

TELLING THE STORY: SURVIVOR TESTIMONY AND THE NARRATION OF THE FRANKFURT AUSCHWITZ TRIAL

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In my examination of the Frankfurt Auschwitz Trial, I divided my time between the State Attorney's Office in Frankfurt am Main, where I read over the pre-trial files, and the State Archive in Wiesbaden, where I listened to the tapes of the trial. The trial lasted over one hundred and eighty days, involved approximately four hundred witnesses, and produced thirty thousand pages of files, not including the trial record itself, which is now being transcribed from audiotape. The transcriptions that appear in this paper (in translation) are my own. In listening to the audiotapes, I selected a cross section of witnesses and I will bring together here a picture of the courtroom from this research. The lack of a written transcription created a few disadvantages: I was unable to turn quickly to anyone's testimony, and it was nearly impossible to get through five hundred hours of audiotape. In addition, the prosecution, lawyers, and judges spoke out of turn and did not identify themselves. This made their voices often difficult to distinguish from one another (especially in the case of the twenty-one defense attorneys). However, there were advantages as well. I could get a strong sense of the atmosphere in the courtroom, the tensions that filled the room or evaporated depending on the witness, the judge's sensitive treatment of different survivors, and his reactions to outbursts in the courtroom by the audience or the defendants. Most importantly, I could conclude from these tapes that survivor testimony—trial testimony—is an essential historical source that has shaped the narrative of the Holocaust and provided historians with much of the basis of our knowledge of the events of the "Final Solution."

Early scholarship on the Holocaust had a tendency to negate the value of survivors' narration of their experiences. Documents and textual evidence took precedence over the recollections and the sometimes questionable memories of victims of the Nazis. There is still debate today about the usefulness of such testimony, particularly as organizations like the Shoah Foundation and the Fortunoff archives gather video testimony from thousands of survivors. Peter Novick, in his book *The Holocaust in American Life*, states that "it is held that survivors' memories are an indispensable historical source that must be preserved, and elaborate proj-

ects are underway to collect them. In fact, those memories are not a very useful historical source . . . (which) is not to say that they haven't been, or won't continue to be, important in evoking the Holocaust experience."¹ Novick calls upon the writings of Primo Levi, foremost Holocaust philosopher, to solidify his argument that survivor's memories are broken and blurred at best. Testimony is seen as a valuable emotional experience, evoking the startling pain and cruelty of Nazi persecution, but lacking in substantive historical information and often obscuring accurate evidence rather than illuminating it.

I, however, argue that the historical information we have about the Holocaust today is much more a product of survivor testimony than historians often realize. This is most obvious in the abundance of historical information, especially about the concentration and death camps, that has come from survivor testimony, specifically from meticulously recounted, painstakingly detailed pre-trial and trial interrogations of survivors. While the Nuremberg trials relied heavily on documentary evidence, West German postwar trials hinged almost exclusively on witness testimony. By examining the historical information provided by survivors at the Auschwitz trial, I will show that Peter Novick and others, like Raul Hilberg,² are wrong. Survivor testimony has value that far exceeds merely evoking a visceral reaction. It creates the basis for our understanding of life in Auschwitz.

The Auschwitz trial took place in Frankfurt-am-Main, West Germany, between December 1963 and August 1965. The trial of twenty Auschwitz perpetrators by the Public Prosecutor's Office of the state of Hesse represented a cross section of criminals who had participated in the atrocities at the camp between 1940 and 1945. The Auschwitz trial was by far the largest, most public, and most important trial ever to take place in West Germany using West German law. There was enormous national and international press coverage; in West Germany, each day in court was covered by all major newspapers. Most of what appeared in the papers was based on the testimony of the survivors on the stand. So although the files and tapes for these trials could not be accessed by the public for thirty years after the trial (due to a legal stipulation), the descriptions of everyday life in Auschwitz became part of the public consciousness about the camp and provided invaluable factual information for historical reconstruction of the crimes of the Holocaust.

Survivor witnesses made an essential contribution to the prosecution at the Auschwitz trial by recounting the horrors of Auschwitz and reconstructing the actions of the accused in the camp with painstaking accuracy some twenty years after the fact. Necessarily, the state gathered the evidence of survivors who had played important roles in the camp and worked closely under the rule of the SS. The survivors could provide the

court with extraordinary details of the activities of the camp guards. Most of the survivors who testified were Polish or Ukrainian political prisoners or German criminal prisoners, as Jews were rarely given jobs of any relative importance. They were generally either immediately sent to the gas chambers or assigned to hard labor, a fate which few survived. As a consequence, the Jewish voice was submerged at the trial. However, some Jews did have relatively safe jobs, and could tell their stories on the stand. They are central figures in our present-day understanding of the history of the Holocaust.

On day 19 of the trial, a soft-spoken Jewish doctor from Austria named Otto Wolken was the first witness to take the stand in the trial. Wolken had arrived in Auschwitz on July 9, 1943 and became a prisoner doctor. He avoided death in the gas chambers because of his profession and his acquaintance with a fellow prisoner who had connections to the Political Department and persuaded the administrators that Wolken could be useful in the hospital. Wolken worked in various sections of Birkenau, including the emergency block in the men's quarantine section, until the liberation of Auschwitz in January 1945.³ In the emergency block, he gathered enormous amounts of specific information about the various doctors who worked there. For example, he witnessed defendant Stefan Baretzki performing his favorite act of torture, a "rabbit hunt," in which prisoners at the roll call were ordered to take their hats off, and those who reacted too slowly were beaten and murdered on the electrical fence. Wolken's testimony on such matters was particularly valuable to the court because he had begun to write a chronicle while still in Auschwitz after its liberation in February 1945. What makes Wolken's chronicle so unusual was his decision to write it expressly for possible investigations of Nazi criminals after the war. His chronicle was first used in Krakow in June of 1945 by the investigative judge for the "Commission for Investigating German Crimes in Poland" for the Krakow courts. Wolken later sent this report to the International Auschwitz Committee (IAC) in Vienna, an organization of camp survivors under the leadership of Hermann Langbein, a survivor who was largely responsible for setting the wheels of the Auschwitz trial in motion (and whose important testimony I will come back to in this paper). Langbein passed it on to the public prosecutors in Frankfurt. Wolken's written chronicle of his experiences at Auschwitz and his spoken testimony at the trial constituted one of the first comprehensive descriptive accounts of daily life at Auschwitz, and the courts gave him almost two uninterrupted hours to testify.

Wolken not only had evidence of individual crimes, but his recollections were to form the basis of much of our current knowledge of the atrocities perpetrated in Birkenau. Wolken could refer to his chronicle and testify with certainty that, for example, prisoners on a transport from

Lvov were slaughtered by SS men Baretski, Weiss, Kurpanik, and Dargelis on April 10, 1943.⁴ Wolken could turn to his written reports and state with accuracy what he had seen. The courts gave him ample leeway to describe events, circumstances, and impressions that went far beyond the testimony required to convict specific defendants of specific crimes. The courts allowed the most important witnesses to speak at length about the structure of the SS hierarchy within Auschwitz, the daily activities, and their impressions in general. This helped to create a more complete picture of the surroundings in the camp.⁵

Another witness who made a vital contribution to the case in Frankfurt and to our historical information about the Auschwitz concentration camp was Hermann Langbein. Langbein, an Austrian political prisoner, was sent to Auschwitz from Dachau on August 17, 1942. There he became the secretary of Dr. Eduard Wirths, the main camp doctor at the time. Wirths was described by many witnesses, including Langbein himself, as much less brutal than his predecessor, Dr. Kurt Uhlenbrook. He ended some of the experimentation and decreased the number of fatal injections of phenol (carried out in large part by defendant Josef Klehr) that were performed daily. Langbein was in a position to witness almost everything that happened in the hospital or *Häftlingskrankenbau* (HKB) of the camp. He also wrote the reports and sometimes secret memos that Wirths sent out to various SS administrators, including Dr. Enno Lolling, the chief medical administrator of the concentration camps.

On the stand, Langbein was also given the opportunity to speak freely about what he experienced at Auschwitz. For example, Langbein talked about the system of prisoner identification, and the badges that each type of prisoner wore. He made the important contribution of describing the terrifying conditions in the HKB. Sick prisoners would avoid being sent there at all costs, for they were generally pronounced unfit for work and then either gassed or sent to block 20 for an "injection."⁶

Langbein's office overlooked the entrance room to one of the crematoria. From this vantage point, he could see prisoners being brought into the gas chambers alive and carried out dead by the *Sonderkommando*. On one night he saw that hundreds of sick prisoners were killed in the gas chambers as part of a "measles action" designed to curb a terrible outbreak of the disease. According to Langbein, it was dealt with by "gassing the lice along with the people."⁷ Langbein's job included the registering of deaths, and the next day he added a huge list to the death-books. According to his testimony, Dr. Wirths was forever battling the measles epidemic at the camp, and had signs posted everywhere announcing: "One louse, your death." Still, prisoners were too frightened to go to the HKB as they knew it meant certain death. Dr. Wirths promised that only the deathly ill would be killed by injection, but Langbein and the rest of

the inmates knew this was false. According to Langbein, Wirths really believed this and did not know that Dr. Friedrich Entress, who was in charge of the injections, was carrying them out behind his back along with Klehr. Langbein therefore went to the block-leader of the HKB, prisoner Richard Wörl, and the two started to document injections of healthy prisoners. When they came upon a German prisoner who had been murdered, and whose medical records were complete because of his nationality, they told Wirths about this. Wirths was convinced and reprimanded Entress. He had the injections slowed down and eventually stopped in the spring of 1943.

Langbein provided insight into the ability of an individual to change the atmosphere and the fate of many people within the camp. One such change came in November 1943, when Commander Höss was replaced with Artur Liebehenschel. Liebehenschel made many improvements: He had the standing cells ripped up, he had prisoner Wörl brought in as block-leader of the entire Auschwitz I camp, he stopped the selections within the camp (those at the entrance ramp continued), and a calmer atmosphere prevailed. Langbein said that "in general one could establish that even those SS members who were very bloodthirsty before became a bit more reserved because they realized that their fanaticism would not necessarily be tolerated anymore."⁸ It was important for Langbein, and for the prosecutors, to demonstrate that despite orders from Berlin that made certain executions inevitable, individual guards could make a difference and save lives if they were so inclined. This meant, of course, that they could also commit murder on their own initiative (as Langbein described), which was exactly what the prosecutors were trying to prove.

Langbein's account of camp life was in some ways less helpful to the prosecution than to the general understanding of life in Auschwitz. He had very few specific details about any of the defendants except for Josef Klehr. He was better at giving his impressions of the defendants' characters, but often these worked against him. For example, in describing defendants Neubert and Hantl, Langbein characterized them both as reluctant to kill and more "decent" in their relationships with prisoners. He qualified these remarks, though, interjecting: "However, please remember that this was relative."⁹ The degrees of complicity and the overall circumstances of which Langbein was trying to remind the court—that these were volunteer SS officers at a concentration camp—were irrelevant to the law. It mattered only whether Hantl or Neubert had been brutal or sadistic in their actions.

Still, Langbein's testimony was invaluable for the image of Auschwitz that was being reconstructed before the eyes of the public in 1964 West Germany. History was being made, as a real sense of it did not yet exist at that time. The court's unusual onsite visit to Auschwitz reaf-

firmed much of what Langbein had described geographically. His depiction of the location of his room, the hospital blocks, the crematoria, and the view he had, were all confirmed by the court when it went there, and his testimony gained even more credibility. These details were taken very seriously by the court in the attempt to establish proof and evidence about the actions of the defendants. They should therefore not be discounted as the basis for a great deal of the evidence we have today about Auschwitz.

The testimony of Josef Kral provides a glimpse of everyday life for a tortured prisoner in Auschwitz. Kral's testimony was by far the most gruesome and devastating of all the witnesses on the stand. He had been a prisoner of the Political Department and therefore knew defendants Boger and Stark very well. He spent six weeks in a standing cell, during which time he was fed only three meals and was "interrogated" every day for three to four hours, sometimes by Boger on the infamous "swing" (a torture device created by the defendant). He was forced to lick the moisture from the walls of the standing cell. He watched his friend next to him die after eating his own shoes. He was hung by his arms (which were strapped behind his back) until they broke. His testimony prompted the judge to change the charge against defendant Hans Stark from aiding and abetting murder to murder, after Kral reported that he stood four meters from Stark and watched him kill two of his friends from Kattowitz with a shovel. Despite the defense's protests that this was new evidence and could not be admitted in court, Stark was put into investigative detention on the same day.¹⁰

One of the best ways for the court to determine how much of this testimony was accurate, and how much was impaired by the loss of memory or by political and national divisions amongst the prisoners within the camp, was through corroboration. The judges and the prosecution established the validity of testimony by asking multiple witnesses for exact information on seemingly irrelevant details. For example, many witnesses were asked to describe how the blocks were built, how big the foundations were, how much groundwater existed, how big the cells were, how many people were in them, and other similar questions. If they could provide these details, which could be verified by other witnesses and by the onsite visit to the camp, their testimony could be accepted despite some inevitable lapses of memory. Kral's testimony was corroborated by many witnesses. Among them was Kazimierz Smolen, a survivor of Auschwitz and the director of the Auschwitz museum at the time of the trial. According to Smolen, when he was organizing the exhibitions and archives for the museum in 1959, there was still no proper description of the "Boger-swing." He turned to Hermann Langbein, who directed him to Kral. His careful depiction of the "swing" (in drawing form)

was the first real representation of this torture device. This image also appeared in the pre-trial files of the Auschwitz case.¹¹

Finally, there was a most unusual group of survivors discovered by the state through the International Auschwitz Committee. This was a group of secretaries, transcribers, and translators who came to shed the most light on the activities of the Political Department of the Auschwitz I camp, where the brutal interrogation and torture of “political prisoners” took place. They are extraordinary because they were almost all Jewish, female, and privy to large amounts of information about the camp and its genocidal activities. Astoundingly, the large majority of them survived; of sixty-seven women, only six died in the camp. Nine of the survivors testified at the Auschwitz trial.¹²

One of these women, Dounia Wasserstrom, told the court of a most devastating experience:

There is one incident I can never forget: It must have been around November 1944. A truck, carrying Jewish children, drove into the camp. The truck stopped by the barracks of the Political Department. A boy—he must have been about 4 or 5 years old—jumped down. He was playing with an apple that he was holding in his hand. Boger came with Draser to the door. Boger took the child by his feet and smashed his head against the wall. Draser ordered me to wash the wall after that. Later I was called in to do some translation for Boger. He was sitting in his office eating the boy’s apple.¹³

Wasserstrom was a survivor residing in Paris who was interviewed through the West German embassy there by the Ministry of Justice of Baden-Württemberg in March 1959. In Auschwitz, Wasserstrom had been an interpreter in the Political Department, working chiefly for SS Private Draser, but also for the defendants Wilhelm Boger (one of the most sadistic and brutal guards, widely known in Auschwitz as the “Devil of Birkenau”), and Pery Broad. In her pre-trial testimony, Wasserstrom was generally quite vague and did not include specific accounts of the activities of the defendants. Nevertheless, Wasserstrom was called as a witness at the trial itself due to the nature of her position at Auschwitz. The decision to put her on the stand was a wise one, for her recollections proved to be some of the most important and sensational in the entire trial. In her cross-examination by some of the defense attorneys, Wasserstrom suddenly related the story of the little boy with the apple. The defense attorneys naturally pounced upon this new piece of testimony, questioning Wasserstrom as to why she did not relate something so important in her pre-trial testimony or in any of the numerous pamphlets she wrote after the war. Her response was simple: “That is a very private

matter. Since that moment I no longer wanted to have children."¹⁴ (The press, by the way, picked up this story because of its sensational impact. The distasteful headline from the *Frankfurter Rundschau* the next day read "Witness: Boger Splattered a Child on the Wall."¹⁵) The testimony had to be verified by virtually every other woman in the Political Department who had contact with Wasserstrom after the war, in an attempt to determine when exactly Wasserstrom had first mentioned it to the others. If it had been a subject of conversation only directly prior to the trial, it would have to be discounted. But witness Raja Kagan corroborated Wasserstrom's story with her testimony that Wasserstrom had recounted it to her already in 1947. Such discrepancies between pre-trial and trial interrogations demonstrate the dilemma faced by the court in its attempt to get the "whole picture" of the activities of the defendants at Auschwitz and Birkenau. They also show the meticulous demand for exact details before they were allowed as evidence. Last, but not least, the story of the little boy has become part of a greater body of legendary tales of devastation and makes up a crucial part of our historical imagination of the world of Auschwitz.

In the courtroom, truth is established through the testimony of witnesses about what they have seen. The accumulation of evidence leads to a verdict in which it is decided whether something did or did not happen. The law of every democratic nation puts its trust in witness testimony as the ultimate source of fact, truth, and the history of what has happened. There are, of course, flaws in this system, as it relies on human memory. However, through methods of rigorous interrogation, cross-examination, and legal inquiry, a clear picture of past events can be established. The same holds true for survivor testimony on the events of the Holocaust. At the Auschwitz trial, the history of the camp was reconstructed for the first time before a massive public audience. Survivors provided the specific details needed to convict the defendants, and the general ones needed to create a clear image of the camp. This testimony laid the foundations for much of what historians know about Auschwitz-Birkenau. Its historical value should not be overlooked.

Notes

¹ Peter Novick, *The Holocaust in American Life* (Boston: Houghton Mifflin Company, 1999), 275.

² Raul Hilberg, *The Destruction of the European Jews*, revised edition, (New York: Holmes & Meier, 1985).

³ Otto Wolken, *Chronik des Lagers Auschwitz II (B II s)*, 1945, in *Pre-trial files of the First Frankfurt Auschwitz Trial*, The Public Prosecutor's Office at the District Court of Frankfurt-am-Main 4Js 444/59 (hereafter StAFM), 33: 5648a-59.

⁴ Prosecutor's Interrogation of Otto Wolken, in *ibid.*, November 14, 1960, 40: 6948.

⁵ A more detailed account of Otto Wolken's testimony has appeared in my article "The Wheels of Justice Turn Slowly: The Pretrial Investigations of the Frankfurt Auschwitz Trial, 1963–65," *Central European History* 35, no. 3 (2002), 367–8.

⁶ Hermann Langbein in *Strafsache gegen Mulka und andere*, 4Ks 2/63. First Frankfurt Auschwitz Trial, Dec. 20, 1963—August 8, 1965, Jury trial at the District Court, Frankfurt-am-Main (hereafter APO), March 5, 1964, tape #3A. The camp jargon for the injections was "abspritzen," which literally meant injected to death.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Josef Kral in APO, May 15, 1964, tape #11A.

¹¹ Kazimierz Smolen in APO, May 25, 1964, tapes # 14B–15A.

¹² Lore Shelley, *Secretaries of Death: Accounts by Former Prisoners who Worked in the Gestapo of Auschwitz* (New York: Shengold Publishers, Inc., 1986), VII–IX.

¹³ Dounia Wasserstrom, testimony from the Auschwitz trial, April 23, 1964, in Hermann Langbein, *Der Auschwitz-Prozess, Eine Dokumentation*, 2 volumes (Frankfurt am Main: Verlag Neue Kritik, 1995), 421. Unfortunately, Wasserstrom's testimony was not recorded and her statements at the trial itself are therefore only available through secondary sources.

¹⁴ Ibid.

¹⁵ Gerd Czechatz, "Zeugin: Boger zerschmetterte ein Kind an der Wand," *Frankfurter Rundschau*, April 24, 1964.