

# Verdict on Auschwitz

The Frankfurt Auschwitz Trial 1963-1965

180 minutes, color & b/w, 1993, Germany.  
In German with English subtitles



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**The only documentary on the Auschwitz trial  
Based on 430 hours of original trial audiotapes**

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The Frankfurt Auschwitz Trial 1963-1965***

Germany: Hessischer Rundfunk & hr media

- 1993, 180 minutes, color & b/w, German with English subtitles

Directors: Rolf Bickel, Dietrich Wagner  
Cinematography: Armin Alker, Dominik Schunk  
Film Editor: Sigrid Rienäcker  
Producer: Gerhard Hehrleine

This film is an unparalleled document on the first Auschwitz trial, which took place shortly after the Eichmann trial in Jerusalem. The filmmakers use excerpts from 430 hours of original audiotapes of the trial and reflect on the investigation, the trial procedures and the verdict in one of the most important trials in German history. The court heard 360 witnesses from 19 countries, including 211 Auschwitz survivors, in proceedings against 22 people accused of taking part in the mass murder of millions. In the courtroom, survivors of Auschwitz confronted perpetrators they had not seen for twenty years, many of whom had made comfortable lives for themselves in postwar West Germany. On August 20, 1965, after 20 months of proceedings, the verdict was pronounced in one of the most significant trials in German legal history.

**Comments about the Documentary**

*No single documentary film better captures the history of Auschwitz than Verdict on Auschwitz. Between the detailed eye-witness accounts by victims, the painstaking organization of evidence by prosecutors, and the chilling testimony by the killers themselves, this film reveals more about the workings, mindset, and logic of mass murder than any film I know. It is an invaluable teaching resource.*

*- Prof. James E. Young, Department of Judaic and Near Eastern Studies, University of Massachusetts Amherst*

*This documentary represents a cinematic and historic achievement that cannot be overstated. The filmmakers bring the historic trial to life again in its many overlapping voices – including those of the perpetrators, whose deviousness was exemplified for the world in these proceedings.*

*- Frankfurter Allgemeine Zeitung*

*Verdict on Auschwitz: The Frankfurt Auschwitz Trial 1963-1965 is a documentary of immense importance; the film illuminates not only the horrors of Auschwitz, but the chilling atmosphere of the courtroom in Frankfurt, Germany, almost twenty years after the Holocaust. Rarely does one get a glimpse inside a historic trial where the voices of the witnesses come alive. Survivor witnesses describe their unspeakable suffering at the hands of the defendants with amazing attention to detail, and their testimony helps to reconstruct the history of Auschwitz as it has never been told before. This film therefore contributes greatly to our understanding of the actual experience of the Holocaust; rather than reading lifeless documents we are transported into the Haus Gallus to witness for ourselves the dedication of the prosecutors, the courage of the witnesses, the mendacity of the defendants, and the painstaking efforts of the judge to strike the right*

*tone in his verdict. The Auschwitz trial was an important turning point in West Germany's confrontation with the German past -- it represented the long overdue beginning of earnest scholarly and public inquiry into what actually happened at Auschwitz. This documentary brilliantly captures the magnitude of that moment.*

*- Prof. Rebecca Wittmann, Department of History, University of Toronto*

### **430 Hours of the Trial Captured on Tape**

Anticipating the lengthy duration of the upcoming trial, the court decided to audiotape the proceedings of the Frankfurt Auschwitz trial as a mnemonic aid; the recordings were to be used only for the duration of the trial. Only the testimonies of witnesses who had given their permission were recorded, resulting in a total of 103 reel-to-reel audiotapes with 430 hours of recorded material.

Although it was known that Hessian Attorney General Fritz Bauer and Hermann Langbein, former Secretary of the International Auschwitz Committee, had recommended preserving the material as a historical record, the tapes languished in obscurity for decades. They were first recalled from oblivion when a lawyer requested access to the testimony of one of the witnesses for a 1988 trial against Ernst August König, a former SS private in the so-called 'gypsy' camp in Auschwitz-Birkenau. Filmmakers Rolf Bickel and Dietrich Wagner then located the audiotapes in the basement of the State Archive of Hesse in Frankfurt while planning a documentary for the 30th anniversary of the Frankfurt Auschwitz trial. The State of Hesse financed the re-recording of the tapes on more durable digital audiotape and the filmmakers received permission to use the tapes for the first documentary to be made about the Frankfurt Auschwitz trial. This 1993 production is included in this set (long version).

According to information assembled by the Fritz Bauer Institut in Frankfurt, the 430 hours of tapes include: the testimonies of 319 witnesses, the closing statements of the 20 defendants, Prosecutor Joachim Kügler's summary, the summaries of the ten defense attorneys, and the eleven-hour verdict of Presiding Judge Hans Hofmeyer.

The Fritz Bauer Institut, in collaboration with the Hessian Federal Archive and the German Broadcasting Archive, has transcribed the audiotapes; the complete transcript is available on DVD-ROM from the Fritz Bauer Institut.

### **The DEFA Film Library Presents**

A basic assumption behind all the work of the DEFA Film Library is that film can be a means to stimulate an understanding of history. Since it developed the series *Shadows and Sojourners: Images of Jews and Antifascism in East German Film* in 2002, the DEFA Film Library has explored critical perspectives on the relationship of postwar Germany to the crimes committed in its name by the National Socialist dictatorship. The Frankfurt Auschwitz trial and the cultural responses to it provide an example of Jews and non-Jews, West Germans and East Germans, and citizens of many other states cooperating in a time of political polarization in order to address one of the most profound questions of justice in modern history. In the history of both jurisprudence and public attention to the Holocaust, this trial raised myriad questions that have yet to be fully answered, as it is still comparatively under-researched. This documentary is thus not only of historical importance – a chapter in the history of the Holocaust and in Germans' coming to terms with this legacy – it can also lead new audiences to consider the process of reckoning since 1945 in Europe, the U.S. and elsewhere.

The Frankfurt Auschwitz trial is in large part the legacy of Attorneys Fritz Bauer, Joachim Kügler, and others who made it their lives' work to see that these prosecutions took place within Germany, when so many forces were arrayed to maintain silence in the "land of the perpetrators." For the prosecutors, the trial represented not only a case of justice to be accomplished, but also a chance to prove that moral and upstanding Germans were at one with the rest of the world in condemning the crimes of the Nazis. All the documents make it abundantly clear that the trial was a judicial, political and symbolic landmark in the

struggle to “come to terms with the past” and create a legitimate and democratic Germany in the aftermath of World War II. The trial, through its representation in the media and the resulting introduction of the Holocaust into the personal experience of an entire generation, was also a central event in 1960s West German culture. The German and international public followed the trial and testimonies in newspaper and TV reports daily. Visitors to the trial included leading authors and intellectuals, such as Arthur Miller, Max Frisch and Ingeborg Bachmann.

Perhaps most prominent among these was Peter Weiss, the German (and, on his father’s side, Jewish) exile dramatist, novelist, painter and director. Perhaps best known for his play *Marat/Sade*, Weiss (1916-1982) had dual citizenship and made his home in Sweden. The Auschwitz trial formed the basis of a documentary theater piece he drew almost entirely from trial testimony: the oratorio he entitled *The Investigation (Die Ermittlung: Oratorium in 11 Gesängen)*. In a rare exception to the Cold War’s cultural divisions, this drama was simultaneously performed on fifteen stages in East and West Germany on October 19, 1965 (and later in Sweden, England and the USA). A short newsreel of one such event – a dramatic reading staged by the East German Academy of Arts – is included as a special feature on the short-version DVD. A number of the members of the Academy, including actress Helene Weigel and author Stephan Hermlin, had themselves been refugees from the National Socialists. To watch people who had suffered under Nazi persecution read trial testimonies – especially those of the most callous perpetrators – underscores Weiss’ emphasis on the violence inflicted not only on the bodies of the victims, but also on the German language itself.

Weiss’ play seldom, if ever, uses the word ‘Jew.’ The focus on non-Jewish Germans will not be lost on those who view this film as well, which raises troubling questions. Why were the victims, even those who testified at great personal cost, treated almost as an afterthought by those who organized the trial? Why is the Jewishness of the victims so seldom brought into the discussion? A parallel can perhaps be drawn here to East German films on Nazi persecution. In part an effect of the GDR’s claim to legitimacy as “the antifascist, new Germany” – and with certain notable exceptions – those films similarly emphasized the perpetrators, the crimes, and the legal and ideological conclusions drawn from them, as opposed to the identity of Jewish victims and biographies of survivors. West German cinema was no less remiss, in that it avoided confronting the issue until 1979, after the American TV-series *Holocaust* was screened in West Germany.

For U.S. audiences, this documentary on the Frankfurt Auschwitz trial of 1963-1965 is first and foremost a reminder that these landmark trials took place, overshadowed as they are in popular memory by the Nuremberg trials and the image of Eichmann in Jerusalem. To support wider discussion of the trial and the issues it raises among English speakers, we

different countries and disciplines and would like to encourage wider discussion and research. Two books have recently been published on the topic in English: Rebecca Wittmann’s *Beyond Justice: The Auschwitz Trial* (Harvard, 2005) and Devin O. Pendas’ *The Frankfurt Auschwitz Trial, 1963-1965: Genocide, History and the Limits of the Law* (Cambridge, 2006). German historian Annette Weinke also explores the trial in her comparison of the prosecution of Nazi perpetrators in East and West Germany during the Cold War: *Die Verfolgung von NS-Tätern im geteilten Deutschland: Vergangenheitsbewältigungen 1949 - 1969, oder Eine deutsch-deutsche Beziehungsgeschichte im Kalten Krieg* (Schöningh Verlag, 2002).

Prof. Barton Byg  
Director, DEFA Film Library

## **Filmmakers' Biographies & Filmographies**

**Rolf Bickel** was born in Heilbronn, West Germany in 1950. He studied philosophy, sociology, history and German language and literature at the Goethe University in Frankfurt am Main. During and after his studies he worked on current affairs features for the Hessian Radio evening program.

Since 1984, Bickel has worked on over 150 films, reports, documentations and features on current social and historic themes for the local Hessian public television station HR, the European television station ARTE and other German television stations. Bickel is a South East Asia expert and has visited many conflict zones and developing countries.

### **Selected Filmography**

2005 Verdict on Auschwitz: The Frankfurt Auschwitz Trial 1963-1965 (short version)  
1998-2005 Over fifty short reports about daily life in Germany  
1998 Beautiful New World: Idaho, the Potato Country  
1997 China the Long Way to Modernity, (series: Live under the Red Flag)  
1995 Tran Asia – On the Street of the Tigers (4 parts)  
1993 Thematic Evening: Vietnam - The Real End of the War (2 parts)  
1993 The Frankfurt Auschwitz Trial - Case Number 4 Ks 2/63, 3-part documentary (long version)  
1992 When Suddenly Everything Changed...  
1990 Weidauer – A German Life  
1989 I Will Stay a Pacifist  
1987 Robert M.W. Kempner: A Life against Injustice (2 parts)

**Dietrich Wagner**, born in 1940, has worked as an editor for the daily paper Frankfurter Rundschau and at the Hessian public television station HR. Wagner was awarded the Adolf Grimme Prize in 1966 for one of the first German television talk shows, which was broadcast from the newly-founded Hessian Television station from 1964 to 1970. For the last five years, he has worked as the Frankfurt correspondent of ARD television's daily news program. After long years working as a political advisor, he has worked as a freelance television writer, working on feature productions for Hessian public television, ARD, and ARTE since 1985.

### **Selected Filmography**

2005 Verdict on Auschwitz - The Frankfurt Auschwitz Trial 1963-1965 (short version)  
2002 Thematic Evening: Gambling, Very Special Taxes  
2002 The Big Robbery  
2000 Thematic Evening: Rumors, Secrets and Intrigues,  
1996 My Job Was always German  
1993 The Frankfurt Auschwitz Trial - Case Number 4 Ks 2/63, 3-part documentary (long version)  
1989 A Dream in Gold and Brown  
1988 Lost Property – The Early Television Makers  
1986-1990 The Way of Hesse after 1945