

Fifty years since the Frankfurt Auschwitz trial

By Sybille Fuchs
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*The following article is an edited version of a three-part series published by the World Socialist Web Site ten years ago on the occasion of the fortieth anniversary of the Auschwitz hearings in Frankfurt. The sections of dialogue cited in the article are from a 1965 play by Peter Weiss entitled *The Investigation*, based on the transcript of the trial. [1]*

Judge: Did you see anything of the camp?

2nd witness: Nothing, I was just glad to get out of there.

Judge: Did you see the chimneys at the end of the platform, or the smoke and glare?

2nd witness: Yes, I saw the smoke.

Judge: And what did you think?

2nd witness: I thought those must be the bakeries.

I had heard they baked bread in there day and night. After all, it was a big camp.

(The Investigation, by Peter Weiss, Frankfurt, 1965)

This year marks the fiftieth anniversary of the Auschwitz hearings—the first time some of the individuals responsible for the Nazis’ machinery of extermination were brought before courts in the German Federal Republic. The court case opened on December 20, 1963 in the Römer, Frankfurt’s town hall, nearly 20 years after the end of World War II and the Nuremberg Trials. It ended on August 19, 1965.

As is well known, the response of German courts to the Nazi regime and its monstrous crimes is one of the most disgraceful episodes in West German justice. Opposition to trials of this kind was widespread in the 1950s and 1960s within Germany’s legal and political elite.

None of Auschwitz’s three leading concentration camp commanders were still alive at the start of the trial. Rudolf Höss and Arthur Liebehenschel had been tried and executed in Poland in 1947, in accordance with an agreement between the Allied forces. Others who bore chief responsibility, such as the notorious Doctor Mengele, were able to flee and remain in hiding in South America.

Richard Baer, the last camp commandant of Auschwitz, declined to give testimony during the preliminary investigations to the Frankfurt proceedings. He died in detention while investigations were pending and all legal action against him was dropped. The Frankfurt trials were therefore concerned only with some lower-level assistants to these camp commanders.

But it was perhaps precisely because the trial did not deal only with leading members of the SS, but with their underlings, that the case and the detailed media coverage that accompanied it provided West Germans with their first comprehensive picture of the seemingly banal daily routine of the ghastly extermination machinery at Auschwitz. The trial thereby played a significant role in politicizing West German youth.

That West Germans began to closely follow the Auschwitz hearings was

largely due to the testimony of 359 witnesses from 19 countries, including 211 camp survivors. The trial, which required witnesses to recall the terrible events with the precision that is required in a criminal prosecution, often put excessive demands on the survivors. The accused, flanked by their attorneys on benches normally occupied by town councilors, were, for the most part, indifferent to the proceedings.

Behind them, in front of high windows, hung two large display boards depicting sketches of Auschwitz I (the main concentration camp) and Auschwitz II (the extermination camp at Birkenau). With the magistrates sat the assize court, at that time three professional judges and six magistrates sworn in as jurors. Judge Hans Hofmeyer chaired the proceedings.

The trial was scheduled to last 20 months and commenced in the Römer hall, at the time the only venue in Frankfurt capable of holding those involved in the proceedings. In the spring of 1964, hearings were moved to the Bürgerhaus Gallus, built especially for that purpose, where they continued until the trial’s conclusion. Approximately 20,000 visitors attended the proceedings over the ensuing months.

Six of the accused were given life sentences on charges of murder or joint responsibility for murder, and eleven received maximum sentences of 14 years imprisonment. Three were acquitted due to insufficient evidence, and two of the accused were not put on trial because of illness or death. The challenge facing the judges was to prove beyond a reasonable doubt that each of the accused was individually complicit in the crimes. This difficult standard was also the reason for the relatively mild sentences, which were considered inadequate by many of the surviving victims of Nazism.

Of the more than 6,000 (other sources say 8,000) former members of the SS who guarded Auschwitz between 1940 and 1945, only 22 came before the Frankfurt court, among them a former “operative prisoner,” or so-called “kapo”. In the 20 months of court proceedings, those accused showed no trace of regret.

The sentences bore no relation to the crimes for which the perpetrators were individually or jointly guilty. At least three million Jews and a similar number of political prisoners, Sinti, gypsies and homosexuals were sent to be gassed in Auschwitz or died through forced labour, starvation and cold, bestial medical experiments, arbitrary beatings or shootings. The camps were located throughout Germany. Birkenau extermination camp alone could accommodate 100,000 prisoners.

The road to the trial

The fact that the trial even occurred was the outcome of two more or less accidental and not immediately connected events. As Werner Renz of the Fritz-Bauer Institute explained in a recent essay, if circumstances had been only slightly different “the Auschwitz trial would not have occurred forty years ago.” [2]

Adolf Roegner, a former Auschwitz inmate and a kapo, was also a Bruchsal prisoner convicted of “perjury and making false statements

while not under oath". In a letter to Stuttgart's attorney general dated March 1, 1958, he referred to Wilhelm Boger, a former member of the Auschwitz camp Gestapo. In this letter, he accused Boger of crimes in Auschwitz and cited Boger's home address and workplace.

The authorities hesitated to act, but two months later, after representations from International Auschwitz Committee General Secretary Hermann Langbein, whom Roegner had also contacted, investigations commenced. In his interrogation, Roegner named other members of the Auschwitz SS. Finally, an arrest warrant was issued against Wilhelm Boger, but it was not until October 8, 1958, seven months later, that he was arrested at his workplace. Those accused by Roegner—Stark, Broad and Dylewski—were taken into investigative custody in April 1959.

Independently, *Frankfurter Rundschau* reporter Thomas Gnielka sent documents to Hessen Attorney General Fritz Bauer in mid-January, 1959. Gnielka received the material from Frankfurt resident Emil Wulkan, another concentration camp survivor. Wulkan had originally taken possession of the documents from a burning SS court at Breslau in May 1945. He showed them to Gnielka in December 1958, while making a reparation application. The journalist identified them as Auschwitz execution files.

The documents, which were from Auschwitz concentration camp commandants and members of the SS and XV Breslau police courts from 1942, listed prisoners shot during alleged escape attempts. Thirty seven SS members involved in the shootings, including Stefan Baretzki, were also named. In order to give these killings the appearance of legality, the victims were found guilty according to existing regulations and their SS murderers duly acquitted.

Attorney General Fritz Bauer used the documents to establish Frankfurt-Main County Court jurisdiction over the Auschwitz complex—a move finally accepted by the national court in April 1959. Only then was it possible to systematically initiate preliminary investigations and arrest the Auschwitz criminals.

Bauer, a social democrat who had been forced to flee Germany because of his politics and his Jewish origin, was one of the few jurors of the former Federal Republic who attempted to seriously prosecute those responsible for Nazi crimes. Having previously encountered a wall of resistance to his endeavours, he now seized the opportunity to get the trial underway.

Bauer wanted to turn the proceedings into an investigation of the "Final solution to the Jewish question" which had been implemented by the Nazis in Auschwitz. He therefore tried to involve experts from the Institute for Contemporary History in Munich. For him, the main consideration was not the sentencing of individual perpetrators, but providing historical clarification of what had taken place. The trial definitively revealed the claims by the extreme right that no one was ever gassed in Auschwitz to be the foulest of historical falsifications.

A young Christian Democratic Union state representative from Mainz by the name of Helmut Kohl, who later acknowledged that "thankfully he was born too late," opposed Bauer, arguing that the fall of the Third Reich was too recent and therefore prevented a historical judgment being made "of National Socialism". Kohl, the longtime Federal Republic chancellor and immediate predecessor of Gerhard Schröder, articulated a view that was broadly held in political circles within the Federal Republic.

The accused: Henchmen acting under orders

Judge: Defendant Boger, as a criminal investigator didn't you know that a man subjected to such an interrogation will say anything you want him to say?

Accused 2: That's not the way I see it at all and I am referring here

to our supervisory office. If a prisoner proved stubborn, force was the only way to make him confess.

8th witness: Then they took me to Barrack 11 and up to the loft I was hung from a pole by my hands, which were tied behind me.

That was called pole hanging. They hung you up just high enough so that your toes touched the floor. Boger pushed me back and forth and kicked me in the stomach...

Accused 2: The purpose of the intensive interrogation was achieved when blood ran down their pants...

What is more, in my opinion even now corporal punishment if administered by juvenile courts, for instance, would soon put a stop to a good deal of delinquent behaviour. (*The Investigation*, by Peter Weiss, Frankfurt, 1965)

While the defense attempted to defame the Auschwitz trial, depicting it as a "show trial" established by a conspiracy of former communist detainees, the accused, who represented a cross section of the camp's personnel, remained mostly silent. They either denied any involvement in crimes or attempted to pose as individuals who simply carried out orders and held only subordinate positions. The court, however, refused to accept the claim that the accused had only been following orders, and established that anyone who had opposed these crimes would not have suffered any considerable disadvantage. Testimony proved this beyond all doubt.

Examining magistrate Hans Düx, who helped prepare the trials, reported on the accused Oswald Kaduk, who was proven to have personally killed many people and to have carried out the selection of victims on his own authority.

"His conduct was compulsively militaristic. Every time a question was directed to him he jumped up and stood to attention (clicking his heels, thumbs on his trouser seams) giving his reply in a clipped manner. When I explained to him that he didn't always have to stand to attention, he jumped up again, shouting 'Yes, sir!' Apparently, he had internalized militarism to such an extent that within another context he replied: 'Yes, sir, Obersturmführer.' After using this form of address, he paused for a moment and explained that he had said it because it was an old habit. He explained that when speaking to officials he often reacts in the way—it was usual within the SS—he had done thousands of times before. I had the impression that he had not used this form of address as a provocation, but that during the examination this deeply internalized pattern of behavior involuntarily came to light."

Kaduk's responses to the accusations against him were significantly more revealing than those of his accomplices, who usually waffled about the events. He attempted to depict himself as a low-ranking SS officer and claimed that the so-called "death selection" had been made by SS doctors and senior SS officers.

According to Kaduk, his task was simply to prevent the condemned from joining those able to work. Under camp procedures, children who had just arrived at the camp were immediately gassed, unless SS doctors selected them for medical experiments. Mothers who were fit for work but would not separate themselves from their condemned children were sent to the gas chambers along with them.

In Kaduk's own words, the transport of Jews "ran like hot cakes". Along with other SS members, he used a heavy goods truck to drive the condemned Jews from a ramp where they arrived at the camp to the gas chambers. As Kaduk, who described himself as a "tough guy", told the court: "I never consciously killed anyone; sometimes I just beat somebody who wanted to dodge work."

Regarding Jozef Cyrankiewicz, who had been imprisoned in Auschwitz and later became Poland's prime minister during the 1960s, Kaduk remarked: "If I had had the chance at the time, I would have bumped him off." This outburst clearly contradicted Kaduk's claim that he never

intended to kill anybody. His attempt to play down his role was disproved by numerous witnesses, and the court sentenced him to life imprisonment for murder in 1,012 cases. [3]

Another of the accused was Robert Mulka. An adjutant for Auschwitz camp command, he gave the orders for the “liquidation” of the transports. Chemist Victor Capesius, a former IG Farben employee and head of the SS chemists group, helped select victims at the ramps.

The accused Wilhelm Boger was SS political division officer at Auschwitz and a participant in tortures and the so-called “emptying of bunkers and executions”. He invented the so-called “Boger-swing”, a torture instrument on which detainees were hung and their genitals beaten to a pulp.

A trial observer reported, “The audience was paralyzed and looked at the woman in the witness box with horrified eyes. After telling the court in a self-controlled voice how the camp’s inmates were tortured on the notorious Boger-swing, she was suddenly at a loss for words. She haltingly reported how one day fifty 5- to-10-year-old children were brought to the camp on a heavy goods vehicle. ‘I recall a four-year-old girl...’ Then her voice breaks off, her shoulders begin to shudder and the witness breaks down in despairing tears. A paralyzing horror begins to spread...” [4]

Many of Boger’s bestial crimes were revealed during the trials, among them the execution of Lili Tofler, who had passed a letter to a fellow inmate. Before she was executed, Boger had made her stand in the washroom for one hour on four consecutive days while he held his pistol against her temple.

Dr. Bruno Berger, an anthropologist and high-ranking SS officer, was also put on trial. He collaborated with Professor Hirt from Strasbourg University during World War II. Hirt committed suicide at the end of the war. The two men wanted to establish a collection of skulls of “Jewish-Bolshevik commissars”. Many Soviet prisoners of war were detained in Auschwitz, so this is where Berger and Hirt selected their victims, killed them, and then stored their heads in Strasbourg University.

“During the preliminary hearings the scientist, who specialized in ‘Jewish-Bolshevik Skulls’, sought to react with evasive explanations, although the evidence against him was unambiguous. In the main trial proceedings he was sentenced to several years of imprisonment.” [5]

Hans Stark was accused of involvement in selections, gassings and executions, as were his colleagues Pery Broad and Klaus Dylewski. Max Lustig, Gestapo head in the town of Auschwitz, carried out courts martial in the Auschwitz extermination camp. Medical corps members Josef Kehr, Hans Nierwicki and Emil Hantl were also involved in selections and killings, injecting phenol into their victims’ hearts. Operative detainees Emil Bednarek and Alois Staller had killed fellow detainees.

Death trains began bringing Jews to the extermination camp in the spring of 1942. In that year alone, 166 transports, carrying about 180,000 deportees, arrived in Auschwitz. In 1943, 174 transports carried about 220,000, and in 1944, the German Railways system transported about 300,000 victims in 300 trains. They used cattle cars.

Auschwitz researcher Werner Renz has described the murderous methods of concentration camp personnel as follows:

“The ‘handling’ of transports was carried out by an apparatus practiced in the art of extermination. The arrival of a transport was announced to the camp’s headquarters by telegram and radio signals. The camp’s commander then gave instructions to the political division, the medical section of the SS garrison, the carpool, the guard division and the department for labor service. Each division involved in ‘handling’ a transport had a duty rota regarding its deployment on the ramp. SS officers and soldiers on duty on the ramp had their tasks laid down: they supervised the selections on the ramp, received transport documents from the transport’s officers, and divided the deported people into groups—men, women and those incapable of work (elderly people, the sick and

children). They then made the scared and confused people stand in rows of five and commenced selecting them.

“After this they confirmed their taking over of the death train, giving details of the ‘transport’s capacity’. The so-called ‘clear-up commando’ was then ordered to come onto the ramp and steal the valuables of the arriving Jews. After this, the condemned were taken to the gas chambers in heavy goods vehicles or had to march there in columns. Once there, the innocent and defenseless victims were deceived with mendacious speeches and ordered to undress for a ‘shower’. They were then brought to the gas chambers and the doors were locked. A medical truck brought the deadly gas, Cyclon B, to the death factories. They tossed gas into the chambers and observed the agonizing process of their victims being gassed through a peephole. After this they ascertained the death of their victims, arranged that the bodies be burned in the crematoriums, and supervised the pulling out of gold teeth. The hair of female corpses was shaved off and the robbery of valuables from dead bodies was supervised. These figures were then reported by telegram to the official bookkeeper stationed in the Imperial Security Authority (Reichssicherheitshauptamt) and responsible for recording the mass murder. He logged the total number of deportees, the number of detainees brought to the camp and the number of those gassed.

“Men and women ‘capable of work’ were then allowed into the camp and arrangements made for them to be shaved, dressed and recorded in card files as well as being numbered. They were forced to do mostly murderous backbreaking labor that eventually exterminated the detainees. Sick and weakened camp inmates were murdered with phenol injections into the heart; the labour slaves no longer regarded as ‘useful or usable’ were selected and gassed. Thousands were shot at the execution wall.

“In about 900 days, more than 600 death trains with over one million Jews and 20,000 Sinti and Roma arrived in Auschwitz. The SS was involved in mass extermination day after day—day and night.” [6]

Even if the court was unable to successfully prove that the accused were individually involved in murder and torture, at least it could have prosecuted those charged with being accessories to these crimes.

The defense tried by every means to make the witnesses uncertain in their testimony. Many of the severely traumatized witnesses had only been able to maintain their sanity by suppressing their memory of these horrors. In court, however, they were confronted with the reality of these terrible events.

The trial investigated the murder of 119 teenage boys at Auschwitz on February 23, 1943. The boys, who were between 13 and 17 years old and from the Zamosc region in Poland, were killed with phenol injections after being allowed to play ball in the Auschwitz hospital courtyard. SS officer and medical corps member Emil Hantl was one the perpetrators of this horrendous crime. He was sentenced to just three-and-a-half years and, under German law, was able to leave the court a free man.

In another case, one detainee had been locked up with 38 others in a 2½ by 3 meter “hunger cell”. The only access to air was through a small hole in the ceiling. By the next morning, 20 inmates had suffocated or been trampled to death.

Trial witnesses revealed the gruesome details of gas chamber extermination to the broad public for the first time.

When the doors were opened, 20 minutes after Cyclon B had been released, detainees ordered to clear the gas chambers found up to 2,000 naked bodies wedged together. Babies, children and elderly people trampled to death lay on the ground where the gas first began to spread. Above them was a layer of female corpses, and then the strongest men at the top of the terrifying heap. In order to save money, Nazi officials began using lower doses of Cyclon B. This meant that that the killing could last up to five minutes, with the weakest victims writhing on the floor in agony. The trials heard that 16 cans, each containing 500 grams, were used to eliminate 2,000 people. The price per can was 5 Reich marks. An

estimated 865,000 Jews were murdered in the Auschwitz gas chambers.

The juridical cover-up of Nazi crimes

Defendant 1:

All of us, I want to make that very clear we did nothing but our duty, even when that duty was hard and even when it grieved us to do it.

Today, when our nation has worked its way up after a devastating war to a leading position in the world, we ought to concern ourselves with other things.

These recriminations should have fallen under the statute of limitations a long time ago. (Loud approbation from the defendants.) (*The Investigation*, by Peter Weiss, Frankfurt, 1965)

After the Nuremberg Trials organised by the allied forces, in which only a handful of Nazi leaders were accused and sentenced for their crimes, a strange silence about the extermination camps dominated the early days of the Federal Republic of Germany.

The Cold War dominated politics and the media, and shortly after the founding of the Federal Republic in 1949, the allies dropped their pursuit of Nazi criminals and handed the task over to the German justice system. With the approval of the allies, jailed business leaders such as Alfried Krupp, who had directly profited from the concentration camp prisoners, were released after short periods of detention and allowed to resume their leading corporate posts.

On May 29, 1949, a law was passed prohibiting the extradition of German nationals. Consequently, scores of Nazis who committed their crimes in other countries were never handed over to these nations. The German judiciary initiated action against Nazi war criminals only in rare cases.

All those who committed offences during the Nazi regime and had subsequently received a sentence of less than a year were granted amnesty. In 1954, this was extended to all those with sentences of up to three years. It meant that anyone not implicated in major crimes simply went free. In addition, offences like the “concealment of a person’s rank for political reasons” were granted amnesty. These measures made it easier for many of the main criminals to go into hiding. [7]

“In the meantime, the Western allies experienced a case of ‘clemency fever.’ As a prosecutor from Nuremberg, Robert Kempner, later observed, almost all of his sentenced Nazi criminals were pardoned.... [I]n 1953 most of them found themselves free men and the last one was released in 1958.” [8]

Chancellor Konrad Adenauer’s government—the first German federal republic after the war—included high-ranking Nazis such as Theodor Oberländer [9] and Hans Globke. This permitted Oswald Kaduk, who had been accused of particularly heinous crimes, to declare: “I don’t understand why I was apprehended and taken away while those who are really guilty are free. When I just think about Permanent Secretary Globke....”

Hans Globke, who had only recently served as state secretary in the German chancellor’s office in Bonn, was the co-author of a 1936 commentary on the Nuremberg race laws. It served as a basic manual for judges, concentration camp guards and Wehrmacht officers, explaining how Jews, Sinti and Gypsies—so-called “foreign species”—should be dealt with. Neither Globke nor any of the judges who sentenced Jews and others regarded as “*untermenschen*” (subhumans) to death or other draconian punishments ever faced trial.

Judges who had willingly served under the Nazi dictatorship were back in office or collecting a pension, enjoying their lives in peace. Moreover,

after the rearmament of Germany, officers from Hitler’s Wehrmacht were brought back to build a new national army, without any close examination of their histories.

Systematic criminal proceedings against former Nazis never took place in the Federal Republic, nor have their victims ever been given adequate compensation. Up to the present day, those who profited from Auschwitz, like the heirs to steel magnate Friedrich Flick, have refused to pay compensation to forced labourers. Likewise, the former heads of the now-defunct chemical giant IG-Farben have not been held to account for their actions. Among them is Heinrich Bütefisch, to whom the federal government awarded the Federal Cross of Merit, even though he was sentenced during the Nuremberg Trials.

Bütefisch, in his capacity as IG-Farben director, was one of those jointly responsible for the exploitation of Auschwitz prisoners. Moreover, he had belonged to the exclusive *Freundeskreis des Reichsführers SS* (Gestapo and SS chief Heinrich Himmler’s circle of friends) and had obtained the rank of an *SS-Obersturmführer*. When these facts became known, German President Heinrich Lübke ordered the return of Bütefisch’s medal.

It was not until 1958 that an organisation—the Ludwigsburger Zentralstelle—was founded to specifically prosecute these crimes. These measures, however, had nothing to do with the systematic pursuit of Nazis.

In total, fewer than 500 were punished for their participation in the murder of Jews. Only 100 defendants from a total of 4,500 who stood trial between 1945 and 1949 for Nazi crimes were accused of murder-related offences (*Die Zeit*, 5/1/2003). None of the Nazi judges responsible for the scandalous perversion of justice in the notorious “people’s courts” was successfully prosecuted. In fact, it was not until the 1990s that the Federal Supreme Court admitted that the sparing of these judges was a “legislative mistake” and that their crimes should have been punished.

One of the first laws passed in the new Federal Republic of Germany was the so-called exemption from punishment law. This legislation pardoned all those who had committed crimes and been sentenced from six months’ to a year’s imprisonment, with the chance of probation. In 1950, the Bundestag (German parliament) recommended that the process of denazification be ended. During the 1950s, with politics and the media dominated by the German post-war “economic miracle,” the Cold War, and the fight against the enemy in the east, law after law was passed, most with the explicit endorsement of the Allied forces, allowing Nazi criminals to go unpunished.

Following the half-hearted “denazification” program, almost the entire middle and upper strata of the National Socialists’ apparatus of annihilation were integrated back into the justice system and government administration.

In 1960, after the Bundestag had repealed all decrees issued by the Allied forces during the 1950s, the German parliament dropped prosecutions for Nazi crimes and killings apart from provable acts of murder. As Fritz Bauer remarked at the time, it was understandable that the public prosecutor’s offices and courts believed that “according to legislation and the executive, juridical dealings with the past are over.” [10]

The general unwillingness to pursue Nazi criminals had an impact on the Auschwitz trials. Investigating Judge Hans Düx recalled the following incident: “A hasty letter was sent through the regular channels to the Soviet embassy in Bonn, but was held up for days at the Ministry of Justice in Wiesbaden because the letter used the abbreviation DDR [Democratic Republic of Germany—the former East Germany]. The Ministry insisted that the description ‘Soviet Occupation Zone (SBZ)’ should have been used.” [11]

In fact, the Auschwitz trial initiated the scandalous debate, which dragged on for years, over the abolition of a limitation period for those guilty of murder. Finally, a Bundestag resolution on July 16, 1979, lifted

the time limit applied to those responsible for murder and genocide.

Absurdly, however, the first paragraph in the 1954 penal code could not be retrospectively applied to Nazi crimes committed in the past. The lifting of the limitation was therefore applicable only to future acts of genocide. [12]

Even if the legal consequences of the Auschwitz trial did not go anywhere near fulfilling the hopes of many of the victims and of those who initiated the hearings, it did change the intellectual climate in the Federal Republic. The naked truth about the extermination camps, illuminated during the proceedings, made many—above all, young people—ask how and why this monstrous crime occurred. What were the real causes of National Socialism? Why was it able to take power?

Why was resistance so weak? Why had the Weimar Republic failed so pitifully? Why had the working class, massed in powerful organizations--the trade unions, the Social Democratic and Communist parties--let Hitler come to power? What were the causes for the splitting of the workers' movement? Why did the working class not join in a common struggle against fascism?

These questions, which have the same relevance today as 50 years ago, can be answered only through a serious study of history. The conclusive answers to these questions can be found only in the analyses and articles written by Leon Trotsky, which have since been historically confirmed. Auschwitz would not have been possible without the rise of Stalinism and its domination of the Communist International.

The anniversary of the Auschwitz trial provides an opportunity to once again study these issues.

Notes:

1. *The Investigation*, a powerful drama by exiled German dramatist Peter Weiss, is based on testimony from camp survivors and the accused. He describes his play as an oratorio in 11 cantos, in reference to Dante's *Divine Comedy* and its depiction of hell. Although the artistic composition maintains a deliberate distance between the audience and the reader, one cannot avoid being gripped by the succession of images portraying the passage from the death ramp to the execution chamber.

2. *40 Years Auschwitz Trial: An Unwanted Proceeding*, by Werner Renz, http://www.fritz-bauer-institut.de/texte/essay/12-03_renz.htm

3. *Zufallsprodukt Auschwitzprozess*, by Hans Düx, <http://www.rav.de/infobrief90/duex.htm>

4. Reports from the Auschwitz Trial by Conrad Talers, cited in the *Junge Welt*, <http://www.jungewelt.de/2003/12-20/032.php> 5. Düx: a.a.O

6. *Völkermord als Strafsache*, by Werner Renz, http://www.fritz-bauer-institut.de/texte/essay/0800_renz.htm

7. *Furchtbare Juristen*, by Ingo Müller, München, 1987, p.242

8. *ibid.*, p.244

9. Theodor Oberländer was the minister for expelled Germans in the Adenauer government. He belonged to the academic elite of the National Socialists and was also an official in the foreign/defence ministries responsible for the occupation of Eastern Europe. He was forced out of government in 1960, after being sentenced to life for war crimes in East Berlin.

10. Müller, p.244

11. *Zufallsprodukt Auschwitzprozess*, by Hans Düx, <http://www.rav.de/infobrief90/duex.htm>

12. Müller, p.249

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