

to Ulmag was forced to leave her child behind her.
(Tr.4322, DX 1571, vB 295, Bk 13, p.1, of Mar.42,
DX 1572, vB 290, Bk 13, p.5).

When regulations were amended so as to permit Eastern workers to go out under guards they were not allowed to enter inns, shops, movies or similar establishments or associate with Germans or other foreign workers (DX 1584, vB 299, Bk 13, p.53, dtd 19 Sept.42).

Any attempt to escape was to be punished severely. (DX 1327, vB 355, Bk 7, p.60)
"The slightest signs of insubordination must be dealt with ruthlessly and arms must be used unsparingly to break any resistance. Escaping Russians must be shot at with the firm intention of hitting them". (DX 1572, vB 290, Bk 13, pp.5, 6, 7). On recapture escaped Russian were to be sent to a concentration camp. (DX 1574, vB 788, Bk 13, p.15; DX 1576, vB 279, Bk 13, p.25)
There were no limits to the hours the Eastern laborers were required to work. The laws regulating night work for women were deemed inapplicable to them. (PX 1224, NIK-10223, Bk 43, p.14). They worked at least as long as the German workers who, in 1944, were working twelve hours shifts, and three out of four Sundays. They could, however, be required to work longer, as was suggested at a meeting of Labor Allocation I on 22 June 1944, which was recorded as follows:

"These foreign workers from camp Voerde and Lintorf who are employed here will be transported in special trains. Since the various plants have different times for changing shifts, it may happen that some of the foreigners are running around

free for several hours until the special train leaves in the evening. It is therefore practical to fit the shift times to the train schedule, or else employ the workers for some hours more in neighboring plants with longer shift times". (PX 1230, NIK-9800, Bk 43, p.52).

The workers of whom these hours were demanded included old men and women, pregnant women, (PX 997, D-233, Bk 37, p.19) and children. Among the first Eastern workers to arrive at Essen were 150 boys, 14 years of age. (PX 991, D-348, Bk 37, p.8; PX 1063, D-281, Bk 39, p.73). In 1943 the Motor Vehicle Factory employed six children from 12 to 17 years of age. (PX 1335, NIK-9539, Bk 53, p.129). In 1944 even children of six were being assigned for work. The minutes of meeting of Labor Allocation I, held 21 June 1944 read,

"A great number of children between the ages of 5 and 14 were allocated to us in the last transport of Eastern workers. According to a notification sent to Labor Allocation J children from the age of 6 onwards are to be employed". (PX 1230, NIK-9800, Bk 43, pp.52, 55).

The only concern for these slaves which the documents reflected is that they are not being adequately exploited or that their production is insufficient.

In September 1942 Alfried Krupp wrote the Army Armament Office that it was difficult to meet production deadlines because "the male employees consist of nearly 60 % foreign workers whose quality, reliability, condition of health and the will to work is lacking and whose output is correspondingly poor". (PX 933, NIK-13785, Bk 34, p.17)

In 1944 an investigation was undertaken to be certain that female Eastern workers were employed

at heavy physical labor. (PX 996, NIK-9805, Bk 37, p.16) In June 1944, methods were studied to compel all Eastern workers to work on Sunday. (PX 1236, NIK-9800, Bk 43, p.52).

In return, other their miserable food and lodging, they received almost no pay. While, theoretically, their wages were equal to that of the German employees, without additional pay for overtime, nightwork, Sunday and holiday work, in fact, a special "Eastern Workers Tax" reduced their pay to a small fraction of that which the German workers received. (PX 971, NIK-10755, Bk 35, p.28; PX 965, NIK-10787, Bk 35, p.1; PX 551, NI-1157, Bk 16-C, pp.24, 33; DX 783, Ihn 608, Bk 9, p.44; DX 192, Ihn 658, Bk 9, p.61; DX 710, Ihn 803, Bk 9, p.8)

6. Constantin Arbatoff.

To meet the proof of the Eastern workers the defense called a former Russian who now lives in Germany by preference. His testimony as to living conditions and food is in direct contradiction with the proven facts. This witness revealed his complete dishonesty when questioned on the Berthawerke. In the three months in which he was engaged in the assignment and allocation of labor at the Berthawerke 1,500 Czechoslovakians, almost a thousand concentration camp inmates, a thousand Italian Military Internees, and three hundred French prisoners of war were employed there. (PX 1127, NIK-7248, Bk 41-A, pp.88, 89; PX 1128, NIK-12339, Bk 41-A, p.92) Yet, he testified that he had seen no other

workers there other than Germans and Ukrainians, and endeavored to explain this amazing statement by testifying that he had stayed in his office all day. (Tr.6763-6764) His testimony as to the blissful condition of the Eastern workers indicates the same lack of observation that resulted in his overlooking, at the Berthawerke, the fifteen hundred Czechoslovakians and the thousand Italians employed there. (Tr.6763-6764) His testimony is entitled to no credence.

7. Conclusion.

The full inhumanity of Germany towards the Eastern workers cannot be gathered simply from a discussion of their camps, their food; their working hours or any other single item. The whole is larger than the sum of its parts. The treatment of the Eastern workers was colored and characterized by the fact that they were considered by the Germans "an inferior people". Their abuse was not the unavoidable consequence of the harsh necessities of war, nor taken for "self preservation", but the direct product of Nazi ideology. It should be so judged.

I. Mistreatment of Foreign Workers

Beatings were as integral a part of the regime of the foreign workers as their food and their camps. The foreign workers were beaten in the plants and in the camps; they were beaten by the camp leaders, by the auxiliary guards, the Werkschutz and its affiliates and by ordinary workers. The weapons with which they were beaten were distributed by Krupp.

No class of foreign workers appears to have been immune to such mistreatment. But as was true of the other factors affecting the daily lives of these people, the worst mistreatment was apparently reserved for Russian PWs and Eastern civilian labor. It was for them that Gerlach invented his "cage", it was upon them that Hassel was first allowed to vent his brutality.

This mistreatment of the foreign workers was in direct contravention of all official regulations. (DX 1328 v. B. 792, Bk VII, p 63; DX 1362 v.B. 542, Bk 8, p 33; Nohles, Tr 9173).

Although the foreign workers were mistreated by many persons under varying circumstances primary responsibility for their systematic abuse lies with the Werkschutz and its various affiliates, the auxiliary guards, Enlarged Werkschutz I and Enlarged Werkschutz II.

The Werkschutz was the whip of the Krupp firm. It was responsible for guarding the workers between the camps and in the plants; it even administered the Eastern workers camps until 1943 and supplied the camp leaders; it undertook the punishment of the workers within the plant and it reported to the Gestapo all workers whom it considered required incarceration in a labor education camp or concentration camp. Foreign workers were reported to it for discipline. PX 967, NIK 11187, Bk 35, p 10. It was assisted in its duties by two auxiliary organizations -- the so-called Enlarged Werkschutz I and Enlarged Werkschutz II.

The Enlarged Werkschutz I which had as its nucleus the members of the pro-Nazi organization, the Werkschar, was organized sometime in 1942. (FX 1101 ; NIK - 10212; Bk 40, p 23; Tr 8180). This Enlarged Werkschutz I was given rooms in the Main Administration Building immediately below the offices belonging to the Werkschutz in which von Buelow and Hassel worked. Its members were quartered in barracks and given semi-military training. Its ostensible purpose was to quell unrest among the foreigners. It performed its functions outside the plants (Tr 8394). Its principal occupation appears to have been the systematic mistreatment of foreign workers who were beaten in the cellar of the Werkschutz with leather truncheons supplied by Krupp. Such beatings were not the expression of a momentary fit of sadism on the part of one individual but a regular and continuous matter (Tr 3687-3704). Three of its members have admitted knowledge, and one participation, in such beatings, Heinrich Huemmerich (Tr 9068, 9126, 9075, 9128-30), Johannes Getzke (BX 1695, v. B. 300, Bk 15, p 105; DX 1403, v.B. 272, Bk 15, p 101; Tr 8393).

Enlarged Werkschutz II was organized in 1943 under the name of "B-Troops" or plant troops. Eight persons in each shift in each plant were appointed to it. (PX 960; NIK - 8175; Bk 34, p 170. Like Enlarged Werkschutz I its ostensible purpose was to suppress riots but the only weapons with which it was supplied, leather truncheons, were obviously completely unsuitable for anything but flogging. It differed from Enlarged Werkschutz I in that its functions were performed within the plants rather than outside of them. But like Enlarged Werkschutz I its members were selected for their political reliability according to Nazi standards, veterans, SA and SS men being given preference. (Tr 8180; PX 960, NIK - 8175, Bk 34, p 170).

A graphic description of the manner in which enlarged Werkschutz II operated was given by the former French prisoner of war BUSSON. After a fight with a German workman an alarm was sounded, four of his fellow workers rushed in wearing the insignia of the "B-troops" armbands and helmets and beat him with the leather truncheons provided by the Krupp firm. (Tr. 3661). Hermann KIRNSE has acknowledged that BUSSON was beaten by this organization with truncheons supplied by Krupps. (Tr. 8715)

The record of the regular Werkschutz is one of unmitigated brutality. Until 1943 this organization was charged with the administration of the Eastern workers camps. With the Werkschutz in charge of the camps beatings commenced immediately. Von BUFIOW reported a meeting of the "Management of Camps for Eastern Workers", where beatings had been discussed to IHN, IFFANN, and BEUSCH as follows:

"The Gestapo informed us recently that to begin with they have adopted the method of inflicting severe corporal punishment on all workers trying to escape and other bad elements. I have given express instructions to all camp leaders neither to order nor to tolerate in the future the infliction of corporal punishment. The camp leaders have taken note of this and have agreed to conduct themselves accordingly. They have, however, expressed their grave doubts as to whether, in view of these limitations, discipline and production efficiency can always be maintained. They believe that the news of the abolishment of corporal punishment in the camps would spread very quickly, and would lead to insubordination.

"Instantaneous measures of corporal treatment applied to persons caught in the act are not affected by the order to discontinue corporal punishment, especially in cases where the steadily increasing thefts from kitchens and breaches of discipline towards the guards are to be dealt with. Such cases are to be entered in detail in the camp book which is shown to Mr. WILSHANS at regular intervals".
(Exh. 905, D-144, Bk. 36; pp. 18, 19, 20).

The camp leaders present at this meeting included HASSEL, RATH, and FUERER. Ample evidence of the brutality of at least two of these men has been presented before this Tribunal. All these were fanatic Nazis. The first two were members of the SS. (Tr. 9073-9074, 8345) and the third had applied for a membership in the Nazi Party as early as 1928. (Tr. 8318).

It cannot be considered simply a coincidence that it was men of this ilk who were put in charge of the Eastern workers.

When in 1944 the Werkschutz took over Dachenschule it continued the practices started in the camps of the Eastern workers. The flogging in that camp are discussed elsewhere.

The beatings in the camps were approved of and facilitated by Krupp. The camps secured the instruments they required for WUPP's department the Main Camp Administration (PX 1589, NI-2874, R Bk. 3, p.85; PX 1001, D-230, Bk. 37, p. 47).

The brutality in the Eastern workers camps sanctioned and encouraged by the Krupp administration culminated in the plant camp attached to Armor Construction 4. GERLACH, the deputy camp leader, devised the ingenious punishment of locking the women into a small closet or wardrobe which was kept in the guard room. Further sport was provided by pouring water through the air holes at the top. Three witnesses, all Germans, have testified to seeing incidents of this character with their own eyes. Their stories all jibe with each other on all significant details. All agree that there were two closets of cupboards normally kept in the guard room, that the one which was used for the purpose of punishment was divided in the middle so that two people could be placed in it simultaneously, and that the women were locked in by placing a length of iron trough certain hooks on the outside. Air was supplied through holes at the top. All three agree that photographs taken in 1945 identified as D-382 a, b and c are of the closet they saw. (PX 864, D-382, Bk. 32, p. 39).

Fritz FELL saw GERLACH lock a female Eastern worker, who was seven months pregnant, into this cupboards in the summer of 1944. (Tr. 3111-3112). Joseph DAHL saw three male Eastern workers locked into the cupboard in New Year's Eve of 1945 (Tr. 3083-3088). After one hour, DAHL was able to persuade GERLACH to take one out, but, at six o'clock in the morning, the other two were still imprisoned. Volentin NOVITZKY testified to having heard two female voices crying from the closet in the autumn of 1944 and again in the spring of 1945. (Tr. 4195-4197).

Beatings were also common in the camps. The camp leader, LOEWENKLIP kept hanging above his desk the leather truncheon which Krupp apparently distributed to all camp leaders and Werkschutz members. Joseph DAHL saw the male Eastern workers beating before they were confined. NOVITSKI subsequently was implored by the Eastern women not return the club to LOEWENKLIP when he found it on a shelf after an air-raid. (Tr. 4193). Bad as the beatings were, however, the women confined in GERLICH's cage begged for them in place of the torture to which he put them. (Tr. 4196).

Again, it is inconceivable that mistreatment of this character could have continued over a period of more than nine months without the knowledge of GERLICH's superiors. GERLICH made no attempt to conceal his acts; any passerby could see and hear what took place. If he was able to continue this sport for almost a year it could only have been due to the fact that his superiors were, at best, indifferent and at worst, approving.

The defense has introduced a number of affidavits on error construction 4 (Lehrmann, Bk. 16) two affiants Paul BAITUS, (Tr. 7577-78) and Wilhelm KOEHLER (Tr. 8068) have been examined. The first in his anxiety to whitewash Krupp denied even the existence of the closet in question. The second recognized the closet but denied that any such incident as that described by the tree men could have occurred. In view of the unanimity of the defense witnesses that GERLICH was a brutal man. KOEHLER's testimony appears unpersuasive.

The auxiliary guards recruited in 1942 to guard the workers in the plants and between the plants and the camps were of the same stripe as the men they assisted. (PX 849, NIK 9031, Bk.32 p.4) Evidence of the brutality of one of these men, Wirtz, who was a guard and later deputy commander of the Russian workers at the Motor Vehicle Factory (Krawa) has been presented before the tribunal.

Wirtz mistreated the workers at both the plant and the camp. The judgment of the Denazification Board of Kulmbach, finding him guilty of "violation of international law with regard to foreign civilian workers and PW's and sentencing him to eight years imprisonment, recites the following acts of brutality: beating Eastern workers, male and female, with a wooden board, a rubber hose, his fists; waking Eastern workers with a water hose; throwing a French civilian down a stairway; and ruthlessly beating a Russian PW with a four-edged piece of wood resulting in death from head injuries. Many of his victims required medical treatment as a result of his brutalities. (EX. 1357, NIK 12380, Bk. 53 A, p. 40.)

Wirtz could not have continued in this course of conduct which stretched over four years without the knowledge and sanction of his superiors in the camp administration and in the plant to which these Eastern workers were attached, the Motor Vehicle Plant (Krawa).

Wirtz testified that he was asked by the plant management to beat people (Tr. 4309 - 4311). He names several other people who participated in the mistreatment, including Balz, who was in charge of the "plants" of the Motor Vehicle Factory and immediately subordinate to its head Roth, who reported directly to the Vorstand. Among those named by him and by Karl Arens and Conrad Kramer also mistreating the Eastern workers at Krawa are, Schoettle, department head at Krawa, Roemmle and Schaefer, Wirtz's

superior as camp leader and an SS Unterscharfuehrer (Tr. 4310-4311, 4241, 4288-4291, 4299-4300). Kraemer testified that the Eastern workers were taken into the cellar of the Krawa and beaten. (Tr. 4241, 4281-4282). Arens testified "that it was general knowledge in the plant that the management tried to keep up the work discipline by the most incisive measures, that is, even with physical maltreatment." (Tr. 4288). Balz, Arens testified, "did not beat him himself, but he instigated us to do so. * * * if it hadn't been permitted, one wouldn't have beaten the people so savagely, then the plant management would have done something against it; but the plant leader sometimes watched when the people were beaten." (Tr. 4291).

The best evidence of the plant's tacit approval of Wirtz's brutality is the fact that, starting from 1941 simply as a guard to bring the workers back and forth from work, (Tr. 4290) he became a Deputy Camp Commander in 1944 (Tr. 4324). The same acts for which he is now imprisoned were then his recommendation. In beating the workers, Wirtz was clearly pleasing his superiors, not defying them.

Wirtz was not unique. In Repair Workshop 2, Pater Slamek, a member of the SA, shot and killed a Russian prisoner of war in such a manner as to inflict acute agony and, another time, hung a Russian who was rescued by the plant manager. No action was ever taken against him for these crimes. (Tr.p. 10448 - 10449). In Foundry 5 a Russian prisoner of war was beaten to death (DX 1143, Lehm. 327, Bk. 9, p. 45). Schneider, one of the men involved in the incident, complained a month later because one of the guards of the prisoners of war threatened him "if he should beat a prisoner." The plant management requested von Buelow to "brief the guards in order to avoid a recurrence of this incident" (DX 1145, Lehm. 340, Bk. 9, p. 48). In the Boiler Construction Plant a man called Buschauer who was put in charge of

guarding the Russian prisoners of war and Eastern workers regularly abused them from the time of their arrival in 1942. Two witnesses have confirmed his brutality (Tr. p. 10184 - 10185, 10486 - 10488, PX 1517, NIK-15395, R. Bk. II B, p. 48; PX 1518, NIK-8659, R. Bk. 2 B, p.50; PX 1522, NIK-7155, R. Bk. 2 B, p.58). Yet he remained in his position until shortly before the end of the war, when he was transferred for his own protection, since it was feared that the Russians might take revenge (Tr. 10273). In the Locomotive Shop, a senior foreman by the name of Mertinat also mistreated the Russian prisoners of war (Tr.p. 10273). Beatings were instantaneously administered upon the slightest pretext. A French civilian worker smoked a cigarette near the oxygen stores. When the cigarette was knocked from his mouth he hit back at the German who had done it. The plant police were summoned. Four men, including two with rubber clubs, threw him to the ground "beat him in an inhuman manner and stepped on him with their feet" so that he suffered "severe injuries in the head, shoulders and other parts of his body"(PX 1520, NI-3700, R. Bk. 2 B, p. 54). In the Locomotive Workshop a Russian prisoner of war who tried to defend himself against a Belgian worker was beaten by the latter together with a member of the work police "in such a manner that he was confined to the sick ward and unable to work for several days" (PX 1531, NIK - 2917, R. Bk. 2 B, p. 56). A member of the Work Police who shot through the breast a Russian prisoner of war who tried to find a little bread while clearing up the bombed out Krupp bakery was found to have "acted according to regulations" and the matter was closed after due consideration had been given by von Buelow to praising the man involved in public (PX 1591, NIK-4378, R. Bk. 3, p. 88). The defense has submitted a great many affidavits flatly denying all mistreatment . (DX 1755, Lehm. 13, Bk. 14, p.41; DX 1775, Lehm. 14, Bk. 13, p. 11; DX 1776, Lehm. 15, Bk. 13, p. 15.)

The value of these denials is clearly revealed by the examination of Drinnenberg. Drinnenberg's affidavit states, "during the whole time the management learned of no cases of bad treatment in the shops just mentioned" (DX 2245, Lehm. 27, Bk. 15, p. 33).

On examination he denied that he knew any cases of mistreatment (Tr. p. 10339). Yet, the beating of the French worker by four men, two with clubs, referred to above, had taken place in his plant. He remembered it distinctly. In fact, it was he who had called the Work Police, who beat the man (Tr. p. 10340 - 10342) and he subsequently received a copy of the report on the incident and on the foreign workers' injuries, with a request for a reply (PX 1520, NI-3700, R. Bk. 2 B, p. 54). The defense also calls on such a blackguard as Josef Lorenz to swear that none was ever abused. (Tr. 8486 - 8496, 8574 - 8632). Lorenz is quite willing to oblige but even as he testifies his own brutality emerges. A statement he signed in 1945 gives the lie direct to his testimony that there was no killings of prisoners of war not determined after investigation to have taken place in self defense. (PX, NIK-15553, Cross Ex. Bk. p.5.)

Despite the overwhelming evidence of systematic mistreatment the defense contends that such mistreatment was forbidden. With monotonous regularity and suspicious similarity, affidavit after affidavit presented by the defense reports that the mistreatment of foreign workers was forbidden in written directives and in oral instructions and that such mistreatment was to be reported (Lehm. Bks. 13, 14, 15).

The affiants examined on this point have been evasive. The contention is, on its face, absurd. Could Wirtz, Buschauer, Hassel, Slamek, to name only those whose brutality has been fully proved, have continued their brutal practices for three years if mistreatment had, in fact, been forbidden? Their acts were not kept secret. The beaten workers bore their marks for everyone to see. Is it

credible that a firm which prohibited mistreatment would distribute the instruments for it? Open Hearth Steel Plant 7 asks von Buelow for truncheons for "beating" and von Buelow is afraid that the supply may have run short (PX 1588, NIK-13090, R. Bk. 3, p. 84). This is scarcely the correspondence of a firm that disapproves of beating.

A firm that disapproved of mistreatment would not have retained in a position of disciplinary authority such a man as Hassel. It was he who suggested, when complaints were made that the food given the Russian workers was insufficient and they were dying as a consequence, that "beatings should be substituted for food". (PX 899, D-318, Bk. 36, p. 6). Insofar as he was able to do so, he did just this. He beat the Eastern workers at and in the cellars of the Main Administration Building Kraemerplatz and the Western workers at Neerfeldschule. His mistreatment extends over the entire period of time that foreign workers were at Essen. These beatings were not simply an expression of his personality, but were carried on in the course of his official duties and with the knowledge, and consequently, the approval of his superiors. The defense has attempted to capitalize on the obvious bestiality of Hassel by crediting him with the responsibility for all abuses, declaring that he was retained out of fear of his potential connections and at the same time denying knowledge by any of the defendants of his conduct.

In the first place it is clear that Hassel was not alone.

Huemmerich, Gerlach, Toppat, Wirtz, Buschauer were all equally sadistic. Mistreatment of thousands of workers is a wholesale matter, requiring more than one man. The contention that Krupp feared to discharge him needs no answer. The proof is clear that von Buelow, far from seeking to discharge him, secured a raise for him in 1943 (PX 1593, NIK - 14364, R. Bk. 3,). The contention that his acts were unknown is also false. In 1942 he publicly an-

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nounced his philosophy of beatings instead of food. Even Arbatoff states that his brutality was common knowledge. (Tr.p.6728) The beatings in the cellar were known to every member of the Werkschutz and the Enlarged Werkschutz 2, who brought the workers in for "instruction". They were known to the secretaries in the building. (Tr.p.3695). Is it credible that for a year they remained a secret to the defendants, whose offices were in the same building?

Any thought reveals that mistreatment must have been known of and sanctioned as the only possible method for inducing foreign slaves, underfed, ill-housed and badly clothed, to work long hours producing armaments to be used against their own country and its allies.

J. Concentration Camp Inmates

1. Government Program

The concentration camps served a number of functions. They first served as a means of suppression of all opposition, but they later became convenient places to pursue the organized and systematic murder of national and religious groups and finally a source of manpower to meet the enormous demands of the German war production programs. The horrors of the concentration camps are too well known to require elaboration here. Counsel for defense constantly refer to these camps as the ultimate in coercion and terror which awaited their clients, the beneficiaries of these camps, now attempting to play the role of victims. The Judgment of the IMT described the use of concentration camp inmates for work as involving conditions "which made labor and death almost synonymous terms" (IMT Judgment, p. 235). The defense, itself, apparently in the interest of thoroughness, has included in its evidence an order by Oswald Pohl issued in May 1942 to all camp commanders and work managers which provided that "this employment must be, in the true meaning of the word, exhaustive in order to obtain the greatest measure of performance." The same order also provided that "any circumstances which may result in a shortening of work hours (e.g. meals, roll calls) have therefore to be restricted to the minimum which cannot be condensed any more. It is forbidden to allow long walks to the place of working and noon intervals only for eating purposes" (DX 2334, KL 40, Bk 2, pp. 15-16).

The utilization of concentration camp labor for the armament program was at first restricted to employment in armament plants by the SS itself within its camps. The first change in this system was inaugurated on 16 March 1942 on the basis of conferences at Hitler's headquarters, when it was announced that concentration camps were to be used to a greater extent but only within the actual area of the concentration camps themselves (DX 2330, KL 36, Bk 2, p. 9). Shortly thereafter,

on 14 April, Erich Mueller made his proposal to Hitler for the setting up of a plant to produce automatic AA guns in a concentration camp, and the Krupp Auschwitz project was a part of this program (PX 524, NIK 11504, Bk 13B, pp. 98, 120). In September 1942 an additional concession was wrung out of the reluctant Himmler, by the intercession of Hitler himself, to permit the employment of concentration camp labor in factories outside cities, releasing the other forms of labor for use inside the cities. The SS was offered a percentage share in the armament sales so that it would not lose advantage from making its prisoners available (DX 2342, KL 48, Bk 2, p. 33). This program was relatively unsuccessful because of the continued reluctance of the SS to release its charges and a very limited number of concentration camp inmates were released by this means (Walter Schieber, tr.pp. 10003, 10005, 10008). Besides this, the SS did release a larger amount of labor, but still relatively small, to armament firms by direct negotiations, independent of the Armament Ministry, between the firms and the SS. The SS generally preferred to utilize concentration camp labor in its own enterprises which it was constantly expanding (Walter Schieber, tr.pp. 10003, 10004, 10011; Fritz Schmelter, tr.p. 11874). There were no regular channels for the allocation of concentration camp labor to particular firms. The labor allocation officials did not even know of the allocation of such labor (Fritz Schmelter, tr.pp. 11874, 11875). In 1944, it was finally provided that the SS should furnish information to the labor allocation agencies and to the armament offices on the allotments of concentration camp labor assigned to private firms to avoid overlapping allocations which had previously occurred when firms obtained labor from the two sources independently. Finally in October 1944 the allocation of concentration camp labor to armament firms was placed on a priority basis, and all requests to the SS had to be channelled through the Speer Ministry (Fritz Schmelter, tr.pp. 11875, 11876; DX 2353, KL 59, Bk 2, p. 92). In the early summer 1944, the

SS for the first time offered a large group of concentration camp inmates to the armament industry through the Speer Ministry. Approximately 50,000 to 60,000 so called "Hungarian Jewesses" who had recently been picked up by the SS were made available. This labor was not allocated to industry but merely offered. There was no question of refusing to accept such offers and thereby incurring the displeasure of any official agencies or even the possibility of losing the right to receive other labor allocations, if available. The offer was simply that and it was up to the enterprises to put in their requests (Fritz Schmelter, tr.pp. 11875-11877).

Through the entire period from 1942 to 1945 there were numerous cases of refusal to employ concentration camp labor by the armament industry because of the extreme difficulties which were involved in using such labor in compliance with the various security requirements of the SS and because of their comparatively low efficiency (Walter Schieber, tr.pp. 9986, 9987; Fritz Schmelter, tr.pp. 11880, 11883). The offer of 50 to 60 thousand female concentration camp inmates was singularly unsuccessful, and only 16 to 18 thousand were placed altogether (Fritz Schmelter, tr.p. 11876).

2. Attitude of the Krupp Firm

The defense in this case has submitted a great deal of evidence to prove that concentration camp labor was not efficient and involved the employing firm in a number of difficulties which made it preferable to employ other forms of labor before resorting to this type of labor. This reluctance is called by the defense opposition to the use of concentration camp labor. The nature of this opposition was revealed by Wilhelm Reiff, an important witness for the defense and a significant participant in the Auschwitz and Berthawerk negotiations, in an unusual display of candor, in his affidavit submitted by the defense with regard to Berthawerk. Reiff there stated:

"We strongly objected to employing concentration camp prisoners. Messrs. Krupp was in general opposed to the employment of

concentration camp prisoners; these objections were mainly due to the fact that difficulties might arise with regard to the employment of free laborers side by side with concentration camp detainees, and their necessary supervision; and much difficulties might have a very unfavourable effect on the production program." (DX 2203, Ko. 88, Bk. 3, p. 7).

The prosecution has never contended that Krupp preferred concentration camp labor to other forms of labor because of a desire to add to the persecution of either religious or national groups and the prosecution readily acknowledges that given a free choice of labor the defendants would not have sought the use of concentration camp labor in the Krupp plants. With the scarcity of manpower in Germany which developed during the course of the war, the defendants not only accepted but sought concentration camp labor. They appreciated the general scarcity of labor and utilized any means to fill the needs of Krupp. Through all the evidence there is not one sign of any reluctance to employ this form of labor because of any considerations of humanity or the rules of society prescribed in international law.

The first efforts of the Krupp firm in 1942 were directed at obtaining skilled labor through the concentration camps. The plan to use Auschwitz which involved such skilled labor will be discussed in detail. At about the same time an effort was made to obtain skilled labor for the plants in Essen. On 17 September 1942 a message was dispatched to Krupp in Essen for the attention of Erich Mueller from a special committee of the Speer Ministry, requesting information "for forwarding to higher authorities" whether Krupp could use skilled foreign Jewish labor and was in a position to erect a concentration camp to house them (PX 934, NIK 5858, Bk 34, p. 18). A reply was sent out the following day by Koettgen of the KM department (Werner Koettgen, tr.pp. 12246, 12247) which stated that:

"The employment of Jews in ammunition production is not possible, because the conditions that these Jews shall work in a department for themselves cannot be fulfilled and, moreover, cooperation of the German workers with the Jews cannot be expected as far as no absolute separation can be carried out." (PX 938, NIK 5859, Bk 34, p. 20).