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The 'Visible' and the 'Invisible' Jews

A Comparative View on the Treatment of Palestinian Prisoners of War, Jewish Penitentiary Prisoners, and Inmates of the Forced Labour Camp for Jews/ Auschwitz Sub-Camp in Blechhammer, 1941–1945

Abstract

This paper highlights two groups of Jews, Palestinian prisoners of war and Jewish penitentiary prisoners, who remained largely 'invisible' within the Nazi camp system as, unlike Jewish camp inmates, they were not visibly marked by the yellow star and German authorities kept their Jewish identities secret. In the industrial camp complex of Blechhammer in Upper Silesia, Palestinian POWs, Jewish penitentiary prisoners and inmates of the forced labour camp for Jews coexisted for over a year, while three different sets of legal frameworks determined their status and respective treatment: the Geneva Conventions, the Prison Regulations for Poles and Jews and Nazi anti-Jewish legislation.

Compared to the 'visible' inmates, the two 'invisible' groups had significantly higher survival rates, partly the result of their (temporary) protection from the regime's annihilationist policy. While the workforce of all three was exhaustively exploited and food was limited, POWs and penitentiary prisoners received better medical attention and, most importantly, did not fall victim to selections for the Auschwitz death camp. However, it also became evident that their 'invisibility', the fact that they could not be distinguished from non-Jews, contributed to their survival.

Up to 6,000 inmates of the Blechhammer forced labour camp for Jews, transformed into an Auschwitz sub-camp in 1944, were involved in the construction of the Oberschlesische Hydrierwerke AG (OHW).¹ Next to these Jews, who were visibly marked by the yellow star, there were two groups of "invisible" Jews, whose identities were not revealed by the German authorities: Palestinian POWs and Jewish penitentiary prisoners. Until 1943/44, three entirely different policies towards each group were simultaneously pursued. Regular Jewish inmates suffered immense losses, with a mortality rate of between 87 to 95 per cent, whereas penitentiary prisoners and POWs had realistic survival chances with mortality rates of 14 and two per cent respectively.

The following comparative analysis hopes to contribute to a deeper understanding of the extent to which Nazi racial ideology was consistently applied and which factors had a restraining effect at a given time, while investigating the manifestations of the regime's genocidal policy of 'annihilation through labour' in practical terms.

1 The OHW was founded in 1939 by the Reich Ministry of Economic Development to produce synthetic fuel for the war effort and was privatised in 1942. Its main investors were Preussag, Reichswerke Hermann Göring and the Upper Silesian Hard Coal Syndicate. Staatsarchiv Nürnberg, Doc NI-9108; Bundesarchiv (hereafter BArch) R2/17835.

Palestinian Prisoners of War

Nearly 20,000 Jewish volunteers from Mandatory Palestine joined the British Army after war was declared on Nazi Germany.² About 750 were captured by German troops in Greece and North Africa in 1941/1942. Despite British assurances that they too were protected by the Geneva Conventions, uncertainty about the treatment of Jews persisted and surrender often took place in a suicidal atmosphere. Jewish POWs of German origin were interrogated by the Gestapo in Corinth and one group of prisoners was subjected to a mock execution in a transit camp in Wolfsberg, Austria. German attempts to withhold Red Cross parcels from Palestinian prisoners when they had reached their final destination at Stalag VIII B in Lamsdorf, Upper Silesia (today: Łambinowice in Poland), failed thanks to the solidarity of other British POWs and their representative RSM Sherriff.³ Aside from these incidents, Jewish captives were granted the same status as non-Jewish British prisoners and their overall treatment was more or less in accordance with the Geneva Conventions.⁴ It is noteworthy, however, that the Germans carefully avoided classifying them as Jews in public. To admit openly that they were Jewish could even result in punishment on prisoners.⁵

The majority of Palestinian POWs was deployed in outside work detachments connected to the Stalag at Lamsdorf. By contrast to non-Jewish POWs, Palestinians were frequently moved from one work camp to another in intervals of a few weeks or months, possibly to avoid contacts between them and foreign or Jewish labourers. In December 1941, the first Palestinian detail was sent to Blechhammer, where non-Jewish British prisoners had been working since the autumn of 1940. The Palestinians were held in a separate camp in Ehrenforst/Ślawięcice. They had a medical officer and were regularly visited by a prisoner dentist and doctor from the British POW camps. Severe cases were treated in field or civilian hospitals and could be seen by German specialist doctors. Those unable to work were returned to the Stalag. The

2 For political reasons, the British insisted Palestinian units should comprise an equal number of Jews and Arabs from Mandatory Palestine. After capture, the Germans separated Arabs from Jews and tried to recruit the former into their ranks. In this paper, the term 'Palestinian' refers only to Jews; see: Yehuda Bauer, *From Cooperation to Resistance: The Haganah 1938–1946*, in: *Middle Eastern Studies* 2 (1966), 3, 182–210, here 182, 192; Yoav Gelber, *Palestinian POWs in German Captivity*, in: *Yad Vashem Studies* 14 (1981), 89–137, here 110. An exclusively 'Jewish Brigade' was only formed in September 1944; see: Morris Beckman, *The Jewish Brigade. An Army with Two Masters, 1944–1945*, Staplehurst 1998, 42–43.

3 Gelber, *POWs*, 94, 96–102, 111; Visual History Archive, USC Shoah Foundation, 2011, VHAonline, accessed 2015/16 via the University of Vienna (hereafter VHA), Koenig, Egon, interview 31614; VHA, Bleier, Pinchas, interview 45393.

4 Non-Soviet Jewish prisoners of war were usually eligible to the same treatment as their non-Jewish comrades and had similar survival rates, especially among western Allied nations. The Germans nevertheless tried to apply their anti-Jewish legislation to Jewish POWs whenever their attempts met no resistance from the respective governments or there was little risk of reprisals. Jewish POWs were not required to wear the yellow star, but they were to be separated from non-Jews. Vichy France tolerated the Nazi segregationist policy, whereas Britain objected to it. British-Jewish POWs remained together with non-Jews and they were issued two identity tags, one stating "Presbyterian", allowing them to conceal their Jewish identity when captured. Palestinians, like other Dominion troops, were housed in different barracks as they constituted a different 'nationality'. In rare cases, British prisoners accused fellow Jewish POWs of being "traitors" as they were German speakers. Rüdiger Overmans, *German Treatment of Jewish Prisoners of War in the Second World War*, in: Anne-Marie Pathé/Fabian Théofilakis (ed.), *Wartime Captivity in the Twentieth Century. Archives, Stories, Memories*, New York/Oxford 2016, 45–53, here 45–50; BArch RW 6/270, OKW orders of 16 June 1941 and 11 March 1942, fos. 4, 68; Gelber, *POWs*, 111; John Borrie, *Despite Captivity. A Doctor's Life as Prisoner of War*, London 1975, 95; 130; Russell Wallis, *British POWs and the Holocaust. Witnessing the Nazi Atrocities*, London 2017; VHA, Bogo, Ralf, interview 11048.

5 In Lamsdorf, a Palestinian was put in bunker arrest for two weeks when he disclosed he was a Jew. VHA, Kornan, Henry, interview 34328.

German Reich paid for prisoners' health care, but the Germans only tolerated a daily sick rate of ten per cent.⁶

POWs worked on the OHW construction site for up to twelve hours per day during the summer and eight hours in winter. From 1943, a piece-rate system was commonly applied. The OHW was required to provide protective gear and POWs could refuse to work if they had no gloves, for example.⁷

The Geneva Conventions stipulated that prisoners of war should have the same rations as the depot troops of their captors. This was never followed by Germany and British POWs strongly relied on Red Cross parcels to sustain themselves. When German rations stopped in late 1944, parcel food became the sole source of nutrition. Luxury items like chocolate, cigarettes and soap were bartered for fresh produce with civilian labourers.⁸

Unlike non-Jewish British POWs, none of the Palestinians reported cases of maltreatment by German guards.⁹ Their main concern was for the Jewish forced labourers they first encountered when the camp for Jews was being set up in March 1942. Despite German efforts to keep them apart, the POWs found ways of communicating with and, above all, handing out food to Jewish inmates. They passed on news about the course of the war received from self-made radios, while gathering from them all available information on camps, ghettos, and mass killings of Jews.¹⁰ They also had contacts to the Polish underground movement. Palestinian POWs thus played a crucial role in conveying facts about the unfolding Holocaust to British prisoners, some of whom transmitted coded messages to MI5, the British intelligence agency. During the semi-annual inspections by the International Red Cross, POWs continuously reported about the conditions in Jewish labour camps and gassings in Auschwitz.¹¹

6 Gelber, 122; VHA, Bogo, Ralf, interview 11048; VHA, Bleier, Pinchas, interview 45393; Borrie, *Captivity*, 95, 97, 127; BArch R 9348/45.

7 British POWs were given a similar workload as German civilians based on Article 30 of the Geneva Conventions. <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=7C1C1F476E44C713C12563CD0051ACEC> (13 September 2016); BArch R 9348/45. Stalag Lamsdorf charged the OHW 60 per cent of German standard wages (0.56 RM per hour) minus 1.20 RM daily for board and lodging. Prisoners irregularly received negligible amounts of scrip money. BArch R 9348/45; Imperial War Museum London (hereafter IWM), 10/6/1, Private Papers of G Didcock.

8 In 1942, German rations in the Stalags amounted to 1,600 calories per day, with parcel food adding an extra thousand calories, subject to availability: Arieh Kochavi, *Confronting Captivity. Britain and the United States and their POWs in Nazi Germany*, Chapel Hill/London 2005, 34; Alan J. Levine, *Captivity, Flight and Survival in World War Two*, Westport 2000, 84-87; IWM, 10/6/1, Private Papers of G Didcock; Borrie, *Captivity*, 103 and 137.

9 See for instance: British National Archives Kew, WO 311/268, affidavit by Marine Frank Riding.

10 VHA, Bleier, Pinchas, interview 45393; Nederlands Instituut voor oorlogs-, holocaust- en genocidestudies [The Netherland's Institute for War, Holocaust and Genocide Studies] (hereafter NIOD) 250d/864, Salomon Staszewski; BArch B 162/8866, fos. 819-820, Oskar Langer.

11 Borrie, *Captivity*, 121; 137-139. ICRC inspectors were informed about the gassing of Jews in showers by British POWs held in Monowitz who maintained contacts to Jewish camp inmates. As the ICRC was never admitted to the Auschwitz concentration and extermination camps, inspectors found themselves unable to uncover the well-kept secret of mass murder. Internationales Komitee vom Roten Kreuz (ed.), *Die Tätigkeit des IKRK zugunsten der in den deutschen KZ-Lagern inhaftierten Zivilpersonen, 1939-1945*, Geneva 1947, 17. The fact that British and Dominion POWs became first-hand witnesses to the Holocaust has only recently been given more public attention in the United Kingdom. Prisoners' accounts of the Nazi genocide, contacts to Jewish inmates and their attempts to pass on such information to British intelligence were often met with disbelief in the post-war years. This might have contributed to the publication of contentious 'heroic' stories of POWs breaking into Auschwitz. While the active role of POWs in bearing witness has been widely acknowledged, the impact of the facts they provided to intelligence on the Allies' understanding of the Holocaust during the war remains to be investigated; see: Duncan Little, "No one believed what we had seen": British Soldiers who Witnessed Mass Murder in Auschwitz, in: Caroline Sharples/Olaf Jensen (ed.), *Britain and the Holocaust. Remembering and Representing War and Genocide*, Basingstoke 2013, 13-30; Joseph Robert White, "Even in Auschwitz ... Humanity could prevail". British POWs and Jewish Concentration Camp Inmates at IG Auschwitz, 1943-1945, in: *Holocaust and Genocide Studies* 15 (2001) 2, 266-295, here 277-279; Wallis, *POWs*; John Castle, *The Password is Courage*, London 1954; Denis Avey (with Rob Broomby), *The Man who Broke into Auschwitz*, London 2011.

Palestinians had the highest escape rate among British POWs and if they were caught the Gestapo usually sent them back to the Stalag for a few weeks of bunker arrest, again ignoring the fact that they were Jews.¹² During the summer of 1944, hundreds of Palestinians were part of an exchange of wounded and sick or were moved from Lamsdorf to other Stalags such as Hammelburg. There is no evidence that any of the 320 Palestinians left in the Lamsdorf work camps then were deployed in Blechhammer and none of them took part in the forced march of Blechhammer British POWs to Stalag Moosburg in January 1945. Those still held in Lamsdorf were evacuated along with British and Dominion POWs to the Stalag in Görlitz.¹³ The mortality rate among Palestinian prisoners in German captivity was two per cent, about the same as that of non-Jewish British POWs.¹⁴

The Blechhammer Forced Labour Camp for Jews and Sub-Camp of Auschwitz

The OHW made use of Jewish forced labour comparatively late and its introduction coincided with the take-over of the supervision of construction works by the *Reichsautobahn* (National Motorway Company, RAB) from Mineralöl-Bau in the spring of 1942.¹⁵ The Breslau section of the RAB had been allocated Jewish workers from eastern Upper Silesia as early as November 1939. The forceful recruitment of such workers was first performed by regional employment agencies and, from October 1940, by Heinrich Himmler's Special Commissary for the Deployment of Foreign Labour in Silesia, Albrecht Schmelt.¹⁶

On 10 March, 1942 the first group of seventy Jewish men arrived in Blechhammer from the RAB camp in Gogolin. Hundreds more followed from other camps, among them Karl Demerer who volunteered to be appointed Jewish Elder, plus one hundred women deployed for camp chores.¹⁷ In 1942, prisoners were guarded by German order police and police veterans under the command of the Higher SS and Police Leader of Silesia, Ernst-Heinrich Schmauser. They tortured many inmates to death and performed selections for Auschwitz among those unfit for work. Erich Hoff-

12 Palestinian non-commissioned officers often volunteered for work camps to help British pilots escape. Their command of Polish and German made them ideal partners in escorting airmen to Stettin from where the latter were shipped to Sweden. Levine, *Captivity*, 90; VHA, Ehrlich, Moshe, interview 18332; VHA, Bogo, Ralf, interview 11048.

13 Palestinians were last seen in Blechhammer in the spring of 1944 and probably left during the summer. Borrie, *Captivity*, 184; Gelber, *POWs*, 122, 131; VHA, Bogo, Ralf, interview 11048.

14 Gelber, *POWs*, 136.

15 Following the cessation of motorway construction works in 1941/1942, the RAB supervised and allocated their manpower to industrial building sites crucial to the war effort: Landesarchiv Nordrhein-Westfalen Münster (hereafter LA Mü), 4877, fo. 1301, interrogation of W. T.; BArch R 9348/7.

16 Archiwum Państwowe Muzeum Auschwitz-Birkenau w Oświęcimiu, [Memorial and Museum Auschwitz-Birkenau in Oświęcim] (hereafter APMO), Ośw., f. 48, fos. 80-84, Aron Goldfinger; LA Mü, 4877, fo. 1299-1300, interrogation of W. T. On Schmelt see: Sybille Steinbacher, *Musterstadt Auschwitz. Germanisierungspolitik und Judenmord in Ostoberschlesien*, Munich 2000, 138-149; Wolf Gruner, *Jewish Forced Labor Under the Nazis. Economic Needs and Racial Aims, 1938-1944*, New York 2006, 214-229; Artur Eisenbach, *Hitlerowska polityka zagłady Żydów w latach 1939-1945, [Hitler's Policy of the Extermination of the Jews]*, Warsaw 1953, 212.

17 BArch B 162/8869, fos. 2114-2115, Samson Rauchwerger; Karl Demerer, born in Vienna in 1901, settled in Poland in 1928. He was arrested in Sosnowitz/Sosnowiec in 1940 and went through the RAB camps Günthersdorf, Rogau, Annaberg, and Ottmuth. BArch B 162/18175, fo. 9, Karl Demerer; Yad Vashem Archives (hereafter YVA), O.3 3635, fo. 1, Karl Demerer; VHA, Ferst, Gucia, interview 34207.

mann, a civilian employee of the RAB notorious for brutally maltreating inmates, was in charge of the camp administration.¹⁸

Inmates laboured on the OHW construction site for twelve hours in the summer and eight in winter, while having to endure constant beatings by guards and kapos.¹⁹ Fatal accidents at work were common. The contracting companies they were assigned to played a crucial role in their death or survival, and the scope of the individual German foremen's behaviour should not be underrated. Some treated Jewish workers almost humanely, a few secretly provided life-saving aid, while others systematically injured or even murdered prisoners.²⁰ During the forced labour camp phase, conditions in Blechhammer were generally worse than in concentration camps. The food supplied by the RAB was partly sold on by Hoffmann, the unpalatable rest was distributed on an irregular basis. Daily rations consisted of a bowl of unwashed spinach or sugar beets, while later prisoners were given 200 to 400 grams of bread, *ersatz* coffee, and one litre of soup. Survival depended on acquiring the means to barter with civilians for additional food.²¹

The Jewish physicians who were supposed to provide medical care lacked the most basic drugs and equipment and, due to the permitted daily sick rate of merely one per cent, many ill prisoners could not even be admitted.²² Poor hygiene caused dysentery and typhus epidemics resulting in high death tolls and mass killings.²³ The

18 Ernst-Heinrich Schmauser became Höherer Schutzstaffel- und Polizeiführer (High Commander of the SS and the Police) of Silesia in May 1941. 169 police veterans and 233 police officers were placed at his disposal for guard duties in Silesian forced labour camps. Ruth-Bettina Birn, *Die Höheren SS- und Polizeiführer: Himmlers Vertreter im Reich und in den besetzten Gebieten*, Düsseldorf 1986, 346; BArch B 162/20513, fo. 121, Schmauser to Himmler, 20 April, 1942; Staatsarchiv München, SpkA K 739, Abram Blachinski; Aron Schlos; Karl Demerer.

19 Entrepreneurs set reduced output factors for unfree labourers themselves. The OHW paid 50 per cent of the standard wages of 0.56 RM per hour for unskilled workers. The money was transferred to the RAB Breslau and then sent on to the Special Commissary's office. From 1943, the RAB deducted 0.50 RM per day for the 'training' of prisoners as construction workers. BArch R 9348/57, OHW special agreement on performing construction work, 16 November, 1943; LA Mü, Number. 4877, fo. 1305, A. H., 20 October, 1954; Gruner, *Labor*, 222. YVA, O.3 3474, Maurice Moshe Szmidt; NIOD, 250d/553, Hessel Goldberg.

20 The maltreatment of Jewish prisoners by German civilians was common not only in Blechhammer. Even the SS was aware of it. Perpetrators were, however, seldom reprimanded: Institut für Zeitgeschichte München, F-13-8-12, Aufzeichnungen Rudolf Höß; BArch B 162/8866, fos. 803-4, Kurt Masseli; NIOD, 250d/445, Louis Waterman.

21 Wiener Library London (hereafter WL), 053-EA-0919, Samuel Hutterer; NIOD, 250d/386, Samuel Abrams; United States Holocaust Memorial Museum Washington, D.C. (hereafter USHMM), 2006.70.191., Walter Ziegler; Fortunoff Video Archive for Holocaust Testimonies (hereafter FVA), Wolf W. German authorities denied Jewish camp inmates the status of civilian internees and refused to give out their names to the International Committee of the Red Cross as they were in the 'protective custody' of the Gestapo, thus no food parcels could be sent. From 1944, the ICRC sent anonymous bulk parcels with food and medical supplies to concentration camps but it remains unclear whether any of them were distributed among prisoners. Private parcels could still be sent to Blechhammer inmates until about the end of 1942: IKRK, Tätigkeit, 14-20; YVA, M. 49610, anonymous testimony.

22 LA Mü, Number 4466, fo. 1053, Dr. Cohensius; APMO, Ośw., f. 48, fos. 154-159, Abram Szeftel.

23 When dysentery broke out in July 1942 the prisoner population decreased from 1,410 to 300 by September 1942 as four fifths of the inmates either died, were gassed in Auschwitz, or were sent to other camps: BArch R 9348/23; YVA, O.3 3635, fo. 3, Karl Demerer. The Nazis regarded Jews, Slavs, and Sinti and Roma as 'racial carriers of typhus and other contagious diseases and often used the outbreak of epidemics caused by their policy of deprivation as a pretext for mass killings, see: Alexander Lasik, *Die Organisationsstruktur des KL Auschwitz*, in: Waclaw Długoborski/Franciszek Piper (ed.), *Auschwitz 1940-1945, Studien zur Geschichte des Konzentrations- und Vernichtungslagers Auschwitz*, Volume 1, Oświęcim 1999, 165-317, here 278; Paul Julian Weindling, *Die deutsche Wahrnehmung des Fleckfiebers als Bedrohung aus dem Osten im Ersten und Zweiten Weltkrieg*, in: Michael Hubenstorf (ed.), *Medizingeschichte und Gesellschaftskritik*, Husum 1997, 324-339, here 336-339; id., *Delousing and Resistance*, in: Michael A. Grodin (ed.), *Jewish Medical Resistance in the Holocaust*, New York/Oxford 2014, 49-58, here 53.

missing workers were instantly replaced by 600 Jewish men taken off western deportation trains to Auschwitz.²⁴

In early 1943, *Wehrmacht* guards took over from the policemen, with Hoffmann remaining camp leader.²⁵ The liquidation of ghettos and smaller forced labour camps led to a continuous influx of Jewish prisoners into Blechhammer. Owing to its new function as a transit camp whole families from the ghettos were brought there to be selected for work or death in Auschwitz by Schmelt's representatives. An additional 60 women and 20 to 40 children arrived in the camp in this manner.²⁶ As Schmelt's lucrative empire of forced labour was being dismantled, the remaining larger camps next to industrial sites considered "crucial to the war effort", such as Blechhammer, were seized by the camps at Gross-Rosen and Auschwitz.²⁷

On 1 April 1944, Blechhammer thus came under the control of the Auschwitz camp.²⁸ Inmates received tattooed numbers and striped uniforms. Food and hygiene seemed to improve at first, but being an Auschwitz satellite also meant the introduction of a stricter military drill, public executions, and frequent selections performed by members of the SS from Auschwitz.²⁹ With the arrival of Czech Jews from the Auschwitz "family camp" in the summer of 1944, the prisoner population peaked at 6,000 men, turning Blechhammer into the second largest sub-camp of Auschwitz after Monowitz.³⁰

The onset of Allied strategic bombings of the plant in July 1944 killed over 100 inmates prohibited to use air raid shelters. Delayed action bombs had to be cleared by Jewish prisoners, leading to many casualties.³¹ Following Adolf Hitler's decree on terror and sabotage of July 1944, German foremen were authorised to lynch or shoot

24 Speer demanded 10,000 additional workers from Himmler and obtained his permission to take them off deportation trains from Westerbork, Malines and Drancy stopped 80 kilometres before Auschwitz in the town of Cosel/Koźle. During the so-called 'Cosel period' lasting from 28 August until 8 December 1942 about 8,571 Jewish men were made to step out by members of the Schmelt office, while the elderly, the women, and the children rode on to Auschwitz to be gassed almost immediately. The first group of Westerbork deportees reached Blechhammer on 11 October 1942. Staatsarchiv Würzburg (hereafter StA Wü), 12012-009, Number 37, fos. 1128-1131, Die Deportationstransporte während der sogenannten Cosel-Periode; APMO, Höß Trial, vol. 21, fo. 181; NIOD, 250d/448, Maurits Bremer; NIOD, 250d/495, Barend van Delft.

25 From the autumn of 1942, police forces were drafted into special police reserve battalions for flexible use in "partisan combat", a cover for mass shootings of Jews, and Sinti and Roma. They also assisted in ghetto liquidations; see: Archiwum Państwowe w Opolu [State Archives in Opole] (hereafter APO), 1191/1486, fos. 70-71, Chief of the order police to HSSPF, Berlin, 9 September, 1942. Edward B. Westermann, *Hitler's Police Battalions. Enforcing Racial War in the East*, Lawrence 2005, 16. On initiative of Albert Speer, who was eager to expand the use of Jewish forced labour despite the lack in personnel, Organisation Todt and RAB camps were among the first to deploy soldiers as camp guards. From May 1944, soldiers were also recruited into the SS to guard concentration camps; see: Bertrand Perz, *Wehrmacht und KZ-Bewachung*, in: *Mittelweg* 36 (1995) 5, 69-82, here 70-75.

26 VHA, Ann Cyncynatus, interview 19710; Koenig, Vorhof, 119; YVA, O.3 3635, fos. 11; 16, Karl Demerer.

27 LA Mü, Number 4883, fo. 18, interrogation of the camp commandant of Gross-Rosen, Hassebroeck, 11 June 1965.

28 The first camp leader was Otto Brossmann, who was followed in November 1944 by Kurt Klipp. APMO, ZO, Volume 40, fos. 119; 141, Kommandantur-Sonderbefehl, 22 May 1944 and Kommandanturbefehl No. 11/44, 11 November 1944.

29 Skilled labourers were given heavy workers' rations of 600 grams of bread and 1.5 litres of soup daily and 300 grams of canned beef and 250 grams of margarine per week. For the other prisoners, it was 400 grams of bread and one litre of soup, amounting to 1,400 calories daily. NIOD, 250d/445 Hans Bonn; Jindrich Flusser, *Ein Rückblick*, in: *Terezin Studies and Documents* 6 (1999), 43-75, here 64.

30 In late June 1944, approximately 500 Czech men from camp BIIB arrived in Blechhammer. Židovskí Muzeum v Praze [Jewish Museum in Prague], *The War-Time Experiences of Otto Deutsch*, fos. 16-17; Shmuel Krakowski, *The Satellite Camps*, in: Yisrael Gutman/Michael Berenbaum (ed.), *Anatomy of the Auschwitz Death Camp*, Bloomington/Indianapolis 1994, 51-60.

31 IWM, 10/6/1, Private Papers of G Didcock; Simon Wiesenthal Archive (VWI), letter by Erwin Lagus to Simon Wiesenthal, 2 December 1965; NIOD, 250d/741, Jonas Pampel.

Jewish inmates on the spot.³² Mortality rates under Schmelzt and Auschwitz alike were very high.³³

On 21 January 1945, the camp was evacuated to Buchenwald via Gross-Rosen, 800 prisoners perishing on the march. Those who remained in the camp fell victim to returning units of the SS and the *Wehrmacht* who shot groups of prisoners and tried to set the camp on fire. The surviving inmates were liberated by the Red Army on 28 January, 1945.³⁴

Jews in the Blechhammer Penitentiary Camp (Justizstraflager)

In the Third Reich, the commercial rather than the corrective aspect of work performed in penitentiaries gained in importance and the Ministry of Justice paved the way for the use of convicts outside of prison walls to boost national re-armament. *Straflager* or punishment camps were established as early as 1934, but prison labour only began to be fully exploited by the armament sector from 1942 when penal institutions started setting up sub-camps in the vicinity of production sites.³⁵

Following the implementation of German jurisdiction in the “incorporated territories” in 1940, Polish criminal offenders had to be handed over from police custody to judicial institutions. As prisons were soon hopelessly overcrowded, the Ministry of Justice decreed that Polish convicts could be transferred to penitentiaries in the *Reich*. Many of these prisoners were spread among the penitentiaries’ subcamps and eventually ended up as forced labourers for German industry.³⁶

On 27 January 1942, OHW director Karl Riedmüller signed a contract with the Attorney-General of Kattowitz Dr. Paul Steimer,³⁷ represented by director Bachmair of the penitentiary of Groß-Strehlitz/Strzelce Opolskie, allocating him up to 1,000 convicts of Polish ethnicity.³⁸

32 Lothar Gruchmann, *Nacht-und Nebel-Justiz. Die Mitwirkung der deutschen Strafgerichte an der Bekämpfung des Widerstandes in den besetzten westeuropäischen Ländern, 1942–1944*, in: *Vierteljahreshefte für Zeitgeschichte* 29 (1981), 342–396, here 393; Ernest Koenig, *Im Vorhof der Vernichtung. Als Zwangsarbeiter in den Außenlagern von Auschwitz*, Frankfurt/Main 2000, 115–116; YVA, O.3610, Ludwig Hamburger.

33 Statistics compiled by the Dutch Red Cross suggest a mortality rate of 95 per cent among Westerbork deportees taken off transports in Cosel in 1942, most of whom already perished in the Schmelzt camp system. Piper estimated a slightly lower rate of 87 per cent based on fragmentary records preserved from the Auschwitz subcamp phase of Blechhammer. Of the approximately 8,571 men made to step out in Cosel, only 693 survived. StA Wü, 12012-009, Number 37, fos. 1128–1131, *Die Deportationstransporte während der sogenannten Cosel-Periode*; Franciszek Piper, *Das Nebenlager Blechhammer*, in: *Hefte von Auschwitz* 10 (1967), 19–39, here 32; Serge Klarsfeld, *Le Mémorial de la Déportation des Juifs de France*, [The Memorial for the Deportation of the Jews of France], Paris 1978; id., *Vichy-Auschwitz. Die Zusammenarbeit der deutschen Behörden bei der “Endlösung der Judenfrage” in Frankreich*, Nördlingen 1989, 331; Insa Meinen, *Die Shoah in Belgien*, Darmstadt 2009, 239.

34 Israel J. Rosengarten, *Overleven. Relas van een zestienjarige joodse Antwerpenaar*, [Survival. The Account of a Sixteen-Year-Old Jew from Antwerp], Rotterdam/Antwerp 1996, 189–200; *Deportáltakat Gondozó Országos Bizottság* [National Committee of Deportees], Number 1685; Daniel Blatman, *Die Todesmärsche 1944/45. Das letzte Kapitel des nationalsozialistischen Massenmords*, Hamburg 2011, 152–155.

35 Nikolaus Wachsmann, *Hitler’s Prisons. Legal Terror in Nazi Germany*, New Haven 2004, 229–231, 252–255.

36 Martin Broszat, *Nationalsozialistische Polenpolitik 1939–1945*, Frankfurt am Main/Hamburg 1961, 128–131; Wachsmann, *Hitler’s Prisons*, 275–276.

37 Dr. Paul Steimer was installed as Attorney-General of Kattowitz/Katowice in 1941 specifically because of his expertise in organising prison labour, a qualification much sought after in the industrial area of Upper Silesia. He died in October 1943 while still in office; see: Maximilian Becker, *Mitstreiter im Volkstumskampf. Deutsche Justiz in den eingegliederten Ostgebieten, 1939–1945*, Munich 2014, 73, 81.

38 The total number of Groß-Strehlitz prisoners may not have exceeded 500, while only 314 were accounted for by the OHW in late May 1942. Judicial chief-inspector Thesinga was installed as head of the Blechhammer camp administration. BArch R 9348/59; 23; International Tracing Service (hereafter ITS), accessed via USHMM, 1.2.2.0.; BArch B 162/18172, fo. 127, interrogation report of Johannes Josef Stera, 9 October 1973.

In March and April 1942, an additional 250 prisoners, among them at least six Jews, were sent from the penitentiary of Schieratz/Sieradz near Łódź.³⁹ As a result of the Criminal Law Decree for Poles and Jews implemented in the “incorporated territories” in December 1941 and the Prison Regulations for Poles of 7 January 1942, Jews resident in Poland before 1939 fell under the same jurisdiction as non-Jewish Poles. Therefore, newly convicted Jews and Poles were immediately taken to punishment camps, followed by those still held in regular prisons.⁴⁰

The Jewish convicts transferred to Blechhammer had all been arrested between 1940 and 1941 for petty crimes related to the desperate food situation in the ghettos, such as theft and smuggling, with lesser sentences of two to six years. The men were aged between twenty and forty.⁴¹ Prisoners were guarded by Bavarian wardens and local auxiliaries.⁴² In penitentiaries, Jews were more or less treated in the same way as non-Jewish Poles and were neither visibly marked nor were their prisoner files known to the Gestapo. Owing to their comparatively small number, individuals often found themselves to be the only Jews among non-Jewish Poles.⁴³ There is no evidence of contacts between Jewish convicts and Jewish forced labourers or Palestinian POWs in Blechhammer. The convicts might have preferred to conceal their identities to avoid the risk of assault by wardens or civilians at work.

Both, non-Jewish Poles and Jews in punishment camps were subject to much harsher conditions than German convicts in regular prisons. Since 1940, judicial prisoners received the same food rations as inmates of concentration camps, reduced even further with the introduction of the prison regulations for Poles in January 1942. Food allocations to Jewish and Polish convicts made up around 50 per cent of those to German civilians.⁴⁴

The Prison Regulations for Poles underlined the key role of work as a disciplinary measure to drive convicts to their physical limits. An average working day for Poles and Jews thus lasted for 13 hours and could be extended to 14 hours as a punishment.⁴⁵

39 Schieratz was one of three penal institutions for which Jewish male convicts were destined and had an additional function as a ghetto for the Jewish population of the Warthegau about to be deported to the Łódź Ghetto or Auschwitz; see: Andreas Weigelt et al. (ed.), *Todesurteile sowjetischer Militärtribunale gegen Deutsche (1944–1947). Eine historisch-biographische Studie*, Göttingen, 2015, 254–55; ITS, accessed via WL, 1.2.2.1., Doc. IDs 11410758–11410763; BArch B 162/18172, fo. 1513, interrogation of Johannes Josef Stera, 19 August 1976.

40 Becker, *Mitstreiter*, 220–223.

41 ITS, accessed via WL, 1.2.2.1., Doc. IDs 11410758–11410766.

42 Landeshauptarchiv Koblenz (hereafter LHA Kob), Best. 584,001, Number 1735, fo. 148, interrogation of Andreas K., 17 December 1973; BArch B 162/18172, fos. 1512; 128, interrogation reports of Johannes Josef Stera, 9 October 1973 and 19 August 1976; Instytut Pamięci Narodowej [Institute of National Remembrance], Warsaw GK 164/2282, fo. 50, interrogation of Simon Rodis, 18 September, 1946.

43 All prisoners wore standard blue and white striped uniforms. Hans-Werner Wollenberg, ... und der Alptraum wurde zum Alltag, *Biographischer Bericht eines jüdischen Arztes über NS-Zwangsarbeitslager in Schlesien (1942–1945)*, edited by Manfred Brusten, Pfaffenweiler, 1992, 128; BArch R 9348/59; VHA, Grosman, Paul, interview 28574.

44 In August/September 1941, allocations to civilian Poles and Jews in the eastern strip amounted to eight kilograms of bread and 400 grams of fat per month. Daily rations for convicts probably did not exceed 200 grams of bread and ten grams of fat. APO, 1191, Volume 4, Number 9905, fo. 6; Becker, *Mitstreiter*, 229. Blechhammer prisoners received a piece of bread with some jelly, cheese, or sausage and 1.5 litres of soup in the evenings. FVA, Pierre B.

45 *Polenvollzugsordnung*, 9 January 1942, printed in *Deutsche Justiz 1942. Rechtspflege und Rechtspolitik*. *Amtliches Blatt der deutschen Rechtspflege*, Berlin 1942, 35; FVA, Pierre B. The OHW paid standard hourly wages for unskilled workers of 0.56 RM to the penitentiary of Gross-Strehlitz minus a charge of 1.50 RM per day for board and lodging. It could not be established what the reduced output factor was for penitentiary prisoners. For civilian Poles, it was 70 per cent. Convicts received no payment at all, leaving the lion's share of their earnings to the penitentiary. With inmate populations on the rise, prisons started to make substantial profits from their sub-camps from 1942 onwards. BArch R 9348/57; 59; Becker, *Mitstreiter*, 238.

Instructions by the Ministry of Justice that convicts' health and ability to work had to be maintained seem more than cynical with regard to the actual conditions prevailing in penal camps. Blechhammer convicts were frequently maltreated by wardens and prone to sustain avoidable injuries during work. The OHW nevertheless paid for health care benefits. One barrack of the camp served as an infirmary and convicts were tended to by prisoner doctors, while still being required to perform light work. Entrepreneurs were entitled to return unfit convicts to penitentiaries and have them replaced by fresh ones.⁴⁶

Non-German prisoners were far more likely to die in captivity than Germans due to Nazi racial policies. It is estimated that 14 per cent of Poles died while the mortality rate among German prisoners was only three per cent. In Blechhammer, at least six Schieratz convicts died within the first three months.⁴⁷

Since October 1941, Adolf Eichmann had urged the Ministry of Justice to hand over released Jewish convicts for protective custody in concentration camps, but it was only in September 1942 that the newly appointed Minister of Justice Georg-Otto Thierack drew up a directive in close collaboration with Himmler to transfer imprisoned Jews, Roma and Sinti, Russians and Ukrainians, as well as Poles with sentences exceeding three years to concentration camps and to subject them to "annihilation through labour". Towards October 1942, the first transports to Auschwitz and Majdanek began. In the spring of 1943, the Gestapo reminded penal institutions to hand over Jews whose sentences were about to end, so they could be kept in Auschwitz "for life".⁴⁸

It was around this time that the Blechhammer camp administration gave out the names of Jewish convicts to the Gestapo. Claims by a former warden that he had saved Jewish prisoners by filing their personal records under those of the deceased and that they had only "disappeared" in the summer of 1944 when he was on sick leave do not seem very credible.⁴⁹

Survivor testimonies suggest that Jewish convicts retained their status for a certain time in Auschwitz and that they were not added to deportation trains of Jewish civilians, but remained together with non-Jewish Poles awaiting the same fate. Before being deported, they were usually returned to penitentiaries from the sub-camps. A Jewish survivor reported that when they arrived in Auschwitz in the autumn of 1942 he and fellow Schieratz convicts had been taken to single prison cells and, for several months, had been forced to fabricate wooden ramps used to ease the descent of deportees from the trains that arrived during the night. Later on, he was sent to an Auschwitz sub-camp where he stayed until the death march. Another survivor deported in late 1943 was put in quarantine in Birkenau with non-Jewish Poles before being tattooed and receiving a yellow triangle. He remained in Auschwitz I but stated that his name had always been taken off lists for the gas chamber due to his former status as a political prisoner.⁵⁰ Wachsmann estimates that at least two thirds of the approximately 20,000 Jewish and non-Jewish convicts sent to concentration camps perished.⁵¹

46 Polenvollzugsordnung, 7 January, 1942, printed in: *Deutsche Justiz* 1942, 35. In breach of the contract with Groß-Strehlitz, the OHW refrained from handing out protective gear such as gloves; see: BAArch R 9348/59; LHA Kob, Best. 584,001, Number 1735, fo. 150, interrogation of Alois N., 21 December 1973; ITS, accessed via WL, 9.7.4., Doc. ID 11410767.

47 Wachsmann, *Hitler's Prisons*, 280; ITS, accessed via the Wiener Library London, 1.2.2.1., Doc. Ids 11410758-11410766.

48 Wachsmann, *Hitler's Prisons*, 283-292.

49 BAArch B 162/18172, fo. 1513, interrogation of Johannes Josef Stera, 19 August 1976.

50 VHA, Grosman, Paul, interview 28574; VHA, N'at, Bernhard interview 23073.

51 Wachsmann, *Hitler's Prisons*, 296.

Conclusion

As we have seen, it was not labour as such that caused the staggering levels of mortality among inmates of the Jews' camp. Penitentiary prisoners were the ones with the most working hours, POWs and inmates shared the same work load, and all three groups were given similarly back-breaking tasks. However, it was only the Jewish inmates who fell victim to excessive maltreatment, lynching and murder by German civilians and guards and they were often picked for hazardous jobs that no one else was willing to do. Their status and "invisibility" protected POWs and convicts from such abuse. Food allocations to Jewish inmates and penitentiary prisoners were about the same except that convicts, unlike inmates, got their rations in full. POWs were well-fed in comparison with 2,600 calories daily. The most decisive difference lay in the selections for Auschwitz that specifically targeted inmates in the infirmary. The two other groups were granted better medical treatment and, above all, time to recuperate and, if permanently unfit, they would be sent back to a Stalag or prison, whereas Jewish inmates faced certain death in the gas chambers.

Penitentiary prisoners and POWs were not affected by Nazi anti-Jewish legislation as they were treated either as "Poles" or "British". The status of Jewish convicts only changed when the Ministry of Justice began to implement the regime's "annihilation through labour" policy in 1942/43, but even in Auschwitz, they remained temporarily protected.

The fact that, throughout their captivity, Palestinians were treated in accordance with the Geneva Conventions surprised no one more than themselves. The reason for this was the British government's assertiveness that equal conditions must prevail and that the principle of reciprocity be applied, meaning that in order not to put the lives of their own POWs in British hands at risk, the Germans were compelled to extend the principles of the Conventions to Jewish POWs.⁵² Pretending that there were no Jews among British prisoners appears to have been a cynical way of circumventing the ideological dilemma of having to publicly give preferential treatment to Jews amidst a Nazi camp complex.

⁵² See: Kochavi, *Captivity*, 125.

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