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Kriegsverbrechen im 20. Jahrhundert (review)

Frank M. Buscher

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***Kriegsverbrechen im 20. Jahrhundert*, Wolfram Wette and Gerd R. Ueberschär, eds. (Darmstadt: Primus, 2001), 589 pp., €49.90.**

Dedicated to renowned German military historian Manfred Messerschmidt, who celebrated his seventy-fifth birthday in October 2001, this volume contains forty-three brief essays on twentieth-century war crimes. Considered the founder of “critical” military history, Messerschmidt successfully destroyed the postwar West German myth of an apolitical, professional Wehrmacht whose conduct during World War II was above reproach. The German armed forces, he convincingly demonstrated, were both thoroughly Nazified and deeply involved in the murder of millions.

In addition to honoring Messerschmidt, the book may have another purpose. A 1994 Berlin exhibition on the crimes of the Wehrmacht met with controversy, and was later closed, after it was discovered that some German historians had selected photographs of crimes committed by the Soviet secret police (NKVD) as evidence of the German army’s barbarism. The editors of *Kriegsverbrechen im 20. Jahrhundert* may have wished to drive home once again the exhibition’s main point—based upon reliable recent scholarship and reflecting scholarly consensus—that all branches of the German armed forces committed war crimes and crimes against humanity. Most of the contributors are professional historians or political scientists with numerous publications to their credit. (A conspicuous exception is the well-known publicist Ralph Giordano, whose exaggerated praise of Messerschmidt does not fit in with the otherwise sober tone of this book). They hail from about a dozen countries, including the United States, Canada, Poland, Russia, the Netherlands, Israel, and Japan. German scholars, however, are in the majority. Only three North Americans (Benoît Lemay, Paul Léotourneau, and James S. Corum) contributed, a somewhat surprising fact considering the vast literature produced by scholars here.

War crimes are, of course, nothing new. The Peloponnesian War, the Third Punic War, the First Crusade, and the Thirty Years’ War provide only some of the most notorious examples. Despite the fact that, before the year 1900, war crimes were as common as wars, the contributors to this volume share the belief that the twentieth century, which Gerd R. Ueberschär refers to as the “century of death,” marks a significant break with the past (p. 11). Detlef Bald, whose fine essay examines Hiroshima, nuclear weapons, and international law, calls it “the century of extremes, wars, violence and barbarism” (p. 443). Two world wars introduced humanity to industrialized killing and ideologically motivated genocide, resulting in record numbers of casualties. To do justice to the precedents set by these giant conflicts, most of the book is devoted to the suffering generated by them. Other, “smaller” wars are also discussed, although some readers might find surprising gaps. Cambodia, Rwanda, the Korean War, and Russia’s brutal and costly civil war with its estimated twenty million dead are excluded.

The last century was particularly violent because the German imperial government and the Hitler dictatorship were determined to make it so. Thus much of this book deals with war crimes committed by Germans, especially the German armed

forces, in both world wars. Several themes emerge. First, German war crimes were not committed in the heat of the moment by rogue commanders and troops; they were planned carefully and were considered matters of state policy. Second, racism was of crucial importance and influenced German behavior long before Hitler came to power. Particularly enlightening in this respect is Wolfgang U. Eckart's work on Imperial Germany's war against the rebellious Herero and Nama in southwest Africa. Convinced that these indigenous peoples were "vermin without the right to exist," the German general staff hoped for nothing less than to achieve "the annihilation of the Herero" (pp. 63, 65). This genocide took place in remote areas and involved concentration camps, massacres, and exposure to fatal diseases. About three-quarters of the Herero were killed, a depressing testament to the killers' ruthless efficiency and their utter disregard for human life. As Eckart points out, the destruction of the Herero and Nama "bears all the marks" of later German genocides (p. 68).

Third, although the magnitude of German crimes in the East during World War II is without parallel, the Wehrmacht also committed serious criminal acts in the West. Thus the claim that Germany's conduct in the West was conventional and therefore clean does not hold true. To be sure, several excellent contributions shed light on the crimes in the East, such as the German armed forces' involvement in the Holocaust, the recruitment of slave labor, and the murderous treatment of Soviet prisoners of war. But in Nazi-occupied northern, western, and southern Europe the Wehrmacht also committed numerous barbaric acts. These included the killing of innocent civilians in retaliation for partisan attacks against German troops or military installations, systematic property destruction, and cooperation with the SS in rounding up Jews.

The Germans were not the only ones to commit war crimes during World War II. According to the Polish historians Malgorzata and Krzysztof Ruchniewicz, the Stalin and Hitler regimes both aimed to wipe out Poland's elites after the destruction of that country in September 1939 (p. 367). Soviet conduct toward German civilians at the end of the war and afterward also violated international law. The Red Army's infamous plunder and rape campaign may have victimized as many as one hundred thousand Germans; Manfred Zeidler blames the Soviets' experience of the brutal German occupation, as well as hatred encouraged by Soviet propaganda, alcohol, lack of education, and the terrible conditions within the infantry. The late Michail I. Semirjaga finds that Soviet crimes against Germans did not stop with the latter country's surrender. Instead, the NKVD illegally arrested and deported tens of thousands to the Soviet Union in the immediate postwar years. Unfortunately, the book assigns to the periphery the flight and expulsion of fourteen million Germans during and after the war. The conduct of the expelling countries and the plight of the refugees deserve to be treated in greater detail.

In the Far East, Japan committed numerous war crimes and crimes against humanity. Uwe Makino attributes the barbaric Japanese conduct at Nanking during 1937–38 to a conscious decision to rely on terror to conquer and rule China (pp. 348–

49). Terror would allow a relatively small occupying force to control a vast country. Hitler eventually prescribed the same tactic for the German occupation of the Soviet Union. Japanese and German crimes were similar in other ways. Japan's approach in China was simple: to kill, plunder, and burn. Although Yuji Ishida does not detect a Japanese intent to commit genocide, he argues that the Japanese military harbored strong feelings of superiority vis-à-vis other Asians. Like Nazi Germany, Japan systematically mistreated POWs and civilians in occupied areas. Particularly horrendous were the medical experiments of Battalion 731, which brutally killed approximately three thousand captured foreigners (pp. 333–39).

Authoritarian states, however, did not have a monopoly with respect to war crimes. The troops fighting on behalf of democratic countries also ran roughshod over the internationally recognized rules of war. In Indonesia, Gerhard Hirschfeld explains, Dutch colonial forces massacred civilians and destroyed villages in a futile attempt to maintain Dutch rule. Bernd Greiner examines the documentary evidence on crimes committed by Americans against civilians during the Vietnam War. Pentagon files on the subject contain serious gaps; numerous documents were falsified or sanitized, he argues, and many have disappeared altogether. Several authors consider Allied aerial bombing of German and Japanese cities during World War II to be war crimes. Ueberschär's work on Dresden, Bald's treatment of Hiroshima, and James S. Corum's article on the crimes of the Luftwaffe portray the bombing of civilian populations by both sides as serving no meaningful military purpose and hence as constituting criminal acts.

In the end this outstanding book may leave readers with mixed feelings. On the one hand, the international community has made considerable progress, at least on paper, in regulating combatants' conduct and in protecting civilians through the Geneva and the Hague conventions. On the other hand, these rules and laws have been routinely ignored and violated. To make matters worse, violators have often received inadequate or no punishment. International law and tribunals appear to offer only minimal deterrence. One has to wonder what further measures will have to be taken to prevent the twenty-first century from becoming another "century of death."

Frank M. Buscher

Christian Brothers University

***The Memory of Judgment: Making Law and History in the Trials of the Holocaust*, Lawrence Douglas (New Haven: Yale University Press, 2001), xiii + 318 pp., \$35.00.**

Is it possible for the law to do justice to the unprecedented and extraordinary crimes of the Holocaust? Are criminal trials able to represent the horrors of these crimes adequately and in a responsible manner? Can Holocaust trials that are organized to serve extralegal ends—educating the public, shaping collective memory, protecting historical truth—also maintain their legal integrity? These are the central questions asked by