6 INTERROGATING THE 'ARCH-BASTARDS'

The town of Alyth in Perthshire, Scotland does not come to mind when thinking about the war criminals of the Second World War. Neither does Bourton-on-the-Hill in Gloucestershire, Bourton-on-Dunsmore in Warwickshire or Colchester in Essex – or any place in Britain for that matter. Instead we think of Nuremberg. But Nuremberg was only one part of the 'justice' story. For someone to end up in a courtroom in Nuremberg (or Hamburg, Gdansk or Paris and so on), they had to be taken there from wherever they ended up after the war. Often this was a camp in rural Britain: close to 1,000 camps existed across the United Kingdom, and at their peak they accommodated half a million German and Austrian prisoners. A case against war criminals was built long before they stood at the dock. It started with on-the-spot interrogations in these camps, and continued with more intensive interrogations in London, sometimes accompanied by evidence-gathering missions across Europe. Then, if deemed suitable for prosecution, the evidence and the prisoner were dispatched either to legal teams in the British Zone of Occupation or extradited elsewhere.

Pursuing these 'minor' war criminals presented a completely different set of challenges to pursuing people like Hermann Göring and Joachim von Ribbentrop. First, these suspects were difficult to identify. Beyond the legal questions surrounding what counted as a war crime and the political questions surrounding which cases were worth pursuing, there was the basic problem that the authorities did not

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always know who was who, and where they were. Take the example of Alyth, which WCIU interrogators specifically visited in December 1946 in order to interrogate a single prisoner. The request came from the Foreign Office, which had received a letter denouncing the man as a member of the SS (something he had not disclosed) and a 'dyed-in-the-wool Nazi' who had burned synagogues in Konigsberg. Somebody had to go to Alyth, interrupt him from the kind of labour most prisoners were doing while waiting for their repatriation – from feeding chickens to construction – and check whether he was a war criminal.

It is not clear whether this specific man in Alyth had served in the SS and then lied about it, but many others did. When WCIU was asked to screen all prisoners ahead of the commencement of repatriation in 1946, to make sure no wanted men would slip through, they discovered several 'undeclared' SS members detained as regular soldiers in places such as Gloucestershire, Warwickshire and Yorkshire. It was precisely the fear of being implicated in war crimes that made them lie. Organisations like the SS – as well as the SA, the Gestapo and others – were declared as criminal by the IMT and their members were automatically considered suspects. Hence they hid their identity, and so WCIU had to drive all over the country to check who was who.

The second challenge facing the investigations, other than finding the suspects, was finding witnesses. The value of witnesses to investigations is another reality that a singular focus on Nuremberg can hide, because the strategy that the American prosecutorial team in particular adopted in the IMT placed a heavy emphasis on documentary evidence. Put simply, in those proceedings they wanted to prove Nazi criminality using Nazi documents – orders, directives, minutes.[1] With 'minor' war criminals, documentary evidence usually did not exist. Take the case of a prisoner interrogated in March 1946 in the camp in Bourton-on-the-Hill. He had boasted to fellow prisoners that in Brest he had dragged French civilians out of a shelter and shot them, point blank. One of the other prisoners told the camp staff and they told WCIU. When confronted, the man claimed not to remember saying this, let alone to having committed the crime. His explanation was that he may have 'led these friends [prisoners] up the garden path (for lack of other topics I several times dished up as "experiences" things which I dreamt)'. Another possibility, he surmised, was that he concocted this story in order to prove his Nazism, after being accused by another prisoner of being a social democrat.[2] What kind of document could prove

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whether he had actually killed civilians, or whether he was just a troubled man? Only eyewitnesses could, or his own confession. Neither was forthcoming, and so WCIU decided not to pursue him further. Many similar cases were reported to WCIU in the months after the war, some of which could not be investigated in any meaningful sense. Witnesses were therefore imperative to these investigations.[3]

That only this type of case – concerning specific incidents against Allied civilians or prisoners of war – was pursued may suggest that the resulting investigations were parochial. This is not true. It was the policy that was parochial because it was unable and unwilling to capture the nature of the war. The persecution of minority groups, particularly the Jews, which was excluded from the investigation boundaries, still kept coming into view because the witnesses and survivors being interrogated kept referring to the perpetrators singling out Jews among them. But the policy was such that these references were not probed further. Still, the investigations concerned instances of cruelty and destruction that were indicative of patterns of violence during the war. These cases, in other words, did merit investigation. The distinction is that they should have been investigated together with other crimes, rather than instead of them.

The distinction between the policy and the investigations is important. And it can only be seen by looking at WCIU's work on the ground. What can also be seen more clearly through the perspective of the investigations – in contrast to the legal or political perspectives – is the emotional aftermath of this war. The types of case investigated were ones based on people's own words and very little else. This renders the history of these investigations a history of the interactions between investigators, those they suspected and those who had witnessed crimes being committed. Through such a lens, it becomes possible to appreciate at a human level the messiness of this search for justice.

6.1 SUSPECTS

The examples of Alyth and Bourton-on-the-Hill may sound arbitrary, but they illustrate certain recurring problems facing WCIU. The first was that ascertaining who was detained in the country and what exactly they had done during the war was far more difficult that can be imagined. Cases such as the man in Alyth who concealed his true past

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eventually led to WCIU having to screen all prisoners ahead of repatriation. Precisely because some prisoners were trying to evade detection, everyone was viewed with suspicion, regardless of any involvement with criminal organisations. Was the soldier Herbert Kuhnert now in Britain the same Herbert Kuhnert whom the Dutch wanted to prosecute for mistreating Allied airmen in Oberursel in Germany? The information he had given about where he had served and in what capacity did not match those of the wanted man, but on its own his words meant little. It was only after WCIU interrogated him that they confirmed that he was not the wanted man, as he was on the Eastern Front when his namesake was in Oberursel.[4] Was Ferdinand Hibel, wanted for the robbery and murder of a Jewish family in Amsterdam in December 1942, the same Ferdinand Hibel who was now in Britain? This also proved not to be the case, as the man being held in Britain joined the German forces two years after the crime was committed.[5] And when the more common name Ludwig Wagner appeared both on Crowcass and as a prisoner in Britain, it was WCIU that had to establish whether this was the same man, now wanted by the Dutch for a murder in Liessel in 1944 and one in Ridderkerk in 1945. They interrogated him about the whereabouts of the unit he claimed to have been in, matched what he told them with existing intelligence they had from others from his unit and confirmed that he was telling the truth. They could prove that the soldier they were interrogating in mid-December 1946 had never served anywhere near Liessel, and that he was already a prisoner at the time of the Ridderkerk murder.[6]

The reason why only WCIU could clear up such cases fairly quickly was their familiarity with the German military and their access to intelligence from the war, helping them to pinpoint where each German unit was at a particular time. Other cases were less straightforward. This was true for a prisoner who gave his surname as 'von Alten', until intelligence reached WCIU from Germany in late 1947 that his real name was Schaffstein. A check through Crowcass returned that surname as a member of the *Geheime Feldpolizei* who was wanted by the Belgians for murder. In the meantime, 'von Alten' was laying low in a camp in Roxburghshire, Scotland, keeping himself busy with correspondence he had established after putting 'an advertisement in the Berlin papers asking for female pen friends'.[7] Although he was taken to the London Cage, WCIU did not manage to get to the truth, not least because he kept changing his story which made him look all

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the more suspicious. The recommendation was to send him to Belgium where an identification parade could be held to establish whether he was indeed Schaffstein.

The second problem facing WCIU, which can already be gleaned from some of the cases mentioned, was the strange dynamics that existed in prisoner-of-war camps. Group dynamics and cliques are bound to develop in any place holding a number of people for a prolonged period. In this specific case, these were defeated soldiers who had been raised in Nazi Germany. The dynamics that developed between them continued to reflect Nazi social norms, adapted to post-war realities and confusion. Denunciation, which had been institutionalised in Nazi Germany, became a frequent occurrence, though now it was the Nazis who were the target. Violence, once normalised and glorified, was something many instinctively wanted to boast about but could no longer do without consequences. With their most senior leaders having killed themselves and the rest standing trial, many of these young soldiers took it upon themselves to debate the reasons for defeat and Germany's post-war fate. Such discussions were, after all, encouraged by the Foreign Office's 're-education' policy, which introduced such discussions as part of the activities made available in camps. They also formally sorted prisoners into Nazi, non-Nazi and anti-Nazi categories (based on criteria that Henry Dicks had developed in CSDIC in 1943–1944), and eventually prisoners discovered which label they had been assigned. Those labels were then used to determine who would go home first, something which only fuelled existing enmities between those considered Nazis and the rest. There were of course stories of friendship in those camps, but politics remained central and governed both the interactions between the prisoners and the bureaucratic mechanisms that developed to manage their detention.

One of the effects of these dynamics is exemplified in the prisoner in Bourton-on-the-Hill claiming that he had not actually killed civilians in Brest, but had only claimed to have done so in order to prove to the other prisoners that he was not a social democrat. He may well have killed them, but the label of a liar was preferrable to that of a war criminal. Yet his logic – that he was using this story in 'self-defence' – did not appear absurd to WCIU because many others had similar stories. Using an atrocity to prove one's politics, unthinkable as it sounds several decades on, was part of the logic of the time. A similar case was that of a man who told various stories in his camp about

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civilians being murdered in Italy and France. When interrogated, he said that those stories were imaginary and used, again, almost in self-defence. He claimed that other prisoners wanted to kill him because he was an anti-Nazi, and so talking about murdering civilians would make them leave him alone.[8] Others seemed baffled at themselves for what they had claimed. When interrogated, a man who had been boasting about shooting a soldier and other similar incidents involving civilians, refused to have done anything like that: 'I have been piecing things together from the newspaper reports and boasting. There had never been any foundation to my story. I really do not know the reasons for my bragging. Now I wonder how it was ever possible to tell such tales.' On being pressed further, he added: 'I do not know why I told this. I must have been mad. At the time in question I was in great anxiety about my wife and children, as up to this day I have not had any news from home. The shooting story is not true.'[9]

At the other extreme were prisoners well aware that they had committed war crimes and terrified of being discovered. But they still needed to tell someone, either to get it off their chest or to quietly boast. This was the case of Richard Kaaserer who was taken to the London Cage from Norway, after he told a prisoner that 'his activities in the Balkans could prove his undoing unless he succeeded in hiding the truth'. The interrogators found that he was an Austrian who had joined the Nazi Party and the SS in 1932. He had had to leave Austria soon after due to his subversive Nazi activities, and was 'a brutal and unscrupulous SS type'.[10] Soon after his interrogation in January 1946, he was extradited to Yugoslavia where he was tried later that year. His activities in the Balkans did, in the end, prove his undoing and he was hanged a year after his interrogation.

Denunciation was the other side of this coin. German soldiers were betraying other Germans not just because denunciation was institutionalised in Nazi Germany, but also because they saw war crimes as unsoldierly. Take a case that unfolded in Botesdale in Norfolk in April 1945. There, a prisoner reported to the commandant that one of the other prisoners was thought to have murdered Allied pilots in France. The rumour was that his unit, despite being ordered to capture plane crews who made emergency landings, would sometimes shoot them instead in order to 'make short work of it'. His report was sent all the way to the Under-Secretary of State for War, and was then assigned to WCIU (still operating as PWIS(H)) to investigate.[11] They

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found the suspect – a dairy farmer – to be an 'uneducated, unobservant and unintelligent' man, known in his camp for 'telling tales, the veracity of which is in inverse ratio to its bravado'.[12] They did not exclude the possibility that he may have killed prisoners of war, but more witnesses were needed to determine the truth. As he was not prosecuted, witnesses were likely not found. What is more interesting was the reasoning of the prisoner who turned him in, however. He told the commandant that he wanted to report this case because he did not 'want to live and go back to Germany together with people of that sort, who call themselves soldiers'.[13]

Rivalries also played a role in determining who would denounce whom. Some of the investigated prisoners suspected that they had been framed. This was the case of a prisoner accused of shooting a British soldier in Normandy in 1944. After interrogating him, WCIU confirmed that the man had indeed shot a British soldier, but that this may have been a soldier killed in action, not a prisoner of war who was not given quarter.[14] There was a general suspicion that Allied soldiers killed after D-Day were deliberately not given quarter, with the interrogator characteristically saying that by June 1944, 'Germans were made to realise that particularly every American soldier was the source of good and plentiful supply of cigarettes and also of wrist watches. These were more easily obtained from dead men that from living [prisoners]'. Yet he continued that this general suspicion could not be proven in this specific case.[15] This is also when the suspect claimed that his fellow prisoners were trying to frame him by twisting the facts of the case.

There is, of course, the possibility that this too was a genuine allegation which simply lacked further evidence, but it appears that WCIU tended to err on the side of caution and simply move on. Even in cases with more convincing evidence, WCIU were still inclined to explain away what had happened. An example concerned two prisoners who claimed that their commander had given them a no-quarter order in August 1944. There was little doubt in the interrogators' minds that the men were telling the truth, not just because their stories matched but also because they had been warned that they too could be implicated in a court case against their commander. They still stuck to their story. Yet after interrogating the company commander, WCIU believed the order was given 'in a spirit of carelessness than cruelty'. What led them to that conclusion was that the officer 'was in action for the first time' after being treated for a severe head wound. This, they

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continued, made him 'possibly afraid that his nerves might be unequal to the strain of a situation which was already hopeless', and so he ordered his company to spare no one.[16] This suggests that, with some of the interrogators having seen active fighting in this war, they occasionally had sympathy even with war criminals. That this was their personal opinion, however, did not stop WCIU from sending the facts to JAG, and JAG deciding to prosecute. A court soon after found the officer guilty of issuing that order; it also found one of the two witnesses guilty, and both received short prison sentences.[17]

The personal views of WCIU did not change the evidence. Their opinions would determine how quickly they would abandon a case without ready evidence, but they would not affect the evidence itself. Take the case of a suspect – also a company commander – whom WCIU did not like due to his uncooperative manner and because he had lied to them before. What existed against him was a single testimony that he had given a no-quarter order in June 1944. That, WCIU believed, must have been true. But they could not find any further evidence to support this. They interrogated twenty-eight soldiers from his company and none of them, other than the initial witness, could recall being read such an order.[18] With no further evidence, the case had to be shelved. Whatever WCIU's opinion of a prisoner, it was ultimately the evidence that mattered. Another example was a prisoner who used to be in the Gestapo. His camp (again the one in Bourton-on-the-Hill) only learned this in June 1946 via another prisoner – an anti-Nazi – who recognised him.[19] After interrogating him in August 1946, Major Terry bluntly concluded that 'although we do not like the man there is nothing we can pin on him'.[20]

Many of those interrogated as suspected war criminals were, quite simply, odious characters. But WCIU were conscious that they were looking for evidence of war crimes, not evidence of fanaticism or of other behaviours. In one such case, WCIU found a prisoner to be a fanatic Nazi but not a suspected war criminal. The man was still openly devoted to Nazism in mid-1946, something he put largely down to his anti-Sovietism. So strong was the latter that he declared he never wanted to see his parents again, as they were now caught up in the Soviet Zone of Germany. The conclusion that WCIU reached was that this man was 'likely to prove a rough cog in any machine, and would upset his fellow prisoners anywhere'. They advised to send him to a non-working camp in order to avoid disturbing prisoners who wanted to work.[21]

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Even in cases where WCIU, with their evidence-based mandate, had managed to gather enough to warrant someone's prosecution, successful prosecution was not a given. One example was Heinrich Albers of the 12th SS-Panzer Division, who admitted to shooting Allied prisoners of war in June 1944.[22] His pulling of the trigger was also supported by the testimonies of members of his division, one of whom recalled seeing the prisoners being led away and 'after a very short while I heard the rattle of a sub-machine gun'.[23] But Albers claimed that he was only following orders, 'as we had learned as soldiers'. He maintained this during his trial and was acquitted. Many more used the 'superior orders' defence during their interrogations. An example was SS officer Fritz Kranebitter who had been head of the Gestapo in Verona. He admitted to arranging the execution of seventy Italian partisans from the Fossoli prison but claimed only to have done it because of superior orders.[24] He was never prosecuted for war crimes by the British – who possibly saw this as a case for the Italians – or the Italians. His superior, Generalleutnant Wilhelm Harster, was also interrogated about the treatment of Italian partisans.[25] There were other crimes Harster had committed which were nevertheless outside of WCIU's remit, notably those concerning the fate of Italian Jews and Dutch Jews, with Harster's previous wartime service having been in the Netherlands. In both countries, Harster oversaw the rounding up of thousands of people to extermination camps, and it is for that reason that the Dutch were looking for him. He was extradited there and found guilty, but was set free eight years later. In the 1960s, his case was reopened and he was sentenced by a West German court to fifteen years' imprisonment for his role in the Holocaust. He was shortly afterwards released early again.

Cases such as these also show how genocide was something that WCIU kept encountering but not specifically probing, resulting in people such as Kranebitter and Harster being investigated about seventy Italian partisans but not about thousands of Italian Jews. Hans Aumeier, Auschwitz's second-in-command and for a period its deputy commandant, was interrogated about gas chamber executions and other ways in which inmates were ill-treated and murdered, but there was no discussion about who they were and why they were targeted. Possibly by monitoring his conversations at the London Cage, his interrogators knew that Aumeier was still withholding details about how many people were murdered and the method of their killing, and was

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known to have told other prisoners that 'if the Allies want to know any more let them find out'.[26] Later in 1946 he was extradited to Poland, where he was sentenced to death and was hanged almost two years after his WCIU interrogation.

A kind of etiquette developed among Allied nations that resulted in people like Aumeier and Harster facing charges in court for crimes against humanity. Had it been that cases investigated by Britain could only be prosecuted by Britain, such people would have been charged for specific crimes against specific individuals, or may have been passed over entirely. Another example of a prisoner being extradited was Max Daume, who during the war was kept in CSDIC and gained a reputation as 'an unpleasant type, an out-and-out Nazi and an opportunist'.[27] Yet he was released into a regular prisoner-of-war camp in Northumberland which had to discover for itself just how unpleasant he was when he started boasting of crimes he had committed in Warsaw. It was the camp, however, that made him sign a declaration on the spot of what he was saying, before WCIU got near the case. The resulting words were much more explicit than what was usually covered in WCIU documents, which were inevitably framed around events that could be covered by the Royal Warrant. 'I hereby confess' read the declaration the camp made Daume sign, 'that I am responsible for the executions of Poles and Jews carried out by the Police Regiment Warschau at the time when I was Commanding Officer and later G1 Ops of this Regiment'. He continued that:

> I hereby confess that I am responsible for the measures taken against the Jewish population in Warsaw by the Police Regiment [while he was in command] … This responsibility includes the concentration of the Jewish population in a certain quarter of Warsaw, in other words, the setting up of Ghettos and the execution of reprisals. In defence of myself, I declare that I have always acted on the orders of my superiors.[28]

Before WCIU could be informed of the case by the camp, the Foreign Office was already aware because its own interrogators were in the process of screening the Northumberland prisoners into Nazis, non-Nazis and anti-Nazis for the purposes of re-education. The Foreign Office interrogators made Daume sign a further statement that orders for mass executions were issued at regiment level, that they targeted Jewish men in particular and that he was 'aware of the fact that the

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Ghetto at Warsaw was designed with the intention of concentrating the Jewish Community into an extremely confined space in order to promote conditions conducive to an enormous increase in the death rate'.[29] He too was extradited to Poland where he was sentenced to death.

Who would try whom was not always clear from the beginning, unlike in Daume's case. An example concerned the case of four generals involved in the occupation of Crete. They were wanted for a list of crimes including the mistreatment of Allied prisoners of war and Allied civilians, thus putting the cases firmly within the narrow borders of British policy. As with most cases, when WCIU were handed the case at the end of 1945, it was still unclear which German units were in Crete and when.[30] After scouring British and American intelligence reports as well as CSDIC's transcripts, with a couple of the generals involved having spent time in Trent Park during the war, WCIU were able to make a proper start on investigations.[31] What also helped was the vanity of one of the generals – Hermann-Bernhard Ramcke, whose parachute regiment was involved in capturing Crete – who had already published his autobiography in 1943. That also enabled WCIU to piece together who was who in 'Fortress Crete'.[32] Eventually Ramcke – who was kept in the US – was sent from Missouri to London, four months after WCIU made a request for him.[33] Most of the senior figures involved in the occupation were also held in the London Cage: General Kurt Student, who took command of Crete for the first week of the occupation; Alexander Andrae who succeeded him for a year; and Bruno Braüer, in command for a further two years until mid-1944. Even details that may seem obvious had to be confirmed by WCIU, such as who Andrae was. When a search for him was made, there was only one Andrae in British custody but he had declared his rank as *General der Artillerie*, when the Andrae involved in Crete was known as a *General der Flieger*. Despite this being an unlikely coincidence, WCIU had to be sure this was the same man. They compared the prisoner's signature with a wartime letter that Andrae had signed and confirmed that the two were the same (Andrae held both ranks during his career).[34] And even in this case another prisoner confused matters once again. He was taken to the London Cage to confirm whether he had taken part in the Battle of Crete, as his surname was similar to a soldier WCIU wanted to investigate. He confessed to witnessing and taking part in war crimes in Crete, but as it turned out, the man had never

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even been to Crete, he had lied about his real name and particulars, and eventually admitted that he was once treated for 'psychopathic hysteria'. In the meantime, 'the story which he had produced incriminated several German Generals and was a very full and detailed version of imaginary events'.[35] Once the interrogations of those involved in Crete commenced, all these figures were interrogated individually and in different combinations. The focus of those interrogations was the mistreatment of prisoners of war – not whether it occurred but whether it was the result of orders and if so from whom. Both Student and Andrae refused issuing such orders; the latter even attempted to pin crimes on the prisoners themselves.[36] With affidavits from Allied prisoners of war, however, enough evidence was gathered to prosecute them for what had happened under their watch.

The next logical step would have been for Britain to present the evidence it had pieced together in a British military court. Yet there was no British 'stake' in this case, other than the fact that the investigation was largely done by WCIU. The Allied prisoners who suffered were not British and the civilians who suffered were Greek. After the investigation, the generals were therefore divided up among different nations. In the case of Ramcke, who was also implicated in a case concerning the murder of French civilians, the French claimed him and he was extradited to France where he was eventually tried in 1951. Despite being found guilty, he was released on account of his long pre-trial detention.[37] Instead of Ramcke, Britain tried Kurt Student, who received a short prison sentence for crimes committed under him during his week-long command of Crete.[38] His successor, Alexander Andrae, was extradited to Greece where he was hand-delivered by Major Terry in January 1947.[39] He too received a long prison sentence later that year but was released early in 1952. His successor, Bruno Braüer was also handed to Greece, who found him guilty and executed him by firing squad in 1946.

The case against Otto Wagener, who in the final year of the war was Commandant of the Eastern Aegean and Military Governor of the Italian Dodecanese, also fits this pattern of WCIU investigations being tried in a non-British court. With his headquarters in Rhodes, there were several accusations of what happened there under Wagener, including that Greek and Italian prisoners of war were ill-treated, Red Cross parcels intended for the islanders were appropriated, local produce was sent to Hitler when the population was left to starve and

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that Wagener also had gold secretly buried there. The fact that many of Rhodes's Jews ended up in the gas chambers of Auschwitz was not specifically investigated. A handful of his officers, as well as Wagener himself, were taken to the London Cage to establish the story and the evidence. A German lieutenant taken to the Cage as a witness warned WCIU that one of Wagener's associates, Helmut Meeske, who was also now at the Cage, had already approached him to make their 'statements tally'.[40] He told WCIU that both Wagener and Meeske 'were heedless in matters involving lives and held summary trials on their own initiative'. A second officer serving as a witness spoke of civilians dying 'almost daily of hunger and weakness'. Both these officers were joined by others in concluding that the casualties suffered in Rhodes were 'to a great extent attributable' to Wagener, who was described as an 'unscrupulous, ambitious, and opportunistic megalomaniac'.[41] As for Wagener himself, he made a faint attempt at self-reflection during his interrogations:

> If I am asked today whether it was really necessary to act with such severity at that time, then I must admit that now that 6 months have passed, I am preoccupied with the matter. One thing I know, and that is that I never violated the special instructions for a 'surrendered fortress' which were binding on me. But the further away one is from that period – a period in which one simply cannot imagine oneself now – and particularly after the numerous interrogations on this point, I now have the feeling that maybe today I might tackle it differently. But at the time I was of the innermost conviction that it could not be done any other way.[42]

The four key witnesses – all of them German officers – provided enough evidence to have him prosecuted, together with Meeske and a few others interrogated by WCIU about the case. Yet once again, when the investigation was concluded it was felt that it was not up to Britain to prosecute, as no British prisoners appeared to have been deliberately mistreated in Rhodes. It was instead up to the Italians to prosecute those involved in the Rhodes case, since it was the Italians who had controlled most of the Dodecanese.[43] A year later, in December 1946, the Italians decided to apply for Wagener, Meeske and seven others – which also meant that up to that point, both suspects and witnesses had been kept in limbo in Britain.[44] Four of them, including Wagener,

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were found guilty and sentenced to imprisonment, and the remaining five, including Meeske, were acquitted. The four found guilty were released by 1951, as part of broader releases of fascist and Nazi functionaries by the Italian government.

There were of course also cases which WCIU investigated and Britain did prosecute. One of those considered among the most complex as well as important was the shooting of fifty Allied airmen attempting to escape from Stalag Luft III near Sagan, Poland in spring 1944. The interrogations spanned from at least December 1945 to the end of August 1948 – the entirety of WCIU's existence. With Sagan now under Soviet control, and many suspects and witnesses living as free men, it was mainly through WCIU (with assistance from the RAF's Special Investigation Department) that a case was built against eighteen individuals, most of whom were interrogated by WCIU.[45] All eighteen were eventually convicted.

6.2 WITNESSES

Identifying the accused was never enough: there also had to be witnesses. Witnesses, however, were generally not afforded any special treatment. To start with, in line with WCIU's effort to stick to the facts, witness statements were scrutinised rather than accepted at face value. One example concerned the killing of Polish nationals in Graudenz in November 1939. As the massacre was unfolding, a Polish man managed to hide behind a bush and watch what he estimated to be around 180 people being murdered. He was then made to join the German forces and so six years later he found himself as a prisoner of war in North Burton, Yorkshire. In his camp was also a soldier – a Pole of German descent – whom he recognised as being one of the perpetrators of the Graudenz massacre. When he confronted him, asking him 'how many people he killed in Poland', the man responded 'not many'.[46] It is then that the witness reported the case to the commandant, and eventually both were interrogated by WCIU.[47] The suspect, after having been read his rights, denied any involvement in the murders. Instead, he put the allegation down to 'personal spite' on the part of the witness.[48] The interrogators, too, questioned the witness's motives. What they thought was particularly strange was that he was able to recognise the man some six years later. They also made much of the fact that the witness had initially said that the accused was wearing an SS uniform

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during the murders. Yet as a *Volkliste* 2 German, he would not have been allowed to wear it. Instead – and based on the accused's own admission – he was in SA uniform in 1939. When this was put back to the witness, he responded 'it might not have been an SS uniform but was certainly SA uniform'. Witnessing 180 murders may well explain the discrepancy, but it was still pointed out rather than glossed over, perhaps because if WCIU did not question it, a defence counsel further down the line would.[49]

Despite these details, an identification parade was held at the London Cage where a third prisoner also identified the man as one of the perpetrators of the events in Graudenz. The interrogators themselves thought that the suspect was a type 'well capable of having committed the deed and, although denying it stoutly, he was shaking from head to foot during the whole interrogation'. They also found in his 'Ausweis der Deutschen Volksliste' certain stamps that signalled he had 'obtained favours from the Germans' and that he was 'undoubtedly a traitor of Poland'.[50] He was eventually prosecuted by Britain but was found not guilty.

Not only were witnesses not treated with any favour, in some cases giving evidence worked to their detriment. When Ramcke was being investigated in relation to crimes in Crete, a German non-commissioned officer was brought from the US in order to give information on Ramcke's other crimes in France, and specifically the murder of civilians by German troops in Brest. He arrived in May 1946 and gave evidence that was considered important for whenever Ramcke was to go on trial. As a result, a 'freezing order' was issued for the witness. Many other witnesses had a 'freezing order' in their name – as did the accused – which meant that regardless of their political outlook and reliability, they could not be repatriated without special permission. In the case of this specific witness, and because there was a debate about whether Ramcke was to be tried by Britain for his crimes in Crete or by France for his crimes in France, the witness was stuck in Essex, whose Camp 186 was earmarked for those with 'freezing orders'. In February 1947 he finally took the initiative to write a letter to remind the authorities that he was still in Essex, and pleaded with them to let him return to Germany where he was the sole breadwinner for his family. He was repatriated later that year but given he was considered an anti-Nazi, this was at least a year later than he would have otherwise returned home.[51]

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What is more obvious to us today is that some of these witnesses were, to varying degrees, also victims. The Polish man in Graudenz was a victim of the war in more ways than one – witnessing whatever unfolded in front of him in 1939, then being made to fight for Nazi Germany and then having to convince WCIU that he was telling what he believed to be the truth rather than trying to frame an innocent man. Another example was a German prisoner who had once been an inmate in Dachau and was then forced to serve in the German army. He was brought in to identify a senior SS officer who had served in Dachau and who was being investigated for the mistreatment and death of Allied nationals there.[52] This witness too was a victim of the regime. Victimhood in WCIU's investigations, however, had a narrower definition, one that applied only to those who had died. Those who managed to survive were neither automatically trusted nor was their suffering consistently recognised.

There therefore seemed to be little incentive for witnesses to share all they knew, other than their conscience – especially those witnesses who came forward first rather than because they were identified by WCIU, like the man who did not want to 'go back to Germany together with people of that sort, who call themselves soldiers'. But many witnesses who had managed to survive the ferocity of Nazi violence now saw it as a duty to speak for those who no longer could. Take the example of the Emsland camps. Systematic investigations began in the winter of 1945, and the case soon began 'to grow like a snowball'.[53] Prisoner-of-war camps in the UK were duly searched for inmates and guards, all of whom would have ended up in British hands. At least twenty-seven prisoners were interrogated and signed affidavits within a month of investigations being initiated, where they corroborated each other's accounts about beatings, forced labour and murder. Some 1,000 people were interrogated in the following months, but those first witnesses – almost all of them Germans who were imprisoned by the regime for desertion or similar – were enough to give WCIU a good idea of what the Emsland camps were about.

Central to those testimonies was that of Heinz Kuckelsberg-Alexander, a German who was imprisoned for 'undermining the fighting spirit'. When Willi Herold's group aimed their gun carrier at the 130 or so prisoners they had arbitrarily rounded up in April 1945, Kuckelsberg-Alexander was watching from the window of his hut. He watched the whole terror unfold, and it is he who first described it in

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detail to WCIU. He also told them of other shootings he saw, including an instance where one of Herold's men, drunkenly walking outside prisoners' huts, decided to pull his gun and shoot towards them from the road. His bullets killed four men. Another bizarre experience he recalled was when, amid these rampages over the course of a few days, Herold tasked him to throw a party for his men. The reason Kuckelsberg-Alexander was asked to do this was because he was serving as prisoner-clerk of the camp administration. Having to oblige, he chose some of his fellow prisoners who were musicians and artists, and together they organised a 'festive' evening for those they had witnessed execute people like themselves. They also had every reason to believe they would be next. Between the singing and drinking, Herold told them that 'not one of the prisoners must imagine that he will fall into the hands of the English alive'.[54] In fact, one of the prisoners knew for certain that he was due to be executed by them in a matter of hours. What he did not know was that Kuckelsberg-Alexander, by including him in this absurd event, had managed to remove his name from a list of those about to be executed and thus saved his life. Aside from the Herold affair, Kuckelsberg-Alexander reported more long-term patterns of behaviour in the camps, such as a cook who would let food rot before feeding it to the prisoners, the guards regularly hitting prisoners, the information on death certificates being falsified and his own testimony that he had witnessed two prisoners being murdered – all before Herold had arrived.

Not only did his evidence help interrogators reconstruct events in much more detail than they otherwise would have been able, he had also saved crucial documents about the management of the camps. Various important documents passed through his hands during the war, including the fake order that Herold used and the personnel files of officials and guards. Aware of their importance, Kuckelsberg-Alexander bricked up some of those documents behind a hollow wall, in the hope that they would be found after the collapse of the regime. He probably did not expect to live and be the one to recover them, but he did. After WCIU interrogated him, they took him back to the Emsland to unbury them. They were then studied by Kuckelsberg-Alexander and WCIU's Staff Sergeant Arthur Morgenthau – another of WCIU's German refugee staff – who spent over a month sifting through those documents together.[55] The evidence was then sent from the London Cage to the Legal Division of the Military Government in

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Germany as part of a special consignment of documents, from which the legal cases against Herold and others were built. These documents were so valuable that WCIU sent along one of its interrogators, a captain of the Gordon Highlanders, to escort and hand-deliver them.[56] Although he was relied upon, Kuckelsberg-Alexander does not seem to have been afforded any special status – Pantcheff referred to him as 'our stooge'.[57]

One of the other Emsland witnesses stressed that while everyone in the Emsland camps suffered, the Jews among them were singled out for the worst treatment, including one of them being beaten to death for stealing a hen. Others mentioned witnessing prisoners being operated on with kitchen knives and no anaesthetic; prisoners being given injections that would give them a fever; and that guards would be awarded leave and some money 'for every man they shot whilst trying to escape'. Another former inmate – a man who had deserted from the Eastern Front and was for this reason imprisoned – spoke about prisoners not being given enough to eat and being regularly beaten. Another deserter who came from a communist family spoke of being forcibly sterilised, being made to walk barefoot in the snow, and repeating others' claims of regular beatings as well as insufficient rations. Another German who was imprisoned for 'undermining the fighting spirit' was the barber of the camps. He too gave the names of those he had witnessed mistreat prisoners.[58] A prisoner who had been an inmate both in the 1930s (after being arrested for smuggling currency) and the 1940s (after deserting) said that while the treatment of prisoners was poor in the 1930s, it was during the war that physical brutality began. He recalled how in July 1940, an inmate was made to wear six tunics and, hardly able to move in them, was beaten up and made to push a cart full of sand over a heath; he died the next day. All of these people spoke freely and at length.

Another of Emsland's German deserters was Rudolf Buegler. What he was able to tell WCIU was not just what he had witnessed – including an inmate being beaten to death, and that he too had been severely beaten – but he was also able to name some of the guards responsible for such beatings.[59] One of them was Anton Eiting, who too was eventually brought before WCIU. His account followed a familiar pattern of partial admission. He admitted to committing certain acts but minimised their significance:

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> I admit that prisoners were beaten even for small infringements of the rules … punishment was carried out with riffle-butts, rubber truncheons or with the hands … I do not deny that I participated in the punishment of prisoners. It did happen that I dealt out a blow to prisoners with my rifle-butt and also with my hand. I never shot at a prisoner. Only once did I hit a prisoner with my rifle-butt so that he fell to the ground. This prisoner had stolen some bread. Those who were beaten did not suffer any serious injury to their health.[60]

Those involved in the administration of the camp followed a strategy similar to Eiting's, including a guard who said that although guards used to get drunk at night, they were never drunk during the day and that prisoners were never ill-treated. Or a judicial officer who said that only one case concerning ill-treatment had ever come to his attention. Some of the senior camp officials interrogated by WCIU also completely denied knowledge that anything was wrong in the Emsland camps. They said that cases of ill-treatment were few, that there were no problems with the food and they could not remember the names of any permanent staff. Since most of the Emsland victims were Germans, most of the cases were handed over to Control Commission courts that had been established in Germany. This meant they would be tried under the German penal code, albeit under a British judge.[61] The dozens of testimonies were therefore not for nothing.

Being Nazi camps, the Emsland network was, of course, not a unique place. A former inmate interrogated at the London Cage happened to have also been held in a German prison in Norway as well. His claims of conditions in the latter were similar to Emsland, including inmates being awaken from sleep in the middle of the night to run in a snowstorm, occasionally being made to work for twenty-four hours straight and witnessing prisoners freezing to death in their sleep. Those victims were simply thrown from a cliff into the snow. Nobody noticed until spring came and the snow melted. That was when the locals complained of the stench, and the prisoner now at the Cage was among those who had been sent to bury the bodies properly. He remembered counting forty corpses.[62]

But while the Emsland complex was not a unique camp by Second World War standards, for WCIU it was unique in that it had

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multiple survivors. Other cases they investigated did not. This was especially true for cases that fell into British policy's remit that concerned single events. This was why many cases had to be dismissed as 'rumours', since they could not progress. Even cases supported by a handful of survivors were still thwarted. The most striking example was a mass murder that took place in Wormhoudt in Northern France, a short distance from Dunkirk. There, at the end of May 1940, 'the savagery which developed in the hearts of the frustrated enemy' led them to murder over eighty British prisoners in a barn. Only thirteen were thought to have survived the massacre and twelve of those the war. Upon being assigned the case, the first task for WCIU was to ascertain which German unit was in the area at the time. The evidence pointed to the 1st SS Division Leibstandarte SS Adolf Hitler (initially the Bodyguard Regiment of Adolf Hitler, one of the most fanatical units).[63] A trip to the Continent allowed WCIU to confirm which specific company was involved and to start identifying individuals they could interrogate. These, together with the few British survivors, allowed WCIU to reconstruct as much as possible the events of that day.

In the chaos that was France in late May 1940, British soldiers from the Royal Warwickshire Regiment, the Cheshire Regiment and the Royal Artillery were all trying to reach Dunkirk from different directions. They were driven by German tanks towards a river which they could not cross, and thus surrendered. Instead of being given quarter, they were forced to start walking, with wounded prisoners being shot and stabbed if they walked slowly. Eventually the men – only one of them was an officer, Captain Lynn-Allen – made it into a barn. Once inside it, they realised that the plan was to murder them. When the first German escort grabbed his hand-grenade and went to throw it towards the prisoners, Captain Lynn-Allen tried to reason with him. The escort knocked him down and threw his grenade; the other escorts did the same. Two of the men, Stanley Moore and Augustus Jennings, heroically fell on two of the grenades to try to save their comrades. But the SS were determined not to let anyone survive. They re-entered the barn to identify who was still alive, and of those they dragged the first five outside, lined them up and shot them. Then the next five were lined up in the same way. One of the wounded soldiers saw the executions outside from gaps between the planks. He saw the five men being dragged outside, turned to face the wall, but on their own volition they turned

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to face their killers. Not wanting this back-and-forth to continue for long, the SS men simply entered the barn one last time and started firing at the bodies. They waited for a while, to make sure nobody was moving, and left.

One of the few who survived was Private Evans. In the explosion caused by the first grenades, Evans's right arm was shattered. But in the ensuing commotion, he was pulled outside by Captain Lynn-Allen and together they managed to leave the barn and take cover in a pond. Their hope was that the trees surrounding the pond would hide them. But they did not. An SS man still spotted them and shot at them from the distance. Both went underwater though miraculously, Evans came back up within seconds. With a shattered arm and now shot twice in the neck, he stayed in the water for some twenty minutes to try to find his captain. When he got out of the pond, he could still hear shots being fired in the barn, these being his comrades being executed. He gathered whatever strength he had left, walked to a farmhouse which was occupied by a German medical unit who saved his life. The remaining survivors too gathered their strength and found help nearby, while the rest of the bodies were buried by the barn, who knows by whom.[64]

As was to be expected, there were discrepancies between the multiple statements obtained. Many of the SS members interrogated only spoke of seeing the prisoners being led into the barn, and also repeated the official German version of the story, which was that one of the prisoners shot at one of the escorts and the massacre was in retaliation. Some also gave information that proved the incident was known about at regimental level, and a few said that Wilhelm Mohnke, the commander of the Second Battalion, had given an order to kill the prisoners.[65] One of the SS men interrogated had witnessed Mohnke, on being presented with the prisoners, 'raving' at the platoon leader of the company that captured them, and then ordering him to take them to the barn and 'eliminate them'. Being interrogated by WCIU in 1947, this witness said that he had heard Mohnke telling the platoon leader, 'What do you mean by bringing in prisoners contrary to my orders'. Having very likely witnessed the exact same interaction but from a distance, one of the British survivors described a 'German officer who looked like a Prussian … giving orders to his subordinates', and that 'from his gestures I should say about ourselves. He was raving blue murder'. The big question was what Mohnke might say in his defence.

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This was to remain unknown because he was in Soviet custody. Despite WCIU's numerous interrogations and their trips to Wormhoudt, the Soviets appeared unwilling to give information on his whereabouts, let alone extradite him. The *Der Tagesspiegel* even published that he had died in a Russian prisoner-of-war camp, but WCIU believed that he was still alive somewhere in the Soviet Union. They were right. He was alive and he remained alive until 2001, when he died aged ninety, never having faced justice for Wormhoudt. Nobody was ever tried for it. Perhaps it was believed that taking to court only those who escorted the prisoners – who would very likely plead superior orders, or contradict each other – would not stand up to legal scrutiny, and that not pursuing them was better than seeing them be acquitted.

What Wormhoudt shows is that, even for cases that were firmly within the remit of British policy, their prosecution was not a given. There were of course exceptions, the most comparable to Wormhoudt being Le Paradis, which unfolded only a day earlier. This too involved the rounding up and killing of around a hundred British prisoners, this time members of the Royal Norfolk Regiment. When WCIU became involved, it was once again unclear which SS unit was involved in the murders. Those screenings however allowed WCIU to close in on companies of the SS Totenkopf Division that were in the area, and from there they also obtained substantial witness statements against Fritz Knöchlein, the Commander of the 14th Company, who was eventually convicted and hanged for the crime. The witnesses included British and German servicemen but also French civilians, whom WCIU's Ullman and Richter travelled to France to interrogate in November 1946.[66]

Ultimately, the decision to pursue only war crimes did not make the process straightforward at all: the suspects were too many, the witnesses were either dead or very few, or they contradicted each other because war crimes happened in such conditions that testimonies were inconsistent (Wormhoudt and Le Paradis happened under general fire). Witnesses must have felt under an enormous burden. Their experience of giving evidence about such incredibly traumatic events can only be imagined, as can their feelings where justice in the form of a guilty verdict was not achieved. While the realities of war made investigations difficult, the realities of peace also complicated matters. Only in rare cases was the consistency of testimonies such that the suspect was not even interrogated about it. This was the case of Wilhelm Menzel, an officer accompanying prisoners of war during a forced march in early

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1945. There were sufficient affidavits from British soldiers saying how Menzel assaulted them during that march that interrogating him for his own version was unnecessary. Instead, he was interrogated on the general conditions of the camp, as well as more generally on the march, with a view to obtaining evidence against others.[67] A couple of months later, in February 1946, a British military court in Hamburg found him guilty of mistreating Allied prisoners.

6.3 CLOSURE(S)

For interrogators, too, the investigations were hard. Their job was no longer what it used to be during the war, when they were confined to a camp, isolated from other operations and usually in the dark about what would happen to the information they were extracting. Now, this had completely changed. The nature of their work, together with resource pressures, meant that interrogators would not merely interrogate whoever was put in front of them but also see investigations through from start to finish. It is hard to see how prosecutions would have been possible without them. That they took this job seriously is clear from how they performed their job, where they tried to stick to the facts, checking and cross-check information, even trying to see the other 'side' of the story whenever possible and assessing the evidence in the way a court would.

But while they did try to remain objective in their judgement, they were not indifferent to what they were doing. Each investigation, even the straightforward ones, required hours of work. The more complex cases stretched over months and years. For Emsland alone, the number of people interrogated across Europe was huge, resulting in 400 statements being written up and translated.[68] And then there were the exhumations, the funerals and the trials, with people like Pantcheff always present. When investigating a case like that, the emotional strain was enormous; a few of the interrogators visiting Emsland as part of the investigation into Herold and his men admitted that occasionally one of them would get 'to the stage of dreaming about the bastards'.[69] Whenever that would happen, the team would take the cue and take the day off. It was therefore not just the physically demanding nature of the job that made this work difficult. It was the enormity of having to investigate the crimes of a war they had themselves experienced. Interrogators also were, in various ways, victims of that war;

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some were refugees who had escaped Nazi Germany while others had seen active service, been taken prisoner or lost loved ones. Even those who spent the war at home had worked for the war effort without rest. Now, after the stress of six war years, they were still deferring their return to civilian life until some kind of conclusion was reached with trials.

The problematic judicial framework surrounding the investigations must have been the most exasperating aspect for interrogators, though they never seemed to complain about it. What must have been deeply frustrating was the fact that, as some investigations unfolded, they proved to be outside the scope of British policy. In some cases, this simply meant extraditing the prisoner. In other cases, however, it meant dropping the case entirely, simply because it no longer fitted specific criteria rather than because the investigation had run out of steam. One of the first and most significant such examples concerned the two SS concentration camps and two Organisation Todt camps in Alderney.[70] The reason why Britain wanted to investigate these camps was obvious: this was likely a case of war crimes involving a Crown dependency. And so Pantcheff was sent to make the first inquiries on the ground. When he arrived on the island of Alderney on 5 June 1945, there was little on the ground to examine due to the 'scorched earth' strategy employed upon surrender. It took the screening of over 3,200 people to begin to understand what had happened there during the occupation, to draw up a timeline and a table of personalities involved in Alderney's administration and to reconstruct the layout of one of the camps.[71] With no reliable documents indicating the number of victims and their nationalities, let alone their cause of death, Pantcheff visited local cemeteries to open up a number of graves in order to establish the number of victims himself. Despite Pantcheff's painstaking searches, four periodical reports he produced between June and September 1945, and various testimonies he had obtained confirming that the camps were marked by hunger, beatings and exhausting work (which were the cause of hundreds of deaths), it was decided not to pursue the case due to the majority of the victims having been Russians and Eastern Europeans. The evidence was instead passed on to the Soviets, who did nothing. Incidentally, Kurt Klebeck, the SS-Hauptsturmführer who had responsibility for one of the camps, was later prosecuted in a British court for his deeds in Hanover, but this was a matter of chance (and he was released in 1952). When WCIU's files were declassified

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in 1992, the question of extraditing Klebeck to the UK to be tried for Alderney was brought up in Parliament, though the matter was shut down quickly because it was against the German constitution to extradite Germans.[72] For Pantcheff, what he learned during those investigations were not things he could simply forget. Neither was the fact that the case was dropped. Years later, in 1981, he decided to tell the story himself. He published a short book discussing his investigations and what he believed happened in Alderney, where he had now retired. He dedicated that book 'to all those, of whatever nationality, who died in Alderney … and who were therefore unable to speak for themselves'.[73]

It was unavoidable that this kind of work would weigh heavily on interrogators' conscience. Much as they tried to be dispassionate towards those they were interrogating, they still felt a need to do right by the victims – even if, as in the case of Alderney, this meant writing their story years later. Perhaps the right way to describe what interrogators must have been looking for was closure for their cases. Closure seemed to be what WCIU's Michael Ullman was also seeking when he travelled to Germany – from which he had escaped in the 1930s – for the last time as an interrogator in the autumn of 1946, including to finalise the Wormhoudt investigations. That was the trip in which he and Richter were not taken seriously due to their non-commissioned officer ranks. When Alexander Scotland wrote to BAOR to complain on their behalf, he thought it important to say that this trip was to be Ullman's 'final act before he left the Army and we brought the accused into court'. It was as if BAOR had deprived Ullman of the opportunity to gain closure on a crime he spent months investigating. Scotland went on to ask that Ullman be assisted 'so that when the story is given to the press … we can disclose that all possible guilty prisoners are in the bag, and all witnesses are waiting ready for the trial'.[74] This was the impression interrogators were under: that a case like Wormhoudt must get some kind of closure in court. That this never happened must have cost them, as it must have cost the few British survivors.

In this context, it is hardly surprising that 'poetic justice' was sought – as in the Emsland exhumations, where the bodies were dug out by the accused on Pantcheff's orders. Nobody could guarantee to WCIU that those they knew for a fact to have been criminals would ever set foot in a courtroom. Having them dig up the bodies of those they had murdered was a way to secure some retribution, in case that

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was the only encounter they would ever have with the horror of their crimes. Poetic justice was also a more general, Allied attitude rather than one confined to WCIU, however. The Americans decided to detain some suspected war criminals in the premises of Dulag Luft, a wartime Nazi interrogation centre notorious for using torture against British and American prisoners. Then, two of the Anglo-American camps for high-ranking Nazis were codenamed 'Ashcan' and 'Dustbin'. Other examples included calling suspects names or having them do chores they were not used to, such as officers being made to clean their own cells, something that was normally done for them by lower ranks.[75]

The line between poetic and vigilante justice can however be very thin, and that line seems to have been crossed on occasion, not so much by WCIU as an organisation but by its Commandant personally. What contradicts the professionalism of WCIU as it has so far emerged from its investigations are the few allegations of mistreatment made against Alexander Scotland and the London Cage in particular. A small number of such claims were made at the time, and some cases of excessive treatment were also described by Scotland in his own memoirs a few years after the war.[76] When he wrote his memoirs, and sent the 360-page manuscript to the War Office in 1954, it was decided that permission to publish should be refused because the book would reveal 'some infringements of the Geneva Conventions'.[77] Potential infringements as proudly described by Scotland included the wartime case of a prisoner who was made to stand for twenty-six hours; another who had his ears 'boxed'; and a case where Scotland challenged a prisoner to remove another prisoner's appendix.[78] The latter occasion concerned two officers who lied that a third prisoner – a medical student – was a doctor so that he could get officer's privileges; it is then that Scotland called their bluff, forcing them to admit the lie.

The unpublished manuscript also contained what can be described as instances of self-congratulation for the way in which Scotland, who saw himself an authority on the psychology of the German soldier, gained prisoners' respect by demonstrating to them how familiar he was with their own language and culture. The officer who had his ears 'boxed', for example, suffered this beating because Scotland wanted to show him that he knew the disciplinary practices of the German army and would not hesitate to use them. He also wrote about one similar instance concerning the post-war Cage. This involved a British captain who seems to have been notified that a Gestapo guard

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who had ill-treated him was now detained at the Cage, and so he paid him a visit. Since the captain had no injury to formally complain about, Scotland told him he should 'reconstruct' the abuse instead – and offered to inflict it on the prisoner on his behalf. The prisoner consequently received a 'mild version of the Gestapo treatment' by having his hair pulled and being bawled at in German by Scotland, after which he was made to do chores around the Cage. He was released to a permanent camp two days later.[79] Even Robin Stephens, the commandant of MI5's Camp 020, saw Scotland's tactics as going too far. When Camp 020 was opened in 1940, Scotland was allowed to interrogate some of its prisoners. In one of his visits, he hit a German agent, something that led to Stephens and MI5 banning him from ever setting foot there again.[80]

Beyond Scotland's memoirs, a few complaints were made about the Cage to the War Office as they happened. In 1943, some commotion was caused within the War and Home Offices when Otto Witt, a German who insisted he was anti-Nazi, was detained at the Cage to establish whether or not he was an enemy agent. This was an irregular case because MI5's Camp 020 had already opined that he was not, yet SOE insisted its own sources said otherwise. And so despite being a civilian, Witt was taken to the Cage, which also failed to incriminate him. After his removal to Dartmoor, Witt wrote a petition claiming to have been physically and mentally abused at the Cage, including being kicked and punched, and being told that information against his family would find its way to the Gestapo.[81] 'I confess I am not particularly shocked by anything which may have occurred' at the Cage, wrote MI5's Buster Milmo, indicating an awareness within British intelligence that the Cage was testing the boundaries of legitimate behaviour. Yet Milmo defended the Cage's use of threats. The Home Office 'appear to consider that enemy agents should be dealt with in a cotton wool atmosphere', he continued, 'and that it is improper to exploit fear as a means of extracting truth. To my mind this is indeed a shocking proposition when we are engaged in a total war against unscrupulous enemies'.[82] Even less amused by the furore caused by Witt's claims was Guy Liddell: 'It seems incredible that two Secretaries of State should be drawn into a matter which involves a lying little Nazi having had his face slapped by a Czech [interrogator].'[83]

Then in 1946, two German naval officers who had been interrogated about helping members of a commando unit flee France

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disguised as naval ratings complained that at the Cage, they were forced to change into a prisoner uniform and do chores. When confronted by JAG, Scotland wrote that the two prisoners had disobeyed an order, and so he forced them to do chores for forty-eight hours as punishment. He went on to remind JAG that 'our success in this Cage is based on the strictest discipline being maintained as between [prisoner] and interrogator', and that the two officers 'connived in a crime in smuggling' wanted men into the country.[84] In a way, as with war criminals following a certain format in justifying their criminal actions, Scotland too had his own format. He would admit to some kind of disciplinary action, caused by the prisoners' own behaviour, explain why it was fair in the circumstances and remind the recipient of the criminality of the prisoner in question.

Further complaints were made by three more prisoners taken to the Cage for war crimes investigations. One was a prisoner interrogated in connection with Wormhoudt who claimed that he was punched during interrogation. A court of inquiry was called in 1947 to investigate, but having had his word on the one hand and the word of interrogators on the other, they found for the latter. They nonetheless expressed concern that the rules regulating interrogation were not put in writing.[85] The Cage was not exceptional in this respect – interrogations were not regulated by written policy, while in the Allied interrogations of war criminals on the Continent it was again up to individual officers to decide how to conduct themselves. Some believed Germans would only talk 'under pressure' while others preferred a more conversational approach.[86] A second complaint was made by Erich Zacharias, one of those convicted for the Stalag Luft III murders. He claimed that he was beaten up, deprived of food and sleep, and made to clean his cell with a toothbrush – which his lawyer claimed was a German army punishment and the reason that Scotland used it.[87] The allegations could not be proven and neither could similar allegations made by a third complainant, Fritz Knöchlein, responsible for the Le Paradis massacre.[88] When the question of an inquiry resurfaced in 1948 as a result of a petition by Knöchlein, who was attempting to have his death sentence for Le Paradis quashed, the Attorney General did not see reason for further investigation.[89] At around that time, the *Manchester Guardian* received 'private letters from Germans and others' about 'beatings, strippings, ice-cold showers, and forced confessions' while at the Cage.[90] Responding to that editorial, a former

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prisoner wrote to deny such events, instead saying that treatment 'was always correct, and at times even friendly'.[91]

The fact that when the International Red Cross (IRC) asked to inspect the Cage in 1946 they were turned away does nothing to ease suspicion. The existence of the Cage deliberately remained undisclosed to the IRC though that policy dated back to the birth of the interrogation system in 1940, when neither WCIU's predecessor nor any of the CSDIC camps were registered as prisoner-of-war camps to avoid them being inspected in case of an invasion. Such inspections had to be avoided *not* because prisoners were being mistreated but because their conversations were bugged. But the Cage was put on the IRC's radar in 1946 when it was inadvertently included in a list sent to the IRC by the British. It was then that an official appeared to inspect the Cage unannounced, only to be sent away. The visit was permitted a couple of days later, when the official was able to talk to staff but not access the entire Cage or talk to prisoners.[92] In a letter to JAG over the issue, Scotland was adamant that the IRC should not be given access to the entire camp because if such a visit were to happen, 'the secret gear which we use to check the reliability of information obtained must be removed'.[93] He insisted on this in a second letter, saying that one visit by the IRC would be followed by a flurry of other requests, including by solicitors. 'In my view', he continued, 'war criminals are not entitled to this form of protection and to grant it would often make interrogations useless and would to a great extent defeat the ends of justice.'[94] He was nevertheless ignored. By September 1946 – five months after the original visit – the IRC inspector was given access to the entire camp.[95] Some have speculated about what this 'secret gear' was and whether it was a reference to some kind of torture equipment. Almost certainly, it was the microphones.[96] In documents about WCIU's staff, Captain Egger and Captain Hay are listed 'as assistant interrogators and operators of special gear' and elsewhere as 'experts on the control gear operations'. That Egger and Hay were previously serving at CSDIC makes it far more likely that this 'gear' was actually the concealed microphones rather than anything more sinister.[97] The reality was that the Cage was bugged, both during the war and after. This was an exception to the general rule that only CSDIC establishments could be bugged, and much useful information was gathered that way: Scotland was already praising the value of the 'indirect method of interrogation' in 1940, as part of a plan to install microphones in other cages of WCIU's predecessor.[98]

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Microphones also explain the contrast noted at the time between the effectiveness of WCIU's investigations and the ineffectiveness of their counterparts in Germany. So reliable was the quality of WCIU's material that other British teams in Germany, unable to match it, questioned what kinds of methods WCIU were using to obtain its evidence. When he returned from a trip to Germany, Pantcheff told Scotland 'of the feeling of disquiet' which existed in BAOR 'about the methods we adopt here in London District Cage to obtain the seemingly wonderful statements by prisoners, in which they give considerable detail as to how crimes were committed … in many cases even complete confessions of guilt'.[99] The thinly disguised allusion to violence was taken up by Scotland, who wrote to BAOR to say that:

> in fact for a long time we did cultivate the thought among [prisoners] that it would be safer for them to tell us the whole truth or at least no lies. But that was only to create a certain atmosphere round the place which has proved most effective. It would be entirely wrong and a libel on the Camp Commandant, as well as a reflection on London District HQ staff to allow such an impression [that any other methods are being used] to remain uncontradicted in your minds, if it does in fact exist.[100]

He continued with two further valid points. The first was the sheer number of prisoners who had passed through the Cage during and after the war – 20,000 during, and over 3,000 after. Only a fraction ever reported wrongdoing, even though it was clearly possible to complain against the Cage and those complaints were taken seriously rather than suppressed. The second point was that, ultimately, the prisoners now passing though the Cage could appear in courts in Germany, 'and if this is to take place without bringing a blush of shame to the cheeks of our court officials, we must be at least humane in our treatment'. This was true. Some of those who were held in the post-war Cage were witnesses, others suspects; some were to be convicted, others not; some were sentenced to death, some to imprisonment and others were acquitted to live as free men. Even some of those convicted gained their freedom quickly due to amnesties granted in the 1950s. As an intelligence officer put it, the post-war Cage had become a 'hot-house of guilt, defiance and fear'.[101] It was the place where victims, witnesses and perpetrators all intersected. Had WCIU ill-treated prisoners

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systematically, the matter would have resurfaced much more, be it during trials or at a later time. Moreover, institutions such as the Foreign Office – particularly interested in German public opinion – held WCIU in high regard. When they received the letter denouncing the Alyth prisoner as a former member of the SS, they immediately asked for WCIU to visit him, because they saw it as 'the best place to deal' with such rumours.[102]

Excesses clearly occurred under Scotland. He described them himself and appears to have been the one responsible for many of them. And they did not suddenly come about in 1945 when the Cage started dealing with war criminals, which could be explained by a desire for revenge. As Scotland put it to BAOR '[w]hat the average man would do with a [prisoner] who glibly talks of murdering thousands of helpless civilians or the brutal treatment and murder of our own chaps during the war I cannot judge'; the Cage was dealing with them so often that 'any feelings of revenge against the miserable specimens of humanity we find connected with those crimes have long since disappeared'.[103] Any excesses instead seem to have been driven by Scotland's own desire – both during and after the war – for recognition and never to have his authority or importance questioned. This was, after all, a man who in his memoirs claims to have had coffee and biscuits with Hitler, at a meeting requested by the Führer. 'You are an ingenious man' were Hitler's parting words to him at some undefined point and place in the mid-1930s; 'Now I can understand the reports we have on our files about you.' This almost certainly imagined interaction is described in order to make it appear as though Hitler asked to meet Scotland to get his views on the 'German colonial problem' due to his knowledge of German South West Africa, as if Scotland were the only one who had ever been there. As Scotland was opining, an impressed Hitler was nibbling on plain biscuits.[104]

Whatever his need for recognition – which seemed to loom large in everything he did – Scotland existed in a system that prevented abuses from systematically occurring: Scotland was not WCIU, and mistreatment was not part of the toolkit WCIU was using. Left to his own devices, Scotland may have more regularly exceeded what was acceptable because 'to make the bully feel small gave great pleasure to certain interrogators', most of all to him.[105] Those instances were nevertheless the exception, not the rule, and not what the work of WCIU was built upon. Rather, they were scouring the Continent, screening

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tens of thousands of people, interrogating them, holding identification parades and mediating between JAG, hospitals, camps and other nations' investigation teams. Their investigations had hundreds of hours' work behind them with huge amounts of material being written and translated, all in the hope that some of those involved would end up in front of a judge, where there would be ample opportunity to reveal any mistreatment inflicted upon them. Not only would British justice be humiliated, the suspects would also be acquitted.

What must also be particularly noted is the value of the microphones as a partial reason for WCIU's success. While Scotland attributed much to his deep understanding and skilful manipulation of the 'German mind', even he acknowledged the value of microphones to the investigations. When writing up what he believed were the lessons learned from WCIU in 1948 – writing for future intelligence officers, not for the public – he stressed the importance of rooms 'fitted up for interrogation'.[106] Microphones and experience, rather than abuse, were the secret behind WCIU's effectiveness, with Alexander Scotland's interventions in rare cases disrupting established norms.

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