

## *Appendix*

### **Introduction, page 3, new paragraph 2:**

See at left news clipping and example of hate mail that flooded Willmar, Minnesota, regarding William Borth's class about the Holocaust. Borth also received threats made by telephone to his home, prompting a report to the Federal Bureau of Investigation. The local school board named him "Teacher of the Year."

### **Introduction, page 3, new paragraph 3:**

1. In regard to the powers of the president, the Constitution of the United States of America states: "The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States."
2. In regard to regulation: The president or a person acting under him may draft a proposed regulation and publish it in the *Fed-*

*eral Register* with a period for comment by interested persons. The period varies depending on the nature of the regulation. After the period for comment, the executive issues the final regulation and publishes it in the *Federal Register*. It then becomes law until it is overturned by Congress or a court.

3. In regard to executive order: An executive order is drafted by the president or upon his order. The regulations are codified in the United States Code—32 U.S.C. 501.1 and 501.2 state that action should be prompt and vigorous; 32 U.S.C. 501.2 states that the president shall determine what is top secret and lists almost everything; 32 C.F.R. 501.4 authorizes the president to declare martial law in event of civil disturbances; 32 C.F.R. 501.5 gives the president the authority to protect federal property and functions; 10 U.S.C. 502 states that each person enlisting in the armed forces shall take the following oath:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign or domestic: that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the regulation and the Uniform Code of Military Justice. So help me God.

Executive orders, which are practically limitless, can be overturned by Congress, but Congress is extremely reluctant to act (as in Desert Storm, for instance). Only Congress may declare war, but again this body is reluctant (something might go

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wrong), leaving the decision for military involvement to the president.

A court may overturn an executive order, but because of the long-standing presence of these orders and the large scope of many of them, a court would be extremely reluctant to act against the president.

### Chapter 7, page 93, first text line:

According to Col. William D. Denson, chief trial judge advocate for the prosecution of the Dachau concentration-camp case:

“Heinrich Himmler, chief of the SS, assigned to one of his stalwarts, Theodor Eiche, the job of recruiting personnel for Dachau and the other camps. He wanted ruthless men to replace the initial Bavarian police guards. Eiche formed the Totenkopfverbaende (SS Death’s Head Battalion). These units were recruited from the unemployed, off the streets of the cities like Berlin, Hamburg, and Munich. This scum, men known to have brutal natures, served as staff and guards in the concentration camps.

“These recruits, who couldn’t make it in civilian life, were attracted by wages and the splendor of the black SS uniform. In their case, it was set off with a red fez with the design of a human skull beneath the swastika and a black silk tassel. The mentality of the group that administered these camps—down to the level of the guards and the functionaries who ran the work office and the secu-



rity office—bordered on pure bestiality, and it is inconceivable their conduct was necessary to maintain discipline.

“When these camps were first organized to make nonconformists into conformists to National Socialism, the emphasis was on discipline. The prisoners had to make their bunks and square the corners of their bedding, that sort of thing. And you had to be on time, you ran to this, you ran to that. No infraction of the rules was tolerated.

“Then the emphasis changed. It wasn’t on discipline but on the need for armament work. So the Nazis set aside the concept of discipline to force the slave laborers taken from conquered countries to work. The guards had to and did exercise a certain dominance. Whenever you confine a man to work against his will, you need to exercise a certain amount of authority for him to appreciate that he’s subject to your will—even to your whim and caprice. The result in the concentration camps was that brutality and sadism became the usual routine.

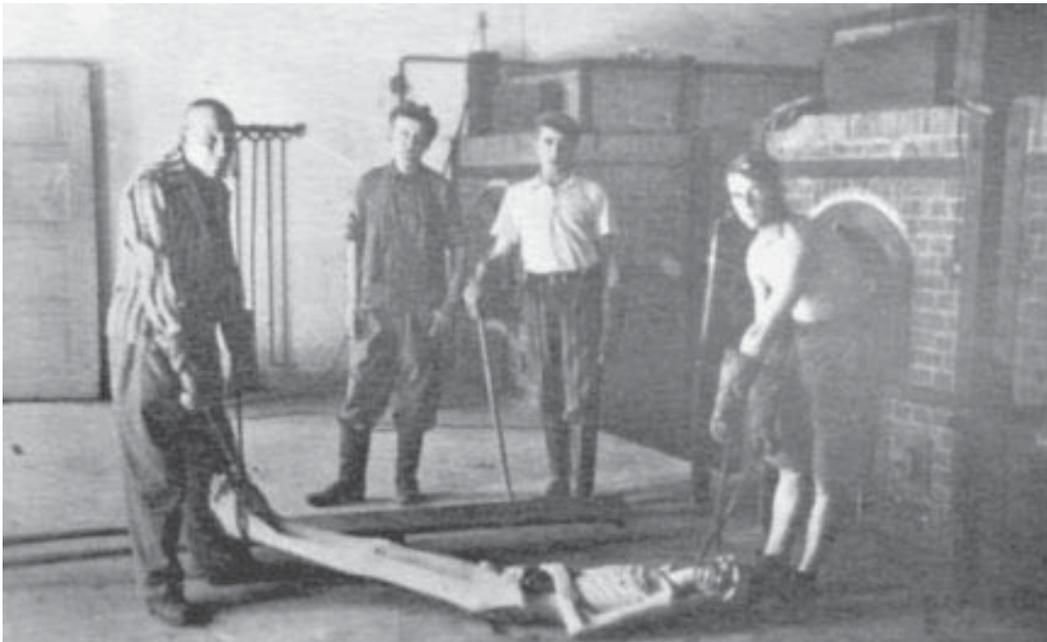
“It was routine brutality to tie a man spread-eagled to a table, called a whipping block, and beat his back with a stick and make him count his lashes in German, even if he was Polish or Hungarian and did not speak German. If the prisoner failed to count correctly, he was made to go back to one and start all over again. This was in many instances an execution because of the poor physical condition of the prisoners.

“The prisoner too weak from starvation and beatings to work was simply put to death by a bullet, then cremated in the ovens at Dachau or buried in mass graves. [The gas chamber at Dachau, built by prisoners, was sabotaged by prisoners during construction and was never operative.] Consequently, those who died at Dachau were executed by

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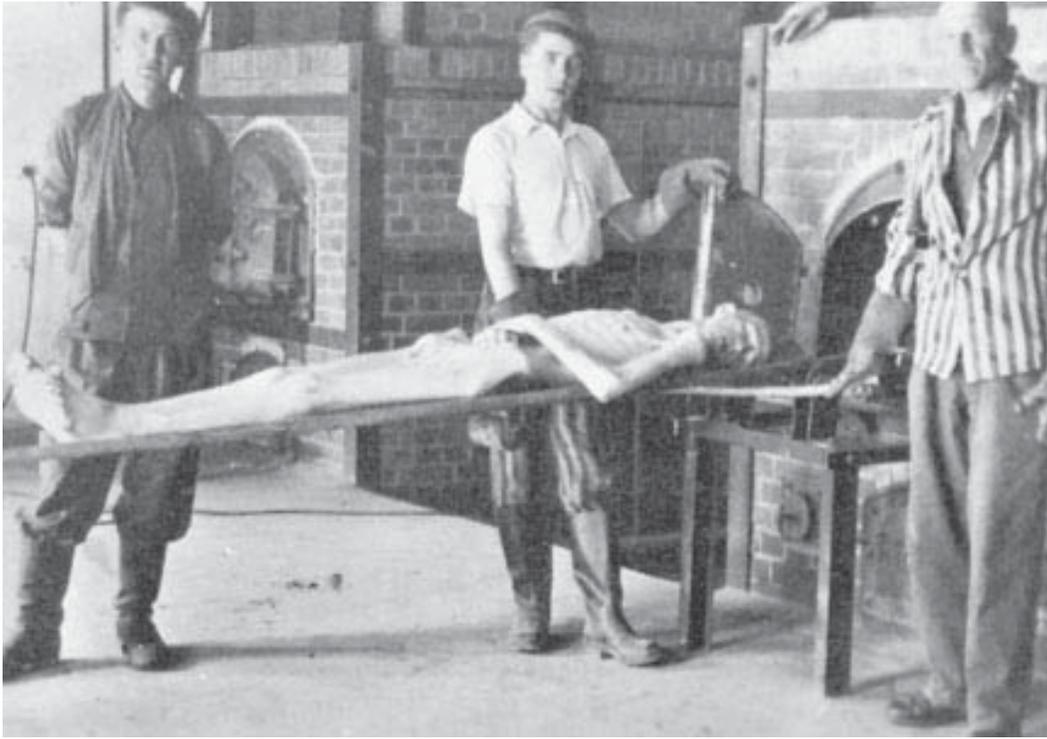


*Prisoners drag a body to the ovens at Dachau. See also next page.*

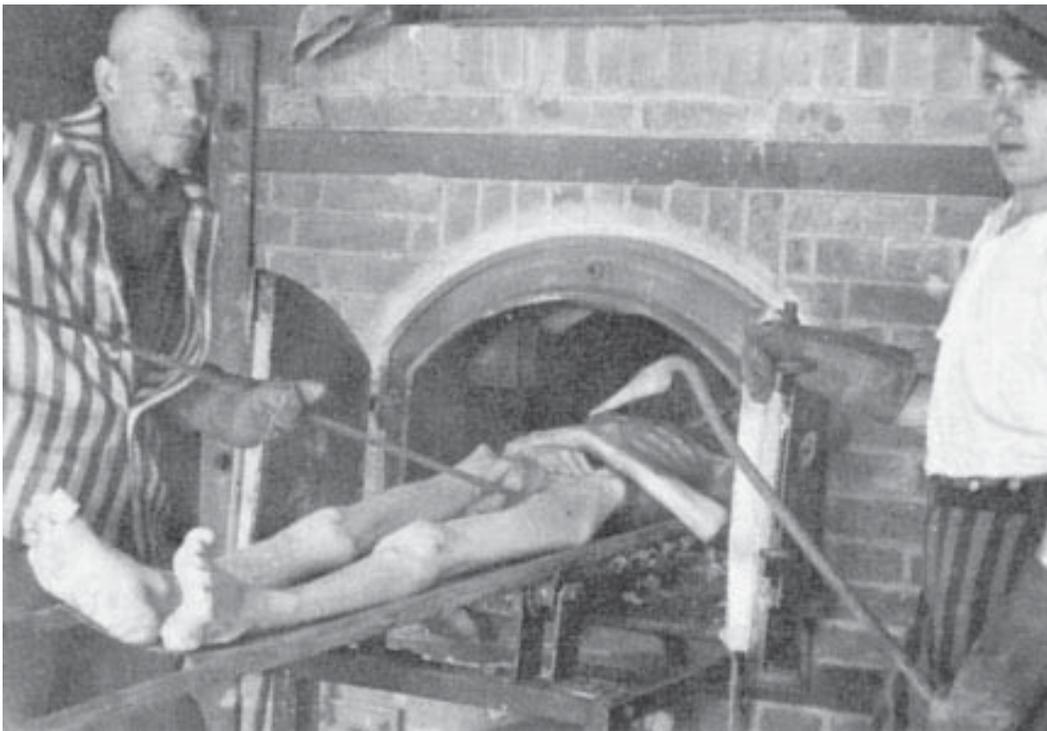


other means or were transported to the gas chambers at Castle Hartheim, which served the Mauthausen concentration camp near Linz, Austria. The prisoners at Dachau called these transfers of prison-

Witness to Barbarism



*Dachau prisoners position the body of an emaciated comrade in the crematory.*



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ers 'Heaven Transports.' The name came from the prisoners at Dachau who worked in the supply section. The Nazis received back the clothing and prosthetic devices, such as artificial legs and arms, of those prisoners who had left Dachau on these transports and who no longer had any use for these things because they were dead. These materials were recognized by the prisoners at Dachau when returned there for reuse. Both Buchenwald and Flossenburg camps had their own gas and cremation facilities."

### **Chapter 9, page 113, new paragraph 3:**

According to Col. William D. Denson, chief trial judge advocate for the prosecution of the Dachau concentration-camp case:

"Guilt had to be established beyond reasonable doubt and to a moral certainty. This is the same standard used in the state and federal courts in the United States and in military government courts. We accorded the defendants the presumption of innocence, as in United States courts. That had not been afforded in German courts.

"I believe the way the military government courts handled these rules comported very favorably with our concept of providing due process. That is, each accused had a right to written charges, to a trial, a right to confrontation by his accusers, a right to be represented by legal counsel and a right to enter a plea of not guilty. If he did not plead, a plea of not guilty was entered for him. This automatically cast the burden on the prosecution to prove the offenses charged beyond a reasonable doubt and to a moral certainty.

"In the Dachau trial, all proceedings were conducted in both German and English as well as in the language of the witness then testifying, and the defendants had the right to cross-examine any

witnesses against them. They also had the right to present evidence on their behalf and to testify themselves, or to remain silent. The defendants exercised these rights at the trial. The procedures were like those used in peacetime in any state or federal criminal court in the United States.”

**Chapter 9, page 116, new paragraph 1:**

According to Col. William D. Denson, chief trial judge advocate for the prosecution of the Dachau concentration camp case:

“Karl Koch, kommandant at the Buchenwald camp, provided a flagrant example of how those in charge profited on human suffering. Tried, convicted in a German court late in the war for mistreating prisoners, and sentenced to be hanged, he was pardoned by SS chief Heinrich Himmler. Later he was tried, convicted, and executed for embezzling six million marks from the funds supplied to him for defraying the costs for maintenance of the camp, including food, clothing, and other needs of the prisoners. [Ilse Koch, Karl’s wife, was notorious for making lampshades, gloves, and purses from tattooed human skin.]”

**Chapter 13, pages 152, new paragraph 3, and 154, new paragraph 2:**

According to Col. William D. Denson, chief trial judge advocate for the prosecution of the Dachau concentration camp case:

“The phrase *common design* derives from the common law of England. In order to justify receipt of evidence or testimony from witnesses who were there at various periods, but not at the same time nor continuously during that period of time, it was essential to have some mechanism that would permit receipt in evidence of that type of testi-



*The author and Col. William D. Denson in New York, 1984.*

mony. Also, the phrase is anathema to the superior-orders defense. In order to invoke the defense of superior orders, the act that is commanded must be of such nature, that if performed by the person to whom the order has been given, and is known to him to be illegal, he does not have to perform it. If he does such an illegal act, superior orders constitute no defense.”

**Chapter 18, page 201, new paragraph 3:**

Col. William D. Denson, chief trial judge advocate for the prosecution of the Dachau concentration-camp case, said that learning to overlook brutality or even to become its perpetrator was the result for many of those who had to live and work in Hitler’s Germany and in the camps:

“I recall an exceptional case in which a camp doctor came from a normal background. When he became a doctor he was sent with the German army to the Russian front, where he was wounded. Because of his wound, he was assigned to interior zone duty. He was sent to a medical unit in a concentration camp near Berlin—Oranienberg

[Sachsenhausen], I believe. There he was known as ‘the angel of the camp.’ Whenever a prisoner was really debilitated and absolutely worked down to a nub, this doctor would give him rest and rehabilitation, and the prisoner would be excused from going out on the work details. He did that for any prisoner, regardless of nationality or religion.

“Later, he was sent to Dachau, where he changed completely. He began to cuff prisoners around or report them to the guards for beatings. On one occasion he kept prisoners standing at the roll-call place for a number of days just after they had been brought into camp without having had any food or water. Many collapsed and died in their tracks.

“He was later transferred to the Buchenwald camp. That’s where he started his butchering. If a man came to the hospital with an infection in his finger, the doctor wouldn’t treat the infection; he just cut off the finger. If he saw a prisoner wearing a yellow triangle that had a black triangle superimposed on it [which meant Jew married to a Christian], he would say ‘Kommen Sie hier’ [come here]. If he felt like he wanted to increase his experience in the resection of a stomach, he would remove a part of the prisoner’s stomach. If the prisoner lived, he was lucky. If he didn’t, it made no difference. The change in the doctor’s conduct was like a snowball rolling down a hill. The more he was exposed to the brutality prevalent in the camp, the more it rubbed off on him. He became a brute, despite his background. He was the son of a Lutheran minister and had been very compassionate in his early medical career.

“I suppose that change of conduct would happen to anyone, even you or me, if we lived in that kind of environment.”

## *Glossary*

- AA.** Anti-aircraft. Land-to-air missiles intended to disable or destroy enemy aircraft. Proximity to target aircraft triggers device.
- Adjutant.** Attendant to a commanding officer, used to accompany and help, in many ways.
- Anti-Comintern Pact.** Anti-Communist International Pact.
- Antwerp, Belgium.** The second seaport (after Normandy) used to supply Allied troops.
- APO.** Army Post Office.
- Ardennes Offensive.** Battle of the Bulge.
- BBC.** British Broadcasting Corporation. Principal radio voice for Allied forces.
- Blitzkrieg.** Literally lightning war, a sudden, all-out attack of such force as to assure victory.
- Capo.** A prisoner trusted to maintain order in the bloc (barracks) and to perform other duties assigned by a Death's Head guard in a concentration camp.

**CO.** Commanding Officer.

**Commuted.** Reduction of sentence for death or imprisonment.

**C ration.** A tin-can ration, usually of beef stew or beans with ham, carried by U.S. soldiers.

**DP.** Displaced person.

**Dugouts.** Large holes dug in the side of a hill or underground, heavily roofed or barricaded.

**Engineerst.** A special section of trained engineers, primarily building roads and bridges.

**Flak.** Fragments of an exploded cast-iron shell. Used in anti-aircraft, anti-personnel, and artillery shells.

**Flares.** A light attached to a small parachute, usually made of phosphorous.

**Formation place or ground.** Area of the concentration camp where prisoners line up or stand at attention, or report for roll call or duty.

**Foxhole.** Hole dug in ground to protect one or more soldiers from shrapnel and bullets.

**Gauleiter.** Leader of a *gau*, a larger division of the Nazi party. Usually centered in a large city.

**Gear, normal.** Backpack with blanket, underwear, toilet articles, and rifle.

**Gestapo.** Geheime Staatspolizei. Secret state police.

**GI.** Government Issue. Term applies to drafted U.S. soldiers. Nobody knows how it got started.

**Hedgerows.** Land boundaries developed by the Normans in the 11th century. Strips of trees and brush separate a pair of three-foot ditches dividing two-acre sections of land.

**Heidelberg scar.** A scar incurred in a fencing match.

**Hitlerjugend.** Hitler Youth.

**HQs.** Headquarters.

**Ivans.** Russian soldiers.

**JAGD.** Judge Advocate General's Department, a lawyer in command of a staff of lawyers and nonlawyers acting as clerks or typists.

**Jeep.** A "General Purpose" vehicle. The natural sound of GP.

**Kreisleiter.** Leader of a *kreis*, or district, a smaller division of the Nazi party. Sometimes a cluster of small towns, having one Burgo-master, one clerk, one vital recorders keeper, and so on.

**Lebensraum.** Living space for a greater Germany. Hitler's excuse for attempting to conquer Europe.

**Maquis.** French Resistance fighters.

**MG.** Military Government. A group on staff of a division, controlling civilians in conquered territory. Duties include maintenance of law and order, supervision of coasts, civilian supply, public health, money, banking, commerce, labor, education, records.

**Mine.** An explosive device, usually dug into the ground, close to the surface of the earth, intended to destroy tanks and other vehicles, or to cripple or kill soldiers. Triggered by pressure, slight when intended to blow off the foot of a soldier, greater when used to kill as in the case of a "Bouncing Betty."

**MP.** Military Police.

**Napoleon, Bonaparte.** French dictator who crowned himself emperor in 1804 and was defeated in his attempt to conquer Europe 1815, at Waterloo.

**No Man's Land.** The earth space between dug-in soldiers on both sides, usually mined.

**NSDAP.** Nationalsozialistische Deutsche Arbeiterpartei. National Socialist German Worker's Party. Nazi Party, for short.

**Parade rest.** A position with feet slightly apart, left arm at rest, and rifle held with right hand, muzzle up and butt at feet.

**Phlegmon.** Diseased blood.

**Pontoon, steel.** Airtight floating device with steel or wooden stringers on top, for use as a temporary bridge. Held by cables to either side of river. Strong enough to handle tanks, ducks, and other heavy vehicles.

**POW camp.** Prisoner of War camp. Place designed to detain captured enemy soldiers.

**Pup tent.** A tent made by connecting of two pieces of canvas, one carried by each soldier. Officers usually have a complete tent.

**Redoubt, or National Redoubt.** French word meaning secret place to conceal army and equipment. In text, meaning the Alps area abutting Bavaria.

**Reichsleiter.** Top-ranked person in Nazi party.

**SA.** Sturmabteilung. Stormtrooper units, also called brown shirts.

**SD.** Sicherheitsdienst. Security Service. Often worked with Waffen (armed) SS, mostly capturing individuals disloyal to Naziism.

**Sepsis.** A form of blood poisoning.

**Siegfried Line.** A line of fortifications, usually protecting a national border from invasion; or protection of a river from crossing. Named after a figure in German mythology.

**Slave laborers.** Persons taken from conquered territory by Germans and forced to work against their will in concentration camps in Germany and elsewhere. Used as replacements for German draftees, in direct violation of Hague Treaty.

**Spitfire.** British fighter plane.

**SS Schutzstaffel.** Guard detachment, containing the following:

1. Allgemein. Civilian SS. Diplomats, industrialists, doctors, lawyers, state employees, etc.
2. RSHA. National Security Office. Most important bureaus were Bureau III, the SD (Sicherheitsdienst, Security Service inside the Reich); Bureau IV, the Gestapo; and Bureau VI, Foreign Intelligence.
3. Waffen-SS. Armed SS.
4. Death's Head Battalion. Wore skull-and-crossbones on fez and black SS uniforms. Concentration camp guards.

**Star of David.** A six-point star used to identify person as Jewish.

***Stars and Stripes.*** U.S. Army tabloid, usually of eight or more pages, giving information on U.S. troops and commanders, movements of the army including maps, and news from the States.

**Static defense.** Situation in which both sides of a conflict occupy trenches so that neither side may advance.

**Strafe.** Bullets fired in a stream, usually from an airplane. About every tenth bullet is a red tracer, enabling the pilot to see the direction of bullets.

**Subcamps.** Small camps housing slave laborers. Strung along a railroad, highway or river, in woods, making parts to be assembled at a "mother" concentration camp, like Dachau. Designed to avoid Allied air bombing and artillery.

**Ultra Secret.** An American system for scrambling Allied radio messages and unscrambling German messages. The Germans used the Enigma machine, a device that used three wheels set in like positions and changed daily.

**Volkssturm.** People's Militia, or home guard.

**V-1.** A heavy bomb, contained in a jet-powered missile, made to burst at a predetermined time (when a certain amount of fuel has been used or when the bomb runs out of fuel and explodes on impact).

**V-2.** A rocket propelled by fuel providing thrust. Loaded with a heavy bomb triggered by impact and faster than a plane. There was little defense against it other than barrage balloons anchored by cable to the ground.

**WAC.** Women's Army Corps, successor to the WAAC, or Women's Army Auxiliary Corps, started in May 1942.

**Wehrmacht.** The German army.

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