

## Denazification in Retrospect

By Rebecca Boehling

- What social strains emerged as a result of denazification?
- Did denazification play a role in Germany's ability to confront its past?

Denazification was one of the interrelated so-called “4 D” policies of denazification, demilitarization, decartellization, and democratization that the World War II Allies agreed upon to cleanse Germany of Nazism, a prerequisite to bringing the Germans back into the international fold. How the policy was understood and how it was implemented influenced its impact on German society not only at the time but even decades later. Already from the policy planning stages the meaning of denazification was contested. To some U.S. planners it meant purging former Nazis from all positions of influence in government, administration, and the economy and, in the process, transforming those structures. For others it meant keeping the structures more or less intact and going after just the “outlaws.” Yet for still others it implied removing the Nazi taint from all but nominal former Nazis so that once these individuals would go through the process of denazification, either accepting their classification and paying their penalties or contesting their incrimination and trying to prove otherwise, all such individuals would be rehabilitated and reintegrated (with the exception of major war criminals). There was general agreement about who was deemed a major war criminal and this small group was tried in 1945 and 1946 before the International Military Tribunal at Nuremberg.

The initial policy in the U.S. occupation zone for denazifying Germans below the level of war criminal was a combination of the outlaw theory and a more comprehensive somewhat structural, schematic approach. One's presumed level of incrimination was based largely on the level of and date of membership in the Nazi Party or in Nazi organizations such as the *Schutzstaffel* (SS), *Sturmabteilung* (SA), *Geheime Staatspolizei* (Gestapo), or *Sicherheitsdienst* (SD), which were declared criminal organizations. Membership in these organizations resulted in automatic arrest and detention. It soon became clear that the scope of this schematic approach required many more American personnel than were available and adequately trained to vet the massive number of Germans suspected of incrimination. According to the initial directives, those accused of incrimination were supposed to be excluded, until they had an opportunity to exonerate themselves, from all but menial labor in government and administration and, for a time, the economy. To judge one's motives in joining the Party or its affiliated organizations or to investigate individuals without formal membership required considerable time, solid investigative skills, and eyewitness testimony, all of which were in short supply in the exigencies of the occupation period. Among Germans, denazification was all too often mistakenly associated with Secretary of the Treasury Henry Morgenthau's wartime “collective guilt” thesis, which had only fleetingly influenced policy planning, but which left an unpleasant taste in the mouths of many Germans, Nazi and non-Nazi alike, who saw denazification as a form of vengeful victors' (in-) justice. This association of denazification with a collective guilt thesis endured far longer than the process itself and fed a certain German sense of victimization by the Allies, the Americans in particular.

Besides these problems with the policies themselves, there were disagreements on the ground between those Military Government officers and their German appointees who focused on getting Germany “going again” in their assigned areas, and for whom denazification dismissals represented obstructions to their goals, and those who were

primarily concerned with the political tasks of denazification and reeducation as prerequisites to democratization, irrespective of the impact on the economy and infrastructure. Some U.S. Military Government officials and their German appointees complained that the number of dismissals affected the ability of administrative agencies to function.

These difficulties and the immense backlog of cases due to much slower progress than expected led U.S. Military Government to turn over denazification proceedings to German-run tribunals under U.S. supervision already in March 1946. The German tribunals relied upon Germans' answers to a 131-item questionnaire (*Fragebogen*) about their role and activities during the Third Reich to rank Germans in five categories of incrimination, which could then be challenged with references and testimony. Serious penalties threatened any *Fragebogen* falsification but understaffing made much checking unfeasible. Jokes about *Persilscheine* (references testifying to one's often whitewashed clean vest) being issued by those of prominence to attest to someone's character indicate the level of German cynicism about the process.

Cynicism and distrust of the process emerged among former Nazis as well as among those not politically compromised by Nazism for a variety of reasons. Cold War tensions began to escalate in late 1946 and the commitment of the U.S. to thorough denazification wavered. The Western Allies' new concerns for rebuilding the German economy and infrastructure to make the Western zones into a bulwark against the spread of Communism meant they sought active German cooperation and did not wish to risk the loss of potential expertise and labor due to denazification dismissals. The result was that those less incriminated individuals who were sentenced first received far harsher punishments relative to the incrimination than those deemed quite incriminated whose trials were postponed because it was assumed that they would not be returning to their old posts anyway, and restricting their influence longer could only serve a good purpose. By the time they were to be tried and sentenced, the focus on punishment and removing such people from influence had been transformed to one of "downgrading" and downplaying the significance of complicity and support for the Nazi regime.

The U.S. introduced amnesties already in August 1946 to exempt young people and those below a certain income level who had not yet been tried but whose questionnaires categorized them as relatively incriminated. More than 70 percent of the denazification caseload in the U.S. zone was cut by these amnesties, enabling a number of active Nazis and possibly even war criminals to avoid investigation. By late 1947 anyone who had been placed in the second highest level of presumed incrimination was "downgraded" to the lowest level of incrimination, that of a "Follower," a category which by then entitled one to an expedited hearing (*Schnellverfahren*) and as of early 1948 was no longer subject to review by U.S. Military Government. The fact that these Germans had been categorized as offenders and would have been sentenced as such in 1945 or 1946 and now were regarded as having completed the process, often without even a fine, provoked resentment and cynicism from those lesser offenders with significantly higher punishments. In practice there was certainly a "Gnade der späten Entnazifizierung" ("mercy of late denazification"). Only those initially regarded as major offenders were likely to suffer any real consequences, at least in the U.S. zone, after 1948.

The Germans who ran the tribunals were typically proven anti-Nazis and frequently on the left of the political spectrum. They found themselves tainted by having participated in what became a discredited process. Even if they believed in it to begin with, the various amnesties and then the downgrading put them in the awkward situation of implementing policies they had neither made nor supported. Fewer and fewer Germans, and the political parties with which they were affiliated, were willing to be associated with this discredited, unpopular, and resented policy. In fact many Germans who worked with the

tribunals had difficulties finding jobs afterward. By the early 1950s denazification had come to an end in all the zones. Although the Americans kept up the rhetoric about how they had enforced a stringent treatment of former Nazis but that Germans had not implemented it as directed, the reality was quite different and more complex.

The lack of serious pursuit of war criminals and other highly incriminated former Nazis, despite the founding of the Central Office of Judicial Administration in December 1958 in Ludwigsburg, hurt the Federal Republic's international reputation and provided propaganda fodder for the German Democratic Republic (GDR). Yet the East-West conflict prevented the young Federal Republic of Germany from experiencing any tangible disadvantages over its intermittent scandals about the Nazi past of various high-level officials.

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Denazification and (mis-)perceptions about it have had an impact on the development of German democracy over the last sixty years. The German popular perception both at the time and into the 1950s was that denazification had been a failure, that it represented unfair persecution and victors' justice. This led to a certain disdain and resentment of the Allies, but not enough to provoke significant protests or an activist Nazi or neo-Nazi backlash. If denazification in the broadest philosophical sense of the term was supposed to provoke a real reckoning with the past and soul searching, then it was a dismal failure—at least until the mid-1960s. It was then that a younger generation that had no direct association with denazification began, with the help of publications coming out of the postwar Institute for Contemporary History in Munich, to question the pasts of their elders and helped support processes like the Auschwitz Trials in Frankfurt.

Those Germans who had been considered in any way incriminated, whether they were actually tried or just amnestied, usually felt victimized, but in reality most experienced a quick rehabilitation and a return to their jobs. The 1950s policies, such as Article 131 of the *Grundgesetz* (Basic Law) which restored civil service jobs and pension rights, brought back many bureaucrats and administrators as if nothing had happened. In many cases those who had not been incriminated at all and had been excluded from civil service jobs under the Nazis found themselves disadvantaged vis-à-vis those who had politically compromised themselves. In the 1950s those who had suffered economic fines or internment or other penalties under denazification often evoked more sympathy and empathy than those who had suffered under the Nazis. One might even argue that the combination of the inequity of denazification and the way that so few Germans actually had to confront their pasts or suffer consequences for their behavior not only discredited denazification but made it less likely that certain other related reforms which the occupiers tried to initiate, like civil service or school reform, would come to fruition. The FRG's social structure was not fundamentally affected by denazification and even highly compromised individuals who were prosecuted bore no real loss of legitimacy within Adenauer's West Germany. When leading civil servants returned to their posts they simply re-entered the circle of their earlier colleagues.

If anything denazification and the feelings of German victimization it fed furthered the sense many postwar West Germans had of being part of a "community of the aggrieved." Those who had suffered at the hands of the Nazis had their victimization ignored by those Germans who saw themselves as members of this community of the aggrieved. Instead those who had opposed Nazism and often had been persecuted during the Third Reich still found themselves ostracized, but now in postwar western Germany. Their very lack of complicity with the regime represented an unpleasant reminder that non-compliance and even resistance against the Nazis was possible and challenged the growing consensus that most Germans had been "*dagegen*." Thus their continued marginalization, rather than a celebration of their moral courage, was the norm. On the

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other hand, thanks to the way denazification initially publicized and politicized one's incrimination during the Third Reich, initial postwar German leaders in the western zones tended to be former Weimar elites rather than Nazi ones; on the local and state level this had a lasting impact on elections for many years.

The early stop to the Allied policy of dismantling industrial plants in the Western zones as compared to the Soviet zone, the economic recovery that was associated with the Marshall Plan, and the 1950s equalization of burdens legislation helped dissipate but not fundamentally change feelings of resentment and inequity that many western Germans felt about denazification. The social reintegration of the mass of former Nazi elites and followers, in combination with the return of economic prosperity, expedited political and socio-economic stability, which ultimately did make democracy more acceptable and attractive to most West Germans.

The process of remilitarization, although rejected by many West Germans initially, found resonance among veterans' groups in ways that allowed the psychological scars of denazification not to fester; but it also encouraged, on the other hand, a very selective way of remembering the war and a focus on German losses rather than on the atrocities in which the military, and thus many veterans, were complicit. Beginning in the 1990s, with the controversial *Wehrmachtausstellung* (Exhibition on the Army of the Third Reich) exposing the reality of the armed forces' wartime behavior, such memories of the past could not remain quite so selective among certain segments of German society. Not coincidentally, this did not occur until after the initial upheaval of re-unification and the end of the Cold War. However, the (revised) exhibit's popularity represents a new receptiveness to a re-examination of Germany's troubled past (despite all the controversy over a few mislabeled photographs and the attempts to discredit the entire exhibit) and is a sign of unified Germany's growing willingness to re-open that chapter of its troubled past and, in the best sense of the term *Vergangenheitsbewältigung*, to confront it AND come to terms with it.

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