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The Clean Wehrmacht: Myths about German War Crimes Then and Now

An Honors Thesis submitted in partial fulfillment of the requirements for Honors in the
Department of History.

By

Narayan Saviskas

Under the mentorship of Dr. Brian Feltman.

ABSTRACT

On October 1st, 1946, the Nuremberg high command trials ended. The executions and life sentences of representatives of the German military and political elite were carried out by the Allied powers. At the time, the Soviet Union posed a greater threat than the Germans tried at Nuremberg. Years later, on October 9th, 1950, former officers of the German military gathered in Himmerod Abbey. Together they wrote the Himmerod Memorandum, which laid the foundation of the German rearmament and called for the release of German soldiers (Wehrmacht) and Schutzstaffel (SS) members convicted of war crimes. The Allies, desperate for another line of defense in Europe, agreed to release Wehrmacht war criminals and portray them as members of a “Clean” Wehrmacht in the hopes of building an experienced, legitimate army that could stand against potential Soviet invasion.

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I would like to thank my family for their support through the many months it took to finish this work. Their help has always encouraged me to push myself to the best of my ability. Thank you for all that you have done to get me here.

The “Clean Wehrmacht”: Myths about German War Crimes Then and Now

On November 20th, 1945, the Nuremberg Trials began in occupied Germany. For nearly a year, the International Military Tribunal (IMT) chronicled the crimes of the Nazi Party and their top collaborators. Over the course of the trials, German commanders and the general staff of the German Army, the Wehrmacht, routinely refused to acknowledge any wrong doings that occurred under their command. To admit to the crimes committed during the Second World War was an admission of guilt that would lead to execution. When evidence of illegal orders was presented by the international prosecution to the court, many Germans simply denied giving the order at all. One such example was the interview of General Heinz Guderian, in which he stated that he had received from Oberkommando Wehrmacht (OKW), otherwise known as army high command, the orders to carry out the elimination of resistance and prisoners of war captured on the Eastern Front. When pressed on what he did with these orders, Guderian responded that, “...I know the order never reached my troops.”¹ With this statement, he suggests that upon receiving the orders he did not “pass on this order to [his] subordinates,” because of its criminal nature.² Until their dying breath (1939-1995), most of the Nazi elite refused to acknowledge their part in the atrocities that occurred. In 1961, captured Nazi Adolf Eichmann summed up the mood of the German defense at Nuremberg during his own trial in Israel “...I would stress that I am guilty of having been obedient...”³ The

¹ Richard Overy, *Interrogations: The Nazis Elite in Allied Hands, 1945* (Harmondsworth, England: Viking Penguin, 2001), 529.

² Overy, *Interrogations*, 530.

³ Julie Dawson, “Guide to the Adolf Eichmann Trial Collection, 1938-1968,” Leo Baeck Institute, November 3, 2011, accessed April 23, 2019, <http://digifindingaids.cjh.org/?pID=476341#a1>.

testimonies of these men would later create one of the most pervasive myths to have surfaced since the war. The so-called “Clean” Wehrmacht Myth would plague German society for decades to come, feeding into the foundations of other myths, including Holocaust denial.

This thesis examine the ramifications of the Nuremberg Tribunal with the later creation of the myth of the “Clean” Wehrmacht by both post-war Germany and the newly hegemonic United States. Perpetuated after the Second World War ended, the “Clean” Wehrmacht Myth incorrectly inferred that the Wehrmacht had little to no part in the atrocities committed by the Nazi regime. The discussion on how to present the history of the German atrocities has spawned a long and contentious debate. Some have chosen to become deniers of German crimes, like French politician Paul Rassinier, whose work inspired decades of Holocaust denial.⁴ Another example is the German film industry, which produced pro-Wehrmacht films in the 1950s and early 1960s, blurring the memory of the common German.⁵ Events such as the Cold War also shaped the growth of the myth, allowing German commanders who had escaped imprisonment to release those already in prison for renewed service in in the new German army, the Bundeswehr, for the North Atlantic Treaty Organization (NATO) and Western Germany. The failure of the American Denazification program in West Germany left the new nation riddled with former Nazis and sympathizers who were never dealt with. The “Clean” Wehrmacht: Myths about German War Crimes Then and Now” attempts to examine the origins of the

⁴ For an example of one of the earliest Holocaust deniers, see Paul Rassinier, *Debunking the Genocide Myth: A Study of the Nazi Concentration Camps and the Alleged Extermination of European Jewry*, ed. Adam Robbins (Newport Beach, CA: Noontide Press.) 92.

⁵ *08/15*, directed by Paul May (Divinia-Film, 1954).

myth and how it changed over time among the NATO powers. By doing so, this project intends to illustrate how the narrative of Nazi military atrocities in German history have altered since the Second World War's end.

Primarily, this thesis will attempt to answer the following questions: How did the testimonies of German generals at Nuremberg and subsequent war trials help create the "Clean" Wehrmacht myth? What part did the memoirs of Germans play in creating the myth? By answering these questions, this project will provide a more concise history of post-war German society through a historiographical lens. Examining the foundations and results of the "Clean" Wehrmacht Myth sheds light on the less frequently discussed German cultural recovery during the Cold War and into the 21st century. This project offers a unique interpretation of the Nuremberg testimonies and how they shaped the reconstruction of West Germany including the creation of its own federal army. This project will answer these inquiries by utilizing published books, court transcripts and scholarly articles.

Literature Review & Historical Context

Since the Second World War's end, examinations of the war crimes of the German Army, known as the Wehrmacht, have been carefully scrutinized. During the 1945-1946 Nuremberg Trails, the German military and political structure were held accountable for their crimes before the International Military Tribunal (IMT). At the end of the trails, two of the German high command, Wilhelm Keitel and Alfred Jodl, were executed by hanging while many other defendants served prison sentences. The end of

the IMT led to subsequent trials and proceedings, the longest of which lasted until 1981.⁶ For much of the world, the memory of Germany's war crimes was overshadowed by the Cold War between East and West. In the West, the former Allied nations formed the North Atlantic Treaty Organization (NATO) to be a mutual defensive alliance against the Soviet Union. The Soviets responded with the Warsaw Pact, a conglomeration of puppet states and fellow Communist allies to stand against any NATO aggression. The need by NATO and the Warsaw Pact to quickly rebuild their respective sides of Europe shifted the focus of the Second World War's aftermath from punishment to rearmament. Due to the lack of clarification on the definitions of the crimes committed in the language used during the Nuremberg Trials, the Wehrmacht was able to escape categorization as a "criminal organization" unlike the SS (Schutzstaffel), SA (Sturmabteilung), the Wehrmacht High Command and the Gestapo were.⁷ By not definitively classifying the Wehrmacht as a criminal organization, Allied prosecutors set a dangerous precedent. German soldiers who were tried for war crimes would now not be labelled as criminals on par with the Nazi administration, allowing a perceived separation to form between the common Wehrmacht soldier, their SS counterparts, and members of the military high command. Nonetheless, militarization was stigmatized in postwar West Germany. In 1950, former Wehrmacht generals Adolf Heusinger and Hans Speidel, along with other former senior officers, gathered in Himmerod Abbey, Germany. Together these former Wehrmacht officers drew up a forty-page document, known as the Himmerod Memorandum, calling for the release of German prisoners and for the image of the

⁶ This is in reference to the Russian led Majdanek Trials.

⁷Wolfram Wette, *The Wehrmacht History Myth Reality*, ed. Deborah Lucas Schneider (Cambridge, MA: Harvard University Press, 2006), 209.

German soldier to be reformed in support of a new German military.⁸ The Allied Powers, who were now a part of NATO, agreed to honor the Memorandum in the hopes of building a German force capable of defending West Germany from possible Soviet aggression. The circumstances that built the foundation of the so called “Clean Wehrmacht Myth” were solidified with this agreement.

The current historiography being addressed for this thesis is drawn from a number of sources ranging from 1955 to the present. This thesis will examine Nuremberg Military Tribunal testimonies, psychological reports of the Nuremberg defendants and peer-reviewed historical writings. The early portions of this thesis will focus on the Nuremberg testimonies and Military Governance documents created by the United States during the occupation of West Germany. These works will be used to identify the state in which Germany found itself in at the end of the Second World War. This information is used to display the conditions in which the “Clean Wehrmacht” Myth was able to form. The next sections will focus on the formation of the Bundeswehr as West Germany’s new controversial army. This section showcase the earliest foundations of the “Clean Wehrmacht” in practice and will later be a central piece in the later discussed Historikreit, otherwise known as the (“Historians Dispute”) of the 1980s.

The books and collections of US occupational documents that this thesis will be used alongside foundational secondary sources including Edward Peterson’s *The American Occupation of Germany: Retreat to Victory*, Bryce Sait’s *The Indoctrination of the Wehrmacht: Nazi Ideology and the War Crimes of the German Military*, and Arieh

⁸ David Large, *Germans to the Front: West German Rearmament in the Adenauer Era* (Chapel Hill, NC: University of North Carolina Press, 1996) 97-100.

Kochavi's *Prelude to Nuremberg: Allied War Crimes Policy and the Question of Punishment*, which offer valuable examination of United States military historical documents regarding the status of postwar Germany and the eventual collapse of the American Military Governance (AMG) Denazification Program.⁹ These books contain large collections of military documents regarding the occupation until its end in 1955. Consultation of the memoirs of Erich von Manstein, Albert Kesselring, Wilhelm Keitel and Albert Speer adds former Nazis' attempt to rewrite their own history but will not be used as the main thrust of the argument. Instead this thesis focuses on the rebuilding of West Germany and its veterans' associations who directly contributed to forming the Clean Wehrmacht Myth.¹⁰ The Nuremberg International Military Tribunal transcripts will be used to show the earliest foundations of the myth created by the defendants on trial. By examining West Germany's postwar situation and the Nuremberg testimonies, this thesis evaluates how these works influenced early historical writings of the Denazification of Germany and the eventual Wehrmacht mythos.

Since the Himmerod Memorandum, perceptions of the German Wehrmacht had largely been separated from the Nazis. As the German economy and culture flourished

⁹ Edward Peterson, *The American Occupation of Germany: Retreat to Victory* (Detroit, MI: Wayne State University Press, 1978).

Bryce Sait, *Indoctrination of the Wehrmacht: Nazi Ideology and the War Crimes of the German Military* (New York, NY: Berghahn Books, 2019).

Arieh Kochavi, *Prelude to Nuremberg: Allied War Crime Policy and the Question of Punishment* (Chapel Hill, NC: University of North Carolina Press, 1998).

¹⁰ Erich von Manstein, *Lost Victories: The War Memoirs of Hitler's Most Brilliant General*, ed and trans. Anthony G. Powell (Chicago, IL: Zenith Press, 1955).

Albert Kesselring, *A Soldier's Record*, ed. and trans. S. L. A. Marshall (Westpoint, CT: Greenwood Press Publishers, 1970).

Wilhelm Keitel, *In Service of the Reich*, ed. Walter Gorrlich, trans. David Irving (New York, NY: Stein and Day, 1966).

Albert Speer, *Infiltration*, trans. Joachim Neugroschel (New York: NY: Macmillan Publishing CO. 1981).

after the war, films became a strong proponent of the Clean Wehrmacht myth.¹¹ Films such as *Der Arzt von Stalingrad* and the *08/15* film trilogy give the impression that Wehrmacht soldiers were victims of the war.¹² As historian Omar Bartov points out in his 2004 essay, “Celluloid Soldiers”, the 1950 German war film culture heavily focused on portraying an image of innocent Wehrmacht soldiers acting heroically while the Wehrmacht’s cooperation with the SS and Einsatzgruppen (the death squad section of the SS) nor their own war crimes were shown.¹³ Revisionism of the Wehrmacht’s crimes also came from outside of Germany. French author, Buchenwald survivor, Holocaust denier, and politician Paul Rassinier wrote several books on the subject of the Holocaust, often calling into question the accounts of survivors. In his book, *The Drama of European Jews*, Rassinier goes as far as claiming that the Nazis never attempted to exterminate European Jews.¹⁴ Rassinier’s works inspired other revisionists both in Europe and the Americas. Originating in the 1950s this wave of suppressing or more accurately ignoring the crimes of the Wehrmacht was at the forefront. Neither the German people nor the NATO nations were particularly concerned with remembering the crimes of the Wehrmacht and instead focused wholly on the Cold War.¹⁵

In the late 1980s a revision of World War II’s history was attempted by European and American scholars. During this period, an event known as the Historikerstreit, or “historians’ quarrel” began in 1986. The quarrel was a culmination of previous

¹¹Omar Bartov, *Hitler’s Army: Soldiers, Nazis, and War in the Third Reich* (Oxford, UK: Oxford University, 1992) 136.

¹² *Der Arzt von Stalingrad*, directed by Geza Radvanyi (Divinia-Film, 1958).

¹³ *08/15*, directed by Paul May (Divinia-Film, 1954).

¹⁴ Paul Rassinier, *Debunking the Genocide Myth*, 92.

¹⁵ Brian Etheridge, *Enemies to Allies: Cold War Germany and American Memory* (Lexington KY: University Press of Kentucky, 2016) 114-115.

perspectives on exactly how historians should portray Nazi Germany in history. Before the Historikerstreit, there was no single prevailing view on how to explain the rise of Nazi Germany or the German people's involvement with the Nazi regime. The historian and German veteran, Fritz Fischer in the mid-1960s supported the concept of a German "Sonderweg," or special path, which stated that the Third Reich was a linear culmination of German history up to that point.¹⁶ By the 1970s a school of thought among historians called the Functionalists stated that German military commanders outside of the German high command (OKW or OKH) actively assisted in war crimes and the Holocaust, which at the time ran contrary to the memoirs and histories written by German commanders. Fischer's Sonderweg theory fit with the Intentionalism theory which claimed that Hitler and the Nazi party envisaged the Holocaust during the 1930s and used the antisemitism of Germany to convince German people to help them. The opposing view of Functionalism determined that the Holocaust and genocide campaigns slowly evolved as the Nazis gained power. By 1985, German history was being revisited by a greater number of authors within German society. One reason why the issue of German history was revisited was due to President Ronald Reagan's comments during a ceremony in Bitburg, Germany. Within the cemetery several Wehrmacht and Waffen SS who had been buried there after the Second World War. Spurred on by Ronald Reagan's claim that those buried in the cemetery were all victims of the Nazi Regime, the Historikerstreit began in earnest.¹⁷

¹⁶John Moses and Fritz Fischer, *The Encyclopedia of Historians and Historical Writing*, edited by Kelly Boyd, Volume 1 (Chicago, IL: Fitzroy Dearborn Publishers, 1999) 387.

¹⁷Richard Evans, *In Hitler's Shadow* (New York, NY: Pantheon, 1989) 16.

One of the early works of this period was *History in a Land Without History*, by Michael Stürmer, which argued heavily for another look at Germany's past.¹⁸ Much of the controversy in this period occurred from the more conservative side of the German historical community, who often bemoaned the defeats or losses suffered by Germany during the war.¹⁹ Historian Ernst Nolte became one of the primary figureheads of the conservative view in this controversy when he wrote and published *The Past That Will Not Pass: A Speech That Could Be Written but Not Delivered* in a Frankfurt newspaper.²⁰ Nolte's work in the 1980s was similar to his view of fascism, which he stated in his 1963 work, *Der Faschismus in seiner Epoche*, in which he claimed that the fascism of the 20th century arose from the German people's transition into modernity.²¹ The opponents of these views were headed by scholars such as Richard J. Evans, who largely agreed with aspects of the arguments presented by Fischer and Nolte but, instead argued that National Socialism took root in the 19th century not just out as a result of modernity, but that the German middle class had already begun adopting the ideas of the eventual Nazis.²² Evans came to view German history from the view of the ordinary German, attempting to justify why the German people could become Nazis to begin with.²³

The end of the dispute came in 1989, with Nolte and many of his fellow thinkers given credit for their research but ultimately, having their ideas of German history were

¹⁸ James Knowlton and Truett Cartes, *Forever in the Shadow of Hitler?*, edited by Ernst Piper (Atlantic Highlands, NJ: Humanities Press, 1993) 16.

¹⁹ Donald McKale, *Hitler's Shadow War* (New York, NY: Cooper Square Press, 2002) 445.

²⁰ Ernst Nolte, *The Past That Will Not Pass: A Speech That Could Be Written but Not Delivered*, ed. James Knowlton, Truett Cates (*Frankfurter Allgemeine Zeitung*, June 6, 1986) 18-23.

²¹ Ernst Nolte, *Three Faces of Fascism: Action Francaise, Italian Fascism, National Socialism* (Philadelphia, PA: University of Pennsylvania Press, 1966) 621-625.

²² Richard Evans, *The Coming of the Third Reich* (New York, NY: Penguin Group, 2003) 5.

²³ Nolte's *Der Faschismus in seiner Epoche*, received a different name when transitioning to an English translation.

excluded from the historical narrative.. Bringing the conversation to a more general public in 1990s, the *Wehrmachtsausstellung*, a history exhibit detailing the crimes of the Wehrmacht's average soldiers during the Second World War, began its tour around Germany.²⁴ It ran in its original form from 1991-1995 and later revised for another exhibition run from 2001-2004. Since then the public perception of the German Wehrmacht's history has been a much more mainstay part of public memory. Historians have been able to write history that tells more about what actually occurred during the war thanks to the writings made during the Historikerstreit. With widely covered cases such as *Irving v. Penguin Books and Deborah Lipstadt* coming to the forefront, the modern perspective on the activities of the Wehrmacht during the war have largely begun coinciding with history. The aftereffects of the Himmerod Memorandum and years of revisionism have faded away to modern times.

Sources & Methodology

Much of the early postwar perspective had a noticeable German bias regarding the actions of the Wehrmacht. This can be clearly seen from the given testimonies at the Nuremberg Trails (IMT) and the subsequent trails that lasted until 1981. The published memoirs and hours of interview and interrogation logs of German commanders encouraged the international community to see the Wehrmacht as entirely a military arm that was victimized by the German regime. The United States' understanding of the war on the Eastern Front was shaped by the surviving German generals during the 1950s and

there was an effort by German films, the Himmerod Abbey Memorandum and the NATO powers to reinvent the German army into something presentable. This ultimately resulted in the creation of the German Bundeswehr, or Federal Army of Germany, whose early founders consisted of former Wehrmacht soldiers. With the end of the Allied military occupation in 1955, West Germany passed a compulsory military conscription law the very next year to help bolster its forces to defend against possible invasion.²⁵ By the late 1980s, the perception of German crimes had begun to change with special attention being attributed to the Wehrmacht's crimes. Historians such as Jünger Förster, Richard J. Evans, Ian Kershaw and Martin Broszat helped begin a debate within Western Germany as to how the history of the Wehrmacht and Nazis Germany should be viewed.²⁶ Throughout the 1990s many historians, a notable one being Omer Bartov, continued to poke holes in the "Good Wehrmacht" myth. In Germany this became evident as well as museum exhibits began showing depictions of Wehrmacht crimes and retelling the history behind such actions. This issue also received world-wide attention during the case of *Irving v. Penguin Books and Deborah Lipstadt* in the United Kingdom, which ended in another vindication of the truthfulness to the crimes against humanity that the Nazis and Wehrmacht partook in.

As detailed in the literature review, this project utilizes the Nuremberg Trial transcripts and psychology reports of the defendants and prosecutors during the trial's

²⁵ Jenny Gesley, "60 Year anniversary of the German Compulsory Military Service Act," Library of Congress, July 21, 2016, accessed April 6, 2020, <https://blogs.loc.gov/law/2016/07/60-year-anniversary-of-the-german-compulsory-military-service-act/>.

²⁶ It should be noted that Historians of this era had many differing views on the Wehrmacht, Nazis and the Holocaust. Martin Broszat for example held the Functionalist view of the Holocaust, arguing that it was the competing views or internal pressure of the Nazis administration that resulted in Holocaust. It should also be noted that Martin Broszat had been a member of the Nazi Party since 1944.

proceedings. Examples come from Alfred Jodl, Wilhelm Keitel and Albert Kesselring, all three of whom were generals in the German Wehrmacht. Russian prosecution will be left out of this project due to this project's stated goal of identifying NATO power perceptions. The organization and documents related to the rebuilding of Germany by the Western powers will also be examined for the NATO denazification program and its failings under Lucius Clay and other military governors in Germany. Later analysis will follow the NATO speeches made in the 1950s on the German Wehrmacht, particularly from political leaders such as Konrad Adenauer, who spoke on the subject while serving as chancellor of West Germany. Subsequent works will be drawn primarily from the 1980s and 1990s from historians involved in the Historikerstreit.

This thesis claims that the evolution of the "Clean" Wehrmacht myth is heavily tied to the testimonies of the Nuremberg Trails, the postwar occupation and histories written by NATO and the surviving German generals, and the growing fear of Communism present during the 1950s. This early history formed a strong foundation that created strong misconceptions that were not fully resolved until the late 1980s. Because the myth was able to persist for so long, the retelling of the period for historical purposes is harmed by opponents purporting the myth of the "Clean" Wehrmacht. This thesis illustrates a clear timeline of events and ideas that can be traced back to a clear and defined origin. Because the scope of this thesis is limited to the myth and what directly influenced it, the propensity of information regarding the turmoil of 1960s and 1970s in Germany will be slim. Information regarding the Cold War will also be present but limited. The use of German generals' memoirs is limited with a greater emphasis being placed upon Nuremberg testimonies and the myth's part in the early years of West

Germany. Through the completion of this project, the myth of a “Clean” Wehrmacht and its ramifications will be closely documented and explained in detail with regard to how it affected Germany and the history of the Second World War.

Chapter I: Nuremberg and the High Command Trials

With the fighting against the Nazi regime nearly over, the Allied powers gathered together in Potsdam, Germany to discuss how to handle a post Second World War Europe. The dismantling of the Nazi party and its collaborators became a massive concern for the victorious powers. The United Nations War Crimes Commission (UNWCC) formed to organize the upcoming trials and identify individuals to be placed on trial. The US State Department and the British Foreign Service created the UNWCC with the intention of investigating and recording war crimes committed by the Axis powers.²⁷ The men put in charge of the commission, particularly Cecil Hurst and Herbert Pell, had different visions for the operation of the UNWCC. Cecil Hurst, a British international lawyer who served on the Court of International Justice, imagined an organizational body whose purpose is to charge and try war criminals before an international court of various representative nations. Herbert Pell, a United States Ambassador and American counterpart to Cecil Hurst, saw the UNWCC as another method of preventing a third world war by restraining Germany. In Pell's opinion, Germany had to be punished so brutally that future Germans would see war as, "[not] a profitable business."²⁸ At the time of the commission's formation in 1943, a precise definition of war crimes that was accepted by all nations had not been drafted. The lack of a singular, regulated definition would prove troublesome for the UNWCC's original mission. Other councils at the end of past wars had created their own definitions for war

²⁷ Ariele Kochavi, *Prelude to Nuremberg*, 92.

²⁸ Ariele Kochavi, *Prelude to Nuremberg*, 93.

crimes; one such council, held at the end of the First World War, had drawn up a number of conclusive war crimes. The 1919 Commission on the Responsibility of the Authors of the War on the Enforcement of Penalties was used by the UNWCC as a reference point for identifying the crimes committed in the Second World War. After months of deliberation on which crimes could be considered war crimes, the UNWCC had decided that strictly defining war crimes in the context of the Second World War would be too limiting and would risk excluding other potential crimes yet to be committed.²⁹

As the UNWCC's deliberation stretched into 1944, the nature of the criminality of Germany's war against the Allies was debated. Specifically, it was to be decided if, "Aggressive war," prosecutable as an official war crime. The issue of how to define the war from a legal standpoint was passed on to a legal advisory committee that presented its interpretation of international law to the UNWCC. Within the legal committee, debate arose. The majority of the committee argued that under international law, the act of aggressive war did not represent a crime for which heads of state could be held criminally responsible before a court. The majority opinion cited the Kellog-Briand Pact which renounced war as a tool of international diplomacy but did not officially criminalize the matter.³⁰ The minority view stated that by declaring a war to "enslave foreign nations, to destroy the civilization of those nations and physically to annihilate...the population on a racial, political or religious ground," Germany and its armies had committed innumerable war crimes against the nations of the world and should be held criminally responsible.³¹ The so-called, "Aggressive War," Germany was waging was to be defined as a war crime

²⁹ Arie Kochavi, *Prelude to Nuremberg*, 97.

³⁰ Arie Kochavi, *Prelude to Nuremberg*, 96-98.

³¹ Arie Kochavi, *Prelude to Nuremberg*, 97.

itself. Cecil Hurst interjected himself into this argument, presenting a compromise that Germany's actions in the Second World War should be made an exception and declared a war crime. Hurst determined that since the Allies could not come to a singular definition, the UNWCC should still charge Germany with war crimes to prevent the Allies from appearing weak in punishing the Nazis. This compromise was agreed to by the UNWCC, but the British Foreign Service and United States State Department refused to vote in favor of such a compromise. The debate would not be settled until the London conference in 1945 after the war had officially ended. In the charter for the International Military Tribunal (IMT), aggressive war was to be considered a criminal offense in which an individual or organization may be charged in part or in whole.³²

The second largest role taken on by the UNWCC was the identification and charging of war criminals throughout the German military and administration. Early on in 1943, the known names and responsibilities of German officials was dubious at best. The German High Command was largely known, but information regarding those who carried out orders and to what extent was limited. The Allies had a serious lack of presence in mainland Europe and the shortage of POWs and liberated populations meant the knowledge of perpetrators among individual military units was sparse. The extermination of witnesses and the destruction of evidence by the SS, Gestapo and Wehrmacht in their operations made evidence collection for the UNWCC incredibly difficult. To address this problem, the UNWCC decided to arrest any member or former member of the SS or Gestapo that they could get their hands on. This decision was also extended to

³² Trial of the Major War Criminals Before the International Military Tribunal, "Trials of War Criminals Before the Nuremberg Military Tribunals Under Control Council Law No. 10: Volume 3," Nuremberg: United States Government Printing Office Washington, 1951 XIII-XIV, accessed March 21, 2020, https://www.loc.gov/rr/frd/Military_Law/pdf/NT_war-criminals_Vol-III.pdf.

Wehrmacht generals and important members of the civil administration. The UNWCC hoped that these individuals could be detained long enough for evidence to be collected and to prevent any criminals from escaping. The UNWCC had determined that no immunity should be given to any member of the Nazi government; all would be investigated and if need be, brought to trial. In their first compiled lists of war criminals the UNWCC presented 712 names of Germans and Italians who had committed international crimes. Among those names were diplomats, regional administrators, political personalities and 17 Wehrmacht generals.³³

In February of 1938, Adolf Hitler had abolished Germany's War Department and took command of the Wehrmacht as the Minister of War. After this, Hitler created the Oberkommando der Wehrmacht (OKW), which advised Hitler on directing the armed forces.³⁴ The German High Command offered direct support to Hitler and ran the war effort as it broke international treaties in pursuing an aggressive war. It was imperative that Hitler and the Nazis gained the support of the military general staff because their war experience of invaluable for the wars Hitler intended to wage. The generals allied themselves with the Nazism's goals by seeking to expand German territory and undo the punishments made by the Versailles Treaty. Fearing that the Nazis would build their own army, the generals of the old Reichswehr willing cooperated with the Nazi party and agreed to aid them in their ambitions. The willingness of the German generals to involve themselves in the aims of the Nazis put them firmly in the same lot as the Nazis by the wars end. The OKW was directly response for the carrying out of the Nazi agenda on the

³³ Arie Kochavi, *Prelude to Nuremberg*, 109-110.

³⁴ Trial of the Major War Criminals Before the International Military Tribunal, "Nazi Conspiracy and Aggression: Volume 2 Chapter XVI Part 4," United Nations War Crimes Commission, 1945-1946, assessed March 20, 2020, https://www.loc.gov/rr/frd/Military_Law/pdf/NT_Vol-II.pdf.

warfront, conquering new territory illegally from the other nations of Europe and killing its people.³⁵

The German OKW's highest members were charged by the UNWCC for war crimes. The UNWCC's High Command trial had chosen to charge only, "The group...[of] first, German officers who held the top positions in the four supreme commands...and second, the officers who held the top field commands."³⁶ The indictments laid against these members were, "Crimes against Peace, War Crimes and Crimes against Humanity, and Common Plan or Conspiracy to commit those Crimes," as defined by the tribunal's own charter for the trial.³⁷ A large part of the reasoning for the charges levelled against the German military command was the justification that, "Aggressive war cannot be prepared and waged without intense activity on the part of all branches of the Armed Forces..."³⁸ The German High Command wholly committed themselves to the act of aggressive war and could be proven by the actions laid out before the beginning of the war. The UNWCC listed the evidence of the secret rearmament made after the First World War, the creation of a formal military air force, the conscription law made in 1935 and the reoccupation of the Rhineland. The UNWCC prosecutors argued that the preparation for rebuilding the German military was intended to be used in wars against Germany's European neighbors. General Alfred Jodl, a

³⁵ Trial of the Major War Criminals Before the International Military Tribunal, "Nazi Conspiracy and Aggression: Volume 2 Chapter XV Part 7," United Nations War Crimes Commission, 1945-1946, accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

³⁶ Trial of the Major War Criminals Before the International Military Tribunal, "Nazi Conspiracy and Aggression," accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

³⁷ Trial of the Major War Criminals Before the International Military Tribunal, "Nazi Conspiracy and Aggression," accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

³⁸ Trial of the Major War Criminals Before the International Military Tribunal, "Nazi Conspiracy and Aggression," accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

member of the accused had been quoted in a 1943 speech stating, "...the part...played by the National Socialist movement in re-awakening the will to fight in nurturing fighting strength and in rearming the German people...has so happily been successful."³⁹ The German generals were being given another chance after the punishing Versailles Treaty to fight again. German aggression is evidenced further by the acquisition of Austria, the invasion of Czechoslovakia, the invasion of Poland, Belgium, Netherlands and France and the invasion of the Soviet Union. The defense council for the High Command attempted to counter the charges presented by the Tribunal's indictment by stating that the charges had not been preestablished international law prior to the war. The banning of aggressive war had not been agreed upon after the First World War nor had the legal international definition of War Crimes been internationally accepted by the nations of the world, including Germany. The UNWCC had already grappled with such qualms in 1943 when the planning of the Tribunal began. In a simple move, the Tribunal stated that such an objection was impossible thanks to Article 3 of the Nuremberg International Military Tribunal's (IMT) charter which indicated that, "Neither the Tribunal, its members nor their alternates can be challenged by the prosecution, or by the Defendants or their Counsel."⁴⁰ The trial of the German High Command would continue unimpeded.

³⁹ Trial of the Major War Criminals Before the International Military Tribunal, "Nazi Conspiracy and Aggression," accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

⁴⁰ Nuremberg International Military Tribunal, "Nuremberg Trial Proceedings Vol. 1 Charter," United Nations War Crimes Commission, 1945-1946, accessed March 18, 2020, https://www.loc.gov/rr/frd/Military_Law/pdf/NT_Vol-I.pdf.

The Defense Argument at Nuremberg

In their defense against the charges, German commanders denied their guilt by laying the blame squarely on Hitler and the SS. Herman Goering, commander in chief of the Luftwaffe (German Airforce) and Hitler's chosen successor, stated during his trials at Nuremberg "Why isn't Hitler here to answer for these things?"⁴¹ Wilhelm Keitel, chief of Wehrmacht High Command (OKW), shared a similar sentiment towards Hitler's suicide in his own memoir, stating "Hitler himself chose death rather than accept responsibility for the actions of the OKW, of Colonel-General Jodl and myself."⁴² The Wehrmacht officers and Nazi party officials on trial saw fit to shift the Second World War's blame almost entirely onto Adolf Hitler in an attempt to clear themselves of wrong-doing.⁴³ Some even chose to place a large portion of blame onto the SS. Describing the SS as a "...state within a state," the commanders attributed the SS's power in support of Hitler and Himmler as being at odds with the General Staff.⁴⁴ Keitel and his fellow Nazi Hans Frank, the Governor-General of Poland and legal advisor to Hitler and the Nazis during the 1930s, made even bolder claims as the trials wore on. While at Nuremberg they asserted in an interview with their court psychiatrist that "...we really didn't believe Hitler meant war." When questioned a few days later on why he did not understand the invasion of Poland in 1939, would lead to a war with France and Britain, Keitel

⁴¹ Gustave Gilbert, *Nuremberg Diary: The Shocking Exposure of the Nazi War Criminals at the Nuremberg Trials* (New York, NY: The New American Library of World Literature, Inc, 1961) 219.

⁴² Wilhelm Keitel, *In Service of the Reich*, ed. Walter Gorlitz, trans. David Irving (New York, NY: Stein and Day Publishers, 1966) 235.

⁴³ The works of David Irving have received much controversy due to support of Nazism through his literature and omission of evidence in his translations. Irving's work translating German memoirs in the 1960s and early 1970s is considered reliable enough to use. David Irving's translation of Wilhelm Keitel's memoir has been deemed to be reliable enough for use in this thesis.

⁴⁴Gustave Gilbert, *Nuremberg Diary*, 333.

responded that Hitler had never told them of the Allied protection of Poland and was surprised they chose to go to war. When Joachim von Ribbentrop, foreign minister for the Third Reich, overheard this, he is reported to have responded “Well it was announced on September 1st. Maybe you didn’t see it.”⁴⁵

The claims made by the German High Command were false. The OKW and important members of the Nazi government had been aware of Hitler’s intention to start a war since the repeal of the Reich’s Defense Law in May of 1935. Again in 1937, a meeting occurred between Hitler, Admiral Erich Raeder, Constantin von Neurath and Herman Goering regarding plans to invade and occupy Austria and Czechoslovakia, which might likely lead to war with Great Britain and France. The plan stated, “German politics must reckon with its two hateful enemies, England and France to whom a strong German colossus in the center of Europe would be intolerable.”⁴⁶ The Nazi High Command understood even in 1937, that Germany’s territorial expansions would bring France and England into conflict with the Third Reich. After the success in Czechoslovakia a plan known as Case Green was drawn up by Hitler, Goering, Raeder, Keitel and Colonel-General Walther von Brauchitsch, among several other officers in OKW. Created in April of 1938, Case Green had several portions dedicated to France and England entering a potential war against Germany. One passage dealing specifically with the English threat read “England sees in our development the foundation of a hegemony which would weaken England. England is therefore our enemy, and the conflict with

⁴⁵Gustave Gilbert, *Nuremberg Diary*, 335.

⁴⁶ Trial of the Major War Criminals Before the International Military Tribunal, “Nazi Conspiracy and Aggression,” accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

England will be a life-and-death struggle.”⁴⁷ It was inevitable in the German military mindset that war with England would occur so long as Germany continued to make territorial gains.

To dismiss the prospect of war with the powers of Europe as entirely Hitler’s idea is simply false. Undeniably the defendants at Nuremberg chose to deliberately obscure the truth about their actions during the war and blame Hitler and other prominent Nazis. Jodl himself commented on the testimonies of the Wehrmacht generals stating “...those generals are just talking now to preserve their own existence.”⁴⁸ The OKW repeatedly placed the blame on other figures and organizations just as the rest of the general staff did. Admiral Doenitz argued in a personal statement with his court psychiatrist that defected soldiers and commanders were “...preaching out-and-out treason,” while in Soviet hands. Doenitz argued that this propaganda had resulted in, “...the [loss of] lives of thousands of German women and children by causing defection in the ranks.”⁴⁹ The Germans placed on trial would do anything to shift the blame of the war, those who lost their lives and the destruction of Germany and Europe onto anyone else they could. When Field Marshal Friedrich von Paulus was brought to testify regarding the invasion of Russia he told the court that the German OKW had been beginning to prepare for an illegal war with the Soviet Union as early as September 1940. Paulus specifically indicated that Keitel, Jodl and Goering all had substantial parts in planning this such a war. The testimony resulted in uproar from the OKW’s defendants. They angrily

⁴⁷ Trial of the Major War Criminals Before the International Military Tribunal, “Nazi Conspiracy and Aggression,” accessed March 18, 2020, https://avalon.law.yale.edu/imt/chap_09.asp.

⁴⁸ Gustave Gilbert, *Nuremberg Diary*, 138.

⁴⁹ Gustave Gilbert, *Nuremberg Diary*, 138-139.

dismissed Paulus's claims, simply calling him a dirty pig and a traitor. Goering himself even stating to his attorney that "We've got to disgrace that traitor!"⁵⁰ The high command's refusal to take any sort of responsibility for the Second World War and their insistence on blaming Hitler everything created a strong foundation for the Clean Wehrmacht Myth. OKW's attempt to dodge all blame for the war painted the picture that the Wehrmacht were not responsible for Germany's crimes but were victims as well.

⁵⁰ Gustave Gilbert, *Nuremberg Diary*, 139.

Chapter II: The Clean Wehrmacht Myth's Origins in the Second World War and State of Post-War Germany

To understand the formation of the “Clean” Wehrmacht myth, it is prudent to go back to the Second World War and clearly identify that the Wehrmacht indeed had an active part in war crime activities beyond engaging in an illegal war. Nominally, the need to clearly identify that the Wehrmacht indeed had an active part in war crime activities beyond engaging in an illegal war. The German military before the Second World War had already been trained as a political military force for decades. The German officer schools of the past acted much like a university as well as a military training institution to ensure its officer corps fell in line politically with current administrations.⁵¹ German officers up to and during the Second World War were expected to be politically well versed. When the Nazi party came into power in 1933, the training and teachings given to the army's officer corps also shifted to match the ideals of the Nazi party. Particularly during the administration of General Werner von Blomberg, the Nazification of the Wehrmacht was expected. Under Blomberg's supervision, officers were educated on “political questions,” along with guidelines regarding the Nazi ideology.⁵² The indoctrination of Wehrmacht officers contributed to their willingness to carry out questionable orders. The most prominent example of the criminal orders issued is the Wehrmacht Kommissarbefehl, or Commissar Order, which was given sixteen days prior

⁵¹ Bryce Sait, *Indoctrination of the Wehrmacht*, 42.

⁵² Bryce Sait, *Indoctrination of the Wehrmacht*, 43.

to Operation Barbarossa, the June 22 invasion of the Soviet Union.⁵³ This order directed that soldiers were to eliminate political commissars, prisoners of war and supposed partisans who might offer resistance to the Wehrmacht. The order also covered were individuals in the front and rear areas who were, "...suspected of resistance, sabotage or instigation thereto."⁵⁴ In regards to Commissars captured behind the frontlines the order mandated that these individuals be handed over specifically to the Einsatzgruppen (mobile killing units) and SS. Officers in the Wehrmacht followed these orders impeccably, at times even going further than necessary because of the ideological training they received while in officer school. German soldiers involved in Operation Barbarossa were willing participants in a clear war of extermination against Bolshevism and the Slavic peoples. Crimes against Soviet troops, supposed Partisans and civilians was rampant throughout the campaigns in Soviet territory with no signs of abating.⁵⁵ Soldiers and officers of the Wehrmacht were not only indoctrinated into the Nazi's ideology, they willingly embraced such ideals and methods as evidenced by soldiers on mass carrying out such orders since the 1941 invasion until the end of the war.

In the postwar reconstruction of Germany, the Allied Powers divided up Germany into four zones of control. Each zone's occupiers agreed to carry out a policy of rebuilding and Denazification in order to quickly reform Germany and destroy Nazism at the same time. The Western Powers goal for Denazification was to remove any individual

⁵³ "Directives for the Treatment of Political Commissars [Commissar Order] (June 6, 1941)," US National Archives and Records Administration, accessed December 15, 2019, http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=1548.

⁵⁴ "Directives for the Treatment of Political Commissars [Commissar Order] (June 6, 1941), [http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=1548pg 2](http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=1548pg%202).

⁵⁵ "Verbrechen Der Wehrmacht: Dimensionen des Vernichtungskrieges 1941-1944," Hamburg Institute for Social research, 2004, accessed December 12, 2019, http://www.verbrechen-der-wehrmacht.de/pdf/vdw_de.pdf.

with party membership in the NSDAP from political or bureaucratic positions. Initially, the military governance attempted to identify and remove Nazis party members through questioning and surveys.⁵⁶ As this program continued a unique paradox presented itself to the occupation forces. Much like the military, the Nazi Government had organized their political system in such a way that in order to gain certain positions, one would have to become a party member. This policy resulted in numerous citizens becoming Nazis without believing in the Nazi cause or ideology. Thus, government officials, schoolteachers, secretaries, bureaucrats, etc. competent or otherwise were all card-carrying Nazis. Yet, interviewers and surveyors of German society even as early as 1944 quickly identified that much of the German population was anti-Nazi. The youth of Germany did not support Nazism either. This was especially true among Catholic families due to Nazism's disgust with religions being reciprocated by Catholics. Among the working class and skilled workers, the number of categorical "true Nazis," was incredibly small, often in the single digits percentage wise. Among managers and executives, the percentage was estimated at 14%, leaving the vast majority non-Nazi.⁵⁷ Among the non-military population, Nazism was far less popular by the end of the war, resulting in the people either abandoning Nazi ideals or cementing anti-Nazi sentiment. However, the Nazi administration's liberal issuing of party membership resulted in a complication for the Occupation Powers.

The Occupation governments now had to identify who joined the party and then whether or not they believed in the Nazi ideology. To combat this, the Occupational

⁵⁶ Edward Peterson, *The American Occupation of Germany: Retreat to Victory* (Detroit, MI: Wayne State University Press, 1978) 138.

⁵⁷ Edward Peterson, *The American Occupation of Germany*, 140-142.

Powers compiled an arrest category list. Individuals who fell under certain categories were arrested and placed into temporary internment camps until their innocence could be verified. Classified as Law No. 8 by the US occupation the law stated that, “It shall be unlawful for any business enterprise to employ any member of the Nazi Party or its affiliate organizations in positions other than ordinary labor.” Implemented in September 1945, Law No. 8 proved too difficult to manage due to number of individuals that qualified for arrest. By the end of 1945, 30,00 more Germans had been arrested and placed into internment camps.⁵⁸ This, coupled with the already arrested 70,000 since the War’s end resulted in an incredible backlog of appeals for detainees. As time went on individuals processed and tried under this law were given less and less punishing because of the burden of so many detainees. In an effort to placate growing complaints from local Germans, the US military governance chose to have German manned court take over some of the more important cases. Of the 575 court cases for categorized “major offenders,” given to the German courts, they listed 355 as followers of the Nazi regime rather than high ranking perpetrators. They further exonerated 49 additional major offenders.⁵⁹ When this was noticed, it was perceived by the US military governance that the German courts were sabotaging the process of denazification. The German people were growing tired of the large numbers being tried in all occupational zones. Tens of thousands of citizens, Nazi or otherwise were being pulled from the workforce needed to rebuild Germany and instead shifted to internment camps to await trial. Amongst the populace Germans in the new government insisted that enforcing Law No. 8 was political suicide while officials of the US military governance found the policy too logistically

⁵⁸ Edward Peterson, *The American Occupation of Germany*, 143-145.

⁵⁹ Edward Peterson, *The American Occupation of Germany*, 149-151.

demanding, an, “administrative impossibility.”⁶⁰ The process of denazification was difficult in concept and a near impossibility in practice. Identifying true Nazis amongst the populace was proving to be difficult to accomplish for the US Occupation. The new government of West Germany had to keep up with Nazi party members and then had to rebuild the government with said party members because those were the only Germans competent for the job at the time. Germans of any merit or in government positions running the nation were required to be party members during the Nazi regime. Because of the difficulty in identifying every “true Nazi,” in power, many with Nazi sympathizers slipped through the cracks and gained positions of power.

In some cases, self-proclaimed Nazis were hired on by the United States for service in various industries or scientific fields. Operation Paperclip was a US program to acquire high-value Nazis to be used within the US.⁶¹ In order to gain an edge during the Cold War, the US acquired as many Nazi scientists as they could, regardless of their association with Hitler or the Nazi party. Along with this the CIA implemented Operation Gladio, a covert “stay-behind,” paramilitary movement organized in the nations of Western Europe. The goal of this program was for paramilitary resistance groups to perform sabotage operations behind enemy lines in the event of a Soviet invasion of Europe. These groups were to mimic the successes of the French and Polish resistances that had risen against the Nazis.⁶² Among these groups was the Schnez-Truppe, the

⁶⁰ Edward Peterson, *The American Occupation of Germany*, 151.

⁶¹ Allison Eldridge-Nelson, “Veil of Protection: Operation Paperclip and the Contrasting Fates of Wernher Von Braun and Arthur Rudolph,” (master’s thesis, Bowling Green State University, 2017), accessed February 8, 2020, https://etd.ohiolink.edu/!etd.send_file?accession=bg-su1510914308951993&disposition=inline.

⁶² Umberto Bilisco, interview by Mary Beth Sheridan, “Former ‘Gladiators’ Tell of Secrecy, U.S. Contacts,” *AP News*, November 20, 1990, accessed December 18, 2019, <https://apnews.com/95a9d9c5b49ced1a29cad465bef852df>.

German branch of Gladio's paramilitaries. This organization formed in 1949, by Albert Schnez and other former Wehrmacht and Waffen SS veterans from the war. Basing themselves in the US Occupation zone, this group would combat Soviet forces until NATO could intervene. Germany, after the war, had no formal military until the formation of the Bundeswehr in the 1950s so the Schnez-Truppe would be the next line of defense after NATO forces withdrew. At the end of the 1940s the German government was reorganized but still influenced by former Nazis or Nazi sympathizers in power due to the difficulty in identifying and removing them all. The US recruited Nazi scientists for Operation Paperclip and tens of thousands of potential laborers were placed into internment camps. If the United States believed using German scientists, many of whom were former Nazis, as a viable option for gaining an advantage in the Cold War, it should come as no surprise that former Nazis were also deemed as acceptable components of a force designed to repel an invasion of West German territory. The nation's only capable fighting force outside of NATO was comprised of former SS and Wehrmacht forces.

Removing Nazis from Germany proved too complex for the reconstruction government to fully accomplish. The left-over Nazis which were missed by Allied occupation programs or hired by the Allies themselves remained in Germany long after the war had ended. The formation of the formal German army in 1955, known as the Bundeswehr, would be formed from the Schnez-Truppe and a provisional border force comprised of former SS and Wehrmacht troops. The commanders of this new army were generals from the former Nazi Reich. Men like general Hans Speidel, Erwin Rommel's former military aid during the Second World War, and lieutenant general Adolf Heusinger. Both had served the Nazi regime in the Wehrmacht's general staff. Heusinger

would go on to become the Chairman of the NATO military Committee from 1961-1964.⁶³ The exoneration and employment of these generals perpetuated the Clean Wehrmacht Myth. The Allied powers encouraged the reformation of the German armed forces and made no protest when it was staffed by former Wehrmacht and SS soldiers. These former Nazis would continue to shape the new Germany whose image and purpose was remade to stand against Communism and the Soviet menace.⁶⁴

⁶³ New York Times, “*Bonn Nominates General to NATO: Ex-Wehrmacht Officer due to get new Top-Level Post*,” New York Times, April 15, 1964, accessed April 3, 2020, <https://www.nytimes.com/1964/04/15/archives/bonn-nominates-general-to-nato-exwehrmacht-officer-due-to-get-new.html>.

⁶⁴ James Diehl, *The Thanks of the Fatherland: German Veterans after the Second World War* (Chapel Hill, NC: University of North Carolina Press, 1993) 192.

Chapter III: After Nuremberg: Postwar Concessions

After the Nuremberg Trials, the Nazi high command was fully dissolved. Most of the administration and military staff that made up the party's core elite were condemned to various prison sentences or execution. Among the Nazi officials prosecuted in later trails, those in association with the SS or with the Holocaust received life imprisonment or the death penalty. Those involved with places like Auschwitz, Dachau and other concentration camps received the most death sentences. Nearly every defendant standing trial for involvement with the camps were executed for their involvement.⁶⁵ The same occurred in International Military Tribunal for the Far East, where 7 of 28 defendants got the death penalty and 16 received life imprisonments. This represents 82% of the charged military officials for the Far East trials.⁶⁶ In stark contrast most generals of Wehrmacht operations typically received only prison sentences and not death penalties. Of the 14 charged generals in the High Command Trial, started in late 1947, only two received life imprisonments, the rest received sentences of no less than 5 years, excluding those acquitted.⁶⁷ The Wehrmacht high command officers were charged with nearly equivalent crimes as were their Japanese counterparts, yet the Wehrmacht officers comparatively received much lighter sentences. Those charged in the High Command Trial were members of the German Wehrmacht Oberkommando (OKB), the operational

⁶⁵ This assertion is gathered from cursory looks at the sentencing of major criminals from the Nazi Administration and SS components. The SS and Nazi party trails were a separate set of trails occurring soon after the IMT trails. These would last well into the 1950s involving hundreds of accused, many of them being executed for their involvement.

⁶⁶ Sandra Wilson, Robert Cribb, *Japanese War Criminals: The Politics of Justice after the Second World War* (New York, NY: Columbia University Press, 2017).

⁶⁷ United Nations War Crimes Commission, *Law Reports of Trials of War Criminals, Vol. XII, 1949*, Nuremberg, Germany, 1947, accessed Jan 8, 2020, <https://web.archive.org/web/20050221092933/http://www.ess.uwe.ac.uk/WCC/ghctrial1.htm>.

headquarters who had direct contact with Hitler during the war. The commanders below these individuals were not placed on trial by the Nuremberg courts on the same scale as OKB, leaving them free to return home. Though a vast number of war crimes were committed by the Wehrmacht during the war, the majority of the trials focused on prosecuting the Nazi Party administration. Close to two hundred SS and Concentration Camp members had been charged for their actions in the field or in participation to the Holocaust, most being sentenced to life imprisonment or to death. In comparison, the Wehrmacht high command were given prison sentences, the least of which being 5 years.⁶⁸ An attempt at organizing additional trials for some of the other commanders would occur in 1948 and 1949 involving Gerd von Rundstedt, Erich von Manstein, Walther von Brauchitsch and Rudolf Strauss. These trials were planned to be run by the British courts and hoped to prosecute these four generals, however before the trials could commence, Brauchitsch dies of heart failure and Rundstedt and Strauss are deemed too unhealthy to stand trial. As a result, only Manstein was brought to trial and given a seventeen-year sentence which was later reduced to twelve years in 1950 due to outside pressures from the British and German public. Three years later von Manstein was released from prison for eye problems after only serving four years of his original seventeen-year sentence.

Being pardoned or freed from their sentences the German military commanders found themselves in a completely new Germany. The reconstruction of West Germany was geared towards stabilizing and rebuilding the country it to stand against possible

⁶⁸ United Nations War Crimes Commission, *Law Reports of Trials of War Criminals*, , accessed Jan 8, 2020, <https://web.archive.org/web/20050221092933/http://www.ess.uwe.ac.uk/WCC/ghctrial1.htm>.

intrusion from the Soviet Bloc. In this new Germany the status and societal privilege of being a German officer had been lost. Further insult towards veterans of the Wehrmacht occurred when the repeated petitions for military pensions to be paid was rejected by the occupied government.⁶⁹ Former officers fell upon hard times in the new, weak civilian markets. Wehrmacht officers exited service with little transferable skills with older officers having it far worse. The lack of skills and inability to acquire civilian employment resulted in many of these formerly important officers becoming unemployed. Many Wehrmacht officers filed complaints with the Allied administration, citing the horrible conditions they now endured, and bemoaned the lack of pensions. Among the most famous complaints came from General Wilhelm von Leeb, who wrote his own letter to the occupation government, arguing that by denying pensions to servicemen the Allies were “legally as well as morally and humanly,” unjust.⁷⁰ The injustice of being reduced to a mere civilian and being shamed for the Second World War had angered the surviving officer corps.

Rebuilding the West German bureaucracy to resemble that of the Weimar Republic’s, the new Federal Republic began its bureaucratic reforms in the fall of 1949.⁷¹ With the new bureaucracy being shaped and the West German government taking over much of the operation of the nation, German veterans made another plea to the Federal Republic’s finance ministers for the restoration of pensions. Arguments between former Wehrmacht and the new government would last for months as both sides attempted to arrive at a favorable agreement. In the fall of 1950, Konrad Adenauer, first Chancellor of

⁶⁹ James Diehl, *The Thanks of the Fatherland*, 60.

⁷⁰ James Diehl, *The Thanks of the Fatherland*, 62.

⁷¹ James Diehl, *The Thanks of the Fatherland*, 142.

West Germany, addressed the issue along with the planned rearmament of West Germany. In his speech, Adenauer agreed with Wehrmacht veterans stating that their treatment after the war was “completely unjust...” and that these men had been made “collectively responsible for the lost war...” He argued that “The time of collective guilt of the militarists...must be ended once and for all.”⁷² Adenauer’s 1950 speech furthered the image of a Wehrmacht who was victimized by the Nazi government. In subsequent laws and policies considered by the West German government, the veterans of the Wehrmacht began receiving pensions for their service in the Second World War and from the Interwar years, further legitimizing the perception of the Clean Wehrmacht.

The success of the Wehrmacht veterans in acquiring their pensions emboldened them and fostered a wave of veteran legislation.⁷³ Large numbers of veteran advocacy groups began to spring up in the new Republic all falling under the branch of “citizens’ associations,” under official documentation. These organizations attempted to represent veterans similarly to organizations made before the Second World War. With the outbreak of the Korean War in 1950 and China’s later intervention that same year, Adenauer and these new veterans’ associations used the war in Asia as a way of readdressing West German rearmament. The veterans’ associations made an appeal to Chancellor Adenauer agreeing to aid with rearmament in exchange for a redressing of the Wehrmacht’s image. In a letter to Adenauer the veterans’ groups argued that the formation of a new army rested on “the ending of the German soldier’s defamation [which] is the prerequisite for the revival of a solid army...”⁷⁴ The final request made by

⁷² James Diehl, *The Thanks of the Fatherland*, 157-159.

⁷³ James Diehl, *The Thanks of the Fatherland*, 163.

⁷⁴ James Diehl, *The Thanks of the Fatherland*, 180.

the veterans' associations was that soldiers imprisoned for war crimes to be released. The government agreed to the terms, forming a singular veterans organization for the country known as the Verband Deutscher Soldaten, "Association of German Soldiers." The other demands made by the veterans would be honored after the writing of the Himmerod Memorandum. West Germany formed their own official army in 1955. Known as the Bundeswehr and made up of many former Wehrmacht and Waffen SS freed from prisons across Europe. The veterans of the Second World War would continue to serve as a defensive force against potential Soviet invasion. Officers for the Bundeswehr were drawn from the former general staff and many had their sentences lightened or forgiven. In 1955, West Germany was admitted to NATO and its forces were rearmed for the defense of Western Europe.⁷⁵

⁷⁵ Helga Haftendorn, "Germany's Accession to NATO: 50 years on," NATO Review, last modified June 1, 2005, accessed April 14, 2020, <https://www.nato.int/docu/review/articles/2005/06/01/germanys-accession-to-nato-50-years-on/index.html>.

Chapter IV: Conclusion

The Wehrmacht officers who fought in the Second World War had sought to exonerate themselves from the reputation of the Nazi Regime after the war. The general corps of the Wehrmacht especially sought to free themselves of the Reich's reputation. The officers had viewed much of the war to be Hitler's fault and were furious that their legacies were dragged down with his. During the Nuremberg trials, prominent officers were quoted blaming Hitler. Many other Nazi elites in their later memoirs and post war writings also shifted the blame onto Hitler or those who were executed following postwar war crimes trials. The Allied powers took this opportunity to acquire statements from the former commanders of the Wehrmacht regarding the conflict on the Eastern front from their perspective. The amount of information the Allies gleaned from the Soviet perspective was slim and the Allied command sought to obtain a clearer picture of the war in the East. Beyond this many German commanders felt their own need to create their accounts of the war. General Erich von Manstein, being among the most famous examples, wrote scathing assessments on Hitler's leadership. Von Manstein blamed Hitler's belief of the "power of will," which von Manstein attributed to much of how Hitler operated Germany strategically or otherwise.⁷⁶ At Nuremberg, the officers on trial and those called as witnesses placed blame onto Hitler, Himmler and the Nazi party. Attempting to ignore or lie about the plans for aggressive war and the war crimes committed during the war, the German officers refused to accept responsibility for the

⁷⁶Erich Von Manstein, "*Lost Victories: The War Memoirs of Hitler's Most Brilliant General*," ed and trans. Anthony G. Powell (Chicago, IL: Zenith Press, 1955) 168.

role they played in the war. The postwar occupation and reconstruction of Germany by the Allied powers saw a period of demilitarization and denazification that ultimately failed by the conclusion of the occupation. The task of denazifying Germany proved to be too much effort for the resource scarce occupational governments leaving the job half finished. West Germany's new government in 1949, ignored external Allied pleas for continuation of their occupational programs and pressed on with rebuilding their nation as quickly as possible. In this period the veterans and officers of the Wehrmacht made their return and tried to reestablish themselves within the postwar government. Realizing that the advantages of having the Wehrmacht veterans on his side, Konrad Adenauer agreed to allow Wehrmacht veterans to reform their history in an effort to secure a new German military sanctioned by the Allies. The veterans of the war petitioned the NATO powers, who were reeling from the Korean War, to reform West Germany's fighting force as a safeguard for Europe. NATO agreed and imprisoned veterans were released. Now free and welcomed into a rearming society, these veterans would see to it that their legacy be secured from defamation with the writing of memoirs and accounts further placing the blame onto the Nazis and those who died at Nuremberg.

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