

A Catalyst for the Development of Human Rights:
German Internment Practices in the First World War, 1914-1929

Alison Marie Vick

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Heather Gumbert (Co-chair)
Robert Stephens (Co-chair)
Glenn Bugh
David Cline

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ABSTRACT

This thesis is a transnational study of the military actions and responses related to prisoners of war in World War I. Building on the works human rights scholars, I explore the how the collective rights afforded to prisoners of war under the 1906 Geneva Convention and 1907 Hague Convention served as a precursor to the concept of human rights that emerged after World War II. I argue that German military treated prisoners of war according to national interest, rather than international law. Specifically, I explore how the concepts of “military necessity” and “reciprocity” drove German internment practices, and how German internment practices escalated in violence during the last two years of the war. The violent practices committed by the Germans against prisoners of war produced an international demand to hold the perpetrators of wartime atrocities accountable for their actions in the postwar period.

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Introduction

On July 9, 1921, the Imperial Court of Justice in Leipzig acquitted two senior German army officers of mass murder. Only a day before, Generals Benno Kruska and Hans von Schack faced the charge of the deliberate murder of 1,200 prisoners of war at the camp at Cassel in central Germany during the winter of 1915.¹ The “murder” of the prisoners resulted not from mass execution, but rather military negligence. Poor sanitation, infestations of fleas, lice, and rats, and the cramped confines of the trenches produced conditions ripe for disease. In the early winter of 1915, cases of typhus exploded on the battlefield and rapidly spread throughout the prison camps of Germany as the number of interned troops increased by the thousands. Typhus erupted at the camp at Cassel in the early winter of 1915. As the camp commanders, Kruska and Schack failed in their responsibility to oversee the health of prisoners. Their negligence, whether intentional or not, resulted in the deaths of over a thousand prisoners of war, including 719 French prisoners.² Whether willful murder, negligence, or merely ineptitude, the minimal care afforded to prisoners at Cassel during the epidemic violated multiple rules of international law, including the prisoners’ right to humane treatment under the 1907 Hague Convention.³

Recollection of the event burned fervently in French memory as evidence of German barbarity toward prisoners of war, and spurred the French government to charge Kruska and Schack with deliberate murder at the first international war crimes trials, held in Leipzig, in 1921. Within thirty-six hours after their trial, the pair triumphantly departed from the courtroom of Germany’s highest civilian court, temporarily marking the end of the trials. Amid the German

¹Claud Mullins, *The Leipzig Trials: An Account of the War Criminals’ Trials and a Study of German Mentality* (London: H.F.& G Witherby, 1921), 176.

² Mullins, *The Leipzig Trials*, 176. Russians comprised the remainder of prisoners killed in the epidemic.

³ The Hague Convention, *Convention (IV) Respecting the Laws and Customs of War on Land and its Annex: Regulations Concerning the Laws and Customs of War on Land* (The Hague, 1907), II.3.

celebratory cheers, the Allies launched outraged cries of protest.⁴ Shack and Kruska's acquittal presented two significant failures. To the Allies, it proved a failure on their part to administer justice to those individuals who deliberately violated the international laws that provided collective rights to specific groups of people in order to humanize warfare. Moreover, the acquittal of the two men highlighted the German propensity to waive international law in accordance with German national interest. This trait, so frequently displayed during the First World War, continued into the postwar period. The Allies had defeated the German military, but German reverence for the military remained strong.

The international laws used to guide the conduct and operation of warfare during World War I emerged on October 18, 1907 as delegates from twenty-six countries across Europe, North and South America, and Asia signed the Hague Convention Respecting the Laws and Customs of War on Land.⁵ The signing marked another milestone in a series of events that called for the regulation of warfare through international law. Section one of the Convention prescribed a specific course of action for belligerents during combat. The section listed the necessary criteria for armies, militias, volunteers and individuals as belligerents and enumerated their rights. Sixteen articles outlined procedures for the housing, maintenance, and status of prisoners of war. The section concluded with a single-line statement that sick and wounded troops would be provided for according to the stipulations of the 1906 Geneva Convention.⁶ Section two limited the ability of belligerents to exploit, or harm neutral and defenseless persons during hostilities. It prohibited the use of poison weapons, the killing or exploitation of unarmed and neutral parties,

⁴ The Allied nations referred to include those countries who participated in the trials against the Germany: France, the United Kingdom, and Belgium. The United States, which had withdrawn from the proceedings, also expressed dissatisfaction with the outcome of the trials.

⁵ The countries which signed the Hague on October 18, 1907 included: Austria-Hungary, Belgium, Bolivia, Brazil, Cuba, Denmark, Dominican Republic, El Salvador, France, Germany, Guatemala, Haiti, Japan, Luxembourg, Mexico, Netherlands, Norway, Panama, Portugal, Romania, Russian Federation, Sweden, Switzerland, Thailand, United Kingdom and United States of America. The Hague Convention, List of Signatories.

⁶ The Hague Convention, II. 1-21.

and the pillaging of towns, villages, or other places. The Convention codified rules regarding the use of spies, truces, capitulations, and armistices.⁷ The final section of the document discussed the authority of the military over territory of a hostile state. It focused closely on the relationship between occupying armies and persons under enemy occupation.⁸

A tremendous achievement on paper, the 1907 Hague Convention demonstrated international cooperation between more than twenty countries from five continents, all of which shared the goal to restrict the conduct of war. Moreover, it attempted to restrict warfare to militaries, thereby protecting civilians. The Hague Convention protected neutral nations and defenseless groups of people from excessive wartime abuses. The Convention provided for prisoners' defenselessness by giving captor nations the right to relieve prisoners of war of military arms and papers.⁹ Because international law recognized prisoners of war as a group of defenseless people, the prisoners' status changed from a group of people without rights, to group of people with basic legal rights that protected them from physical abuse and provided even allotted them privileges. War prisoners retained custody of their personal property, excluding items directly connected to the war such as military arms, papers, and horses.¹⁰ The Convention required captor nations to oversee the maintenance, housing and health of war prisoners. It allowed prisoners to be used in labor, but their work could not be "excessive" or have any "connection with the operations of the war."¹¹ War prisoners also enjoyed the privileges of aid from relief societies, access to postal services, and the "complete liberty in the exercise of their

⁷ The Hague Convention, II. 22-41.

⁸ The Hague Convention, II. 42-56.

⁹ The Hague Convention. II.4.

¹⁰ The Hague Convention. II. 4.

¹¹ The Hague Convention. II, 6.

religion, including attendance at the services of whatever church they may belong to.”¹² These rules returned the prisoner of war to the status of a quasi-civilian, at least on paper.

The 1907 Hague Convention represented the culmination of an initial movement to set down the rules of warfare that developed out the late nineteenth and early twentieth centuries. Among the various conferences and conventions, four held particular significance for the development of international law: The Geneva Conventions of 1864 and 1906, and the Hague Conventions of 1899 and 1907. These conventions had very different purposes and contributions to the establishment of international law. While the Hague Conventions primarily established rules related to physical combat and the conduct of warfare, the Geneva Conventions emphasized the maintenance of troops and medical staff. The two Geneva Conventions recognized the necessity of humane treatment for categories of military personnel during wartime. This concept emerged from Enlightenment era assertions that men enjoyed equal, universal, and natural rights.¹³ The creation of the International Committee of the Red Cross, and dozens of national Red Cross branches, combined with the Geneva Conventions, sought to treat and protect injured and wounded military personnel based on this concept. These organizations started an international dialogue interested in further “civilizing warfare” through the provision of internationally agreed upon, basic rights for groups during periods of war.

The dialogue that occurred at the Geneva and Hague Conventions set forth the idea that there should be an international check on the conduct of warfare in the interest of protecting neutral nations, militaries, and civilians. What resulted from these discussions at the Geneva and Hague Conventions was the early practice of *collective rights*, which afforded basic protection

¹² The Hague Convention. II.15-16, 18.

¹³ Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton, 2007), 20, 23-7.

specific groups of people.¹⁴ Neither convention discussed rights as “human rights” or approached discussion of rights for people as individuals, such as emerged after the Second World War.¹⁵ International law gave basic, loosely defined collective rights to groups such as war prisoners and civilians. It also established rights for the militaries, combatant and noncombatants during war.¹⁶ The convention restricted belligerents’ right to injure their enemy, by placing limitations on the physical methods of combat used by militaries.¹⁷ A substantial section of the convention gave collective rights to prisoners of war, such as the right to have adequate lodging, parole, repatriation, free postage, and aid from relief societies.¹⁸ These collective rights served as a preliminary stepping stone in the development of the concept of human rights that emerged following World War II.

While the Geneva Conventions provided the first collective rights in an effort to develop the civilizing of warfare, imperialism consumed European desires. Rivalry between countries in Western and Central European nations in the late nineteenth century produced rapid and widespread colonization, militarization and industrialization that suggested warfare in the twentieth century would be far less civilized than previous wars. In the last three decades of the nineteenth century, the balance of power shifted dramatically in Europe as Germany emerged as

¹⁴ The documents do not actually refer to these “rights” as collective rights, but as entitlements for groups of individuals such as prisoners of war. I use the term “collective rights” to discuss how international law and individual countries discussed rights in the First World War. This concept comes in part from Mark Mazower, the international law in effect during the First World War recognized the rights of humans as a collective group, such as prisoners of war, and the rights of countries during periods of war. Mark Mazower, “The Strange Triumph of Human Rights, 1933-1950,” *The Historical Journal* 47, no. 2 (June 2004): 381-2.

¹⁵ Discussion of “human rights” within this project is used as defined by Lynn Hunt. Hunt states that human rights require universal recognition of an individual’s natural and equal rights, which are ascribed to them because they are human beings. Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton & Company, 2007), 20; 27. Both Hunt and Mazower discuss “human rights” as a phenomenon that emerged only after the Second World War, through the creation of the United Nations Organization. See Hunt, *Inventing Human Rights*, 204-208; and Mazower, “The Strange Triumph of Human Rights,” 391-396.

¹⁶ The Hague Convention. I.1-3. Specifically, noncombatants and combatants had a “right” to be treated as a prisoner of war.

¹⁷ The Hague Convention. III. 22-28.

¹⁸ The Hague Convention. II. 4-20.

a world leader in industry, education, and its exceptionally strong army provided a model for European militaries.¹⁹ By the turn of the century, only the United States rivaled Germany's industrial production in steel and chemicals.²⁰ Not wanting to be left behind in Europe's "scramble for Africa," Germany established the colonies of German Southwest Africa, and German East Africa. Of the major European powers, Russia trailed behind the rest of the major European powers in terms of development of industrialization and militarization. In an effort to stem the growing tide of Western Europe's militarization, Tsar Nicholas called for an international conference to limit arms production and restrict the conduct of warfare. In 1899, international delegations met at The Hague in response to the Tsar's request. Marginally successful, the First Hague Convention enshrined loose rules on the conduct of warfare.²¹ Eight years later, intense military rivalry between Great Britain, France, Germany, Russia, and Austria-Hungary erupted. As a result, the delegates returned to The Hague to revise the international laws on the conduct of warfare.²²

On the face of it, the 1907 Hague Convention, paired with the 1906 Geneva Convention, provided internationally agreed-upon guidelines that established appropriate conduct of warfare, and collective rights for sick, wounded, and defenseless military personnel, and neutral parties. The two conventions gave the sense of shared views of warfare among more than two dozen nations, but the brevity and vagueness of the language allowed individual countries to choose their course of action during times of war. An example of the problematic language resided in the Article 1 of the Geneva Convention, in which it asserted that sick and wounded officers and

¹⁹ Roger Chickering, *Imperial Germany and the Great War, 1914-1918*. (Cambridge: Cambridge University Press, 1998), 2.

²⁰ Chickering, *Imperial Germany and the Great War*, 1.

²¹ Marc Ferro, *Nicholas II: The Last of the Tsars*, trans. Brian Pearce (New York: Oxford University Press, 1990), 64-5. Ferro argues that the First Hague Convention did not achieve the specific purposes Nicholas II desired, mostly an exchange of territory between France and Germany in exchange for support of Germany's idea of a "Greater Germany" united with Austria-Hungary.

²² Neil M. Heyman, *Daily Life during World War I* (Westport, CT: The Greenwood Press, 2002), 1-2.

soldiers “shall be respected and cared for by the belligerent in whose power they are.” However, the convention did not state the specific components of “respect” and “care”.²³ Similar problems existed within the language of the 1907 Hague Convention. As World War I unfolded one of the most problematic clauses of the convention was Article 4, which gave prisoners of war the right to be treated humanely, but failed to provide a definition of what constituted “humane.”²⁴ Out of this ambiguity, belligerent nations developed varieties of ways to interpret both the term “humane” and “inhumane” in their evaluation of their enemy’s actions toward groups of people given collective rights under international law.

The conventions might have successfully guided a confined European conflict, but they were wholly insufficient to govern a large global war. The clauses within the convention suggested that there existed a single (albeit loosely constructed), way to wage war based on a Western European model. As such, signatories of the convention assumed that their enemies would operate in accordance to their own military procedures. It also assumed that all of the signatories had the ability to operate on an equal level. When, however, war broke out and combatants did not conform to the other’s military practices, it provided an excuse to disregard international law. Prior to World War I, an example of this disregard for international law occurred in German Southwest Africa during the Herero Revolt.²⁵ The Germans interpreted the Herero style of warfare, which included the “mutilation” of corpses, and refusal to accept prisoners, as dishonorable and excessively cruel. However, these practices provided an excuse to

²³ The Geneva Convention, *Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field* (Geneva, 1906), I. 1.

²⁴ The Hague Convention. II. 4.

²⁵ In 1904, the Herero revolted against German rule. At the end of the first week of the revolt, 158 Germans had been killed, almost all military men, by means of clubs, knives, and bullets of scrap glass. Hull, *Absolute Destruction*, 10.

disregard international law.²⁶ Against the Herero, the Germans employed a strategy of annihilation and by the end of the colonial wars in 1907 the Herero had lost between 40,000 and 80,000 people. In comparison, the number of Germans who died during the wars totaled just over 1,300. Of this number, roughly half had died from disease.²⁷ On paper, the Hague Conventions provided for the collective rights of groups, but as the German practices in the colonial wars showed, these rights did not extend to non-Europeans.²⁸

International law established collective rights, and called for “humane treatment” to be practiced during war, but not every country which signed the document carried out such generous policies. In particular, countries frequently respected collective rights only insofar as they did not conflict with national interest. The conflict between national interest and practices of humane actions during warfare as prescribed by international law are the subject of this thesis. To highlight this conflict between military and legal practices, this project focuses on how Germans applied and disregarded the collective rights of prisoners of war during World War I, in the interest of pursuing national goals. Though not alone in the practice, the Germans regularly adjusted their interpretation of international law to suit the needs of their military.²⁹

²⁶ The Hague Convention. *Convention (II) with Respect to the Laws and Customs of War on Land and its Annex: Regulations Concerning the Laws and Customs of War on Land* (The Hague, 1899), II. 4; III. 25.

²⁷ In the colonial wars of 1904 in Africa, the German military employed extreme measures of violence against the native populations. Hull, *Absolute Destruction*, 88-89.

²⁸ The British treated the Dutch-Boers of South Africa similarly to the way the Germans treated the Herero people. During the Boer War of 1899-1902, the British army abandoned the practice of “humane treatment” for prisoners of war, as thousands of Boer and black African prisoners were deported, or interned in what Isabel Hull calls, “the most infamous internment camps.” These camps as having poor sanitation, inadequate rations, “inferior” medical care wherein epidemics erupted and thousands of prisoners died from pneumonia, measles and dysentery. Separate camps housed thousands of black South Africans. Hull, *Absolute Destruction*, 152-3.

²⁹ Many similarities, both good and bad, existed between the British, French, American and German practices of prisoner treatment. Partially this is attributed to the rough rules of warfare established in The 1907 Hague Convention. Each of the countries allowed neutral nations to monitor their camps in accordance with international law. Each of the four countries supplied its prisoners with rations of foodstuffs, basic housing, and some degree of medical care. However, none of the four countries were prepared to accommodate the massive influx of prisoners that arrived in their respective countries. The French and British both experienced initial difficulty in housing prisoners and the British resorted to temporarily housing prisoners of war on hospital ships. Heyman, *Daily Life during World War I*, 138; 192.

The structure and operation of Imperial Germany differed from other European nations because of its military culture.³⁰ Established at the end of the Franco-Prussian War in 1871, Germany's origins as a unified nation resided in warfare, and in its reputation for military prowess. A substantial section of the Constitution of the German Empire of 1871 outlined the roles and responsibilities of the military, ensuring that the military remained a central feature of German culture. The constitution required every German male, without substitute, be subject to military duty.³¹ It further emphasized the leading role of the Prussian military by imparting the entire Prussian military system of legislation throughout the Empire.³² Though an era of a standing army, the constitution asserted that the Imperial German Army would be "full and well-equipped" in organization, training, and equipment.³³ At the top of the German government, militarism was revered. Both Kaiser Wilhelm I and Wilhelm II personally identified with the military, and consulted military leaders on their policies.³⁴ The constitution also provided the Kaiser with the power to declare martial law in the event of war.³⁵ Within the military, the German General Staff enjoyed unprecedented importance and governed military doctrine. In contrast to delegations from other countries, the General Staff of the German army represented German interests at the Hague Conventions.³⁶

For Germans, membership in the German military required extreme discipline, orderliness, and obedience, but it also earned members a special status above German civilians. As members of the military, soldiers were not subject to the same punishment for law-breaking

³⁰ The term, "military culture" is based off of Isabel Hull's model presented in her book, *Absolute Destruction*. Isabel Hull, *Absolute Destruction: Military Culture and the Practices of War in Imperial Germany* (Ithaca: Cornell University press, 2005).

³¹ Constitution of the German Empire, (1871), XI.57.

³² Constitution of the German Empire, (1871), XI.61.

³³ Constitution of the German Empire (1871), XI.63.

³⁴ Hull, *Absolute Destruction*, 104.

³⁵ Constitution of the German Empire, (1871), XI.68.

³⁶ Hull, *Absolute Destruction*, 112.

as civilians. The *Strafgesetzbuch für das Deutsche Reich* (Criminal Law Book for the German Empire) established the criminal law as pertaining to German civilians; but a separate criminal code (*Die Disziplinarstrafordnung für das Heer*), established disciplinary laws for members of the military. Within the civilian criminal code, fewer than five articles specifically addressed members of the military. Article 10 stated that civilian code applied to members of the military only in cases not codified under the military criminal code.³⁷ This difference in law codes emphasized the separation between the German military and civilians.³⁸ Though membership in the German military resulted in an elevated social status, enlisted men also experienced a loss of their civilian rights such as the right to participate in political parties.³⁹ This division between civilian and military allowed for Germany to develop a specific military culture that differed sharply from the rest of Europe.

Unlike Great Britain or France, Germany lacked a strong civilian body to check the actions of the military. This deficit shaped military policy by allowing the German military operate with almost unconstrained power according to its own interests. Isabel Hull asserts that obscure and vague goals drove German military actions. As a result, absence of clear organization and military preparedness dominated the German army.⁴⁰ In order to make up for these deficiencies, the military engaged in practices of extreme solutions that often produced excessive violence. Characteristics of the German military included: the refusal to accept defeat, an unyielding tenacity to achieve victory regardless of the cost, the use of violence to achieve and maintain order, and the implementation of “military necessity” as justification to enact

³⁷ Fewer than ten articles, out of 370 in the criminal code, discussed punishment for members of the military. *Strafgesetzbuch für das Deutsche Reich vom 15. Mai 1871: mit den Entscheidungen des Reichsgerichts*, 4th Ed., [1891], S. 10.

³⁸ Chickering, *Imperial Germany and the Great War*, 2.

³⁹ Hull, *Absolute Destruction*, 101.

⁴⁰ Hull, *Absolute Destruction*, 92.

violent and desperate measures during wartime to achieve national goals.⁴¹ The Hague and Geneva Conventions offered the only official check on German military practices, and they held only a mild influence over military. More powerful in influencing military practice were the concepts of reciprocity and “military necessity.” Reciprocity was discussed by the Germans in two ways. They feared the Allies would carry out reprisals against German prisoners if they found German treatment of prisoners unsatisfactory. At the same time, the Germans discussed and used reprisals as a means to achieve a change in Allied policy toward German prisoners. Military necessity, a vaguely defined term catch-all phrase simply reasoned that any action could be justified during war, if it served the needs of the German military.⁴² In World War I, these principles formed the primary justifications Germans employed to pursue objectives that violated international law, particularly toward prisoners of war.

Historians have arrived at two starkly different conclusions about the German treatment of prisoners of war. Through comparative studies of prisoner taking, the first conclusion historians make is that economics drove German practices. Richard Speed argues in his comparative study of prisoner taking, *Prisoners, Diplomats and the Great War*, that the Germans treated their prisoners of war “relatively well,” particularly in comparison to Russian practices. He attributes the Germans’ apparent disregard for international law in their treatment of prisoners of war to the resource shortages produced by the British blockade, and Germany’s large prisoner population.⁴³ German historian Uta Hinz presents a less generous picture of

⁴¹ Hull, *Absolute Destruction*, 99-100; 122-26.

⁴² First discussed by the Germans in the 1870s military necessity emerged as essential in the achievement of a crushing victory over their enemy. At the beginning of World War I in 1914, military necessity was already a permanent fixture within the German military. Hull, *Absolute Destruction*, 123.

⁴³ Richard B. Speed III, *Prisoners, Diplomats, and the Great Historians: A Study in the Diplomacy of Captivity* (Westport, CT: Greenwood Press, 1990), 3; 63-79. By the end of the war, the number of prisoners interned in Germany reached 2.5 million. Klaus Otte, *Lager Soltau, das Kriegsgefangenen und Interniertenlager des Ersten Weltkriegs, 1914-1921* (Soltau: Mundschenk Druck, 1999), 24.

German treatment of prisoners of war, but similarly argues that economics shaped their internment practices.⁴⁴

Isabel Hull and Heather Jones deviate from the argument that economics and resource shortages were the primary agents responsible for shaping German treatment of prisoners of war. While both historians compare and contrast German practices with those of Great Britain, and to lesser extent, France, they argue similar points that the structure of the German military as an entity unchecked by civilian controls, shaped their treatment of prisoners of war.⁴⁵

This thesis considers both conclusions in order to situate German practices within the wider context of the humanization of warfare in the early twentieth century. It is a transnational study of concepts and practices of inhumane and humane conduct in warfare during the period of 1914 to 1929. Specifically, it focuses on the practices of prisoner internment by the Germans, and the role of Germany's military culture in shaping policies toward prisoners of war. It employs the term "collective rights" to describe the rights afforded to groups of people under international law. Because international law and belligerent nations discussed the rights of prisoners of war through the terms "humane" and "inhumane," these terms are here used to discuss German actions toward prisoners of war.

This project focuses on the experiences of British and American prisoners of war. In spite of the cultural and linguistic ties between the two countries, the two nationalities experienced

⁴⁴ Uta Hinz, *Gefangen im Großen Krieg: Kriegsgefangenschaft in Deutschland, 1914-1921* (Essen: Klartext Verlag, 2006), 362-3.

⁴⁵ Hull explores how the structure of the German military shaped treatment of prisoners of war by arguing that the German military operated according to "military necessity", a vague, catch-all phrase used as justification for actions that appeared to violate international law. Violence against prisoners of war was justified by military necessity. Hull, *Absolute Destruction*, 121-3. Heather Jones similarly credits the structure of the German military as having a profound impact on German treatment of prisoner of war. However, unlike Hull, who argues the whole of the German army was rooted in excessively violent practices, Jones argues that excessive violence toward prisoners of war was displayed only in rare cases of extremity, particularly at the end of the war. She credits the resource shortage and economic difficulties on the German homefront as exacerbating German violence toward prisoners of war. Heather Jones, *Violence against Prisoners of War in the First World War: Britain, France, and Germany, 1914-1920* (Cambridge: Cambridge University Press, 2011), 5.

stark differences in their treatment by the Germans. The colonial wars Germans engaged in against the Herero and Nama people showed the German propensity to implement brutal treatment against prisoners of war. However, in 1914, the Germans faced a very different enemy that looked and acted similarly to them, and with whom they shared cultural and economic ties. British prisoners of war provided a longitudinal study of how German “humane” practices toward prisoners of war fluctuated during the course of the war. In contrast, American prisoners show how in the final years of the war, when Germany faced was increasingly strained militarily and economically, the Germans adopted a policy of accommodation for prisoners of war. The goal of this project is to link the German military culture to collective rights within the context of early twentieth century international law. In this thesis, I argue that the Germans did not treat prisoners of war according to the collective rights prescribed by international law during the First World War. Instead military necessity and reciprocity formed the basis for German treatment of prisoners of war, and the collective rights of war prisoners were respected only when they served military interest.

Chapter one establishes the basic ways the Germans applied military necessity and reciprocity in their treatment of British prisoners of war. This chapter argues that the Germans practiced a policy of “utilitarian reciprocity” toward British prisoners of war based on the needs of the German military.⁴⁶ It refers specifically to German “treatment” and “mistreatment” of prisoners of war. These terms are measured in five specific areas of prisoner internment: diet, housing, labor, health, and physical abuse.⁴⁷ To demonstrate the different ways in which

⁴⁶ The term “utilitarian reciprocity” comes from Daniel Marc Segesser. See: Daniel Marc Segesser, “The Punishment of War Crimes Committed against Prisoners of War, Deportees, and Refugees during and after the First World War,” *Immigrants and Minorities* 26, no. 1/2 (March/July 2008): 139.

⁴⁷ These categories provide strong indicators for prisoner mistreatment for two reasons. First, they constitute the basis of both Allied and Central Power charges of “mistreatment” in reports and newspaper articles. Second, these categories are alluded to, or discussed by international law through The 1906 Geneva Convention, and The 1907 Hague Convention.

prisoners of war evolved into an instrument that served the German military, the chapter discusses three specific categories of prisoners: enlisted men and non-commissioned officers, officers, and civilians. The German-British dynamic is particularly useful in exploring the concept of humanity toward prisoners because of the vast numbers of British prisoners, and the close cultural similarities and economic ties shared between the two countries prior to the outbreak of war. The chapter considers how military necessity and reciprocity emerged as the guiding concerns of German treatment of prisoners of war by discussing the situation on the German homefront. The British blockade, Germany's severance of ties to grain-producing countries in Eastern Europe, and the government's insistence that military necessity required civilian sacrifice caused the German homefront to suffer from severe rationing and resource scarcity within months of the outbreak of war. Finally the chapter shows that German practices of prisoner treatment established a precedent that normalized disregard for international law.

Chapter two focuses on the evolution of the war into a total war, and the practices developed by the Germans in response to the change in the character of the war.⁴⁸ It compares the values the German government placed on prisoners of war and their own civilians, and argues that in some cases, Germans valued prisoners of war above their own civilians. The chapter explores closely the most visible development in prisoner treatment, the establishment of

⁴⁸ The phrase "total war" is problematic. There exists a large historiography on the history of total war, and considerable debate surrounds whether or not total war is achievable. I base my model for total war on the one presented by historian Stig Förster in his article, Total War and Genocide: Reflections on the Second World War," *Australian Journal of Politics and History*, 53 no. 1 (2007): 71. These four points include: 1. Total war aims: Unconditional surrender, subjugation of the enemy state or nation, the principle of destruction; 2. Total methods: Disregard of international law and of common moral principles, reckless use of means against the enemy; 3. Total mobilization: The employment of all resources of state, society, and economy for the single purpose of warfare; 4. Total control: Centralized organization and purposeful guidance of all aspects of public and private life within the context of warfare. For more information on the discussion of total war, see: *Great War, Total War: Combat and Mobilization on the Western Front, 1914-1918*, Roger Chickering and Stig Förster, ed. (Washington, D.C.: The German Historical Institute, 2000.)

extreme prisoner reprisals, and forced-labor companies.⁴⁹ Of the two and a half million prisoners interned by the Germans, the prisoners within the labor companies of 1917-1918 experienced violence that far surpassed those prisoners interned within Germany. Exploration of the deterioration of the German homefront due to severe resource scarcity, disenchantment with the war, and illness also figures prominently in this chapter as a means to demonstrate German placement of the military above the needs of its civilians.

In the third chapter, I investigate why an international demand for increased protection of prisoners of war emerged in the aftermath of World War I by analyzing the proceedings of the first international war crimes trial in 1921, and the revision of international law at the 1929 Geneva Convention. This chapter assesses the economic and social situation of Germany, France, the United Kingdom and United States. It draws continuities between the culture of Imperial and Weimar Germany to argue that although Germany emerged as a republic in the postwar period, the country still contained deep-rooted reverence for militarism. This reverence for the military overshadowed the international laws that provided collective rights to groups of people during war.

Finally, in my conclusion I review the development of “human rights” in the early twentieth century before, during and after World War I. Out of this, I connect how German ideas and practices of “human rights” and prisoner treatment in World War I, established a foundation for even more radical practices to develop in the Second World War. I argue that international dialogue on war crimes and accountability established the groundwork for the dialogue on war crimes that occurred between the Allies in the aftermath of World War II.

⁴⁹ The discussion of prisoner reprisals, and forced labor companies comes chiefly from the work of Heather Jones in her works, *Violence Against Prisoners of War in the First World War: Britain, France and Germany, 1914-1920*, (Cambridge: Cambridge University Press, 2011); and *The German Spring Reprisals of 1917, Prisoners of War and the Violence on the Western Front*,” *German History*, 26, no. 3 (July 2008).

Chapter One

Basic Practices of Utilitarian Reciprocity, 1914-1916

Introduction

In 1915 J.E. Sprunger and Conrad Hoffman, two Americans working in Germany as international representatives of the Young Men's Christian Association, visited a series of German prisoner of war camps as neutral monitors. Sprunger recorded the following experience at a German prisoner camp for enlisted men in his November 1915 report:

In the corner of the barrack was a stage. The scenery was the work of the prisoners...the band was called and played for us from self-made instruments, "March of the Prisoners of War," which they had composed themselves. After that, a group of amateur-artists were introduced, the rooms were made ready for them, and thereby they gave class instruction in drawing and painting...⁵⁰

The same month, an American newspaper published an excerpt from United States Ambassador James Gerard's report of the physical conditions of the Wittenberg camp, located north of Leipzig in Saxony:

I regret to state that after a careful examination of the camp and long conversations with the prisoners, my impression is even more unfavorable than I had been led to expect...Many prisoners complain that dogs were brought in at night and that in certain cases prisoners had had their clothes torn by these dogs...The entire atmosphere was depressing...They [the prisoners] have no opportunities for playing games or exercise except in walking.⁵¹

The two reports provide evidence of conflicted images of prisoner internment in Germany. Sprunger's overall favorable impression of the camp in the first report presented an image of prisoner of war camps as little more than temporary holding pens in which prisoners leisurely engaged in various art forms. In contrast, the camp described

⁵⁰ The name of the camp is not provided in Sprunger's report. J.E. Sprunger and Conrad Hoffman. "Bericht der Heeren J.E. Sprunger und Conrad Hoffman: Internationale Vertreter des Christlichen Vereins Junger Männer," Nov. 1915. Prisoner of War Work for Germany, 1914-1915. World War I-related records. Kautz Family YMCA Archives. University of Minnesota Libraries.

⁵¹ "Germans Abuse War Prisoners Shamefully Report of American Ambassador to Berlin Shows Appalling Conditions. Held Under Rule of Fear," *The Idaho Statesman*, November, 21 1915.

in Gerard's report emphasized the harshness of the camp, and through the reference to the use of dogs, provided evidence of the barbaric practices employed by the Germans to control prisoners. The report further stated that upon Gerard's inquiry, the "German authorities" at the camp deemed the use of dogs "absolutely necessary to protect the officers on duty."⁵² Why did officers need protection against prisoners? The Hague Convention gave captor nations the right to confiscate the personal arms and military papers from prisoners, which effectively reduced the likelihood of violent acts from prisoners toward their guards.⁵³ A plausible conjecture for the German employment of dogs is that they used them to show force or to instigate fear among prisoners. International law did not expressly prohibit the implementation of such tactics, but the Allies construed these measures as cruel and an example of the German disregard for "humane" treatment of war prisoners.

This chapter explores the basic practices of utilitarian reciprocity adopted by the Germans in their treatment of prisoners of war. It argues that utilitarian reciprocity was dictated by military necessity, reciprocity, and prisoner status. In the early years of the war, the ways the Germans treated British and French prisoners of war shared many similarities to the treatment afforded German prisoners in France and Great Britain. All three of the countries were ill-prepared to accommodate the arrival of tens of thousands of prisoners who required rations and sanitary housing conditions. This unpreparedness resulted in a standard of treatment that relied not on international law to guide its practices, but national interest. The 1907 Hague Convention sought to humanize warfare by establishing the status of prisoners of war as a recognized group of people with

⁵²"Germans Abuse War Prisoners Shamefully Report of American Ambassador to Berlin Shows Appalling Conditions. Held Under Rule of Fear," *The Idaho Statesman*, November 21, 1915.

⁵³ The Hague Convention. II.5.

collective rights. Within the first two years of the First World War this vision gave way as German practices turned prisoners of war into an instrument that served the needs of the military.⁵⁴

Before Internment: Prisoner Taking or Prisoner Killing?

Before the physical internment of prisoners of war occurred, a conscious decision on the part of the military had to be made whether to take prisoners of war, or just to execute them. This decision is described by historian Niall Ferguson as the “captor’s dilemma,” in which the advantages of prisoner taking were measured against the killing of prisoners.⁵⁵ The Hague Convention of 1907 guiding international law in World War I prohibited killing and injuring prisoners of war.⁵⁶ By August 1914, the Germans had demonstrated their willingness to set aside adherence to international law in order to pursue their national interest, with their violent occupation of neutral Belgium because “military necessity” sanctioned such actions.⁵⁷ Such defiance of international law produced skepticism among the Allies as to the specifics of German prisoner-taking.

⁵⁴This dehumanization of prisoners caused prisoner mistreatment to occur on a more widespread scale than either Britain or France. Heather Jones presents a lengthy comparison of the violations of international law by Germany, Great Britain, and France in her work, *Violence against Prisoners of War during World War I*.

⁵⁵ The “captor’s dilemma” as presented by Ferguson discusses the considerations faced by apprehending troops included the possibility of feigned surrender, and the gap in the army produced by the loss of soldiers who escorted from the front. Simply killing prisoners on their surrender offered an easier option for troops engaged in combat. Killing prisoners of war reduced the risk of injury to captor armies, and fewer prisoners meant less of a burden on the captor nation’s resources. In contrast to the danger associated with taking prisoners, war prisoners also held significant value for their captors. They provided a potential source of enemy intelligence, a source of labor, hostages, and an instrument to instigate reciprocal actions. Niall Ferguson, “Prisoner Taking and Prisoner Killing in the Age of Total War: Towards a Political Economy of Military Defeat.” *War in History* 11, no. 148 (2004): 151-6.

⁵⁶The Hague Convention. III. 23.

⁵⁷On August 3-4, 1914, the Germans encountered resistance from Belgians as they attempted to pass through the country en route to France. The Germans interpreted this resistance as an obstacle to their war plans, and employed massive, violent tactics to force the Belgians into submission. Excessive acts of violence against Belgian civilians occurred, including the widespread execution of Belgians, and destruction of buildings. Hull, *Absolute Destruction*, 208-9.

Other reports blatantly accused the Germans of routinely killing prisoners on the battlefield.⁵⁸

The Germans did not routinely kill prisoners of war but overwhelmingly accepted them. By February 1915, the Germans had interned over half of a million prisoners, including 300,000 Russians, 200,000 French troops, and 100,000 troops from Great Britain and other Entente countries.⁵⁹ By comparison, the Allies experienced significantly less success in capturing prisoners. At the end of 1916, Great Britain interned only 54,047 German prisoners of war.⁶⁰ In France, the number of prisoners interned reached 200,000 in the spring of 1917.⁶¹ Two factors account for the wide disparity between the number of prisoners interned in Germany, and those in the hands of the Allies. On the Eastern Front, the Germans achieved an overwhelming victory over the Russian army at the Battle of Tannenberg and repulsed the Russian advance at Masurian Lakes in 1914. The two victories resulted in the German army securing hundreds of thousands of prisoners. In August 1914, the Germans broke through the French defensive lines at Mons causing the French to beat a hasty retreat. In pursuit of the French, the German army captured thousands of prisoners.⁶²

International law forbade the killing and injuring of prisoners, but it did not require armies to take prisoners and the Germans took prisoners because war prisoners served both the immediate and long-term needs of the German military. The fear of

⁵⁸Jones, *Violence against Prisoners of War in the First World War*, 72-79. Documented reports of Germans killing other prisoners of the Allies, such as French and American prisoners, are also scarce.

⁵⁹ Reinhard Nachtigal, "Zur Anzahl der Kriegsgefangenen im Ersten Weltkrieg," *Militärgeschichtliche Zeitschrift*, 67, no. 2 (2008): 350.

⁶⁰ Nachtigal, "Zur Anzahl der Kriegsgefangenen im Ersten Weltkrieg," 371; 373.

⁶¹ Nachtigal, "Zur Anzahl der Kriegsgefangenen im Ersten Weltkrieg," 371.

⁶²At the end of 1916, Great Britain, interned only 54,047 German prisoners of war. In 1917, the French had captured only 200,000 German and Austrian prisoners. Nachtigal, "Zur Anzahl der Kriegsgefangenen im Ersten Weltkrieg," 349; 373.

reprisals was one reason the Germans interned prisoners. The Germans feared that the British and French forces would deliver reciprocal actions against the thousands of interned thousands Germans of prisoners of war if British and French prisoners experienced ill treatment by the Germans. At the same time, the Germans recognized that having a monopoly on prisoners of war offered them leverage in shaping Allied policy concerning war prisoners. Prisoners of war also provided tangible evidence of German success in the war. Following the First Battle of the Marne in September 1914, evidence of success became particularly important as nations experienced the loss of thousands of men. The Germans further construed the Battle of the Marne as a humiliating defeat. In addition to the loss of men, the army lost its self-perceived image of invincibility. The army needed tangible evidence of its military success in the wake of the defeat, and prisoners of war provided evidence of Germany's military strength both to their German civilians and to the Allies. As the war continued, belief in a short and limited war diminished; and taking prisoners became a critically important practice of the German military on the Western Front.

Internment at the Homefront: Noncommissioned Officers and Enlisted Men

Enlisted men and noncommissioned officers comprised the vast majority of prisoners of war and their experiences most directly reflected the hardships that occurred on the German homefront.⁶³ From the earliest months of the war the provision of adequate rations emerged as the most severe failing of the German practice of prisoner interment. Military necessity required the bulk of limited foodstuffs be devoted to the German military. This appropriation of resources increased the problems of resource

⁶³ NCOs and enlisted troops comprised approximately 98% of the total number of prisoners interned by the Germans. Heather Jones, "A Missing Paradigm? Military Captivity and the Prisoner of War, 1914-1918," *Immigrants and Minorities* 26, no. 1/2 (2008): 28.

scarcity produced at the beginning of the war. Because Germany industrialized rapidly in the latter half of the nineteenth and early twentieth centuries, its population relied heavily on imported foodstuffs, fertilizers, and raw materials. In August 1914, the British instituted a blockade of the German coast through the placement of a series of mines and ships along the English coast and Scotland that restricted access to the North Sea and English Channel. The blockade reduced Germany's access to its over-seas trading partners and cut the German diet by 25% in 1914.⁶⁴ The Germans experienced similar severe resource shortages when the war severed their ties with Eastern Europe, on which the country relied heavily for the importation of food products such as barley, fodder for livestock, and labor.⁶⁵ Out of this shortage emerged a hierarchy of privilege wherein the German military, the most privileged category, received the bulk of foodstuffs. The Germans recognized that victory in war required the dedication of the majority of resources to the military. However, the government gave interned British officers priority in rations over German civilians or enlisted prisoners for two reasons. First, there existed a relatively small number of interned officers, and they provided less of a drain on the resources than civilians or enlisted prisoners. Second, the Germans held a strong fear of reprisals. British enlisted troops, British civilian prisoners of war and German civilians all emerged as the members of a third tier of the German resource hierarchy. All three groups became competitors for the remaining resources, and the German government provided each group with resources based on their use to the military.

⁶⁴ Roger Chickering, *Imperial Germany and the Great War: 1914-1918* (Cambridge: Cambridge University Press, 1998), 41; 88. In 1914, the Germans imported roughly 19% of their diet, which was compounded by the effects of the British blockade. Jay M. Winter, *The Experience of World War I* (New York: Oxford University Press, 1989), 178.

⁶⁵ Chickering, *Imperial Germany and the Great War*, 41.

Food and resource shortages produced discontent on the German homefront as early as 1914 that increased with the prolongation of the war. Rampant strikes, riots, and resource scarcity exemplified the problems occurring on the German homefront during the First World War, but the discontent on the homefront did not detract the government's decision to provide the bulk of their resources to the military. In 1915, the German army consisted of eight million men who consumed rations at prewar levels.⁶⁶ The first bread shortage emerged in 1914. By 1915, severe grain shortages caused the Germans to kill more than nine million hogs during the *Schweinemord*, in order to preserve grain stocks.⁶⁷ The same year, the German government instituted a complex policy of established price ceilings and ration levels on the homefront.⁶⁸ In spite of the established rationing system, both civilians and prisoners felt the effects of the food shortage as increasingly, the government sent the country's resources to front.

Enlisted prisoners experienced the same problems with the rationing system across Germany. The allotment of rations provided by the Germans threatened their health because of its insufficiency in quality and quantity. At Lager Soltau in Lower Saxony, prisoners awoke at 5:00 AM and engaged in physical labor for two hours. Afterward they received a dipper full of "coffee," which prisoners described as acorn water, without milk or sugar. In addition, they received a thick slice of bread.⁶⁹ John Brady, a corporal in the British Army interned at Sennelager, recorded that Christmas dinner at the camp consisted of "potato with a bit of carrot floating in water." The Christmas dinner deviated only slightly from the usual fare supplied by the Germans that

⁶⁶ Chickering, *Imperial Germany and the Great War*, 41.

⁶⁷ "Pig massacre" in Roger Chickering, *The Great War and Urban Life in Germany: Freiburg, 1914-1918* (Cambridge: Cambridge University Press, 2007), 165.

⁶⁸ Chickering, *Imperial Germany and the Great War*, 42.

⁶⁹ Klaus Otte, *Lager Soltau*, 21.

consisted of sausage and bread for breakfast, and “Midday soup of water.”⁷⁰ While Brady’s description likely exaggerated his poor treatment at the hand of his enemy, the diet fell short of the quantity of rations the German government asserted they provided in the diets of British prisoners. A report published in 1915 asserted that the prisoners received a scientifically-based diet wherein the potato featured prominently due to its widespread cultivation within Germany.⁷¹ The report provided an example of a weekly prison camp menu, illustrating the type, quantity, and nutritional value of food issued to prisoners of war, part of which is supplied below.⁷²

Percent in Content ⁷³				
Foodstuffs	Protein	Fat	Carbohydrates	Calories
Sunday				
300g Bread.....	4,3	0,4	47,4	213,7
5g Coffee.....	-	-	-	-
10g Chicory.....	-	-	-	-
25g Sugar.....	-	-	99,0	398,4
120g Beef.....				
300g Kohlrabi (or Carrots).....	19,4	7,1	-	159,8
750g Potatoes.....	2,1	0,2	6,6	38,4
200g Additional Bread.....	1,5	0,2	20,0	89,0
100g Cheese.....	4,3	0,4	47,3	213,7
	27,4	23,2	2,1	356,6
Monday				
300g Bread.....	4,3	0,4	47,3	213,7
50g Cornmeal.....	8,0	2,2	69,2	335,7

⁷⁰ Robert Jackson, *The Prisoners* (Routledge: London, 1989), 28.

⁷¹ The potato was the staple food for most Germans, until the unusually cold and wet fall of 1916, in which the harvest of failed, resulting in the 1916-17 “Turnip Winter.” Belinda J. Davis, *Home Fires Burning: Food, Politics, and Everyday Life in World War I Berlin* (Chapel Hill: The University of North Carolina Press, 2000), 180-1.

⁷² The British always supplied their prisoners with higher caloric counts than the Germans. In 1917, German prisoners of war received roughly 3,000 calories daily, as opposed to the roughly 1,800 calories provided to prisoners by the Germans. Speed, *Prisoners, Diplomats, and the Great War*, 100.

⁷³ *Die Kriegsgefangenen in Deutschland: Gegen 250 Wirklichkeitsaufnahmen aus deutschen Gefangenlagern mit einer Erläuterung von Professor Dr. Backhaus*, 1915. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

35g Sugar.....	-	-	99,0	398,4
100g Skimmed milk....	2,9	0,5	4,8	37,9
150g Dried and Salted Cod.....	27,1	-	-	130,9
750g Potatoes.....	1,5	0,2	20,0	89,0
30g Soy oil.....	-	95,0	-	883,0
50g Horseradish.....	2,0	0,2	13,4	64,9
30g Barley.....	7,6	0,7	73,8	338,5
30g Soy meal.....	37,2	2,8	28,5	319,7
10g Margarine.....	0,5	84,4	0,5	787,3
300g Potatoes.....	1,5	0,2	20,0	89,0

The chart shows that prisoners received approximately 4.0 pounds of food daily, with rations slightly increased on weekdays, and slightly decreased on Sunday because Sunday was generally reserved as a day of rest for prisoners. The Germans countered the British claims of insufficient allotment of rations to prisoners through multiple reports printed in 1915, which presented detailed descriptions of prisoner diets, which though lacking in vegetables and fruits, appeared relatively nutritious.⁷⁴

In addition to supplying an example of a prisoner's menu, the 1915 report also included photos of prisoners from all of the Entente nations. Captioned in German, French, Russian, English, and Spanish, the photos showed the prisoners receiving their mail, enjoying meals, and playing sports. Often photographed in groups, the prisoners frequently appear at leisure.

⁷⁴ In addition to *Die Kriegsgefangenen in Deutschland: Gegen 250 Wirklichkeitsaufnahmen aus deutschen Gefangenlagern mit einer Erläuterung von Professor Dr. Backhaus*, a second report was printed in the fall of 1915 titled, *Die Ernährung der Kriegsgefangenen im Deutschen Reich*, which provided a more thorough analysis of the nutritional value of food provided prisoners, along with multiple recipes and information on food within the camp cantines. Part of the disparity between the British and German reports is explained by the note on the *Speiseplan*, which labeled it as an "example" of a menu supplied to prisoners. Because of the nearly-two hundred prisoner camps, it is improbable that a universal menu for prisoners existed. Likely, the purpose of the menu above was to demonstrate to the Allies that the Germans fed their prisoners well, and in response, the Germans hoped their men interned in England would receive similar treatment. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

Publication and distribution of the 1915 report served the purposes of the German government because it targeted two disgruntled audiences. German civilians provided the immediate audience for the report. Discontent with the war's drain on their resources, the report showcased German war victories to the public. The Allies emerged as the second audience of the report. Through the report, the Germans intended to counter the 1915 British report that included testimonies from former prisoners on the deplorable conditions of Germany's prison camps. "The feeding arrangements for the British soldier were very bad indeed....the men had no money to supplement their rations, they were in a half-starved condition," a prisoner at Crefeld recalled.⁷⁵ The 1915 publication challenged British assertions of German inhumanity in the prison camps, and temporarily swayed the Allies from engaging in acts of reciprocity against interned German troops.⁷⁶

In June 1915, British prisoners of war at the Göttingen camp praised the behavior of the camp commander, "Colonel Bogen," and thanked him for his kindness in their camp newsletter, *The Wooden City*.⁷⁷ Previously, an article in *The Times* also praised the camp.

The accommodation in the camp [Göttingen] is exemplary. The sanitary arrangements proved to be excellent, and the prisoners are well-cared for as regards bodily and intellectual comfort...The Americans who visited the other camps declare that the conditions are everywhere satisfactory. There is nowhere exaggerated luxury, but the treatment is humane."⁷⁸

⁷⁵*The Treatment of Prisoners of War in England and Germany during the First Eight Months of the War* (London: Harrison and Sons, 1915), 25.

⁷⁶Conrad Hoffman, the American Senior Secretary of the Young Men's Christian Organization worked closely with prisoners of war throughout World War I. In 1915, he made a similar argument that the Germans displayed a strong eagerness to alleviate British allegations that prisoners did not receive enough food. He cited an officer's menu displayed at the prison camp, Villingen, as evidence. Conrad Hoffman, *In the Prison Camps of Germany: A Narrative of the "Y" Service among Prisoners of War* (New York: Association Press, 1920), 70-72.

⁷⁷ *The Wooden City: A Journal for British Prisoners of War*. July 1, 1915. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

⁷⁸ "Prisoners of War in Germany: Inspection of Camps," *The Times*, April 27, 1915.

Yet, the sentiment expressed by the British prisoners was uncommon. Conditions within the individual German prison camps varied widely, as the Allies and the United States and other neutral nations acknowledged. One report from 1915 declared the Germans treated British prisoners brutally.⁷⁹ Variation between the individual camp conditions resulted from the different personalities of the camp commanders. At the beginning of the war, the Germans established an administration to oversee the prisoner of war camps. The central office was located in Berlin, and a regional department existed in each of Germany's military districts. The administration's dozens of branches resulted in bureaucratic disorganization. Instead of protecting the well-being of the prisoners, the disorganization of the central administration subjected prisoners of war to the disposition of their individual camp commander and his subordinate staff members.⁸⁰ International law required the Germans provide prisoners with rations and housing and German policy conformed to the laws because of the German fear of reciprocity. But as the war progressed and supplies diminished in Germany, individual camp commanders did not hesitate to create their own rules for operating the camp, often to the detriment of the prisoners' health.

Relief came to the aid of prisoners of war in the form of care parcels produced by international relief agencies. Established under international law as part of the collective rights attributed to prisoners of war, relief societies had the purpose of ensuring the

⁷⁹ "War Prisoners in Germany: Growing Proofs of Brutality," *The Times*, March 11, 1915.

⁸⁰ In 1914, prisoners of war were distributed across two hundred internment camps spread throughout rural and urban areas of the twenty-one military districts of Germany. Each district ministries established ministries to oversee the functioning of the camps, but the specific responsibilities of each ministry were vague and obscure. In theory, the Housing Department within the Berlin War Ministry handled the maintenance of prisoners of war. Regional ministries acted as a liaison between the physical camps within the district, and the administration in Berlin. The rapid influx of large numbers of war prisoners in 1914 caused the complex bureaucratic system overseeing the maintenance of prisoners to fracture. Hinz, *Gefangen im Großen Krieg*, 71-3.

humane treatment of war prisoners, the importance of relief agencies grew in direct relation to the prolongation of the war. Most often these aid agencies took the form of the International Red Cross and national branches of the Red Cross. The American Young Men's Christian Organization, the Vatican, individual families, churches, and other organizations also provided care parcels to prisoners. Aid from relief agencies constituted the one right provided to prisoners that the Germans did not regularly disregard because the organizations benefitted them. Care parcels included not only rations of food, but also often clothing, toiletries, and trinkets for entertainment. Initially designed to supplement rather than comprise prisoner rations, the care parcels caused prisoners to create less of a drain on German resources. For this reason, the Germans accepted the parcels as a wartime necessity.⁸¹ Care packages did not relieve entirely the hardships of prisoner camps in Germany, but they alleviated the discomfort of hunger, boredom, and cold that emerged from food scarcity, and often shoddy housing.

Housing and overall conditions within the internment camps varied widely, but the restriction of raw materials and foodstuffs into German impacted each of the camps. Lager Soltau, among the largest of the German prison camps, held between 30,000 and 50,000 prisoners of war.⁸² Yet, in spite of its size, the housing conditions at Lager Soltau were inadequate because the Germans devoted the bulk of their raw materials to their military. In September 1914, the camp held 25,000 prisoners, of which British war

⁸¹ Hoffman, *In the Prison Camps of Germany*, 67-70. Hoffman also explains that most of the Allied nations on the Western Front provided similar parcels through respective Red Cross organizations and family members. The respective governments of Russia, Serbia, and Romania did not have such establishments and as a result, their prisoners suffered more from the poor diet in German camps than those of the British, French, Belgians, and Americans.

⁸² Otte, *Lager Soltau*, 16.

prisoners comprised only a few hundred.⁸³ Housing for the prisoners first consisted of dugout holes in the ground, followed by arrival of large circus tents. Sharp winds rolling over the barren heath promptly blew over the ramshackle tents and exposed the prisoners to bitterly cold weather conditions. Prisoner housing at Lager Soltau continued to involve makeshift structures until early 1915, when the prisoners completed construction of wooden barracks.⁸⁴ Cramped, confined wooden barracks emerged as the standard for prisoner accommodations in 1915, but shortages of raw materials and labor often resulted in ramshackle structures. The problem was compounded by the lack of availability among German workers to construct the housing facilities.

From the onset of the war, a two-pronged problem emerged within the German labor sector. The government asserted that military necessity required a mass exodus of men from the workplace in order to bolster the strength of its military. Simultaneously, the government called for increased industrial and agricultural production to support the German military. As the war progressed into its first and second years, German civilians alone could not sustain the labor void produced by the departure of men to the Front. To supplement the loss of labor, the Germans turned to the prisoners of war interned in Germany. Prisoners provided a natural resource to supplement the loss of labor because the Hague Convention legalized the practice and because of the vast numbers of prisoners interned within Germany.⁸⁵ The convention stipulated though, that employment of prisoner labor could not connect to the captor nation's war effort.⁸⁶ The same willingness

⁸³ Otte, *Lager Soltau*, 43. Otte does not provide the specific number of English prisoners interned at Lager Soltau in September 1914, but in the spring of 1915 there were 660 English prisoners of war interned at the camp.

⁸⁴ Otte, *Lager Soltau*, 29.

⁸⁵ The Hague Convention. II. 6.

⁸⁶ The Hague Convention. II. 6; 8.

to disregard international law occurred in the use of prisoners of war as a labor source. Already in 1914, Germany had mobilized the majority of their raw materials and foodstuffs for the war effort. Working in Germany, without working for the war effort, proved nearly impossible.

In early 1915, as nations settled in for a prolonged war, the Germans employed widely the use of prisoners of war as laborers in agricultural and industrial capacities across the country. During the first two years of the war, agricultural labor occupied the majority of prisoners, who found themselves stationed primarily in Bavaria.⁸⁷ When the war began, more than thirteen million Germans from rural areas joined the German military for an average period of fifteen months.⁸⁸ The reduction in male labor precipitated a series of crises on the German homefront. As an industrialized country, Germany relied on its five million farmers to feed a population of roughly sixty-five million. Responsibilities of maintaining farms fell to women and children, for whom the intensive, heavy labor required in farming often proved difficult to carry out effectively.⁸⁹ Arrival of prisoners of war on the homefront offered a temporary reduction in the severity of the labor crisis.

War prisoners employed in agrarian regions of Germany largely experienced better treatment than that of their comrades interned in urban areas because they experienced only limited contact with the German military authorities.⁹⁰ While prisoners interned in camps near urban areas of Germany frequently experienced treatment defined

⁸⁷ Jochen Oltmer, "Unentbehrliche Arbeitskräfte: Kriegsgefangene in Deutschland 1914-1918," in *Kriegsgefangene in Deutschland*, ed. Jochen Oltmer (Paderborn: Ferdinand Schöningh, 1998), 82.

⁸⁸ Benjamin Ziemann, *War Experiences in Rural Germany, 1914-1923*, trans. Alex Skinner (Oxford: Berg, 2007), 30.

⁸⁹ Tammy M. Proctor, *Civilians in a World at War, 1914-1918* (New York: New York University Press, 2010), 87.

⁹⁰ Ziemann, *War Experiences in Rural Germany*, 165.

by the personality of the camp commander, a much larger degree of autonomy existed for prisoners employed on German farms. Many of the prisoners employed in agriculture worked on large, commercial farms. Other prisoners worked in fields, ploughed, planted, and harvested crops and returned to take their meals and lodge in the individual homes of German families at the end of the day.⁹¹ Though far from exempt from the impact of the food shortage, the prisoners employed on farms had the advantage of foodstuffs in close proximity, through which they supplemented their diet. A cooperative, if not always congenial dynamic developed between Germany's farming community and prisoners of war where both parties benefited. Prisoners provided a valuable resource in physically-taxing labor, and in return, they enjoyed access to additional foodstuffs when the rationing system and food shortage severely affected much of the rest of Germany.⁹²

Prisoners who worked in Germany's heavy industries and war munitions plants experienced treatment significantly different from prisoners who labored in Bavaria and other farming regions. Often confined in poorly assembled camps where daily interaction between prisoners and military authorities occurred, their work in the munitions plants offered prisoners the only chance to leave the camp. Germans employed these prisoners in many different functions, ranging from construction of transportation networks to work in steel factories and quarries. Prisoners worked as munitions laborers, and in the most loathed occupation, coal mining.⁹³ At the end of 1916, the Germans use of prisoner labor in war-time industry production surpassed 300,000.⁹⁴ For British prisoners, the long work hours in German industry caused particular resentment because their work clearly

⁹¹Oltmer, "Unentbehrliche Arbeitskräfte," 85.

⁹²Speed, *Prisoners, Diplomats, and the Great War*, 77.

⁹³Speed, *Prisoners, Diplomats, and the Great War*, 77-8.

⁹⁴Speed, *Prisoners, Diplomats, and the Great War*, 77.

violated international law by way of aiding the enemy's war effort. It also contrasted sharply with the treatment of German prisoners in Great Britain, who until 1916, were not required to work at all.⁹⁵ Subject to harsh treatment from their German guards and perceived by much of Germany's civilian population as unnecessary competition for scarce resources, war prisoners often did not work passively in industrial fields that helped destroy their own militaries.⁹⁶

Passivity on the part of prisoners of war did not always ensue as the Germans employed them in various occupations. Faced with the prospect of enforced labor, and stripped of their military arms, noncompliance remained the only viable method of protest prisoners could use against their captors, who did not receive it passively. International law did not address the discipline and punishment of prisoners of war. Moreover, the absence of disciplinary clauses in the Hague Convention contributed to the violence displayed by the Germans toward war prisoners through its declaration that war prisoners remained subjects of the laws of the captor nation.⁹⁷ Historian Heather Jones, in her study of violence against prisoners of war in the First World War, asserts that the physical punishment that occurred within prisoner of war camps generally varied only slightly from corporal punishment issued to troops by their own nation.⁹⁸ However, both the Allies and the Central Powers perceived the punishment of war prisoners as evidence of their enemy's inhumanity.

The belief among the Allies that the Germans practiced inhumane forms of punishment toward war prisoners stemmed from reports of the Germans tying prisoners

⁹⁵Speed, *Prisoners, Diplomats, and the Great War*, 102. In early 1916, Great Britain integrated Germans into the workforce, mainly as agricultural laborers.

⁹⁶ Davis, *Home Fires Burning*, 95.

⁹⁷ The Hague Convention. II.8.

⁹⁸Heather Jones, *Violence against Prisoners of War*, 87.

to a tree or post for prolonged periods of time. Referred to by the Germans as *anbinden*, the Germans practiced this form of punishment against prisoners of war because the 1871 German Military Code prescribed it as an acceptable practice.⁹⁹ Allegedly, *anbinden* did not inflict permanent physical harm, but involved the tying of prisoner of war to a post or tree, his hands high above his head. Left in such a position for an hour or two, the unfortunate prisoner suffered from extreme pain in his back and limbs. In other cases, the Germans tied the prisoner to the post for as long as six hours with their hands tied around their backs. In addition to the physical pain, *anbinden* subjected prisoners of war to the forces of weather, and potentially resulted in severe sunburn, dehydration, or sickness from the cold and damp of the environment. One British prisoner, James Farrant, recorded witnessing a German commander carry out the punishment in the fall of 1914:

His style of punishment for minor offenses consisted of tying men to posts on tip-toe with their hands above their heads. After a time the pain was excruciating. The time given was from two to six hours, but with the longer periods the hands were not tied about the heads. Many men fainted on the two-hour spasm. Men who had undergone the punishment complained to the British authorities.¹⁰⁰

The practice of *anbinden* exemplified the contradictions with the Hague Convention. International law decreed prisoners of war would be treated according to the laws of the country, but this practice outraged the Allies, who construed it as a violation of the prisoners' right to humane treatment. Complaints concerning *anbinden* created an international dialogue on the legality of the practice. Though the practice had occurred frequently throughout 1914-1916, international pressure from Great Britain and France

⁹⁹The practice of *anbinden*, translated as "fastening," appeared as an acceptable military punishment in the German military law code, *Die Disziplinarstrafordnung für das Heer* in 1871. Hinz, *Gefangen im Großen Krieg*, 163.

¹⁰⁰James Farrant, "Four Years' Hard Labor" in *Black Bread and Barbed Wire*, ed. Michael Moynihan (London: Leo Cooper, 1978), 8.

caused the Germans to formally relinquish the practice in the spring of 1917.¹⁰¹ Subjected to acts of violence and extremely limited provisioning, enlisted prisoners of war experienced considerable hardship within German camps. They had their rights to humane treatment continually tested, as the Germans increasingly treated them according to military necessity. In contrast, interned officers experienced relatively humane treatment by the Germans because their overall health and well-being suited the interests of the German military.

The Officer Prisoners

In an era when many European countries were still ruled by a monarch, it is not surprising that officers, who generally came from the privileged upper class, received preferential treatment over enlisted men both on paper and in practice. The Hague Convention boldly issued separate rights for interned officers that distinguished them from enlisted men. Under international law, captor nations could not force officers to work. The convention also provided for living quarters separate from those of enlisted men. In addition to the rights of separate housing, the Hague Convention afforded rights to imprisoned officers that included: improved housing accommodations, postal rights and increased rations. Interned British officers often received extra autonomy from their German guards, which included permission to take walks outside the camps.¹⁰²

The fact that interned British officers unquestionably experienced dramatically better treatment than enlisted men did not prevent them from lodging complaints. Many officers still found the conditions within their camps insufficient, particularly in terms of

¹⁰¹Hinz, *Gefangen im Großen Krieg*, 164.

¹⁰²Heather Jones, "A Missing Paradigm? Military Captivity and the Prisoner of War, 1914-18," *Immigrants and Minorities* 26, no. 1/2 (2008): 27-28; Neil Heyman, *Daily Life during World War I*, (Westport, CT: The Greenwood Press, 2002), 142.

ration allotments. Captain Robin Grey recorded the deteriorating supply of rations available to officers in 1914:

The food was brought to us three times daily. At eight in the morning we got some coffee with bread and butter; at twelve there was a bowl of soup, a piece of meat, and potatoes and a slice of bread...At six in the evening we received some wurst and dried bread. ... In every camp there is a canteen...at first it was possible to purchase everything...but then most delicacies were forbidden. First chocolate and cocoa, then all cakes, shortly since, all marmalade, fresh fruit...mustard and *Weißwurst*.¹⁰³

While Grey complained of the lack of available food, his report underscores the importance Germans placed on British officers, not only over enlisted prisoners, but over German civilians. Already in 1914 German supplies of bread ran low, and many workers in Berlin had difficulty securing bread at all due to scarcity and high market prices. The war turned once commonplace foods such as butter, coffee, and bread rolls into increasingly scarce commodities. By October, even members of Germany's middle class struggled to pay the high prices placed on bread. By November 1914, potato flour supplemented the shortage of wheat flour. This new variety of bread quickly acquired the name, *Kriegsbrot*.¹⁰⁴ Grey's report similarly highlighted the differences in rations afforded to enlisted prisoners and officers, the former of which described rations of watery soup and ersatz coffee. This focus on the preferential treatment toward interned officers stemmed from their status as members of the British upper class. More importantly though, the Germans actively tried to afford the same treatment to British officers that interned German officers received in Great Britain. Though junior officers and NCOs assumed command of troops on the battlefield, senior officers held symbolic value to the German army. Many of them had ties to the aristocracy and Prussian

¹⁰³ Jens Flemming, Klaus Saul, Peter-Christian Witt, *Lebenswelten im Ausnahmezustand: Die Deutschen, der Alltag, und der Krieg, 1914-1918* (Frankfurt am Main: Peter Lang, 2011), 100.

¹⁰⁴ "War bread." Davis, *Home Fires Burning*, 28-29.

military.¹⁰⁵ While in Great Britain, interned German officers received generous treatment, the Germans always harbored a fear of reciprocal treatment toward their officers, should the British discover serious fault with the German treatment of British officers.

In 1915, a British pamphlet compared and contrasted British and German practices of internment. Not surprisingly, it lauded the British practices while presenting criticizing reviews of the German treatment of their prisoners. In regards to treatment of officers, the report highlighted the fact the Germans required British officers to purchase their rations through their salaries, in contrast to the British policy (until March 1915) of supplying officers with free rations. The menu depicted in the report echoed Robin Grey's 1914 description, described the quality as poor.¹⁰⁶ Often citing the 1907 Hague Convention within it, the report further lambasted German treatment of officers through the statement that many of the officers lived in closely confined quarters, such as officers interned at the camp at Crefeld on the German-Dutch border. From the report, British citizens could conclude that German mistreatment of officers did not stop with shortages of food and close quarters, but included lack of sufficient heating and clothing.¹⁰⁷ Furthermore, the report suggested that while the British upheld international law, the Germans did not. These allegations fueled British desire to engage in reciprocal actions against German prisoners.

Discovering the validity in assertions of mistreatment was the task of neutral arbitrators from the Young Men's Christian Organization and other organizations. J.E. Sprunger and Conrad Hoffman investigated the conditions of several German prison

¹⁰⁵ Heyman, *Daily Life during World War I*, 13.

¹⁰⁶ *The Treatment of Prisoners of War in England and Germany during the First Eight Months of the War* (London: Harrison and Sons, 1915), 15.

¹⁰⁷ *The Treatment of Prisoners of War in England and Germany during the First Eight Months of the War*, 14-16.

camps in 1915. One camp in southern Germany, Sprunger described as: “very well built,” and with its view of the Alps, a “more ideal situation” for a prison camp could not have been imaginable.¹⁰⁸ Sprunger further reported that the Germans had interned Russian, French and English officers at the camp alongside enlisted men, and that the higher officers had their own dining room, and lived two to three in each room. The camp contained many forms of entertainment including bowling alleys, a library, classrooms, a reading room and canteen for the interned officers.¹⁰⁹ Such amenities were commonplace at internment camps because together they contributed to the idea of humane treatment by providing for the physical and mental health of the prisoners.

British officers experienced far superior treatment by the Germans than did enlisted men. Captain Douglas Lyall Grant of the British army recorded his experiences of internment in the hands of the Germans in his diary, in which he likened his imprisonment to, “being back in school,” with various sporting events, art exhibitions, theatre performances and language lessons. His diet largely consisted of food supplied through parcels from the Red Cross, and he led a peaceful daily routine. As thousands of English soldiers died on the battlefield on the opening day of the Battle of the Somme in 1916, Grant recorded that he spent July 1, 1916 watching hockey, baseball, and joining the Canadians for dinner in honor of Dominion Day.¹¹⁰ His chief complaint arose from a sprained ankle during a theater performance, which he reported, caused such difficulty

¹⁰⁸ J.E. Sprunger and Conrad Hoffman. *Bericht der Heeren J.E. Sprunger und Conrad Hoffman: Internationale Vertreter des Christlichen Vereins Junger Männer*, Nov. 1915. Prisoner of War Work for Germany, 1914-1915. World War I-related records. Kautz Family YMCA Archives. University of Minnesota Libraries.

¹⁰⁹ J.E. Sprunger and Conrad Hoffman. *Bericht der Heeren J.E. Sprunger und Conrad Hoffman: Internationale Vertreter des Christlichen Vereins Junger Männer*, Nov. 1915. Prisoner of War Work for Germany, 1914-1915. World War I-related records. Kautz Family YMCA Archives. University of Minnesota Libraries.

¹¹⁰ Douglas Lyall Grant, “Anyone for Tennis?,” in *Black Bread and Barbed Wire*, Michael Moynihan, ed. (London: Leo Cooper, 1978,) 79-117.

walking that he had to have his foot in boiling water the following day, “being massaged by an orderly.”¹¹¹ In the course of the war, these complaints merited little attention from either the Germans or from British enlisted soldiers appointed as an officer’s orderly. One British orderly recorded that the behavior of interned officers surpassed “pampered,” to blatantly spoiled and arrogant.¹¹²

In an effort to quell British reports of mistreatment of their officers, the Germans responded by producing reports on officers in their prison camps, in much the same way they had done for enlisted men. Intended for a wide-audience, the reports had translations within it in Russian, English, French and Spanish.¹¹³ One report, produced in 1915, gave an overview of the German camp system and stated that officers of the equivalent rank of general, received accommodations with their staff officers.¹¹⁴ Conscious that the Allies considered German treatment inhumane, the Germans exerted an effort to provide for the mental health of their prisoners by providing “spiritual care” to officers and enlisted men of all nationalities.¹¹⁵ Though not entirely unaffected by the resource shortage in Germany, officers experienced treatment far less severe than enlisted men did. Although officers comprised less than 2% of the prisoner of war population in Germany, the Germans had a vested interest in maintaining their health. Less easily replaceable than

¹¹¹ Grant, “Anyone for Tennis?,” 93.

¹¹² Norman Dykes, “Jeeves in Khaki,” in *Black Bread and Barbed Wire*, ed. Michael Moynihan (London: Leo Cooper, 1978,) 119-139.

¹¹³ *Die Kriegsgefangenen in Deutschland: Gegen 250 Wirklichkeitsaufnahmen aus deutschen Gefangenlagern mit einer Erläuterung von Professor Dr. Backhaus*, 1915. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

¹¹⁴ *Die Kriegsgefangenen in Deutschland: Gegen 250 Wirklichkeitsaufnahmen aus deutschen Gefangenlagern mit einer Erläuterung von Professor Dr. Backhaus*, 1915. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

¹¹⁵ Pfarrer Ch. Correvon, *Aus deutschen Kriegsgefangen Lagern: Eindrücke eines Seelsorgers*, 1916. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

enlisted men (at least in theory), each of the combatant nations esteemed the worth of their officers above enlisted men and interned officers offered became an avenue to evaluate the humane treatment of prisoners practiced by enemy nations.

The Civilian Prisoners

The Hague Convention offered vague protection to civilians from the destruction of war through its prohibition of destruction of undefended cities and structures, but it did not protect civilians from the possibility of becoming prisoners of war.¹¹⁶ Article 13 established who constituted a prisoner of war (in addition to members of the military) under international law:

Individuals who follow an army without directly belonging to it, such as newspaper correspondents and reporters, sutlers and contractors, who fall into the enemy's hands and whom the latter thinks expedient to detain, are entitled to be treated as prisoners of war, provided they are in possession of a certificate from the military authorities of the army which they were accompanying.¹¹⁷

In the fall of 1914, xenophobia permeated Germany and Great Britain, and for the two countries the key phrase within the article was “whom the latter thinks expedient to detain.” In Great Britain, which first instituted civilian internment, the individuals “expedient to detain” meant military-aged German men living in England and others whom the British suspected of disloyalty. Both categories of individuals posed a threat to the security of the nation. Tens of thousands of German and Austrian men resided in England, and with the outbreak of the war, the British feared they would flee to their native countries and swell the strength of the German and Austrian armies. The British also feared these individuals could be used in espionage against the United Kingdom.

¹¹⁶ The Hague Convention. III.25; 27-28.

¹¹⁷ The Hague Convention, II.13.

Both reasons provided the British government with perceived justification to detain German civilians living in the country within weeks of the beginning of the war.

Though Great Britain interned civilian prisoners before Germany in World War I, the practice of violence against and internment of civilians had been part of German military practice since 1870. It was also a component of the German concept of military necessity. Already by the Franco-Prussian War of 1870-1, Chief of the General Staff, Helmuth von Moltke decreed that their enemy no longer encompassed solely members of the military, but also civilians.¹¹⁸ Moreover, Isabel Hull shows that large-scale internment of civilians emerged as a common practice of the German military during the 1904 colonial wars against the Herero people in German Southwest Africa.¹¹⁹ Given Germany's past practices of civilian internment, it is unsurprising that the German government responded to the British internment of German civilians by implementing their own practice of civilian internment justified by military necessity and reciprocity. The act suspended the official declaration by the German government in August 1914, which called for only a mild supervision of foreigners.¹²⁰

After three months of negotiations with the British, attempts to secure the exchange of interned civilians temporarily failed.¹²¹ The failed negotiations illustrated to the German government that while they held an advantage over Great Britain in terms of

¹¹⁸ Hull, *Absolute Destruction*, 118.

¹¹⁹ Hull, *Absolute Destruction*, 47, 152.

¹²⁰ Matthew Stibbe, *British Civilian Internees in Germany: The Ruhleben Camp, 1914-1918* (Manchester: Manchester University Press, 2008), 30.

¹²¹The thousands of Germans interned in England offered Germany a valuable source of manpower to supplement the loss of over 116,000 men lost in 1914, provided the British would release them. Heyman, *Daily Life during World War I*, 138, 236. The British refused German requests, and by the end of 1914, the number of interned German civilians surpassed twenty-six thousand. Negotiations between the two countries failed because the British government did not consider the exchange of four thousand British nationals for more twenty-six thousand German civilians an equitable decision. The Germans pursued similar negotiations in 1917-18 successfully. Stibbe, *British Civilian Internees in Germany*, 24.

the numbers of military prisoners, they did not hold the same advantage with civilian prisoners. Therefore, beginning in November 1914, the Germans used British civilian prisoners to influence prisoner of war policy by instigating a policy of reciprocity.¹²² On November 6, 1914, the German government issued a formal directive to intern “British” civilian men of military age.¹²³

The primary internment camp for British civilian prisoners was at Ruhleben on the outskirts of Berlin. The site imprisoned between four and five thousand men, referred to as “Ruhlebenites.”¹²⁴ More than any other single group, the Ruhlebenites exemplify the extreme solutions the Germans resorted to in the name of military necessity. Many of the alleged “British” men were in fact German. For various reasons, the German government apprehended and interned these men because they believed the individuals a threat to German security. In the case of these internees, they did not lose collective rights afforded to them as prisoners of war, but rights afforded to civilians by their own country. Historian Christopher Jahr provides a clearer picture of who these “British” civilians were in his article, “Zivilisten als Kriegsgefangene.” A civilian prisoner named

¹²² Internment of civilian prisoners of war interned in Germany present a number of challenges. Literature on civilian prisoners during the First World War is sparse, outside of the British camp, Ruhleben, of which there are dozens of memoirs, reports, news articles, and secondary sources. However, Ruhleben was only one of more than eighty camps within Germany at which civilian prisoners were interned. Holzminden, in Brandenburg, and Rastatt, near the Black Forest, both imprisoned civilian prisoners of war, but little information exists on the treatment of civilians at these camps because of the generally small number of civilians interned at these camps, designed for, and occupied primarily by military prisoners. Speed, *Prisoners, Diplomats and the Great War*, 151. Because of the scarcity of literature on civilian prisoners, this project considers solely the relationship between Ruhleben and Germany’s military culture.

¹²³ In Germany, service in the military incorporated men ages 17 to 45. Civilians interned in Germany included primarily men, though on occasion, women and children, of many different nationalities. For clarity, I refer to these men as “British” as the German government did at the time, although often, the prisoners were German.

¹²⁴ There is discrepancy about the figures of British male civilians interned at Ruhleben. Unlike most prisoner of war camps, Ruhleben’s population changed very little over the course of the war. Stibbe’s work presents the lower figure; Ketchum’s work suggests the figure was higher. Stibbe, *British Civilian Internees in Germany*, 63; J. Davidson Ketchum, *Ruhleben: A Prison Camp Society* (Toronto: University of Toronto Press, 1965), 7.

Frederick Dahl, Jahr reports, had lived in London for only two years. Two days before England declared war on Germany, Dahl returned to Germany in order to serve in the army. Instead of welcoming him into the German army, the government labeled him an “Englishman” and sent him to Ruhleben.¹²⁵ John Davidson Ketchum, a former civilian prisoner, recalled that many of the ‘British’ prisoners had never spoken English in their lives and had sympathized with the German war effort. Some prisoners did not realize their status until they arrived at internment camps in November 1914.¹²⁶

In addition to being the only German camp to intern solely civilians, Ruhleben had several other factors that distinguished it from other camps. The prisoners at Ruhleben came from a variety of socio-economic backgrounds. Some of the prisoners had formerly occupied positions as bankers and lawyers, while others had worked as tailors and general laborers.¹²⁷ Because of the camp’s close proximity to the German capital, it emerged as the most-scrutinized camp of the war, and served as a barometer of German treatment of prisoners. Fear of reprisals against German civilians interned in Great Britain drove the Germans to make a concerted effort to treat the “Ruhlebenites” humanely in accordance with the stipulations of the Hague Convention. But, Germany’s devotion of limited resources to the military resulted in sharp food and raw material shortages at Ruhleben, which led the British to believe that the conditions inside the camp fell short of humane.¹²⁸

¹²⁵ Christoph Jahr, “Zivilisten als Kriegsgefangene: die Internierung von Feindstaaten-Ausländern in Deutschland während des Ersten Weltkrieges am Beispiel des Engländerlagers Ruhleben,” in *In der Hand des Feindes : Kriegsgefangenschaft von der Antike bis zum Zweiten Weltkrieg In der Hand des Feindes: Kriegsgefangenschaft von der Antike bis zum Zweiten Weltkrieg*, ed. Rüdiger Overmans (Köln, Böhlau, 1999), 309.

¹²⁶ Ketchum, *Ruhleben*, 5.

¹²⁷ Stibbe, *British Civilian Internees in Germany*, 27.

¹²⁸ Examples of typical articles covering Ruhleben included: “Starving of Prisoners at Ruhleben-Medical Report: Diet Insufficient to Maintain Life,” *The Times*, June 7 1916; “Inhumanity at Ruhleben:

The inhumanity exhibited at Ruhleben, as expressed primarily through British news reports, emerged from the same problems that occurred within the majority of German prison camps, a shortage of rations, and poor housing conditions. Ten acres in size, the initial facilities at Ruhleben included: eleven former stables turned into barracks, three grandstands, a boiler house, the “restaurant,” and a single tap for every three hundred men.¹²⁹ Housing for prisoners at Ruhleben consisted of former horse stables, retrofitted as barracks. Cramped, lacking almost entirely in heat, dimly lit, and generally uncomfortable, prisoners reported they had scarcely enough room to move their elbows.¹³⁰ The often leaky structures remained the living quarters for the British prisoners throughout the remainder of 1914.

For prisoners, the problem of minimal rations surpassed the uncomfortable conditions experienced in the barracks. The frequent fare appeared as a “thin, watery soup” of carrots or cabbage, potatoes, with traces of beef or mutton.¹³¹ British newspapers similarly presented bleak views of the rations provided at the camp. “A loaf of bread is provided every two days,” one reporter for *The Times* noted in January 1915, “A lump of sausage is occasionally thrown in. The tea and coffee are grateful and comforting, though of doubtful composition.”¹³² Frequently, British articles connected the image of insufficiency with the depiction of numerous invalid and elderly British

Strong Protest by Mr. Gerard,” *The Times*, July 25, 1916; “The Ruhleben Cruelties,” *The Times*, July 25, 1916.

¹²⁹ Stibbe, *British Civilian Internees in Germany*, 53, 67.

¹³⁰ Ketchum, *Ruhleben*, 16.

¹³¹ Ketchum, *Ruhleben*, 19.

¹³² “Life at Ruhleben: Conditions in the Prison Camp,” *The Times*, January 16, 1915.

civilians who, the articles alleged, endured particularly significant hardships from the meager diet which rendered even strong prisoners “liable to collapse from hunger.”¹³³

By early 1915, the British threats of reprisals against German prisoners of war caused the Germans to improve conditions at Ruhleben.¹³⁴ Ambassador James Gerard from the American embassy in Berlin, frequently visited Ruhleben. These visits combined with the German fear of reprisals and improved weather in the spring, led to the development of numerous improvements in camp sanitation and facilities. A report from Gerard transmitted to the United States ambassador at London to Sir Edward Grey on June 8, 1915, lauded the improvements within the camp:

A new washroom for these barracks has been erected, with shower baths and washing troughs. The construction of the new barracks...has made it possible to reduce the crowded conditions...permission [has been] afforded the prisoners to use the ground encircled by the racetrack...Materials for the various sports have been provided by the camp, including the laying out of a football field and a small golf course. ...In other parts of this, building space has been allotted for a carpenter’s shop, a tailor’s shop, barber, and cobbler’s shop.¹³⁵

Gerard listed further improvements to overall camp structure by providing a bulleted list of twenty-one improvements that ranged from improved parcel service, the provisioning of physical beds for prisoners, and prisoner ability to purchase hot water at any point in the day for five pfennigs. He further presented a favorable view of the general health of the prisoners in his report. Even prisoners of war without money received frequent visits from “an accredited dentist, oculist, and optician.” Concerning rations, Gerard asserted,

¹³³ “Interned Civilians at Ruhleben: Restricted Food and Overcrowding: Infirm and Aged Prisoners,” *The Times*, March 13, 1915.

¹³⁴Stibbe, *British Civilian Internees in Germany*, 70-1.

¹³⁵ Note from the United States Ambassador Transmitting a Report, Dated June 8, 1915, on the Conditions at Present Existing in the Internment Camp at Ruhleben, June 1915; p. 3-5, London; Records of the Department of State Relating to World War I and Its Termination, 1914-29; (National Archives Microfilm Publication M367, roll 328); Prisoners of War, Record Group 367; National Archives Building, College Park, Maryland.

“The canteens have been enlarged... and are now conducted at largely reduced prices. A greater variety of foods has been provided.”¹³⁶ He concluded his report with a summary of the overall health of the prisoners and camp improvements:

In general the health of the prisoners can be said to be excellent, practically no cases of contagious or infectious diseases, barring a mild epidemic of German measles, having occurred. The improvement in the food and increased possibilities of the purchase of additional nourishment from outside, have nearly silenced all complaints.¹³⁷

With improvements in the camp facilities and diets supplemented by food parcels issued by the British government, the formerly melancholic and depressive atmosphere amongst the prisoners lifted, and the Germans gave the prisoners a large amount of autonomy in the daily operation of the camp.

The autonomy afforded the prisoners was an effort on the part of the Germans to further demonstrate to the Allies the humane treatment of prisoners at Ruhleben. The German government supported the open style of administration at Ruhleben. Ambassador Gerard revisited Ruhleben in October 1915, and reported:

The camp is no longer administered by soldiers but a committee of the prisoners themselves, and the scheme is proving a success. In 10 months' work in cooperation with the military authorities in keeping order in the camp, the captains of the various barracks so far gained the confidence of the German authorities that it was decided to give civil administration a trial.¹³⁸

¹³⁶ Note from the United States Ambassador Transmitting a Report, Dated June 8, 1915, on the Conditions at Present Existing in the Internment Camp at Ruhleben, June 1915; p. 3-5, London; Records of the Department of State Relating to World War I and Its Termination, 1914-29; (National Archives Microfilm Publication M367, roll 328); Prisoners of War, Record Group 367; National Archives Building, College Park, Maryland.

¹³⁷ Note from the United States Ambassador Transmitting a Report, Dated June 8, 1915, on the Conditions at Present Existing in the Internment Camp at Ruhleben, June 1915; p. 5, London; Records of the Department of State Relating to World War I and Its Termination, 1914-29; (National Archives Microfilm Publication M367, roll 328); Prisoners of War, Record Group 367; National Archives Building, College Park, Maryland.

¹³⁸ “Ruhleben Administered by Prisoners: A Committee of Barrack Captains,” *The Times*, October 27, 1915.

The experiment in “civil administration” had largely successful results. Confined behind barbed wire, so long as the prisoners did not try to escape, they presented little threat to the Germans. In 1915, few tried to escape. Their diets now supplemented through family and the Red Cross agency, British prisoners formed a relatively stable community among themselves that altered little as the war continued.¹³⁹

Prisoner internment at Ruhleben proved to be an exception to the German treatment of civilian prisoners. Beginning in the spring of 1915 the camp gave the impression to the Americans, and on occasion, to the British, that the Germans treated civilian prisoners humanely. In many ways, the impression is correct. Prisoners at Ruhleben experienced dozens of forms of entertainment, including: a lending library, clubs, lectures, theatre performances, orchestras, and sports.¹⁴⁰ The more-or-less stable population of Ruhleben, and improved sanitary and hygienic conditions, spared the prisoners of diseases such as the typhus epidemic experienced in other camps. In the scope of internment during the First World War, the daily routine of the prisoners mimicked the camp’s name, “quiet life.” As one prisoner reported after the war in reference to the camp, “We were happy, although we didn’t know it.”¹⁴¹ The images of Ruhleben contrast sharply with the image of the camp dictated in the British press. In *The Times* described the camp less favorably:

I would have liked to explain to you...the inhumane and disgraceful treatment meted out to the prisoners at Ruhleben, more especially the criminal neglect of the doctor in charge during the first part of imprisonment, the want of food, the unnecessary cruelty, insomuch that I had the absolute conviction that as the Germans could not shoot us, they desired to destroy us mentally and physically as much as possible.¹⁴²

¹³⁹ Stibbe, *British Civilian Internees in Germany*, 52; 79-94.

¹⁴⁰ Speed, *Prisoners, Diplomats, and the Great War*, 150.

¹⁴¹ Jackson, *The Prisoners*, 56.

¹⁴² “The Ruhleben Cruelties: To the Editor of The Times,” *The Times*, August 10, 1916.

Physical and mental harm of prisoners at Ruhleben did not suit the goals of the Germans, who considered it in their interests to maintain the health of prisoners at Ruhleben.

The relative calm and peaceful conditions that prevailed at Ruhleben arose out of carefully designed German artifice. The prisoners at Ruhleben constituted less than 10% of the total population of interned civilians in 1915.¹⁴³ Cognizant of the Allied attention on the camp, the Germans concentrated on creating an image of humane treatment that did not extend to camps outside of Ruhleben that imprisoned civilians. Ruhleben imprisoned the majority of British civilian internees, but more than five hundred remained scattered across other German camps. Sometimes these civilian prisoners were relocated to Ruhleben. Their arrival shocked the other prisoners, as these “newcomers” arrived with shaved heads, and wore clothing marked with a red triangle and boldly painted “Z” for *Zivilgefangene* (civilian prisoner).¹⁴⁴ While reports from James Gerard and American newspaper articles praised the individual character of the commanders at Ruhleben, Graf Schwerin and Baron von Taube, the overall humane conditions at Ruhleben occurred not from general good-will among the Germans, but because humane treatment of the British prisoners coincided with the interests of the military as the next chapter will show.¹⁴⁵

Conclusion

In 1914, the Germans adopted a policy of utilitarian reciprocity in their governance of prisoners of war, but at the same time, the Germans made an effort to give

¹⁴³ In 1915, interned civilians in Germany reached 48,000. Speed, *Prisoners, Diplomats and the Great War*, 151.

¹⁴⁴ Stibbe, *British Civilian Internees in Germany*, 60.

¹⁴⁵ An example of American praise for Schwerin and Taube is: “English Bishop Visited Prisons in Germany,” *Charlotte Sunday Observer*, December 31, 1916.

the appearance that they practiced humane treatment toward prisoners of war. The camp at Göttingen in Lower Saxony provided its prisoners with garden space to plant potatoes and fruit. Within the camp, prisoners could purchase clothing, tobacco, soap and additional food at the two camp cantines.¹⁴⁶ Similarly, Göttingen established facilities to protect the overall health of prisoners. A camp hospital and sanitation facilities accommodated the overall physical health of prisoners. Outbreak of disease occurred only rarely, because of delousing facilities and thorough washing of clothing that rid prisoners of the plague of lice.¹⁴⁷ Prisoners at Göttingen received a variety of occupational activities that included a lending-library and reading hall.¹⁴⁸ Additional intellectual activities included courses in: the arts, the geography of Germany, languages, mathematics, electricity, agriculture, and stenography. All of the lecturers were presented partially in German, and partially in the language of the audience.¹⁴⁹

In contrast to Göttingen, the British camp at Wittenberg, where James Gerard had inquired about the use of dogs in the camp in 1915, emerged as one of the most infamous camps in Germany. News articles of the camp's brutality resonated strongly with the Allied public, and Wittenberg became equated with German practices of inhumanity against prisoners of war. As the resource shortage evolved into a scarcity crisis in 1917, and the war escalated in violence, humanity and respect of the rights of prisoners of war dropped sharply. They were replaced with widespread acts of extreme violence that

¹⁴⁶ D. Carl Stange, *Das Gefangen-Lager in Göttingen*. Prisoner of War Work, German Language Publications, 1914-1922. World War I-Related Records. Kautz Family YMCA Archives. University of Minnesota Libraries.

¹⁴⁷ Stange, *Das Gefangen-Lager in Göttingen*.

¹⁴⁸ Stange, *Das Gefangen-Lager in Göttingen*.

¹⁴⁹ Stange, *Das Gefangen-Lager in Göttingen*.

provoked an international demand for revision of international law in the immediate postwar period.

Chapter Two

Total War and Extreme Solutions, 1917-1918

Introduction

One day in early spring 1918, British Private Tulloch slumped in his water-logged uniform against a hastily constructed wall of barbed wire. No shelter existed to protect him from the wind, cold, and rain that had persisted for three days, and he observed other members of his company faint from the cold. Gloomy as it was, nothing distinguished Tulloch's experience from that of any other British prisoners of war. Within the week, however, his experience changed radically as the Germans transported him and ninety of his comrades from the prisoner holding pen at Courchelettes on the border of France and Belgium Saily in Northern France. Located just three miles behind the front, Tulloch and his comrades were integrated into forced labor companies of hundreds of war prisoners and made to work directly for the German war effort by rebuilding trenches, disassembling undetonated artillery shells and other hazardous tasks. Frequently, the shell fire from their own armies forced them to duck for cover. Upon arrival, Tulloch recalled:

We were situated about 300 yards from the village, which was continually shelled during the three days we were at work there. They [the shells] dropped quite close to us. Our work was on an ammunition dump, loading and unloading trucks.¹⁵⁰

Tulloch's consignment to a labor camp on the Western Front was a result of the wide network of extreme military practices instigated in response to the evolution of World War I into a total war in 1917-18. Discussed in greater depth later in this chapter, total war in the First World War connoted the mass mobilization of resources specifically for the war, the implementation of extreme military practices to achieve military defeat of the

¹⁵⁰ Jones, *Violence against Prisoners of War*, 179.

enemy, and the overt disregard belligerent nations showed for international law. The series of prolonged and severe military, economic and social strife experienced during the first two and a half years of the war came to a head in the late fall and winter of 1916 and produced the necessary conditions for total war to emerge during the final two years of the war.¹⁵¹

Total war conditions exacerbated the strikes, food, and resource shortages plaguing the German homefront and suggested that Germany not could defeat the Allies, unless they achieved a victory soon. General Staff Chief Erich von Falkenhayn planned that the Germans could inflict the crushing military defeat necessary for bringing an end to the war by attacking the French rather than the British forces in Flanders.¹⁵² On February 21, 1916, the Germans launched their attack on the fortified region surrounding Verdun by hurling more than two million artillery shells along a six mile front.¹⁵³ But the Germans had underestimated the French ability to repel their assault. Instead of a quick, decisive victory, the “Verdun Strategy” resulted in a stalemated ten month battle of attrition. At the end of it, the casualty list for both the Germans and the French reached half a million.¹⁵⁴

North of Verdun, a similar battle ensued, primarily between the British and German forces along the Somme river. Images of the Battle of the Somme are among the most defining for the British experience in World War I. Launched as an offensive maneuver by the British in June 1916, the opening day of the battle resulted in over

¹⁵¹ For a definition of how I discuss see footnote number 48 in the introduction.

¹⁵² Hull, *Absolute Destruction*, 219-21.

¹⁵³ S.L.A. Marshall, *World War I* (Boston: Houghton Mifflin Company, 1964), 244.

¹⁵⁴ Marshall, *World War I*, 248.

60,000 British casualties.¹⁵⁵ For the next six months, the Germans and British waged a war of attrition over a piece of territory roughly five miles in size, sustaining casualties that reached hundreds of thousands. The Somme exemplified the horrors of technology in World War I, as the British introduced their *Mark I* tank, and both sides employed the use of gas shells to deliver phosgene, chlorine, and tear gas.¹⁵⁶ The battle ended in November 1916 without a decisive victory on either side. Casualties on the side of the Allies reached 600,000. The Germans sustained even higher losses with casualties that surpassed 630,000.¹⁵⁷ The unfathomable casualty rates and stalemated trench warfare that occurred on the Western Front during 1916 exacerbated the daily hardship experienced by men in the armies. In addition to the constant physical threats of enemy fire, death, disease, hunger, and cold, the war continuously inflicted psychological damage on the troops. Such conditions culminated to create the widespread belief that any military practice was acceptable, even those that violated international law, if they brought an end to the war. This belief turned to practice in all of the combatant nations causing the war to transition from a conflagration initially constrained by international law to a total war in 1917.

Combatants on both sides of the conflict increasingly disregarded the international laws and employed increasingly desperate measures to achieve military victory in the war. In 1917, the British employed total war aims and methods through their increased control of the German coast through their blockade. Winston Churchill reportedly stated, “Starve the whole population—men, women and children, old and young, wounded and

¹⁵⁵ The British casualties referred to include troops from across the British Empire, in addition to English troops. Marshall, *World War I*, 260.

¹⁵⁶ Each form of “poison” gas had a specific use. Chlorine and Phosgene gas both attacked the respiratory system with the effect that the victim appeared to “drown” as water filled the lungs. H.P. Willmott, *World War I* (New York: Dorling Kindersly Limited, 2009), 105; 160-2.

¹⁵⁷ Willmott, *World War I*, 167.

sound, into submission.”¹⁵⁸ Thus, each of the belligerent nations engaged in military practices that broke international law. For their part, the Germans employed extreme military practices extensively.

The focus of this chapter is how the Germans applied their practice of utilitarian reciprocity to prisoners of war in order to suit their interests in the final two years of the war. It argues that extreme military practices toward prisoners of war emerged as a result of the war’s transition into a total war. These practices in effect dehumanized prisoners by blatantly and violently violating international law and by destroying the prisoners’ collective rights. Not all prisoners of war experienced this process of dehumanization. The Germans evaluated the worth of prisoners based on nationality and rank, but most importantly on the prisoners’ ability to serve the needs of the German military. Contrary to practical appearances, the Germans did not place the highest importance on the masses of prisoners providing physical service to the German military. Instead, prisoners who served largely a symbolic purpose in the German military held greater worth to the German military. These groups were relatively small in their numbers, of American or British nationality, who the Germans could not exploit because of their fear of reciprocal action against German prisoners. The Germans maintained a more direct effort to provide these rights with the collective rights afforded prisoners of war, even as the war evolved into a total war where the Germans exploited the rights of masses of war prisoners and their own civilians. To show how Germans evaluated prisoners during the final years of the war, I turn first to the two most violent developments on in the treatment of prisoners on the Western Front: prisoner reprisals and forced labor companies.

¹⁵⁸ Hunt Tooley, *The Western Front: Battle Ground and Home Front in the First World*, (New York: Palgrave Macmillian, 2003), 143.

Prisoner Reprisals

Reprisals against prisoners of war that occurred in the earliest months of the war assumed a variety of forms.¹⁵⁹ Not defined under international law, the British government defined a reprisal as, “retaliation for illegitimate acts of warfare, for the purpose of making the enemy comply in future with the recognized laws of war.”¹⁶⁰ Generally, the reprisals of 1914-16 constituted minor acts, such as the withholding of post, care parcels and rations.¹⁶¹ In early 1917, the reprisals evolved into a violent practice that undermined the status of prisoners to point of disposability. This change emerged out of the German decision to use war prisoners in precariously violent situations in order to achieve military goals.¹⁶²

Two factors prompted the Germans to implement the 1917 Spring Reprisals. First among them, and the for reason which the Germans justified the action, was to pressure the Allies into changing their policy toward German prisoners of war. At the Battle of Verdun, the French command used thousands of German prisoners to work behind the battlefield. They received insubstantial rations and overall care. And prisoners were often

¹⁵⁹ An example of an early reprisal against prisoners of war is the German threat of a reprisal action against British prisoners of war, in response to the British holding of U-Boot crew members for a possible trial for murder. “Germany to Treat British Prisoners of War Worse than Accorded Own Men,” *Colorado Springs Gazette*, April 3, 1915.

¹⁶⁰ Tighe Hopkins, *Prisoners of War*, (London: Simpkin Marshall, Hamilton Kent and Co., Limited, 1914), 86-7.

¹⁶¹ Annette Becker, “Paradoxien in der Situation der Kriegsgefangenen, 1914-1918,” in *Kriegsgefangene im Europa der Ersten Weltkriegs*, ed. Jochen Oltmer (Paderborn: Ferdinand Schöningh, 1998), 30.

¹⁶² The 1917 Spring Reprisals began in January 1917 and ended in April 1917. The phrase, “1917 Spring Reprisals,” was used by the German *Kriegsministerium* to refer to the series of events undertaken against British and French prisoners on the Western Front.

forced to work during the deployment of gas grenades without the aid of gas masks.¹⁶³ Georg Oeder, a German prisoner assigned to work in a French field hospital at Verdun, claimed that the hospital staff could not admit German prisoners until the Germans succumbed to a wound, exhaustion, or disease. He described patients with entirely black feet from frostbite and their bodies devoured by vermin.¹⁶⁴ In response to these reports, the German government issued an ultimatum to France on January 5, 1917, in which they demanded that all German prisoners of war be withdrawn to at least thirty kilometers behind the front. The French refused. The second factor prompting the Spring Reprisals came from a similar dialogue between the British and the Germans. Angered by reports that the British positioned German prisoners as close as eight kilometers behind the front, the German government sent a petition to Great Britain, demanding prisoners remain at least thirty kilometers behind the front line. In March 1917, the British government also refused German requests.¹⁶⁵

The two refusals resulted in the German organization and employment of thousands of newly-captured British and French troops along their fortifications on the Western Front. The Germans bolstered the size of the British and French prisoner of war companies with thousands of war prisoners from the Germany.¹⁶⁶ These labor detachments reconstructed sections of German trenches, under frequent Allied shell fire. Prisoners a twelve to fourteen hour workday, and Albert Bard, a British prisoner in a labor company, and his comrades resided in an open barrack that offered no protection from the wind and rain. Rations for British prisoners employed at the front included

¹⁶³ Jones, *Violence against Prisoners of War in the First World War*, 145-7.

¹⁶⁴ Jones, *Violence against Prisoners of War in the First World War*, 147.

¹⁶⁵ Jones, "The German Spring Reprisals of 1917", 349.

¹⁶⁶ Jones, "The German Spring Reprisals of 1917," 347.

breakfast of black coffee, and a very thin soup, 300-400 grams of bread, and a “small spoon of marmalade.” On these rations, they hauled war materials to the front every morning. The intensive manual labor caused many men to expire from over exhaustion.¹⁶⁷

Outwardly, the German government made their reasons for the reprisal explicitly clear. The employment of German prisoners at the front by the French and British violated international law, and the Germans instigated the reprisals to change Allied policies.¹⁶⁸ But the Germans also had a second motivation in pursuing the reprisals. As Hull discusses, the German military constantly feared that their enemies would interpret them as weak, and this fear prompted the Germans to enact excessive military practices to counter the charges.¹⁶⁹ The Germans feared that the Allies would construe their acquiescence in French employment of thousands of German prisoners at Verdun as a sign of German weakness. Prisoners of war, particularly large companies of them, signified weakness to the Germans because the process of becoming a prisoner entailed surrender and military defeat. Therefore, the German military needed to enact practices that exemplified its strength, or at least similar Allied weakness, both to the Allies and to their own civilians. The measure succeeded in changing Allied policy. British and French governments were very vulnerable to public opinion and news of the reprisals reached their citizens through *The Times* and letters from interned prisoners. Prisoners wrote to their families that worked behind the firing lines because the British and French

¹⁶⁷ Becker, “Paradoxien in der Situation der Kriegsgefangenen,” 31.

¹⁶⁸ British and French prisoners employed at the front during the 1917 Spring Reprisals were required to write letters home that stated they were imprisoned because “German prisoners of war were working behind the British and French firing lines.” Jones, *Violence against Prisoners of War*, 156.

¹⁶⁹ Hull, *Absolute Destruction*, 175-6.

employed German prisoners behind their firing lines.¹⁷⁰ Under pressure from their respective publics, the British and French governments ordered the removal of German prisoners from the front lines. By June 1917, German prisoners worked at least thirty kilometers from the front. Hailed by the Germans as a successful measure, the military doubtlessly construed the Allied concession as evidence of their strength. The Allies more likely interpreted the reprisal as evidence of German inhumanity, rather than military strength.

The reprisals flew in the face of international law, and they were inhumane. But they achieved the Germans' stated goal. It destroyed war prisoners' collective rights guaranteed under the Hague Convention and placed them directly in the line of fire from their own comrades. At the front line, the prisoners were overworked, beaten, and existed on unsustainable rations. Sometimes the physical labor involved rebuilding parts of trenches, or disposing of undetonated munitions. Other times, prisoners faced the physically and psychologically challenging task of burying the enemy dead.¹⁷¹ And it did not appear to concern the Germans when one of the prisoners died. They had a resource pool of thousands from which they could replace the loss.¹⁷² The overt brutality displayed during the reprisal forced the Allies to acquiesce to German demands. In the late spring of 1917, they formally restricted the placement of prisoners to thirty kilometers of the front.¹⁷³ For the remainder of the war, the Allies abided by this rule. Conversely, when it

¹⁷⁰ Jones, "The German Spring Reprisals of 1917," 349.

¹⁷¹ Becker, "Paradoxien in der Situation der Kriegsgefangenen," 31.

¹⁷² In total, the 1917 Spring Reprisals affected an estimated 40,000 French and British prisoners. Jones, "The German Spring Reprisals of 1917," 349.

¹⁷³ English civilians in particular, placed pressure on the British government to comply with German demands. Jones, *Violence against Prisoners of War in World War I*, 156-60.

conflicted with military interests, the Germans showed no hesitancy in breaking the thirty-kilometer rule.

The Allies' decision to accept the German demands helped rekindle support for the war on the German homefront. In one of the most significant outcomes of the reprisal, German civilians accepted reprisals as a necessary part of the war.¹⁷⁴ Civilian acceptance of the practice stemmed from the suffering and sacrifice they had endured in the name of military necessity.¹⁷⁵ After more than two and a half years of sacrifice, it consoled Germany's civilians to learn the military was enacting heavy sacrifices from other groups.

The situation of the German homefront in the months immediately preceding and during the reprisal surpassed dire. One prisoner at Ruhleben summarized the situation by stating, "There was real hunger in Germany, such as was unknown in England."¹⁷⁶ In Germany in the winter and spring of 1917, the unseasonably cold weather resulted in the exhaustion of fuel supplies and a potato blight compounded the food crisis faced by civilians.¹⁷⁷ These conditions caused the German government to worry that it would not take much to sway civilian support away from the war effort. The Hindenburg Plan of 1916 ascribed responsibility to German civilians to dedicate their every resource to the military. Throughout the last two years of the war, the German homefront was characterized by strikes, riots, and starvation within Germany. Outside of shops, women queued from ten at night to seven in the morning, hoping to obtain rations before an

¹⁷⁴ Jones, *Violence against Prisoners of War in World War I*, 156-60.

¹⁷⁵ The practice was not met with acceptance in either Britain or France. Horrified by reports of the reprisal, the British and French publics played a critical role in demanding their respective governments revise policy. Jones, *Violence against Prisoners of War in World War I*, 164.

¹⁷⁶ Stibbe, *British Civilian Internees in Germany*, 150.

¹⁷⁷ Chickering, *Freiburg*, 210.

“*ausverkauft*” sign appeared in the store window.¹⁷⁸ The severity of the scarcity crisis caused many *ersatz* products, designed as substitutes for almost every food item and raw material, to vanish from the market. Substitutes for the substitutes emerged in their place. Peat, nettle, and even a poor-quality of paper replaced cloth. Though “far from satisfactory,” Louis Hoffman recalled that, “paper suits saved many from cold and exposure in the winter.”¹⁷⁹ The deprivation and discontent on the German homefront provoked further desperation on the part of the German government to achieve a complete military victory over the Allies. In an effort to achieve this end, by late spring 1917, the German military expanded the most extreme violent practice of prisoner treatment, forced labor companies.

Forced Labor Companies

Much like prisoner reprisals, the use of forced labor companies in the last two years of the war emerged out of an earlier, less violent, and significantly milder German practices. The use of these companies began with the German employment of Russian prisoners behind the German defensive lines on the Eastern Front in 1915. Organized into companies of roughly eighty, the labor companies disposed of unexploded munitions, repaired German trenches, and logged.¹⁸⁰ In 1916, the British and French mimicked the German model, and organized German prisoners of war into forced labor companies. In response, the German government expanded their practice, to include the use of British and French labor companies.¹⁸¹

¹⁷⁸ “Sold-Out.” Louise Hoffman, “An American Woman in Berlin,” in *In the Prison Camps of Germany: A Narrative of ‘Y’ Service Among Prisoners of War*, by Conrad Hoffman, (New York: Association Press, 1920), 270; 272.

¹⁷⁹ Louise Hoffman, “An American Woman in Berlin,” 274.

¹⁸⁰ Jones, *Violence against Prisoners of War in the First World War*, 132-3.

¹⁸¹ Jones, *Violence against Prisoners of War in the First World War*, 127; 134-5.

The forced labor companies that emerged in 1917 worked in similar capacities and under similar situations to their predecessors. Instead of labor companies of a few hundred or a thousand prisoners, the labor companies in the last two years of the war had thousands of prisoners of war. Ironically, the withdrawal of Russia from the war facilitated the constitution of British forced labor companies. In January 1918, in an effort to maintain diplomatic relations with Russia, the German government ordered Russian prisoners relocated to camps within Germany. This left the Germans with a large labor gap that they needed to fill in the occupied areas of Ober-Ost.¹⁸² Faced with increasingly severe resource shortages, the Germans relied on the parts of occupied Ober-Ost to supply them with fuel and food resources. Though often obtaining the resources proved difficult because of the physically grueling labor required, and the Germans could not spare many of their own men, who were needed in the military.¹⁸³ Therefore, the apparent, logical solution was to employ forced labor, and in particular, forced labor companies comprised of prisoners of war. Hundreds of Allied prisoners, including several hundred British prisoners, filled the labor shortage in Ober-Ost.¹⁸⁴ British Able Seaman James Farrant, who first arrived in Ober-Ost in 1915, recorded a vivid description of his experience in a forced labor company. The company worked from the late afternoon to three or four in the morning, in order to reduce the risk of being hit by stray fire. Labor on the front entailed eleven hours of “felling trees” in mosquito-infested, marshy land, after which prisoners received a cup of “coffee” at 4:30 a.m., followed by a midday drink, and dinner of three slices of bread, less than an inch thick. Before the parcels from Great Britain arrived, prisoners supplemented their diet by

¹⁸² Ober-Ost included regions of the present-day Baltic States, Poland, and Russia.

¹⁸³ Hull, *Absolute Destruction*, 245-7.

¹⁸⁴ Jones, *Violence against Prisoners of War in World War I*, 177.

boiling nettles, wheat, and oats.¹⁸⁵ When work ended, often in sub-zero temperatures, the prisoners returned to their lodging. Of their housing accommodations, Farrant painted a particularly grotesque image.

The cowshed (surrounded by barbed wire) that I was detailed to was in use as a temporary hospital. There was about a foot of cow dung and straw on the floor, over which some fresh straw had been strewn. ...The water in the wells stunk, and we were warned not to use it. When boiled it was a dark yellow colour, but it was the only water available.¹⁸⁶

Much like the reports of forced-labor companies on the Western Front, the harshness of life as a prisoner in Ober-Ost, Farrant recorded, resulted in men “dropping” from exhaustion, disease, and starvation.¹⁸⁷

As British prisoners arrived in Ober-Ost in the early winter of 1918, the Germans launched their last major offensive campaign of the war, the Spring Offensives of 1918. Orchestrated primarily by Ludendorff, the offensive was designed to reclaim territory along the 440 mile front held by the Allies in Belgium and France, bringing the war to an end.¹⁸⁸ In a desperate effort to achieve a military victory, the Germans further mobilized their resources in preparation for the offensive. In spite of the constraint on German supplies, production of munitions, weapons, airplanes, and artillery pieces continued to climb.¹⁸⁹ Units on the Western Front increased in size and number with the incorporation of troops from the Eastern Front. Behind the stated goals of the offensive, Ludendorff had another motive for instigating the offensive, as the war effort lost support among German civilians.

¹⁸⁵ Farrant, “Four Years’ Hard Labour,” 18-19.

¹⁸⁶ Farrant, “Four Years’ Hard Labour,” 17.

¹⁸⁷ James Farrant, “Four Years’ Hard Labor,” in *Black Bread and Barbed Wire*, ed. Michael Moynihan (London: Leo Cooper, 1978), 28.

¹⁸⁸ Rod Paschall, *The Defeat of Imperial Germany, 1917-1918*, (Chapel Hill: Algonquin Books of Chapel Hill, 1989), 134-5.

¹⁸⁹ Paschall, *The Defeat of Imperial Germany*, 129.

In the first months of 1918, German civilians faced a critical shortage of resources and, once again, support for the war spiraled downward. In Freiburg, children searched the fields for June bugs that would be processed into fodder for livestock, while women collected hair from their brushes to repair transmission belts and industrial gaskets in factories. Buildings were stripped of their metal window latches, door handles, and roofs to supplement the tin and iron quotas necessary for the military.¹⁹⁰ Military necessity did not only govern treatment of prisoners of war, but by the end of the war, it dictated the everyday lives of German civilians. Resistance to the war ran high among civilians; in January 1918, over 700,000 German workers participated in strikes that erupted across the country.¹⁹¹ The massive discontent emphasized to the government the necessity of bringing the war to a quick end, particularly before the United States had the opportunity to mobilize its massive resources of troops and materials.

Launched in mid-March, the quick advance of the German infantry and air force during the offensive caught the Allies unprepared. On the first day of the offensive the Germans captured over 21,000 British troops. Within two weeks, the numbers surpassed 75,000 British prisoners, and 15,000 French.¹⁹² Many of the prisoners taken during the offensive remained at the front, where the Germans organized them into forced labor companies. There, they experienced starvation, routine beatings, disease, and exhaustion.

Officially, the German War Ministry forbade the practice of beating and otherwise physically harming prisoners, but in the summer of 1918, the characteristic

¹⁹⁰ Roger Chickering, *The Great War and Urban Life in Germany: Freiburg, 1914-1918*, (Cambridge: Cambridge University Press, 2007), 189-93.

¹⁹¹ Belinda J. Davis, *Home Fires Burning: Food, Politics, and Everyday Life in World War I Berlin*, (Chapel Hill: The University of North Carolina Press, 2000), 226.

¹⁹² The attack halted in April, but the number of prisoners captured approached 100,000. Historian Neil Heyman estimates that roughly half of all British prisoners held by the Germans were captured between March and April 1918. Heyman, *Daily Life during World War I*, 178.

“corpse-like obedience” (*Kadavergehorsam*) started to unravel. Frustrated with the war, which appeared increasingly futile, the war-weary German troops no longer felt inclined to obey their superiors’ orders. The situation resulted in widespread physical abuse of prisoners within labor-companies.¹⁹³ As one British soldier recalled, “We were shown a lot of cruelty, men being hit with rifles in the small of the back often without cause.”¹⁹⁴ Another British soldier described a forced march where the prisoners were not fed; and upon their arrival at the camp, the guards kicked and beat prisoners with the end of their rifles if they did not get up quickly enough.¹⁹⁵ Hull argues that, in general, Germans employed violence against prisoners to ensure order and achieve a military purpose.¹⁹⁶ Jones builds on Hull’s argument by adding that violence toward prisoners in labor companies arose from the German assertion that prisoners did not work fast or hard enough. In the summer of 1918, starvation rendered the prisoners in labor companies incapable of working. Unlike prisoners in Germany, prisoners in the labor companies did not receive relief packages from the Red Cross, and as the food crisis became dire, Germans gave them fewer rations. The treatment of prisoners in labor companies by Germans in the final summer of the war established a precedent that violence and the starvation of prisoners were acceptable practices.

A precise figure of the size and scope to which the Germans employed forced labor remains elusive. Heather Jones states, “an overall estimate of how many captive laborers were working for the German army is difficult to calculate.”¹⁹⁷ The ambiguity is due to both the lack and loss of statistical information on forced labor companies.

¹⁹³Jones, *Violence against Prisoners of War in the First World War*, 187.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Hull, *Absolute Destruction*, 100.

¹⁹⁷Jones, *Violence against Prisoners of War*, 176.

However, Jones asserts that interwar commentator Hermann Cron estimated the total number of forced laborers used by the Germans to be 400,000.¹⁹⁸ These prisoners included not only British and French troops, but Russian, Romanian, Italian, Portuguese, civilians, and German military prisoners. The majority of forced-laborers came from Russia and the occupied territories in the East, and excluding the Portuguese and Italian prisoners, the British had the smallest number of forced-laborers. More precise statistics for the number of British prisoners employed as forced-laborers is hard to ascertain, because the number of men fluctuated due to death and sickness. The number of prisoners involved in forced labor companies represented a fraction of Germany's total prisoner population.

The total war that emerged in the last two years of the war provided the necessary conditions for the German use of massive forced-labor companies on the Western Front. Initially undertaken as part of a prisoner reprisal, by 1918, the Germans relied on forced labor companies to supplement their own labor shortages. The entire practice of forced labor and the German use of extreme violence violated the collective rights of prisoners of war. In contrast though, total war also caused the Germans to increasingly protect the collective rights of specific groups of prisoners because doing so served their national interest.

Still Protected: Officers and the Ruhleben Prisoners

Although all prisoners of war interned by the Germans experienced some level of hardship, officers and Ruhlebenites suffered less from its effects. The Germans ensured that they did. On the surface, the fact that Germans wanted to accommodate these two groups seems ironic. Neither the prisoners at Ruhleben, nor the officers worked for the

¹⁹⁸ Jones, *Violence against Prisoners of War*, 176.

Germans. They served no practical purpose, and, they did not physically contribute to the war effort. However, as the war progressed and the Germans implemented the violent practices of prisoner reprisals and forced labor companies, the Germans used these groups of prisoners as a way to demonstrate their apparent humanity toward prisoners. In 1917, the Germans had a good reason for wanting to maintain the appearance of humanity toward these prisoners. In addition to the fear of reciprocal actions being implemented against Germans interned in Great Britain, the Germans still clung to the hope that the British would release the interned German civilians. Such an action would give the Germans a large resource of military-aged men, who were much needed to supplement losses within the army.

The average German civilian did not understand the rationale behind the treatment of interned officers and the *Ruhlebenites*, they saw only that these groups of prisoners did not work and received preferential treatment. Historian Jürgen Kocka explores the extent to which German civilians worked for the war effort in *Facing Total War*; he describes the use of workers in terms of the government's "exploitation" and "deprivation" of German workers, which was unprecedented since the Industrial Revolution.¹⁹⁹ Women, who composed a large percentage of the workforce, worked between twelve and fourteen hours per day in factories, where the long hours, minimal meals of turnip soup twice daily, and lack of heat frequently resulted in their collapsing over the machines in exhaustion.²⁰⁰ In spite of the dire situation within the country, the

¹⁹⁹ Jürgen Kocka, *Facing Total War: German Society, 1914-18*, trans. Barbara Weinberger (Cambridge, Harvard University Press, 1984), 26.

²⁰⁰By 1918, two million German women worked in factories. Tooley, *The Western Front*, 200. Kocka, *Facing Total War*, 26.

German government consciously made the decision to devote resources to prisoners of war, who served little purpose.

Ruhleben's location on the outskirts of Berlin made it highly visible to German civilians. The prisoners received food parcels from the British Red Cross, which Matthew Stibbe argues, ensured they received more rations than most Germans during the last two years of the war.²⁰¹ In the spring of 1917, the food crisis reached a peak, and Berliners engaged in a series of strikes involving over 200,000 workers, protesting the lack of food and inflation.²⁰² In spite of scarcity, the Ruhleben prisoners continued to receive daily rations from their captors, including meat. By comparison, Louise Hoffman, the wife of the YMCA Senior Secretary, Conrad Hoffman, recalled that in the winter and early spring of 1917, the German government stringently rationed all types of meat for civilians, pork being allotted only once every three weeks.²⁰³ Civilian prisoners at Ruhleben provided an exception to the overall German treatment of civilian prisoners, rather than the norm. The Germans did not supply the Ruhlebenites with more rations than their own civilians. The improved diets of the prisoners resulted from the care parcels provided by the Red Cross. However, the Germans continued to provide rations to prisoners because it gave the appearance that the Germans were making an effort to treat the prisoners humanely.

In contrast to the Ruhleben prisoners, the Germans provided additional rations and supplies to interned officers that surpassed those received by German civilians. Because of this act, Uta Hinz argues interned officers experienced relatively stagnant

²⁰¹Stibbe, *British Civilian Internees in Germany*, 70-1.

²⁰²Kocka, *Facing Total War*, 49.

²⁰³Hoffman, *In the Prison Camps of Germany*, 273.

living conditions during the tumultuous final years of the war.²⁰⁴ As the German homefront experienced crippling shortages, Captain Douglas Lyall Grant, still imprisoned at Crefeld, wrote of his experience during the crisis in his diary. Of his rations, Grant recorded, “the menu was: Asparagus Soup, Sole, Duck or Goose with potatoes and greens; Plum Pudding, Sardines on Toast, Coffee. So it’s still possible to obtain some food in Germany.”²⁰⁵ The diary clearly showed not everyone experienced the same level of suffering during the crisis. His diary further demonstrates the wide disparity in treatment of officers and enlisted men; Grant complained that he and his comrades were subjected to transportation in a second-class carriage, during which they did not receive any wine. Fortunately, he recalled, the officers had lemons for their tea.²⁰⁶ Officers at the prison camp, Villingen, enjoyed similar luxuries. Visited by the neutral Spanish delegation at the end of May 1918, the overall report praised the camp conditions. At one of the two camp cantines, “luxury items” such as watches, cigar cases, and tobacco were sold, while the other cantine offered “luxury foods” which included olives, wine, and lemonade.²⁰⁷

The availability of various foods, many of them delicacies, suggests two things about the food shortages experienced in Germany during 1917-1918. First, it suggests that the British blockade was not as effective in severing German access to imported resources as the Germans loudly claimed. In his diary, Grant speculated that the Germans

²⁰⁴ Hinz, *Gefangen im Großen Krieg*, 123.

²⁰⁵ Grant, “Anyone for Tennis?,” 97-8.

²⁰⁶ Grant, “Anyone for Tennis?,” 98-113.

²⁰⁷ Report from the Spanish Embassy to the United States on the conditions at the Camp for Officer Prisoners of War, Villingen,” dated May 30, 1918; p. 1-7; Records of the Department of State Relating to World War I and Its Termination, 1914-29; (National Archives Microfilm Publication M367, roll 328); Prisoners of War, Record Group 367; National Archives Building, College Park, Maryland.

smuggled food from Holland and gave it to prisoners, for a price.²⁰⁸ Second, it speaks to the values of the German government during the final years of the war. In spite of the fact that the civilians comprised the backbone of the German war effort by working in the factories and munitions plants, the government still valued members of foreign militaries over their own civilians. Even at the height of the food and fuel crisis, the government still managed to ensure that interned officers received optimal rations and accommodations.

American Prisoners in Germany

American prisoners of war comprised less than two percent of the total prisoner of war population interned by the Germans, but among the enlisted men in Germany's prison camps, the Germans displayed the most humane treatment toward Americans. The Americans comprised a very small number of the total prisoner population in Germany. And for the first time since the beginning of the war, the Germans no longer held an advantage over their enemy in terms of prisoners of war. In contrast to the 3,000-4,000 American prisoners interned in Germany, 48,280 Germans resided in American camps at the end of the war.²⁰⁹ Both factors accounted for the German treatment of the Americans, but the latter was the most influential determinant in shaping German practices. The wide disparity in numbers exacerbated German fears of reciprocity and caused them to treat American prisoners with more consideration than they afforded other nationalities.

Although the United States entered the war on April 6, 1917, the American Expeditionary Force did not fully mobilize until the end of May 1918. From May until the end of the war in November, the German situation on the battlefield and the

²⁰⁸ Grant, "Anyone for Tennis?," 97-8.

²⁰⁹ Speed, *Prisoners, Diplomats, and the Great War*, 123.

homefront became increasingly dire. The Allies had halted the German spring offensive in mid-April. By mid-July, the German army had retreated. Their failed offensive carried the heavy price tag of almost 100,000 casualties.²¹⁰ Sensing the futility of the war, German soldiers actively sought an exit from the war. Troops deserted by the thousands, while even more allowed themselves to be taken prisoner. The food crisis, so long endured by German civilians, took its toll on the military in 1918. While in 1914, rations afforded soldiers included two pounds of bread, approximately a pound of meat, and potatoes, by 1918, breakfast consisted of a “thin morning coffee of turnips,” “transparent turnip soup,” for lunch and bread and “turnip tea” for dinner.²¹¹ Not without reason, the German troops found the rations insufficient in sustaining their health and stamina, and they reportedly resorted to supplementing their diet with flesh from horse corpses, over which they spread lime, before they consumed it.²¹²

Within Germany, an equally severe situation faced civilians. German women gathered together and journeyed to the countryside in search of food.²¹³ In the cities, people relied on the black market for food; in November 1918, one-third of Germany’s civilian population relied on it for food.²¹⁴ Over 11,000 *ersatz* products existed on the German homefront in 1918, including, as Roger Chickering notes, 800 meatless sausages.²¹⁵ American YMCA delegate Conrad Hoffman, who still lived in Berlin in 1918, reported that even with the community kitchens, which fed between 100,000 and

²¹⁰ Paschall, *The Defeat of Imperial Germany*, 161.

²¹¹ Heyman, *Daily Life during World War I*, 36; 38.

²¹² Heyman, *Daily Life during World War I*, 38.

²¹³ Chickering, *Imperial Germany and the Great War*, 45.

²¹⁴ Chickering, *Imperial Germany and the Great War*, 45.

²¹⁵ Chickering, *Imperial Germany and the Great War*, 45.

250,000 people daily, the rates of malnutrition and death from disease were “overwhelming.”²¹⁶

The multiple crises facing Germans shaped initial German treatment of American prisoners. In contrast to the British prisoners who resided specifically in “British” camps, the Germans lacked the resources in 1918 to construct camps specifically for American prisoners. At first, this caused Americans to be scattered across ninety-two camps in Germany, where they lived alongside prisoners from Great Britain, France, Russia, Romania, and the colonies in Africa and Asia.²¹⁷ The mixing of American prisoners with different nationalities did not rest well with the American government, who called the practice “debasement,” particularly the internment of Americans with “negroes;” and they demanded Americans be treated equally to other (Western) European prisoners.²¹⁸ In contrast to the 1917 Spring Reprisals in which the German government successfully forced the Allies to change prisoner practices, in 1918, the German government accepted American demands and agreed to alter their policy of internment of Americans. The Germans soon relocated the majority of Americans to Rastatt, outside of the Black Forest.

Formerly a “Ukrainerlager,” the initial conditions at Rastatt were deplorable, and American prisoners feared starvation because of the scarcity of rations.²¹⁹ Prisoner

²¹⁶ Hoffman, *In the Prison Camps of Germany*, 143.

²¹⁷ File 120.3.1 “List of German Prison Camps in which American Prisoners were Confined,” Berne, Switzerland, American Red Cross; p.1-24; Record Group 120; National Archives at College Park, College Park, MD.

²¹⁸ File 120.3.1; Records of the American National Red Cross, 1917-1934; Germany, Allied P.O.W. in Reports, Record Group 120; National Archives at College Park, College Park, MD.

²¹⁹ Palmer V. Boyd, *Kriegsgefangenenlager 8005: My Experience as a Prisoner of War in Germany*, (Lynchburg, VA: Brown-Morrison Company), 34; Kenneth Steuer, *Pursuit of an Unparalleled Opportunity: The YMCA and American Prisoner of War Diplomacy among the Central Power Nations during World War I, 1914-23*, (Project Gutenberg, <http://www.gutenberg-e.org/steuer/steuer.ch14.html>, accessed: March 13, 2013.)

Palmer Boyd recalled that the kitchen at Rastatt did not have stoves, only four 100-gallon boilers to make “standard soups” of turnip leaves and potatoes.²²⁰ A menu for American prisoners at Rastatt sent by the Spanish Embassy in Berlin to the United States for the week of August 18-24, 1918, demonstrated the level of scarcity that permeated Germany. That week was a “meatless week,” (excluding fish) and prisoners received between 1,200 and 1,400 calories per day. Bread, potatoes, “meal,” and root-vegetables comprised the vast majority of the calories.²²¹ In comparison, Germans imprisoned by the Americans received daily breakfasts of: corn-meal, bread and syrup, while lunch rations included meat, potatoes, and bread. Dinner rations included corned-beef, bread, cheese, and bacon and the Americans provided them with coffee at every meal.²²² The variation in diets caused the Germans to reevaluate the diets afforded Americans. In 1918, however, the means of providing enlisted prisoners with extra rations proved difficult.

Fortunately, the dialogue between the American YMCA and the German War Ministry had not entirely closed. Conrad Hoffmann, the American senior secretary of the YMCA still lived in Berlin. In the years prior to the entry of the United States into the war, Hoffman had provided aid to both British and German prisoners of war. His reputation for helping German prisoners left a favorable impression with the German government even after the American declaration of war in 1917. Hearing of the food shortages at Rastatt, Conrad Hoffman, with no small effort, petitioned the *Kriegsministerium* in Berlin to allow him and other YMCA members to visit the

²²⁰ Boyd, *Kriegsgefangenenlager 80053*, 36-7.

²²¹ Note from the Spanish Embassy in Berlin to the United States, 1918, Speisezettel für die Kriegsgefangenen Amerikanischen Mannschaften in Rastatt für den 18. August- 24. August, 1918; p. 1, Berlin; Records of the Department of State Relating to World War I and Its Termination, 1914-29; (National Archives Microfilm Publication M367, roll 324); Prisoners of War, Record Group 367; National Archives Building, College Park, Maryland.

²²² Heyman, *Daily Life during World War I*, 145.

imprisoned Americans. Such allowance, Hoffman assured, would help both the Americans and the Germans by allowing the United States to provide for their own prisoners. This stipulation meant less strain on German provisions. If the Germans refused, their action would further emphasize Germany's inhumanity.²²³ The War Ministry approved Hoffman's request and permitted his visit to Rastatt. Over the course of several months, he provided prisoners with parcels of clothing, food, and leisure-time activities.²²⁴ Boyd Palmer fondly recalled Hoffman's visits to the camp, which always included the dispersal of leisure materials to the prisoners, including harmonicas, board games, paper, and books.²²⁵ Because of the activities of the YMCA, by the war's end, American prisoners had experienced better overall health and treatment than any other nationality.

²²³Hoffman, *In the Prison Camps of Germany*, 159-60.

²²⁴Hoffman, *In the Prison Camps of Germany*, 160-65; 170-8.

²²⁵ Palmer, *Kriegsgefangenenlager 80053*, 39.



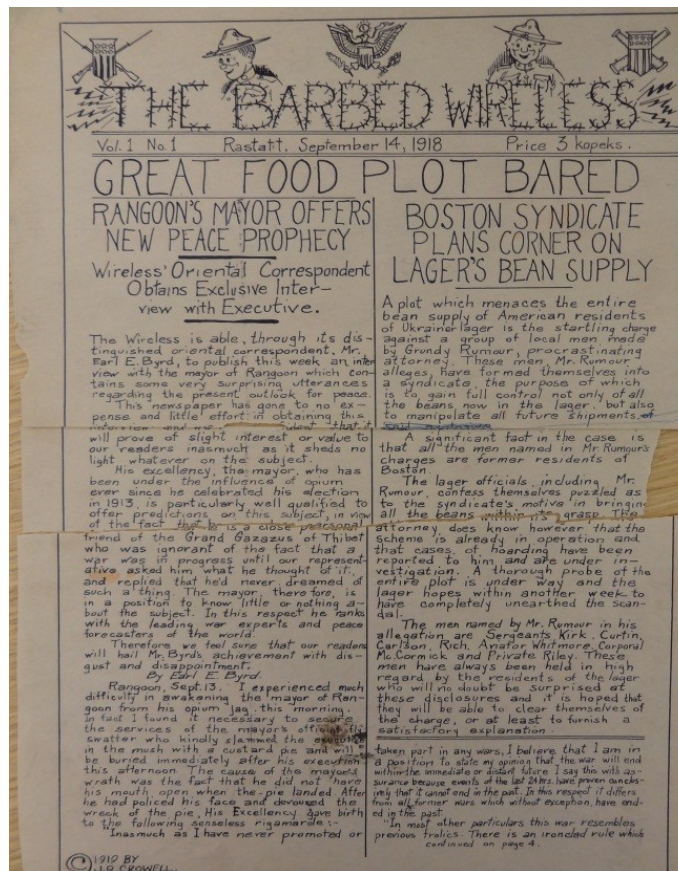
American prisoners of war at Rastatt receiving care parcels, 1918. Courtesy of: Kautz Family YMCA Archives. University of Minnesota Libraries.

Much like their British counterparts, American prisoners found numerous ways to entertain themselves during the long evenings of boredom at Rastatt. Sports constituted the most popular form of entertainment, and the prisoners organized baseball, football and volleyball games.²²⁶ Through Hoffman's efforts, the YMCA and the American Red Cross also provided musical instruments to the prisoners, and the prisoners formed a camp orchestra.²²⁷ Among the intellectual activities of the prisoners was the establishment of a camp newspaper. Although only one volume of *The Barbed Wireless* was printed at Rastatt, it kept the prisoners entertained with its satirical, humorous tone, which stated the goal of the paper, was "to keep its readers as thoroughly misinformed as

²²⁶ Hoffman, *In the Prison Camps of Germany*, 171.

²²⁷ Steuer, *In Pursuit of an Unparalleled Opportunity*.

possible on all events of no importance whatever.”²²⁸ Though humorously written, the newspaper actually informed its audience of events within the camp ranging from new Bible classes, to sporting events, the recovery of fellow prisoners in the camp hospital, and donations from the YMCA.²²⁹ The editorial staff for the *The Barbed Wireless* refrained from printing stories related to the war, so as not to risk lowering the morale of the men in the camp, or infuriating their German guards who gave their permission for the publication of the newspaper.



Front Page of *The Barbed Wireless*, 1918
 Courtesy of: Kautz Family YMCA Archives.
 University of Minnesota Libraries.

²²⁸ *The Barbed Wireless*. Sept. 1918. Leave area, Publications, 1918-1919. World War I-related records. Kautz Family YMCA Archives. University of Minnesota Libraries.

²²⁹ *The Barbed Wireless*. Sept. 1918. Leave area, Publications, 1918-1919. World War I-related records. Kautz Family YMCA Archives. University of Minnesota Libraries.

While the relatively small numbers of American prisoners influenced how the Germans treated them, reciprocity was the decisive factor that shaped German treatment of the American prisoners. The Americans held an advantage over the Germans because of the thousands of imprisoned Germans in American-operated camps. The Americans also treated their German prisoners better than the French or the British did. Americans did not organize Germans into forced labor companies, and they generally afforded the Germans better provisions than those received by Germans in Great Britain and France, or by civilians living in Germany. American prisoners never experienced the brutal conditions of forced-labor companies, which employed thousands of British and French soldiers. Nor did the Germans use American prisoners in large-scale reprisals. Because of these reasons, the Germans did not disregard international law regarding prisoners of war to the same extent as they did with every other nationality, but made a deliberate effort to respect the collective rights of American war prisoners.

Conclusion

One fall day in November 1918, Australian Ethel Cooper looked outside her window to the streets of Leipzig. Through them, women, children and the elderly paraded, many waved placards that declared, “Gebt unsere Männer und Ernährer heraus!”²³⁰ The sight was common in Germany’s cities during the fall of 1918, but something new caught Cooper’s eye. The crowd hoisted red flags, signaling that Leipzig had joined the revolution that was occurring throughout Germany. Cooper excitedly recorded the event, declaring, “I have seen the red flag!” She quickly summarized the spread of the revolution from the naval port city of Kiel on November 3, to Lübeck,

²³⁰ “Give our men and providers back!” Proctor, *Civilians in a World at War*, 253.

Bremen, Hamburg, Dresden, and Chemnitz, all within the week. Before the week ended, revolution also engulfed Berlin and parts of Bavaria, Saxony, and Hanover.²³¹

The German Revolution was one of many that occurred throughout Eastern Europe at the end of World War I. In spite of the extreme hardship endured by the thousands of middle and working class citizens over the course of the war, the First World War was not a people's war. The war waged by the Germans throughout the war, and particularly so in the last two years of the war highlighted this fact through their practices of utilitarian treatment of prisoners of war and their own civilians. Continuously, the Germans disregarded the collective rights of prisoners of war for the sake of achieving a military victory in the war, and they carried out their goal with extreme violence. Because of the more than two million prisoners interned in Germany in 1918, this caused the Germans to develop the attitude that prisoners were a renewable resource. This attitude led to the dehumanization of prisoners of war. Germany's large civilian population underwent a similar dehumanization process in the final years of the war. The final two years of the war established that subjecting war prisoners and German civilians to starvation and exploiting their labor in order to serve the war effort, was acceptable. In the aftermath of the war, people across Europe reconciled themselves to the fact that it was not on their behalf the Great War was waged, it had not even served their interests. As individual countries replaced their monarchs with republican forms of government, all of the nations grappled with the task of formulating a vision for what Europe would look like in the postwar period.

²³¹ Proctor, *Civilians in a World at War*, 252.

Chapter Three

The Era of Human Action and Accountability, 1918-1929

Introduction

As the turmoil on the battlefields of the Western Front ended in the fall of 1918, Europeans struggled to comprehend the catastrophic destruction of life wrought by the First World War. An almost incalculable number of Europe's military-aged men lay buried in places as far away as Flanders and Galicia. Of the major combatant nations on the Western Front, Germany, France, Great Britain, and the United States shared a combined death toll of more than 4 million.²³² Estimates for the total number of those killed in World War I vary between 8.5 and 10 million, and some historians argue for a higher figure based on the imprecise figures of civilian deaths.²³³ Economically, the war crippled many of the European nations. In 1918, Great Britain appeared anything but victorious. Their debt amassed from war loans, mostly provided by the United States, totaled over one billion English pounds. Inflation and unemployment ran rampant throughout England in the immediate postwar period, resulting in mass strikes of over two million people.²³⁴ In these respects, life in Britain did not regain a sense of normality until the early 1920s. Similar economic straits plagued France and Belgium after the war, as both countries experienced a tremendous swell in the cost of living. Additionally, war had economic ramifications outside of its finances. The war destroyed towns, villages, and large tracts of countryside in Europe. Belgium was the site of intense combat at the battles of Ypres, while the more than four hundred mile long Western Front

²³² Heyman, *Daily Life during World War I*, 235.

²³³ Willmott, *World War I*, 307.

²³⁴ In the immediate aftermath of World War I, unemployment in England reached 11%, and inflation 22%. The workers' strikes of 1919 involved 2.4 million people. The cost of living exploded to three times its 1914 level. Niall Ferguson, *The Pity of War* (New York: Basic Books, 1999), 396.

consumed most of France's eastern border. Northern France and Belgium experienced exploitation of their resources during the German occupation of the areas for much of the war, and the regions sustained massive destruction during the German retreat in 1918.²³⁵

Economics alone could not convey the severity of the war's violence. Visual evidence of the brutality of the war was conveyed through the hundreds of thousands of injured and permanently disfigured troops haunting the streets of Europe. Across the continent, war veterans relied on crutches, braces, and canes to compensate for the loss of a limb. For thousands of others, the war had inflicted such grotesque facial wounds that the survivors required reconstructive surgery, and were dubbed as "broken faces" by the French.²³⁶ While the permanently disfigured served as a visual reminder of the war's brutality, additional evidence poured in with the repatriation of thousands of prisoners of war. By the war's end, more than 8 million men and women had experienced life within an internment camp, and Germany alone imprisoned 2.5 million war prisoners.²³⁷ These individuals brought back to their homes their personal stories of the inhumanity of the war. The Allies considered war prisoners, the wounded, dead, and thousands of widows and orphans as "war victims" who demonstrated clearly the war's inhumanity. They also demonstrated the failure of international law to "civilize" the war by affording collective rights to humans. This failing provoked an international demand for accountability. Who was responsible for World War I and the massive suffering it created? For Great Britain, France, and Belgium, the answer was simple. Supported by the United States and several other European nations in their assertions of war guilt, the three countries turned their gaze to Germany.

²³⁵ Hull, *Absolute Destruction*, 315-16.

²³⁶ Heyman, *Daily Life during World War I*, 101-2.

²³⁷ Otte, *Lager Soltau*, 24.

The leaders of the peace conferences after the war, Great Britain, France, the United States led the discussion on punishing Germany for its role in perpetrating the war. In June 1919, the ratification of the Treaty of Versailles established Germany's responsibility to pay war reparations to the Allies. This measure did not however fulfill the Allied consensus that Germany must be held accountable for their wartime atrocities. Prominent British leaders such as David Lloyd George and Winston Churchill clamored for the country's punishment by placing its leaders before a military tribunal. They asserted that the Germans had committed acts of deliberate violence that violated the core principles of the "Laws of Humanity and Warfare."²³⁸ According to the British, Germany had cowardly employed the use of submarine warfare to attack passenger and hospital ships in complete defiance of maritime law. Its army had showed no restraint in its use of extreme violence against prisoners of war and forced them to labor so close to the front that the unlucky men often were struck down by friendly fire. Finally, the Germans had demonstrated their contempt for international law in the first month of the war through their violent occupation of neutral Belgium. The actions were not merely "atrocities," but "war crimes," which required international justice be delivered. France, Belgium, the United States, and many other members of the Allies strongly supported the British proposition. In the United States, the allusion to the German use of submarine warfare recalled memories of the sinking of the *Lusitania* in 1915, in which 128 Americans lost their lives.²³⁹ The Belgians needed no convincing of Germany's war crimes. Belgian resistance to the German occupation in August 1914 had resulted in the murder of

²³⁸ The British used the phrase, "Laws of Humanity and Warfare" in reference to the Hague Convention. Mullins, *The Leipzig Trials*, 5.

²³⁹ James F. Willis, *Prologue to Nuremberg: The Politics and Diplomacy of Punishing War Criminals of the First World War*, (Westport, CT: Greenwood Press, 1982), 38.

approximately 6,000 Belgian civilians and the destruction of Belgian villages and between 15,000 and 20,000 buildings.²⁴⁰ The Belgians also comprised a large percentage of forced laborers on the German homefront. Between October 1916 and January 1917, the Germans deported almost sixty thousand Belgians to Germany to work in munitions plants.²⁴¹ French sentiment for a war crimes trial echoed those expressed by the British and French. Thousands of French prisoners of war had experienced intense suffering in the German prisoner camps, and much like the Belgians, civilians of Northern France had endured forced deportations to German industrial plants as the German army ravaged the French countryside.²⁴² All of these heinous acts, the French asserted, culminated in gross violations of very principles of human civilization.²⁴³ The wartime actions of Germany left the Allies united in their calls a trial before a military tribunal, but of a new kind: trials of war criminals before an international tribunal where the eyes of the world could witness the proceedings. But two significant questions remained. How would the trials be carried out, and who would oversee them?

Negotiating for the Trials

Preliminary discussions of a war crimes trial emerged in the months before the end of the war, predominantly between Great Britain, France, and the United States, as Germany's defeat appeared imminent. Within the weeks following the armistice, the Allies engaged in serious discussions for the trials, but agreed on little more than the necessity of the trials. A significant reason for the disunity arose from, as Heather Jones

²⁴⁰ During the Belgian resistance, the Germans "justified" their actions by labeling the Belgians as *franc-tireurs*, or citizens waging an illegal war against an occupying army. Hull, *Absolute Destruction*, 210.

²⁴¹ Robert B. Armeson, *Total Warfare and Compulsory Labor* (The Hague: Martinus Nijhoff, 1964), 40.

²⁴² Hull, *Absolute Destruction*, 211-12.

²⁴³ Mullins, *The Leipzig Trials*, 5.

cites, the lack of an international model to administer a war crimes trial. The Hague Convention provided guidance in establishing the parameters of the conduct of war, but had not established guidelines for punishing those parties guilty of violating international law.²⁴⁴ Legally, the Treaty of Versailles justified the Allies' demand for a trial, but its clauses better supported the trial of war criminals before a single nation, rather than a court of international judges.²⁴⁵ Article 229 established that guilty parties would be tried before a military tribunal comprised of judges from the country in which the crime occurred. Parties guilty of crimes against more than one nation would be tried before a military tribunal of judges from each of the offended countries.²⁴⁶ On the face of it, the treaty seemed to clearly state whose laws would dictate the outcome of the trials. It is possible that this structure would have operated smoothly, had the trials taken that form. However, the vast devastation brought on by the First World War left the Allies feeling that violations of international law should be tried by an international court interested in bringing justice to those who had violated the laws of humanity.

Outside of the conference rooms where the Allies discussed the procedures for the trials, the idea of an international court administering justice to war criminals appeared noble; but within the room, the goals resembled retribution. The Allies' initial list of Germans accused with war crimes included 1,590 individuals, a staggering figure that seemed to give evidence to the validity of British solicitor-general Sir Ernest Pollock's claim that no list could be produced that was long enough to satiate their desire for

²⁴⁴ Jones, "A Missing Paradigm?," 26.

²⁴⁵ Articles 227-230 of the Treaty of Versailles gave the Allies the right to try Germans accused of war crimes before an international tribunal. The Treaty of Versailles, (1919): 227-230.

²⁴⁶ The Treaty of Versailles. (1919): 229.

vengeance.²⁴⁷ Boldly, British Prime Minister David Lloyd George called for a drastically smaller number of Germans to be tried and a much simpler solution to demonstrate international justice. “If only 20 were shot,” he explained, “it would be an example.”²⁴⁸ The French proposed the Allies instigate forced labor reprisals against German prisoners of war as a way to achieve economic reparations, but the British refused citing that such actions would appear to make hostages out of the Germans.²⁴⁹ Woodrow Wilson, an active advocate for the trials, simultaneously cautioned against vengeance. Instead, he promoted a more lenient approach to the trials, effectively isolating the American delegation from the British and French positions.²⁵⁰

Amidst the debate over the structure of the trials, the Allies also floundered in their attempt to come to a consensus over what constituted a war crime. Each country presented different events for consideration as a war crime, but the difficulty lay in defining the legalities of the term so that an international tribunal could understand it. Before 1916, term “war crime” was seldom used and loosely defined. German lawyer Lassa Oppenheim defined war crimes as extremely hostile acts committed by soldiers and individuals that included: violations of the recognized rules of warfare, hostilities perpetrated by non-military persons, espionage, war treason, and marauding.²⁵¹ During the stalemated trench battles of 1915-16, French and British scholars began to discuss “war crimes” with more frequency. British lawyer Hugh Bellot’s defined war crimes as:

²⁴⁷ Mullins, *The Leipzig Trials*, 11.

²⁴⁸ Alan Kramer, “The First Wave of War Crimes Trials: Istanbul and Leipzig,” *European Review* 14, no. 4 (Oct. 2006): 446.

²⁴⁹ Willis, *Prologue to Nuremburg*, 33.

²⁵⁰ British Prime Minister David Lloyd George and French Premier Georges Clemenceau assumed active roles in the discussion of the trials. However, the British, French, and American delegations were comprised also of experts on international law from each of their countries. Willis, *Prologue to Nuremburg*, 42-45.

²⁵¹ Segesser, “The Punishment of War Crimes Committed against Prisoners of War, Deportees and Refugees during the First World War,” 137.

enemy actions against property, combatants, and non-combatants in a way that violated international law.²⁵² The Allies used this in the postwar period to determine German war crimes in the First World War.²⁵³

Though the Allies had reached an agreement over the definition of a war crime, determining who had to be held responsible proved more difficult. Did the responsibility for war crimes rest with the entire German nation? And if so, who constituted the German nation? Or were individuals responsible for their own actions? Within the military, who was more responsible: the general who gave the orders, or the troops who carried them out? The list of nearly 1,600 German war criminals generated in 1919 indicated that the Allies held the German political and military leaders responsible for their actions. As discussion continued, the focus of the Allies shifted away from punishing the whole of the German nation through the trials of their leaders, to punishing individuals associated with a particular war crime. One reason for this transition was that there was no unified front between the Allies on the specific events or practices committed by the Germans that constituted a war crime. In 1914, the British had called for the trials of German military leaders for the “atrocities” committed in Belgium.²⁵⁴ Five years later, their focus was on the crimes committed against their own country, specifically the practices of unrestricted submarine warfare and the abuse of prisoners of war. The French focused on war crimes that occurred during the German destruction of Northern France, abuses and deportations of civilians, and abuse of war prisoners. The Belgians accused the Germans

²⁵²Segesser, “The Punishment of War Crimes Committed against Prisoners of War, Deportees and Refugees during the First World War,” 137.

²⁵³The French charged the Germans of committing crimes so heinous in their nature that violated the very principles of human civilization. For the British, the Germans committed actions that violated the “laws of war and humanity.” Mullins, *The Leipzig Trials*, 5.

²⁵⁴Willis, *Prologue to Nuremburg*, 3.

of charges similar to those expressed by the French, but applied them as pertained to their own country.

Each of the countries expressed different opinions as to who should be held responsible for the war crimes. While the British government (not including King George V), and the British public, clamored for the ex-Kaiser's trial, his prosecution held far less importance for the Belgians and the French. Both nations saw this as a symbolic trial of the German nation, but feared it would give their publics the false impression that Germany had been duly punished. For the Kaiser, both France and Belgium favored a "Napoleonic" exile. This would maintain the idea that he was responsible for the outbreak of the war, but also clear the way for the prosecution of the individual Germans who had committed the war crimes.²⁵⁵

The many debates occurring between the Allies over the course of the trials continued through 1919, and into 1920, and bore significant consequences. The inability to reach a consensus frustrated Wilson and the American delegation so much that they withdrew from the proceedings entirely.²⁵⁶ Among the general public in Great Britain, France, and Belgium, the discussion of the trials had been met with initial enthusiasm, but the many months of inactivity caused much of their respective populaces to lose interest in the trials and focus on moving forward with their lives. The act that had the most serious ramifications for the future trials was the fact that the Allies, in their triumph, could not contain leaks. News of the Allies' plan to subject members of the

²⁵⁵ Fortunately for the Kaiser, Prince Max von Baden forced him and the crown prince Wilhelm into exile in the Netherlands two days before the armistice was signed. The Dutch government, priding themselves on their long history of harboring political exiles, refused to turn the ex-Kaiser over to the Allies. Willis, *Prologue to Nuremburg*, 68.

²⁵⁶ Initially, the discussion of the war crimes trials involved the United States, Great Britain, France, Belgium, Greece, Poland, Romania, Japan, Yugoslavia and Italy. As the discussions wore on, the conversation was dominated entirely by the French, British and Americans. Willis, *Prologue to Nuremburg*, 68-69.

German military to trials in front of an international tribunal did not go unnoticed by the Germans, including those charged as war criminals. Many alleged war criminals sought escape, and the Germans prepared a solid resistance to Allied plans.

Like much of postwar Europe, Germany emerged from World War I as a brittle republic, rife with social, political, and economic crises. Despite the struggles they faced, the popular belief among at least a minority of Germans was that they remained militarily undefeated, and they received their returning troops as heroes. Flags adorned the streets and civilians bedecked troops with bouquets of flowers.²⁵⁷ Yet, the more than 7 million casualties kindled within the Germans a need to ascribe responsibility for the war that lasted into the 1930s.²⁵⁸ As the Allies discussed war crimes in 1919, Germans too, pursued their own ideas about trying war criminals before a military tribunal.²⁵⁹ They little suspected that their country would be singled out as the sole perpetrator of the war and the focus of the Allies' proposed war crimes trials. In February 1920, the Allies presented Germany with a list of 862 accused war criminals, who they expected the Germans to extradite.²⁶⁰ A majority of those on the list were charged with committing war crimes related to the invasion of France and Belgium, while the second largest category of war crimes were related to the treatment of prisoners of war.²⁶¹

The Germans responded with virtually unanimous outrage and vehement refusal. On the Allies' list were eighty of the most revered German scholars and top military

²⁵⁷ Richard Bessel, *Germany after the First World War* (Oxford: Clarendon Press, 1993), 85-6.

²⁵⁸ Estimated casualties for Germany after World War I include: 2.7 million dead, and 5.7 million wounded. Willmott, *World War I*, 307.

²⁵⁹ Specifically, the Germans wanted to try Romanians for alleged abuses of German prisoners of war and civilians. Willis, *Prologue to Nuremberg*, 49.

²⁶⁰ The Allies had yet to determine the specific site of extradition, but because of Britain's dominant influence over the trials, most likely it would have been London.

²⁶¹ Kramer, "The First Wave of International War Crimes Trials," 447.

leaders, whom the Germans still held as heroes.²⁶² Compliance with Allied demands, the German government argued, would threaten their fragile new republic, and it violated German military law. The German claim that compliance would result in social upheaval held some truth. Since their revolution in November 1918, the Germans had experienced severe economic and political crises. Resource shortages pervaded the country. The German coal supply, used to fuel the majority of their daily activities, fell to critically low levels due to Germany's territorial loss of the coal regions in the Saar and Lorraine.²⁶³ The inflationary period between 1919 and 1921, described by Detlev Peukert as the "demobilization inflation" resulted in low unemployment levels, but also severe currency depreciation that contributed to the hyperinflation of 1923.²⁶⁴ Political unrest cropped up throughout the country. The Spartacus "Uprising" of 1919 outside of Berlin was violently suppressed through workers supportive of the new government, and the rightist, paramilitary Freikorps units.²⁶⁵ In 1920, Berliners witnessed the Kapp Putsch, organized in protest of the disassembly of the Freikorps.²⁶⁶ In light of these events, the German government began a carefully balanced policy of appeasement for both the Allies and the Germans on the issue of the war crimes trials.

Offering an alternative to the international military tribunal, German Secretary of Finance Matthias Erzberger led a motion to try a considerably reduced number of the

²⁶² Accused war criminals on the Allies' list included: Fritz Haber, a German chemist and Nobel Prize recipient, who had developed poison gas for the German Army; Crown Prince Rupprecht, Hindenburg, Ludendorff, Generals von Moltke, von Bülow, von Kluck, Tirpitz, and dozens of other high ranking military leaders, princes, and noblemen. Willis, *Prologue to Nuremberg*, 121.

²⁶³ Bessel, *Germany after the First World War*, 112.

²⁶⁴ Detlev J.K. Peukert, Trans. by Richard Deveson, *The Weimar Republic: The Crisis of Classical Modernity* (New York: Hill and Wang, 1992), 62-3.

²⁶⁵ The Spartacus Uprising occurred between German socialist party factions. Spartacists supported the idea of their own communist political party, separate from the Independent Socialist Party (*Unabhängige Sozialdemokratische Partei Deutschlands*). The uprising occurred in early January 1919 and was limited in its size. However, it ended with the murder of its two leaders, Rosa Luxemburg and Karl Liebknecht. Peukert, *The Weimar Republic*, 32.

²⁶⁶ Peukert, *The Weimar Republic*, 62-3.

German war criminals in Germany's Supreme Court in Leipzig. In a break with German law, the accused war criminals would be tried before a civilian court and judged by civilians.²⁶⁷ The countries presenting the accusations—Great Britain, France, and Belgium—would be allowed to send a delegation to their respective trials. In an effort to demonstrate their adherence to the clauses regarding the Treaty of Versailles, Erzberger assured the Allies that a specially organized committee under Walther Schücking would investigate each of the Allies' cases and present evidence of their findings at the trial.²⁶⁸

Great Britain, which had been the most vocal advocate for an international tribunal in 1919, now supported the proposition and encouraged France and Belgium to follow suit. This unexpected support from the British arose from their recognition of the brittle political and economic condition of Germany. The British feared the implications of Germany's instability. The German Revolution had resulted in the formation of a German republic, but as the political instability demonstrated, communist and far-rightist sentiments resided within Germany. The British feared a second revolt would result in the restitution of the monarchy or the implementation of a communist regime. Either one would present a threat to the security of Western Europe. With deep skepticism and reluctance, Belgium and France followed the British example and agreed to the German proposition, with the stipulation that if the Allies found the trials, "unsuitable," they retained the right to extradite the cases abroad. Of the original list, the Allies put forth the

²⁶⁷ In 1919, the Germans passed a special law code that provided for this compliance with Allied requests. Mullins, *The Leipzig Trials*, 35.

²⁶⁸ The Treaty of Versailles (1919), 230. Walther Schücking was a negotiator during at the Treaty of Versailles. Erzberger, who also signed the Treaty of Versailles for Germany, was murdered in August 1921, just one month after the end of the Leipzig Trials. Article 230 of the Treaty of Versailles required Germans to investigate and supply information concerning alleged war criminals at the military tribunal.

names of the forty-five Germans accused as war criminals to be tried at Leipzig. These forty-five would test the integrity of the German court.²⁶⁹

After months of negotiations, the Germans and the Allies established final preparations for the trials in the spring of 1921. The first set of trials included twelve men, six accused by the British, five by the French, and one by the Belgians. Though other trials followed, this first set constituted the “Leipzig Trials” and held the most significance because of Allied attendance. News that their own government would try their “war heroes” sparked only slightly less resentment from German citizens than the prospect of extradition of the men had. But it was the Germans who held the advantage over the Allies. The Germans would conduct the trials, according to German law. As the trials unfolded, a pattern developed in which the German court issued verdicts in support of Great Britain’s cases, and against the French and Belgians.

The British Cases

The Leipzig Trials opened with the German court predisposed to approach the British cases more positively than any other nationality. Great Britain supported the proposition to hold the trials in Germany and encouraged France and Belgium to do the same. Therefore, Germans correctly assumed that the British would be easiest to satisfy.²⁷⁰ Initially, the British presented four cases at Leipzig, three against Germans who abused prisoners of war and one against a U-Boot commander. All four cases presented by the British charged the Germans as war criminals who had violated international law regarding the rights of defenseless parties.

²⁶⁹Kramer, “The First Wave of International War Crimes Trials,” 448.

²⁷⁰ Kramer, “The First Wave of International War Crimes Trials,” 448.

The Germans opened the trials on May 23, 1921, with the British case against Karl Heynen, a noncommissioned officer and former guard of a prisoner of war camp. The British charged that Heynen routinely beat, insulted, and tortured British prisoners of war. While the British accepted that these practices occurred throughout prison camps, it was the charge that Heynen tortured the prisoner “Cross,” to the point of insanity that distinguished the case.²⁷¹ British and German witnesses testified that Heynen had regularly tortured Cross during interrogation sessions by plunging his head beneath scalding hot and ice water. Witnesses stated that Heynen’s barbarity appeared to be substantiated by the fact that the unfortunate “Cross” had died prior to the trials. For the British, there appeared little doubt of Heynen’s guilt. Substantial evidence collected against him showed that far from treating prisoners in accordance to their collective rights, Heynen treated prisoners as chattel.

The most damning evidence came not from the British, but from the Germans themselves. In 1916, a German military court had convicted Heynen in 1916 of committing multiple inhumane actions against British prisoners of war.²⁷² Well aware of this, the British expectations rested on the idea of a form of “show trial” for Heynen. The Germans themselves had convicted him of barbarous actions, to the British, this was proof of Heynen’s guilt; the trial constituted a mere formality. But the British underestimated the will of the German court to try Heynen according to their laws and the trial proceeded with the assumption that Heynen was innocent until proven guilty. More than thirty German and British witnesses testified against Heynen, resulting in his

²⁷¹ Mullins, *The Leipzig Trials*, 55-7.

²⁷² Heynen received a sentence of two weeks arrest in 1916 for beating prisoners, but the sentence was never carried out. On December 7, 1918, Heynen was granted amnesty. Gerd Hankel, *Die Leipziger Prozesse: Deutsche Kriegsverbrechen und ihre Strafrechtliche Verfolgung nach dem Ersten Weltkrieg* (Hamburg, Clausen & Bosse, Leck, 2003), 337-8.

conviction. In Heynen's trial the court had presented clear evidence of Heynen's violation of the laws of the Hague Convention that protected prisoners from inhumane abuse. Yet, the court did not convict him based on this charge, but rather evidence that he violated German military code by beating prisoners and issuing the insult, "ratfink" to prisoners, criminalized under German civil law.²⁷³ Heynen received a sentence of ten months in a civilian prison, six of which he served prior to the trial.²⁷⁴ His case demonstrated to international observers that the trials were not show trials. The court did not conduct the trial on the assumption that the accused were guilty. The outcome of the trial was a disappointment to the British delegation. Heynen received a prison sentence of ten months (six of which he served before the trial), but this seemed mild to the British who found Heynen unquestionably guilty of brutally inhumane acts against prisoners of war. The verdict outraged British citizens and showed that even though the accused men faced charges of violating international law, German law determined their outcome.

The verdict of Heynen's case established a precedent for the conduct of the majority of the British cases. In the second and third cases, the British accused German junior officers, Emil Müller and Robert Neumann, with violating international laws regarding the collective rights of prisoners of war by beating them and subjecting them to forced labor for the German war effort. The prosecution presented evidence of the guilt of the two men through German and British witness testimonies. In turn, the court convicted both men of violating international law related to the treatment of prisoners of

²⁷³ Here, *schweinhund*. The laws criminalizing insults are in Section Fourteen of the German criminal code. *Das Strafgesetzbuch für das Deutsche Reich*. 1871. XIV.

²⁷⁴The Hague Convention. II. 4.

war and sentenced them to six to ten months in prison.²⁷⁵ The U-Boot commander, Karl Neumann, faced the charge of firing on a hospital ship. He escaped conviction entirely under the claim that he acted in accordance with superior orders.²⁷⁶ To both the British and international audiences, these verdicts produced disturbing doubts about the legitimacy of the trials. The Germans sought to remedy the wavering British support for the trials by trying a second case in which a U-Boot fired upon a hospital ship.

Understanding that only British support stood between the Germans and extradition of the trials to London, the court pursued a trial of the U-86 commander Helmut Patzig. He had torpedoed the British hospital ship, *Llandoverly Castle*, on June 27, 1918, and subsequently fired directly on the lifeboats carrying survivors.²⁷⁷ Sought by both the British and German governments following the war for violating multiple clauses of international law, Patzig avoided capture, and presumably returned to his home in the free city of Danzig, where German authorities could not apprehend him. Unable to locate Patzig, the British abandoned the case. The Germans, however, did not. Under their own initiative, and through the aid of the Schücking Committee, Patzig's two junior officers were arrested and brought to trial against heavy objections from German citizens who saw the action as a betrayal by their government.

The trial unfolded with the prosecution's argument that as crew members Johann Boldt and Ludwig Dithmar knew that firing upon defenseless hostages constituted a tremendous breach of international law, and as a result, they were charged as accessories

²⁷⁵Neumann received a sentence of six months in prison, four of which he served prior to the trial. Müller received a sentence of ten months in prison, six of which he served. Hankel, *Die Leipziger Prozesse*, 87; 341.

²⁷⁶UC-67 U-Boot commander, Lieutenant-Captain Karl Neumann was charged with sinking the British hospital ship, *Dover Castle* on May 26, 1917. This British fervently argued that Neumann had purposefully fired on the hospital ship, which was carrying 841 people, six of whom were killed. A second torpedo sunk the ship. Hankel, *Die Leipziger Prozesse*, 421.

²⁷⁷ Mullins, *The Leipzig Trials*, 108-9; 112.

to a wartime atrocity. Because of the high casualty rate that resulted from the act, few first-hand witnesses survived. Boldt and Dithmar, still unshakably loyal to their superior officer, refused to give evidence against him at the trial. Dithmar told the court calmly that he had sworn to Patzig that he would never to discuss the event.²⁷⁸ Boldt asserted that he had acted only in compliance with superior orders, “whose word was law.”²⁷⁹ In contrast to earlier trials, the court did not accept this claim as justification for the accused’s actions. One exception was the Second Officer of the *Llandovery Castle* Chapman. Chapman testified that he was ordered to either board U-86 or be shot. He witnessed his comrades drown, before returning to the lifeboat. Moments later he recalled, the U-Boot tried repeatedly to ram the lifeboat and fired fourteen shots at the lifeboats.²⁸⁰ A German witness testified that the lights on the hospital clearly illuminated the insignia of the Red Cross, leaving no doubt that the ship was a hospital ship.²⁸¹ Further evidence against the pair came primarily from thirteen British witnesses who had searched for the hospital ship, and fifty German witnesses.²⁸²

The trial ended with the court issuing Boldt and Dithmar each a four-year prison sentence. Dithmar received his discharge from the navy, and Boldt lost the privilege of wearing his uniform.²⁸³ Although the British perceived Boldt and Dithmar’s sentence as “light,” the overall handling of the trial improved British public opinion about the trials,

²⁷⁸ *Salt Lake Tribune*, “Submarine Chiefs are Placed on Trial: Men Alleged to Have Bombed Hospital Ship Face Prosecutors,” July 13, 1921.

²⁷⁹ “Submarine Chiefs are Placed on Trial,” *Salt Lake Tribune*, July 13, 1921.

²⁸⁰ “Submarine Chiefs are Placed on Trial,” *Salt Lake Tribune*, July 13, 1921.

²⁸¹ Hankel, *Die Leipziger Prozesse*, 458.

²⁸² Hankel, *Die Leipziger Prozesse*, 457.

²⁸³ Jürgen Matthäus, “The Lessons of Leipzig: Punishing German War Criminals after the First World War,” in *Atrocities on Trial: Historical Perspectives of Prosecuting War Crimes*, eds. Patricia Herberer and Jürgen Mätthaus, (Lincoln: University of Nebraska Press, 2008), 14.

which caused them to deem the trials “satisfactory,” and the issue of the German war criminals, resolved.

The French and Belgian Cases

In contrast to the British cases, the Germans handled the French and Belgian cases with considerably less care and diligence because, unlike the British cases, neither the French nor the Belgian cases suited German interests.²⁸⁴ The two nations launched charges of German abuse toward prisoners of war, but two years had elapsed since the end of the war, and still both countries used German prisoners of war in their war rebuilding, which entailed dangerous work such as the detonation of live artillery shells. This forced labor embittered them against both nations.

Belgium’s only case in the first series of Leipzig trials was against the head of the German secret police, Max Ramdohr, who was stationed in the Belgian village of Grammont, thirty miles west of Brussels, during the German occupation. The Belgians charged Ramdohr with excessive cruelty toward Belgian youths who had “sabotaged” the German railroad line in the village. Dozens of Belgian boys between the ages of twelve and eighteen testified that Ramdohr had imprisoned them in poor conditions and interrogated them by plunging their heads into buckets of ice water.²⁸⁵ A thirteen-year-old further elaborated that Ramdohr had wrapped a string around his neck, fastened it to a hook above his head, and beat the boy’s bare legs with a cane.²⁸⁶

The Leipzig Court listened to the extensive testimonies against Ramdohr, but unlike the British cases, they considered the evidence to lack legitimacy because it rested

²⁸⁴ After the war, Great Britain supported German territorial interests during the Silesian Crisis in which Polish Silesians revolted against German rule in Western Silesia. “Polish Rising in Silesia: Mining District at a Standstill,” *The Times*, August 20, 1919.

²⁸⁵ Mullins, *The Leipzig Trials*,” 136; 139.

²⁸⁶ Hankel, *Die Leipziger Prozesse*,” 111.

on the testimonies of young boys, the majority under eighteen. These witnesses were not only young, they were civilians, and as such lacked the credibility of the British witnesses, who in addition to being in the military, had also experienced combat on the Western Front. The court further argued that the age of the witnesses, compounded by the fact that the Belgian government could have easily “modified” their recollection of the experience in the three years that had elapsed since the events had transpired, rendered their testimonies invalid. Ramdohr was acquitted of all charges.

Underlying the superficial reasons the Germans presented for Ramdohr’s verdict was German doubt about the legitimacy of the Belgian claims of atrocities. Since 1914, the Allies had referred to the German occupation of neutral Belgium as the “rape of Belgium,” and the “Belgium atrocities,” but the Germans rationalized their actions. The Germans believed that in August 1914, the Belgians should have allowed the German military to pass freely through the country en route to France. Belgian resistance and attacking of German troops caused retaliation that culminated in the deaths of thousands of Belgian civilians. Yet, to the Germans, the Belgian attacks amounted to an illegal war on an occupying army.²⁸⁷ The validity of this belief remained strong in 1921 and indicated that the Germans were unlikely to convict any “war criminal” associated with the Belgian occupation. Outraged by the handling of Ramdohr’s case, the Belgian delegation departed from Leipzig.

Following the departure of the Belgians, the French presented their first, highly-anticipated case against Lieutenant-General Karl Stenger and his subordinate officer, Major Benno Crusius. In August 1914, upon entering a French village Stenger reportedly gave the order to the 58th Infantry Brigade to kill all of the wounded French soldiers and

²⁸⁷ Hull, *Absolute Destruction*, 209-211.

prisoners of war, saying, “All the prisoners are to be massacred...no enemy must remain alive behind us.”²⁸⁸ Upon receiving word of this order, Crusius executed dozens of French prisoners of war. Evidence produced by both German and French witnesses convinced the court that prisoners were executed on two separate accounts in 1914.²⁸⁹

The trial did not proceed in the way the French anticipated. On the day of the trial, Stenger appeared in court supported by two crutches, having lost his right leg in the course of the war. His uniform pressed and glistening with a dozen medals, and the sapphire and gold *Pour le Mérite* secured at his collar distinguished him as a quintessential German war hero. And although military officers no longer occupied the same position of importance they enjoyed under the Imperial German Empire, reverence for the military remained strong.²⁹⁰ Stenger’s appearance as a war-worn general emphasized the credibility of his testimony. He calmly denied the charge that he issued an order to kill prisoners (though he admitted he was not opposed to the practice), and the only prisoners who were shot were those who continued to fight.²⁹¹ This point was elaborated on by one of the German witnesses, who described the incident as a reaction to heinous acts perpetrated by the French *Alpenjäger* units. The Frenchmen, he asserted, had seen the Germans approaching, quickly ascended nearby trees, bringing with them their small machine guns, and had deliberately shot the Germans in the back as they passed under them.²⁹²

Improbable as the story of French soldiers quickly ascending trees with machine guns in hand appeared, it helped solidify the opinion of the court that even if Stenger had

²⁸⁸ Hankel, *Die Leipziger Prozesse*, 125.

²⁸⁹ Mullins, *The Leipzig Trials*, 152.

²⁹⁰ Matthäus, “The Lessons of Leipzig,” 7-8.

²⁹¹ Mullins, *The Leipzig Trials*, 155.

²⁹² Hankel, *Die Leipziger Prozesse*, 129-30.

issued the order to not take prisoners, it was military necessity that compelled him to do so. Soon thereafter, the trial shifted its focus to the actions of Stenger's subordinate officer, Major Crusius. It was the court's opinion that he had acted out of a misconstrued order from Stenger. However, Crusius could not be held entirely responsible for his actions because German doctors had determined he was "insane" at the time of the incident, and likewise, the court shared that opinion.²⁹³ The trial ended with Stenger's acquittal; Crusius lost the right to wear his uniform and received a sentence of two years in prison, of which he had already served fourteen months.²⁹⁴

The verdict outraged the French, who had first demanded Stenger's trial in 1914. In their eyes, Stenger and Crusius had violated the "laws of war and humanity" many times in the execution of the French prisoners. The 1907 Hague Convention, explicitly forbade the killing or wounding of prisoners under Article 2. The same clause forbade the practice of declaring no quarter would be given.²⁹⁵ French Prime Minister Alstrid Briand, reacted immediately by ordering a withdrawal of the French delegation from the trials. The French government further declared French troops would continue to occupy the Rhine until "justice" was delivered at Leipzig.²⁹⁶

Both French moves had political consequences. Premier Briand's decision to order the delegation to depart from the trials deeply offended the German court, particularly the judge (*Statspräsident*) Heinrich Schmidt, who the British delegation frequently praised for his impartiality. With their departure, the French government blatantly accused the Leipzig judges of bias and followed up this maneuver with a threat

²⁹³ Mullins, *The Leipzig Trials*, 163, 166.

²⁹⁴ Hankel, *Die Leipziger Prozesse*, 141.

²⁹⁵ The Hague Convention. XXIII.

²⁹⁶ "French Indignant over War Trials: Troops will Remain on Rhine since there is no Justice to be Obtained," *San Jose Mercury Herald*, July 9, 1921.

to the Germans that French troops would continue to occupy the Rhine. Regardless of the validity of French accusations, neither of their assertions endeared the Leipzig court to their cause. As one British correspondent reported, “A judge’s impartiality was a judge’s honor.”²⁹⁷ Their accusations supplied the Leipzig court with a reason to conduct the remaining French cases with increased partiality. Following the unsuccessful trial of a German junior officer, the court entertained the last French case against German Generals Schack and Kruska, who the court acquitted of the charges of the mass-murder of French prisoners of war at Cassel.

After Leipzig

The complexities of the situations leading up to, and the seeming contradictions during the trials that caused the Allies to decry them as a farce, begs the question, what happened at Leipzig? Why did a procedure designed to uphold the humanity of international law appear to fail, as it had during World War I? The events at Leipzig can be assessed on an international and national level because the proceedings and goals for the trials operated on both levels.

As this chapter shows, no consensus existed, even among the Allies, about how the postwar world should define and mete out punishment for war crimes committed against humanity. They simply believed that the court would find the accused guilty as the Allies charged. The trials were merely a formality. It is therefore not terribly surprising that the Allies found the outcome of the trials unsatisfactory when the German court tried the cases according to German law and did not make the same assumptions about the accused’s guilt. Claud Mullins expresses in his memoirs of the trials how foreign the proceedings would appear to anyone unfamiliar with German law. Those

²⁹⁷ “Leipzig Trials Upheld: Minister’s Attack on M. Briand,” *The Times*, July 13, 1921.

convicted often received punishments that, on the surface, amounted to a few months in prison, monetary fines, or the discharge from his military post. None of these seemed appropriate punishments for men who had broken international law by means of harming, or in many cases, torturing defenseless prisoners of war and civilians. But in Germany, these sentences carried for more significance and targeted the guilty psychologically. By trying the accused in a civilian court, the special status bestowed on an individual in the military was stripped from him before his verdict was ever issued.²⁹⁸ His honor was similarly affected by the fact that he must carry out his prison sentence in a civilian prison.

Allied dissatisfaction with the trials was almost expected in 1921. After all, what did Germany gain by trying their own men, particularly those which citizens hailed as war heroes? The Treaty of Versailles bound the country to carry through with Allied demands for the trials, but Germany had not hesitated in breaching international law only three years before. Potentially, the Allies could employ military forces against them if they refused to comply. The likelihood of such measures occurring in the wake of the war seemed slim, with the military forces of both England and France diminished and recuperating. A reasonable tool to ensure German compliance was economics. The British continued their blockade of the German coast until the spring of 1919, hampering the flow of goods to Germany.²⁹⁹ At the same time, the Germans recognized that Britain was their strongest trading partner before the war, and reasoned that compliance with their demands could reinstate their prewar economic relationship, end the blockade, and help to galvanize the floundering German economy.

²⁹⁸ Mullins, *The Leipzig Trials*, 203-8.

²⁹⁹ Bessel, *Germany after the First World War*, 95-6.

The trials were (and still are) sharply criticized because of the extreme partiality displayed at the trials toward the individual countries. Of the three Allied nations represented, only the British could be even remotely pleased with the conduct. As historian Alan Kramer asserts, this was because the Germans could not afford not to satisfy the British.³⁰⁰ Of the trials, five of the six British cases ended in conviction, while only a single case out of the five French cases ended in conviction. The Belgian case ended in acquittal.

Not without reason, both the French and Belgian delegations left the trials in disgust. They continued to try Germans accused as war criminals *in absentia* within their own countries until 1924, by which they convicted 1200 Germans as war criminals.³⁰¹ Within Germany, the Leipzig Court continued to try Germans listed on French and Belgian lists of accused war criminals in an effort to maintain the illusion of adhering to international demand. Though it appears without purpose, the Germans continued to carry out the trials to acquit the accused of charges in a type of reverse show trial, in which the court assumed the innocence of the accused. Only rarely did the court convict anyone even when substantial evidence existed to support a conviction.³⁰²

National biases existed between the Allies and the Germans that factored into the trials before they started. German historian Gerd Hankel, author of the most comprehensive study of the trials, argues that the Allies pursued the trials because a deep conviction existed among Europeans that the war was so inhumane that the people of Europe could not simply return to their normal lives in the postwar period. Something had to be done to establish these crimes as beyond the realm of normal wartime practices,

³⁰⁰ Kramer, "The First Wave of International War Crimes Trials," 448.

³⁰¹ Kramer, "The First Wave of International War Crimes Trials," 446.

³⁰² Kramer, "The First Wave of International War Crimes Trials," 449.

and prevent future war crimes from occurring.³⁰³ This embodies the overall goal of the Allies', but their decision to focus on Germany echoed of war vengeance. The Allies had fought against not just the Germans, but the armies of Austria, Hungary, Bulgaria, and the Ottoman Empire, and yet the only countries they considered as guilty of war crimes were Germany and Turkey. British-driven attempts to try Turkish war criminals charged with massacring thousands of Armenians failed, due largely to the lack of cooperation with the Turkish government and an equal lack of support from other Allied nations.³⁰⁴ Yet, the pursuit of the Leipzig Trials had involved three years of conflict, negotiations, and limited success. The fact that Britain found the trials satisfactory while Belgium and France condemned them, created a strong rift between the Allies that indicated further trials, not so relevant to their immediate countries, were not worth the effort.

Approaching close to the third anniversary of the end of the war, Europeans of all stripes focused on moving forward.

The Leipzig Trials, and the discussions that led to their fruition, constitute a monumental turning point in the development of international law. The flaws of the trials should not overshadow their achievements. In 1921, the nearly three years it took for the trials to take place seemed indicative of their failure, and in many ways the prolonged period of discussion was a contributing factor in the flaws of the trials. However, in 1918, no international framework existed to offer guidance on the procedure of the trials. Recuperating from one of the world's most destructive wars in history, the Allies and Germany demonstrated remarkable cooperation that culminated in the Allied-German agreement to allow the Germans to try their own "war criminals." Coming out of the First

³⁰³Hankel, *Die Leipziger Prozesse*, 14-15.

³⁰⁴Willis, *Prologue to Nuremburg*, 148; 163.

World War, the period of the 1920s signified an era not only of international interest in upholding the rights of humanity, but acted on them through the war crimes trials, the establishment of the League of Nations, and the revision of international law at the 1929 Geneva Convention, which focused on the expansion and clarification of the collective rights of prisoners of war and civilians. These developments marked a transition in international thinking, which established that in times of war, “military necessity” and reciprocity did not justify atrocities. More importantly, the trials culminated in the establishment of a precedent that held perpetrators of wartime atrocities accountable for their actions. Of the lessons coming out of Leipzig, this was the most important, as was evidenced twenty-five years later in the city of Nuremburg.

Epilogue

The morning of October 1, 1946, former Nazi architect and Armaments Minister of the Third Reich Albert Speer sat stone-faced in a dock at the Palace of Justice in Nuremburg surrounded by guards as he awaited his sentence before the International Military Tribunal. One by one, the court passed sentence on the eighteen high-ranking Nazi officials listed before him. Twenty-one former Nazi officials present in the courtroom had been indicted on the basis of their participation in one of four areas: crimes of conspiracy, crimes against peace, war crimes, and crimes against humanity.³⁰⁵ The nineteenth defendant, Speer, had been convicted of committing war crimes and crimes against humanity based on his employment of over 14 million foreign and slave laborers in the Nazi armaments factories, including prisoners of war and concentration camp inmates.³⁰⁶ Speer's defense at the trial had begun four months before in June 1946. He testified candidly on his role in the Nazi regime and stated he was responsible for the atrocities because he accepted Nazism, but he did not admit to personal guilt for the forced labor system he oversaw. At one point in the trial, Speer confirmed his knowledge of the deportation of 100,000 Jews from Hungary to the subterranean aircraft factories and further added that he had made no objection at the time.³⁰⁷ His frank acceptance of personal responsibility in the war earned Speer the respect of many of the Allies. As he awaited sentencing, he wondered if it would spare him the hangman's noose. His chance of survival appeared increasingly less likely, as the court issued sentences of death by

³⁰⁵ Twenty-two men were charged as war criminals by the Allies and sentenced at Nuremburg. Martin Bormann was tried *in absentia*. Joachim Fest, *Speer: The Final Verdict*, trans. Ewald Osers and Alexandra Dring (New York: Harcourt Inc., 2001), 285.

³⁰⁶ Robert E. Conot, *Justice at Nuremburg* (New York: Harper and Row, Publishers, 1983), 433; 440-1.

³⁰⁷ Conot, *Justice at Nuremburg*, 433; 444.

hanging to many of his associates.³⁰⁸ Prepared to hear the same fate bestowed on him, Speer sighed with surprised relief when the court spared him from hanging, sentencing him instead to twenty years imprisonment.

The trial of Speer and twenty-one other Nazi war criminals at Nuremburg highlighted a dramatic change in the course of international law since the attempt to administer punishment to war criminals twenty-five years earlier at the Leipzig Trials. Far from the “light” sentences and acquittals issued at Leipzig, twelve of the war criminals received the death penalty, seven received prison sentences of ten years to lifetime, and three were acquitted.³⁰⁹ This can be partly attributed to the fact that Speer and the other former Nazis were tried by an international military tribunal comprised of judges from the Soviet Union, France, Great Britain, and the United States, rather than a court of seven German judges. The Allies declared that the Nazi racial policies, extermination camps, and forced labor were crimes against humanity that must never again be emulated. To ensure war crimes such as the Nazis committed were not emulated, the Allies tried senior Nazi officials before the eyes of the world at Nuremburg.

Imprisoned at Spandau Prison in West Berlin, Speer reflected on the international war crimes trials that had preceded those for which he was convicted. The Leipzig Trials, he asserted might have deterred the German use of forced labor programs, if, in 1921, the Allies had carried through with their punishment of the German leaders responsible for the forced labor programs of the First World War.³¹⁰ Speer’s speculation suggests that the

³⁰⁸ Dan van der Vat, *The Good Nazi: The Life and Lies of Albert Speer* (Boston: Houghton Mifflin Company, 1997), 281.

³⁰⁹ Of the twelve, ten were executed through hanging. Martin Bormann was issued the death penalty, though tried *in absentia*, and Hermann Göring committed suicide the night before his scheduled execution. Fest, *Speer*, 306.

³¹⁰ Willis, *Prologue to Nuremburg*, 173.

war crimes and crimes against humanity of which he was convicted at Nuremburg were not solely a product of Nazi ideology, but had their roots in the First World War and German military culture. Isabel Hull describes German military culture as the use of extreme methods to achieve an end, often through extreme violence, which in turn generated total solutions such as the annihilation or complete submission of an enemy. These goals were achieved through specific military practices.³¹¹ Nazi practices of mass racial extermination and brutal forced labor were two examples of Germany's use of "extreme methods" to achieve total solutions in World War II. But extreme methods also existed in World War I. While the Germans did not practice mass extermination in the First World War, the war did establish a basic foundation for the treatment of prisoners of war and foreign laborers. In the course of the First World War, the Germans employed thousands of prisoners of war in forced labor companies along the Western Front and foreign laborers in German munitions factories. In World War II, the Germans employed a similar, though much larger-scale forced labor system on the Eastern Front and, under Speer's administration thousands of forced laborers worked in Nazi armaments factories. In both cases, the violence of German military practices provoked an international response that the Germans were guilty of war crimes, and "crimes against humanity" that required punishment of the perpetrators.

My goal in this epilogue is not to provide a full comparison of the use of forced and slave labor in the wars, or of the war crimes trials following the world wars, both of which are beyond the scope of this project.³¹² Stark differences existed in the physical

³¹¹ Hull, *Absolute Destruction*, 1-2.

³¹² For historiography on prisoners of war in World War II, see: Frank Biess, *Homecomings: Returning POWs and the Legacies of Defeat in Postwar Germany* (Princeton: 2006); Neville Wylie, *Barbed Wire Diplomacy: Britain, Germany and the Politics of Prisoners of War, 1939-45* (London: 2006);

purpose of the camps of the First and Second World Wars. For all of the suffering that occurred within the German prison camps and in the forced labor camps, the prison camps of the First World War were not the death camps of World War II. Nor did the Germans actively pursue a racial war of extermination, even against the Russians or Slavic peoples. Instead of comparing the physical operation of the camps and experience of war prisoners in the two wars, I instead argue that the First World War provided a basic groundwork for the defining what constituted normal and acceptable practices toward prisoners of war in the Second World War. I argue that the strongest similarity between the two wars was not in the physical structure and operation of prisoner camps, but in the German dehumanization of prisoners of war and foreign laborers.

World War I produced two specific developments that radicalized prisoner of war treatment. The first was the emergence of a widespread consensus that inhumane and violent treatment of prisoners of war was an acceptable course of action in order to carry out a military purpose. The war also showed that although international law forbade the use of prisoners as a labor source for the captor nation, prisoners of war had economic worth as laborers for the state that could be exploited through organized mass forced labor on the German homefront and on the battlefield.

The German goal of achieving a complete military victory over the Allies drove them to enact forced labor systems, which they justified through military necessity and reciprocity. The ability of the Germans to undertake such practices came from the monopoly they held on prisoners of war, interning more than one-fourth of the total number of prisoners taken during the war. This “surplus” of war prisoners conveyed the

Bob Moore and Barbara Hatley-Broad eds., *Prisoners of War, Prisoners of Peace, Captivity, Homecoming and Memory in World War II*, (New York: 2005), and S.P. MacKenzie, “The Treatment of Prisoners of War in World War II,” *The Journal of Modern History* 66, no. 3 (Sept. 1994): 487-520.

sense that prisoners were a disposable resource, easily replaced. First employed on a massive scale in the 1917 Spring Reprisals, prisoners of war were used as an instrument to change Allied policy. Through 1914-16, reprisals were generally limited in severity and size, but as the war escalated in 1917, the Germans regularly used prisoners in increasingly violent ways. The Hague Convention did not protect prisoners against these measures, but their severity during the end of World War I caused the 1929 Geneva Convention to explicitly forbid the practice.³¹³ And yet, historian S.P. MacKenzie calls attention to the fact that reprisals were used frequently to change policy in World War II. Between the British and the German army, a series of prisoner reprisals erupted in the fall of 1942 over the British practice of binding of prisoner's hands.³¹⁴ The reprisals escalated rapidly, involving over 5,500 shackled German and British prisoners and only abated with the mutual recognition that if neither side ceased their actions, each country ran the risk of invoking retaliatory actions that would seriously endanger their own prisoners.³¹⁵ The continued focus on violent reciprocal actions as acceptable practices of prisoner treatment in World War II resulted from German military practices, rather than specific conditions of war.

With the onset of the prisoner reprisals of the First World War emerged the German implementation of forced labor companies. These prisoners (largely British and French) worked directly for the Germans under artillery fire from their own armies and lived in ramshackle camps where they contracted diseases, sustained injuries, and faced starvation. German activity in World War I also established the acceptance of forced

³¹³ Geneva Convention, *Convention Relative to the Treatment of Prisoners of War*, (Geneva, 1929), I.2.

³¹⁴ MacKenzie, "The Treatment of Prisoners of War in World War II," 491-2.

³¹⁵ MacKenzie, "The Treatment of Prisoners of War in World War II," 492.

deportations of foreign workers from German-occupied territories. Within weeks of the beginning of the war, more than 2,300 French and Belgian citizens were deported to Germany to work in munitions factories.³¹⁶ In 1916, the Germans enacted forced labor deportations in Belgium *en masse*, sending nearly 60,000 Belgians within a three month period to work for the German war effort in industrial factories. Deportees traveled in open, unheated trucks and trains to “concentration camps” where they endured harsh weather conditions, and hundreds perished from malnutrition and disease before the end of the war.³¹⁷ The process overtly violated the articles of the Hague Convention, but the Germans rationalized it as military necessity.

After World War I, an international interest in punishing the perpetrators of the atrocities involving forced labor, deportations, and violent abuse of prisoners of war and civilians emerged. These acts of inhumanity violated the laws of the Hague Convention and in the eyes of the Allies, amounted to “war crimes.” So heinous were the acts, that they could not be ignored. Someone, the Allies insisted, had to be held accountable for the destruction that occurred in the war. After three years of negotiations, the Allies brought to trial before the German court at Leipzig a dozen Germans, mostly junior officers and NCOs. The few convictions and “light” sentences of those convicted gave the impression that the German war criminals had gotten away with their war crimes of inhumanity, and caused dissatisfaction, if not outrage, among almost everyone with knowledge of the trials.

Because of this perception, in the fall of 1945, the Leipzig Trials served as a roadmap for the Allies of how *not* to conduct an international war crimes trial. After

³¹⁶ Hull, *Absolute Destruction*, 211-12.

³¹⁷ Armeson, *Total Warfare and Compulsory Labor*, 40-1.

World War I, the Allies' lengthy discussion about what constituted a war crime and who could be defined a criminal allowed some of the most sought after war criminals to escape before trial. It also allowed the Germans to prepare a solid resistance to Allied plans. Most importantly however, the Leipzig Trials established the imperative to try war criminals before an international court, and not a domestic, civilian court.

British Prime Minister Winston Churchill and Foreign Minister Anthony Eden denounced the Leipzig Trials as a “fiasco” to avoid in the postwar period following World War II. But the Leipzig Trials were not the “fiasco” Churchill and Eden described in terms of their legacy. The trials had a significant influence over the course of the trials following the Second World War, and if the Leipzig Trials failed to determine accountability for the war crimes of World War I, it is not entirely the fault of the proceedings of the trials themselves. The Allies lacked a clear vision of how to carry out a war crimes trial, though they made a conscious effort to hold the German military system responsible for the war crimes.³¹⁸ Initially, their list of accused war criminals contained the names of hundreds of senior officers and heads of the state, the former Kaiser, Crown Prince, Hindenburg, and Ludendorff among them. In the eyes of the Allies, these were the individuals responsible for dictating the course of the war. But, they lacked a cohesive vision in how to proceed with judicial trials against these individuals. Time allowed for cases against senior officers to recede. They were replaced as defendants by lesser individuals responsible for carrying out, not instigating, atrocities. In contrast, the Nuremberg Trials tried the senior officers of the Nazi party. The Leipzig Trials contributed three significant components in furthering the international dialogue on human rights. First, it gave the Allies a basis in defining a war criminal and the types of

³¹⁸ Mullins, *The Leipzig Trials*, 225.

wartime atrocities that comprised a war crime. Second, it set a precedent that accused war criminals should not go unpunished; they had to be held responsible for their actions. Military necessity and following orders were no longer legitimate excuses, as the accused war criminals of World War II discovered. And lastly, the trials recognized that prisoners of war and civilians were entitled to collective rights prescribed by the Hague Convention. The Allies and the Germans discussed the war crimes committed during World War I as violations of collective rights, rather than crimes against humanity. In the postwar period following World War I, however, an international dialogue that occurred that established the necessary groundwork for the post World War II concept of human rights, which afforded rights to individual people, to emerge.

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