

The United States Holocaust Memorial Museum commemorates the fiftieth anniversary of
The Doctors Trial (the Medical Case of the Subsequent Nuremberg Proceedings)

THE NUREMBERG CODE

[USHMM note]

On August 19, 1947, the judges of the American military tribunal in the case of the USA vs. Karl Brandt et. al. delivered their verdict. Before announcing the guilt or innocence of each defendant, they confronted the difficult question of medical experimentation on human beings. Several German doctors had argued in their own defense that their experiments differed little from previous American or German ones. Furthermore they showed that no international law or informal statement differentiated between legal and illegal human experimentation. This argument worried Drs. Andrew Ivy and Leo Alexander, American doctors who had worked with the prosecution during the trial. On April 17, 1947, Dr. Alexander submitted a memorandum to the United States Counsel for War Crimes which outlined six points defining legitimate research. The verdict of August 19 reiterated almost all of these points in a section entitled "[Permissible Medical Experiments](#)" and revised the original six points into ten. Subsequently, the ten points became known as the "Nuremberg Code." Although the code addressed the defense arguments in general, remarkably none of the specific findings against Brandt and his codefendants mentioned the code. Thus the legal force of the document was not well established. The uncertain use of the code continued in the half century following the trial when it informed numerous international ethics statements but failed to find a place in either the American or German national law codes. Nevertheless, it remains a landmark document on medical ethics and one of the most lasting products of the "Doctors Trial."

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THE NUREMBERG CODE [from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O, 1949–1953.]

Permissible Medical Experiments

The great weight of the evidence before us is to the effect that certain types of medical experiments on human beings, when kept within reasonably well-defined bounds, conform to the ethics of the medical profession generally. The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield results for the good of society that are unprocurable by other methods or means of study. All agree, however, that certain basic principles must be observed in order to satisfy moral, ethical and legal concepts:

1. The voluntary consent of the human subject is absolutely essential.

This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment.

The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.

3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results will justify the performance of the experiment.

4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.

5. No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.
6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.
8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.
9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.
10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probably cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

Of the ten principles which have been enumerated our judicial concern, of course, is with those requirements which are purely legal in nature — or which at least are so clearly related to matters legal that they assist us in determining criminal culpability and punishment. To go beyond that point would lead us into a field that would be beyond our sphere of competence. However, the point need not be labored. We find from the evidence that in the medical experiments which have been proved, these ten principles were much more frequently honored in their breach than in their observance. Many of the concentration camp inmates who were the victims of these atrocities were citizens of countries other than the German Reich. They were non-German nationals, including Jews and "asocial persons", both prisoners of war and civilians, who had been imprisoned and forced to submit to these tortures and barbarities without so much as a semblance of trial. In every single instance appearing in the record, subjects were used who did not consent to the experiments; indeed, as to some of the experiments, it is not even contended by the defendants that the subjects occupied the status of volunteers. In no case was the experimental subject at liberty of his own free choice to withdraw from any experiment. In many cases experiments were performed by unqualified persons; were conducted at random for no adequate scientific reason, and under revolting physical conditions. All of the experiments were conducted with unnecessary suffering and injury and but very little, if any, precautions were taken to protect or safeguard the human subjects from the possibilities of injury, disability, or death. In every one of the experiments the subjects experienced extreme pain or torture, and in most of them they suffered permanent injury, mutilation, or death, either as a direct result of the experiments or because of lack of adequate follow-up care.

Obviously all of these experiments involving brutalities, tortures, disabling injury, and death were

performed in complete disregard of international conventions, the laws and customs of war, the general principles of criminal law as derived from the criminal laws of all civilized nations, and Control Council Law No. 10. Manifestly human experiments under such conditions are contrary to "the principles of the law of nations as they result from the usages established among civilized peoples, from the laws of humanity, and from the dictates of public conscience."

Whether any of the defendants in the dock are guilty of these atrocities is, of course, another question.

Under the Anglo-Saxon system of jurisprudence every defendant in a criminal case is presumed to be innocent of an offense charged until the prosecution, by competent, credible proof, has shown his guilt to the exclusion of every reasonable doubt. And this presumption abides with the defendant through each stage of his trial until such degree of proof has been adduced. A "reasonable doubt" as the name implies is one conformable to reason — a doubt which a reasonable man would entertain. Stated differently, it is that state of a case which, after a full and complete comparison and consideration of all the evidence, would leave an unbiased, unprejudiced, reflective person, charged with the responsibility for decision, in the state of mind that he could not say that he felt an abiding conviction amounting to a moral certainty of the truth of the charge.

If any of the defendants are to be found guilty under counts two or three of the indictment it must be because the evidence has shown beyond a reasonable doubt that such defendant, without regard to nationality or the capacity in which he acted, participated as a principal in, accessory to, ordered, abetted, took a consenting part in, or was connected with plans or enterprises involving the commission of at least some of the medical experiments and other atrocities which are the subject matter of these counts. Under no other circumstances may he be convicted.

Before examining the evidence to which we must look in order to determine individual culpability, a brief statement concerning some of the official agencies of the German Government and Nazi Party which will be referred to in this judgment seems desirable.

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United States Holocaust Memorial Museum

On December 9, 1946, an American military tribunal opened criminal proceedings against 23 leading German physicians and administrators for their willing participation in war crimes and crimes against humanity. In Nazi Germany, German physicians planned and enacted the "Euthanasia" Program, the systematic killing of those they deemed "unworthy of life." The victims included the mentally retarded, the institutionalized mentally ill, and the physically impaired. Further, during World War II, German physicians conducted pseudoscientific medical experiments utilizing thousands of concentration camp prisoners without their consent. Most died or were permanently crippled as a result. Most of the victims were Jews, Poles, Russians, and also Roma (Gypsies). After almost 140 days of proceedings, including the testimony of 85 witnesses and the submission of almost 1,500 documents, the American judges pronounced their verdict on August 20, 1947. Sixteen of the doctors were found guilty. Seven were sentenced to death. They were executed on June 2, 1948.



During testimony at the Doctors Trial, American medical expert Dr. Leo Alexander points to scars on Jadwiga Dzido's leg. Dzido was a victim of medical experiments at the Ravensbrueck concentration camp. Nuremberg, Germany, December 22, 1946. NARA

In commemoration of the fiftieth anniversary of the Doctors Trial, the United States Holocaust Memorial Museum presents excerpts from the official trial record, with accompanying photographs:

- [Opening Statement \(excerpts\)](#)
- [Indictment](#)
- [Testimony \(excerpts\)](#)
- [Sentences](#)
- [Nuremberg Code](#)

SOURCES

- Documents: The transcriptions of documents come from the official trial record: *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*. Nuremberg, October 1946 - April 1949. Washington D.C.: U.S. G.P.O, 1949-1953. Testimony excerpts come from National Archives Record Group 238, M887.

A [plain text version](#) of these documents is available here.

The excerpts presented here retain the variant spellings and minor typographical errors of the original transcriptions and are unaltered in any way except for minor reformatting for readability on screen. All page numbers and appendices referenced within the transcriptions refer to pages and appendices in the above-cited official trial record.

- Photographs: Photo credit abbreviations are -

USHMM: Photo Archives, United States Holocaust Memorial Museum, Washington, D.C.

NARA: Still Picture Branch, National Archives and Records Administration, College Park, Maryland.

MCC: Main Commission for the Investigation of Crimes Against the Polish Nation--Institute of National Memory, Warsaw, Poland.

YV: Yad Vashem, Jerusalem, Israel.

Prints of the photographs used here may be found in the Photo Archives, United States Holocaust Memorial Museum.

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OPENING STATEMENT OF THE PROSECUTION BY BRIGADIER GENERAL TELFORD TAYLOR, 9 DECEMBER 1946. [excerpts from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*. Nuremberg, October 1946 - April 1949. Washington D.C.: U.S. G.P.O, 1949-1953.]



Brigadier General Telford Taylor, Chief of Counsel, during the Doctors Trial, which was held in Nuremberg, Germany, from December 9, 1946, to August 20, 1947. USHMM

The defendants in this case are charged with murders, tortures, and other atrocities committed in the name of medical science. The victims of these crimes are numbered in the hundreds of thousands. A handful only are still alive; a few of the survivors will appear in this courtroom. But most of these miserable victims were slaughtered outright or died in the course of the tortures to which they were subjected.

For the most part they are nameless dead. To their murderers, these wretched people were not individuals at all. They came in wholesale lots and were treated worse than animals. They were 200 Jews in good physical condition, 50 gypsies, 500 tubercular Poles, or 1,000 Russians. The victims of these crimes are numbered among the anonymous millions who met death at the hands of the Nazis and whose fate is a hideous blot on the page of modern history.

- [The Charges against these defendants...](#)
- [State Medical Services of the Third Reich](#)
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FROM THE INDICTMENT [from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O., 1949–1953.*]:

The United States of America, by the undersigned Telford Taylor, Chief of Counsel for War Crimes, duly appointed to represent said Government in the prosecution of war criminals, charges that the defendants herein participated in a common design or conspiracy to commit and did commit war crimes and crimes against humanity, as defined in Control Council Law No. 10, duly enacted by the Allied Control Council on 20 December 1945. These crimes included murders, brutalities, cruelties, tortures, atrocities, and other inhumane acts, as set forth in counts one, two, and three of this indictment. Certain defendants are further charged with membership in a criminal organization, as set forth in count four of this indictment.

- [**THE PERSONS ACCUSED AS GUILTY...**](#)
- [**COUNT ONE — THE COMMON DESIGN OR CONSPIRACY**](#)
- [**COUNT TWO — WAR CRIMES**](#)
- [**COUNT THREE — CRIMES AGAINST HUMANITY**](#)
- [**COUNT FOUR — MEMBERSHIP IN CRIMINAL ORGANIZATION**](#)

Wherefore, this indictment is filed with the Secretary General of the Military Tribunals and the charges herein made against the above named defendants are hereby presented to MILITARY TRIBUNAL NO. I

TELFORD TAYLOR
Brigadier General, USA
Chief of Counsel for War
Crimes Acting on Behalf of the United States of America

Nuernberg, 25 October 1946

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TESTIMONY ENTERED AS EVIDENCE IN THE MEDICAL CASE

[from National Archives Record Group 238, M887]

FATHER LEO MIECHALOWSKI

Born March 22, 1909, in Babrzezne, Poland

Father Miechalowski, a Roman Catholic Priest, was arrested along with other Polish priests by the Germans after the invasion of Poland in 1939. He was deported to the Sachsenhausen camp, north of Berlin, and in 1940 was transferred to Dachau concentration camp near Munich, Germany. While in Dachau, Father Miechalowski was selected against his will as a subject for medical experiments. He was intentionally infected with Malaria so that various compounds could be tested. Further, he was subjected to hypothermia experiments. American forces liberated Dachau in April 1945. On December 21, 1946, Father Miechalowski testified for the prosecution at the Doctors Trial about the medical experiments before an American military tribunal in Nuremberg, Germany.

VLADISLAVA KAROLEWSKA

Born March 15, 1909, in Yeroman, Poland

Before World War II, Vladislava Karolewska was a school teacher in Grudenz. In 1939, when the Germans invaded Poland, she moved to Lublin to live with her sister. Karolewska joined the anti-German resistance in Poland and served as a courier. The Germans arrested her in February 1941. She was interrogated in Lublin and then deported to Ravensbrueck concentration camp, north of Berlin in Germany. There, Karolewska was selected against her will as a subject in bone regeneration experiments. After Soviet forces liberated Ravensbrueck, Karolewska returned to Poland, moving to Warsaw. On December 20, 1946, Karolewska testified for the prosecution at the Doctors Trial before an American military tribunal in Nuremberg, Germany.

[Excerpts from Father Miechalowski's testimony](#)

[Excerpts from Karolewska's testimony](#)

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SENTENCES [from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O, 1949–1953.*]

PRESIDING JUDGE BEALS: Military Tribunal I has convened this morning for the purpose of imposing sentences upon the defendants who have been on trial before this Tribunal and who have been adjudged guilty by the Tribunal.

"KARL BRANDT, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Karl Brandt, to death by hanging.

"SIEGFRIED HANDLOSER, Military Tribunal I has found and judged you guilty of war crimes and crimes against humanity, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Siegfried Handloser, to imprisonment for the full term and period of your natural life, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"OSKAR SCHROEDER, Military Tribunal I has found and adjudged you guilty of war crimes and crimes against humanity, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Oskar Schroeder, to imprisonment for the full term and period of your natural life, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"KARL GENZKEN, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Karl Genzken, to imprisonment for the full term and period of your natural life, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"KARL GEBHARDT, Military Tribunal I has found and adjudged you guilty of war crimes, crimes



American judges (top row, seated) during the Doctors Trial. Presiding Judge Walter B. Beals is seated second from the left. The trial was held in Nuremberg, Germany, from December 9, 1946, to August 20, 1947. USHMM

against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Karl Gebhardt, to death by hanging.

"**RUDOLF BRANDT**, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Rudolf Brandt, to death by hanging.

"**JOACHIM MRUGOWSKY**, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Joachim Mrugowsky, to death by hanging.

"**HELMUT POPPENDICK**, Military Tribunal I has found and adjudged you guilty of membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Helmut Poppendick, to imprisonment for a term of ten years, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"**WOLFRAM SIEVERS**, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Wolfram Sievers, to death by hanging.

"**GERHARD ROSE**, Military Tribunal I has found and adjudged you guilty of war crimes and crimes against humanity, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Gerhard Rose, to imprisonment for the full term and period of your natural life, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"**VIKTOR BRACK**, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Viktor Brack, to death by hanging.

"**HERMANN BECKER-FREYSENG**, Military Tribunal I has found and adjudged you guilty of war crimes and crimes against humanity, as charged under the indictment heretofore filed against you. For your

said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Hermann Becker-Freyseng, to imprisonment for a term of twenty years, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"**WALDEMAR HOVEN**, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted, Military Tribunal I sentences you, Waldemar Hoven, to death by hanging.

"**WILHELM BEIGLBOECK**, Military Tribunal I has found and adjudged you guilty of war crimes and crimes against humanity, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Wilhelm Beiglboeck, to imprisonment for a term of fifteen years, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"**HERTA OBERHEUSER**, Military Tribunal I has found and adjudged you guilty of war crimes and crimes against humanity, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Herta Oberheuser, to imprisonment for a term of twenty years, to be served at such prison or prisons, or other appropriate place of confinement, as shall be determined by competent authority.

"**FRITZ FISCHER**, Military Tribunal I has found and adjudged you guilty of war crimes, crimes against humanity, and membership in an organization declared criminal by the judgment of the International Military Tribunal, as charged under the indictment heretofore filed against you. For your said crimes on which you have been and now stand convicted Military Tribunal I sentences you, Fritz Fischer, to imprisonment for the full term and period of your natural life, to be served at such prison or prisons , or other appropriate place of confinement, as shall be determined by competent authority."

[USHMM NOTE: The defendants Paul Rostock, Kurt Blome, Siegfried Ruff, Hans Wolfgang Romberg, Georg August Wetz, Konrad Schaefer, and Adolf Pokorny were judged not guilty of the charges listed in the indictment. The defendants sentenced to death were hanged at Landsberg prison in Bavaria on June 2, 1948. The sentences of the remaining defendants were reduced during the appeal process: Handloser and Genzken's sentences were commuted to 20 years; Schroeder, Rose and, Fischer's to 15 years; Becker-Freyseng, Beiglboeck, and Oberheuser's to 10 years; and Poppendick's to time served.]

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FROM THE OPENING STATEMENT BY TELFORD TAYLOR [from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O, 1949–1953.]:

[THE CHARGES AGAINST THESE DEFENDANTS...]

The charges against these defendants are brought in the name of the United States of America. They are being tried by a court of American judges. The responsibilities thus imposed upon the representatives of the United States, prosecutors and judges alike, are grave and unusual. It is owed, not only to the victims and to the parents and children of the victims, that just punishment be imposed on the guilty, but also to the defendants that they be accorded a fair hearing and decision. Such responsibilities are the ordinary burden of any tribunal. Far wider are the duties which we must fulfill here.



American judges (top row, from left) Harold Sebring, Walter B. Beals, Johnson Crawford, and Victor Swearingen during the Doctors Trial, which was held in Nuremberg, Germany, from December 9, 1946, to August 20, 1947. NARA

These larger obligations run to the peoples and races on whom the scourge of these crimes was laid. The mere punishment of the defendants, or even of thousands of others equally guilty, can never redress the terrible injuries which the Nazis visited on these unfortunate peoples. For them it is far more important that these incredible events be established by clear and public proof, so that no one can ever doubt that they were fact and not fable; and that this Court, as the agent of the United States and as the voice of humanity, stamp these acts, and the ideas which engendered them, as barbarous and criminal.

We have still other responsibilities here. The defendants in the dock are charged with murder, but this is no mere murder trial. We cannot rest content when we have shown that crimes were committed and that certain persons committed them. To kill, to maim, and to torture is criminal under all modern systems of law. These defendants did not kill in hot blood, nor for personal enrichment. Some of them may be sadists who killed and tortured for sport, but they are not all perverts. They are not ignorant men. Most of them are trained physicians and some of them are distinguished scientists. Yet these defendants, all of whom were fully able to comprehend the nature of their acts, and most of whom were exceptionally qualified to form a moral and professional judgment in this respect, are responsible for wholesale murder and unspeakably

cruel tortures.



Defendants seated under guard in the dock behind the defense counsel during the Doctors Trial, which was held in Nuremberg, Germany, from December 9, 1946, to August 20, 1947. USHMM

malignant, and so devastating, that civilization cannot tolerate their being ignored because it cannot survive their being repeated."

To the German people we owe a special responsibility in these proceedings. Under the leadership of the Nazis and their war lords, the German nation spread death and devastation throughout Europe. This the Germans now know. So, too, do they know the consequences to Germany: defeat, ruin, prostration, and utter demoralization. Most German children will never, as long as they live, see an undamaged German city.

To what cause will these children ascribe the defeat of the German nation and the devastation that surrounds them? Will they attribute it to the overwhelming weight of numbers and resources that was eventually leagued against them? Will they point to the ingenuity of enemy scientists? Will they perhaps blame their plight on strategic and military blunders by their generals?

If the Germans embrace those reasons as the true cause of their disaster, it will be a sad and fatal thing for Germany and for the world. Men who have never seen a German city intact will be callous about flattening English or American or Russian cities. They may not even realize that they are destroying anything worthwhile, for lack of a normal sense of values. To reestablish the greatness of Germany they are likely to pin their faith on improved military techniques. Such views will lead the Germans straight into the arms of the Prussian militarists to whom defeat is only a glorious opportunity to start a new war game. "Next time it will be different." We know all too well what that will mean.

This case, and others which will be tried in this building, offer a signal opportunity to lay before the German people the true cause of their present misery. The walls and towers and churches of Nuernberg

It is our deep obligation to all peoples of the world to show why and how these things happened. It is incumbent upon us to set forth with conspicuous clarity the ideas and motives which moved these defendants to treat their fellow men as less than beasts. The perverse thoughts and distorted concepts which brought about these savageries are not dead. They cannot be killed by force of arms. They must not become a spreading cancer in the breast of humanity. They must be cut out and exposed for the reason so well stated by Mr. Justice Jackson in this courtroom a year ago—

"The wrongs which we seek to condemn and punish have been so calculated, so

were, indeed, reduced to rubble by Allied bombs, but in a deeper sense Nuernberg had been destroyed a decade earlier, when it became the seat of the annual Nazi Party rallies, a focal point for the moral disintegration in Germany, and the private domain of Julius Streicher. The insane and malignant doctrines that Nuernberg spewed forth account alike for the crimes of these defendants and for the terrible fate of Germany under the Third Reich.

A nation which deliberately infects itself with poison will inevitably sicken and die. These defendants and others turned Germany into an infernal combination of a lunatic asylum and a charnel house. Neither science, nor industry, nor the arts could flourish in such a foul medium. The country could not live at peace and was fatally handicapped for war. I do not think the German people have as yet any conception of how deeply the criminal folly that was nazism bit into every phase of German life, or of how utterly ravaging the consequences were. It will be our task to make these things clear.

These are the high purposes which justify the establishment of extraordinary courts to hear and determine this case and others of comparable importance. That murder should be punished goes without the saying, but the full performance of our task requires more than the just sentencing of these defendants. Their crimes were the inevitable result of the sinister doctrines which they espoused, and these same doctrines sealed the fate of Germany, shattered Europe, and left the world in ferment. Wherever those doctrines may emerge and prevail, the same terrible consequences will follow. That is why a bold and lucid consummation of these proceedings is of vital importance to all nations. That is why the United States has constituted this Tribunal.

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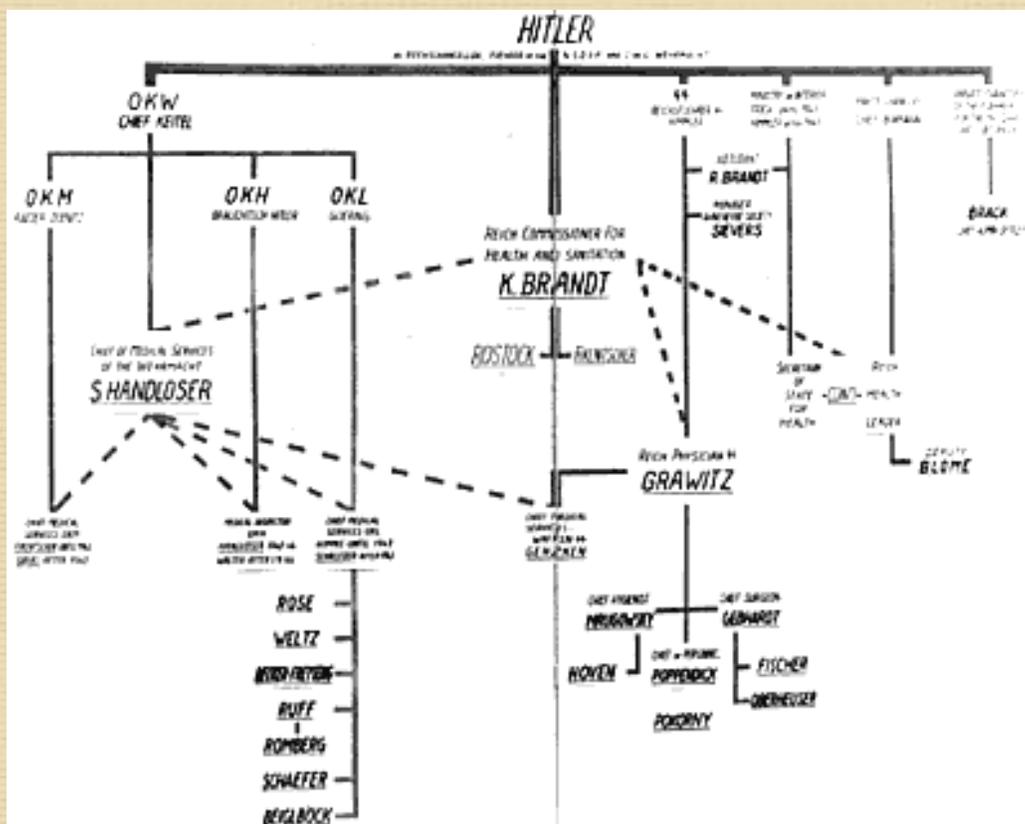
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STATE MEDICAL SERVICES OF THE THIRD REICH

I pass now to the facts of the case in hand. There are 23 defendants in the box. All but three of them — Rudolf Brandt, Sievers, and Brack — are doctors. Of the 20 doctors, all but one — Pokorny — held positions in the medical services of the Third Reich. To understand this case, it is necessary to understand the general structure of these state medical services, and how these services fitted into the over-all organization of the Nazi State.



A diagram, prepared by prosecutors in the Doctors Trial, placing defendants in the command structure. Nuremberg, Germany, December 12, 1946. NARA

To assist the Court in this regard the prosecution has prepared a short expository brief [not introduced into evidence] which is already in the hands of the Court and which has been made available to defense counsel in German and English. The brief includes a glossary of the more frequent German words or expressions which will occur in this trial — most of them from the vocabulary of military, medical, or governmental affairs. It also includes a table of equivalent ranks [App. Vol. II] between the American Army and the German Army and the SS, and of the medical ranks used in the German Armed Forces and the SS. Finally, it includes a chart [see p. 30] showing the subordination of the several German medical services within the

general framework of the German State. This chart has been enlarged and is displayed at the front of the courtroom.

Following this opening statement Mr. McHaney,

in opening the presentation of evidence on behalf of the prosecution, will offer in evidence a series of detailed charts of the various German medical services, which have been certified as accurate by the defendants Handloser, Schroeder, Karl Brandt, Mrugowsky, and Brack. The chart to which I am now directing the attention of the Tribunal is a composite chart based upon those which Mr. McHaney will offer in evidence. The chart in the front of the courtroom to which I now refer will not be offered in evidence; it is intended merely as a convenient guide to the Court and to defense counsel to enable them to follow the opening statement and to comprehend the over-all structure of the German medical services.



Chief Prosecutor James M. McHaney during the Doctors Trial, which was held in Nuremberg, Germany, from December 9, 1946, to August 20, 1947. USHMM.

All power in the Third Reich derived from Adolf Hitler, who was at one and the same time the head of the government, the leader of the Nazi Party, and the commander in chief of the armed forces. His title as head of the government was Reich Chancellor. He was the "Fuehrer" of the Nazi Party, and the "Supreme Commander" of the Wehrmacht. Immediately subordinate to Hitler were the chiefs of the armed forces, the principal cabinet ministers in the government, and the leading officials of the Nazi Party. The only defendant in the dock who was directly responsible to Hitler himself is the defendant Karl Brandt.

The Court will observe that the defendants fall into three main groups. Eight of them were members of the medical service of the German Air Force. Seven of them were members of the medical service of the SS. The remaining eight include the defendants Karl Brandt and Handloser, who occupied top positions in the medical hierarchy; it included the three defendants who are not doctors; the defendant Rostock, who was an immediate subordinate of Karl Brandt; the defendant Blome, a medical official of the Nazi Party; and the defendant Pokorny, whom we have grouped under the SS for reasons which will appear later.

I will deal first with the military side of the case. Hitler, as Supreme Commander of the German Armed Forces, exercised his authority through a staff called the Supreme Command of the Armed Forces, better known by its German initials, OKW (Oberkommando der Wehrmacht). The chief of this staff, throughout the period with which this case will concern itself, was Field Marshal Wilhelm Keitel.

Under the OKW came the High Commands of the three branches of the Wehrmacht: the Navy (OKM), the Army (OKH) and the Air Force (OKL). Grand Admiral Erich Raeder was the Commander in Chief of the German Navy until 1943, when he was succeeded by Grand Admiral Karl Doenitz. Prior to the outbreak of the war, the Commander in Chief of the German Army was Field Marshal von Brauchitsch. In December

1941 Brauchitsch was relieved and Hitler himself took this position. Hermann Goering was the Commander in Chief of the German Air Force with the rank Reich Marshal, until the very last month of the war.

Each of the three branches of the Wehrmacht had its own medical service. For purposes of this case, the medical service of the Navy is not of much importance. During most of the war the defendant Handloser was the Chief of the Medical Service of the German Army; in 1944 he was succeeded in this capacity by Dr. Walter. The Chief of the Medical Service of the German Air Force until 1943 was Erich Hippke; from January 1944 until the end of the war, it was the defendant Schroeder. Subordinate to the defendant Schroeder are seven other defendants from the Air Force Medical Service, whose functions I will briefly describe later on.

I turn now to the second principal group of defendants — those affiliated with the SS. The SS was nominally a part of the Nazi Party, and came under Hitler in his capacity as Fuehrer of the NSDAP. In fact, during the years of the Nazi regime, the SS expanded into a vast complex of military, police, and intelligence organizations. The head of this extraordinary combine was Heinrich Himmler, with the title of Reich Leader SS. The SS had its medical service, headed by Grawitz, who bore the title Reich Physician SS.

The SS in turn was divided into many departments, of which one of the most important was the Armed or Waffen SS. The members of the Waffen SS were trained and equipped as regular troops, were formed into regular military formations, and fought at the front side by side with the troops of the Wehrmacht. By the end of the war there were some 80 SS divisions in the line. The head of the Medical Service of the Waffen SS was the defendant Genzken.

Six other defendants were members of the SS Medical Service and therefore subordinated to Grawitz.

The German civilian medical services derived their authority both from the German Government and from the Party. The medical chief on the civilian side was Dr. Leonardo Conti, who committed suicide in October 1945. Dr. Conti occupied the position of State Secretary for Health in the Reich Ministry of the Interior. In this capacity Conti was a subordinate of the Minister of the Interior, Dr. Wilhelm Frick, until 1943, and thereafter to Heinrich Himmler who assumed the additional duties of Minister of the Interior in that year.

Conti also held the title in the Nazi Party of Reich Health Leader. His deputy in this capacity was the defendant Blome. As Reich Health Leader, Conti was subordinate to the Nazi Party Chancellery, the chief of which was Martin Bormann.

As the Court will see from the chart [This chart is contained in Section VI, Organization of the German Medical Service, NO-645, Pros. Ex. 3, p. 91], the three principal people in the hierarchy of German state health and medicine are the defendants Karl Brandt and Handloser, and the deceased Dr. Conti. In July 1942, Hitler issued a decree, a copy of which will later be read before the Court, which established the defendant Handloser as Chief of the Medical Services of the Wehrmacht. Shown on the chart here Handloser's name appears in this capacity. Handloser was given supervisory and professional authority

over the medical services of all three branches of the Wehrmacht. Inasmuch as the Waffen SS came to constitute an important part of the armed forces, Handloser's supervisory authority also extended to the defendant Genzken, Chief of the Medical Service of the Waffen SS. In this position Handloser was charged with the coordination of all common tasks of the Medical Services of the Wehrmacht and the Waffen SS. He thus became the principal figure in German military medicine, just as Dr. Conti was the central figure in the field of civilian medicine.

Handloser and Conti, as will be seen from the chart, were not directly responsible to Hitler himself. Handloser's responsibility ran to Hitler through the OKW, and Conti's through the Ministry of the Interior and the chief of the Nazi Party Chancellery.

In 1942 Hitler for the first time established a medical and health official under his direct control. This official was the defendant Karl Brandt. A Hitler decree of July 1942 (NO-080) gave Brandt the title Plenipotentiary for Health and Medical Services, and empowered him to carry out special tasks and negotiations with reference to the requirements for doctors, hospitals, medical supplies, etc., between the military and civilian sectors of the health and sanitation systems. Brandt's role, therefore, was to coordinate the requirements of the military and civilian agencies in the field of medicine and public health.

Dr. Karl Brandt had been the personal physician to Hitler since 1934. He was only 38 years old at the time he assumed the important duties conferred by the 1942 decree. His rise continued.

In September 1943 Hitler issued another decree which gave Brandt the title of General Commissioner for Sanitation and Health and empowered him to coordinate and direct the problems and activities of the entire administration for sanitation and health. (NO-081.) This authority was explicitly extended to the field of medical science and research.

Finally, in August 1944, Hitler appointed Dr. Brandt Reich Commissioner for Sanitation and Health, and stated that in this capacity Brandt's office ranked as the "highest Reich authority." (NO-082.) Brandt was authorized to issue instructions to the medical offices and organizations of the government, to the party, and the armed forces, in the field of sanitation and health.

Karl Brandt, as the supreme medical authority in the Reich, appointed the defendant Paul Rostock as his immediate subordinate to head the Office for Scientific and Medical Research. Rostock's position reached into the activities of the medical societies, the medical colleges, and the Reich Research Council. Brandt also appointed Admiral Fikentscher, who had theretofore been the chief medical officer of the German Navy, as his subordinate to head the Office for Planning and Production. In this field, Fikentscher dealt with the principal labor authorities, the Ministry of Economics, and the Ministry for Armament and War Production.

As chief of the Medical Service of the German Air Force, the defendant Schroeder also held one of the most important positions in the German medical hierarchy. He and the defendant Handloser both held the rank of Generaloberstabsarzt, the highest rank in the German medical service and the equivalent of lieutenant general in the American Army. I do not propose to go into detail concerning the positions held by the seven defendants who were under Schroeder, inasmuch as Mr. McHaney will introduce charts which

show in great detail the structure of the German Air Force Medical Service, and which have been authenticated by the defendant Schroeder himself. The defendant Rose held a high rank in the Air Force Medical Service equivalent to that of a brigadier general in the American Army and was appointed special adviser to Schroeder on matters pertaining to tropical medicine, held a chair at one of the most important German medical institutes, and is one of the most distinguished scientists in the dock. The defendant Becker-Freyseng headed Schroeder's department for aviation medicine. The defendant Wertz was chief of the Institute for Aviation Medicine at Munich. The particular functions of the defendants Ruff, Romberg, Schaefer, and Beiglboeck will appear as we proceed with the presentation of the evidence.

I will likewise pass over very briefly the detailed functions of the six SS physicians who were shown on the chart as the subordinates of Grawitz. Detailed charts of the SS Medical Service, authenticated by the defendant Mrugowsky, will shortly be introduced in evidence. The defendant Gebhardt was Himmler's personal physician and he held a rank in the SS equivalent to that of a major general in the American Army. He became the president of the German Red Cross. He was the chief surgeon on Grawitz's staff, and also headed the hospital at Hohenlychen, in which capacity the defendants Oberheuser and Fischer were his assistants. The defendant Poppendick was the chief of Grawitz's personal staff. The defendant Mrugowsky was Grawitz's chief hygienist and also headed the Hygienic Institute of the Waffen SS. The defendant Hoven was the chief doctor of the Buchenwald concentration camp.

The defendant Pokorny is a private physician who had no official connection with the governmental medical service. We have shown him on the chart underneath the group of SS physicians for reasons which will appear in the course of presenting the evidence concerning sterilization experiments (par. 6 (I) of the indictment).

The three defendants who are not doctors are shown in the top right-hand corner of the chart. Two of them — Rudolf Brandt and Brack — are administrative officers. Rudolf Brandt had the rank of colonel in the SS, was sort of personal adjutant, and held an administrative office both in the SS and the Ministry of the Interior. Viktor Brack was the chief administrative officer in Hitler's personal chancellery [Chancellery of the Fuehrer], the head of which was Philipp Bouhler.

The defendant Sievers, who held the rank of colonel in the SS, is a special case. He was a direct subordinate of Heinrich Himmler in the latter's capacity as president of the so-called Ahnenerbe Society. The name of this society literally means "ancestral heritage", and it was originally devoted to scientific and psuedo-scientific researches concerning the anthropological and cultural history of the German race. Later on an Institute for Military Scientific Research was set up within the Ahnenerbe Society. Sievers was the manager of the society and the director of the Institute for Military Scientific Research.

This concludes the general description of the German state medical services under the Nazi regime, and of the positions which the defendants occupied in the scheme of things. It is convenient at this point to refer to count four of the indictment, which charges that 10 of the defendants were members of an organization declared to be criminal by the International Military Tribunal, and that such membership is in violation of paragraph 1 (d) of Article II of Control Council Law No. 10. The organization in question is the SS.

This count concerns the defendant Karl Brandt, six of the defendants who were affiliated with the Medical

Service of the SS, and three defendants who are not doctors. It does not concern any of the nine defendants on the military side, nor the defendants Rostock, Blome, Oberheuser, or Pokorny.

The International Military Tribunal's declaration of criminality applies to all persons who had been officially accepted as members of any branch of the SS, and who remained members after 1 September 1939. The prosecution will show that all 10 defendants charged in count four were officially accepted as members of the SS and remained so after that date. The defendants Karl Brandt, Genzken, and Gebhardt held ranks in both the General or Allgemeine SS and the Waffen SS equivalent to that of a major general in the American Army. The defendants Mrugowsky, Hoven, Poppendick, and Fischer all held officer rank in the SS or Waffen SS, and all four of them, together with the defendants Genzken and Gebhardt, held positions in the SS Medical Service. The defendant Rudolf Brandt held the rank of colonel in the General (Allgemeine) SS, and was a personal assistant to Himmler in Himmler's capacity as Reich Leader SS. The defendant Brack held officer rank in both the SS and the Waffen SS. The defendant Sievers held the rank of colonel in the SS, and was manager of the Ahnenerbe Society, which was attached to the SS Main Office.

The declaration of criminality by the International Military Tribunal does not apply when it appears that a member of the SS was drafted into membership in such a way as to give him no choice in the matter. Nor does it apply if it appears that the member had no knowledge that the organization was being used for the commission of criminal acts. For purposes of this case, these questions, the prosecution believes, will be academic. All of the defendants charged in count four held officer rank in the SS, and most of them held senior rank. They were moving spirits and personal participants in murder and torture on a large scale, and in a variety of other crimes. In this connection we respectfully invite the Tribunal's attention to two statements by the International Military Tribunal which, under Article X of Ordinance No. 7, constitute proof in the absence of substantial new evidence to the contrary. In setting forth the criminal acts committed by the SS, the International Military Tribunal stated:

"Also attached to the SS main offices was a research foundation known as the Experiments Ahnenerbe. The scientists attached to this organization are stated to have been mainly honorary members of the SS. During the war an institute for military scientific research became attached to the Ahnenerbe which conducted extensive experiments involving the use of living human beings." [Trial of the Major War Criminals, vol. I, p. 269, Nuremberg, 1947.]

And again it was stated:

"In connection with the administration of the concentration camps, the SS embarked on a series of experiments on human beings which were performed on prisoners of war or concentration camp inmates. These experiments included freezing to death and killing by poison bullets. The SS was able to obtain an allocation of Government funds for this kind of research on the grounds that they had access to human material not available to other agencies." [Ibid., p. 271.]

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The United States Holocaust Memorial Museum commemorates the fiftieth anniversary of
The Doctors Trial (the Medical Case of the Subsequent Nuremberg Proceedings)

FROM THE OPENING STATEMENT BY TELFORD TAYLOR [from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O, 1949–1953.]:

CRIMES COMMITTED IN THE GUISE OF SCIENTIFIC RESEARCH

(Counts two and three pars. 6, 7, 11, and 12)

I turn now to the main part of the indictment and will outline at this point the prosecution's case relating to those crimes alleged to have been committed in the name of medical or scientific research. The charges with respect to "euthanasia" and the slaughter of tubercular Poles obviously have no relation to research or experimentation and will be dealt with later. What I will cover now comprehends all the experiments charged as war crimes in paragraph 6 and as crimes against humanity in paragraph 11 of the indictment, and the murders committed for so-called anthropological purposes which are charged as war crimes in paragraph 7 and as crimes against humanity in paragraph 12 of the indictment.



The prosecution team during the Doctors Trial, including Chief of Counsel Brigadier General Telford Taylor (standing, lower left) and Chief Prosecutor James M. McHaney (seated behind Taylor). The Trial was held in Nuremberg, Germany, from December 9, 1946, to August 20, 1947. USHMM

Before taking up these experiments one by one, let us look at them as a whole. Are they a heterogeneous list of horrors, or is there a common denominator for the whole group?

A sort of rough pattern is apparent on the face of the indictment. Experiments concerning high altitude, the effect of cold, and the potability of processed sea water have an obvious relation to aeronautical and naval combat and rescue problems. The mustard gas and phosphorous burn experiments, as well as those relating to the healing value of sulfanilamide for wounds, can be related to air-raid and battlefield medical

problems. It is well known that malaria, epidemic jaundice, and typhus were among the principal diseases which had to be combated by the German Armed Forces and by German authorities in occupied territories.

To some degree, the therapeutic pattern outlined above is undoubtedly a valid one, and explains why the Wehrmacht, and especially the German Air Force, participated in these experiments. Fanatically bent upon conquest, utterly ruthless as to the means or instruments to be used in achieving victory, and callous to the sufferings of people whom they regarded as inferior, the German militarists were willing to gather whatever scientific fruit these experiments might yield.

But our proof will show that a quite different and even more sinister objective runs like a red thread through these hideous researches. We will show that in some instances the true object of these experiments was not how to rescue or to cure, but how to destroy and kill. The sterilization experiments were, it is clear, purely destructive in purpose. The prisoners at Buchenwald who were shot with poisoned bullets were not guinea pigs to test an antidote for the poison; their murderers really wanted to know how quickly the poison would kill. This destructive objective is not superficially as apparent in the other experiments, but we will show that it was often there.

Mankind has not heretofore felt the need of a word to denominate the science of how to kill prisoners most rapidly and subjugated people in large numbers. This case and these defendants have created this gruesome question for the lexicographer. For the moment we will christen this macabre science "thanatology," the science of producing death. The thanatological knowledge, derived in part from these experiments, supplied the techniques for genocide, a policy of the Third Reich, exemplified in the "euthanasia" program and in the widespread slaughter of Jews, gypsies, Poles, and Russians. This policy of mass extermination could not have been so effectively carried out without the active participation of German medical scientists.

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FROM THE OPENING STATEMENT BY TELFORD TAYLOR [from *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*. Nuremberg, October 1946–April 1949. Washington, D.C.: U.S. G.P.O, 1949–1953.]:

SUMMARY

I have outlined the particular charges against the defendants under count two, three, and four of the indictment; and I have sketched the general nature of the evidence which we will present. But we must not overlook that the medical experiments were not an assortment of unrelated crimes. On the contrary, they constituted a well-integrated criminal program in which the defendants planned and collaborated among themselves and with others.

We have here, in other words, a conspiracy and a common design, as is charged in count one of the indictment, to commit the criminal experiments set forth in paragraphs 6 and 11 thereof. There was a common design to discover, or improve, various medical techniques. There was a common design to utilize for this purpose the unusual resources which the defendants had at their disposal, consisting of numberless unfortunate victims of Nazi conquest and Nazi ideology. The defendants conspired and agreed together to utilize these human resources for nefarious and murderous purposes and proceeded to put their criminal design into execution. Numbered among the countless victims of the conspiracy and the crimes are Germans, and nationals of countries overrun by Germany, and gypsies, and prisoners of war, and Jews of many nationalities. All the elements of a conspiracy to commit the crimes charged in paragraphs 6 and 11 are present and all will be clearly established by the proof.

There were many co-conspirators who are not in the dock. Among the planners and leaders of this plot were Conti and Grawitz, and Hippke whose whereabouts is unknown. Among the actual executioners, Dr. Ding is dead and Rascher is thought to be dead. There were many others.

Final judgment as to the relative degrees of guilt among those in the dock must await the presentation of the proof in detail. Nevertheless, before the introduction of evidence, it will be helpful to look again at the defendants and their part in the conspiracy. What manner of men are they, and what was their major role?

The 20 physicians in the dock range from leaders of German scientific medicine, with excellent international reputations, down to the dregs of the German medical profession. All of them have in common a callous lack of consideration and human regard for, and an unprincipled willingness to abuse their power over the poor, unfortunate, defenseless creatures who had been deprived of their rights by a ruthless and criminal government. All of them violated the Hippocratic commandments which they had solemnly sworn to uphold and abide by, including the fundamental principles never to do harm - "primum non nocere."

Outstanding men of science, distinguished for their scientific ability in Germany and abroad, are the



Defendant Gerhard Rose (standing, left) next to Chief Prosecutor James M. McHaney during the Doctors Trial. Nuremberg, Germany, June 16, 1947. NARA

defendants Rostock and Rose. Both exemplify, in their training and practice alike, the highest traditions of German medicine. Rostock headed the Department of Surgery at the University of Berlin and served as dean of its medical school. Rose studied under the famous surgeon, Enderlen, at Heidelberg and then became a distinguished specialist in the fields of public health and tropical diseases. Handloser and Schroeder are outstanding medical administrators. Both of them made their careers in military medicine and reached the peak of their profession. Five more defendants are much younger men who are nevertheless already known as the possessors of considerable scientific ability, or capacity in medical administration. These include the defendants Karl Brandt, Ruff, Beiglboeck, Schaefer, and Becker-Freyseng.

A number of the others such as Romberg and Fischer are well trained, and several of them attained high professional position. But among the remainder few were known as outstanding scientific men. Among them at the foot of the list is Blome who has published his autobiography entitled "Embattled Doctor" in which he sets forth that he eventually decided to become a doctor because a medical

career would enable him to become "master over life and death."

The part that each of them 20 physicians and their 3 lay accomplices played in the conspiracy and its execution corresponds closely to his professional interests and his place in the hierarchy of the Third Reich as shown in the chart. The motivating force for this conspiracy came from two principal sources. Himmler, as head of the SS, a most terrible machine of oppression with vast resources, could provide numberless victims for the experiments. By doing so, he enhanced the prestige of his organization and was able to give free rein to the Nazi racial theories of which he was a leading protagonist and to develop new techniques for the mass exterminations which were dear to his heart. The German military leaders, as the other main driving force, caught up the opportunity which Himmler presented them with and ruthlessly capitalized on Himmler's hideous overtures in an endeavor to strengthen their military machine.

And so the infernal drama was played just as it had been conceived in the minds of the authors. Special problems which confronted the German military or civilian authorities were, on the orders of the medical leaders submitted for solution in the concentration camps. Thus we find Karl Brandt stimulating the epidemic jaundice experiments, Schroeder demanding "40 healthy experimental subjects" for the sea-water experiments, Handloser providing the impetus for Ding's fearful typhus researches, and Milch and Hippke at the root of the freezing experiments. Under Himmler's authority, the medical leaders of the SS — Grawitz, Genzken, Gebhardt, and others — set the wheels in motion. They arranged for the procurement of victims through other branches of the SS, and gave directions to their underlings in the SS medical service such as Hoven and Fischer. Himmler's administrative assistants, Sievers and Rudolf Brandt, passed on the Himmler orders, gave a push here and a shove there, and kept the machinery oiled. Blome and Brack assisted from the side of the civilian and party authorities.

The Wehrmacht provided supervision and technical assistance for those experiments in which it was most interested.

A low-pressure chamber was furnished for the high-altitude tests, the services of Wetz, Ruff, Romberg, and Rascher for the high-altitude and freezing experiments and those of Becker-Freyseng, Schaefer, and Beiglboeck for sea water. In the important but sinister typhus researches, the eminent Dr. Rose appeared for the Luftwaffe to give expert guidance to Ding.

The proper steps were taken to insure that the results were made available to those who needed to know. Annual meetings of the consulting physicians of the Wehrmacht held under Handloser's direction were favored with lectures on some of the experiments. The report on the high-altitude experiment was sent to Field Marshal Milch, and a moving picture about them was shown at the Air Ministry in Berlin.

Wetz spoke on the effects of freezing at a medical conference in Nuernberg, the same symposium at which Rascher and others passed on their devilish knowledge.



Defendant Gerhard Rose testifies in his own defense during the Doctors Trial. Nuremberg, Germany, April 18, 1947. NARA

There could, we submit, be no clearer proof of conspiracy. This was the medical service of the Third Reich at work. Among the defendants in the box sit the surviving leaders of that service. We will ask the Tribunal to determine that neither scientific eminence nor superficial respectability shall shield them against the fearful consequences of the orders they gave.

I intend to pass very briefly over matters of medical ethics, such as the conditions under which a physician may lawfully perform a medical experiment upon a person who has voluntarily subjected himself to it, or whether experiments may lawfully be performed upon criminals who have been condemned to death. This case does not present such problems. No refined questions confront us here.

None of the victims of the atrocities perpetrated by these defendants were volunteers, and this is true regardless of what these unfortunate people may have said or signed before their tortures began. Most of the victims had not been condemned to death, and those who had been were not criminals, unless it be a crime to be a Jew, or a Pole, or a gypsy, or a Russian prisoner of war.

Whatever book or treatise on medical ethics we may examine, and whatever expert on forensic medicine we may question, will say that it is a fundamental and inescapable obligation of every physician under any known system of law not to perform a dangerous experiment without the subject's consent. In the tyranny that was Nazi Germany, no one could give such a consent to the medical agents of the State; everyone lived in fear and acted under duress. I fervently hope that none of us here in the courtroom will have to suffer in silence while it is said on the part of these defendants that the wretched and helpless people whom they froze and drowned and burned and poisoned were volunteers. If such a shameless lie is spoken here, we need only remember the four girls who were taken from the Ravensbrueck concentration camp and made to

lie naked with the frozen and all but dead Jews who survived Dr. Rascher's tank of ice water. One of these women, whose hair and eyes and figure were pleasing to Dr. Rascher, when asked by him why she had volunteered for such a task replied, "rather half a year in a brothel than half a year in a concentration camp."

Were it necessary, one could make a long list of the respects in which the experiments which these defendants performed departed from every known standard of medical ethics. But the gulf between these atrocities and serious research in the healing art is so patent that such a tabulation would be cynical.

We need look no further than the law which the Nazis themselves passed on the 24th of November 1933 for the protection of animals. This law states explicitly that it is designed to prevent cruelty and indifference of man towards animals and to awaken and develop sympathy and understanding for animals as one of the highest moral values of a people. The soul of the German people should abhor the principle of mere utility without consideration of the moral aspects. The law states further that all operations or treatments which are associated with pain or injury, especially experiments involving the use of cold, heat, or infection, are prohibited, and can be permitted only under special exceptional circumstances. Special written authorization by the head of the department is necessary in every case, and experimenters are prohibited from performing experiments according to their own free judgment. Experiments for the purpose of teaching must be reduced to a minimum. Medico-legal tests, vaccinations, withdrawal of blood for diagnostic purposes, and trial of vaccines prepared according to well-established scientific principles are permitted, but the animals have to be killed immediately and painlessly after such experiments. Individual physicians are not permitted to use dogs to increase their surgical skill by such practices. National Socialism regards it as a sacred duty of German science to keep down the number of painful animal experiments to a minimum.

If the principles announced in this law had been followed for human beings as well, this indictment would never have been filed. It is perhaps the deepest shame of the defendants that it probably never even occurred to them that human beings should be treated with at least equal humanity.

This case is one of the simplest and clearest of those that will be tried in this building. It is also one of the most important. It is true that the defendants in the box were not among the highest leaders of the Third Reich. They are not the war lords who assembled and drove the German military machine, nor the industrial barons who made the parts, nor the Nazi politicians who debased and brutalized the minds of the German people. But this case, perhaps more than any other we will try, epitomizes Nazi thought and the Nazi way of life, because these defendants pursue the savage promises of Nazi thought so far. The things that these defendants did, like so many other things that happened under the Third Reich, were the result of the noxious merger of German militarism and Nazi racial objectives. We will see the results of this merger in many other fields of German life; we see it here in the field of medicine.

Germany surrendered herself to this foul conjunction of evil forces. The nation fell victim to the Nazi scourge because its leaders lacked the wisdom to foresee the consequences and the courage to stand firm in the face of threats. Their failure was the inevitable outcome of that sinister undercurrent of German philosophy which preaches the supreme importance of the state and the complete subordination of the individual. A nation in which the individual means nothing will find few leaders courageous and able

enough to serve its best interests.

Individual Germans did indeed give warning of what was in store, and German doctors and scientists were numbered among the courageous few. At a meeting of Bavarian psychiatrists held in Munich in 1931, when the poisonous doctrines of the Nazis were already sweeping Germany, there was a discussion of mercy killings and sterilization, and the Nazi views on these matters, with which we are now familiar, were advanced. A German professor named Oswald Bumke rose and made a reply more eloquent and prophetic than anyone could have possibly realized at the time. He said:

"I should like to make two additional remarks. One of them is, please for God's sake leave our present financial needs out of all these considerations. This is a problem which concerns the entire future of our people, indeed, one may say without being overemotional about it, the entire future of humanity. One should approach this problem neither from the point of view of our present scientific opinion nor from the point of view of the still more ephemeral economic crises. If by sterilization we can prevent the occurrence of mental disease then we should certainly do it, not in order to save money for the government but because every case of mental disease means infinite suffering to the patient and to his relatives. But to introduce economic points of view is not only inappropriate but outright dangerous because the logical consequence of the thought that for financial reasons all these human beings, who could be dispensed with for the moment, should be exterminated, is a quite monstrous logical conclusion; we would then have to put to death not only the mentally sick and the psychopathic personalities but all the crippled including the disabled veterans, all old maids who do not work, all widows whose children have completed their education, and all those who live on their income or draw pensions. That would certainly save a lot of money income or but the probability is that we will not do it.

"The second point of advice is to use utmost restraint, at least until the political atmosphere here in this country shall have improved, and scientific theories concerning heredity and race can no longer be abused for political purposes. Because, if the discussion about sterilization today is carried into the arena of political contest, then pretty soon we will no longer hear about the mentally sick but, instead, about Aryans and non-Aryans, about the blonde Germanic race and about inferior people with round skulls. That anything useful could come from that is certainly improbable; but science in general and genealogy and eugenics in particular would suffer an injury which could not easily be repaired again."

I said at the outset of this statement that the Third Reich died of its own poison. This case is a striking demonstration not only of the tremendous degradation of German medical ethics which Nazi doctrine brought about, but of the undermining of the medical art and thwarting of the techniques which the defendants sought to employ. The Nazis have, to a certain extent, succeeded in convincing the peoples of the world that the Nazi system, although ruthless, was absolutely efficient; that although savage, it was completely scientific; that although entirely devoid of humanity, it was highly systematic — that "it got things done." The evidence which this Tribunal will hear will explode this myth. The Nazi methods of investigation were inefficient and unscientific, and their techniques of research were unsystematic.

These experiments revealed nothing which civilized medicine can use. It was, indeed, ascertained that phenol or gasoline injected intravenously will kill a man inexpensively and within 60 seconds. This and a few other "advances" are all in the field of thanatology. There is no doubt that a number of these new

methods may be useful to criminals everywhere and there is no doubt that they may be useful to a criminal state. Certain advance in destructive methodology we cannot deny, and indeed from Himmler's standpoint this may well have been the principal objective.

Apart from these deadly fruits, the experiments were not only criminal but a scientific failure. It is indeed as if a just deity had shrouded the solutions which they attempted to reach with murderous means. The moral shortcomings of the defendants and the precipitous ease with which they decided to commit murder in quest of "scientific results", dulled also that scientific hesitancy, that thorough thinking-through, that responsible weighing of every single step which alone can insure scientifically valid results. Even if they had merely been forced to pay as little as two dollars for human experimental subjects, such as American investigators may have to pay for a cat, they might have thought twice before wasting unnecessary numbers, and thought of simpler and better ways to solve their problems. The fact that these investigators had free and unrestricted access to human beings to be experimented upon misled them to the dangerous and fallacious conclusion that the results would thus be better and more quickly obtainable than if they had gone through the labor of preparation, thinking, and meticulous preinvestigation.

A particularly striking example is the sea-water experiment. I believe that three of the accused — Schaefer, Becker-Freyseng, and Beiglboeck — will today admit that this problem could have been solved simply and definitively within the space of one afternoon. On 20 May 1944 when these accused convened to discuss the problem, a thinking chemist could have solved it right in the presence of the assembly within the space of a few hours by the use of nothing more gruesome than a piece of jelly, a semi-permeable membrane and a salt solution, and the German Armed Forces would have had the answer on 21 May 1944. But what happened instead? The vast armies of the disenfranchised slaves were at the beck and call of this sinister assembly; and instead of thinking, they simply relied on their power over human beings rendered rightless by a criminal state and government. What time, effort, and staff did it take to get that machinery in motion! Letters had to be written, physicians, of whom dire shortage existed in the German Armed Forces whose soldiers went poorly attended, had to be taken out of hospital positions and dispatched hundreds of miles away to obtain the answer which should have been known in a few hours, but which thus did not become available to the German Armed Forces until after the completion of the gruesome show, and until 42 people had been subjected to the tortures of the damned, the very tortures which Greek mythology had reserved for Tantalus.

In short, this conspiracy was a ghastly failure as well as a hideous crime. The creeping paralysis of Nazi superstition spread through the German medical profession and, just as it destroyed character and morals, it dulled the mind.

Guilt for the oppressions and crimes of the Third Reich is widespread, but it is the guilt of the leaders that is deepest and most culpable. Who could German medicine look to keep the profession true to its traditions and protect it from the ravaging inroads of Nazi pseudo-science? This was the supreme responsibility of the leaders of German medicine — men like Rostock and Rose and Schroeder and Handloser. That is why their guilt is greater than that of any of the other defendants in the dock. They are the men who utterly failed their country and their profession, who showed neither courage nor wisdom nor the vestiges of moral character. It is their failure, together with the failure of the leaders of Germany in other walks of life, that debauched Germany and led to her defeat. It is because of them and others like them that we all live in a

stricken world.

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The persons accused as guilty of these crimes and accordingly named as defendants in this case are —



KARL BRANDT — Personal physician to Adolf Hitler; Gruppenfuehrer in the SS and Generalleutnant (Major General) in the Waffen SS; Reich Commissioner for Health and Sanitation (Reichskommissar fuer Sanitaets- und Gesundheitswesen); and member of the Reich Research Council (Reichsforschungsrat).



SIEGFRIED HANDLOSER — Generaloberstabsarzt (Lieutenant General, Medical Service); Medical Inspector of the Army (Heeres-sanitaetsinspekteur); and Chief of the Medical Services of the Armed Forces (Chef des Wehrmachtsanitaetswesens).



PAUL ROSTOCK — Chief Surgeon of the Surgical Clinic in Berlin; Surgical Adviser to the Army; and Chief of the Office for Medical Science and Research (Amtschef der Dienststelle Medizinische Wissenschaft und Forschung) under the defendant Karl Brandt, Reich Commissioner for Health and Sanitation.



OSKAR SCHROEDER — Generaloberstabsarzt (Lieutenant General Medical Service); Chief of Staff of the Inspectorate of the Medical Service of the Luftwaffe (Chef des Stabes, Inspekteur des Luftwaffe-Sanitaetswesens); and Chief of the Medical Service of the Luftwaffe (Chef des Sanitaetswesens der Luftwaffe).



KARL GENZKEN — Gruppenfuehrer in the SS and Generalleutnant (Major General) in the Waffen SS; and Chief of the Medical Department of the Waffen SS (Chef des Sanitaetsamts der Waffen SS).



KARL GEBHARDT — Gruppenfuehrer in the SS and Generalleutnant (Major General) in the Waffen SS; personal physician to Reichsfuehrer SS Himmler; Chief Surgeon of the Staff of the Reich Physician SS and Police (Oberster Kliniker, Reichsarzt SS und Polizei); and President of the German Red Cross.



KURT BLOME — Deputy [of the] Reich Health Leader (Reichsgesundheitsfuehrer); and Plenipotentiary for Cancer Research in the Reich Research Council.



RUDOLF BRANDT — Standartenfuehrer (Colonel); in the Allgemeine SS; Personal Administrative Officer to Reichsfuehrer SS Himmler (Persoenlicher Referent von Himmler); and Ministerial Counsellor and Chief of the Ministerial Office in the Reich Ministry of the Interior.



JOACHIM MRUGOWSKY — Oberfuehrer (Senior Colonel) in the Waffen SS; Chief Hygienist of the Reich Physician SS and Police (Oberster Hygieniker, Reichsarzt SS und Polizei); and Chief of the Hygenic Institute of the Waffen SS (Chef des Hygienischen Institutes der Waffen SS).



HELMUT POPPENDICK — Oberfuehrer (Senior Colonel) in the SS; and Chief of the Personal Staff of the Reich Physician SS and Police (Chef des Persoenlichen Stabes des Reichsarztes SS und Polizei).



WOLFRAM SIEVERS — Standartenfuehrer (Colonel) in the SS; Reich Manager of the "Ahnenerbe" Society and Director of its Institute for Military Scientific Research (Institut fuer Wehrwissenschaftliche Zweckforschung); and Deputy Chairman of the Managing Board of Directors of the Reich Research Council.



GERHARD ROSE — Generalarzt of the Luftwaffe (Brigadier General, Medical Service of the Air Force); Vice President, Chief of the Department for Tropical Medicine, and Professor of the Robert Koch Institute; and Hygienic Adviser for Tropical Medicine to the Chief of the Medical Service of the Luftwaffe.



SIEGFRIED RUFF — Director of the Department for Aviation Medicine at the German Experimental Institute for Aviation (Deutsche Versuchsanstalt fuer Luftfahrt).



HANS WOLFGANG ROMBERG — Doctor on the Staff of the Department for Aviation Medicine at the German Experimental Institute for Aviation.



VIKTOR BRACK — Oberfuehrer (Senior Colonel) in the SS and Sturmbannfuehrer (Major) in the Waffen SS; and Chief Administrative Officer in the Chancellery of the Fuehrer of the NSDAP (Oberdienstleiter, Kanzlei des Fuehrers der NSDAP).



HERMANN BECKER-FREYSENG — Stabsarzt in the Luftwaffe (Captain, Medical Service of the Air Force); and Chief of the Department for Aviation Medicine of the Chief of the Medical Service of the Luftwaffe.



GEORG AUGUST WELTZ — Oberfeldarzt in the Luftwaffe (Lieutenant Colonel, Medical Service of the Air Force); and Chief of the Institute for Aviation Medicine in Munich (Institut fuer Luftfahrtmedizin).



KONRAD SCHAEFER — Doctor on the Staff of the Institute for Aviation Medicine in Berlin.



WALDEMAR HOVEN — Hauptsturmfuehrer (Captain) in the Waffen SS; and Chief Doctor of the Buchenwald Concentration Camp.



WILHELM BEIGLBOECK — Consulting Physician to the Luftwaffe.



ADOLF POKORNY — Physician, Specialist in Skin and Venereal Diseases.



HERTA OBERHEUSER — Physician at the Ravensbrueck Concentration Camp; and Assistant Physician to the defendant Gebhardt at the Hospital at Hohenlychen.



FRITZ FISCHER — Sturmbannfuehrer (Major) in the Waffen SS; and Assistant Physician to the defendant Gebhardt at the Hospital at Hohenlychen.

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COUNT ONE — THE COMMON DESIGN OR CONSPIRACY

1. Between September 1939 and April 1945 all of the defendants herein, acting pursuant to a common design, unlawfully, willfully, and knowingly did conspire and agree together and with each other and with divers other persons, to commit war crimes and crimes against humanity, as defined in Control Council Law No. 10, Article II.
2. Throughout the period covered by this indictment all of the defendants herein, acting in concert with each other and with others, unlawfully, willfully, and knowingly were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the commission of war crimes and crimes against humanity.
3. All of the defendants herein, acting in concert with others for whose acts the defendants are responsible, unlawfully, willfully, and knowingly participated as leaders, organizers, investigators, and accomplices in the formulation and execution of the said common design, conspiracy, plans, and enterprises to commit, and which involved the commission of, war crimes and crimes against humanity.
4. It was a part of the said common design, conspiracy, plans, and enterprises to perform medical experiments upon concentration camp inmates and other living human subjects, without their consent, in the course of which experiments the defendants committed the murders, brutalities, cruelties, tortures, atrocities, and other inhuman acts, more fully described in counts two and three of this indictment.
5. The said common design, conspiracy, plans, and enterprises embraced the commission of war crimes and crimes against humanity, as set forth in counts two and three of this indictment, in that the defendants unlawfully, willfully, and knowingly encouraged, aided, abetted, and participated in the subjection of thousands of persons, including civilians, and members of the armed forces of nations then at war with the German Reich, to murders, brutalities, cruelties, tortures, atrocities, and other inhuman acts.

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COUNT TWO — WAR CRIMES

Nazi physician Carl Clauberg (at left), who performed medical experiments on prisoners in Block 10 of the Auschwitz camp, Poland, between 1941 and 1944. MCC

6. Between September 1939 and April 1945 all of the defendants herein unlawfully, willfully, and knowingly committed war crimes, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving medical experiments without the subjects' consent, upon civilians and members of the armed forces of nations then at war with the German Reich and who were in the custody of the German Reich in exercise of belligerent control, in the course of which experiments the defendants committed murders, brutalities, cruelties, tortures, atrocities, and other inhuman acts. Such experiments included, but were not limited to, the following:

- A) [High-Altitude Experiments](#)
- B) [Freezing Experiments](#)
- C) [Malaria Experiments](#)
- D) [Lost \(Mustard\) Gas Experiments](#)
- E) [Sulfanilamide Experiments](#)
- F) [Bone, Muscle, and Nerve Regeneration and Bone Transplantation Experiments](#)
- G) [Sea-Water Experiments](#)
- H) [Epidemic Jaundice Experiments](#)
- I) [Sterilization Experiments](#)
- J) [Spotted Fever \(Fleckfieber\) Experiments](#)
- K) [Experiments with Poison](#)
- L) [Incendiary Bomb Experiments](#)

7. Between June 1943 and September 1944 the defendants Rudolf Brandt and Sievers unlawfully, willfully,

and knowingly committed war crimes, as defined by article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the murder of civilians and members of the armed forces of nations then at war with the German Reich and who were in the custody of the German Reich in exercise of belligerent control. One hundred twelve Jews were selected for the purpose of completing a skeleton collection for the Reich University of Strasbourg. Their photographs and anthropological measurements were taken. Then they were killed. Thereafter, comparison tests, anatomical research, studies regarding race, pathological features of the body, form and size of the brain, and other tests, were made. The bodies were sent to Strasbourg and defleshed.

8. Between May 1942 and January 1944 (Indictment originally read "January 1943" but was amended by a motion filed with the Secretary General. See Arraignment, page 18) the defendants Blome and Rudolf Brandt unlawfully, willfully, and knowingly committed war crimes, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the murder and mistreatment of tens of thousands of Polish nationals who were civilians and members of the armed forces of a nation then at war with the German Reich and who were in the custody of the German Reich in exercise of belligerent control. These people were alleged to be infected with incurable tuberculosis. On the ground of insuring the health and welfare of Germans in Poland, many tubercular Poles were ruthlessly exterminated while others were isolated in death camps with inadequate medical facilities.

9. Between September 1939 and April 1945 the defendants Karl Brandt, Blome, Brack, and Hoven unlawfully, willfully, and knowingly committed war crimes, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the execution of the so-called "euthanasia" program of the German Reich in the course of which the defendants herein murdered hundreds of thousands of human beings, including nationals of German-occupied countries. This program involved the systematic and secret execution of the aged, insane, incurably ill, of deformed children, and other persons, by gas, lethal injections, and diverse other means in nursing homes, hospitals, and asylums. Such persons were regarded as "useless eaters" and a burden to the German war machine. The relatives of these victims were informed that they died from natural causes, such as heart failure. German doctors involved in the "euthanasia" program were also sent to Eastern occupied countries to assist in the mass extermination of Jews.

10. The said war crimes constitute violations of international conventions, particularly of Articles 4, 5, 6, 7, and 46 of the Hague Regulations, 1907, and Articles 2, 3, and 4 of the Prisoner-of-War Convention (Geneva, 1929), the laws and customs of war, the general principles of criminal law as derived from the criminal laws of all civilized nations, the internal penal laws of the countries in which such crimes were committed, and Article II of Control Council Law No. 10.

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COUNT THREE — CRIMES AGAINST HUMANITY

11. Between September 1939 and April 1945 all of the defendants herein unlawfully, willfully, and knowingly committed crimes against humanity, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving medical experiments, without the subjects' consent, upon German civilians and nationals of other countries, in the course of which experiments the defendants committed murders, brutalities, cruelties, tortures, atrocities, and other inhuman acts. The particulars concerning such experiments are set forth in paragraph 6 of count two of this indictment and are incorporated herein by reference.

12. Between June 1943 and September 1944 the defendants Rudolf Brandt and Sievers unlawfully, willfully, and knowingly committed crimes against humanity, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the murder of German civilians and nationals of other countries. The particulars concerning such murders are set forth in paragraph 7 of count two of this indictment and are incorporated herein by reference.

13. Between May 1942 and January 1944 [Indictment originally read "January 1943" but was amended by a motion filed with the Secretary General. See Arraignment, p. 18] the defendants Blome and Rudolf Brandt unlawfully, willfully, and knowingly committed crimes against humanity, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the murder and mistreatment of tens of thousands of Polish nationals. The particulars concerning such murder and inhuman treatment are set forth in paragraph 8 of count two of this indictment and are incorporated herein by reference.

14. Between September 1939 and April 1945 the defendants Karl Brandt, Blome, Brack, and Hoven unlawfully, willfully, and knowingly committed crimes against humanity, as defined by Article II of Control Council Law No. 10, in that they were principals in, accessories to, ordered, abetted, took a consenting part in, and were connected with plans and enterprises involving the execution of the so called "euthanasia" program of the German Reich, in the course of which the defendants herein murdered hundreds of thousands of human beings, including German civilians, as well as civilians of other nations. The particulars concerning such murders are set forth in paragraph 9 of count two of this indictment and are incorporated herein by reference.

15. The said crimes against humanity constitute violations of international conventions, including Article 46 of the Hague Regulations, 1907, the laws and customs of war, the general principles of criminal law as derived from the criminal laws of all civilized nations, the internal penal laws of the countries in which such crimes were committed, and of Article II of Control Council Law No. 10.

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COUNT FOUR — MEMBERSHIP IN CRIMINAL ORGANIZATION

16. The defendants Karl Brandt, Genzken, Gebhardt, Rudolf Brandt, Mrugowsky, Poppendick, Sievers, Brack, Hoven, and Fischer are guilty of membership in an organization declared to be criminal by the International Military Tribunal in Case No. 1, in that each of the said defendants was a member of the **SCHUTZSTAFFELN DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI** (commonly known as the "SS") after 1 September 1939. Such membership is in violation of paragraph I (d), Article II of Control Council Law No. 10.

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TESTIMONY ENTERED AS EVIDENCE IN THE MEDICAL CASE

[from National Archives Record Group 238, M887]

**Excerpts from the testimony of
FATHER LEO MIECHALOWSKI
Born March 22, 1909, in Babrzesne, Poland**

Question:

Now, father will you tell the Tribunal what happened to you after your arrest?

Answer:

When I was arrested I was first kept in prison for two months and from there we were sent into a cloister and from there still other priests were assembled until about ninety priests had been assembled altogether, and from there were sent to Struthof near Danzig into the concentration camp which was located there. And, from there on the fifth or ninth of February we were transferred to Sachsenhausen-Oranienburg which is located near Berlin. On the 13th of December 1940, we were transferred again to Dachau. I was confined in Dachau until the arrival of the Americans — until we were liberated — that was on the 29th of April 1945.

Q:

Now, father, were you a political prisoner in Dachau?

A:

Yes. I wore a red insignia which all those who had been arrested for political reasons had to wear this insignia.

Q:

Now, father, did there come a time when you were experimented on the concentration camp at Dachau?

A:

Yes. Malaria experiments and also on one occasion we were engaged in high altitude experiments.

Q:

Did you say high altitude experiments, Doctor?

A:

No, I said aviation experiments.

Q:

And what do you mean by aviation experiments?

A:

Well, I have said it because we were dressed in aviator's uniforms and then we were put into containers full of water and ice.

Q:

Now, father, will you tell the Tribunal just what happened when you were experimented on with malaria? That is, when it happened and how you happened to be selected?

A:

I was that weak that I fell down on the road because everybody was hungry in the camp. I wanted to be transferred to another assignment later on where we got some bread to eat between meals so my health could improve by the additional food. One man arrived and selected about thirty people for some easy labor. I also wanted to be selected for this assignment and those who had been selected for this work were led away. We went in the direction where the work was located and at the very last moment instead of going to the place of work we were lead to the camp hospital. We did not know what was going to be done with us there. I thought to myself that perhaps this was going to be some detail for easier work in the hospital. We were told that we should undress and after we had undressed ourselves our numbers were taken down and then we asked what was going on and they told us, smilingly, "this is for air detail." But we were not told what was going to be done with us. Then the doctor came and told us all to remain and that we were to be x-rayed. Now that our numbers had already been taken down we were supposed to go to our blocks. I sat for two days in the block and afterwards I was again called to the hospital and there I was given malaria in such a manner that there were little cages with infected mosquitoes and I had to put my hand on one of the little cages and a mosquito stung me and afterwards I was still in the hospital for five weeks. However, for the time being no symptoms of the disease showed themselves. Somewhat later, I don't exactly recall, two or three weeks, I had my first malaria attack. Such attacks recurred frequently and several medicines were given to us for against malaria. I was given such medicine as neo-salvasan. I was given two injections of quinine. On one occasion I was given atabrine and the worst was that one time when I had an attack, I was given so-called perifer. I was given nine injections of that kind, one every hour and that every second day through the seventh injection. All of a sudden my heart felt like it was going to be torn out. I became insane. I completely lost my language — my ability to speak. This lasted until evening. In the evening a nurse arrived and wanted to give me the eighth injection. I was then unable [sic] to speak and I told the nurse about all of the complications I had had and that I did not want to receive the injection. The nurse had already poured out the injection and said that he would report this to Dr. Schilling. After approximately ten minutes another nurse arrived and said that he would have to give me the injection after all. Then I said the same thing again, that I was not going to have the injection. However, he told me that he had to carry out that order. Then I replied that no matter what order he had, I would not be willing to commit suicide. Then he went away and returned once again after ten minutes. He told me, "I know you know what can happen if you don't accept the injection." Then I said in spite of everything, "I refuse to receive a another injection and that I would tell that to the professor. "I requested that he himself know that I would not be willing to receive the injection. So that the nurse would not have any further difficulty after twenty minutes Dr. Ploettner came with four inmate nurses and he talked to my comrades. "There is going to be a big row here." Then I said, "If I have resisted for such a long time I will continue to do so." Dr. Ploettner, however, was very quiet. He only reached for my hand and he check my pulse, then touched my head and asked me what complications I had had. I told him what

I had had after that injection. And then he told the nurse to give me two tablets in order to remove the headache and the pains in my kidneys. When I had been given that Dr. Ploettner was about to leave and told the nurses that they were to give me the rest of the injections. Then I said, "Hauptsturmfuehrer, I refuse to be given that injection." The physician turned around after I had said that and looked at me and said, "I am responsible for your life, not you." then when the injection he told the nurse — the nurses complied with his order and it was then they gave me this injection. It was the same one to whom I had previously told that I did not want to have another injection. It was only strange that after the eighth injection no results happened as they had done previously so that, in my opinion, I think that the nurse gave me some other injection. On the morning I was given the ninth injection — when I woke up in the morning the results were then as usual. I became sick and I began to feel cold and I had a high fever.

Q:

Father, do I understand you to say that you were injected with malaria in the middle of 1942?

A:

It was approximately in the middle of 1942 when I was infected with malaria.

Q:

And you were not asked your consent to the malaria experiment?

A:

No. I was not asked for my consent.

Q:

And you did not volunteer for this experiment?

A:

No. I was taken in the manner which I have just described.

Q:

Did you make any protest?

A:

In 1942 it was very difficult in the camp to lodge any protest. When I protested with this eighth injection which I was to be given, I clearly realized that it would have the most serious consequences for me. Later on such things could be risked, but in that year I still think that I would have been unable to do that, and I don't think it would have been to any avail.

Q:

Now how many people were experimented on with you, that is, malaria experiments?

A:

In the hospital when I had my attacks, there were approximately fifty to sixty people; the numbers changed.

Q:

And do you know the approximate total number of inmates experimented on with malaria in Dachau?

A:

Towards the end I heard that approximately one thousand two hundred prisoners were subjected to these experiments.

Q:

Do you know whether or not any of those inmates died as a result of the malaria experiments?

A:

Several have died, but if this was the direct result of malaria, I do not know. I know of one case when the patient died after having been given Perifere injections. Then I still know another priest who died, but afterwards — and prior to his death he was sent to another room.

Q:

Was it customary to transfer patients out of the block in which there were conducting the malaria experiments if it appeared that they might die?

A:

It looked to me as if this patient of whom I have just spoken had been moved for the reason so it could not be seen that it happened in the case of malaria, but I do not know if people died as a result of malaria because I am not an expert on the subject.

Q:

How many recurrences of malaria fever did you have, Father?

A:

I cannot give you the exact number any more. However, those attacks recurred frequently, I think about five times, and then I still had treatment in bed for some time, and then there were several more, and altogether I had ten attacks, one every day. Then I reached a temperature of 41.6.

Q:

Do you still suffer any effects from the malaria?

A:

I still have had some after effects, but I do not know if this is only of malaria because I was also subjected to another experiment.

Q:

Well, will you tell the tribunal about this other experiment?

A:

During those malaria attacks on one occasion I was called by Dr. Prachtol and I was examined by a Polish physician, and Dr. Prachtol told me, "If I have any use for you, I will call you." However, I

did not know what was going to be done with me. Several days later, that was on the seventh of October, 1942, a prisoner came and told me that I was to report to the hospital immediately. I thought I was going to be examined once more, and I was taken through the malaria station to block 5 in Dachau, to the fourth floor of block 5. There — the so-called aviation room, the aviation experimental station was located there, and there was a fence, a wooden fence so that nobody could see what was inside, and I was led there, and there was a basin with water and ice which floated on the water. There were two tables, and there were two apparatus on there. Next to them there was a heap of clothing that consisted of uniforms, and Dr. Prachtol was there, two officers in Air Force uniforms. However, I do not know their names. Now I was told to undress. I undressed and I was examined. The physician then remarked that everything was in order. Now wires had been taped to my back, also in the lower rectum. Afterwards I had to wear my shirt, my drawers, but then afterwards I had to wear one of the uniforms which were lying there. Then I had also to wear a long pair of boots with cat's fur and one aviator's combination. And afterwards a tube was put around my neck and was filled with air. And afterwards the wires which had been connected with me — they were connected to the apparatus, and then I was thrown into the water. All of a sudden I became very cold, and I began to tremble. I immediately turned to those two men and asked them to pull me out of the water because I would be unable to stand it much longer. However, they told me laughingly, "Well, this will only last a very short time." I sat in this water, and I had — and I was conscious for one hour and a half. I do not know exactly because I did not have a watch, but that is the approximate time I spent there.

During this time the temperature was lowered very slowly in the beginning and afterwards more rapidly. When I was thrown into the water my temperature was lowered very slowly in the beginning and afterwards more rapidly. When I was thrown into the water my temperature was 37.6. then the temperature became lower. Then I only had 33 and then as low as 30, but then I already became somewhat unconscious and every fifteen minutes some blood was taken from my ear. After having sat in the water for about half an hour, I was offered a cigarette, which, however, I did not want to smoke. However, one of those men approached me and gave me the cigarette, and the nurse who stood near the basin continued to put this cigarette into my mouth and pulled it out again. I managed to smoke about half of this cigarette. Later on I was given a little glass with Schnaps, and then I was asked how I was feeling. Somewhat later still I was given one cup of Grog. This Grog was not very hot. It was rather luke warm. I was freezing very much in this water. Now my feet were becoming as rigid as iron, and the same thing applied to my hands, and later on my breathing became very short. I once again began to tremble, and afterwards cold sweat appeared on my forehead. I felt as if I was just about to die, and then I was still asking them to pull me out because I could not stand this much longer.

Then Dr. Prachtol came and he had a little bottle, and he gave me a few drops of some liquid out of this bottle, and I did not know anything about this liquid. It had a somewhat sweetish taste. Then I lost my consciousness. I do not know how much longer I remained in the water because I was unconscious. When I again regained consciousness, it was approximately between 8 and 8:30 in the evening. I was lying on a stretcher covered with blankets, and above me there was some kind of an appliance with lamps which were warming me.

In the room there was only Dr. Prachtol and two prisoners. Then Dr. Prachtol asked me how I was feeling. Then I replied, "First of all, I feel very exhausted, and furthermore I am also very hungry." Dr. Prachtol had immediately ordered that I was to be given better food and that I was also to lie in bed. One prisoner raised me on the stretcher and he took me under his arm and he led me through the corridor to his room. During this time he spoke to me, and he told me, "Well you do not know what you have even suffered." And in the room the prisoner gave me half a bottle of milk, one piece of bread and some potatoes, but that came from his own rations. Later on he took me to the malaria station, block 3, and there I was put to bed, and the very same evening a Polish prisoner — it was a physician; his first name was Dr. Adam, but I do not remember his other name — He came on official orders. He told me, "Everything that has happened to you is a military secret." You are not to discuss it with anybody. If you fail to do so, you know what the consequences will be for you. You are intelligent enough to know that." Of course, I fully realized that I had to keep quiet about that.

On one occasion I had discussed these experiments with one of my comrades. One of the nurses found out about this and he came to see me and asked me if I was already tired of living, because I was talking about such matters. But, in the way these experiments were conducted, I do not need to add anything further to it.

Q:

How long was it before you recovered from the effects of those freezing experiments?

A:

It took a long time. I also have had several (pause) I have had a rather weak heart and I have also had severe headaches, and I also get cramps in my feet very often.

Q:

Do you still suffer from the effects of this experiment?

A:

I still have a weak heart. For example, I am unable to walk very quickly now, and I also have to sweat very much. Exactly, those are the results, but in many cases I have had those afflictions ever since.

Q:

Were you in good physical condition before you were subjected to Malaria and Freezing experiments?

A:

Since the time of this starvation I weighed 57 kilograms in Dachau. When I came to the camp I weighed about one hundred kilo; I lost about one half of my weight. In the beginning, I was weighed, and I was in bed for about a week. And then my weight went down to forty-seven kilo.

Q:

How much do you weigh now, father?

A:

I can not tell you exactly but I have not weighed myself lately but I think at this time I weigh fifty-five kilogram.

Q:

Do you know how you were pre-warmed in these freezing experiments?

A:

I was warmed with these lamps, but I heard later that people were rewarmed by women.

Q:

Do you know approximately how many inmates were subjected to the freezing experiments?

A:

I can not tell you anything about this, because it was kept so secret; and because I was in there quite individually, and I was quite single during this experiment.

Q:

Do you know whether anyone died as a result of this experiment?

A:

I can not give you any information about that, either. I have not seen anybody. But it was said in camp that quite a number of people died there during this experiment.

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The United States Holocaust Memorial Museum commemorates the fiftieth anniversary of
The Doctors Trial (the Medical Case of the Subsequent Nuremberg Proceedings)

TESTIMONY ENTERED AS EVIDENCE IN THE MEDICAL CASE

[from National Archives Record Group 238, M887]

**Excerpts from the testimony of
VLADISLAVA KAROLEWSKA
Born March 15, 1909, in Yeroman, Poland**



Vladislava Karolewska, a victim of medical experiments, who appeared as a prosecution witness at the Doctors Trial. Nuremberg, Germany, December 22, 1946. NARA

Question:

Now, Witness, were you operated while you were in Ravensbrueck concentration camp?

Answer:

Yes, I was.

Q:

when did that happen?

A:

On the 22nd July 1942, 75 prisoners from our transport that came from Lublin were called, summoned to the chief of the camp. We stood before the camp office, and present Kogel, Mandel and one person which I later recognized Dr. Fischer. We were afterwards sent back to the block and we were told to wait for further instructions. On the 25th of July, all the women from the transport of Lublin were summoned by Mendel, who told us that we were not allowed to work outside of the camp. Also, five women from the transport that came from Warsaw were summoned with us at the same time. We were not allowed to work outside the camp. The next day 75 women were summoned again and we had to stand before the hospital in the camp. Present were Schiedlauski, Oberhauser, Rosenthal, Kogel and the man in when I recognized afterwards Dr. Fischer.

Q:

Now, Witness, do you see Oberhauser in the Defendants' dock here?

THE INTERPRETER:

The witness ask for permission to go near the dock and to be able to see them.

MR. MC HANEY:

Please do.

(Witness walking to dock and pointing to Dr. Oberhauser.)

MR. MC HANEY:

And Fischer?

(Witness pointing to Dr. Fischer)

MR. MC HANEY:

I will ask that the record show that the witness properly identified the Defendants Oberhauser and Fischer.



Herta Oberhauser, physician on trial for having conducted medical experiments on concentration camp prisoners. Nuremberg, Germany, August 1947. NARA

THE PRESIDENT:

The record will show that the witness correctly identified the Defendants Oberhauser and Fischer.

I think at this time the Tribunal will take a recess for fifteen minutes.

(A recess was taken)

THE MARSHAL:

The Tribunal is now in session.

Q:

Witness, you have told the Tribunal that in July 1942, some seventy-five Polish girls, who were in the transport from Lublin, were called before the camp doctor in Ravensbrueck?

A:

Yes.

Q:

Now, were any of these girls selected for an operation?

A:

On this day we did not know why we were called before the camp doctors and on the same day ten of twenty-five girls were taken to the hospital but we did not know why. Four of them came back and six stayed in the hospital. On the same day six of them came back to the block after having

received some injection but we don't know what kind of injection. We did not know what kind of injection. On the 1st of August those six girls were called again to the hospital; these girls who received injections, they were kept in the hospital but we could not get in touch with them to hear from them why they were put in the hospital. A few days later, one of my comrades succeeded to get close to the hospital and learned from one of the prisoners that they were in bed and their legs were in casts. On the 14th of August, the same year, I was called to the hospital and my name was written on a piece of paper. I did not know why. Besides me, eight other girls were called to the hospital. We were called at a time when usually executions took place and I was going to be executed because before some girls were shot down. In the hospital we were put to bed and the hospital room in which we stayed was locked. We were not told what we were to do in the hospital and when one of my comrades put the question she got no answer but she was answered by an ironical smile. Then a German nurse arrived and gave me an injection in my leg. After this injection I vomitted and I was put on a hospital cot and they brought me to the operating room. There, Dr. Schidlauski and Rosenthal gave me the second intravenous injection in my arm. A while before, I noticed Dr. Fischer who went out of the operating room and had operating gloves on. Then I lost my consciousness and when I revived I noticed that I was in a regular hospital room. I recovered my consciousness for a while and I felt severe pain in my leg. Then I lost my consciousness again. I regained my consciousness in the morning and then I noticed that my leg was in a cast from the ankle up to the knee and I felt a very strong pain in this leg and the high temperature. I noticed also that my leg was swollen from the toes up to the groin. The pain was increasing and the temperature, too, and the next day I noticed that some liquid was flowing from my leg. The third day I was put on a hospital cart and taken to the dressing room. Then I saw Dr. Fischer again. He had an operating gown and rubber gloves on his hands. A blanket was put over my eyes and I did not know what was done with my leg but I felt great pain and I had the impression that something must have been cut out of my leg. Those present were: Schildauski, Rosenthal, and Oberhauser. After the changing of the dressing I was put again in the regular hospital room. Three days later I was again taken to the dressing room, and the dressing was changed by Dr. Fischer with the assistance of the same doctor, and I was blindfolded, too. I was then sent back to the regular hospital room. The next dressings were made by the camp doctors. Two weeks later we were all taken again to the operating room and put on the operating tables. The bandage was removed, and that was the first time I saw my leg. The incision went so deep that I could see the bone. We were told then there was a doctor from Hohenlychen, Doctor Gebhardt, would come and examine us. We were waiting for his arrival for three hours lying on our tables. When he came a sheet was put over our eyes, but they removed the sheet and I saw him for a short moment. Then, we were taken again to our regular rooms. On the eight of September I was sent back to the block. I could not walk. The puss was draining from my leg; the leg was swollen up and I could not walk. In the block, I stayed in bed for one week; then I was called to the hospital again. I could not walk and I was carried by my comrades. In the hospital I met some of my comrades who were there for the operation. This time I was sure I was going to be executed because I saw an ambulance standing before the office which was used by the Germans to transport people intended for execution. Then, we were taken to the dressing room where Doctor Oberhauser and Doctor Schidlauski examined our legs. We were put to bed again, and on the same day, in the afternoon, I was taken to the operating room and the second operation was performed on my leg. I was put to sleep in the same way as before, having received an injection. And, this time I saw again Doctor Fischer. I woke up in the regular hospital room and I felt a stronger pain and higher temperature.

The symptoms were the same. The leg was swollen and the puss flowed from my leg. After this operation, the dressings were changed by Dr. Fischer every three days. More than ten days afterwards we were taken again to the operating room, put on the table; and we were told that Dr. Gebhardt was going to come to examine our legs. We waited for a long time. Then he arrived and examined our legs while we were blindfolded. This time other people arrived with Dr. Gebhardt; but I don't know their names; and I don't remember their faces. Then we were carried on hospital cots back to our rooms. After this operation I felt still worse; and I could not move. While I was in the hospital, cruelty from Dr. Oberhauser was performed on me.

When I was in my room I made the remark to fellow prisoners that we were operated on in very bad conditions and left here in this room and that we were not given even the possibility to recover. This remark must have been heard by a German nurse who was sitting in the corridor because the door of our room leading to the corridor was opened. The German nurse entered the room and told us to get up and dress. We answered that we could not follow her order because we had great pains in our legs and we couldn't walk. Then the German nurse came with Dr. Oberhauser into our room. Dr. Oberhauser told us to dress and come to the dressing room. We put on our dresses; and, being unable to walk, we had to hop on one leg going into the operating room. After one hop, we had to rest. Dr. Oberhauser did not allow anybody to help us. When we arrived at the operating room, quite exhausted, Dr. Oberhauser appeared and told us to go back because the change of dressing would not take place that day. I could not walk, but somebody, a prisoner whose name I don't remember, helped me to come back to the room.

Q:

Witness, you have told the Tribunal that you were operated on the second time on the 16th of September, 1942? Is that right?

A:

Yes, I did.

Q:

When did you leave the hospital after this second operation?

A:

After the second operation I left the hospital on the 6th of Oct.

Q:

Was your leg healed at that time?

A:

My leg was swollen up; caused me great pain; and the pus drained from my leg.

Q:

Were you able to work?

A:

I was unable to work; and I had to stay in bed because I could not walk.

Q:

Do you remember when you got out of bed and were able to walk?

A:

I stayed in bed several weeks; and then I got up and tried to walk.

Q:

How long was it until your leg was healed?

A:

The pus was flowing from my leg till June, 1943; and at that time my wound was healed.

Q:

Were you operated on again?

A:

Yes, I was operated on again in the Bunker.

Q:

In the Bunker? That is not in the hospital?

A:

Not in the hospital but in the Bunker.

Q:

Will you explain to the Tribunal how that happened?

A:

May I ask permission to tell something which happened in March, 1943, March or February 1943?

Q:

All right.

A:

At the end of February 1943, Dr. Oberhauser called us and said, "Those girls are new guinea-pigs"; and we were very well known under this name in the camp. Then we understood that we were persons intended for experiments and we decided to protest against the performance of those operations on healthy people.

We drew up a protest in writing and we went to the camp commander. Not only those girls who had been operated on before but other girls who were called to the hospital came to the office. The operated on girls used crutches and they went without any help.

I would like to tell the contents of the petition made by us. We, the undersigned, Polish political

prisoners, ask Herr Commander whether he knew that since the year 1942 in the camp hospital experimental operations have taken place under the name of guinea-pig (das sind Meerschweine), as explaining the meaning of those operations. We ask whether we were operated on as a result of sentences passed on us because, as far as we know, the international law forbids the performance of operations even on political prisoners.

We did not get any answer; and we were not allowed to talk to the commander. On the 15th of August, 1943, a police woman came and read off the names of the ten new prisoners. She told us to follow her to the hospital. We refused to go to the hospital, as we thought that we were intended for a new operation. The police woman told us that we were going probably to be sent to a factory for work outside the camp. We wanted to make sure whether the Arbeitsamt was open because it was Sunday. The police woman told us that we had to go to the hospital and be examined by a doctor before we went to the factory. We refused to go then because we were sure that we will be kept in the hospital and operated on again. All prisoners in the camp were told to stay in the blocks. All of the women who lived in the same block where I was were told to leave the block and stand in line before the Block ten at a time. Then overseer Binz appeared and called out ten names and among them was my name. We went out of the line and stood before the ninth block in line. Then Binz said: "Why do you stand so in line as if you were to be executed?" We told her that the operations were worse for us than executions and that we would prefer to be executed rather than to be operated on again. Binz told us that she might give us work, there was no question of our being operated on but we were going to be sent for work outside the Camp. We told her that we must know that prisoners belonging to our group are not allowed to leave the camp and go outside the camp. Then she told us to follow her into her office, that she would show us a paper proving that we are going to be sent for work to the factory outside the camp. We followed her and we stood before her office. She entered her office for awhile and then went to the canteen where the Camp Commander was. She had a conference with him probably asking him what to do with us. We stood before the office a half an hour. In the meantime one fellow-prisoner who used to work in the canteen walked by us. She told us that Binz asked for help from SS men to take us by force to the hospital. We stood for awhile and then Binz came out of the canteen accompanied by the Camp Commander. We stood for awhile near the camp gate. We were afraid that SS men would come to take us so we ran away and mixed with other people standing before the block. Then Binz and the camp police appeared. They drove us out from the lines by force. She told us that she put us into the bunker as punishment; that we did not follow her orders. In each cell were put five prisoners although one cell was intended only for one person. The cells were quite dark; without lights. We stayed in the bunker the whole night long and the next day. We slept on the floor because there was only one couch in the cell. The next day we were given a breakfast consisting of black coffee and a piece of dark bread. Then we were locked again in this dark room. We were only troubled by people walking in the corridor of the bunker. The answer was given us the same day in the afternoon. The watch-woman from the bunker unlocked our cell and got me out of the cell. I thought that I was then to be interrogated or beaten. They took me and they went down the corridor. She opened one door and behind the door stood SS man Dr. Trommel. He told me to follow him upstairs. Following Dr. Trommel I noticed there were other cells, and those cells were with bed clothing. He put me in one of the cells. Then he asked me whether I would agree to a small operation. I told him that I did not agree to it because I had undergone already two operations. He told me that this was going to be a very small operation and that it will not harm me. I told him that I was a political prisoner and that the operation cannot be

performed on political prisoners without their consent. He told me to lie down on the bed; I refused to so. He repeated it twice. Then he went out of the cell and I followed him. He went quickly downstairs and locked the door. Standing before the cell I noticed a cell on the opposite side of the Staircase, and I also noticed some men in operating gowns. There was also one German nurse ready to give an injection. Near the staircase stood a stretcher. That made it clear to me that I was going to be operated on again in the bunker. I decided to defend myself to the last moment. In a moment Trommel came with two SS men. One of these SS men told me to enter the cell. I refused to do it, so he forced me into the cell and threw me on the bed.

Dr. Trommel took me by the left wrist and pulled my arm back. With his other hand he tried to gag me, putting a piece of rag into my mouth, because I shouted. The second SS man took my right hand and stretched it. Two other SS men held me by my feet. Immobilized, I felt that somebody was giving me an injection. I defended myself for a long time, but then I grew weaker. The injection had its effect; I felt sleepy. I heard Trommel saying, "Das ist fertig", that is all.

I regained consciousness again, but I don't know when. Then I noticed that a German nurse was taking off my dress, I then lost consciousness again; I regained it in the morning. Then I noticed that both my legs were in iron splints and were bandaged from the toes to groin. I felt a strong pain in my feet, and a temperature.

In the afternoon of the same day a German nurse came and gave me an injection, in spite of my protests; she gave this injection on my thigh and told me that she had to do it. Four days after this operation a doctor from Hohenlychen arrived, again gave me an injection to put me to sleep, and as I protested he told me that he would change the dressing, I felt a higher temperature and stronger pain in my legs.

Q:

Now witness, when was it that you were removed from the bunker after this operation?

A:

Ten days after the operation performed in the bunker I was taken — in the night time — to the hospital.

Q:

Well, that must have been around the latter part of August, is that right; August 1943?

A:

Yes it was.

Q:

Now, was another operation performed on you in September 1943?

A:

About the 15th of September 1943 I was again taken to the operating room and a further operation was performed on my left leg.

Q:

Now, in the operation in the bunker they operated on both legs, is that right?

A:

Yes in the bunker I was operated in both legs.

Q:

In the bunker operation, were your legs dirty the next morning after you woke up; that is, following the operation?

A:

When I woke up after the operation that I underwent in the bunker, I noticed that my feet were dirty, covered with mud, that they had not been washed before the operation.

Q:

Who performed this operation around the 15th of September 1943 in the camp hospital, do you know?

A:

The doctor from Hohenlychen arrived. I was taken to the operating room, I was given an injection, and an operation was performed on my left leg.

Q:

Do you know the name of the man who performed the operation?

A:

A German nurse told me that this was a doctor from Hohenlychen, assistant to the Chief doctor, whose name was Hartmenn — Dr. Hartmann. However, I don't know whether he actually performed the operation.

Q:

Did the nurse tell you that Hartmenn was assistant to Dr. Gebhardt?

A:

She told me only that this was a doctor, an assistant, from Hohenlychen.

Q:

All right. Now, after this operation on your left leg the middle of September 1943, did they, several weeks later, operated on your right leg?

A:

Two weeks later a second operation was performed on my left leg although pus was draining from my former wound, and a piece of shin bone was removed.

Q:

Now, witness, I'm a little bit confused. I thought you said that on 15 September 1943 they operated

on your left leg. I asked you if two weeks later they performed an operation on your right leg.

A:

On 15 September 1943 my right leg was operated on, in spite of the wounds, and two weeks later my left leg was operated on.

Q:

Now, do you say, witness, that they removed a piece of shin bone from you legs in these operations.

A:

Yes, I do.

Q:

Now, how long were you in the hospital after these operations in September 1943?

A:

I stayed in the hospital six months. I was in bed. I could not stretch my legs. I could not move them. I could not walk either.

Q:

When were you removed from the hospital?

A:

At the end of February, 1944.

Q:

Were you able to walk then?

A:

I tried to walk at that time but couldn't walk.

Q:

What sort of work did you do then?

A:

When I arrived at the block I stayed in bed for a time and then I used to work knitting stockings.

Q:

Have you received any treatment to either of your legs since you were liberated from Ravensbrueck?

A:

No.

Q:

Do you still suffer any effects from those operations?

A:

I'm weak, I have no strength to work and my legs get swollen up very easily.

Q:

Witness, I am having handed to you two pictures. These are Documents Nos. 108 1A and 108 1B. Are these pictures taken of you here in Nurnberg?

A:

Yes, they were.

Q:

I submit these pictures as Prosecution Exhibit 211. Now, witness, will you please remove the shoes and stockings from both of your legs. Now, will you step out from behind the witness box and let the Court see the scars on your legs.

(The witness complied.)

Now turn around once, please. Just turn around slowly. Thank you. Sit down now.

Were you ever asked to consent to any of these operations which you underwent at Ravensbrueck?

A:

Never.

Q:

How many times did you see Gebhardt?

A:

Twice.

Q:

I will ask you to step down and walk over to the defendant's dock and see whether or not you find the man Gebhardt in the dock.

(The witness complied and pointed to the Defendant Gebhardt)

Thank you. Sit down.

I will ask that the record show that the witness properly identified the defendant Gebhardt.

THE PRESIDENT:

The record will show that the witness identified the defendant Gebhardt in the dock.

MR. MC HANEY:

I have no further questions at this time.

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