at Nuremberg was flawed on a number of counts. The prosecution of Kaltenbrunner, the testimony of Boix and the cross-examination of Boix were no exceptions. The prosecutors simply did not know their brief, to the extent that they sounded actually naïve. Kaltenbrunner, in cultivated tones, attempted to deny the authenticity of the documents that implicated him, and insisted (correctly) that he had never set foot in Auschwitz, had never set foot in Buchenwald—without the prosecution pinning him down on Mauthausen, the camp he knew so well. The prosecution could have used the sworn testimony of Adolf Zutter, Ziereis’s adjutant, who described to Captain Hackl in Linz in August 1945 how Kaltenbrunner, when chief of police in Vienna, paid several visits to Mauthausen, and did not end his visits when he succeeded Heydrich as head of the RSHA. ⁵⁹

Dubost himself emerged from the trial in a swirl of controversy, since he interrupted Boix’s testimony for reasons which were never explained. ⁶⁰ Perhaps worse, his own verbatim account of the proceedings contains ambiguities and outright errors which do not appear in the transcript. As a result, it is not possible to know if these ambiguities and errors are the work of the less than honest witness Boix or the less than meticulous lawyer Dubost.

⁵⁹ Bundesarchiv, Berlin 1169/98/4 NS 4 MA/vorl.56.
⁶⁰ Le Patriote résistant, supplement to n° 426, April 1975. Dubost expressed his concern about holding the witnesses “unnecessarily”, pointing out that the train journey Nuremberg-Paris took 30 hours (DUBOST 1947 p. 146).
PART FIVE
The Story of the Mauthausen Photographs

What remains to be told is the inside story of Mauthausen’s Erkennungsdienst, the photographic identity service that produced the photographs shown at Nuremberg. These events were to develop into a long and lasting controversy.

This ongoing dispute is presented here in two parts.

The first part covers the period from 1941 (when the first Spaniard entered the photographic service) through the post-war polemic up to the time of the Paris 2005 Exposition. This period is presented in a short version in English (Chapter 14) and a full version in French (Chapter 15), in the original, unadulterated form in which it was circulated at the 2005 Exposition.

The second part (Chapter 16. The polemic updated) carries the controversy from 2005 to the present day.
Lagerführer Franz Ziereis.
Ziereis with members of his officer staff, possibly all medical doctors.
From left: Dr. Erich Wasitzky, an unidentified Obersturmführer, Ziereis, Dr. Eduard Krebsbach, an unidentified Obersturmführer, an unidentified Untersturmführer.

Ziereis with members of his non-commissioned staff.
MAUTHAUSEN HAUPTLAGER – LAYOUT OF THE CAMP
SS PERSONNEL IN THE TWO KEY DEPARTMENTS

POLITISCHE ABTEILUNG

Schulz, Karl  SS-Ostf.

Arenz, Hans  SS-Uscha.
Barczay, Stefan  SS-Strm.
Bruckmeier, Georg  SS-Hscha.
Diehl, Hans Robert  SS-Uscha.
Doppelreiter, Franz  SS-Uscha.
Eschweiler, Wilhelm  SS-Hscha.
Fassel, Werner  SS-Uscha.
Geisel, Hermann  SS-Uscha.
Gericke, Karl  SS-Stscha.
Grahn, Werner  SS-Uscha.
Grams, Alfred  SS-Uscha.
Habenicht, Hans  SS-Hscha.
Klein, Alfred  SS-Uscha.
Klerner, Eduard  SS-Scha.
Kruger, Gunther  SS-Uscha.
Leeb, Josef  SS-Scha.
Müller, Wilhelm  SS-Uscha.
Pillixeder, Franz  SS-Strmscha.
Prellberg, Hans von Brunswick  SS-Uscha.
Ricken, Heinrich Friedrich  SS-Hscha.
Schartinger, Hans  SS-Uscha.
Schinlauer, Hermann  SS-Uscha.
Schulz, Karl-Richard  SS-Uscha.
Weiditsch, Ottomar  SS-Uscha.

SCHUTZHAFTLAGER

Bachmayer, Georg  SS-Hstf.
  1. Schutzhaftlagerführer
  Altfuldisch, Hans Michael  SS-Hstf
  2. Schutzhaftlagerführer
  Streitwieser, Anton  SS-Ostf.
  3. Schutzhaftlagerführer

Bauer, Josef  SS-Oscha.
Bühner, Hans  SS-Scha.
Malleschits, Stefan  SS-Uscha.
Niedermayer, Josef  SS-Uscha.
Riegler, Josef  SS-Uscha.
Seidl, Maximilian  SS-Hscha.
Trum, Andreas  SS-Oschaf.

GUSEN: Lagerleiter
Chmielewski, Karl  SS-Hstf. (-Oct. 1942)
Seidler, Fritz  SS-Hstf. (Oct. 1942-)
**LIST OF SS STAFF MEMBERS OF KL-MAUTHAUSEN KOMMANDANTUR AND GESTAPO OFFICE**

Original list compiled by an unknown prisoner employed in the office

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### SS list of the prisoners employed in KL-Mauthausen’s Gestapo office on 21 March 1945

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*Mauthausen, den 21. März 1945*
POLITISCHE ABTEILUNG

Karl Schulz
SS-Obersturmführer Karl Schulz (second from left) with SS-Hauptsturmführer Karl Chmielevski (fourth from left), with newly arrived Soviet prisoners on the Gusen Appellplatz.

SS-Hauptscharführer Paul Ricken
The story of the Mauthausen photographs

Antonio García Alonso

Francesc Campo Boix

José Cereceda Hijes
Bachmayer touring the camp; prisoners stop work to doff their caps. His arm is in a sling, the result of an accident involving his side-car.
Two groups of Soviet prisoners of war
Francesc Boix, with his Leica camera taken from Ricken’s office.
Chapter 14. The polemic, 1941-2005: a short account

The feat of saving the photographs, apart from the vital role of Anna Pointner, was curiously an all-Spanish achievement, and if the Spanish Communist Party had not wanted to turn the story into mythology, the enmities that followed would have been avoided.

The story of the photographs has consumed much ink. Some conclusions can now be drawn. The first is to distinguish between the collection saved by Antonio García (some 200 photographs, according to his estimate, all as prints) and those saved by Boix (20,000, according to his testimony under oath in the Dachau “Parent” Trial), all negatives. García began his collection almost from the time he entered the Erkennungsdienst in 1941, and he continued this activity up to the time he entered the Revier, in late February 1945. Keeping those photographs in hiding places for so long a period would have taxed the nerves of anyone. Boix, on the other hand, if he hadn’t already started the transfer of the photos (out of the Erkennungsdienst and into the hands of his comrades in the fortress) could take advantage of the chaotic situation in the final months and days. In this regard, his testimony in the Dachau Trial has created confusion. Boix stated that in February 1943 the Nazi leaders reacted to the disaster at Stalingrad by ordering that all photographs be burnt, with the result that no photograph survives of the preceding period except those that had already been taken out of the Erkennungsdienst. Is it imaginable that Berlin could have issued such an order? It would have meant admitting to defeat, and that makes no sense. (Nazi Germany still saw only one possible ending to the war, and that was Endsieg.) When at the end of 1944 the first SS camps were being liberated, the order to destroy all documentation was systematically carried out, and records were kept of all archives destroyed. The result of that order is that virtually no photographic material of the other camps remains. In the case of Mauthausen, the order arrived in the last week of April 1945. Ricken had returned from Ebensee in mid-April; García tells us that Ricken was there on the last day, when the Erkennungsdienst was closed.
But even if Ricken and Schinlauer together had been present in the photo unit in the final days, when the orders to destroy were being carried out, it seems clear that Boix, as Kapo of the unit, had the opportunity to withdraw a large number of negatives, in addition to the large number of those that had already been withdrawn. García, who died in July 2000, never spoke of that. Blinded by bitterness, he spoke always as if the photographs delivered to Anna Pointner were all his. The irony is that if all his prints had been lost or destroyed, the negatives saved by Boix, vastly greater in number, would have provided the world with all the proof it needed. The life of Antonio García, in sum, is the tragedy of a man who risked his life for years in exchange for nothing.

What remains to be told is Antonio García’s story. As one who knew him for many years, the author feels entitled to speak of him as a man of gentle disposition and sober judgment, and—with one giant exception—accurate in matters of detail and fair in his assessments. It therefore comes as a surprise to find so few among the Spanish survivors who speak out in praise of him. Even his friends such as Lázaro Nates and Ramiro Santísteban speak as though he was not the man that Boix was when it came to guaranteeing the preservation of the photos. Perhaps the reason for this assessment is the fallout from the steady vilification of Antonio García by the Communists over a long period of time.

The quarrel will be carried to the death of all concerned, the quarrel that pitted Antonio García against Francesc Boix, and then García against the whole weight of the Spanish Communist Party in exile in France. It is not a minor quarrel. García, now dead, was not a nervous man, but he lived under another name, and even in the early 1990s he still feared a visit from some hired hand. Several of those interviewed, notably Ramón Bargueño in 1997, expressed astonishment that he was still alive. Others, such as Mariano Constante, gave the impression that they still followed his movements.

The essential facts are beyond the Party's power to refute. Antonio García was a professional photographer selected by the SS on the basis of his expertise to work in the Erkennungsdienst. Boix
was employed later as his assistant, selected by the Spanish communist network on the basis of his experience as an apprentice photo-reporter during the Civil War, and on the basis also of his communist loyalty. Nevertheless, it was García—and not Boix, and not Constante—who alone could recount the full story of the Erkennungsdienst, and a summing-up of the work is appropriate here. In setting out to save a print of the most valuable of the photos, García had to limit himself, and the total number was about two hundred. If some major incidents at Mauthausen are missing from García’s collection, it is because they were deliberately excluded by the SS from the pictorial record. The first of these—García calls it “a dramatic break with tradition”—concerned the atrocities committed against the 47 Allied special agents in September 1944, atrocities to which virtually the entire camp was witness. There was no photo-record either of the killing of the Soviet General Dimitry Karbychev who, in February 1945, with 150 others, died frozen in coffins of ice. Equally unrecorded were the banal everyday happenings in the Politische Abteilung and the Lagerschreibstube. No photo was ever taken of the use Schulz made of his stove, or the use Bachmayer made of the beam that ran above the heads of the Lagerschreiber. Nor was any photo taken of the Kapos breaking the ribs of prisoners in the quarantine block by jumping on them. García adds for the historical record that any photo of Mauthausen that exists today bearing a number on it was one of the prints or is a reproduction of one of the prints made by García. The negatives bore no number. Ricken’s rolls were all of 45 prints. The number of the film and the number of the print were written by hand on each photo. Each carries García’s handwriting; none, Boix’s handwriting.

We know that García, on his return in April 1945 from a sickness that nearly killed him, confronted Boix over the missing photos, only to find that Boix enjoyed the full support of the Party leaders who had chosen to forget all about Boix’s savage physical assault on their compatriot Casimir Climent. In his attempt to recover them, he went to Tarragó, his immediate superior in the PCE organization in Mauthausen. Tarragó told him to be patient: all would be settled. With the Liberation, García still did not know where they had been taken, and it was two or three years later before he heard
about the help given by Anna Pointner. In a 30-page letter which bears no date but which García addressed to Constante in about 1980, García describes his experience at the Liberation: “I found myself a prisoner of the Party leaders, who would not let me apply to leave the camp by the gate, so I got out through a hole in the wire in a corner of the perimeter. I could wander through the country and visit certain farms in the territory where the American and Soviet Zones met, 2 kilometers from the camp, and there on the side of the road stood two tanks, one US and one Soviet, facing each other, with their respective sentries.” García was evacuated to Paris two months after the Liberation, and in Paris he could see, and follow, the use the Party was now making of his photos.

On his return to France, García was sent to a rest-home. At that very moment, the Paris communist weekly Regards produced a special issue devoted to Mauthausen, with one of García's photos gracing the cover. Regards had enough legal sense to attribute the photo to a private collection (collection particulière). The Paris communist daily Ce Soir followed up within weeks with an issue devoted entirely to the Mauthausen photos. By that time, with the help of his friend Climent, García had recovered about 40 of his photos. No doubt in a state of depression, not knowing what use he could make of the photos he held, García agreed to hand them over to a co-survivor of Mauthausen whose name García did not even learn and whom he can describe only as “a Frenchman with red hair.”

On his release from the rest-home, García resumed his vocation as a photographer, opening a studio in Paris (at 23 avenue du Parc-Montsouris) and marrying Odette Janvier, a woman of truly outstanding character.

62 Regards (Paris), new series 12, July 1, 1945.
63 Ce Soir (Paris), August 1, 1945.
64 Other sources of help in the recovery of the photos were the Austrian-Czechs Vilém Stašek and Josef Klat. It was they who in May 1975 provided Prem Dobiáš with his collection.
65 Having known Mme Odette Janvier as long as I knew Antonio García, I should like to bear witness to her courage, mental and physical endurance (she remained highly active, at over 90), and absolute moral integrity. As a member of the PCF, Odette Janvier was in the group opposed to the policy forced upon the Party by Stalin in August 1939 and again in June 1940 (cf. PIKE, 1978, pp. 73-74; PIKE, 1993a, passim). Early in the Occupation she was arrested as a result of an accident. Jean Catelas had asked her to purchase a radio. She took a receipt, because Catelas was responsible for the accounts. When Catelas fell into the hands of the police, the markings
Boix meanwhile was employed as a photographic reporter by L’Humanité, or so it was said. The comment of Pierre Daix, a fervent Stalinist who abandoned the PCF much later, calls this into question: “At Mauthausen we didn't have any problem with him. But after the Liberation, he never did a thing more. He was sick and died very young, only three years later.”66 Once Boix was dead, the apotheosis began. Among the many hymns dedicated to Boix was that published by El Nuevo Diario of November 30, 1969:

**In 1941 Boix obtained a post in the camp's photographic office, bringing with him as his assistant another Catalan, Antonio García ....** Boix won the respect of the SS by his dynamic character and by his readiness to help them in the black market of photos .... The SS asked Boix to take their portraits in the absence of the SS responsible for the office.... Francisco Boix, who spoke English and German to perfection, was introduced to certain comrades working in the carpenters' shop. In 1944 they were able to remove from the camp a pile of prints in four boxes of shoe polish.67

What El Nuevo Diario counted on most was a mass of readers without the wits to question anything.

Decade after decade, the eulogies to Boix continued, and the name of Antonio García was mentioned nowhere. In 1975 Le Patriote Résistant, which saw no fault in publishing anonymous articles, included that of Luis García Manzano, Constante's comrade on the receipt allowed the Gestapo to reach her. She was taken first to the 'Souricière' (equally known as the 'Dépôt') at the Ministry of Justice, and from there to La Santé, to join Catelas. The Germans allowed them to talk just before they beheaded him, after which his body was given to his family for burial in Amiens, while Odette Janvier was sent from La Santé via Fresnes and Rennes to KL-Ravensbrück. The disclosures in 1995 by the PCF itself of the duplicity and moral turpitude of Jacques Duclos as head of the PCF was the culmination of everything she feared was true: “André Marty had the character of a pig, but he was never a traitor, as the Party claimed when they ousted him. But Duclos was something else, a liar to the core. He wasn’t in Paris at the beginning of the war. He had taken refuge in Belgium. What was ever true about what he claimed?” (interview).

66 Daix, interview.
67 El Nuevo Diario, November 30, 1969; shown to the present author by Baldomero Chozas on March 4, 1997.
in the *Klosettreiniger* staff, hiding under the name of “Luisin”. The article gave credit exclusively to Boix, “who risked his life.”

Antonio García continued to recover (for a second time) a part of his collection. Knowing this, Vilanova, in the preparation of his *Los Olvidados*, wrote to him four times. García never replied; he had no confidence in him. Vilanova's book, published in 1969 by Ruedo ibérico, included a set of 45 photographs of KL-Mauthausen but made no mention of Antonio García. García never even met the publisher, José Martínez, who ended his life a suicide.

What was the true nature of the conflict between Antonio García and the communist party of which he was a member? It is too easy to refer, as some of his friends still do, to a certain cantankerousness in his personality. García himself freely admits that he was always a critic. Odette Janvier comments that after the Liberation he never stopped criticizing the Party leaders, especially for their attitude that “the leaders must be saved, even if it means sacrificing the rank and file; they never forgave him for that.” Boix, she added, was the exact opposite of García: “If Boix had met the Pope he would have called him Papa.” Santisteban testifies that Boix had so ingratiated himself into the favor of Ziereis that three times he heard the Lagerführer call him Franz. García found more than that to criticize in the behavior of the Party leaders. The return to Toulouse in 1946 of Pasionaria, Stalin’s handmaiden, produced a scene that none present would forget, and many a Party member who deserted the Party later would take that event as the beginning of his awakening. It was her first public address to the Spaniards in Toulouse, García recalls, and she spoke of the leaders—in Moscow. When those who had just led the Resistance in France and those who had survived the camps in Germany and Austria attempted to speak, she refused to let them, saying that “the Spanish survivors of Mauthausen all collaborated with the SS.” If the quotation is missing from the report in the Toulouse communist daily *El Patriota del Sud-Ouest*, it was deliberately dropped and it alters nothing: Pasionaria was repeating

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69 Santisteban, interview.
exactly what she had learnt from Stalin in Moscow. Apart from that, Pasionaria and her clique had their personal reasons: if the PCE was the only communist party to question the behavior of its members who had survived captivity, it was precisely to avoid being questioned about their own behavior in Moscow.\footnote{Cf. PIKE 1993b p. 282, for further evidence of Pasionaria’s doublespeak. The Party prefers to praise the dead. Miguel Serra wrote of Manuel Bonet, a mason from Sant Sadumi d’Anoia near Barcelona who had served as an officer in the Republican Army and finished up in Mauthausen. There he died of tuberculosis on June 10, 1943, having refused to accept the food supplement offered him by the Spanish organization; on the contrary, he told them not to waste their precious supplies on someone beyond hope, and even offered them his own food ration (\textit{Le Patriote résistant}, Paris, special supplement in Spanish to no. 426, April 1975).}

Why, it has been asked, did Antonio García not leave the Party and join the Socialists? “I stayed in,” he replies, “in the hope that everything would work itself out. Besides, our experience had turned us into fanatics.” A year after the Liberation the PCE sent Luis Montero to see him, to say that Boix had deposited the photos with an agency in order to make personal profit. His price was so high that the Czech Communist Party, informed of it, had sent a report to the PCE calling it a scandal. Montero had gone to see Boix, and Boix had told him that it was none of the Party’s business, since the photos were his personal property. Montero told García that the Party considered this intolerable, and that a meeting would be held at its headquarters on avenue Mathurin-Moreau to which both he and Boix were to be summoned. A day or two later García received the summons, to a meeting at 8 p.m. Boix was there, but not Montero, or anyone else. At 11 p.m., after three tense and silent hours, they decided to wait no longer. The next day Montero phoned García, with various excuses; another rendez-vous would be made. But Montero did not call back. He was said to be in Toulouse. Months passed. Montero was in Spain. García understood that the meeting would never be held. Sancho Català visited him to tell him that the Party leaders had no confidence in Boix, but they still intended to preserve him as a hero. “Miserable is the Party that needs heroes,” García remembers saying in reply. Then, on the 20th anniversary of the Liberation, in May 1965, when Boix was dead and García was in hospital, García received a visit from Razola. “Things reached a state,” he explained cordially, “in which it was impossible to go back.
We know that in large part you're right, for what was done to you was not very fair. We suggest that from now on, by way of settlement, your name be placed alongside his.” García's response was a flat refusal: “Neither my name alongside his, nor my name instead of his. I am against the cult of the personality. What counts is that the true character of Boix be revealed, including his behavior in Mauthausen and his relations with the SS. The immense treasure of the photographs was not something for an individual to capitalize upon for his own exclusive benefit.”

“I had no choice,” García has said ever since. “My counter-proposal, which I continue to maintain, is that the caption should read: ‘Fotos archivos SS salvadas por las organizaciones de resistencia del campo.’ With no names attached. That is the only way to avoid disputes among survivors.”

This period 1967–1969 proved to be the vital years, for the question of the photos and for the future of the PCE leaders from Mauthausen. Three joint meetings of the PCE and PSUC were held in Paris in 1967–1968, on the rue de Charonne. Presiding at these meetings was Iglesias of the Politburo of the PCE, who was not from Mauthausen. Also present was a gunman known only by his pseudonym Cagancho [real name, Emiliano Alcón Fernández]. His presence disturbed García. Cagancho was known to have assassinated those whom the Party wanted eliminated, and Cagancho had called in on several occasions at García's apartment on the avenue René Coty where he and his family lived for 30 years. García had known Miguel Montaner of Toulouse, who with his wife Redempción had been murdered by Spanish communists in 1950, he for being a lukewarm communist and she (the Lady in the Lake) for knowing too much about the Kominform. García states outright that Cagancho was not involved in those killings, perhaps because another Spaniard had to be murdered in Paris a few days later. At the meeting, Cagancho, who had obviously been given the orders to spy on García, tried to prevent García from speaking, but Iglesias

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73 Ibid p. 229.
allowed him to. That meeting broke up in bedlam, but in the course of the three meetings all those Spanish communists who had been the Party leaders in Mauthausen, with the single unexplained exception of Santiago Bonaque, were expelled from the PCE—which incidentally still remained in France despite its expulsion by the French Government after the murders in 1950.

Razola, Constante, Tarragó, Perlado—all gone, and in the very year of publication of Razola and Constante’s collective work *Triangle bleu*, which appeared in Paris in French ten years before it appeared in Spanish in Barcelona. Many questions have never been answered. The authors were presumably denied the services of Éditions Sociales, the leading French communist publishing house in Paris, but they obtained instead, for a book worse than mediocre by any standards of writing or scholarship, a most prestigious publisher (Gallimard), which might have been impressed by the PCE's current upheaval. For a Spanish edition in Paris the authors would have been dependent on Ruedo ibérico, run by the anarchist José Martínez who would not have welcomed them and who was producing Vilanova’s *Los Olvidados* in the same year. Since both works include the photographs, the question remains as to how all this was negotiated. García was never contacted by either publisher. The case of Evelyn Le Chêne is simpler: she alone among historians, up to the work of the present author, interviewed Antonio García, and received his permission to publish the photos included in 1971 by Methuen. In her book she thanked him for the photos, but she never wrote to him again, adding to his disillusionment.

García finally left the Party—as a Catalan, his was the PSUC—in 1970. He never formally broke with it, nor was he expelled, but by that time his last hopes had evaporated and he had lost his last respect for the Party's leaders. “For 32 years after the Liberation,” he wrote to Constante, “I maintained my silence, at least outside the Party.”

The public occasion on which he broke it was a reunion (not a formal meeting) of Mauthausen survivors held in Perpignan in 1977 at the Catalan cultural center, founded by Salvador Figueras. Antonio García and Jacinto Cortés were among those present. García let loose

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with a denunciation of Boix, who was long since dead, saying that his seizure of the photos was an act of treachery against a comrade of the workplace and of the Party, an act totally controlled and organized by others above him. Nearly twenty years later, at his home in Perpignan and before the present author and Juan de Diego, Cortés reeled off without a pause, and with the mental clarity of a lawyer, the four questions that in his defense of Boix he had put to García:

– To whom did you give the photos when you fell sick, in order to guarantee that they would be saved?

– Why, at the Liberation, did you not go and pick up the photos?

– If the photos were yours, why weren’t you at Nuremberg to testify against the Nazis?

– Why do you attack Boix now and not earlier when he was still alive?

To all four questions, added Cortés in 1995, in recreating that scene in 1977, García had not a word to say, other than a question: “And who are you?”

On his return to Paris after that 1995 meeting, the present author had his last full-length discussion with Antonio García before García's memory became impaired. On the four questions of Cortés, García had a clear and ready answer for each:

– What better place was there to hide the prints than in the lab? The lab had never been searched. Ricken left us alone; his only interest was in making money. Why not leave the photos in their place a few more months? They were safe, safer than they could be

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75 Ibid p. 22.
76 Cortés, interview. In Perpignan, the author then discussed the four questions privately with Juan de Diego, who agreed that the four resolve into one: Were the photos ‘saved’ by Boix or were they simply stolen? In support of Boix and Cortés, we agreed that the photos could have been lost for ever: when a prisoner goes into the Revier he is not likely to come out alive. We further agreed that the second and third questions lacked merit, while the fourth remained open. The author then left for a conference in Murcia but with an invitation from Cortés to stop in Perpignan on his return. But the two-hour talk had tired or troubled him, and the second meeting never took place.
anywhere else in the camp. They were dispersed and hidden, but if any were discovered, in a drawer, in a box, in a card index, it could be argued that they had been rejected as of inferior quality. From the point of view of the SS, they were reasonably in their place. Boix’s action was not motivated by any sense of the common good but by self-interest, his desire for personal fame. A comrade does not act like that.

– Where would I go to recover the photos? I went to my superior in the Party: Tarragó, who approved what Boix had done.

– I did not go to Nuremberg because nobody invited me, either there or to the Dachau trial. I could attend the Cologne trial only because Boix was already dead and because the West German Government covered my expenses. It needed me to testify against Schultz, Ricken’s superior in the Politische Abteilung, and I stayed for six days. Schultz admitted that he knew me and the work I had done for him, but he tried to dismiss every accusation as a piece of hyperbole or malice.

– Why did I wait for Boix to die before attacking him? I attacked him from the start, and I have never stopped. But the Party smothered everything I ever said. I told Boix in public that he behaved at Mauthausen like a friend of the SS. And he admitted it, in that way of his. He went on admitting everything I said about him. But he had the Party on his side, and I didn’t. Only one version was allowed.\textsuperscript{77}

In the 1980s García received another visit from Razola. “We are the prisoners of what we have said,” said Razola. “We cannot turn all that around overnight. Little by little we will try to rectify the historical account.”\textsuperscript{78} Razola lived until 1993, but he was too much the old Party man, even though he had been ejected, to rectify anything.

Mariano Constante, similarly ejected by the Party, and similarly unreconstructed, had begun his postwar career less advantaged than Boix or Antonio García. He returned to Paris to work in, and then

\textsuperscript{77} García Alonso, interview.
\textsuperscript{78} Ibid.
run, a small grocery shop, and there is no evidence that he ever learnt a trade or entered a profession.\textsuperscript{79} He did, however, develop a desire to write, and hence made a living and at the same time a reputation, which was far from his liking. In the interview which the author had with him at Orly in 1997, Constante shed some light on matters in dispute, and upon himself, though he was visibly nervous. (We were in company, and he could not easily walk away.) He was very much aware that Antonio García was still alive, giving the impression even that he monitored his movements. When told that the author knew him, Constante's interest increased, and even more so when told that he had studied their correspondence too. Constante proceeded to explain that he had long ago left the PCE, “because of Carrillo”. He later added, “because of Prague.” Constante implied that his only enemy was Stalin, who banned him from visiting the Soviet Union, as he was informed through the Amicale, and obtained a visitor's visa only later, with the advent of Khruschev. The rape of Budapest by Khruschev in 1956 was therefore not a compelling factor in the mind of Constante, though to be fair, there were other members of note in the Spanish Communist Party, not forgetting Fernando Claudín and Jorge Semprún, who had soldiered on even in the face of the Mindszenty trial in Budapest in 1948, the Slansky trial in Prague in 1952, the East Berlin riots in 1953, and finally Budapest in 1956, and took until 1964 to resign. When asked about Semprún, Constante expressed his disgust, “both ideological and personal. When Pasionaria and Carrillo returned to France in 1946 and demanded an accounting by members of the PCE, Semprún looked away and said nothing.”\textsuperscript{80}

The crowning moment in Constante's life was his presentation on French television in 1995 of the documentary film \textit{Mauthausen}, produced by the Amicale in Paris. In it Constante presented a packet labelled \textit{Vöcklabruck} in Gothic script on its cover. It contained, he said, negatives of SS film. He then attributed the preservation of the photographs to Boix, Grau, and Cortés, with no mention of Antonio

\textsuperscript{79} Waysand, interview. 
\textsuperscript{80} Constante, interview.
The upshot of all of this is that the Party won—short-term—its vain and futile purpose; witness the case of Manuel García Barrado, the custodian of the museum in Mauthausen, who had never heard the name of Antonio García.

Constante is presumably the beneficiary of at least a part of the Boix film legacy, since he told the present author in their private meeting they were his personal possession. When asked who took the photos, Constante replied “Schinlauer.” This is highly questionable. When Ricken in February 1944 left the Hauptlager to take up his duties as Lagerleiter of Nebenlager Aflenz, he was leaving Schinlauer in charge—of work that had dwindled to virtually nothing. No more need of identification photos for incoming prisoners, because there were just too many incoming prisoners. No more need for photos of visiting dignitaries, because there were no more visiting dignitaries. But Constante at once made it clear that he knew nothing about Mauthausen’s Erkennungsdienst: he had never heard the name of Ricken.  

In discussing the documentary film with Antonio García, the author was told again that no original negatives survive. If Constante in the film exhibits negatives, he added, they are negatives made from an original print, not the negatives from which the original prints were made. In this Antonio was totally mistaken, and the present author expresses his regret that on this question he allowed himself to be deceived, falling victim to Antonio’s enduring resentment, a resentment which blinded his judgment.

The author's final question to Antonio García was one that Boix might have asked: “How could he know what was happening in the Erkennungsdienst when he was absent in the hospital?” García replied that he could see for himself when he returned to the photo lab that no further photos had been taken. After the war he visited Poland and other Eastern European countries. He met the Poles Johann Gralinski and Miroslav Lastovka who had worked with him.

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81 Juan de Diego, interview, expressed his disgust: “Constante had nothing to do with the photos.”
82 Ibid.
in the *Erkennungsdienst*, and they told him that Boix never developed or printed anything during his absence.

In his book *El fotógrafo*, pp. 136-138, Benito Bermejo finds fault with this, pointing out that Antonio did not need to go to Poland for an answer to his question. There was his Spanish colleague José Cereceda, alive and well in France. In reply to Bermejo’s point, Antonio stated he did not go to Cereceda for an answer because he knew the worth of any evidence from Cereceda. Cereceda was one more loyal Party member who never sang out of tune.
Chapter 15. The polemic, 1941-2005: a full account

L’histoire des photos prises par les SS du KL-Mauthausen est de plus en plus connue. Seul le camp de Mauthausen, situé près de Linz en Autriche, a laissé à l’Histoire une preuve de son passé jusque dans les moindres détails. Le nombre de clichés qui a pu y être conservé dépasse de loin le nombre total de photos prises et conservées dans tous les autres camps de l’archipel SS. Ce sont d’ailleurs ceux-ci et aucun autre qui ont été présentés à Nuremberg afin de prouver la mauvaise foi de Kaltenbrunner et de Speer qui niait toute connaissance du camp. Le rôle de Francesc Boix, ancien prisonnier de Mauthausen qui a présenté les photos à la Cour est aussi de plus en plus connu, surtout en Espagne grâce à deux ouvrages sortis récemment83. Conservées par l’Amicale de Mauthausen à Barcelone, des centaines de photos y ont été présentées pour la première fois dans leur qualité originale84.

Mais combien de photos ont-elles été sauvées et dans quelles circonstances ? En 1946, lors d’un procès qui eut lieu à Dachau sous les auspices américains (Mauthausen ayant été libéré par les troupes du général Patton), Boix a monté le ton en déclarant à la Cour qu’il avait sauvé des flammes 20.000 photos, soit un tiers des clichés faits par les SS de Mauthausen entre 1938 et 194585. Boix s’attribuait le mérite d’avoir sauvé toutes les photos et réclamait la totalité du crédit. Il avait certes réussi à subtiliser aux SS d’énormes quantités de négatifs, mais Antonio García Alonso, son compatriote et codétenu avait aussi contribué en faisant imprimer en cachette un cliché supplémentaire de quelques deux cent photos qu’il avait par la suite dissimulées. Il est indéniable que Boix a sauvé bien plus de photos que ne l’a fait Garcia, mais il est toujours très difficile de déterminer qui a fait quoi. Conformément à l’usage SS la signature

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84 Plusieurs dizaines en avaient été publiées antérieurement, mais de façon médiocre, par RAZOLA/CONSTANTE 1969; VILANOVA 1969; donc, dans la même année. On n’a jamais pu connaître les circonstances dans lesquelles ces photos avaient été passées aux mains de ces auteurs ou à leurs éditeurs. Marianne Bruhl, assistante de José Martínez, directeur de Ruedo ibérico, qui les publia, n’en a jamais rien su (information privée).
85 PIKE 2003 p. 455.
du prisonnier était apposée au dos du cliché qu’il avait tiré. Et dans ce cas-là, la photo appartient à García, seul prisonnier employé dans la chambre noire.

Quel était le rapport entre ces deux Espagnols qui furent choisis pour travailler dans l’Erkennungsdienst, le service d’identification photographique ? Antonio García avait appris le métier de son père qui exerçait la profession de photographe professionnel à Tolosa en Catalogne. Dans la première semaine de son arrivée à Mauthausen, il fut sélectionné par le SS-Oberscharführer Friedrich (Fritz) Kornacz, responsable de l’Erkennungsdienst. Il reçut ensuite l’approbation du SS-Obersturmführer Karl Schulz qui était responsable durant toute cette période de la Politische Abteilung dont le service photo faisait partie. C’est le 5 mai 1941 que García commença à y travailler sous les ordres de Kornacz avant qu’il ne parte, en juin 1941, puis sous la responsabilité du SS-Oberscharführer Paul Ricken. Celui-ci désirait élargir son équipe : grâce à l’intervention de García, Boix fut autorisé à intégrer, vers la fin de 1942, l’Erkennungsdienst aux côtés de son compatriote catalan. Leur incompatibilité d’humeur était telle que les relations entre les deux hommes se dégradèrent très rapidement. C’est en février 1945 que l’animosité qu’ils se vouaient arriva à son paroxysme. Effectivement, lorsque García revint de son hospitalisation pour réintégrer l’Erkennungsdienst, il découvrit que Boix avaient dérobé les photos que lui, García, avait cachées. García lui en garda une rancune tenace jusqu’à sa mort le 10 juillet 2000 et l’on se doute que cet épisode avait modelé son jugement à jamais. Par conséquent García refusa toujours de reconnaître que Boix ait pu sauver des photos. Boix, qui était devenu célèbre après son intervention au Tribunal de Nuremberg, tenait parallèlement le même discours. Il ne voulut jamais admettre que García ait pu sauver les clichés, ceux-ci mêmes que Boix lui avait dérobés.

En mai 1945, les deux Espagnols rentrèrent de Mauthausen et reprinrent leur activité de photographes professionnels en France. C’est grâce à ses relations avec les milieux communistes français et espagnols que Boix acquit sa popularité, tandis que García restait très à l’écart. Francesc Boix était peu bavard sur son rôle au sein de
l’Erkennungsdienst. En revanche, García était loquace sur ses cinq années de travail. Non seulement il publiait certains articles sous le pseudonyme désabusé de Juan de Portado (tandis que d’autres restait dans ses archives), mais il accordait à l’auteur de cet article plusieurs centaines d’heures d’interviews durant lesquelles il relatait les innombrables histoires vécues durant cette période.


Comme d’habitude Kornacz fumait sa pipe assis à son bureau, lorsqu’un kapo à la carrure immense entra, flanqué d’un prisonnier de fort petite taille. Le kapo, qui portait le triangle noir qui désignait la classe des Asociaux, avait été choisi pour sa taille imposante. Le
nain Katan n’était pas né nain, mais une maladie qu’il avait contractée lui avait laissé les séquelles de malformations physiques évidentes. Kornacz se leva, saisit un tabouret et se plaça de manière à s’aligner la taille de Katan. Comme à son habitude, il commença à souffler des ronds de fumée dans le visage du prisonnier avant d’entamer la conversation qui suit :

- Tu parles allemand ?
  _Jawohl, Herr Oberscharführer. Je suis professeur de langues à la Faculté._
- Ah ! Les Juifs s’arrangent toujours pour éviter le travail.
  _Ça c’est aussi un travail._
- (Hurlant). Ce n’est pas un travail !… Tu es marié ?
  _Oui._
- Ta femme est normale ?
  _Je ne comprends pas la question._
- Ça prouve ton manque d’intelligence. Enfin, ta femme, elle est comme toi ou de taille normale ?
  _Elle est de taille normale._
- Tu as des enfants ?
  _Oui._
- Sont-ils normaux ou petits comme toi ?
  _Normaux._
- Ils ne peuvent pas être de toi…. Quand tu manges à table, il te faut une chaise spéciale ?
  _Oui_.
- Qui t’aide à monter là-dessus ?
  _Ma femme._
(Ce dialogue dura jusqu’à ce que Kornacz estimât qu’il en savait suffisamment sur la vie privée de Katan.)
- Tu sais pourquoi je vais te photographier ?
  _Non._
- Eh bien, parce-que nous allons te tuer et que nous pourrons ainsi étudier ton squelette.
  _Tout en gardant son calme). Venant de vous, je ne m’attends à rien de bon._
- Tu as bien raison de le penser.

Kornacz commença à photographier Katan avec le kapo, d’abord chacun face à face, puis le kapo tenant Katan dans ses bras. Après, il donna l’ordre à Katan de se déshabiller complètement pour le prendre en photo sous des angles divers. Kornacz attendit qu’Antonio développe les photos, et seulement après qu’il eut examiné la qualité des clichés, il ordonna au kapo et à Katan de disparaître. Trois jours plus tard, le même kapo revint à l’Erkennungsdienst : il amena un squelette qui était monté sur une espèce de structure en bois qui faisait office de toise. On photographia le squelette sous tous les angles.

Lorsque Kornacz partit en guerre, la direction de l’Erkennungsdienst fut reprise par Ricken. La différence entre les deux SS était flagrante. Alors que Kornacz n’hésitait pas à taper Garcia à chaque fois qu’il faisait une erreur de grammaire en allemand, Ricken ne leva jamais la main sur lui ou quelque autre prisonnier. Ce n’est que lorsqu’un autre SS était présent qu’il flanquait une gifle à un prisonnier. Une amitié réciproque entre Ricken et Garcia vit le jour. Elle résultait de l’admiration de chacun pour le professionnalisme de l’autre. Ce lien affectif ne quitta jamais Garcia. D’ailleurs, il ne cessa de le mentionner à plusieurs occasions lors de ses entretiens avec l’auteur : « Je crois que nous lui devons d’en être sortis en vie. » Il ne faudrait pas oublier que c’est sur les ordres d’Himmler qu’il fallait exécuter et remplacer tout prisonnier qui, de par son travail dans les secteurs clés tels que la chambre à gaz, le crématoire et autres kommandos de ce genre, “savait quelque chose”. Il ne serait pas logique que les SS épargnent les prisonniers de l’Erkennungsdienst.

Ceux qui ont survécu n’ont jamais accusé Ricken d’avoir commis le moindre crime lorsqu’il était responsable de l’Erkennungsdienst. Mais sa présence n’était pas définitive car en février 1944 il reçut une nouvelle mission. Son subalterne, Schinlauer, lui succéda au service photo. Ricken, quant à lui, fut désigné pour escorter un convoi de prisonniers qui devaient être transférés vers un nouveau camp situé à Aflenz an der Sulm, près de

87 PORTADO n.d.

Au début de mai 1945, Ricken et les autres SS prirent la fuite afin de ne pas tomber entre les mains des troupes américaines qui venaient libérer les prisonniers des camps. Ce n’est que le 31 décembre 1946 que les Services de renseignements britanniques l’arrêtèrent à Luegde. A l’issue de son jugement qui eut lieu à Dachau entre le 16 et le 23 juillet 1947, il fut condamné à la prison à vie, pour des crimes contre l’humanité. Bien que Ricken, lors du procès, reconnût lui-même sa culpabilité dans deux affaires de mauvais traitements perpétrées à Aflenz, il fut victime de faux témoignages fabriqués par trois anciens prisonniers : Hans Carl von Posern, Georg Emil Geiger, et Bernhard Bendig. Comme souvent, le témoin professionnel, faisant de fausses dépositions pour gagner la faveur de la Cour, faisait son entrée en scène pour corrompre le tribunal des Forces alliées. Mais finalement ils ne tardèrent pas à être traduits en justice suite aux crimes qu’ils avaient commis lorsqu’ils étaient kapos et l’un d’eux, von Posern, fut emprisonné à perpétuité.

Ainsi entra Ricken en prison, mais il ne cessa de protester son innocence quant à tous les crimes dont on l’avait accusé, exception faite des deux commis à Aflenz auxquels il avait confessé. Il faisait grief au tribunal pour deux raisons en particulier : le refus de celui-ci de faire subir un contre-interrogatoire aux témoins à charge, et l’absence au tribunal des anciens prisonniers de l’Erkennungsdienst qui auraient déposé en sa faveur : Antonio García et deux Polonais, Johann Gralinski et Miroslav Lastowka. En 1949, deux ans après

88 Pour défendre contre ses opposants son récit concernant ses expériences dans l’Erkennungsdienst, y compris son évaluation très favorable à l’égard de Ricken, Antonio
son procès, un nombre étonnant de citoyens autrichiens se présentaient pour se porter garant de lui, dont l’archevêque de Salzburg qui adressa une lettre en sa faveur aux autorités militaires américaines. Ces nouveaux témoins avaient servi comme fonctionnaires, dirigeants ou adjoints dans les entreprises locales où les prisonniers d’Aflenz avaient été employés, en particulier le Kalkensteinwerke de Daimler Puch Werke A.G., situé à Steyr, ainsi que le Steirermarkischen Elektrizitäts A.G., situé à Leibnitz. Sous serment ils se déclarèrent sans lieu de parenté ou autre avec Ricken. Les propos qu’ils tenaient à son égard étaient pourtant identiques: décent, sympathique, agréable, tranquille, paisible, toujours correct, honorable, noble, humain⁸⁹.


García cherchait la corroboration de ces deux Polonais. BERMEJO 2002 pp. 136, 138 propose que García n’avait pas besoin d’en chercher à Varsovie, car pour témoin il avait à sa disposition en France son propre compatriote José Cereceda Hijes, lui aussi affecté à l’Erkennungsdienst. Les raisons pour lesquelles García ne se tourna pas vers lui sont simples. Cereceda n’était pas entré dans l’Erkennungsdienst qu’après le départ de Ricken pour Aflenz. Deuxièmement, Cereceda était un communiste fidèle à Staline, alors que García avait en horreur de tels communistes.

⁸⁹ Leurs témoignages, et ceux qui suivent ici, sont conservés dans le (US) National Archives and Records Administration, Box 337/381 et Box 337/382.
⁹⁰ Johann Zimmermann, ancien chef de secteur de Steyr Daimler Puch à Graz, et Johann Krainer, ancien maître de travaux de l’usine de vélos d’enfants à Graz.
⁹¹ Leopold Traxler, Affidavit signé à Steyr, 6 octobre 1949.
⁹² Rudolf Geyer, Affidavit signé à Steyr, 6 octobre 1949.
des efforts pour soulager les conditions déplorables des détenus. Ce n’était pas le cas de son supérieur dont j’oublie le nom [l’Untersturmführer Fritz Miroff], avec son chien et sa matraque. Les prisonniers disaient de Ricken, ‘Si seulement tous étaient comme lui’ »\(^93\). Grete Rath, ancienne directrice d’un magasin d’électricité à Leibnitz, écrivait : « Ricken s’opposait à ce qu’on fasse travailler les prisonniers deux tours successives »\(^94\).

Quant à la santé des prisonniers, Helene Meihel née Fischer, ancienne secrétaire à Leibnitz de Steyr Daimler Puch Werke, écrivait « Ricken m’a demandé d’apporter au Revier [l’infirmérie des prisonniers] de grandes quantités de médicaments et d’instruments médicaux, à une époque où le moindre achat était très difficile »\(^95\). Konrad Schindler, ancien directeur de Steyr Daimler Puch Werke, écrivait : « En tant que directeur j’étais en contact permanent avec Ricken. À son instigation on réarrangea le Revier, de grandes quantités de médicaments furent achetées, des rations de viande fraîche et de bière étaient régulièrement commandées, même si cela était fort difficile. Ricken a célébré Noël 1944 avec les prisonniers, organisant des conférences»\(^96\).

Des rapports semblables attestaient des soins que Ricken dédiait à l’alimentation et au logement. Le docteur Karl Assmann, qui avait rempli entre 1938 et 1945 les fonctions de Bezirkshauptmann et président communal de Leibnitz, écrivait : « J’inspectais le camp de façon régulière et je pouvais voir que le logement et la nourriture étaient acceptables, et que le traitement des prisonniers était humain»\(^97\). Franz Zenz , directeur du Steirermarkischen Elektrizitäts A.G. à Leibnitz, écrivait : « Il réussit à faire venir aux prisonniers des cigarettes et des comestibles supplémentaires»\(^98\). Grete Rath ajouta à son propre témoignage: “J’ai remarqué à maintes reprises que Ricken faisait tout son possible pour améliorer les conditions de logement»\(^99\).

\(^{93}\) Rudolf Matuschek, Affidavit signé à Leibnitz, 3 septembre 1949.
\(^{94}\) Grete Rath, Affidavit signé à Leibnitz, 3 septembre 1949.
\(^{95}\) Helen Meihel née Fischer, Affidavit signé à Graz, 12 octobre 1949.
\(^{96}\) Konrad Schindler, Affidavit signé à Abtissendorf, 10 octobre 1949.
\(^{97}\) Dr Karl Assmann, Affidavit signé à Graz, 10 octobre 1949.
\(^{98}\) Franz Zenz, Affidavit signé à Leibnitz, 3 septembre 1949.
\(^{99}\) Grete Rath, Affidavit signé à Leibnitz, 3 septembre 1949.
Jöbstl, ancien propriétaire d’une entreprise qui livrait au camp des pommes de terre et du charbon, écrivit : « Dès que Ricken arriva à Aflenz [et prit le commandement local des mains de Miroff], les prisonniers eurent meilleur mine et ils ne moururent plus. Même les prisonniers me le disaient».

Quant à la marche de la mort d’Aflenz à Ebensee, en avril 1945, Grete Rath ajouta : « Avant la marche je l’ai entendu demander à la direction de l’usine de la nourriture et des vêtements suffisants pour la marche, ainsi que deux couvertures pour chaque prisonnier. La direction ne voulait leur en donner qu’une seule. Ricken fut énergique dans sa requête». Franz Kunt, qui avait travaillé comme prisonnier à Aflenz pour le Steyr Daimler Puch, porta témoignage à un autre procès où, appuyé par d’autres anciens prisonniers, il attribua sous serment sa survie à la marche aux efforts de Ricken qui, « au lieu de tuer les prisonniers, selon l’usage, au bord de la route parce qu’ils étaient incapables de maintenir le pas du convoi, allait devant sur sa moto pour requisitionner de la nourriture et du transport pour les malades. En conséquence, nous avions huit véhicules pour les prisonniers qui ne pouvaient plus marcher ».

En conséquence de ces témoignages, on rouvrit, certes tardivement, le dossier de ces anciens témoins à charge lors du procès de Ricken. Le 25 septembre 1953, Adalbert Joppich, ministre pour le Réembauchement, se rendit à Salzburg pour rencontrer, dans son logement de l’Erzherzog Eugenstrasse, l’ancien témoin à charge Bernhard Bendig. Celui-ci avoua alors que son témoignage à Dachau était faux. Il décrit maintenant tout autrement le camp d’Aflenz, où il avait été prisonnier lui aussi. « C’était en effet un camp modèle. Ricken nous traitait de façon humaine, organisait des spectacles de théâtre, soignait les malades. » Se retractant complètement, les propos de Bendig furent très clairs :« Ricken ne donna pas l’ordre d’ouvrir le feu, ni accepta un tel ordre, ni transmit tel ordre. Aucun prisonnier ne fut fusillé sur ses ordres ni par son consentement à de tels ordres. Lors de la marche de la mort, 12-14 prisonniers ont été

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100 Johann Jöbstl, Affidavit signé à St. Martin, 29 septembre 1953.
101 Grete Rath, Affidavit signé à Leibnitz, 3 septembre 1949.
fusillés pour ne pas maintenir le pas du convoi, mais uniquement sur les ordres de Miroff »\(^{103}\). Quant à Hans Carl von Posen, témoin principal à charge au procès de Ricken, il ne fournit aucune retraction. On le démasqua néanmoins comme parjure et criminel lui-même. Karl Kaufmann, qui comme prisonnier à Mauthausen avait travaillé dans le Revier comme infirmier en chef, avait connu von Posen quand celui-ci avait servi comme kapo dans l’Arbeitsdienst. Il témoigna qu’il avait eu une dispute avec von Posen chaque fois que celui-ci donnait l’ordre à un prisonnier incapable de reprendre le travail\(^ {104}\). Enfin, Hans Vey, le premier kapo de l’Erkennungsdienst de Mauthausen, prêta serment selon lequel von Posern n’était nullement qualifié pour porter témoignage au sujet du service d’identification photographique car il ignorait totalement sa fonction. Il ajouta : « Ricken nous vouvoyait. Deux fois il m’a sauvé la vie. Et celle de Grabowski aussi, en intervenant alors que ce prisonnier polonais était à la merci de Schinlauer\(^ {105}\). Si Ricken avait jamais participé au pêloton d’exécution, j’en aurais été informé »\(^ {106}\).

Ricken ne regagna sa liberté que le 29 novembre 1954. Il n’était plus qu’un homme brisé. Rien de ce qu’il dit ou fit par la suite ne put aider à éclaircir le mystère dont il était auréolé. Était-il vraiment un des très rares SS qui avait une certaine pudeur, comme l’avait affirmé Antonio García ? Ainsi lorsque l’ondemandait à García d’expliquer comment un homme qui avait pu réaliser des clichés aussi atroces pouvait aussi adopter une attitude normale d’être humain, il admettait le paradoxe de la situation.

Ricken n’avait jamais été accusé de crime par les ex-prisonniers qui avaient travaillé à l’Erkennungsdienst. Le fait qu’un ex-prisonnier qui ne le connaissait pas, et n’avait même jamais côtoyé un de ceux qui avaient travaillé pour lui, l’accuse, créa la surprise. Pierre Serge Choumoff est un survivant du camp de Mauthausen-Gusen : à la fin de la guerre, il était le secrétaire du comité

\(^{103}\) Adalbert Joppich, Affidavit signé à Salzburg, 25 septembre 1953.
\(^{104}\) Karl Kaufmann, Affidavit signé à Linz, 24 septembre 1953.
\(^{105}\) PIKE 2003 p. 255. Boix, sous la foi du serment, affirmait que Schinlauer était le pire des trois SS qui étaient en charge de l’Erkennungsdienst (ibid., p. 456).
\(^{106}\) Hans Vey, Affidavit signé à Nuremberg, 8 décembre 1949.
international clandestin qui regroupait des prisonniers de plusieurs nationalités. P.S. Choumoff possède les principaux documents relatifs au procès de Ricken à Dachau, car l’auteur de cet article les lui a envoyés. Ces documents révèlent les deux principales accusations retenues contre Ricken lors de son procès. La première évoque sa participation présumée aux fusillades des pelotons d’exécution, tandis que la seconde évoque les prétendues falsifications dans sa manière de photographier les cadavres des prisonniers. En ce qui concerne la première accusation, elle fut vivement réfutée par l’avocat américain de la défense qui signalait que les SS portaient toujours leur casque lors des fusillades et que par conséquent il était très difficile pour les prisonniers, qui étaient éloignés du lieu de l’exécution, de pouvoir réellement identifier un visage. Toutefois la vraie question est passée inaperçue. C’est le Lagerkommandant Franz Ziereis ou son adjudant qui choisissaient ceux qui devaient prendre part au peloton. Ceux qui se portaient volontaires étaient récompensés, mais pour le reste, aucun SS n’avait voix au chapitre. Ziereis avait l’habitude, on le savait, de sélectionner pour le peloton d’exécution tout subalterne qui faisait signe d’émotion107. Ziereis, n’avait-il pas dit à plusieurs reprises que personne ne pourrait agir à Mauthausen et garder les mains propres ?

Toujours est-il que Ricken ne s’est jamais porté volontaire. D’ailleurs, García n’a pas manqué de décrire le comportement de Ricken lors de ces moments : l’Erkennungsdienst était situé à 30 mètres du lieu d’exécution et durant ces moments pénibles, il prenait sa tête entre ses mains et gémissait, « O weh! ». Pour ce qui est de la deuxième accusation qui dit que Ricken modifiait la position des corps pour faire ses photos, cela ne fait aucun doute pour P.S. Choumoff. Des témoins ont affirmé lors du procès que lorsqu’un prisonnier mourrait électrocuté sur la clôture, son corps était enlevé et placé de l’autre côté de la barrière pour faire croire à une évansion. Cela justifiait le fait que le SS eût tiré et que le garde SS qui l’avait

107 Un tel suspect aux yeux de Ziereis était le Obersturmführer Hans Altfuldisch, qui remplissait la fonction importante du 2. Schutzhaftlagerführer (deuxième chef de sécurité). Ziereis le soupçonnait de conserver quelques croyances catholiques, et pour cela il le contraindrait à assister aux exécutions et aux séances de torture (US National Archives and Records Administration, Box 338/397, Kofler). Plus tard, Altfuldisch se distinguia comme le seul à exprimer des remords.
tué fût gratifié d’une récompense. Ricken et les gardes SS étaient donc, selon ces témoins, en collusion. Il n’est guère étonnant que lors de ce procès, Ricken n’ait pas compris cette accusation. Qu’il eût été question de suicide ou de tentative de fuite ratée, le chef de la sécurité (Schutzhaftlagerführer) se devait de rédiger un rapport, et ce dernier ou son adjoint arrivait toujours sur place avant le photographe. Et si un prisonnier mourait parce-qu’il avait été forcé par un des gardes de toucher le grillage, ou bien si le désespoir l’avait poussé au suicide, les SS montraient la plus totale indifférence. Enfin, P.S. Choumoff a choisi de fermer les yeux sur le faux-témoignage des trois témoins principaux, malgré les preuves évidentes.


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Il existe donc ceux qui refusent d’accepter qu’un ancien prisonnier puisse avoir un discours bienviellant au sujet d’un SS. Encore pire à leurs yeux : un ancien prisonnier qui accuse un autre. En effet, Boix fut accusé par García d’avoir eu une conduite malveillante avec ses co-détenus, d’une part, et d’avoir su s’attirer les bonnes grâces des SS, d’autre part. Par exemple, seul Boix fut invité à assister en tant que spectateur à un match de football disputé par deux équipes SS sur le terrain qui leur était réservé. García ne

manqua pas non plus de signaler que Boix s’était réjoui de l’exécution de partisans yougoslaves, ou bien qu’il ne cessait de jaser au sujet du Polonais Grabowski, si bien qu’un jour Schinlauer administra une correction à ce dernier. Pire encore, lorsque Boix s’en prit physiquement à son compatriote Casimir Climent en février 1945, si violemment qu’il fallut l’envoyer se faire soigner à l’hôpital qui n’était pas considéré comme un lieu de sécurité pour les prisonniers109. Les défenseurs de Boix ne cherchent pas à approfondir cette preuve évidente, mais ils prennent plutôt en compte les exagérations, les déformations et certaines de purs mensonges que García n’a cessé de raconter au sujet de Boix toute sa vie durant. Pourtant, bien qu’ayant vécu à Paris à la même période que García durant quarante ans, M. Choumoff ne l’avait jamais rencontré et il admit qu’il ne connaissait Boix que de vue (« Je ne l’ai connu que par un regard ».) Sans chercher à distinguer le vrai du faux, il écrit dans Guerres mondiales et conflits contemporains: «Il faut en déduire le manque total de crédit à accorder aux dires d’Antonio García, concernant non seulement le SS Ricken mais aussi Francesc Boix»110. Phrase calomnieuse ? Evidemment non, aux yeux de M. Choumoff. Pourtant le même M. Choumoff n’hésitait pas à qualifier en public de «calomnie» le discours de quiconque osait soutenir les attaques de García envers Boix111. C’est surprenant de constater que ceux qui mettent en doute la crédibilité de García ne remettent pas en cause celle de Boix. Ricken était un SS, ce qui faisait de lui un coupable tout trouvé. Boix était un prisonnier, il ne pouvait qu’être lavé de tout soupçon. M. Choumoff a même prétendu qu’un historien viole son sens de l’éthique s’il doute de la parole d’un prisonnier face aux dires d’un SS. Boix n’avait-il pas été décrit comme un héros dans les ouvrages de Mariano Constante Campo, et dans les documentaires que lui ont consacrés les amis de Boix ?

La rancune de García envers Boix était-elle de nature à diaboliser ce dernier ? Nous avons toutes les raisons de le penser.

109 PIKE 2003 p. 323.
110 Guerres mondiales et conflits contemporains, 209, janvier-mars 2003, pp. 119-123. P. S. Choumoff tourne en ridicule la déclaration d’Antonio García selon laquelle Ricken écoutait dans son bureau les émissions de la BBC. L’auteur fait confiance à García sur cette question.
García avait eu tort de nier les compétences de Boix en matière de photographie et l’auteur n’aurait pas dû appuyer cette position. Durant la guerre d’Espagne, Boix a vraiment travaillé pour un journal illustré et pour une agence de photos à Barcelone. Les clichés qu’il a effectués sur la libération du camp de Mauthausen témoignent de ses réelles compétences. Cela dit, est-ce que cela signifie que les propos de García selon lesquels Boix entretenait des relations avec les SS ne devraient pas de ce fait être pris en compte ? Les plus proches amis de Boix admettent qu’il avait tout fait pour leur paraître agréable afin de gagner leur confiance. José Perlado, un proche de Boix, déclara : « Son influence auprès des SS de Mauthausen était incroyable. Il les connaissait tous »112. Cela soulève le problème de la collaboration à la suite de laquelle d’anciens prisonniers ont été condamnés à mort par les tribunaux à la libération. A quelque poste que ce soit, les Allemands qui portaient le triangle vert (la classe des criminels) bénéficiaient des faveurs des SS, et le but avoué des prisonniers politiques (les Rouges et les Bleus113) était de les chasser pour prendre leur place. Thierry Feral écrit à ce propos : « En effet, il fallait que certains détenus acceptent de servir les SS, de pactiser avec eux, afin d’accéder à des postes de responsabilité tels doyens du camp. [...] On ne peut donc que rendre hommage à ces militants de gauche et démocrates qui prirent sur eux de se compromettre avec les SS dans le seul but de soutenir leurs camarades sur le plan matériel, de démasquer les éventuels mouchards, de coordonner un réseau d’entraide en tirant le meilleur parti des compétences »114. Il s’agit d’une vision trop simplifiée des faits. Les postes à responsabilités ne conféraient pas tous le même degré d’autorité et n’offraient pas les mêmes privilèges. Les prisonniers employés dans les bureaux ainsi que les techniciens (tous Prominenten) étaient traités différemment des kapos qui dirigeaient les groupes de travail (kommandos). Le kapo était un peu le souffre-douleur du SS qui n’hésitait pas à le battre ou à le remplacer s’il y avait un problème avec le groupe. Si au Tribunal de Nuremberg et lors de son procès à Dachau Boix a nié avoir été kapo, c’est parce qu’il savait qu’après

113 Le triangle bleu, indiquant Apatride, ne fut donné qu’aux Républicains espagnols et à quelques russes exilés.
114 GUILLEMOT 2001 p. 274.
la Libération quiconque avait endossé le titre de Kapo risquait d’être tué. José Cereceda Hijes, son compatriote et compagnon de travail à l’Erkennungsdienst, prend sa défense en assurant qu’il n’y avait aucun kapo dans leur kommando. Cereceda concède que Boix fut responsable de groupe, mais nous demande de ne surtout pas l’assimiler à un kapo. Cela est un peu confus, car les prisonniers choisis par les SS pour ce poste devaient accepter et porter ce titre, que cela heurte leur sensibilité ou pas.

Bien entendu, les SS n’étaient pas dupes. Ils voyaient venir les courtisans de loin. Certaines des accusations que García a formulées contre Boix étaient certes exagérées et même diffamatoires. Par contre, ni Cereceda, ni José Perlado, ni Joaquín López Raimundo n’ont essayé de réfuter ses accusations les plus graves, surtout celle concernant son attaque physique contre Climent. En fin de compte, celui que les Partis communistes français et espagnol érigaient en héros national fut un perpétuel mystère, même pour ses plus proches camarades. Gisèle Guillemot a travaillé pendant des années à ces côtés au journal L’Humanité « sans jamais le connaître à fond ». « Fermé » était, pour elle, le terme qui le qualifiait le mieux. Cependant, il avait été tellement loquace au Tribunal de Nuremberg que Lord Justice Lawrence, qui en était le président, l’avait averti: « Le Tribunal refuse d’entendre des récits dont vous n’avez pas été le témoin direct. Contentez-vous de répondre seulement à la question posée et de ne pas faire un discours ».

Antonio García, lui qui avait caché durant quatre ans ses clichés clandestins, au risque d’être torturé jusqu’à ce que mort s’ensuive, se trouvait sous le coup d’une double accusation : non seulement il était coupable de calomnies envers Boix, mais il était, disait-on, incapable d’avoir sauvé tout seul ses clichés. José Cereceda, son compagnon de travail, se confia à l’auteur : « Antonio García n’a pas pu sauvegarder ces photographies. Il était timide et peureux de nature. En revanche, rien n’aurait pu effrayer Boix. Il n’était jamais déprimé et rien ne le décourageait. Il était toujours prêt à prendre des

115  SOLER 2000 Film documentaire cit.
116  PIKE 2003 p. 452.
Cereceda, témoin ex-parte car militant communiste, a souhaité rester fidèle au groupe qui avait fait de Boix un héros national, et avait fait passer Antonio García pour un faible, un traître, un trotskiste. Joaquín López Raimundo, ayant d’abord reconnu devant l’historien Benito Bermejo qu’il n’avait assisté à aucun des événements relatés, critique García sans ménagement: «Un vrai froussard, […] une peur inhabituelle chez un homme. […] Même maintenant, où il n’y a plus de danger menaçant, il se souvient de la panique du passé. […] Un tempérament qui ne reflète en rien celui des Espagnols. »

García, selon tous ses détracteurs, était un «peureux». Il n’était pas de nature courageuse. Il y a ceux qui sont naturellement courageux, et les autres qui sont timorés. Selon l’enseignement de Périclès d’Athènes, c’est celui qui surmonte sa peur qui est vraiment doté de bravoure. Plus grande est la peur, plus puissante sera la vertu pour la dépasser. Périclès ajoute que les plus forts dans l’adversité ne sont pas ceux qui jouent avec la mort, mais ceux qui aiment la vie. Selon les détracteurs de García, cette peur le mettait dans des états incroyables. Mais un tel homme aurait-il pu avoir le cran de faire un cliché en plus de ceux commandés par les SS, de dissimuler ces clichés clandestins et ce, chaque jour pendant des années ? Si García était craintif, alors que dire de Boix, Cereceda, Mariano Constante qui entendirent la Pasionaria, qui à la Libération était rentrée de Moscou à Toulouse, déclarer que tous ceux qui avaient été faits prisonniers par les nazis étaient des lâches et des traîtres ? Pourquoi eux, ne s’étaient-ils pas élevés contre cette attaque? Et parler franchement est exactement ce que García osait faire à tout instant, ainsi que cela a été reconnu par ceux qui n’avaient jamais été communistes ou ceux qui ne l’étaient plus.119 José Pamiès, jadis

118 BERMEJO 2003 p. 144-145.
119 Ramiro Santisteban, président de la FEDIP (l’association des survivants espagnols de la guerre qui n’a jamais été sous contrôle communiste), demanda pourquoi le documentaire Francisco Boix, projeté le soir du 21 octobre 2003 à l’Institut Cervantes et présenté par Benito Bermejo, évoquait seulement les communistes. B. Bermejo précisa qu’il n’y avait pas que des communistes, mais il ne cita que deux noms de personnes qui ne l’étaient pas. Dans mon ouvrage PIKE 2003 p. 474, j’ai fait référence à Manuel Santisteban, frère de Ramiro, en écrivant qu’au Nebenlager de Steyr, Manuel avait raconté à son ami Baldomero Chozas, le jour de la libération, qu’il ne travaillerait plus jamais de sa vie, etc. J’accepte, en lui présentant mes excuses, la réponse de Ramiro (dans une lettre datée du 17 décembre 2004) : « À Steyr, au péril
communiste, devenu un anti-communiste farouche, démentit l’accusation. «Antonio García, un poltron ? C’était un secret qui n’en est plus, car dans les années soixante, lors des meetings du PSUC, García n’hésitait pas à se lever et ne mâchait pas ses mots pour critiquer Staline et ceux qui l’avaient adulé. Et l’on dit de García qu’il est un froussard. Froussard, García?»

Le camp communiste, qui était représenté en bon nombre ce soir-là à l’Institut Cervantes, ne sut que répondre.

Une autre querelle entre García et Boix acheva d’altérer leurs relations. En fait, Boix ne s’était pas contenté de seulement voler ses clichés, il les avait aussi revendus et en avait gardé le bénéfice. On ne connaîtra probablement jamais l’entiè rein vérité. Les photos sont d’une valeur inestimable. Quel autre lot de photos évoquant cette guerre ou une autre a eu un tel impact sur le public et les cours de justice ? Un an après la Libération, un des leaders du Parti communiste d’Espagne fut envoyé auprès de García pour l’informer que Boix avait monnayé les photos avec une agence de presse. Le prix négocié fut si élevé que le Parti communiste tchèque avait rédigé un rapport qu’il envoya au PCE pour l’alerter d’un tel scandale. Lorsqu’il fut attaqué par le Parti, Boix se rebiffa et dit que ce n’était l’affaire de personne sauf de lui-même puisque ces documents lui appartenaient. Le PCE fut outré d’une telle affaire. Les leaders n’avaient plus confiance en lui mais ils voulaient préserver son image de héros. «Malheur au parti qui a besoin d’héros, » répondit García. Neuf ans plus tard, un autre leader du PCE, Manuel Razola, vint rendre visite à García pour lui proposer un compromis: «Afin de vous dédommager, nous vous proposons que désormais votre nom soit associé au sien.» García refusa catégoriquement: «Ni mon nom accolé au sien, ni mon nom à la place du sien. Je suis contre le culte de la personnalité. D’ailleurs, le

de sa vie Manolo a sauvé de la mort plusieurs compatriotes, dont Baldomero Chozas. À la Libération, mon frère est revenu à Paris, où il a travaillé pour la société métallurgique dénommée « La Franco-Belge ». Fin janvier 1946, il a quitté Paris pour traverser la frontière espagnole avec l’intention de revoir notre famille en Espagne. Le 13 février, aux environs de San Pablo de Seguñes (Camprodón), il a été tué par une patrouille de la Guardia Civil. » J’ajoute à ce témoignage celui d’un confrère de Manuel dans le camp de Steyr, le chroniquer José BORRAS LLUCH 1989 p. 299, selon lequel Manuel offrit à plusieurs reprises son sang au prisonnier docteur Juan Termens, lequel sauva la vie entre autres du prisonnier Albert Balagué.

sous-titre devrait être libellé ainsi: ‘Archives photographiques SS sauvées par les groupes de résistance des camps.’ Aucun nom n’y serait mentionné. C’est la seule façon d’éviter toute querelle entre les survivants des camps. » García profita de l’occasion pour réclamer au Parti l’ouverture d’une enquête sur les agissements de Boix lorsqu’il était en captivité à Mauthausen.

Après la mort de Boix à Paris en 1951, Mariano Constante qui habitait à Montpellier récupéra un certain nombre de photos, et l’on peut imaginer que l’Amicale de Mauthausen à Barcelone possède à présent l’intégralité de la collection. Le nombre de clichés est évalué à 2,000 … mais où sont donc passées les quelques 18,000 autres photos que Boix prétendait avoir évacuées des flammes ? Encore une fois, c’est la crédibilité de Boix, plutôt que celle de García, qui est en cause. Les photos furent transportées vers la fin de la guerre du camp à la maison d’Anna Pointner dans le village par les garçons espagnols du kommando Poschacher. Personne n’a jamais constaté que l’on ait conservé une partie des photos au sein du camp. Ainsi, Boix nous demande de croire que les 20 000 négatifs (de quoi remplir une petite valise) sont passés dans le porte-monnaie que Frau Pointner fit glisser dans la crevasse du mur derrière sa maison.


121 PIKE 2000 p. 305.
Pointner, mais vous pouvez dire que c’étaient tous les trois. C’était dans la petite carrière, pas chez elle. » L’auteur a répondu à Alcubierre que ses propos étaient en contradiction avec tout ce qu’on savait de cette histoire. Celui-ci persiste et signe : « On n’entrait pas dans les cafés. On ne recevait pas de pourboires. Cortés ! Malade et menteur ! [Il est mort en 2004.] Je jure sur la tête de mon père mort à Gusen que je ne vous mens pas.»

Quant à la vente des photos, si pour le PCE elle était inconcevable, José Cereceda, ami de Boix et communiste convaincu, avait une opinion différente. Le dernier survivant de l’Erkennungsdienst habite à Amélie-les-Bains, où il a accordé deux interviews à l’auteur en le recevant chez lui les 17 et 18 juin 2001. La conversation qui suit est un extrait des discussions :

\[\text{JCH. Boix avait tout à fait le droit de vendre les photos. Nous étions rentrés en France. Nous faisions comme nous le pouvions, avec nos propres moyens pour pouvoir survivre. Antonio aurait fait pareil.} \]

\[\text{DWP. Mais tout de même, Boix aurait pu partager la somme reçue avec Antonio.} \]

\[\text{JCH. Pourquoi ? Pourquoi partager avec Antonio ? Et pourquoi pas avec moi ? J’ai pris les mêmes risques.} \]

\[\text{DWP. Antonio a commencé à travailler à l’Erkennungsdienst dès le printemps de 1941, tandis que vous y êtes arrivé vers la fin de 1944. C’est lui qui a caché les photos, pas vous.} \]

\[\text{JCH. Durant la période où j’étais là nous avons couru les même risques. Nous aurions pu tous nous faire tuer. Si nous avions dû partager quoique ce soit, cela aurait été avec la FEDIP.} \]

Le hasard voulut que Juan de Diego, l’un des deux prisonniers qui connaissaient le mieux le fonctionnement du camp de Mauthausen (l’autre étant le Viennois Hans Maršálek) fût hospitalisé

123 Alcubierre, interview. Il a ajouté : « J’ai passé pas mal de temps interviewé par Benito Bermejo. Je serais bien déçu que mon témoignage n’ait compté pour rien. » En effet, Alcubierre s’en sortira bien déçu car son témoignage ne figure pas dans le livre de Bermejo.

Malheureusement pour l’histoire, Juan de Diego, à la grande différence d’Hans Maršálek, n’a rien publié et n’a écrit que très rarement des lettres. S’il avait agi différemment, cela aurait certainement modifié l’aspect du conflit. Tout au long de son existence, Antonio García a dû endurer une conspiration acharnée qui visait à démentir ses dires. Même après sa mort, ses détracteurs refusent encore de s’interroger sur ce qui est aujourd’hui une évidence. C’est toujours plus facile de parler de calomnie.
Chapter 16. The polemic updated: 2005 to the present

On September 18, 2005, an international conference was held at the Archives Nationales in Paris under the title “La part visible des camps: Photographies du camp de concentration de Mauthausen (1938-1945).” It accompanied an international exhibition of photographs, this being the third and last expo in a round already shown in Barcelona and Vienna. The conference was billed as a round table. The present author, already known for his various publications on Mauthausen in English, Spanish, French, German and Dutch, had been inducted in 2004 into the Comité scientifique de l’Exposition photographique internationale 2005 (Vienne-Paris-Barcelone), but politics intervened, and he was not among those invited to participate as speakers in Paris. Others, who had published nothing on Mauthausen, spoke in his stead, and much nonsense was pleasantly exchanged.

Even before this conference, the present author was aware that a campaign had taken root in Spain to present the story behind the photographs shown at Nuremberg in a way that glorified a Spanish hero at the expense of another. Since the campaign showed an imbalance that amounted to a falsification of the historical account, the present author set out to correct the balance, in an article that went beyond the dispute over the photographs to encompass the wider story of Mauthausen’s Erkennungsdienst. That account was presented to a leading historical journal whose editor in chief, albeit a close friend, paid him a personal visit to say that the account could not be published as it stood, not because of any matter involving Spaniards but because it could offend a French survivor of Mauthausen who wielded very large influence in ruling circles in Paris. The present author yielded to the request and agreed to a bowdlerized version which was duly published.

Two separate matters are therefore in play. One concerns the role of the SS staff-sergeant who was responsible for the Erkennungsdienst. The other concerns the dispute between the two Spanish photographers who were employed there.
In the first instant, the present author was persuaded, by the facts in his possession, that this particular SS staff-sergeant was the victim of perjured evidence, supplied by certain witnesses who were themselves later accused of crimes, found guilty and sentenced to death or imprisonment.

In the second instant, a polemic was born. The author presents it in two parts. First, as the matter stood at the conference in 2005 when he responded, outside the debate but within the walls, to the account given by Benito Bermejo, the only voice selected to speak on the Spanish question. And second, how, a decade later, the polemic took on more force.

Following the publication in 2002 of his Francisco Boix, el fotógrafo de Mauthausen, Benito Bermejo in 2015 produced a new work entitled El fotógrafo del horror: la historia de Francisco Boix y las fotos robadas a los SS de Mauthausen. Three comments are needed. First, both titles are misnomers, although artfully crafted. Boix was not the photographer of the horror. Only the SS photographed the horror. Boix worked as Kapo of the Erkennungsdienst, or photo service. Second, the second book is virtually Bermejo’s 2002 book under a different title. Every page reference given here applies to both books. The second book contains no new disclosures. Third, the second book drops from the subtitle the reference to the "captured SS archives." No deletions in the second text are discernible, and the fact of the matter is that neither book contains any reference to the SS archives. The only difference is that the second book no longer makes the claim.

Both books present Francesc Boix as hero without a peer. Praise of Boix had already been carried to the point of ridicule, as shown in the article published in El Nuevo Diario of November 30, 1969. In neither of his books does Bermejo address the problem of excessive or unfounded praise, apparently finding the matter unworthy of his time.

124 BERMEJO 2002.
125 BERMEJO 2015.
The salient feature in both books (we shall refer to them as first and second) is Benito Bermejo's success in tracing and interviewing an SS with a specific criminal record.¹²⁶ This is an outstanding achievement.

Bermejo tells us (p. 14) that in 2001 he traced SS-Hermann Schinlauer (Ricken's subordinate in the Photo Identification service and later his temporary replacement) through the telephone directory to his home in Genthin, 90 miles west of Berlin, and contacted him by phone. Schinlauer showed himself fully disposed to an interview. “On the phone,” writes Bermejo, “he did not appear reluctant to provide information on events inside the Erkennungsdienst. He said he would be happy to speak about them” (p. 17).

It is curious that in his 2002 book, Bermejo says of his interlocutor, "let us call him G.R.", and refers to Genthin as "a town [nameless], east of Berlin" (p. 14). In his 2015 book, Bermejo calls him by his name Schinlauer, and identifies the town as Genthin. Why the secrecy, one might ask. Did Schinlauer die in the interval? Might he have objected to the account of the interview in its published form? Was there a prior agreement not to publish the account before Schinlauer's death? Schinlauer died in 2003, as his nephew reported.

With this first success in hand, and after a letter and a second call to fix the rendezvous, Bermejo needed only to prepare for his interview by refreshing his memory about Schinlauer and about incidents in the photo service. There was much about both on public record.

At the time Schinlauer entered the photo service, he was not a professional photographer. All he brought with him was some knowledge of pharmacy, as Schinlauer would later tell Bermejo (p. 114). José Cereceda makes the remark: "Schinlauer was not an SS who made a problem for us" (p. 114), but Boix himself, as a witness at the Dachau Trial in 1946,¹²⁷ stated that Schinlauer was “the worst

¹²⁶ In contrast with the current definition of an SS in the Allgemeine service as being automatically a criminal even if no charges can be brought against the individual person. Membership in the SS is sufficient evidence of complicity in the Common Design.
¹²⁷ This trial, held at Dachau in 1946-1947 and known as the “Parent Trial”, covered all crimes committed from January 1942 to 1945 in all areas of Germany and Austria that fell into the
of the three SS at various times in the service." Though Schinlauer had also appeared as a witness at Dachau, he had never faced trial.

And so Bermejo travelled to Genthin in late February 2001, only a few months before publishing his first book, and interviewed Schinlauer in his home. His narration of the interview is the same in both books. It lasted many hours and ran into the next day. Did Schinlauer offer him meals and accommodation? It is not an idle question.

The interview began, a major interview albeit with a minor criminal. Of the 15,000 SS who served in KL-M at some point or other, Schinlauer was perhaps the only one ever to be interviewed.

Bermejo tells us that his knowledge of German is “very far from perfect” (p. 20) but that raises a question. The interview entailed a voyage of some 2,000 miles. Was that not worth the hiring of an interpreter? Alternatively, why did Bermejo not tape-record the interview? Did he ask permission to do so, and did Schinlauer refuse? We are not told.

Bermejo must have recognized Schinlauer at once by his unusually long, thin head, but the author doesn't mention this. He describes the home as spacious but austere. "It had been in the family since his grandfather’s time, and was probably comfortable once, but had not been renovated for many years” (p. 18). As for his family, we learn that he had a wife who had died some years earlier and that they had two sons. But Bermejo gives no information on them, on where they lived, or what they did. And then to the bigger question: what had Schinlauer done in the last fifty years? Had he returned to pharmacy, or trained further in photography? How had he made a living? Did he receive a pension? Either these questions were not asked, or Schinlauer would not answer. But we need to know whether or not they were asked.

postwar US Zones of Germany and Austria. The United States refused to prosecute crimes committed before the United States entered the war. This affected the Spanish case especially, since some 80 percent of Spanish losses were inflicted in the period from August 1940 to the end of 1941.

128 (US) National Archives and Records Administration, Box 338/382.
The talk went on for many hours, we are told. “He mentioned certain SS members by name, and gave information on the cruelest, Ziereis and Bachmayer” (p. 18). Obviously those two, but any others? Bermejo might have asked. “How about Karl Schulz, the Bird of Death? He was your boss, wasn't he? He put you in your job, didn't he?”

So instead, what did Schinlauer reveal?

After his release in 1947 from Allied internment, Schinlauer had returned to the family home in Genthin, which was then in the Soviet Zone of Germany and later in the GDR. What was it like, Herr Schinlauer, for a Nazi, a former SS, to be living under Stalin? Was it not possible, with all the training you had received in the SS, to find employment in the Stasi? The questions were not asked. We learn that Schinlauer had never spoken to anyone, neither to his sons, nor his wife, nor his neighbors, about his SS past. He could speak only from memory, having written down no notes during his fifty years of freedom. He told Bermejo that his assignment to Mauthausen was not voluntary on his part; he had been sent there because of wounds suffered in battle. As for expressing remorse, he limited it to a phrase, “It was a disgrace (Todo eso es una vergüenza)” (p. 18). In discussing events in the Erkennungsdienst, Schinlauer recognized the names that Bermejo provided, replying, “Ja, Franz, Toni, Josef [José Cereceda],” and agreeing that Boix was indeed the Kapo of the unit (p. 18). A photo of Schinlauer, as corpulent octogenarian now in restful retirement, set against a photo of Schinlauer in earlier days as lean SS brute, would have regaled the reader, but no such thing. As for Franz, Bermejo might have said, do you remember him at the Dachau trial, where he called you "the worst of the three SS that ran the unit"?

Schinlauer had paid no price after the war, and faced no risk now. In the twilight of his life, he might have wished to unburden his conscience of his crimes, if only Bermejo had gently recalled scenes that were surely inerasable from Schinlauer’s memory.

What opportunities were missed!
It is certain that the former Unterscharführer had not forgotten how much he enjoyed boxing, and in the office, shadow boxing with Boix. And whenever the mood took him, of something more rigorous, with Grabowski. "Remind me, Herr Schinlauer, how did it go?" Bermejo might have asked, had he remembered to bring the matter up. "Grabowski, kommen!" Schinlauer would order. Grabowski would step out of his darkroom and stand at attention in front of Schinlauer. "Brille ab!" Schinlauer would shout. Grabowski would take his glasses off and then receive a powerful slap to each side of his face. "Did Franz stand there, Herr Schinlauer, and rub his hands with glee, as some have said? Didn't that leave the other prisoners in the office frozen in horror and fury? It happened many times, did it not? On one occasion, after you left the office, Grabowski raced back to his darkroom to return with a pair of enormous scissors. It wasn't easy for the others to wrest them from him."

Another incident happened only once. "Do you remember the time, Herr Schinlauer, when Schulz made a sudden visit to the Erkennungsdienst? It was much discussed afterwards. It was on September 9, 1944, it was his 42\textsuperscript{nd} birthday, and he wanted to celebrate it in style. So he marched in to tell Grabowski that he could leave! He had decided to release him: he could walk out of the camp a free man, provided only that he agree to be emasculated first! The prisoners knew what Schulz was capable of, but it stunned them all the same. Some say the reason for this is that Schulz thought the photo lab was overstaffed, but others say he'd heard about Grabowski's beautiful wife. That seems to fit, don't you think, Herr Schinlauer? Schulz was a notorious woman-chaser. Grabowski had been sent to Mauthausen, with a Black triangle, an Antisocial, for no other reason than because he was a voyeur and an exhibitionist. Now, at the age of 56, he was constantly telling everybody about his marriage to a beautiful ballerina in the Vienna Opera, decades younger than himself."

"And Schulz really forced the issue, didn't he, Herr Schinlauer? Do you remember how Grabowski replied he needed time to think it over? And Schulz roaring back, ‘You can't think it over!’ And
Grabowski saying ok then, his manhood for his freedom. And then, later that day, a male prisoner-nurse arrived from the Revier, calling out Grabowski’s number as he approached. And Grabowski calling back through the window that he'd thought it over ... and decided against! The nurse told him he had just one minute, after that the SS would come and collect. So Grabowski left with the nurse, and the operation was performed by the SS doctors, not by the prisoner doctors. After a rest in the Revier, they took him to the brothel to see what the girls could do to excite him. He then reported to Schulz, who examined the evidence. And kept his word! Schulz told him to collect civilian clothes from the Effektenkammer. Grabowski was then seen leaving the camp in civilian clothes, accompanied by an SS guard. What happened next, Herr Schinlauer? You might have heard more than us. An account, widely circulated in the camp, was attributed to the SS guard who reported on his return to the camp. At the bottom of the hill, on the road to the station, Grabowski stopped at the river bank and in front of the guard waded into the river, pouring the water over his head and crying 'Meine schöne Donau!'

It is also reported that Grabowski reached Vienna, and that he died there, but he did not return to his wife, as his wife made clear. It seems that Grabowski felt so humiliated that he no longer had the courage or the desire to return to her. What's your opinion, Herr Schinlauer?"

All this now belongs in the realm of might-have-been. To unearth and then to interview an SS from Mauthausen (or any SS camp) is a prodigious feat, but what Bermejo derived from his interview with Schinlauer shows no discernible gain, for the interview, despite the promises, produced not a single confirmation or new fact.

If Bermejo's interview with Schinlauer is the one ground-breaking element in his two books, there are some other items of interest to be found in the text. The Pole Andrzej (given as Andreas in the SS records) Zdanowski entered Mauthausen in autumn 1944 among those evacuated from Auschwitz (p. 103). He was probably assigned to the Erkennungdienst shortly after his arrival in the camp. In reference to the SS chart giving the list of prisoner workers under
Schulz in the Politische Abteilung, Bermejo repeats in 2015 the error he made in 2002: "According to what the document shows, in the Erkennungsdienst only Boix received a daily salary of 3 Reichmark, while all the others received 1 Reichmark, which clearly indicates that Boix held a higher rank and responsibility” (p. 105). The SS document indeed shows that Boix, as Kapo of the Erkennungsdienst, received a stipend of 3 Marks a day, but it also shows that every other prisoner in that detail received a stipend of 2 Marks, not 1 Mark. It is puzzling why Bermejo still insists upon this. As for the function of Antonio García in the Erkennungsdienst, the fact remains that he alone was responsible for developing and printing, and no one can deny that he formed his own collection of clandestine prints, which Boix later expropriated "in order to protect it."

Benito Bermejo further writes (p. 136); “Casimir Climent […] was, according to García, brutally assaulted by Boix, causing serious injury to Climent.” The physical assault by Boix on his compatriot and fellow prisoner Climent is thus presented as an accusation by García alone. But García was by no means the only witness and accuser. It was a crime attested to by many and refuted by none, not by Cereceda, not by José Perlado, not by Joaquín López Raimundo. Juan de Diego, in a hospital bed in Amélie-les-Bains late in his life, showed the present author—and Cereceda with him—that he had not forgotten it.

No one can doubt that Boix was Kapo of the Erkennungsdienst, even though he disclaimed the title under questioning at Nuremberg, where he spoke so freely that twice the president of the Court (Lord Chief Justice Lawrence) twice had to admonish him (“I do not think that the Tribunal wishes to hear other details that you yourself did not witness. […] Reply simply to the question, without making speeches.”) The promotion of Boix to the rank of Kapo would have been made by Karl Schulz in the Politische Abteilung. The fact that Boix showed servility to the SS could not have harmed his chances of promotion.

\[129\] Cf. Trial, vol. VI, pp. 262-278, passim.
Benito Bermejo repeats the theme he presented in his first book, that without Boix no photographs could have been saved because Antonio García was “almost paralyzed by fear” (p. 19), and Bermejo quotes Schinlauer as saying that Antonio was “permanently terrified” (p. 18). Joaquín López Raimundo, a close friend of Boix's, admitted that he (López Raimundo) never entered the Erkennungsdienst but he still felt entitled to declare: “García suffered from fear, an unwarranted fear. It was something out of the ordinary, this fear of García's. And it was always with him. Even when there was no danger in sight, he still thought about the dangers past. Yes, he was special. He had a different character from the Spanish character” (pp. 144-145).

Benito Bermejo repeats in 2015 (p. 134), and in exactly the same terms, the passage he wrote about the present author in 2002: “According to Pike, the version given by García offers a coherent and accurate account of the facts” (p. 134). This author never claimed that. Moreover, Benito Bermejo holds in his possession a copy of my unpublished presentation of 2005, “Les photographes de Mauthausen”, and as an historian he knows how my four editions in Spanish published since 2000 have moved away from my initial reliance upon Antonio García. Benito Bermejo never met Antonio, and neither he nor I interviewed Boix. Antonio García remained up to his death the most important source of information on what happened inside the Erkennungsdienst.

It would now seem that the champions of Boix insist that no praise of Boix is complete without a denigration of Antonio, branding him “traitor”, “Trotskyist”, or “a weakling, timid and fearful by nature.”

José Cereceda Hijes, with whom the present author discussed the matter at length in Amélie-les-Bains on June 17-18, 2001, still held to this description, with the conclusion: “Antonio García could

Nor did he meet Antonio’s widow, Odette Janvier, a heroine of the French Resistance, though he tried to do so. He arrived at her house, unannounced, and rang the bell. She refused to walk downstairs to open the door, since he had given her no notice of his visit. Bermejo then expressed his indignation to me that Odette Janvier could be “so impolite.” She had survived betrayal into the hands of the Gestapo, torture in La Santé, and then Ravensbrück followed by the death march, and at the time Bermejo called on her she was barely able to walk.
not have saved the photos.” But could a man paralyzed by fear find the nerve to make a sixth copy of the photos he selected, risking more than his life to do so, every day for years? And if Antonio was too afraid to act, what should be said of Boix, Cereceda and Constante who heard Pasionaria call out later that all those who had been taken prisoner by the Germans were cowards and traitors? Why did they not find the courage to stand up and excoriate her for her impudence? García spoke out frankly, as ex-communists admit, as well as those who were never communist. José Pàmies, a former communist turned militant anticommunist, had this to say, at a conference in the Instituto Cervantes in Paris on October 21, 2003: “Antonio García, a coward? I'll tell you a secret that isn’t a secret anymore. In the 1960s, at the PSUC committee meetings, García never hesitated to stand up and he didn't mince his words in his criticism of Stalin and of those who idolized him. And there's talk about the cowardice of García? A coward? Garcia?” There was a moment of silence, enough to invite a rebuttal. But there was no rebuttal. The Communist camp, in full force that evening in the Institut Cervantes, had no reply to give.

The author's visit to Amélie-les-Bains on June 17-18, 2001, was of lasting value. His purpose was to interview Juan de Diego for perhaps the twentieth time, and Juan was now in a clinic. Juan gave him the coordinates of José Cereceda, and the author was able to bring him to stand beside Diego's bed. Cereceda was astonished to find that Diego was mentally in full mettle. Diego, and not the author, seized at once on the question of the photos, and it startled Cereceda to hear Diego say, in tones clear and calm: "Boix acted very badly. It was García who saved the photos." Cereceda found himself without a word of reply, even though it was Diego who was here upsetting the proper balance. Far truer to say that Antonio saved his prints and Boix saved his negatives. And later, that Boix stole Antonio's prints and then saved the lot. All that remains is a question of numbers.

Boix never returned the prints to their owner, nor spoke of him.

Boix remained a loyal Party member, a Stalinist, as Antonio did not. If Boix in the Erkennungsdienst was a sycophant, an intriguer
and a tale-bearer, and if none of Boix’s supporters refuted any of that, these were things the Party could easily forgive. The Party had its purposes, and loyalty counted most. One is reminded of the words of Sir Raymond Carr. Their goals could be sublime, “it was their methods that stank.”

And so the Party turned to everything about Boix that was positive. He was exuberant, courageous, tough, activist, loyal to the cause, ready to go. No one should deny those things.

But he was also self-absorbed, primed by his hard boyhood to “get ahead in life,” and he saw no reason to care about others. He probably knew that he had few years to live. Indeed, he had only six, so why should he not take advantage in 1945 of the luck that came his way? He deserved to be happy.

Boix had many qualities, but generosity and a noble mind were not among them.
The author with Juan de Diego and José Cereceda,
Amélie-les-Bains, June 18, 2001
This book is the last in a pentad of short works, each of which has a background of its own.

My meeting with the Spanish photographer Antonio García, in Père Lachaise in 1985, changed the direction of my life. It was to carry me even farther away from my original domain, at Stanford, where I taught Latin American political culture. Away from my next focus, on the Spanish Civil War. Away from my subsequent interest in the immediate aftermath: the fate of the Republican losers in the French internment camps. Away from the fate of the exiles who migrated to the Americas, or experienced Stalin’s welcome (and for many, expulsion to the slave-camp in Karaganda), or stayed in France and played their epic role in the Resistance. Or were sent as prisoners to Alderney in the Channel Islands. Away from all this, to move finally into the hecatomb of the Spanish Republicans as prisoners in Nazi Germany.

The five in this series of short works have a common theme: reflections on fascism, defiance of fascism. I add now to the ultimate in the pentad what I added to the penultimate: a tribute to an antifascist. In the fourth in this series, it was to Dr Sir Simon Wiesenthal, KBE. In this, the fifth, it goes to Martin Gray, who followed Simon in receiving an honorary doctorate from The American University of Paris. It was from the title of Martin’s book For Those I Loved that the present author borrowed the dedication for his own.

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131 For this service, the author was invited by the Mayor of Paris, Bertrand Delanoë, to be the principal speaker at a ceremony held in the Hôtel de Ville on October 11, 2013, in honor of all the Spanish Republicans who had entered France as exiles and had continued in the fight against fascism. [https://www.youtube.com/watch?v=8KSe_OnIKYs&feature=youtu.be](https://www.youtube.com/watch?v=8KSe_OnIKYs&feature=youtu.be)
What more can I say of you, Martin Gray, when thirty million people throughout the world have read the story of your life and one hundred million have seen the film? The letters you have received exceed six hundred thousand. I have seen, in your hill-top home in Cannes this week, how people from the far corners of the earth climb the long hill to Tanneron to visit your residence as an expression of their gratitude. You have been honored everywhere, from the Elysees to the White House. The foundations you have created to help young people are the admiration of all those who know them. And the inspiration they all receive: never give in, never give up.

Your own personal success you owe to the freedom you found in America. But it was in America that you made one of the most important discoveries of your life: that a life must have a higher purpose than mere material gain. And so, at the age of thirty-five, you had the wisdom to retire, from a business that had provided you with wealth, but which lacked the purpose of existence. Now with your fortune you resumed your life-long aim: to enjoy the happiness of family life, and to help others.

And so you left America and arrived in France, to build your home in the hills above Cannes. There was a hidden irony in your choice of Cannes, unknown to you perhaps, for the seaside avenue, trod this very week by the unheeding crowd, is named La Croisette, and Croisette gave the town of Cannes its symbol: the tree of phoenix canariensis, and phoenix has become the symbol of your life, the lesson your father taught you, never to throw your life away out of grief, however deep the grief, but instead to find rebirth in the ashes of the pyre.

At first your home was indeed your heaven. In your new life in Cannes you had above everything else a loving family, and with it troops of friends who came to visit. Among them was your compatriot Artur Rubinstein, and if I single him out here it is because Artur Rubinstein was a member of the Advisory Board of this University at the time that it was founded, and at the time that I arrived. This home in Cannes was your fortress safe against the world, or so you thought,
until tragedy struck again: the fire came back, the flames of Treblinka, and once again, in your family, only you were left alive.

You were tested, as few men ever were. A loving family, the dearest thing in the world, wiped out, not once but twice. It has been said that you have had four lives, and each one of them ought to have killed you. Instead you heard some inner voice telling you that out of the heart of suffering itself we must find the source of inspiration and survival. Those were Churchill’s words, in the darkest hour of our time, and it was Churchill who said that a man’s life must be nailed to a cross either of thought or of action. You found, once again, the titanic will, the indomitable force that turns towards life and says, even in a tragedy such as this: I stay, I resist, I go on.

You started up again, more conscious than before of your responsibilities to the dead. You could never forget now the Warsaw Ghetto, nor the crematorium at Treblinka. To experience a single minute of Treblinka would transform our lives. If we could see the children, thrown alive into the furnaces—for momentary shortage of Zyklon-B—the hardest heart would crack. Yevtuchenko felt his own heart breaking when he wrote: “I am myself one massive, soundless scream/ Above the thousand thousand buried here.”

In your new loneliness, you could not but remember the past. How much talent, how much actual genius was lost to the world in the Holocaust? How many musicians, artists, philosophers, writers—the essential contributors to our Western civilization—how many of these were lost for ever? And beyond talent, beyond genius, how much simple human happiness was murdered too, wiped out by the most hate-driven system this world has ever known?

Fascism is not dead. It sleeps, it is not dead. “The belly still is fertile,” wrote Bertold Brecht, “the beast can yet come forth.” We see it in the rebirth of ethnic hatred. Two generations later, the security we assumed had been won for all time is nowhere certain. With the rebirth of extremist thought and action, it is right that we remember what the survivors pledged, in every liberated Nazi camp. It is the oath of Buchenwald that rings most clear, because it was sworn to and signed in every language of Europe, binding them but binding all of us, even now as we enter a new century: “Thus we swear, in front of the whole world, on this roll-call square, this place of fascist cruelty, that we shall never give up the fight until the last guilty parties stand before the people’s judges.” Crimes against humanity are now, at last, imprescriptible throughout the world, and those who commit such crimes live, from this time on, in terror of exposure.

Your message, Martin Gray, is not political, but it is passionate, and it is simple: help others, get involved, fight tyranny, comfort those who suffer. To every challenge that life has sent your way you have shown the same iron will, the same white-hot energy, the same defiance in the face of adversity. With the
result that you have an almost unique ability to inspire. You teach us noble purpose, that no life should ever end up looking no better than a thoughtless accident. We thank you for teaching us what courage is in its noblest form, and today we wish you, Martin Gray, long life and the chance to inspire millions more.
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David Wingeate Pike is Distinguished Professor Emeritus of Contemporary History and Politics at The American University of Paris. He was educated at Blundell’s School in England, McGill University, and Universidad Interamericana Mexico. He received doctorates from Stanford University (in Latin American Studies) and Université de Toulouse (in Contemporary European History).
