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Norbert Frei. *Transnationale Vergangenheitspolitik: Der Umgang mit deutschen Kriegsverbrechern in Europa nach dem Zweiten Weltkrieg.* Göttingen: Wallstein Verlag, 2006. 656 S. EUR 44.00 (cloth), ISBN 978-3-89244-940-9.

Reviewed by Andrew Beattie (Faculty of Arts and Social Sciences, University of New South Wales [Sydney])

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The Prosecution of Nazi Criminals across Europe

This substantial volume originated–editor Norbert Frei explains in his afterword–in his desire for knowledge about the postwar treatment across Europe of Germans who had committed war and other crimes under Nazi rule. The book thus represents a European counterpart to Frei's influential study of *Vergangenheitspolitik*, as he designated the politics of amnesty and integration of former Nazis in 1950s West Germany.[1] His introduction to this impressive collection sets out a number of questions for his contributors. They were to discuss the preconditions of postwar states' approaches to German crimes, such as the nature of German occupation and local collaboration and the presence of lynch justice at liberation; the retributive policies pursued and the legal norms and mechanisms with which they were implemented; the relationship of trials to the development of national cultures of memory; and the reactions of national publics and governments to German responses to the trials and to West German lobbying over the issue. Each of the fourteen chapters is a detailed, informative, and engaging study written by an undoubted expert. The book's major strength lies in its systematic presentation of the central features of a wide range of postwar states' investigations, prosecutions, punishment and subsequent release of German criminals. Each chapter presents a fascinating story, addressing the surrounding legal and public debates and generally contextualizing developments well against specific national experiences of the war and the postwar settlement. In short, the authors really deliver, even if–as Frei acknowledges–they are not all in a position to answer (or pose) all of the above questions.

Of most obvious interest to historians of Germany will be the chapters on trials that took place on German territory. Annette Weinke (who expertly translates several chapters) examines domestic prosecutions (as opposed to those conducted by the occupying powers) in the FRG, GDR, and Austria. She credits Austria with making more substantial efforts than the popular myth that Austria was Adolf Hitler's first victim would suggest. For the Federal Republic, Weinke stresses the importance of "soft" factors, such as the preconceptions and motivation of the judiciary, rather than hard legal hindrances to far-reaching efforts at prosecution. Weinke does an excellent job of synthesizing the literature on this reasonably familiar territory and setting analytical and in-

terpretative accents.

The next four chapters examine the policies and practices of the four occupying powers: the United States (Frank Buscher), the United Kingdom (Donald Bloxham), the Soviet Union (Andreas Hilger), and France (Claudia Moisel). Particularly useful here is the holistic approach of addressing each state's involvement (and priorities) at the International Military Tribunal at Nuremberg alongside the trials they conducted in their individual occupation zones and (with the exception of the United States) at home. Treating these various contexts as a whole constitutes a considerable advance on previous accounts. Again, the authors provide excellent syntheses of the extensive research they and others have conducted, and the inclusion of issues concerning the release of convicted criminals is a welcome addition to accounts that frequently end with sentencing.

The next contributions address Germany's neighbors to the north and west: the Netherlands (Dick de Mildt and Joggli Meihuizen), Belgium (Pieter Lagrou), Denmark (Karl Christian Lammers), and Norway (Stein Ugelvik Larsen). They display a range of intriguing differences that are nonetheless outweighed by commonalities: numbers of Germans brought to trial were low and those convicted benefited in the early 1950s from substantial reductions in sentences and widespread releases. Indeed, this picture applies to Europe in general, with some exceptions. While most authors remark on the relative treatment of national collaborators and German occupiers, they understandably address the latter more concertedly than the former. Generally speaking, punishment of national traitors began earlier and proceeded with fewer legal obstacles, whereas prosecution of Germans began later and was limited and prolonged by concerns for legality (not least by the widely felt need to await the Nuremberg verdict). As a result, German criminals benefited from the passage of time and the development of new Cold War constellations, which the Federal Republic exploited to full advantage. It would be interesting to consider systematically whether convicted national collaborators enjoyed similar social tendencies towards clemency as their German counterparts.

The situation in Poland (W?odzimierz Borodziej) and Czechoslovakia (Kate?ina Ko?ovÃ¡ and Jaroslav Ku?era) differed from the general pattern in numerous respects. Here, matters were complicated particularly by nationality politics. To many ethnic Poles, Czechs, and Slovaks, collaborators and criminals were almost by definition *Volksdeutsche*, *Sudetendeutsche*, and Hungarians, respectively. Indeed, Ko?ovÃ¡ and Ku?era demonstrate the close connections (indeed the competition) between expulsion and prosecution of the ethnic German population. Whereas elsewhere the prosecution of Germans began later than–and often only after–the reckoning with national collaborators, in Poland and Czechoslovakia the proportion of local nationals among those prosecuted increased over time, while that of "Germans" decreased as so few remained. In these cases, too, considerable readiness was shown to criminalize membership in various Nazi organizations and the release of German convicts in the early 1950s was not as complete as in western Europe. Borodziej stresses that it is not clear how much politics were involved in decisions to release or retain prisoners.

Hagen Fleischer and Filippo Focardi offer the most disturbing cases of justice denied in their chapters on Greece and Italy. Whereas other authors hint at the efforts of the West German government on behalf of suspected and convicted German criminals, Fleischer traces the results (and the tone) of concerted West German efforts to apply economic pressure and offer diplomatic enticement to successive Greek governments, which effectively suspended investigations, handed over responsibility for prosecutions to West Germany, and agreed–at least in the 1950s–to look the other way when little resulted. Focardi highlights early Allied–especially British–concerns about Italian capacity to try German criminals; yet the British themselves were more severe on Italians who had committed crimes against British and American POWs than on Germans who had committed crimes in Italy. Very few of the Italians' own investigations of German crimes resulted in trials, and officials were increasingly concerned that pushing strongly for the extradition of suspects would leave Italy vulnerable to other countries' claims on its own nationals. Here, as everywhere, the German states' integration into their Cold War blocs contributed to this trend. Not until the 1990s were investigations laid to rest before 1960 resurrected.

The volume thus presents a welcome pan-European compendium on judicial reckoning with German criminals. In this context, the final, interesting chapter on Canada by Ruth Bettina Birn–formerly a leading historian on the Crimes Against Humanity and War Crimes Section of the Canadian Ministry of Justice–does not quite fit. Although a Canadian war crimes unit was active in the British zone of Germany in 1945/1946, most of Birn's chapter addresses efforts–from the 1980s–to prosecute or denaturalize and deport war criminals who settled in Canada; it thus stretches most understandings

of Europe's geographical boundaries. What is more, although Birn argues convincingly that in the Canadian context the nationality of the perpetrators was of secondary importance, most of the immigrants investigated were non-German eastern Europeans. The Canadian case thus differs considerably from the rest. According to Frei, other countries such as Israel were excluded for similar reasons.

If Birn's contribution strains the volume's subtitle, questions can also be raised about the two key concepts of the book's title. In his introduction, Frei highlights the transnational nature of wartime and immediate postwar discussions amongst the Allies about the treatment of German criminals. Yet transnational cooperation, he argues, reached its zenith with the establishment of the International Military Tribunal. Indeed, the questions pursued by the contributors are primarily national and, to a lesser extent, international in focus. The specifically transnational remains rather elusive. Ultimately, the volume presents a collection of national studies, on the basis of which Frei's introduction provides a useful–if necessarily tentative–taking stock of the numbers of Nazi criminals prosecuted across Europe.

The specific contribution of the term *Vergangenheitspolitik* in this context is also a little unclear. In contrast to Frei's study of 1950s West Germany, the present volume focuses more on prosecution than on the amnesty and release of German criminals. In fact, a striking, if minor feature of several chapters is the return of West German activism after the 1960s, now with the aim of promoting rather than hindering prosecution. Although *Vergangenheitspolitik* originally referred to amnesty and integration as the specific priorities and strategies of the early Federal Republic, here it designates any set of state policies–whether punitive or lenient–towards perpetrators of Nazi crimes. Unfortunately, the term is not expounded upon, nor is it used by all of the contributors.

Such terminological quibbles notwithstanding, the volume makes a highly valuable contribution by systematically presenting the complex, contested efforts to prosecute German criminals across Europe. It highlights the many different contexts in which those efforts were made and provides a firm foundation for their comparative analysis. Scholars and students would undoubtedly welcome an English translation.

Note

[1]. Norbert Frei, *Vergangenheitspolitik: Die AnfÃ¤nge der Bundesrepublik und die NS-Vergangenheit* (Munich: C. H. Beck, 1996).

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