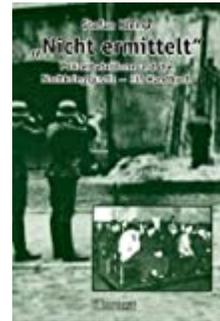


Stefan Klemp. *„Nicht ermittelt“: Polizeibataillone und die Nachkriegsjustiz. Ein Handbuch.* Münster: Klartext Verlag, 2005. 503 S. EUR 34.90 (cloth), ISBN 978-3-89861-381-1.



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Crime and Punishment? German Police Battalions during and after World War II

At least 500,000 people—mostly Jews—were killed by German *Polizeibataillone* (police battalions) during World War II. In his new book, Stefan Klemp increases this conservative estimate up to one million deaths, including fatalities arising from other deadly tasks such as deportations, ghetto liquidations anti-partisan warfare, mass executions and even, in Italy and Serbia, guard duty in concentration camps. These immense figures no longer come as a big surprise, as Christopher Browning and Daniel Goldhagen have already shed some light upon the police battalions during their debate about “ordinary men” vs. “ordinary Germans”.^[1] But until now the story of only a few of these murder-brigades has been told, although a new overview has been presented on the battalions in general ^[2]. Thus, Klemp’s handbook will fill a gap. Since 1998 and his work on police battalion 61,^[3] Klemp has been researching the history of these units. To date, he has identified some 125 battalions and regiments—a regiment being composed of three battalions, each with about 500 men divided into three companies, roughly 50,000 policemen in total—not including *Gendarmerie-* and *Wachbataillone*, *Schutzmannschaften*, *Selbstschutzeinheiten* and *Polizei-SchÄ¼tzen-Regimenter*.

In its main section with almost 300 pages, the book provides information about the different police battalions, their history, activities, atrocities and sometimes even about their leading personnel in entries of varying length. This material is augmented with an overview of the most relevant sources. These mainly consist of investigations by German prosecutors, first and foremost the Zentralstelle bei der Staatsanwaltschaft Dortmund and the Zentrale Stelle der Landesjustizverwaltungen Ludwigsburg. All information is summarized in an excellent tabular appendix, which lists facts and figures and references to the relevant pages of the book.

These elements alone would make this title a must-have for most Holocaust researchers. But Klemp’s book is more than a listing of data. In a chapter providing an overview, the results of a seven-year research project give new evidence about the crucial role of the battalions during the “Final Solution.” Based on a huge amount of data, Klemp can universalize Browning’s research on the “ordinary men” of Battalion 101. The book shows that almost all police squads consisted of volunteers of different professions and descents seeking good, secure

jobs, grouped together only due to a common regional origin. But as almost all troops in the east and west took part in criminal actions, these Germans executed an actually-existing or only anticipated mutual intention and did not necessarily require any instructions or commands (p. 31). Furthermore, Klemp concludes, by taking into consideration the sheer number of policemen and their victims, that the battalions were able, “die Logistik des Massenmordes wenn nicht zu organisieren, so zumindest zu praktizieren” (p. 70). Thus, their contribution to genocide was in certain parts larger than that of the Einsatzgruppen and had a greater variation than that of either the SD or the Wehrmacht. While this conclusion is valuable and might have been expanded upon, Klemp’s writing on the policemen’s everyday life is not as sound as the analysis of it. His descriptions are not very dense and do not contain much that is new. This characterization is also true for his assertions on insubordination; both topics have been dealt with by Browning in a more sovereign manner.

But though this oversight is only slight, not decreasing the work’s worth, the reason for the lack of covered sources on this topic leads straight to the second part of the book. Klemp by and large confines himself to investigational sources put together by German prosecutors. These files rarely have much to say about the policemen’s off-duty lives, because they are composed mostly of interrogations of the policemen. Nevertheless, they do provide information about how Germany dealt with its National Socialist past and the crimes perpetrated during World War II. What the book demonstrates can only be called a failure of justice. Of 220 investigations against members of 90 different police units, including 75 police battalions, only 29 charges were made, leading to 15 sentences in West Germany, and 26 sentences from 35 charges in East Germany. For the extremely low quota in the Federal Republic Klemp gives several reasons: first and foremost, the administrators of justice were not willing to investigate—or did so only with limited enthusiasm—past crimes of their colleagues committed in a time everyone wanted to forget. Many of the investigators themselves had their own National Socialist backgrounds. For this reason, victims were hardly ever heard, Polish and Soviet cases were ignored due to ideological reservations, collusive agreements on evidence arranged by “comrade-organizations” were by and large

accepted and the excuse of “Befehlsnotstand” (the inability to refuse obviously criminal orders because of fear for one’s own life) was typically accepted as an excuse. The investigations often took ten years or even more, twenty years not being no rarity. In combination with the late initiation of such investigations in the fifties or sixties and insufficient staff, these circumstances often helped to protect the murderers, who eventually were too old to be sentenced—or in the end even deceased. Additionally, as the charge normally was not “murder” but “manslaughter,” it often fell under the statute of limitations. Moreover, and even more disconcerting, the possibility of pressure from general attorneys and politicians can not be excluded in all cases. Thus, even East German prosecutors did a better job of persecuting police criminals than West Germany. Although their more thorough and committed investigations were frequently carried out with help of the *Stasi*, which gave occasion to doubt whether they were conducted lawfully, their sentences were verified and confirmed after 1989.

Klemp has written an important work that truly is a handbook and reference guide. The volume will be of use and relevance for researchers for years to come, although it does not include non-German sources and misses some results of Eastern European historiography. Not only does it offer insights into the history of the German justice system after 1945, it also presents a digest on the police battalions and their crimes in World War II, the worth of which, especially in combination with the excellent index, can hardly be overestimated for anyone researching German professional crimes during World War II.

Notes

[1]. Christopher R. Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: Harper Collins, 1992); Daniel J. Goldhagen, *Hitler’s Willing Executioners: Ordinary Germans and the Holocaust* (New York: Knopf, 1996).

[2]. Edward B. Westermann, *Hitler’s Police Battalions. Enforcing Racial War in the East* (Lawrence: University Press of Kansas, 2005).

[3]. Stefan Klemp, *Freispruch für das “Mord-Bataillon”. Die NS-Ordnungspolizei und die Nachkriegsjustiz* (München: LIT, 1998).

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