

United States Holocaust Memorial Museum

**Interview with Drexel Sprecher
June 8, 1990
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PREFACE

The following oral history testimony is the result of a videotaped interview with Drexel Sprecher, conducted by Linda Kuzmack on June 8, 1990 on behalf of the United States Holocaust Memorial Museum. The interview took place in Washington, DC and is part of the United States Holocaust Memorial Museum's collection of oral testimonies. Rights to the interview are held by the United States Holocaust Memorial Museum. The interview cannot be used for sale in the Museum Shop. The interview cannot be used by a third party for creation of a work for commercial sale.

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DREXEL SPRECHER

June 8, 1990

Q: Would you tell me your name please?

A: Drexel Andreas Sprecher.

Q: Where and when were you born?

A: I was born in Independence, Wisconsin, on March 25th, 1913.

Q: Tell me a little bit about your childhood and your growing up, will you?

A: Well, I grew up in a small town and then I went away to a small college for 1 year and then I went to the University of Wisconsin for 3 years. And when I came to the University of Wisconsin, I ran onto a number of religious leaders who I got close to. There had been some anti-Semitic incidents on the campus and I was asked if I would form a group to kind of neutralize this since I was on the basketball team and a few other things. So we formed a group called "KOINOS" from the Greek word, in common. And that group put on some seminars and we let it be known that we weren't going to have any more incidences around the campus or some of us would respond in kind. And I became very interested through a number of professors in what was going on in Germany. And I wrote a thesis for Professor Selig Perlman on the nature and structure of German Fascism. I didn't know too much about it but I had a book by Professor Schuman at the University of Chicago whereupon I applied to the University of Chicago for a fellowship with Schuman which I was granted where my professors at the University and Glenn Frank, the President of the University, said if you can afford it, you should go abroad. So I said I can afford it, and I went abroad to the London School of Economics, a part of the University of London. And there I actually knew I wasn't going to stay 2 years so I could get a degree. Instead I did a lot of traveling and a lot of talking and a lot of writing as a young person who is having a whole new world opening to him. And then I was persuaded that my unruly mind needed some discipline. I should go to Harvard Law School. So I came back to the States and saw Professor Felix Frankfurter. He said I think you have the qualifications to be admitted, and I was admitted the next month to the Harvard Law School. And while at the Law School I didn't do too well except that I organized the Harvard Law School Union and became its first president. And I became very active in working with campus groups getting speakers. I became a member of the Ford Hall Youth Forum Directorate under David Niles, who was head of the Ford Hall Forum in Boston. And so there's the beginning.

Q: You had told me earlier you went to Germany in the early 30s.

A: I went to Germany first in about 1929 with my parents, as a part of a European trip of about 6 weeks. And we went to the Passion Play, Oberamegau and a few things in Germany, but mainly we spent our time in England, France, and Switzerland.

Q: And you went again in '35?

A: Well, when I went...after I graduated from the University of Wisconsin, I went to London and to the London School of Economics and to spend most of '34 and '35 over there.

Q: What did you see in Germany at that time?

A: Well, in Germany at that time, you didn't see too much on the surface except that the things were highly regimented. By the time I got to Germany, the consolidation of power by the Nazis had well taken place. However, I did get there in time to have a big tour of the Ruhr, because one of the German students, his father was the Director of the Gutehoffnungshuette asked me to visit with their family and so on. And then I went into Berlin for the Goering-Sonnemann wedding. He married...Goering married a movie actress by the name of Sonnemann, Emmy Sonnemann and I went and stood on the curb side behind four rows of storm troopers and saw Hitler lead the parade and Goering down to the Dom¹, where he was married and back from the Dom and I took a picture upside down which I still have, which shows Hitler in the next car behind Goering and Sonnemann.

Q: As the war approached, you were in America. You were finishing up law school. What did you do? What kinds of things did you start getting involved in?

A: Well, as soon as I was out of law school in 1938 my law club had won the Ames Competition which is the moot court arguments. And what we argued about was a case that was before the Supreme Court, and so our briefs were used by the Department of Justice as well as the National Labor Relations Board in the arguments before the Supreme Court. And when I came down to Washington looking for a job, I was...was interested in one of two jobs, either with the Labor Board or with the Department of Justice Anti-Trust Division. And I stopped at the Labor Board first and I was hired in the first half hour, so I didn't go to the Department of Justice for an interview.

Q: How did...from the Labor Board, how did you come involved in...as the war drew...drew closer in the war itself?

A: Well, actually the work at the Labor Board I was in the Trial Section which I wanted to be in, and I was sent around the country on first easier cases and then more difficult ones. And I got a lot of trial experience. And then I wound up finally in New York at the time the war broke out. I enlisted and since I had been in England, they shipped me right to England as a Sergeant without any basic training or anything like that and assigned me to the Inspector General. Traveled all over England and Northern Ireland for up until after the invasion, the Allies invaded North Africa. And then like a good Inspector General, I came down a month

¹**German:** Cathedral. Referring in this instance specifically to the Cathedral in Berlin.

later and spent the next nearly the next year in North Africa inspecting installations. And from there, I worked into OSS, which is another story.

Q: Tell us a little bit because it is relevant...a little bit about what you did in OSS.

A: Well, my...an old friend from the Labor Board was Gerhard Van Arkel, and he was one of the assistants of Arthur Goldberg, who was then a Major and the head of the German Labor Desk of OSS. And Van Arkel came down to Oran which is my base in North Africa, and tried to persuade me for some time to come with OSS as a training officer. Well, we finally worked it so that I could get there because I...my boss didn't want to let me go. And when I got to Algiers and I worked with about 12 or 13 Germans who had fought in with the Loyalists in Spain against the Dictator Franco, or the upcoming Dictator Franco, and of course, that helped solidify too my feelings and about things in Germany, and gave me more information about how OSS operated. I met Wild Bill, General Wild Bill Donovan² at that time, but never knew him well. And at a certain point Arthur Goldberg asked me to come back and be the Director of Training for the German-Labor Desk in Washington. I did that and when the...looked like the war was winding down a good deal, I moved over to the Labor Branch of the Department of the Army because there were tremendous manpower shortages in various industries: aluminum, forge and foundry work, and so on. And while I was working on that along came VE Day and Justice Jackson, meanwhile, had been appointed Chief of Counsel for the United States³ and I came back into Washington and he made his first report to President Truman. I was terribly impressed by what he'd...what he reported on and I made up my mind that somehow I was going to get on Justice Jackson's staff. I didn't know Justice Jackson, but I did know David K. Niles, who was an assistant to the President, and he sent a ...a letter recommending me to Justice Jackson, but nothing ever. Meanwhile, I thought that might be the case, so I went back to OSS, to the General Counsel's office⁴, and told him that I would like to work on the trials, and he told me that OSS was actually furnishing most of the data for Justice Jackson because the Department of Justice had very little and our War Department had very little. And he said, "But in our files, the research and analysis here, we have something about practically everything that's happened in Nazi Germany." I said, "Fine." And so for the next month or so, I just studied those files like a trooper. A professor by the name of Franz Neumann wrote a book called Behemoth⁵, was there and he gave me some tips on different things to do and when he found out I was interested in the Trade Union Movement, he gave me a book in which the Nazis bragged

²The Head of OSS. Information supplied by interviewee.

³Justice Robert Jackson was appointed represent the United States as U.S. Chief of Counsel for the War Crimes Tribunal. (Information supplied by interviewee.)

⁴Commander James Donovan. (Information supplied by interviewee).

⁵The full title is Behemoth: The Structure and Practice of National Socialism. Information supplied by interviewee.

about how they'd taken over the trade unions. And they included the...a copy of the order in the appendix that they'd sent out to the SA...the storm troops in order to seize these trade union leaders and the headquarters of all the unions on the 2nd of May 1933. Well, this gave me a tremendous basis for beginning to write a brief, which I did, and submitted it to several people, including Jackson. And they were quite impressed that I had gotten this much...this kind of material without even getting into Germany. So that's how I got started.

Q: Why don't you pick it up from there and tell us about indeed going to Germany and beginning the first research in the first work before the trials?

A: I flew to London in July of 1939 -- I'm sorry, 1945, and met some of the staff. And I could tell that a lot of them had gotten so accustomed to being in London that they weren't anxious to go to Paris and Nuremberg. But Colonel Storey⁶, the head of the Documentation Division, had already established shop in Paris. And I tried...I persuaded them to let me get there as soon as possible. When I got to Paris in July of 1945, the Rosenberg files had just been brought into Rue de Pressbourg which was the headquarters of the OSS office there and now became the head of the Chief of Counsel War Crimes office.⁷ So here I saw all these volumes. Some of them had still had hay sticking out of them or straw. Uh...Rosenberg had buried these files behind a double wall, but some German had seen him do it and reported it to an Allied officer, an American officer and the American officer told us, and so on. So they were brought in there. There were few people to work on those files. And Colonel Storey didn't speak any German and he had gotten from the American Embassy and so on, a few people who are...spoke German, and they'd begun. But he said out of the Rosenberg, what they producing out of the Rosenberg files is a tremendous number...amount of materials on slave labor and spoilation and the stealing of art treasures and all this kind of thing, but they haven't produced anything that directly ties them to aggressive war. I wish you'd tackle that. So that was my first day in Paris. And that night after dinner, I came back and gazed at this files. And they were all thick Leitz Orners⁸ about 3 inches thick, except one which was about an inch thick or so. And that had on the back of it Norwegen APA--Norway, Foreign Political Office, Auslandspolitischesamt, and I just figured that was easier to tackle than any big volume. So I pulled it down. And I started to think. Now, let's see, there was a Quisling. And Vidkun Quisling, and he became a collaborator. Let's see when was Norway invaded? June 1940. So I went to that period in this file, and I looked before it and here there was memos about Vidkun Quisling bringing 12 Germans in to see Rosenberg in Berlin and eventually Quisling had been introduced to Hitler in a brief conversation and that then you go in back and had helped in the invasion...the Nazi invasion of Norway. I immediately went

⁶Colonel Robert G. Storey. (Information supplied by interviewee).

⁷Rue de Pressbourg was converted into the Paris branch office for the U.S. Chief of Council for War Crimes. Information supplied by the interviewee.

⁸Notebooks. (Information supplied by interviewee.)

in to Story the next morning and told him, "Here's what I've got." And I had already written a very brief one-page memo on this. And I said, "Now my German isn't very good, so I'm not going to be able to vouch for all these, but I think you might just take this file to London." He was going to London the next day on Justice Jackson's private plane or the plane that the Army had assigned him. He took that file back to London and, of course, immediately it was on the top of the desks of everybody with respect to what had been found. And this is how I made my first impression on Jackson. And then I also showed him this brief that I had done and told him that it needed filling in as soon as I could get into Germany. And he said, "Well, I think we better hurry you along." So, well, meanwhile I had gone into Germany, but I hadn't gone to Nuremberg because we didn't know that Nuremberg was going to be the head of the trials in July. But I had gone in and made a few contacts and knew that some contacts that would be helpful. On August 15th, by that time the London agreement had been signed establishing the Tribunal and Office Chief of War Crimes as the main representative of the American...the Americans and so on. And then Major Baldwin, who is Colonel Storey's deputy, and I flew in in order to open the office in Nuremberg. And we came into this bombed and shelled, huge Palace of Justice as it was called out on the Fuertherstrasse, and the first thing we had to do is the windows had been broken in from shelling and bombing. The building itself was only had been hit in a couple of places. It wasn't too badly full of debris except in one or two places. But the windows had come in and the floors were all dirty, and there was dust on the tables and so on. And what I did was get a bunch of SS men from a nearby incarceration spot or detention center and we used these OSS men in order to clean up the Palace of Justice, in order to make room for the trials.

Q: When did you start begin...to begin the interrogations and the preparations for the trials? How did that begin?

A: Well, I began preparations for the trial back in the States because of the materials that OSS had. And that would have been in...in June of 1945.

Q: But here in Germany? By the time you got to Germany, you were doing what now? You had opened this office. What were you doing there?

A: Well, by the time I got to Germany I already had connections to a lot of the heads of trade unions who had been put in concentration camps early in the war, or early in the Nazi regime. And I started traveling around in order to get affidavits from them. And in the process of getting that, I also got materials covering Gypsies and Jews to some extent, although that wasn't my field, main field of operations. And then I started and when we got we got to Nuremberg, some more people came in and I was assigned a German refugee by the name of Norbert Heilpern. He spoke very good German and a broken English, but he was...and incidently, he'd been a soldier in World War I on the German side, and so it was often interesting and he'd often put on a little act for us at parties we had where he'd play the Prussian soldier. But with his help, I managed to get the idea behind many documents which were later introduced in the trials. And I could make a case that they ought to be translated by experts in the language division. And from that I...I built a brief on the destruction of the

trade unions and the building of the German Labor Front by the defendant Ley. And I...it was pretty well understood that I was going to prosecute Robert Ley, the head of the German Labor Front, whereupon he committed suicide upon his indictment, which ended my first defendant. And then we were looking around for somebody to prepare the case on Hans Fritzsche. He...he was head of the Radio Division of Goebbels' Propaganda Ministry, and who broadcasts once a week under the title of "Hans Fritzsche Spricht", "Hans Fritzsche Speaks." And this was broadcast to the German people every week. And he engaged in a tremendous amount of inflammatory propaganda against the Bolshevistic Jewish Imperialistic Capitalistic Interveners in Germany's private affairs and so on. And we didn't have...we couldn't find his the originals of his speeches, or the copies of his speeches. All we had were the translations which the British Broadcasting Company had made and then they'd destroyed the tapes, unfortunately, because they needed the records for further interceptions that they were doing. They were short of records apparently. So what we had to do is translate from the English back to the German these materials and present them to Fritzsche in Nuremberg. And actually he took very little exception to them. In a couple of cases, he changed a word or two. But his lawyer, Dr. Fritz strange because he was represented Fritzsche. Dr. Fritz and I got to be fairly collegial in our relationships, and I submitted a proposed outline of...in which Fritzsche would indicate all of his connections to the Nazi party that he was willing to talk about, which he did. And it was...we figured that this was as good a way as to get out as the last man in the dock as any way. So he submitted this and it enabled me to write a fairly decent brief on him and also the people working on propaganda generally were appreciative of these materials. And about that time Colonel Storey said to me, "I think we owe you something other than trying Fritzsche. How would you like to work on the case against Baldur von Schirach, the Hitler Youth Leader, and later Gauleiter of Vienna. And I said, "Fine." So that was my second assignment, was that. Both of those...the preparation of both of those cases led to my being able to present the case against those two defendants to the International Military Tribunal. One in January and one in February of 1946.

Q: Before we go into the actual trial, can you tell us what Fritzsche was like as a person?

A: Well, Fritzsche attempted to play the role of the student I think. He'd been a radio commentator under the Weimar Republic for a conservative bunch of publications and who also owned some radio stations in Germany. And Goebbels had liked his work and as soon as the Nazi's came to power, Goebbels called him in for an interview and told him that he wanted to give him a high position in the Propaganda Ministry. So he was made the head of the division dealing with the press, the German Press Division. And although he got his instructions from Goebbels and from Otto Dietrich whom we later tried in Nuremberg and did convict...Fritzsche repeated this garbage that he was given before the preparation of each of the wars, although he was never a party to any of the planning. But he would repeat what he was told. And I thought this would be ample to indict him...to convict him on Count One, on the conspiracy count. He wasn't convicted on that Count at all. But in the process of this, we got a lot of materials that were quite useful. And you were asking what kind of fellow Fritzsche was, he was a very good speaker...had a very good voice. And he was well liked by

a lot of ordinary Germans because of his manner on the...on the radio. He was rather disliked by some of the party people because he hadn't become a party member until after Hitler came to power. And a number of them had ambitions to the mainly radio people, and, of course, Fritzsche stole the show on them.

Q: Tell us about the opening of the trials, would you please? Could you give us some sense of the court room was like and who was present? Just the general atmosphere.

A: The court room was on the east side of the huge Palace of Justice. And it was actually the place where the Germans had held proceedings. The rest of the Palace of Justice had contained prosecutors, administrators of the province of Franconia and was mainly the administrative headquarters. But this separate building in which is connected by a small passageway was the place where the Trials were going to be held. An architect whose name I forget now, who worked for OSS, was pushed in very early and he immediately came up with the design and it required knocking out some walls and to make the court room larger so there'd be room for the press and for visitors. And he did a terrific job on this, and also made cubicles for the photographic apparatus that would be used and for the sound equipment. Every bit of the Trial was recorded on tape, so that there could never be any argument about what was said and also it helped the interpreters when they went back to check whether ...whether they'd interpreted quite accurately or not. It helped them a great deal to have this recording. The court room...as you entered the court room through the main door, immediately to the left was the dock, which is made up of two rows of benches where the defendants sat. And at the back of the dock, there was an elevator that went down four⁹ floors to the basement which then led over to the prison by a passageway that had been built, and covered with with an awning so that they wouldn't get wet in case it was raining. Immediately beside the...the prisoners' dock was the interpreting section which had about eight interpreters in it. And that was walled in by glass. And behind it there was this simultaneous interpretation equipment whereby if a person were speaking in German...that would be on Channel 1. Channel...we had a simultaneous interpreting system which is...I should go into perhaps. But Channel 1 was always a voice being spoken either in the dock or wherever. And the interpreters would get this voice and translate it into the other three languages. If English were being spoken, it would be translated into German, French and Russian, and if Russian were being spoken, it would be translated into the other three languages, and so on. And these were very key people, and they were very good. A man by the name of Colonel Doscet, D-O-S-C-E-R-T had recruited the initial interpreters and helped train them in using this simultaneous translation equipment, which was very new. It had never been used before except for the International Labor Office...I think, in Geneva had tested it out. But when the...when IBM heard that there was going to a four-power trial, they sent someone in to see my friend, Charlie Horsky, from the firm of Covington and Burling, who was helping Justice Jackson at the time. And actually Jackson was already in London when Charlie Horsky informed him about this system, and Jackson immediately became

⁹Correction of Interviewee: Three floors.

utterly impressed by it because during the...the negotiations for the London agreement, which was signed on August 8, 1945, they'd had to have interpreters in there translating from the American to the French to the Russian and so on. And it had been...slowed down the process very much, whereas if you had simultaneous translation, you could speed up the process by at least one half, by at least one-half. Well, to get back to the courtroom, after you got past the interpreters, went around, you came to the witness box on the, also on the east side of the courtroom. Then on the south side of the courtroom, there was a huge bench which had been built and behind that sat the eight judges, the four principal judges and their four...four alternates. Incidentally, in the construction of that bench, this architect first had the idea of sitting the alternate judges down just a little bit lower than the principal judges. And when Judge Parker¹⁰, the alternate American judge, saw that, he immediately screamed and, of course, Judge Biddle¹¹, the American judge took it up with the American authorities, and they immediately corrected that particular error. The...in front of the judges bench were the official court stenographers and the persons representing...you might say the court officers representing each of the Tribunals. There was an American, a Britisher, Englishman, and the French, who would take any instructions the judges had or do any errands that the judges had and who would fetch witnesses and things like that. Then coming around a little bit further was the the podium of the prosecution which faced toward the east and the judges were on the right and the defendants were on the left. The distance between the podium and the first judges maybe 12 feet between the podium and Goering in the corner was about 12, 13 feet, something like that. Behind the prosecutor were five...the prosecution podium, were five tables, each of which sat about 10 people. Four of them were assigned to the...the prosecution, one to each of the delegations and one to the Tribunal so they could have their deputies sit there if they wished. Then behind the prosecution tables was a... one row for people on the staff and and behind that was the press, a little rostrum and no one was supposed to from the press, was supposed to come inside that. And then up in the balcony...they'd built a balcony on this thing with oh, about 12 or 13 rows for VIPs, Very Important Persons, or for visitors or for those who didn't have passes to the main section, if they couldn't get in, they could watch the trial from up there.

Q: What kind of pressures were on you as you began your prosecution of this trial?

A: The principal pressures that were on us were the pressures created by language, too few translators and an awful lot of prosecutors and judges who didn't understand the German language at all. So this slowed us down a great deal, and the fact that I knew a little German...I'd had 3 and a half years at the University of Wisconsin, and I'd traveled over there a little bit...helped me a great deal and so I was able to help other attorneys and make suggestions to them as to how they can move a long a little bit faster. There was hardly any of the trial counsel who later appeared in court, for the Americans, who spoke German,

¹⁰Judge John Parker. (Information supplied by interviewee.)

¹¹Judge Francis J. Biddle. (Information supplied by interviewee.)

which is most unfortunate because if there had been more of us that did, we would have moved a lot faster.

Q: Tell us about the Trials if you would please. You were prosecuting Fritzsche?

A: Well, the first defendant I prosecuted was Baldur von Schirach, actually, although I'd begun to make preparations on the Fritzsche case first. But since Fritzsche was the last man on the dock, he was also the last person about whom we made a presentation to the Tribunal. Baldur von Schirach was in the second row of the dock, but about the third man in. And so, a case against him was made a couple of weeks before the case on Fritzsche was made. And we were told, as we prepared our briefs, we were told to try to shorten them up a bit so we wouldn't take too much time. And most of us managed to get our presentations in in 2 hours against the individual defendants. Now before that, a tremendous amount of material had been put in about the development of the Nazi regime, about each of the invasions, about the War Crimes, and Crimes against Humanities practiced against had applications to civilians in Germany as well as outside Germany in the occupied countries, the slave labor, the Jews, the Gypsies, and so on. Actually, there was no presentation on Gypsies separately, which I think was a great mistake, and I have developed a chapter on that for my book which I'll bring you next time.

Q: Can you tell us...actually before we go into the von Schirach prosecution, something of the controversy as you were involved in it or if you were involved in... particularly on the Crimes against Humanity charge and the whole question of the Jews?

A: Well, the...the Count One, the conspiracy to wage aggressive war, was alleged in very broad terms. Uh...Justice Jackson had this notion that the conspiracy reached way back even to the times of the Munich Putsch when Hitler formed the party program and so on. Now, of course, a lot of the defendants didn't become attached anything having to do with Hitler until sometime later. And we had the idea that under the Master Race doctrine, the Nazis had seized power, they had consolidated power. They had persecuted first Germans and then they'd persecuted Jews within Germany, and Gypsies. And then, of course, they'd marched into Austria and Czechoslovakia where they really stepped up the persecution of minority people and particularly the Jews. And then after the war began, the invasion of Poland and the press was sent home, you might say, and there was a real iron curtain established. That is when Hitler really began to let loose with his doctrines of evacuating and eventually exterminating the Jewish people, Gypsies, even talked about Poles and Slavs as being of an inferior race that ought be cut down and their numbers used as slaves to the master race. After the invasion of Poland in September 1939, Hitler held a conference in Warsaw which was attended by a quite a number of people, including the head of the Abwehr, the counterintelligence who was actually never very much for Hitler, and later on turned against him, and was executed after the attempt on Hitler's life in '44. But he came out of that first meeting that Hitler had after the conquest of Poland and told a witness that we had about how Hitler had said that when we go into Poland, we don't come in order to establish a very efficient government and to please the Polish people and the Jews. We came to put them in

their place, etc. And he spoke of...at that point, of exterminating Jews and evacuating them and so on. And actually, of course, the tremendous number of Poles and Jews were exterminated just after that campaign. But the...the main exterminations, of course, didn't take place until the invasion of Russia when you had the so-called Einsatzgruppen of Himmler. The SS sent in four different uh..battle groups to follow behind the invading Germans and to liquidate all the people they considered enemies, and these, of course, were particularly Jewish people. And altogether, my guess would be that a million people were executed well before the Wannsee Conference of January 1942, which a lot of people take as being the kind of the beginning of the Final Solution. In my opinion, that's entirely wrong. That Wannsee Conference actually brought in more departments, the economics department and a lot of others that hadn't been directly involved in any great extent and...and indicated to them that this Solution was going on and that they were expected to be a part of it, and that this meant there was a lot of assets that could be absorbed, etcetera., etcetera.

Q: How was this case developed during the trial? How did the lawyers for the prosecution develop the case against the case to prove that there had been a deliberate plot to exterminate the Jews?

A: Well, there was a whole group...I think it was first under a Major Walsh¹², which worked on this subject in Nuremberg and long before actually, OSS people had worked on developing papers on what was happening to the Jews. But Major Walsh had this team. (Clearing Throat) And when they came...when we came into Nuremberg, we found that the offices of the...Julius Streicher, the main Jew-baiter of all time, were reasonably well intact and that and we captured a full set of the Stürmer, the Stormer, which was his official publication. Now some copies of that, of course, had been available before hand outside of Germany and had been kept and in some cases they hadn't. But this now offered a tremendous well of additional information. And the case against Streicher was relatively weak because we couldn't prove that he knew about the extermination of the Jews until some information came in the war through the Stürmer, that he was talking about the Israelitische Wochenblatt, a weekly published by Jews in Switzerland. And in there, the editors of this newspaper had said some history about the extermination of the Jews, and Streicher in the Stürmer published some of this and underneath, it said, "This is no Goddamn Jewish lie." And so that is what when we found that out, we had some additional materials. And that was not used until his cross examination by the British, and it was used very effectively. And got him into a real bind and made him obviously appear to be...having lied all the way through.

Q: Tell us more about the cases in which you were directly involved during this first trial?

A: When I was assigned to work on the case of Baldur von Schirach, the Youth...Youth Leader, another attorney and some other and some of his people helping him, Major Hartley Murray had developed considerable amount of materials on the Hitler Youth and on Baldur von

¹²Major William F. Walsh, Assistant Trial Counsel, U.S.A. Information supplied by interviewee.

Schirach. And really Major Hartley Murray should have been assigned that case, but I think they somehow wanted to throw me an easier case than the Schirach¹³ case and so I was assigned to it. Baldur von Schirach had formed a Nazi group or the youth group about 1925 or so when he was himself in...in college. And Hitler heard about it and asked him to come for an interview, and Hitler made him the Hitler Youth Leader. Also Hitler's main photographer, Heinrich Hoffmann, had a daughter by the name of Henrietta, and Hitler introduced Schirach to Henrietta Hoffmann and they began...they were married. So that was another thing which brought Hitler...Schirach into fairly close proximity to...to Hitler. He developed the Hitler Youth before Hitler came to power to a very substantial group. And they got songwriters to write some marching songs for them and it became a group which was put into the parades that the Nazis put on in Nuremberg every November to celebrate the Nazi Putsch of 1923. And Schirach was more and more brought to the fore in connection with these things. As soon as Hitler...as the Nazis came to power, Hitler appointed Schirach to be the National Youth Leader and he was given such power that he was able to destroy the youth organizations of the opposition which were fairly strong actually. And finally, he even took over the Catholic youth organizations and forced them into the Hitler Youth. After more indoctrination of various kinds and so on, he made agreements with Hitler...or with Himmler, the head of the SS, that some of the Youth members, Hitler Youth members who had shown great promise would be put directly into the SS. And also he made an arrangement with the head of the Armed Forces that Hitler youth would get some preferences about indoctrination into the Armed Forces. So he was well involved in connection with having polluted the mind of young people. When the war came along, he continued in this work until Hitler called him down to (clearing throat) Berchtesgaden one time and told him that he wanted him to become the Gauleiter of Vienna...that he wasn't...hadn't been satisfied with the earlier leadership in Vienna, and he had alienated an awful lot of Austrians and wouldn't he accept that position. Of course, a request from Hitler is like a demand and Von Schirach went and became the Gauleiter and the rank governor of Vienna. Actually, by the time... uh...Schirach got that position, most of the Jews had already been pushed out of uh Vienna and there probably weren't...in a city which had a half a million Jews, there probably weren't more than a couple of hundred thousand left at that time. But Schirach had the idea of having a Youth conference of the youth...of leaders of youth from various occupied countries in September of 1942. And while addressing them, he said, "If I have sent thousands upon thousands of Jews into the ghettos of the east, then I consider it a contribution to European civilization." Now that speech was published the next day in the Voelkische Beobachter, which is the official Nazi paper in in Austria, as well as in in Germany. And, of course that was used very early in the briefs that Hartley Murray and others had prepared. And it is what I use as my peroration, my last words, in making the case against von Schirach. I said, "And in closing, your Honors,"...and then I just repeated those words that he had stated. I was very surprised that he didn't get a sentence of more than 20 years because he had done a lot of things, but I think one of the reasons was his behavior in Nuremberg during the trial. He became very open and he made releases to the press, and

¹³Correction of Interviewee: Fritzsche.

he indicated that Hitler had betrayed the German people and he'd betrayed him. And that he wanted to make amends, as far as he could, although he realized that was not possible and so on. And I think this influenced the Tribunal to some extent. I don't know, but I think it did. Otherwise, I think they would have sentenced him to death, which is what I had expected he would get.

Q: Can you stop and pause and we're going to change tapes. We change tapes at this point.

A: All Right.

End of Tape #1

Tape #2

Q: Mr. Sprecher, could you talk somewhat, please, about how a case was developed and what it was like to have to bring a case then to trial?

A: In the first place, the case was largely developed...uh...on a subject by subject basis to begin with. And it was only later that it was broken down to be directed against individual defendants. So for example, when we got to London, in July and August, a large number of German documents had been found. British Foreign Office documents and the Rosenberg files that I mentioned before and a group that was working on...for instance, the (clearing throat) occupation of Austria in March of 1938, they would have gone back into these files and dug up documents that had to do with that. They would have gotten keys to newspaper articles about it. The Austrian case, of course, was rather out in the open because that was a case of marching in. But on the other hand, what happened at the conference where Schuschnigg, the Chancellor of Austria, was brought into the Berchtesgaden and a lot of pressure applied to him, that we wouldn't have known about until we got a summary that had been made by someone who was present, a German assistant to Hitler, one of his adjutants or someone else who made a summary of the conference, and how the pressure was put on or... Now we did have interrogations made during this preliminary period of all, not only of the prospective defendants, but other people about how things had happened. I observed a lot of those interrogations in Nuremberg. But we never...we seldom used that interrogation material in the actual trial because we had better materials by that time. Now in a few cases, they did in order to confront witnesses on cross examinations. "Now during your preliminary interrogations you did or you didn't admit this. Why didn't you admit it? Or didn't you say something different? Uh...That gave us quite an advantage which you often don't have where the defendant, prospective defendant can claim the right against self-incrimination. Now, we were charged into the Charter¹⁴...the prosecution of this charter, with the obligation of interrogating possible defendants before they were interrogated...before they were indicted. So there's...there's a little different approach there than there would be an Anglo-Saxon law. Uh...So there's a whole group that was working on the various aggressive war charges, the invasion of Czechoslovakia and the invasion of Poland and so on. And with their research analysts these lawyers would scan documents and the research analysts would write what was called the Staff Evidence Analysis, an SEA. And at the top of that it would give the name of the document or what the document was about, what defendants were mentioned in the document what other leading Germans were mentioned in the document...before it even went into what was shown by the document. And then there would be a brief analysis in there as to what the document showed. Now at this point the document had not been translated so that anybody in English could read it. These were German-speaking research analysts, most of them refugees from the Nazi regime who were given briefings as to what we were looking for, and then they would go into the documents and they would write these SEAs and they would come to mostly English speaking lawyers and English speaking

¹⁴The Charter of the International Military Tribunal. Information supplied by interviewee.

lawyers say, "That's good. That doesn't belong¹⁵ to anything," and so on. And then they would...we would either have a good document translated or we would say, "Look, see if you can find some other documents around that document that bear on the same subject which are even more telling in their...of...in the proof they give." So we had these various kind of subteams of the prosecution team who worked on these things, and actually the British and the Americans mixed some of the teams so we had on some of the teams Peter Calvocoressi who is a British commander, wrote a book¹⁶ on the Nuremberg trials later. He was...he worked with Telford Taylor in England in counterintelligence during the end of the war, and he came right over to Nuremberg when Taylor came over. So we had some...some very close collaboration there. The staff tended to divide between those who were working on aggressive war, those who were working on the maltreatment of people in the occupied countries, including...and then we had a separate group working on the persecution of the Jews. But they worked very close together with the group working on the total mistreatment of civilians and minorities in the...well, majorities in the case of the Soviet Union¹⁷ in the...the occupied countries. Now the Germans were tremendous document keepers and very few documents were destroyed. Orders were made to destroy the documents in the concentration camps themselves, but in some cases this wasn't even done, or in some cases the Russians advanced so quickly that they...they still found lists of people who had been exterminated or some of the documents about the concentration camp after they'd occupied it. And there is a death book, I think from Buchenwald, which used to be...which was...I've seen it not only over there, but I saw it in the archives and I think it's now been taken out to ¹⁸_____. You might want to see it sometime. But in one of the camps you have a listing of people who were killed each day, and this was partly kept by a Kapo, a Kapo, a...one of the prisoners, one of the inmates of the camp himself. And using a certain amount of imagination, he listed the name and the number of the inmate and under cause of death he put each case "Herzschlag"-- heart...heart attack. So here you have...and then what he did was enter l every minute throughout the day or if that...more people had been killed than that, he'd enter a number at this point. But he did everything kind of alphabetically and to the extent he could and in these groups of these time groupings, so that anybody who got this book could tell that something was going on besides people just dying of natural causes. And that book you might be interested in getting hold of. . .¹⁹

¹⁵**Correction of interviewee:** "amount" should replace "belong."

¹⁶The book's title is Nuremberg: the Faces, the Law, and the Consequences. Information supplied by interviewee.

¹⁷**Correction of Interviewee:** "in the case of the Soviet Union **and Poland**."

¹⁸**Note:** Mr. Sprecher states that this book is now held by the United States National Archives, but cannot recall the sub-depot in Maryland where it may be stored.

¹⁹**Correction of Interviewee:** the words "that Death Book" garbled by audio problems.

Q: Could you keep your arms away from your chest please? You block...you block the microphone.

A: Yes. Yes. Of course.

Q: Okay. So tell us more now about...you're building a case.

A: Well, all these Staff Evidence Analysis were passed to all the lawyers and we all read them and so we had a general idea what is happening. Then a very important person at Nuremberg, Commander Whitney Harris, who wrote the Tyranny on Trial, is a good friend of mine. He and I decided that we ought to organize some briefings at night of all the prosecutors just generally about what was the nature of the Nazi regime and what was developing in these various study groups. And so we held... up until the time that indictments were going to be issued, we must have held about 18 of this nightly meetings. We didn't hold them every night, but maybe two a week, something like that. And for instance, I presented an organized presentation on the "Fuehrerprinzip", the leadership principal. How in the Nazi party, theoretically, you had the leader at the top and the passing down of the orders and all that. Now actually it turned out that things didn't work quite the way the Nazi organization book specified but at least that was the theory then, and that was exchanged at these meetings. So that helped us keep abreast of each other, and I think Whitney Harris and I are both very proud of having done that. Jackson came and spoke to one of them. Now Storey held weekly staff conferences. And at those staff conferences, the people in the Documentation Division would report on various things. And as they began to develop rough preliminary trial briefs, these would be available if you wanted to see them, but normally speaking they weren't exchanged...that it was felt that this is getting out material that wasn't particularly thoroughly checked yet. It might get into the wrong hands, the press and so on. But I could go and find out what was the status of the brief in another section or they could come and say, "What's the status of the brief on destruction of the trade unions and the creation of the German Labor Front," and I would show them everything I had. So these briefs were created in advance of the trial, and from them Jackson while even while they were in preliminary shape, Jackson began to draft the indictment. And so David Maxwell-Fyfe²⁰, later Lord Kilmuir, the Lord...the Chancellor of England came over to see what Jackson was doing because between the time of the London Agreement on August 8th and the issuance of the indictment on about October 17th, or something like that, of 1945, there was a great deal of work had to be done. And the...the French and the Russians didn't come into Nuremberg until, oh, sometime in late August or September. (Clearing Throat) Well, and...and certainly not even until September or early October. And Jackson didn't know very much about the two...about one of the defendants the Russians wanted to have indicted and who was indicted, Fritzsche. Or even about Raeder, who was the Grand Admiral of the Navy, but who'd kind of fallen out with Hitler in 1943, and kind of become inactive. So these became things that had to be quickly developed into some kind of a form

²⁰Mr. David Maxwell-Fyfe, Deputy Chief Prosecutor, United Kingdom.

so that Jackson could help draft his brief and so we could have materials to put in the brief on these other subjects. Now the Russians insisted on putting in a lot of materials about what happened in...in Russia, including the Katyn business within... The French brought in a lot of things, including that 7 and a half francs were stolen by someone on the street corner. It was a tremendous detail that the French brought in about what had been purloined and spoliated in France. And they insisted on some of this being put into the indictment, which made the indictment overly long. In my view, it was overly long even from what we put into it, but you put in additional amounts of the French and the Russians...and the Soviets insisted on putting in, and you got too long an indictment. Uh...The Americans...(clearing throat)...it was just understood that since Jackson had pushed for the trials and had been the main leader in negotiating the London Agreement, that the Americans would take the conspiracy count, Count One, and present most of the materials on that. After we presented a fair amount of materials on that, it became so clear that the British had a lot to do because they were working on Count Two, which was the waging of aggressive war, that we better combine some of these so actually we had some presentations during that aggressive war part by British counsel in addition to American counsel. And the British and the Americans got on extremely well together in the trials. I think we had...there was a mutual admiration at the top as well as down in the ranks. Uh...a lot of mutual respect. The British had only Sir David Maxwell...Sir David Maxwell-Fyfe, and about six barristers. But they were superior. They were terrific. And they...on cross examination, for example, did better jobs on the whole than we did. Now Jackson was not a good cross examiner. Uh...That was not his fort. He was a great advocate. He knew how to express things in the English language with a flavor and a...uh...stirring vocabulary which no one else had. Sir Hartley Shawcross, who was the main chief British prosecutor in the...in a tribute to Jackson, after Jackson died in 1954, said that there was no...no one among the British staff that equaled him in terms of his capacity to use the English language, which is rather interesting.

Q: You've started telling us about some of the...the defense team. Would you tell us more about the people involved some more about Jackson and Storey and some of the others?

A: All right. Justice Jackson had gotten to know a man by the name of Sidney Alderman very well because of Alderman's presentations before the Supreme Court. He was the General Counsel of the Southern Railroad, and he asked Alderman to become one of his top deputies and to assist him. Uh...I first met Alderman when I got to London and then in Paris again. Uh...Alderman was a...had an incredible capability to read an awful lot of materials that were submitted to him to digest them and to make a coherent, relatively succinct statement out of them. Jackson relied on him a great deal in terms of aggressive war counts, to go over the materials that had been found, to stimulate the attorneys to find more materials, and then to make the final briefs and then for Alderman to make almost all those presentations with several exceptions. And several of those exceptions were British who were brought in and made presentations on aggressive war. And I'm not sure who the American would be that made some as well, but I think there was one. Colonel Storey had done work during the war that had come to the attention of Justice Jackson, and he'd been a...gone abroad for OSS on a thing or two. And Jackson thought he'd be a good man to head up the Documentation

Division, and brought him in and shipped him directly to Paris. And...the amount of materials that few of us...few research analysts and a few others found in Paris was so much greater in terms of volume and relevance to what was being found by the Joint British-American team in England based on the documents they had, that Jackson began to insist on bringing more people into Nuremberg. And a lot of them didn't like...or into Paris, and most...lot of them didn't like to come because London life was very nice and they didn't think Paris life was so great. But he did finally bring a group into Paris and within 2 or 3 weeks, got them to go into Nuremberg. And Colonel Storey was then made Executive Trial Counsel, and after the indictment was in the last stages, he was through his deputies and associates, was probably contributing more toward what went into the indictment than any single person so it became logical for Jackson to appoint him Executive Trial Counsel. And what Storey did was first prepare a basis for informing the court as to how we'd captured these documents, to how we'd process them, and so on so we didn't have to prove in each case the document source and it would have delayed the trial tremendously. So a major by the man of Coogan, Major Coogan, had been appointed the person to go and search out files in Germany. Actually, he didn't speak German, so he had some assistants who actually helped him a great deal. And he brought....he with the man who helped find the...or bring back the Rosenberg files, and a number of other files to Paris and then take them into Nuremberg. Then he left the staff, and he never presented the case or anything like that. Major Baldwin, later Colonel Baldwin, became (clearing throat) Storey's assistant and he and I became quite close and he asked me to or we went to Nuremberg together to open the courthouse you might say...if I would like to share a house with him, which I did. And when it came to presenting cases I'm sure he put in a good word for me. And he'd presented the case against Hans Frank, the Governor-General of Poland, and before our presentations why we'd critique each other back in our little house where we stayed so as to try to perfect our presentations. Baldwin was extremely valuable to Storey because he took a awful lot of administrative detail, and this gave Storey legs you might say to work more on getting materials in to Jackson. Another very important person was Colonel Leonard Wheeler, Jr. of whom you have a little letter in there that he wrote about to me. He became...he's the head of the Documentation Division in Britain. And when they...he came to Paris and then on into Nuremberg, he was made Storey's deputy. And either Jackson or else Storey made the decision that they should sit together almost back to back in the head...in this central large room of the Documentation Division so as to prove that these two staffs had merged on the one hand and on the other hand to show that there was complete trust about exchanging materials. And they worked very well together. Storey decided to present to the Tribunal some of the cases against the criminal organizations, and Wheeler presented the case against suppression of the Christian churches. Then both of them left Nuremberg in January of 1946, along with a lot of other people who were there and left behind only about four or five of us who had developed materials and cases and so on to assist Jackson and tie him down. That's kind of how the staff developed and how it worked. There was a tremendous number of lawyers who were a little unhappy about how things went and if obviously they didn't...perhaps didn't get as big a title as they wanted or something like that, an awful lot of them wanted to get home. They'd been overseas or one thing or another, and some of them that I'm sure could have done very good work had they stayed on left as soon as they'd made

their presentations and a lot of them who weren't assigned to make a presentation before the Tribunal immediately left, so that left the rest of us with more research analysts than we'd had before and a smaller staff.

Q: What was the atmosphere like in the city of Nuremberg while these trials were going on?

A: Well, that varied a great deal. When we first came into Nuremberg, in the suburbs which hadn't been shelled and so on, life wasn't too bad except that an awful lot of people from the main part of Nuremberg, which had been bombed, were moved out to these places. And so houses were filled up in many cases two and three times what they normally had been before, so there was an awful lot of crowding in this sense. The downtown part of Nuremberg, the old city, had been bombed to a fare-thee-well. There were very few buildings standing. There were one or two where part of the building was standing and I recall having gone into those...uh...a time or time either to get witnesses or because somebody local was holding a party and...uh...knew that if we were invited we'd be able to bring some whiskey or something like that. During the first days, you could hardly walk during parts...into parts of the old city. The fact is you couldn't. The court photographer by the name of Ray D'Assasrio, has developed a book called Nuernberg: Damals/Heute: Nuremberg, Then and Now. And this has gone through a number of editions in...uh...in Germany. He took a tremendous number of pictures of various important places in Nuremberg then and now. After they're rebuilt, he took it and he has these on opposite pages. And he's made a small fortune out of this book. Incidentally, I have a copy of it if you...if you don't. But you should get a copy of that book because it shows the circumstances in which the trial, you might say, in which the trial grew. The wall of the old city was standing in most cases, but in some cases some of the turrets had been blown off on it, and some of...much of the wall was pockmarked by explosions, either from bombs or from shells. And there were...some cases you...even when I went back to Nuremberg 20, 25 years after the trial, you could see how...where these parts of the old city wall had been bricked up and fenced over because they had a different sheen than what the...the old wall had. Uh...The Grand Hotel when we first came there, which became the center for most of the visitors in Nuremberg passing through. We were there for the first week of our stay in Nuremberg in August. And the front part of that building to the right of the entrance was still...a bomb had fallen and just blown it to smithereens. And by the time we got there they had scaffolding up and were beginning to repair it. And when we went up to our rooms on the fourth floor we had to walk on little planks holding onto guide rails as we crossed part of this chasm that had been created by this bomb. Uh...The amount of effort which was put into restoring that building, the Grand Hotel, and some of the other...the courthouse was incredible. I mean whole battalions of engineers were sent in. Materials were flown from all over. Of course, we lacked glass, and there was very little glass made in German, so we took over the Belgium glass market for a few months in order to put windows throughout the court house as well as into the Grand Hotel and other places which were bombed out.

Q: What kind of reception did you get from the people in Nuremberg?

A: Well, mostly the...the Germans were so shell shocked from the process of the bombings and all... Nuremberg had been bombed incredibly and a tremendous number of people had been killed. I don't know, I think next to...to Dresden and Berlin, probably Nuremberg had gotten a big a hit as almost any city. Well, that's not quite true. There was some cities in the Ruhr that had got it as well. But people were on very poor rations. You could see it in their faces. You could buy anything for a few packs of cigarettes. There was quite a traffic in...whatever people had been able to save from their bombed out places, they'd trade it off with farmers, peasants around Nuremberg in order to get enough to get enough to barely pass eating. Actually, the Americans sent in rations and the Germans were...the rations were fortified by the Americans for some time. One reason we were able to attract so many of the people around Nuremberg who spoke both languages to help us in the courthouse was that they immediately got a different ration. And one reason the defense counsel were delighted after they were put on a list, the defense counsel on which the defendants could choose. One of the things they were very happy about is that they got a very good ration. Now their ration wasn't up to ours, but they did get an inferior brand of cigarettes and they got a mild amount of whiskey I think, probably an off-brand, but they also got a basic...food rations. And who...with whomever they lived in Nuremberg they would share this, of course, and then at lunch, we built a defense counsel mess. And they would stack up on food in the defense counsel mess, but for breakfast and for dinners they ate in their own...in the lodgings they'd found in Nuremberg. A couple of the defense counsels came from Nuremberg, including Streicher's counsel.

Q: You told me before that you worked on different aspects of this, including the early German opposition to Hitler.

A: Yes.

Q: Would you tell us about that, and about how you dealt with that?

A: Well, I had known from my work with OSS and from contacts I made in London and elsewhere that there were Germans who'd been in concentration camps and who had survived who would make supposedly pretty good witnesses. So, for instance, one witness by the name of Matthias Lex, L-E-X, was the head of the Shoemakers' Union of Germany, and he was located in Munich. And he had been in Dachau²¹ steadily from 1933 until 1938, 5 years. In the process, he had seen happen in Dachau tremendous number of things. In the first place, he'd seen the opposition come in, and he'd made an affidavit for me in which he'd listed by name, 40 people including a bishop whose name I forget right now, but he listed various top leaders who'd been confined in roughly the periods that he'd recalled that they'd been confined in...in the concentration camp. And then he included...then he told about how, after a certain period of time, Jews were begun to be brought into Dachau after Goering had begun his nefarious work in Prussia. And likewise he mentioned that the Bibelforscher, the

²¹Correction of Interviewee: Concentration Camp Dachau.

Bible Students, that there were 150 of them which had been brought into Dachau and about 150 Gypsies that were there at a certain time. So all of this I put into this affidavit. And this led to other people following up on those leads to get a lot...a lot of further materials. I don't mean to say that this is the only thing. It was one of the things that helped a lot. And there had been some indications that what we should do is put on some of the former leaders of the Weimar Republic as to tell what had happened to them and that we should put on some of the leaders of the Jewish organizations outside of Germany to talk about what had happened. This was pretty much voted down on the theory that we had better evidence on the one hand, and number two, that these people would be long winded, if not garrulous, and that it would prolong the trial a lot more. So what we did was use the information we got from these people and those cases in which it was useful to help us with leads and things like that. And on the whole the trial was based on contemporaneous German documents or upon (clearing throat) witnesses who had been in Germany or who'd been in the concentration camps. Now in the case of Auschwitz, we got the commander of the concentration camp who was not captured until about April of 1946, and he wasn't there during the early part, but we got him, and the British sent him to Nuremberg, and the American's interrogated him. And he just laid it out in black and white as to how the Auschwitz concentration camp was made, how it was organized, and how many people were exterminated there, and the whole story on the Gypsies... which and so forth. His name was Rudolph Hoess, H-O-E-S-S, and after he was shipped to Poland where he was tried, convicted, sentenced and before he was executed, he wrote a book called "Commandant of Auschwitz." And that book has in it...some of the materials on the Gypsies. Actually, I was wrong. He didn't give the material on the Gypsies while he was in Nuremberg because he was not asked unfortunately. But when he was...in this book he wrote the full story on what happened to the Gypsies and on these materials, people like Martin Gilbert and others later found a lot more materials, and that whole case on the Gypsies had developed a lot more than it ever was developed at the Nuremberg trials, unfortunately.

A: Did you have any contact with Hoess at all?

Q: With whom?

A: Did you have any contact with Hoess at all?

Q: No. I didn't. I mean I saw him in Nuremberg, but I didn't talk to him nor did I interrogate him.

Q: You talked to other victims?

A: I talked to people who did talk to him. Yes. And suggested some questions, but I didn't...I was not in the Interrogation Division, and by the time he came the... Actually, he was called as a defense witness by Ernst Kaltenbrunner, the top SS man on the dock. But we'd interrogated him as well during the cross examination of him. We just put in this affidavit and asked him if he would like to correct any part of it, and he said

no. And then a few of the highlights were brought out for the court and that was that. There was some incredible German witnesses as you may know from reading the judgment. One was a man by the name of Graebe, G-R-A-E-B-E, who had been the leader of a German factory that was established in Russia. I forget the name of the town at this point. But he talked about how he was required to release Jews who were working in this factory and that he heard about how they were being exterminated and so on. So one day he just went out to where he heard they were being shot and put into trenches actually and buried in trenches. And he went out there and before the SS prevented him, he was able to watch a whole sequence of this go on. So he became a witness and testified at Nuremberg and quite a bit of his testimony is reproduced in the actual judgment of the Tribunal, as indicating how these Einsatzgruppen worked in Russia. And of course, we had tremendously impressive evidence on that subject from Otto Ohlendorf, who was the head of one of the four Einsatzgruppen himself. But Ohlendorf was not as the big boss at the top of that group in the same position to talk about what had happened in a specific extermination of a particular city, village in Russia, that Graebe was able to talk about. So you see we have this combination of materials, contemporaneous documents, a few German witnesses on whom we had materials. And in the case of Ohlendorf, he knew that he eventually was going to be tried and that he'd get the rope, he talked quite freely. And then we had people like Graebe who talked quite freely or talked very freely without any reservation. And if I'm not mistaken Graebe and if not, someone like him, found it very uncomfortable living in Germany just after the war and went to...to Israel, and that a street is named for him and a statue has been erected for him. Now if it isn't I can check up on who that is, but it's one of...someone like that.

Q: What other witnesses come to mind that strike you by their testimony?

A: The witness I'm trying to think about, whose name escapes me unfortunately, was our first witness and he was the deputy to head of the Abwehr²², and he'd been on the list to be extermin...to be executed by Hitler's hangman after the attempt on Hitler's life. He was our first witness and was able to give tremendously impressive testimony. But it took so much time. It took, you know, nearly a day by the time the defense was done cross examining him. Now actually he was not cross examined by the defense as much, to show that things were wrong that he said, as he was questioned in a couple of cases to try to bring out materials that helped particular defendants. For instance, Schacht was able to...Schacht's attorney was able to use him to indicate that Schacht had nothing to do with this and that and the other thing, and that Schacht was also suspected...was known to be a part of the opposition, but he didn't dare show his face very much and therefore, he wasn't very obvious as some of the others were. I'll bring a note on some of the leading witnesses at the next time if you like.

Q: What else would you like to tell us about that first trial before we move on or the first set of the trials?

²²General Erwin Langlesen. Information supplied by interviewee.

- A: Well, after we'd presented...developed the case on a subject basis, such as I've described, the different invasions, persecution of minorities, persecution of the Jews, spoilation, stealing of art treasures, Germanization, and so on, the next thing was _____ defendants' names has been mentioned in these documents, but it hasn't been pulled together. The Tribunal has a very small staff. We'd better be sure that the...this is pulled together for the Tribunal and for history. So Sir David Maxwell-Fyfe indicated to the Tribunal that the prosecution at a certain stage would like to make individual presentations, gathering together this evidence. This had already been done in December before the Christmas holidays with respect to the slave labor case, with respect to Speer, defendant Speer, and the Defendant Sauckel. And I'm sure that this had impressed the court that that those two men were brought in in dramatic colors. So Sir David Maxwell-Fyfe said to the Tribunal, "We'd like to do a similar thing with respect to other individuals." So some of us were assigned different things and Commander Albrecht from the Navy presented the case on Goering, and the British presented the case on von Ribbentrop and, so on it went. And I managed to get two out of the 22 presentations that...which I thought was pretty good.
- Q: Tell us about those two presentations.
- A: Well, I had partly discussed them in the case of Baldur Von Schirach, the Youth Leader, and the Gauleiter of Vienna earlier, and of course, Hans Fritzsche who was the radio propagandist. And I gave you a bit on that before too.
- Q: The first set of trials as they wound down, the Nuremberg Trials you began to prepare for subsequent trials.
- A: You said set of trials. There was only one.
- Q: Yes. You're right. As the Trial wound down, you began...
- A: Actually, when the trial was...the prosecution was still putting on his case...people who had developed different materials were either going to leave or they were going to be used for something else, and so I made this recommendation to Jackson that we start to think about subsequent trials and he immediately made me Director of the Subsequent Proceedings Division. And from that time on, which was already in the same month the Trial opened, November of 1945, from then on we...a small group of us started to prepare materials and watch for materials that people on the main case found which would lead toward possible trials later on. And for instance, on experiments on human beings, medical experiments...Now there was early materials that had been found on that during the first trial, but they weren't terribly extensive, but they were sufficient enough so that they were made a part of the case in chief and so on. I suggested to Alexander Hardy that he might want...when he came over at about April of 1946 that he might want to get in on...in on the medical cases that I thought he...it was the kind of thing that would interest him. He took it over and developed a tremendous case which led to the materials that are now reproduced in the green volumes, volumes 1 and 2, about all the various medical experiments, a lot of which weren't

touched at all in the main trial. The second case...second subsequent proceedings was against Milch, which I thought was a mistake because it used up a whole Tribunal of three judges for one man and...but he was involved in medical experiments because as the deputy of Goering for material Air Force procurement, he'd had under him this research and they thought maybe some of these experiments would have some...some use to the air forces...the high altitude experiments, cold water experiments, etc., etc. So Milch was tried on that count plus the use of slave labor because he was on the Central Planning Board, along with Speer and Sauckel, the head of the Plenipotentiary for Labor Recruitment. And that those materials from the labor recruitment was plainly done at a time when there was obvious tremendous number of slave labors were being used, that concentration camp inmates were being used, etc., etc. Now the details of a lot of those cases were not developed until the secondary trials, the next 12 trials in Nuremberg.

Q: Can you talk a little more about how these cases were developed? The people you've brought in...you've mentioned some...to develop them, and what the atmosphere was, political pressures and otherwise, as you develop them...a very different atmosphere.

A: Yes. Before the first trial was over, tensions were already developing between the United States and the Soviet Union. Telford Taylor, General Telford Taylor who succeeded Jackson, had hoped very much to arrange at least one more international trial with the four powers working together and the judges representing the four powers, four Allied powers on the bench. This quickly disappeared as a possibility because of this tension. And the Russians after the first trial left Nuremberg. They left a liaison person or two behind, but they absolutely cleared out, including taking some of the furniture that we supplied to them and all their files and all the rest of this business. Which is...they were certainly entitled to take their files. But they weren't very cooperative with respect to any later trials. So we decided to go ahead. Now actually the French were in such bad shape from the occupation by Germany that they could not afford to do very much and they tried an awful lot of collaborators and French people and the few Germans that they got their hands on, but an awful lot of French justice was, I'm afraid, hanging people on the streets or shooting them right on hand without trial. And later on, as things quieted down, and they wanted to hold trials they really were short handed. One of their people, a fellow by the name of Charles Gerthoffer, was at Nuremberg and was a liaison to the economics cases. I helped him prepare the case against Roechling, which was one of the fourth largest enterprises in Germany and it had been very active in using slave labors in Wurttemberg and in the French zone, what later became the French zone. So we did help the French in that respect with a trial or two. The British became so involved in reconstituting things that they conducted very few trials except those involving British officers. And the one involving von Manstein, which was a...who was a leading German marshall in the invasion of the Soviet Union as well as several other places, and he was prosecuted, actually, by Major Elwyn Jones, who was on the British Delegation during the first trial, who later prosecuted him. He was the only Labour Member of Parliament who was in the...permanently in Nuremberg. He went back to London after this trial and got into the labor government on two different occasions and became the Lord Chancellor of England. And his title is Lord Elwyn Jones. He wouldn't

take another name. He was originally a Welshman. Well, that's a digression, but that indicates a little something there.

Q: In these trials you were dealing particularly with things such as medical experiments, crimes against Jews, Gypsies, homosexuals...those kinds of things to a level of detail. Can you tell us about that and tell us about some other witnesses?

A: Yes. Well, I think I might just go down the list of the cases. The first trial, first subsequent trial involved the medical experiments. And incidentally in that trial, one of the defendants was a woman. And the only woman²³ who was tried in the Nuremberg trials. And she received a sentence for a term of years. I forget what. The second trial was against Erhard Milch who is Goering's deputy and he was sentenced to a life in prison. The third trial was the so-called Justice case and it was a case against people who'd been...the chief judges of peoples courts or the prosecutors in peoples courts. And the film which was later done with Spencer Tracy on the...Justice at Nuremberg involved that trial and a very small part of that trial if you will recall and that trial was the main prosecutor in that underneath General Taylor was a former Republican Congressman by the name of Charles LaFollette. As far as I know the only former congressman that appeared in Nuremberg. The fourth trial was a so-called...the fourth trial was, I think, the Einsatzgruppen case, which was tried by Benjamin Ferencz as the main prosecutor under Taylor, and he's written a book since called, Less than Slaves. After he'd presented this case against the main Einsatzgruppen leaders who had gone into Poland and Russia and killed so many people, he became head of the Jewish Restitution Successor Organization. And built up enough case so that the German Government, although not accepting the theory of collective responsibility which I also do not accept, they agreed that it is right that recompense be made to all survivors that could be found, number one, and that where the survivors couldn't be found, the equivalent amount of money for a person killed would be sent to Israel, which did help in the reconstitution or the getting Israel on its feet to a greater extent. Well, that was the, I think, the fourth case. The fifth case was the first of three industrialist cases. The first one was against Friedrich Flick, and involved a relatively small number of defendants about eight or so, including the Papa Flick himself. And they were tried on slave labor using large numbers of slave labors, using concentration camp inmates, and going into occupied countries as Flick Enterprises and...and profiting from using the property of occupied people against the laws of war. They got relatively short sentences. I forget just what they were. The sixth case is I.G. Farben where, the case of I.G. Farben industry, where I was chief of the trial team. And we indicted a total of 23 leaders of the Farben concern. Now by this time I should say the gentle notion was developing that the...lot of these industrialists and so on were very capable people and should be drawn into the industry that was being reconstituted in the western zone as well as in the British zone, French zone, and so there's a tendency to encourage us to hurry up with the trials number one, and number two later on, there was a which I can cover at another time, there was

²³**Correction of Interviewee:** Mr. Sprecher states that there were in fact two women tried at Nuremberg. He is referring in this instance to Frau Herta Oberheuser.

tremendous pressure about reducing the sentences of some of these people. They were convicted. Now General Taylor would have none of this reducing sentences and he was backed up by General Clay. So there was none of the reduction of sentences during the four years that I was at Nuremberg. Well, to go on from the I.G. Farben case....

Q: Now at this point we need to stop and change tapes.

A: Fine.

End of Tape #2

Conclusion of Interview