The Trial of a Nazi Doctor

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Franz Lucas as Defendant, Opportunist, and Deceiver

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Preface

> The best way to defend oneself against the invasion of burdensome memories is to impede their entry, to extend a *cordon sanitaire*. It is easier to deny entry to a memory than to free oneself from it after it has been recorded. . . .
>
> It remains true that the majority of oppressors, during or (more often) after their deeds, realized that what they were doing or had done was iniquitous, or perhaps experienced doubts or discomfort, or were even punished, but their suffering is not enough to enroll them among the victims. . . .
>
> Compassion and brutality can coexist in the same individual and in the same moment, despite all logic; and for all that, compassion itself eludes logic.
>
> —Primo Levi, *The Drowned and the Saved*

My interest in Franz Bernhard Lucas began in 2006, the centennial of Hannah Arendt's birth, when I read her essay on the Frankfurt Auschwitz trial and was captivated by her description of how Lucas took the proceedings more seriously than his codefendants, even though he professed a poor memory of events and witnesses. My colleague Jennifer Good and I were beginning to collaborate with the Hannah Arendt Institute for Totalitarianism Studies (HAIT) in Dresden, based on our study abroad trips to Dresden. At the time, I was pursuing other projects while fielding a heavy administrative and teaching load at Baylor University. Thanks to the initiative of HAIT researchers Gerhard Besier and Katarzyna Stokłosa, the four of us cosponsored conferences on Hannah Arendt in Dresden and, together with Marc Ellis, in Waco, Texas as well.

The more I explored the great secret of the Nazi years, the more I learned to identify postwar tropes of deception. In response to a question on a Vienna Wiesenthal Institute Zoom session in 2020, I identified my method as endlessly orbiting over a topic or statement or justification until it revealed something—a rewarding tedium that historians, lacking the deadlines of jurists, can afford. My first attempts at making sense of Lucas were dilettantish. Deeper work had to

wait until my research leave in 2010–11. If I am now asked, Why this topic, this figure, this premise? I explain my dedication as crossing a threshold, doing away with assumptions, and uncovering deception. Role models for me from the 1960s are the Mannheim state attorney Barbara Just-Dahlmann, the Frankfurt adjunct prosecutors Christian Raabe and Henry Ormond, the Hessen attorney general Fritz Bauer, the Holocaust historian Raul Hilberg, and Hermann Langbein, survivor/witness/historian from Vienna, to name a few.

My project gained dimensions as I took advantage of opportunities. For example, while returning from a conference in northern Galilee, I spent a day at the Schleswig State Archive skimming the Kiel prosecutor's office's investigation (1955–57) of Dr. Carl Clauberg, trying to find connections to Lucas beyond their sterilizations of Sinti and Roma prisoners at Ravensbrück in early 1945 (Clauberg the women, Lucas the men). I also became adept at making day trips to archives in Koblenz from Frankfurt, or to Berlin from Dresden. I remember one upsetting day in May 2012 at the Hesse Main State Archives in Wiesbaden. I had just read how Lucas's acquittal in 1970 allowed him to return to practicing medicine with fully restored rights, the same rights that Germany had stripped from its Jewish citizens some thirty-five years earlier. This made as much sense to me as the principle of *nulla poena sine lege* that begins the German Criminal Code: "An act can only incur a penalty if criminal liability was established before the act was committed."[1] The principle rightly protected a defendant's rights, but it needed reexamination in light of the Holocaust. Until the trial verdict against John Demjanjuk on 12 May 2011, this principle of no punishment without law had wielded more importance than the moral courage to rewrite it in the aftermath of genocide. When the verdict was read, I was at the Fritz Bauer Institut in Frankfurt interviewing Christian Raabe (1934–2022), who reflected on his interactions as adjunct prosecutor with Franz Lucas in the Frankfurt Auschwitz trial. After my conversation with Raabe, archivist Werner Renz handed us copies of the closing arguments of Cornelius Nestler, adjunct prosecutor for the plaintiffs against Demjanjuk. Renz, who arranged the interview with Raabe and granted access to documents and audio files, deserves special thanks for accommodating the fumbling researcher I was at the time.

I expect I will always be intrigued by how persons justify their atrocities. Consider Kurt Gerstein, whom Alf Lüdtke and Saul Friedlander have analyzed with remarkable insight.[2] Gerstein, a pious Christian in the Waffen-SS, remained enmeshed in discussions of how to kill with Zyklon-B gas, supposedly in order to bear witness to its horrors. This is an insult to countless camp prisoners who explained that the need to bear witness made their survival even more essential. Gerstein remained idealistic but apparently fractured enough to take his own life. The "good German" Franz Lucas, for his part, became disillusioned, *gottgläubig* (SS for theistic), and split between opportunism and revulsion. Primo

Levi's words about impeding painful memories, claiming victimhood, and exercising brutality and compassion apply to both men.

Notes

1. Retrieved on 28 October 2023 from https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html#p0015.
2. Friedländer, *Kurt Gerstein;* Lüdtke, "Bann der Wörter."

Acknowledgments

The subfolders of my email account show correspondence with state archives in Wiesbaden, Duisburg, and Schleswig, federal archives in Berlin, Freiburg, Koblenz, and Ludwigsburg, and university archives in Rostock and Münster. Archival help has come from the memorial sites at Ravensbrück, Sachsenhausen, Auschwitz, Stutthof, and Mauthausen. My gratitude extends to the Elmshorn City Archive, the Archiv der Evangelischen Kirche im Rheinland (Düsseldorf), the Gedenkstätte Deutscher Widerstand (Berlin), the German National Library in Leipzig, the NIOD Institute for War, Holocaust, and Genocide Studies (Netherlands), the International Tracing Service, Norway's Resistance Museum, and the city archive of Bad Oeynhausen. My subfolders feature the National Archives and Records Association, the United States Holocaust Memorial Museum (USHMM), and Yad Vashem. Military files provided by Stephan Kuehmayer of WASt-Berlin were a game changer. Nina Burkhardt sent copies of Dutch newspapers, which Marcel van Es and Jolene Damoiseaux translated for me locally.

At Baylor University, Tom Hibbs, Honors College dean, connected me with his friend Dan Napolitano at the USHMM, who arranged meetings with librarians and scholars. Katharina von Kellenbach, Ronald Coleman, and Elizabeth Anthony provided helpful leads. Conversations with Stefan Hördler, an expert historian on Nazi trials past and present, were crucial. In Germany, Marco Pukrop, who knows the history of Nazi doctors like few others, read through my manuscript and offered excellent comments. I have learned much from him. A conversation with Christian Dirks was as helpful as his biography on Horst Fischer. Dr. Sabine Hildebrandt, from Harvard, has been inspirational since I first met her in Israel. Susan Benedict, Kate Docking, Stephan Nolte, Oksana Dmytruk, and Sari Siegel have been friendly interlocutors along the way.

During and after my fellowship at the Vienna Wiesenthal Institute in the spring of 2020, shortened by COVID-19 closures, Éva Kovács arranged Zoom meetings and offered encouragement, as did the other fellows in my cohort. Herwig Czech contributed helpful comments to a virtual presentation, and Peter

Black gave helpful feedback on an article during that time. Baylor University granted a research leave and travel funds. My immediate boss, Jennifer Good, has watched the project germinate since our earliest trips to Dresden together. Friends who have put up with my ruminations include Stephen, Adrienne, Sharon, Rob, William, Jake, Ben, and Neal. Book club and parish friends have followed suit. Finally, Mark Stanton was patient as I followed the rich advice of Berghahn reviewers.

I am trying to assemble all the linkages of law, military history, medicine, psychology, and memory that this book has invoked. I started with a microcosm that I had to embed in a macrocosm. If I have still not yet read myself up to speed, I have at least reached the pace of hiking, a love I share with my wife Lynn. Besides encouraging me to close the laptop, Lynn has endured the long vetting process and my unconvincing responses of "as soon as," "once I hear back from," "I just need to," and "I don't know." I owe her more than I can say.

Abbreviations

AP	*Der Auschwitz-Prozess: Tonbandmitschnitte, Protokolle, Dokumente*. Fritz Bauer Institut Frankfurt am Main and Staatliches Museum Auschwitz-Birkenau. DVD-ROM. Berlin: DirectMedia, 2007
BArch	Bundesarchiv (Federal Archive). Nachlass Rudolf Aschenauer BArch N642
BGH	Bundesgerichtshof (German Federal Supreme Court)
FBI/LF	Sammlung Frankfurter Auschwitz-Prozesse, Fritz Bauer Institut (Frankfurt am Main), Smlg StA Ffm (District Attorney of the Frankfurt am Main Regional Court Collection), Lucas File
FL	Franz Lucas
HHStAW	Hessisches Hauptstaatsarchiv (Hesse Main State Archive, Wiesbaden) Abt. 461, Nr. 37638: Staatsanwaltschaft bei dem Landgericht Frankfurt am Main: Strafverfahren Robert Mulka u.a. (1. Auschwitz-Prozess) Az: 4 Ks 2/63
HS	Hermann Schlingensiepen
IMT	International Military Tribunal (Nuremberg)
LG/FaM	Landesgericht / Frankfurt am Main (District Court)
NHM	Natural History Museum (Oslo, Norway)
NSDAP	Nationalsozialistische Deutsche Arbeiterpartei (National Socialist German Workers' Party, or Nazi Party)

OLG/FaM	Oberlandesgericht / Frankfurt am Main (District Court of Appeals)
RA	Rudolf Aschenauer
RSHA	Reichssicherheitshauptamt (Reich Security Main Office)
RuSHA	Rasse- und Siedlungshauptamt (Race and Settlement Main Office)
SHD	Sicherheits- und Hilfsdienst (Security and Assistance Service)
SHLA	Schleswig-Holstein Landesarchiv
SL	Susanne Lucas
SS-FHA	SS-Führer-Hauptamt (SS Leadership Main Office)
SSO	SS Officer Personnel File, National Archives and Records Administration (College Park, MD)
Strafsache Lucas 1970	Öffentliche Sitzung des Schwurgerichts 4 Ks 2/63, Strafsache gegen Dr. Franz Lucas, Frankfurt am Main (20 August to 8 October 1970), HHStAW Abt. 461, Nr. 37368/361
USHMM	United States Holocaust Memorial Museum (Washington D.C.)
WASt	Wehrmachtsauskunftsstelle für Kriegerverluste und Kriegsgefangene (Wehrmacht Information Site for MIAs and POWs), Deutsche Dienststelle, Berlin
WO	War Office, National Archives, Kew, UK. Copies in United States Holocaust Memorial Museum (USHMM), Record Group 59.016M, Judge Advocate General's Office, War Crimes Case Files, Second World War, WO 235/3XX, Ravensbrück Case
WVHA	Wirtschafts-Verwaltungshauptamt (SS Economic-Administrative Main Office)
7 NL 016	Archiv der Evangelischen Kirche im Rheinland (Düsseldorf). Nachlass Professor Hermann Schlingensiepen, 7NL 016

Introduction

This book examines the career of the German SS medical doctor Franz Bernhard Lucas, who was born in Osnabrück in 1911 and died in Elmshorn, northwest of Hamburg, in 1994. It surveys a stretch of roughly fifty years, 1933 to 1983, in which Lucas bought into the promises of Nazism, covered up his involvement after the war, answered for his crimes, and returned to practicing medicine. During his time in the SS, Lucas served the longest in the death camp Auschwitz-Birkenau, after which he performed duties as camp doctor in the Mauthausen, Stutthof, Ravensbrück, and Sachsenhausen concentration camps. In the camps, Lucas showed more kindness than most SS personnel. In February 1944, for example, he opened the jeep door for Dina Gottliebová, a sixteen-year-old Czech Jewish prisoner, and drove her the short distance from the Theresienstadt family camp to the Gypsy family camp in Auschwitz-Birkenau.[1] He presented her to Dr. Josef Mengele as an illustrator for his experiments on the Sinti and Roma inmates there. In an interview she gave in 1998, Gottliebová expressed relief that after her audience with Mengele, Lucas drove her back to her barracks instead of to the crematorium.[2]

But Lucas showed his criminal side when he sterilized Heinrich Schenk, a German Sinti war veteran imprisoned in Ravensbrück, in January 1945. Several days after the incision, Lucas ripped apart the wounds that had since healed. When Schenk cried in pain, Lucas hissed, "Be quiet, you swine!"[3] These two examples show Lucas building a loyal following among some prisoners while treating others with hostility. Whether prisoners remembered him fondly or with horror, it was his selections of Hungarian Jewish deportees for the Birkenau gas chamber in May, June, and July of 1944 that made him a defendant twenty years later in the Frankfurt Auschwitz trial.

This trial bore the label 4 Ks 63, "Proceedings Against Mulka and Others," and lasted from 20 December 1963 to 20 August 1965. One of the most enduring commentaries about the trial came from the political philosopher Hannah Arendt, controversial for her documentation of the trial of Adolf Eichmann in Jerusalem in 1961, especially her use of the phrase "the banality of evil" to de-

scribe Eichmann. For the Auschwitz trial itself, Arendt furnished an introduction to the English translation of Bernd Naumann's compilation of the trial articles he wrote for the *Frankfurter Allgemeine Zeitung*. Arendt's comparison of the defendants on trial was my introduction to the figure of Lucas. She singled him out as the only defendant who "does not show open contempt for the court, does not laugh, insult witnesses, demand that the prosecuting attorneys apologize, or have fun with the others."[4] The minimum sentence for aiding and abetting murder—three years and three months—was, Arendt decided, too harsh for him: "Dr. Lucas had helped people from beginning to end; and not only did he not pose as a 'savior'—very much in contrast to most of the other defendants—he consistently refused to recognize the witnesses who testified in his favor and to remember the incidents recounted by them. . . . To be sure, none of the acquitted defendants, none of the lawyers for the defense, none of the 'exalted gentlemen' who had gone scot-free and had come to testify could hold a candle to Dr. Franz Lucas."[5]

There are problems with that assessment that I address later. For now, I should admit that although I believed Arendt at first, I became convinced over time that not even the most glowing endorsement lets a Nazi doctor off the hook. Because it is only natural for readers to be swayed by a convincing contrast, one of my chief aims is to complicate Arendt's verdict on Lucas. To do so, I will analyze Lucas's crimes and their impact on his victims, his humane actions and the prisoners who benefitted from them, his attempts to elude postwar discovery and avoid justice, and his eventual sentence, acquittal, and return to medical practice.

For all the talk of Lucas's character, his trustworthiness suffers from the fact that he spent over a year denying that he directed at least four thousand deportees on the Birkenau platform toward the lines for either labor or death. It took two weeks after Lucas's confession on 11 March 1965 to have him arrested, and only because adjunct prosecutor Christian Raabe went over the heads of the reluctant district court officials to win the approval of the appeals court. This says as much about the culture of the German criminal courts as Lucas's sentence of three years and three months in a Frankfurt penitentiary. As the sole defendant granted his appeal on 20 February 1969 by the German Federal Supreme Court (the Bundesgerichtshof, BGH), he faced a different Frankfurt district court when his retrial began on 20 August 1970, exactly five years after Judge Hofmeyer concluded the original trial. His acquittal on 8 October 1970, which failed to account for the seriousness of Lucas's crimes but reflected mitigating factors such as his doctoring abilities and resistance to criminal orders, became a foregone conclusion within the climate of West German postwar justice.

That is a rough overview of the trial. In the remainder of this introduction, I provide a short sketch of Lucas's career, touch on the postwar fate of fellow SS doctors and, because we hear very little from him that is straightforward and voluntary, convey something of his voice. I comment on what is at stake in postwar trials, situate Lucas's biography within the research on perpetrators, and review

the existing scholarship on Lucas. The background of the Frankfurt Auschwitz trial itself appears in the second half of my book.

Born on 15 September 1911 into the family of a master butcher in Osnabrück, Lucas was the second oldest of four siblings.[6] His younger brother died on the western front and his older brother on the eastern front, both in early 1944, and his mother died around the same time. This left his father and his younger sister, who sent him news from home during the war and testified on his behalf two decades later during the trial in Frankfurt. His status as the only remaining family son may have kept Lucas from active combat, since the deaths of his brothers came shortly after his paratrooper training in late 1943, which was considered service on the front. In his biography of Heinrich Himmler, Peter Longerich includes the wording of the SS and Higher Police Forces' "Last Sons" decree of 15 August 1942: "Your task, as soon as possible, is to ensure, through conception and birth of children of good blood, that you are not the last sons." This decree resulted in some SS doctors being "reclaimed" from the front, and may contribute to why Lucas performed duties as a camp doctor responsible mainly for prisoners, after serving ten months as a troop doctor in the Waffen-SS.[7]

Lucas grew up in a region heavily influenced by the Catholic Center Party. After beginning study at the Carolinum Gymnasium in Osnabrück in 1926, Lucas transferred to a Jesuit secondary school in nearby Meppen in 1930 and graduated with his Abitur (diploma) in the spring of 1933. That June, Lucas joined the SA (*Sturmabteilung*, storm troopers) and began studying medicine at the university in Münster. He remained in the SA until September 1934. In 1937 he transferred to the university in Rostock, where he completed his *Physikum*, or preliminary medical exam. He became a member of the Nazi Party in May 1937 and a member of the SS in November 1937. In 1939, just as German forces were overrunning Poland, he moved to Danzig (Gdansk). He completed a dissertation on ectopic pregnancies at the Danzig Medical Academy and passed the state exam on 26 July 1942. After being drafted into the Security and Assistance Service (Sicherheits- und Hilfsdienst, SHD) in Danzig for the remainder of the summer of 1942, he was ordered to Graz in Austria for three months of medical courses at the SS Medical Academy overseen by the Waffen-SS. There he was promoted to *Hauptscharführer* (head squad leader). His next stop was in Nuremberg to serve as junior physician for the troops of a Waffen-SS signal corps and military hospital. A promotion to *Untersturmführer* (lieutenant) followed in January 1943. In October 1943 he reported to an SS paratrooper unit near Prague to serve as a troop physician. During that stint a further promotion made him *Obersturmführer* (first lieutenant), the rank he retained for the remainder of the war. On Lucas's account, his transfer to paratrooper training was punishment for defeatist remarks he made over beer one evening in Nuremberg, and only an intercessory letter from one influential officer to another removed him from the dangers of parachuting and proximity to the enemy, although the paratroopers

saw no fighting until 1944, long after he was gone. Orders from Berlin assigned him to the SS Main Economic and Administrative Office (Wirtschafts- und Verwaltungshauptamt, WVHA), resulting in his transfer to Auschwitz in mid-December 1943. Was such a transfer an improvement of his situation, a deliberate punishment, or the result of being declared unfit for the front? In court, at least, Lucas indicated that everything that happened to him after 1943 was one long punishment.

Lucas assumed medical responsibility in Auschwitz II (Birkenau) for the Gypsy family camp (BIIe, for deported Sinti and Roma families) and the Theresienstadt family camp (BIIb, for the Jewish deportees from the Czech ghetto Theresienstadt). In early August 1944 he was transferred to Mauthausen, which he left in the second half of October for Stutthof. After Stutthof, he worked in Ravensbrück between mid-December 1944 and the last day of February 1945. As with all other camp transfers, Lucas attributed his transfer from Ravensbrück to Sachsenhausen to a falling-out with his superiors. Both prisoners and his colleagues asserted that Lucas's personality showed an obstreperous streak, although it was not uncommon for SS officers to resist some duties and carry out others. Evidence of less than zealous fulfilment of criminal orders mitigated a defendant's prison time under German law. To escape the charge of treason, Lucas hid his Nazi credentials upon fleeing Sachsenhausen in mid-April 1945, or at least trotted them out cautiously. After hiding out briefly in a villa near Potsdam, he made his way to Elmshorn, northwest of Hamburg. There he became a resident on 26 April 1945 and an assistant physician for the city hospital not long after the armistice on 8 May 1945. Successfully avoiding a denazification trial, he kept his Nazi past under wraps long enough to be named the hospital's director of gynecology in 1954. This is where the first half of my book ends.

The second half of my book explores the public scrutiny of Lucas from 1955 until his acquittal in 1970. The lies he told to avoid detection of his Nazi past have shaped my choices for recording his career. Even before entering the SS, Lucas made claims that appeared trustworthy and were accepted as stages of his biography. They were lies, however, that he continued after the war in order to escape the limelight. I believe that his denial of the sixteen months he spent in an SS uniform in camps that killed prisoners signals his dishonesty in other areas. Calling out this deception affects how I discuss sources, methodology, and current scholarship on Lucas. But first, it is worth asking how Lucas practiced deception in his manner of speaking and choice of topics.

Finding the Voice of Franz Bernhard Lucas

What are the utterances we hear from Lucas? We hear denials, curses, threats, protective claims, and partial confessions void of remorse. Mostly we hear a lot of

lies. For example, he claimed repeatedly that he studied philology for two years as a university student in Münster before turning to medicine. In the biographical sketch attached to his medical dissertation, he even asserted that he studied philology during his entire time at Münster, turning only to medicine when he arrived at the University of Rostock in 1937. Four years before the medical dissertation, Lucas attached a handwritten biography to his SS application that also mentioned philology. Both claims are refuted by his Rostock student record, which lists grades for his performance on the first part of his preliminary exam that he completed in March 1935.

Perhaps more interesting in the vita than a lie about philological study is a truth about Nazi formation. Lucas claimed that he rejected the views of his Catholic prep school teachers in Meppen because he was captivated more by what a radical Nazi named Josef Egert could teach him. If so, then Lucas was espousing Nazism before the Nazi regime came to power in January 1933, or at least ingratiating himself with its most ardent supporters. Later, however, when it served his advantage and supported his acquittal in 1970, Lucas dismissed his tutelage under Egert as a juvenile lie, claiming that Egert was not his mentor but only a friend of his uncle. The court was supposed to dismiss the lie, given the uncritical exuberance of the time—yet we should recall that at the time of his SS application he was no longer a teenager, but twenty-seven years old. It appears, then, that Lucas lied about studying philology because he was concerned that nine years of training to receive his medical license made him appear a slow learner. Considering the military interruptions of the time and the mobility of students, however, it was not unheard of to study so long. It is harder to determine whether the 1938 detail about his mentor Egert was a lie or simply an unguarded moment of truth captured as evidence in his SS file. Either way, the specificity of the detail shows his eagerness to belong to the SS. Quite possibly Lucas developed deceptive habits as a coping mechanism that the effects of war only exacerbated. If Lucas's selective deception was useful in his early adulthood for fitting in, in postwar Elmshorn and beyond it became a way to deny his Nazi chapter.

Lying about his university years was less grievous than lying about his war years. Lucas must have felt vulnerable when, in 1954, he threatened to sue for libel anyone who identified him as a Nazi. Ironically, the very magistrate's office that he informed of his intentions fired him from the city hospital at the end of 1962 as his Nazi past came to light. Well before then, Lucas had begun being interrogated about his former Sachsenhausen colleagues under investigation by state attorneys in other jurisdictions. The account he gave of his own whereabouts in 1944–45 began as a lie and continued that way. By the time Lucas himself became the target of interrogations during the investigative phase of the Auschwitz trial, blatant fabrications no longer shielded his past. In Frankfurt, the prosecutor Joachim Kügler and the court magistrate Heinz Düx, armed with SS records that challenged Lucas's narrative, posed questions that now forced him

to downplay his role in selecting thousands of Jewish deportees in the spring and summer of 1944. Over the course of pretrial and trial hearings, he admitted first to performing ramp duty under duress, then to having resisted from the very start, then to caving in to orders out of fear. In his acquittal, he alleged becoming more resistant over time to the *Schweinerei* (disgraceful behavior) he encountered.

Lucas's chameleon-like responses are a reminder that a defendant's choice of topics draws attention away from what he would like kept quiet. Lucas's opening statement in court on 27 January 1963 focused on the few improvements he could make in Auschwitz-Birkenau due to limited resources. Instead of describing the expectation that he be present at floggings or prisoner selections, he complained about the inadequate daily caloric intake of the prisoners and the refusal of superior officers to honor his requests—while perhaps partly true, this was a typical ploy of camp doctors on trial. What exactly the silence of Lucas was hiding was not always clear, and he and his lawyers were not obliged to address areas not listed on the formal indictment.

Along with his selective speech and guarded silence, and despite Arendt's impression of him, Lucas cultivated a habit of denial in keeping with his fellow defendants. One need only consider his role supervising the family camps in Birkenau that were "liquidated"—the Theresienstadt Czech family camp in March and July 1944, and the Gypsy family camp in early August 1944. For both camps, Lucas insisted that transfer orders had removed him from the scene of the killings. But whenever judges or prosecutors reminded him that his dates of arrival and departure were inconsistent, he claimed a poor memory. Nevertheless, his memory was functional enough during pretrial investigations for him to insist that he neither knew nor worked with the Nazis in question—or, if he did overlap with them, it was his memory of their conversations that was correct, not theirs. The biggest lie was his fourteen-month-long denial of selections. When it was no longer avoidable, his partial confession signaled a change in strategy. His claim was now that obeying criminal orders had been his only option because he feared for his life. Strikingly, Lucas also denied remembering most survivor witnesses who either accused or supported him. He swore that he had never seen accusatory witnesses or that they had confused him with another doctor. Even grateful witness survivors who reported his kindheartedness went unacknowledged, as Lucas was still trying to avoid associations with certain places and times that compromised his defense strategy.

Grateful camp survivors remembered Lucas cursing the war as *Schweinerei*. An Auschwitz telegraph operator had heard Lucas's female companion, also employed at Auschwitz, report that he cursed Hitler and vowed that his own children would never enter the Hitler Youth. Ravensbrück witnesses recalled his disgust with everything his superiors expected of him in early 1945: chiefly, sterilizing Sinti army veterans in the men's camp and singling out the frailest prisoners in the women's camp for execution. Apparently, Lucas's tirades against "disgrace-

ful" orders were the only time he raised his normally halting voice and upset his superiors enough to transfer him. His insolent tone emerged when he once told the commandant of Blechhammer, an Auschwitz subcamp, that instead of selecting frail prisoners for death, the SS should just consider feeding them more.[8]

How did Lucas's voice sound under pressure? Hermann Langbein, prisoner secretary for Auschwitz chief doctor Eduard Wirths and expert witness in court, conveyed how the SS defendants sounded during the trial hearings. Robert Mulka, adjutant for Auschwitz commandant Rudolf Höss, was "puffed-up," while the lower-ranked report and block leader Oswald Kaduk and medical orderly Josef Klehr sounded "primitive."[9] The pharmacist Viktor Capesius was arrogant, and the block leader of the political division, Hans Stark, had a way of "barking" when agitated.[10] In February 1965, Birkenau block leader Stefan Baretzki "spewed forth" his details with "elemental power" when he confronted higher-ranked *Obersturmführer* Lucas in court, who only managed a mumble.[11] Lucas came across during the entire trial as self-conscious, striving to distance himself from the defendants whose crimes he seemed to remember as poorly as his own. The audio recording from the trial preserves his stammering and throat clearing. The only times he sounded a "Brustton der Überzeugung" (full-throated tone of conviction) came when he denied selecting on the Birkenau ramp.[12] After confessing, any vocal confidence he could muster disappeared until the hearings that brought about his acquittal in 1970.

Here is a sampling from Lucas's inventory of responses, as recorded by Langbein: "I myself was neither there (i.e., ramp) nor at the crematorium a single time." "In my crisis of conscience at the time, I could see no other possibility." "Even today I don't see how I could have acted any differently at the time." "I had no possibility of dodging it." "I cannot recall this case." "I don't know, I found myself in such a state of high tension at the time that I can no longer provide details." "If I didn't resist commands directly in Auschwitz, it was because I had been in a suicide commando. I was afraid."[13] Thus, Lucas not only sounds more educated than the others, but also more consistently negative and passive. He always "finds himself" somewhere, bewildered as to how or when he got there. Nevertheless, even his taciturn responses were more specific than those most of the other defendants offered, the court pointed out in its judgment, as though he tried to sound helpful even in his recalcitrance.

In her brief attendance of the trial, Washington Post journalist Sybille Bedford, who consistently called Oswald Kaduk "brutishly stupid," described Lucas as "a heavy, middle-aged man, gray suit, gray hair, who moves slowly and speaks in a low, unhappy voice. He is the first of the defendants who does not speak the language of the oppressor."[14] Although Bedford never spoke to Lucas directly, Dutch reporters did. When they interviewed him during the court's site inspection of Auschwitz in December 1964, a year into the trial, they found Lucas evasive and shy, claiming a poor memory worsened by being asked to recall events from

twenty years earlier. According to his wife Susanne and the supporters from his hometown of Elmshorn, anything the press wrote against him had to be false.[15] The Israeli journalist Inge Deutschkron had the closest contact to Lucas. She was interested in recording how his face changed from pale to red depending on which reporter, lawyer, or judge was pressing him for details. Described by a former prisoner doctor as stone-faced, he showed a rare smile on 8 October 1970, as he and his jubilant wife emerged from the courtroom following his acquittal.

In the web of lies Lucas constructed for self-preservation, one aspect remained consistent: he never faked religious feelings. His wife knew this best about him. She explained to her theologian friend Hermann Schlingensiepen that in matters of faith her husband had always remained silent. Religiously outspoken, Susanne Lucas drew support from her own Protestant community in Elmshorn. While her husband was in prison, she raised two daughters and managed the household and her husband's professional matters. Inside her world it is natural to feel sympathy for her. Reading her correspondence, it is easy to understand how wives of Nazi defendants hoped to sway courts to grant an early release of their husbands from prison. Such empathy should give us pause, however. For it is just as true that like their husbands, few of these women had anything to say to the victims who suffered the results of criminal actions supposedly so distressing for Nazis to carry out. The Germans who understood themselves as victims of victor's justice at Nuremberg were hard-pressed to contemplate their own violence toward "outsiders" of the Volk community. As Katharina von Kellenbach argues, many German church parishes after 1945 became extensions of the Volk community, not the least through the moral absolutes they provided resentful Christians like Schlingensiepen's pen pal Artur Wilke and through the concrete support they provided Susanne Lucas in the form of amnesty petitions.[16]

Whenever Lucas ventured to express anything apart from what his lawyers or wife said for him, it was usually on paper with his fountain pen. Two such letters from prison spring to mind. The first was addressed to the head doctor in the Kassel prison hospital where Lucas awaited surgery for gallstones. In it he lists, from one doctor to another, the dangers of undergoing surgery in unsuitable facilities with incompetent surgeons. In the second letter, to his lawyer Rudolf Aschenauer, he lists the faults in the written verdict of the Frankfurt district court that arrived fifteen months after its oral verdict. In both writings Lucas sounds indignant, insistent on his own logic.

Two other letters come to mind as underscoring not so much Lucas's indignation as his deference and sickliness under pressure. The first, a note he signed *Heil Hitler!* on 5 April 1939, requested that the second half of his preliminary exam in Rostock be postponed because of his illness. The second letter explained that acute bronchitis had slowed his responses to the questions posed by Frankfurt prosecutor Joachim Kügler during Lucas's first interrogation in Elmshorn in November 1961. It also should be noted that Lucas used bed rest as an excuse to

miss the first two days of the Frankfurt Auschwitz trial in December 1963. Two of Lucas's former SS bosses also noticed his propensity for illness. His commanding officer at Nuremberg wrote in 1943 that Lucas had worked himself to the point of contracting pneumonia as troop doctor for the SS regiment there. And when asked in the 1990s what he remembered about Lucas, the longstanding chief medical officer of Sachsenhausen, Heinz Baumkötter, focused on Lucas's fundamental sickliness. Bronchial and kidney problems were surface indicators, but Baumkötter hinted that they were an outward sign of Lucas's internal turmoil late in the war: "I didn't want to impinge on his solitude. I thought I knew what was going on inside him—but seen solely from the outside he made a morbid impression. Call it pathological, even. While he went along with things, on the other hand I had the impression that he knew what he was doing and perhaps had the opinion that he could consciously do it in my presence, perhaps even pretend."[17] Was sickliness a sign of trying to walk a line to please both fellow SS officers and victims, of being driven by courage and held back by cowardice?

This question is not meant to vilify. Real or imagined health shortcomings were something doctors tried to gauge when mustering recruits, especially given the number of *Drückeberger* (shirkers) the Nazis thought were trying to avoid the front lines. Lucas was classified as "kv" (*kriegsverwendungsfähig*, combat suitable) upon entering the Waffen-SS in September 1942, but later records may have classified him as "av" (*arbeitsverwendungsfähig*, work suitable), removing him from the dangers and stresses of the front to relative safety closer to home.[18] But his continuous service record at least shows no sign of his classification under temporary or permanent unsuitability for combat.

In his study of concentration camps, Buchenwald survivor Eugen Kogon ventured that SS members stayed in the camps to shirk the front.[19] Marco Pukrop has argued against applying this idea to SS doctors or medical orderlies, whose injuries or illness designated them unsuitable for the front at precisely the point in the war when they were most needed there.[20] Such was the case with Heinz Baumkötter, whose typhus prevented his return to the field troops. Assuming Lucas had an illness that kept him in the camps as well, it provides a way to reinterpret his predictable explanation that all his transfers were punitive. It could simply be that instead of being at the mercy of angry commandants or garrison medical officers, he was on the radar of the Medical Branch (Amtsgruppe D) of the Waffen-SS in the SS-FHA (SS Leadership Main Office), which placed qualified doctors in positions where they were needed and healthy enough to serve. It was not his supposed Sachsenhausen nemesis Dr. Enno Lolling who was signing the transfer orders, because Lolling, as Pukrop reminds us, did not have autonomous control over personnel. Instead, Lucas's SS officer files show the signature of Dr. Max Peters, former SS doctor in Sachsenhausen and main division leader of the personnel division of the Waffen-SS Medical Branch.[21] The punitive transfer argument draws from the same rhetorical well as duress under orders. The more

consistently a defendant invokes such arguments, the more believable they begin to sound, and the more carefully one must move the focus from exculpatory evidence to the idea that the kindness at the base of exculpation was not simply an element of Lucas's character but his strategy of buying a return ticket to civilian life as he dismayed at the state of the war and the tasks he was asked to perform.

As he fashioned his account of service in the camps, Lucas kept erasing his role in atrocities. He "recast" himself, to use the term David Messenger and Katrin Paehler have featured in their anthology *A Nazi Past*.[22] After his arrest on 24 March 1965, Lucas painted himself increasingly as the victim, and by 1970 he and his lawyers went on the offensive by calling Lucas's arrest and prison time unjust. Just before his acquittal, his lawyers shamed the court and prosecutors for keeping a beloved gynecologist from his patients for so long. Lucas's acquittal then pushed him from diffident to indifferent. When state attorneys questioned him after 1970 about his role in Auschwitz or Ravensbrück, he referred them to published court opinions. Lucas's narrative is dominated by a tone of reluctance, cited repeatedly by colleagues and prisoners alike who noted his hesitation to put the names of sick prisoners on selection lists for execution. This reluctance to play the scoundrel joined with his determination to practice medicine in settings that made a mockery of it.

Lucas emerges as evasive and guarded, reluctant to carry out orders and indignant when his own suggestions went unheeded. He denied allegations and showed a lack of insight when they proved true. He was uncomfortable as the center of attention and, at least in the courtroom, avoided the Nazi vernacular of his fellow defendants. Somewhat sickly and self-absorbed, he did not exactly jump at the chance to show courage but preferred to curse his circumstances and the people he claimed put him there.

Lucas as Perpetrator, Bystander, Rescuer, and Victim

Writing for the conservative newspaper *Die Welt*, journalist Gerhard Mauz remarked that Lucas could be a "devil" for some and an "angel" for others. "Dr. Lucas is both black and white," Mauz concluded.[23] This does not mean that he was two different persons but that he treated different prisoners in different ways, or the same person differently over time, depending on the motivations, facilitative factors, and contextual conditions at play—elements that Timothy Williams includes in his action-centric model of genocide, which "acknowledges that the person has a history before and after genocidal actions and may even have engaged in parallel acts of rescuing or bystanding."[24] Based on Williams's view that persons inhabit the roles of perpetrator, rescuer, bystander, and victim in unpredictable intervals, I suggest Lucas's actions themselves as starting points for understanding him.[25] This is more reliable than trusting him, his patients, his

wife, or his lawyers to tell us when, how, where, or why he inhabited this or that role. Note that this vocabulary is different from will or intention, which German courts used to distinguish between *Täter* (perpetrator) and *Gehilfe* (accomplice), a distinction I will address shortly.

An SS doctor could act like a savior one day and a sadist the next. It was volatility that prisoners dreaded more than anything.[26] Hermann Langbein, secretary to Dr. Eduard Wirths, the chief medical officer at Auschwitz, remembered his boss's unpredictability with increasing ambivalence.[27] Prisoner doctor Ella Lingens testified that Auschwitz doctors Werner Rohde and Fritz Klein played favorites, especially with female prisoners they could count on to clear their names. And then there is Hans Münch, who worked in the Hygiene Institute and was the only defendant acquitted among forty-one Auschwitz staff members in the Kraków trial of 1947. Grateful prisoners called him the "good German of Auschwitz." But in 1999, former prisoner Imre Gönczi traveled from Haifa to Münch's home in Bavaria to inform him that every deep breath he took or every time he raised his left arm was a painful reminder of an experimental bacteria Münch had injected into his lung in 1944. With no regrets, Münch assured Gönczi that he would "do it all over again."[28] Münch had nothing personally against him, but the fact that Gönczi was Jewish had made him fair game for Münch's urge to make the most of the human "material" at his disposal, an attitude that had only fossilized in the intervening half century.

Why not imagine Lucas on some occasions to have been as virulently antisemitic as Hans Münch or Fritz Klein, as heavy a drinker as Werner Rohde or Hans Wilhelm König, as heartless an opportunist as Josef Mengele, and as two-faced as his boss Eduard Wirths? This does not cancel out the other occasions when he delivered Swedish Red Cross packages, milk, bandages, and castor oil to grateful prisoners. This range of behavior is the mark of a human, not a monster. But the number of rescue stories that support Lucas's justification narrative are not enough to redeem a man who sent thousands of Jewish deportees to their deaths from Birkenau transports. This conviction has inspired my study of Lucas as much as it has been shaped by it.

A better example of authentic courage is the Austrian sergeant Anton Schmid, offered by Arendt in her book *Eichmann in Jerusalem* and also included in an anthology of military rescuers compiled by Wolfram Wette. Before his execution in 1942 for helping Jews in Lithuania, Schmid wrote to his wife: "If every respectable Christian tried rescuing just a single Jew, our Party honchos would be damn hard-pressed to carry out their solution to the Jewish Question. No way can our Nazis just snap up all respectable Christians and stick them in prison."[29] Despite her contention that Lucas was out of place among the lowbrow defendants, if Arendt had Schmid in mind when she described Lucas, she was mistaken.[30] An altogether different spirit attends Lucas, who justified his obedience of egregious orders at Auschwitz-Birkenau by appealing to the authority of Bishop Berning of

Osnabrück. He claimed that Berning advised him to lie low and do what he was told. Ironically, by following the authority of the Catholic Church, Lucas was assisting the cause of "Party honchos" instead of steadily undermining it in the way Schmid's conscience prompted him to do. The significant difference is that Schmid proved the plausibility of his conviction by acting on it, while Lucas asserted a justification in retrospect for not acting at all.

Biography scholar Simone Lässig has suggested that external forces are a better indication of a life's trajectory than some predestined inner regulation that shows intention.[31] Nazi criminals used the language of intention to explain their memberships, but they explained heinous actions as beyond their control and a distortion of their original goals. The assumption is that events tend to unfold favorably for persons until something external interferes. In a way, this sort of thinking recalls the intentionalism-functionalism divide that used to dominate historiographical discussions.[32] Intentionalism helped account for the antisemitic ideology that drove Nazi policy, but also for the conviction that something logical was guiding the actions of the regime. Historical scholarship on the Nazi era now favors functionalism, which places less emphasis on antisemitism and more on the idea that Nazi policies unfolded as responses to economic problems and polycratic competitions, for example. In the same way, the motivations of the biographical subject Franz Lucas cannot be explained as having been straightforward intentions until being disturbed by hostile external forces.

Surely there was no inner logic at work in either the Nazi criminals themselves or in the "Final Solution," but rather a deep-seated resentment and a loss of inhibition regarding the Jews, fanned by political flames.[33] If fate and tragedy are the hostile external forces that explain deviations from some life path, then the victim designation dominates above the perpetrator, because the autonomy factor remains unconsidered. A biographer who appeals to external forces resembles Lucas's defense lawyer Rudolf Aschenauer, who asked the court to regard his client as an innocent German who set out to become the first physician in his family but found himself drowning in the sea of totalitarianism. Instead of acknowledging that the attractiveness of belonging to the SS could influence ambitions, Aschenauer argued that Nazism thwarted the basic character of his helpless client.[34] This "normal German" alibi, which Devin Pendas calls the "minoritarian myth," maintained that innocent SS recruits served a system imposed by unmerciful Nazis.[35]

Better biographies are written, Lässig suggests, by examining "the social background conditions that influenced, shaped, or even prompted individual decisions and actions."[36] The focus of the courts to second-guess a defendant's subjective will in order to separate perpetrators from accomplices creates the temptation in biography to spend too much time retracing psychological motives and not enough time analyzing the influence of loyalties, competitions, and continuities among SS networks. Embedding biographical subjects as autonomous actors

within networks challenges Lucas's claim that every one of his SS camp transfers was a punishment for refusing orders. The division of responsibilities for ramp and crematorium duty (and therefore also the accountability for it) is a better way to understand the 1944 pogrom against Hungarian Jews than considering it the result of vengeful actions of SS personnel forced to atone for insubordination by being pushed into the camp system. Hilary Earl has highlighted this tension between liberal democratic justice, which is highly individualist and wants to identify an actor's agency, and the fact that genocide and all group crimes are a function of the group.[37] Hannah Arendt identifies the danger succinctly: "Where all are guilty, no one is."[38] Sociologist Stefan Kühl has argued this point about shared responsibility in SS groups, and historian Stefan Hördler has shown that extermination networks, not accidental arrangements of insubordinate officers, influenced the final months of the war.[39] One solution for resolving the tension between individual and group would be to write a group biography instead of concentrating on one figure. Marco Pukrop has done this for the SS doctors who served in Sachsenhausen, comparing their socioeconomic backgrounds and political influences and exploring a few of them in greater depth.

We cannot know for certain what motivated Lucas to join the SS or to trade his Catholic mentors for Nazi ones. It may very well be that his decisions derived from peer pressure or youthful impetuousness. The problem is that his explanations for joining the organization sound too banal to support the severity of the crimes he committed as its member. Opportunism or ideological conviction can both be fanned into flame. His direct and indirect victims are proof only of his killings, not of the zeal or reluctance he showed. More than a few biographies since the year 2000 have attempted to explain what went wrong with Nazi doctors and why.[40] Despite all evidence to the contrary, though, we still appear reluctant to blur the line between atrocity and altruism, healing and killing, because something in us prefers unambiguous extremes. German courts also preferred thinking that character traits produced certain actions and not others, much the way they thought they knew what constituted normal behavior in a place like Auschwitz. The problem is that participating in genocide hardly reflects solid character.

Postwar Trials in Germany and Their Issues

To understand Lucas's actions, especially those that run counter to his public image, requires patience. It requires repeated orbits over hard evidence, such as military documents, and soft evidence, such as witness testimony. Lucas's habit of lying low, coupled with his silence, denials, and deception, complicates the task of analyzing his career. Granted, Nazis found plenty of ways to lie using "hard" documents: they drummed up letters to send the relatives of "euthanasia" victims, falsified death certificates of persons killed in the gas chambers, promised

Sinti and Roma their freedom if they signed forms that spelled out their voluntary submission to sterilization, and forced German Jews to sign forms agreeing to relinquish assets during expulsions. All such documents used against Nazi enemies were meant to deceive, humiliate, and exploit. Most internal documents used for Nazi communication, however, are reliable sources to the extent that they were not censored or produced with concern for how posterity would receive them. Postwar trial courts in Germany determined the validity of hard and soft evidence to aid in reaching a verdict. Over time, as witness testimony became more necessary to fill in the gaps of missing documents, courts and defendants joined forces to discredit witnesses who contradicted themselves or suffered emotional breakdowns and thus appeared to break their vows of telling the truth on the stand—a high bar that was not set for any of the defendants.

My first aim in the following is to sketch the developing notions of justice, especially against Nazi doctors, as Lucas must have seen them. He must have experienced trepidation as he learned the fate of his colleagues and that his own name was being dropped in Nuremberg during the International Military Tribunal (IMT) trial of major Nazi war criminals and in Hamburg at the Ravensbrück trial. Even if he was confident that his SS papers had been destroyed and that no accusatory witnesses had survived to testify against him, every day must have involved attempts to avoid discovery and to build a reputation of good character that could work backward in time to redeem the actions befitting the perpetrator side of him. My second aim is to trace the issues at stake in German postwar trials, which in the second half of my book I will apply to the Frankfurt Auschwitz trial specifically.

Along with voluntary affidavits of survivors, thousands of extant SS records helped secure swift justice for the IMT in Nuremberg.[41] Witnesses corroborated that hard evidence without recounting their own experiences as victims in the ghettos and camps. Since the IMT's example of a fair trial included the chance for defense lawyers to cross-examine witnesses, doubts were raised about the "soft" evidence of witnesses: if you say you suffered, why do you look so healthy now—or, since it is clear that you suffered so profoundly, how can we now trust your traumatic memories to be precise and not exaggerated?[42] The effort by the defense to raise doubts about Marie-Claude Vaillant-Couturier, an articulate witness who survived Auschwitz and Ravensbrück, fell short, however. Even though she reported hearsay, she was the first trial witness to enlist Lucas in the canon of heroic resistance:

> M. Dubost: Can you tell us, Madame, if you can answer this question? Were the SS doctors who made the selection acting on their own accord or were they merely obeying orders?
>
> Mme. Vaillant-Couturier: They were acting on orders received, since one of them, Dr. Lukas, refused to participate in the selections and was withdrawn from the camp, and Dr. Winkelmann was sent from Berlin to replace him.

M. Dubost: Did you personally witness these facts?

Mme. Vaillant-Couturier: It was he himself who told the Chief of the Block 10 and Dr. Louise le Porz, when he left.[43]

Lucas may not have followed the IMT proceedings as closely as he did another famous trial, the Belsen trial of "Josef Kramer and Forty-Four Others," which a British military court began in Lüneburg on 17 September 1945 and finished before Vaillant-Couturier appeared in Nuremberg. The trial is significant for at least three reasons. First, Lucas had worked under Kramer, the commandant of Birkenau who supervised the extermination of Hungarian deportees beginning in mid-May 1944, and he claimed that Kramer had been the one to force him into selecting prisoners on the ramp. Kramer earned the title "Beast of Belsen" after leaving Auschwitz in December 1944 and becoming commandant in Bergen-Belsen. In this trial of two months, long by 1945 standards, Britain's military court adjudicated German war crimes against British citizens rather than crimes against humanity. Because only thirty-one witnesses were available so soon after the war to testify—twenty of them Jewish survivors—the court allowed affidavits submitted as evidence. While defense lawyers pointed out inconsistencies between affidavits and cross-examinations in court, prosecutors argued—and this is the second important point—that Kramer and his cohort did not have to hold pistols or syringes to be found guilty of murder, as their mere participation sufficed. As Colonel Backhouse argued, "It is my submission that all people who took part in these selections, knowing what they were, were equally guilty, whether it be the doctor who says, 'This one to live, this one to die,' or the man who pushes them into one particular compartment or the other, or the man who leads them, or the man who gasses them. When people take part in a murder by poisoning it is not necessary for them to do the actual deed in order to be convicted."[44] But the court disagreed, setting precedents for later war trials. Membership in Nazi organizations or participation in the camps was insufficient proof of individually committed atrocities. As Jörg Friedrich points out, the trial also inaugurated defense claims of being a victim of circumstances, of duress from superior orders, and of overstretched demands on morality.[45]

The third point is that thanks to the affidavit produced by Lucas's and Kramer's colleague Dr. Fritz Klein, there was little doubt about which SS doctors participated in selections of frail and diseased prisoners at Auschwitz-Birkenau.[46] As Klein reported,

> There were several doctors in that camp, the chief one being Dr. Wirtz [i.e., Wirths]; others whose names I can remember are Dr. Fischer, Dr. Kitt, Dr. Lucas, Dr. Mengele, Dr. Thilo, Dr. Rohde and Dr. König. When transports arrived at Auschwitz it was the doctor's job to pick out those who were unfit or unable to work. These included children, old people and the sick. I have seen the gas chambers

> and crematoria at Auschwitz, and I knew that those I selected were to go to the gas chamber. But I only acted on orders given me by Dr. Wirtz [i.e., Wirths]. . . . All the doctors whom I previously mentioned have taken part in these selections, and although S.S. guards were on parade they took no active part in choosing those who were unfit to work.[47]

Klein's affidavit was the basis for the Frankfurt state attorney's office's adding Lucas to the bill of indictment in 1962 for the Frankfurt Auschwitz trial. Lucas's lawyers failed in their attempt to dismiss Klein's evidence as an attempt to blame others before he was hanged.[48] Examined more closely, Klein's document reflects partial acknowledgment of guilt, even though he claimed that he had acted on orders and that selecting was "not a pleasure." Several months earlier, Klein had been less guarded. Prisoner doctor Ella Lingens remembered him proclaiming that a good physician is trained to remove an ulcerous appendix, and the Jews were the appendicitis on Europe's body.[49]

Kramer and Klein were two of eight men from the Belsen trial hanged in Hameln, south of Lüneburg, in December 1945. Similar fates awaited other Auschwitz SS doctors who, after leaving Auschwitz before the Red Army arrived in January 1945, were ordered to other camps and were captured during the final phase of the Nazi regime, and Lucas knew them all. Bruno Kitt, whom Hermann Langbein considered more innocent than Lucas, was tried alongside other Neuengamme concentration camp staff and hanged on 8 October 1946.[50] Werner Rohde followed three days later, based on his lethal injections of four British female special operatives.[51] Some doctors committed suicide. Heinz Thilo, the same age as Lucas and a close collaborator in Birkenau, killed himself in prison a week after Germany's capitulation.[52] Percy Treite, also the same age and Lucas's fellow gynecologist in Ravensbrück, took poison before he could be hanged in the first Ravensbrück trial. Lucas's Auschwitz boss Eduard Wirths died in 1946 of wounds stemming from a botched self-hanging attempt while in captivity. Otto Heidl, Lucas's boss at Stutthof, committed suicide in 1955 while on trial in Bochum. Lucas's boss at Ravensbrück, Richard Trommer, supposedly swallowed poison before the war was over, although he was declared missing and dead only in 1950. Enno Lolling, the chief physician of the Concentration Camps Inspectorate in Oranienburg and the highest medical authority in the SS and concentration camp complex of Oranienburg-Sachsenhausen, committed suicide at a hospital in Flensburg, a town in Schleswig-Holstein where many high-ranking Nazis sought refuge. Most other acquaintances were hanged or died of natural causes in prison. The suicides were not necessarily acknowledgments of guilt but a way to avoid the drawn-out humiliation and spectacle of hanging that many victims of the Nazis had been either forced to undergo or witness in the camps.

Lucas's boss at Sachsenhausen, Heinz Baumkötter, would have been executed if the British had not handed over responsibility to the Soviets to try Sachsen-

hausen personnel. Captured by the British in Lübeck on 3 May 1945, he spent a year in prison in Neuengamme and was handed over to the Soviets in June 1946. In the weeklong Soviet Sachsenhausen trial in Berlin (23 October to 1 November 1947), Baumkötter was sentenced to a lifetime of hard labor in the Soviet Union but returned to Münster on 14 January 1956 in the wake of the famous Adenauer-brokered arrangement of 1955 that returned thousands of POWs to Germany.[53] Less than two weeks after his return, the Münster attorney general took up the investigation of Baumkötter and two Sachsenhausen doctors he supervised, Alois Gaberle and Otto Adam. The trial began on 17 November 1961 and ended on 19 February 1962. Baumkötter was found guilty of accessory to murder in two cases and accessory to fourteen *Tateinheit* (action unit) crimes of murder. Sentenced to eight years, he was free on the basis of having served more than eight years in custody and in the penal camp Workuta as a Soviet POW.[54] Gaberle received the same sentence as Lucas did three years later (three years and three months), while Adam was cleared of all charges.[55]

Based on the fate of Lucas's medical colleagues, whether they perished by their own hand or by another's, would his exceptionalism have saved him from execution if he had been discovered by the Allies while making his way to Elmshorn in April 1945? Leaving Sachsenhausen in Oranienburg just in time in his flight from the SS, Lucas survived to watch his former SS colleagues put on the stand and condemned by witnesses and prosecutors alike. The British prosecutor was convinced that a doctor in hiding should become the standard of goodness by which to weigh the behavior of the doctors on trial. As he lay low, Lucas never hid under a pseudonym like his fellow Auschwitz doctor Hans Wilhelm König, who settled in a Lower Saxony village and practiced medicine as "Ernst Peltz" before disappearing in 1962.[56] Nor did he flee the country like his infamous colleague Josef Mengele, who died in Brazil in 1979 under the pseudonym Wolfgang Gerhard.[57] To reinforce the idea of openness and innocence, in 1965 Lucas's lawyer Rudolf Aschenauer appealed to Lucas's upstanding position in the community to convince the Frankfurt district court that he had nothing to gain from going underground and ought to remain at large, as his family, career, and happiness all remained in Elmshorn.

Let me now sketch some of the issues at stake in German postwar trials. The Moscow Accord of 30 October 1943, signed by Roosevelt, Churchill, and Stalin, declared soldiers, officers, and Nazi Party members responsible for German atrocities and specified that they would be put on trial in the countries where they had taken part in the atrocities, convictable on the basis of responsibility for events or their willing participation in them.[58] The Allied Control Council Law No. 10, passed on 20 December 1945, provided uniformity for trials hosted in the four Allied zones and for trials of Germans in German courts. At the start, German courts were limited to investigating crimes committed by Germans against Germans in concentration camps, as part of the Night of Broken Glass (Reichs-