



Daniel Stahl

Hunt for Nazis

South America's Dictatorships
and the Prosecution of Nazi
Crimes

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*South America's Dictatorships and the Prosecution of
Nazi Crimes*

Daniel Stahl

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Preface to the English translation

The hunt for Nazis was a truly transnational undertaking. It involved actors from Eastern and Western Europe, from North and South America, and not the least from Israel. Therefore, following the publication of the German original in 2013, I started to think about ways to make this story accessible to readers in as many countries as possible. I was encouraged by the reactions to my book. Newspapers and journals in Germany and abroad kept showing a keen interest in my findings. In 2013, the book also received the Opus Primum Award of the VolkswagenStiftung.

But as plausible as these reasons may seem, this translation never would have materialized without the generous support of Dr Nicolaus-Jürgen Weickart. When we spoke about my book during a conference dinner, he encouraged me with great emphasis to tackle the project of a translation. I am very grateful to him and his wife Dr Christiane Weickart for enabling the *Jena Center of 20th-Century History* to hire Jefferson Chase to translate the book. He turned out to be an extremely fortunate choice. As a highly accomplished translator of history books – he recently translated a much lauded biography of Adolf Hitler –, his version of *The Hunt for Nazis* is much more than ‘just’ a translation. I almost think that the English version turned out to be a more readable book than the German original. I am also thankful that Christoph Renner relieved me from the task to change the citations to Chicago style.

When I talked to Professor Dr Peter Romijn about the possibility to publish this book with a Dutch press, he immediately offered his support. Only a few months later, the Institute for War, Holocaust and Genocide Studies (Amsterdam) decided to include *The Hunt for Nazis* in its book series. I would like to thank Peter Romijn, Ingrid de Zwarte, and the editorial board for their support. I also thank Inge van der Bijl and Jaap Wagenaar from AUP for working with me on the book.

Since *The Hunt for Nazis* was published in German, historians have made significant progress in several relevant fields: in Germany’s coping with the Nazi past, the globalization of Holocaust memory, Latin American dictatorships and processes of democratization, and human rights history. New studies in these fields have confirmed me in my approach to study the connections between the history of state crimes in Europe and South America. In fact, to show how American and European debates on state crimes and practices became interconnected by telling the story of the hunt for Nazis seems even more convincing than before. However, to consider

all relevant publications that have appeared since 2013 would have been beyond the scope of a translation. I therefore decided only to integrate new titles on fugitive Nazis in South America.

Daniel Stahl

Jena, December 2017

Introduction

On 26 January 1983, Bolivian Interior Minister Mario Roncal contacted the German embassy on an urgent matter: Klaus Barbie, the former director of Security Policy and Security Service in Nazi-occupied Lyon, had been arrested for not paying some debts. Six months previous, the Federal Republic of Germany had requested his extradition. Barbie could now be turned over to German authorities the following day.¹

But if Roncal expected that he would make West German diplomats happy with this announcement, he was sorely mistaken. The week before, West Germany's Bolivian embassy had received clear instructions from Bonn that 'appropriate' steps should be taken to ensure that Barbie was extradited not to the Federal Republic, but to France, where he had been sentenced to death *in absentia* after the Second World War. West German judicial officials were worried that their own country's laws and jurisprudence would not guarantee a conviction, and they were concerned about international criticism should Barbie be acquitted.² So instead of discussing how Barbie could be transferred to West German custody the following day, the deputy director of the West German embassy declared that he didn't have the necessary personnel at his disposal and asked whether the fugitive could not be extradited to France. Roncal responded that according to Bolivian law people could only be extradited to their country's neighbours or to their home countries. The West German embassy was given until the end of the month to state whether Barbie could be transferred to them. If not, Bolivia would try Barbie for 'suspected drug offences and organizing paramilitary units'.³

In the preceding months, various newspapers had reported that Barbie, who had fought the French Résistance during the Second World War, had supported the 1980 putsch of General Luis García Meza with a paramilitary unit of his own. In addition, Barbie had allegedly been involved in drug dealing under the subsequent military dictatorship, which had lasted until 1982. But it had taken a long time for Bolivia to pursue the crimes that had been committed under the Meza regime. Moreover, Bolivian prosecutors lacked hard evidence to prove the accusations against Barbie. All they had were newspaper reports.⁴ Instead

1 FS Eickhoff (Botschaftsrat La Paz) to AA, 26 January 1983, in PA AA, B 83, vol. 1627.

2 FS AA to Botschaft La Paz, 19 January 1983, in *ibid.*

3 FS Eickhoff to AA, 28 January 1983, in *ibid.*

4 Rivero Boyán (Fiscal de Distrito en lo Penal, La Paz) to Ministro del Interior, Migración y Justicia, 2 February 1983, printed in: Torre Rodríguez, *Altmann/Barbie*, pp. 139-141.

of launching into a lengthy trial with an uncertain outcome, the centre-left coalition under President Hernán Siles Suazo that came to power in 1982 decided to send General Meza's German friend to French Guyana. France had repeatedly signalled that it would accept Barbie. Groups representing former resistance fighters and Jewish organizations had been calling for Barbie to be put on trial for years, and the Mitterrand government was very receptive to their demands. The former director of the Security Service in Lyon had taken part in the murder of Jean Moulin, one of the leaders of French resistance against the German occupation. The socialist government in France, which included several former resistance fighters, saw the trial of the murderer of a national hero as a perfect opportunity to underscore memories of the Résistance.⁵ In February 1983, after 30 years, Barbie was returned to European soil, where a French court sentenced him to life in prison.

Like Barbie, a number of Europeans with reason to fear that they would be put on trial in their home countries fled to South America after the Second World War. They included former state officials like Adolf Eichmann, the director of the Jewish Affairs section of Reich Main Security Office who had organized from Berlin the annihilation of Europe's Jews, concentration camp employees like Franz Stangl, the commandant of the Sobibór and Treblinka death camps who had supervised the mass murder of Jews and Polish civilians, and doctors and scientists like Josef Mengele, who had organized and carried out horrific experiments on concentration camp prisoners. But Germans and Austrians weren't the only fugitives seeking to escape legal prosecution by fleeing to South America. Ante Pavelić, the former leader of Nazi Germany's ally Croatia, was wanted by Yugoslavian authorities after his regime had murdered thousands of people from ethnic minorities. Post-war prosecutors also had their sights set on journalists. A French military court, for instance, had sentenced Frenchman Pierre Daye, who had fled to Argentina, to death for publishing Nazi-friendly articles. We still don't have any exact figures about how many people were evading prosecution. Studies on Argentina put the number at 180 individuals specifically under investigation by European judicial authorities. But we cannot say how many fugitives simply weren't counted.⁶

This study deals comprehensively with the treatment of Nazi criminals and collaborators who fled to South America from the end of the Second World War to the present day. Previously this topic has only been investigated

5 Rousso, *Syndrome*, pp. 199-201.

6 CEANA, ed., *Informe Final*.

with regard to individual cases.⁷ The focus is not on the history of how such people fled.⁸ Instead, we want to know what efforts were made and what obstacles had to be overcome to bring the fugitives to justice in the decades after the war. To that end, we will examine state and government figures as well as private individuals and non-state institutions.

The extradition of Klaus Barbie neatly illustrates what was special about the pursuit and capture of this group of fugitives – a phenomenon that, starting in the 1960s, was often referred to by way of shorthand as the *Nazi-Jagd*, the ‘hunt for Nazis’. Like most of the Nazi criminals, Barbie had committed his crimes as a member of the German occupation force outside the boundaries of Germany. From the end of the Second World War, even before the first calls came in 1971 for him to be prosecuted in Germany, French authorities and the French public had taken an interest in the case. But whereas West Germany’s Basic Law prohibited the extradition of German citizens, so that those perpetrators who lived in West Germany were beyond the reach of foreign prosecutors, those who fled risked being apprehended by a variety of countries. A man like Barbie who absconded to South America risked the fact that West German authorities wouldn’t be the only ones on his trail. Even decades later, it was still legal both within and outside Germany to try former foreign collaborators, who had sought to escape the short but intense post-war de-Nazification processes in Europe, and German fugitives.

The prosecution of Nazi crimes directly after the Second World War was conspicuously transnational,⁹ and so was the legal pursuit in the following decades of those who went underground. West Germany, France, Israel, Poland, Italy, Czechoslovakia, and Yugoslavia and its successor states all tried to bring fugitives to justice. It was no rarity for several states to try to apprehend the same suspect simultaneously and for various political attitudes toward the past to collide. Conflicts were inevitable, but the result was often international cooperation. Above all, a transnational public sphere

7 Concerning Eichmann, see Wojak, *Memoiren*; Stangneth, *Eichmann*. For Eduard Roschmann, former commander of the Riga Ghetto, see Schneppen, *Roschmann*. Concerning Walther Rauff, who was involved in the construction of gas wagons, see Cüppers, *Walter Rauff*; Kletten, ‘Nachgeschichte’. About Klaus Barbie there are various publications, see particularly Hammerschmidt, *Deckname*; Linklater, Hilton, and Ascherson, *Fourth Reich*; Hoyos, *Barbie*. About the hunt for Mengele, see Posner and Ware, *Mengele*; Völklein, *Mengele*. For Josef Schwammberger, commander of ghetto and KZ, see Freiwald and Mendelsohn, *Nazi*.

8 See for this topic Senkman, ‘Perón’, pp. 673–704; Meding, ‘*Flucht*’; Gurevich, ‘Prólogo’; CEANA, ed., *Informe Final*; Goñi, *Odessa*; Schneppen, *Vierte Reich*; Steinacher, *Nazis*.

9 Frei, ‘*Tat*’, pp. 7–36.

arose. In order to bring fugitives to justice, various agents and agencies worked together across national lines, prompting an international debate about the prosecution of Nazi criminals.

Nonetheless, the way the Bolivians handled Barbie's extradition also shows that the countries that wanted to prosecute Nazi crimes weren't the only ones that had an interest in apprehending the fugitives. Since 1972, Barbie had been a political thorn in the side of the country to which he had fled. The former member of the Nazi security apparatus had come to feel the need to intervene in the security policies of Bolivia. While he may have been a valued advisor in the eyes of the repressive Bolivian military apparatus, opponents of the regime wanted to bring him to trial. The situation was similar to numerous other Nazi criminals and collaborators who had fled overseas. The question of how to deal with them became a political issue in the countries they went to. Europe wasn't the only place where people debated the legality and legitimacy of governments using violence. State violence was a common occurrence in South America, and people were constantly asking whether their governments should be allowed to use physical coercion against the populace in the interest of pursuing its goals. Were individual members of state institutions legally liable for the violent things they did?

The way South American governments and authorities dealt with fugitives was always directly connected to their attitudes toward such questions. Not only European Nazi hunters, but also politicians, regime critics, and human rights activists interpreted governments' responses to extradition requests as domestic political statements and positions on the legitimacy of state-ordered violence. One question was repeatedly discussed on both sides of the Atlantic: Was the notorious government repression in South America related to the fact that people who had committed crimes in the name of the Third Reich and its allies lived there?

This book is not just a study of political approaches to the Nazi past after 1945. It is also about the debates surrounding state repression in South America in the decades that followed. At issue is above all how attitudes toward state-ordered violence were negotiated on both sides of the Atlantic over the course of the hunt for Nazi fugitives. On the one hand, we can observe a transformation of how the crimes committed during the Second World War were seen between 1945 and the turn of the millennium. To what extent, did the hunt for Nazis reflect, vis-à-vis the past, the interests of various European countries? How were public debates about Nazi crimes influenced by efforts to capture Nazi criminals? And what role was played by the trials of fugitives, which often only came decades after the end of the

war and the start of the hunt for people in question? As we seek to answer these questions, the idea of a hunt for Nazis serves not just as a general category for the efforts to capture Nazi perpetrators and collaborators. We must also ask how terms like the 'hunt for Nazis' and 'Nazi hunters' influenced attitudes toward Nazi crimes themselves and what their use says about how people's views changed over time.

On the other hand, we will also focus on the resonance the hunt for Nazis had in South America. How did South American governments and authorities react to attempts made in their countries to capture people accused of committing crimes in the names of past governments elsewhere? What were the connections between South American countries' extradition policies and their own relationship to violence and repression? Who in South America turned the presence of Nazi refugees into a political issue, and why? What was the relationship between the hunt for Nazis and criticism of the repressive policies of South American regimes? And how did transatlantic efforts to deal with Nazi criminals and collaborators reflect on the debates over those people's crimes in Europe? The legal prosecution of Nazi perpetrators was not just a political issue in terms of the past. It was part of ongoing security policy debates in the post-war era.¹⁰

Research has shown that the legal prosecution of and amnesty granted to those who committed Nazi crimes cannot be explained solely by referring to the history of individual states. The post-war trials conducted by the Allies were the results of negotiations between nations.¹¹ After the Nazi regime had ceased to exist, almost all European countries faced the question of how to deal with perpetrators and collaborators. How they answered this question depended greatly on foreign-policy interests and constellations.¹²

The fact that Nazi crimes were dealt with in part beyond Germany's borders presented the first West German government under Konrad Adenauer with a problem. The Adenauer government's general policy in the early 1950s of integrating former Nazi functionaries and pardoning war criminals may have been popular with most West Germans, but it met with resistance from and led to conflicts with the Western occupying powers. The US, France, and Britain had to account for how they treated German

10 On the security policy dimension of the treatment of former Nazi elites and criminals, see Rigoll, 'Sicherheit'.

11 Kochavi, *Nuremberg*; Bloxham, *Genocide*; Tusa and Tusa, *Nuremberg*.

12 On the trials in the immediate post-war period in various European countries, see Henke and Woller, eds., *Säuberung*. Additionally, Frei, ed., *Transnationale Vergangenheitspolitik* takes a look at developments during the entire second half of the twentieth century.

war criminals to their own populaces.¹³ The Soviet Union, which exerted a dominant influence on the Communist German Democratic Republic, had no such problems. In the absence of any public debates, the East German Socialist Unity Party (SED) succeeded in convincing the Soviet Union that former Nazis needed to be reintegrated into society, even as it was staging a handful of show trials of prominent fascists.¹⁴

The question of how to deal with Nazi criminals remained current in various countries until late in the twentieth century. Among the almost inscrutably vast number of studies about the prosecution and social reintegration of Nazi perpetrators, the notable exceptions are works investigating how various states' policies toward the past influenced one another. For instance, research has shown that given the competition between West and East Germany, the instrumentalizing of the Nazi past had an effect on both countries' prosecution of crimes.¹⁵ French and West German policies toward the past also show signs of such mutual influence. In France, people kept a close eye on West German amnesty initiatives and brought public pressure to bear in order to see that Nazi crimes didn't go unpunished. At the same time, French courts' legal prosecution of Nazi criminals was rejected by large portions of West German society. Behind the scenes, the West German government successfully lobbied for the pardoning of convicted perpetrators of Nazi crimes.¹⁶

This book continues in the vein of such studies, extending the focus beyond Europe and asking how transcontinental relations influenced debates about various sets of crimes. The story of the Nazi hunt is one of mutual influences between the prosecution of Nazi crimes and positions on repression exercised by South American regimes. It was part of the transnational debates about state-sanctioned violence and thus can be seen as part of the history of human rights, which is concerned not only with the genesis of certain basic standards of humanity, but also with the increasingly international reactions to state coercion.

Since the 1970s, campaigns against repressive South American military juntas and the apartheid regime in South Africa led by an international alliance of dissidents and human rights organisations have generated support in many countries. These campaigns have made a major difference in state violence being seen less as a domestic political affair and more as a problem

13 Brochhagen, *Vergangenheitsbewältigung*; Frei, *Vergangenheitspolitik*.

14 Vogt, *Denazification*; Leide, *NS-Verbrecher*.

15 Weinke, *Verfolgung*.

16 Bernhard Brunner, *Frankreich-Komplex*; Moisel, *Frankreich*.

affecting all of humanity.¹⁷ After the democratization processes that took place in many countries in the 1980s and 1990s, the focus of the international debate about state-sponsored violence has shifted. If the activists of the 1970s were chiefly concerned with denouncing human rights violations and holding them up for public condemnation, activists are now more concerned with prosecuting those violations. To that end, they are once again employing the strategy of transnational mobilization.¹⁸

The efforts to capture fugitive Nazi criminals were made in close conjunction with this transnational dialogue. As a result, the crimes committed by National Socialists became inseparable from attempts to deal with state repression in South America. Along with the invocation of human rights norms, comparisons with Nazism became an important instrument for internationally publicizing the criminal character of South American regimes.

To do justice to this story, we cannot confine our investigation to national boundaries. The campaigns leading to the apprehending and extradition of fugitives from justice was too tightly interwoven to restrict ourselves to the hunt for Nazis in one of two exemplary South American states or to the measures taken by a single prosecuting country. Nazi hunters constantly crossed national borders in their search for perpetrators and collaborators. The campaigns encompassed a number of different states, and their experience with one government influenced their strategies toward others. Moreover, the behaviour of state authorities wasn't immune to what was happening outside any given country's borders. Events like Eichmann's capture or Barbie's extradition were powerful signals that were registered in other countries.

Our investigation also cannot restrict itself solely to efforts to apprehend fugitive Nazis in the narrow sense. Requests by various European countries for the extradition of collaborators served as important precedents that affected deportation judgements concerning Nazi criminals. In any case, Nazi hunters tended not to distinguish strictly between the two groups of perpetrators. Consequently this study will be based on various types

17 Cmiel, 'Emergence', pp. 1231-1250; Sikkink, 'Emergence', pp. 59-84; Eckel, 'Utopie', pp. 437-484; Eckel, 'Lupe', pp. 368-396; Hoffmann, 'Einführung', pp. 29-32; Quataert, *Dignity*, pp. 61-140.

18 While historians have commenced historicizing the human rights campaigns, the transnational attempts to legally prosecute human rights violations have been examined almost exclusively by lawyers and political scientists, see Lutz and Sikkink, 'Cascade', pp. 1-33; Teitel, *Transitional Justice*; Roht-Arriaza, *Pinochet Effect*; Nash, 'Pinochet Case', pp. 417-435; Sikkink and Walling, 'Impact', pp. 427-445. For a critical look at the significance of international factors for the prosecution of state-sanctioned violence, see Collins, 'Global Justice', pp. 711-738.

of sources, including both European and South American archives, and governmental and non-governmental records.

Of course, the pursuit of fugitives didn't have the same significance everywhere. Although various countries went after Nazi criminals and collaborators, West German authorities were involved in the greatest number of manhunts and extradition procedures after efforts to prosecute past crimes were intensified in the late 1950s. By contrast, the GDR didn't have diplomatic relations with most South American countries – a condition for seeking international judicial assistance. Other European states were only sporadically active in this area, for example, in the short, but intensive period of de-Nazification after the Second World War or in case the fugitive came from and committed his crimes in a particular country.

But it wasn't primarily legal jurisdiction or leeway that made the hunt for Nazis more important in some countries than others. Reasons why the apprehension of fugitives didn't simply remain an act of legal assistance between nations, but rather accrued an additional importance and became a transatlantic link in the debates about repression and state-sanctioned violence can be found in various public discussions and among advocacy groups in Europe, South America, and North America. They include: criticism of the Argentinian military regimes and the government of populist president Juan Domingo Perón in the 1940s and 1950s and the parallel initial wave of de-Nazification in post-war Europe; the gradual intensification of the prosecution of Nazi crimes in West Germany since the late 1950s; the protests against right-wing South American dictatorships in the 1970s and 1980s together with the contemporaneous internationalization of Holocaust memorials; and the debates about Peronism in 1990s Argentina. Efforts to track down fugitive Nazi criminals acquired their significance within these social contexts. Those contexts influenced the hunt for Nazis and were in turn influenced by it.

The first section of this book will discuss the nightmare scenario popularized in the 1940s and 1950s of a Fourth Reich arising in Argentina. Both the Allies and Argentina's left-wing opposition suspected that Perón had collaborated with the Axis powers. They feared that his government would offer shelter to war criminals in Argentina after the war,¹⁹ who would then use the wealth they spirited away from Europe to keep fascism alive after it had been defeated in Europe. This nightmare scenario would recur and be updated in an extremely diverse range of political contexts in the

19 Here I use the term 'war criminals', as was typical in the 1940s and 1950s. As we will see this phrase had a meaning different to today's customary term 'Nazi criminals'.

second half of the twentieth century. The question is: How did this scenario evolve as a result of the interplay between American economic and security policy, Allied efforts to track down Nazi criminals, and domestic struggles for power in Argentina? What effects did it have on the hunt for Nazis and the toppling of the Perón government? And did the end of the first wave of de-Nazification cause it to lose significance in the late 1950s and put a halt to efforts to apprehend fugitive Nazi criminals in South America?

The second section will focus on the hunt for Nazis against the backdrop of changes during the 1960s in attitudes toward Nazi crimes. The West German judicial system stepped up its efforts to track down fugitives, while the German public increasingly took an interest in unpunished Nazi crimes. At the same time, Jewish attitudes toward the Holocaust were also changing. Memories of this historical event became a major constitutive element of the identity of Jews in Israel, the US, and Europe. What impulses did the hunt for Nazis provide? And what consequences did the changing conditions of the 1960s have for efforts to apprehend fugitives in South America? Crucial for this period is, among other things, the ways in which the nightmare scenario of a Fourth Reich in Argentina was reinterpreted.

During the 1970s and 1980s, remembrance of the Holocaust became more and more important both within and outside Jewish institutions in the US and various European countries. This development was encouraged by the rise of the global media, which historians identify as a major component of the second wave of globalization since the early 1970s. Globalization of the media had ramifications for other areas. The 1970s saw the creation of a transnational human rights activism, borne by a great number of NGOs, which had great international resonance. For the first time, on both sides of the Atlantic, South American military dictatorships and their human rights violations became topics of public debate. The hunt for Nazis was reinterpreted in light of those regimes' repression of various populaces in South America. Human rights organizations, political dissidents, and left-wing activists, as well as Nazi hunters themselves, saw the juntas in Bolivia, Chile, Paraguay, Argentina, and Brazil as not just the protectors but also the students of Nazi criminals who had gone underground. The third section of this book will examine how the hunt for Nazis became a link between Holocaust remembrance, human rights activism, and political protest in South America, and how these additional levels of significance in turn affected the efforts to bring fugitive Nazi criminals to justice.

The focus of the final section will be on Argentina, where the Peronist Carlos Menem became president in 1989. In the wake of his election in the early 1990s, the debates about Nazi fugitives returned to their point of

origin. Thanks to several ongoing extradition cases, the Menem government was confronted right from the start with Perón's role in the immigration of fugitive Nazi criminals and collaborators. This debate gained momentum and became potentially explosive for Argentina's foreign relations with the rise of questions in the mid-1990s about what had become of the hidden assets of Jews during the Second World War. This fed rumours, which had existed since Argentinian-American conflicts of the 1940s, that fugitive Nazi functionaries had smuggled unreported riches into South America. Perón's relationship with National Socialism became an international controversy again during this period. Not only was the Menem government compelled to take a position toward the relationship between Peronism and Nazi crimes in the past and the present, debates also arose in the 1990s about whether the so-called *represores* of the military dictatorships should be put on trial. The end of this book will draw conclusions about how the Argentinian government reacted to the international interest in Perón's relationship to National Socialists and what effect the surrounding debate had on attempts to legally punish junta crimes.