AN OPEN LETTER TO U.S. HIGH COMMISSIONER, JOHN J. MCCLOY

February 9, 1951

U.S. High Commissioner, John J. McCloy
Office of the U.S. High Commission for Germany
APO 757, PM, NY

Dear Mr. McCloy:

Every American who values the good name and moral standing of the United States will emphatically challenge the justice of the action taken by General Thomas Handy and yourself which enables 89 German war criminals to escape the consequences of their crimes.

Among the 21 Nazis spared from the death penalty were the six Malmedy criminals who, together with 67 accomplices, massacred hundreds of defenseless American G.I.'s taken prisoners during the Battle of the Bulge. None have been executed for this crime.

No less than 33 war criminals were granted their immediate freedom. Included in this group are the six leaders of the Krupp munitions empire who were condemned for exploiting slave labor and for the looting of Nazi occupied Europe. You have also restored their ill-gotten properties that were to be confiscated under the verdict handed down by the American tribunal. In defense of your decision, you told the press that while these criminals "were deeply guilty, it can be said of them that their offenses as proved by the record, were on a less imposing scale." General Clay, who conducted a careful review of the Krupp case did not come to that conclusion. Nor does your statement hold water in the light of the fact that the trial itself ran over a period of six months with 250 witnesses for both sides and 4500 documents introduced as evidence.

What compelling factors have induced you to nullify the original verdicts? Was this act necessary in the interest of peace? Even a superficial knowledge of the criminals you have spared and set free would show that their lives have been devoted to predatory aggressions, and that they are sworn enemies of peace and security.

Was your action motivated by a desire to counteract the dangers of Communism? The future will show that Communist propaganda will seize on your act as an additional wedge to split the unity of our Western Allies at a moment when Atlantic solidarity is most vital. It will strengthen rather than weaken the Communist forces in Western Europe, who will play on the justified fears of the millions of victims of Nazi aggression.

Was your action inspired by the desire to win over the Germans to the cause of democracy? Appeasing crimes will not convert the Germans to the moral precepts of democracy. On the contrary, it will increase the Germans' contempt for the Allies, and in particular, the United States. It will vitiate the influence of German democratic elements and strengthen the hand of the neo-Nazi and nationalist forces who endeavor to shift the burden of war guilt on the Allies. Indeed, the New York Times reported that the Germans were already expressing dissatisfaction and demanding additional concessions.

Was your action timed as a stroke to enhance American leadership? Time will prove that the opposite results will obtain.

You have been quite aware of the fact that many Americans have questioned your policy to make the Germans full-fledged partners with the West. And, as if to dispel these doubts, you have said time and again that you would never bargain away principles in order to obtain German "cooperation." But your latest action, coming at a time when the Germans have insisted on the release of the war criminals and the restoration of the "honor" of the German soldier as preconditions for joining the West, will only increase the doubts and apprehensions of all security-minded Americans as to the efficacy of your policy.

The special consideration accorded to the 89 criminals is part of a pattern which has developed since the inception of your administration of the occupation of Germany. You have shown unwarranted leniency to German war criminals in the past. You have freed such key figures in the Nazi regime as Friedrich Flick, Goering's "business" partner, Baron Ernst von Weizsaecker, responsible for the murder of thousands of innocent people, Otto Dietrich and Richard Walter Darre, who were found guilty of organizing the slaughter of millions of concentration camp inmates, Lieutenant General Rudolph Lehmann, former Judge Advocate of the Nazi army, who was found guilty of having drafted the orders to execute Allied prisoners of war, and many others. Yet, after each unwarranted concession to the Germans, they have compounded their demands and you have sought to accommodate them. Is this your way of "winning friends and influencing people?"

It is our considered judgment that your decision helps to undermine the foundations of international law as implemented by the Nuremberg verdicts and runs counter to the expressed determination of the President of the United States to punish international lawlessness.

Very sincerely yours,

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