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Sept. 12, 1991

# After Fifteen Years

by

LEON JAWORSKI



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Laro, Publisher, and Jack Donahue, Editor, both former Houstonians. Soon thereafter, further stimulus was furnished by the heartening words of George Fuernann, author and columnist.

The members of my immediate family and my esteemed law partners, notably the seniors among them, supplied much of the inspiration to pursue this endeavor to conclusion. I was motivated also by the desire that my son, Joe, now in his second year in the practice of law, know and always remember the truths I have undertaken here to record.

For the honor done me in the Introduction, I express to the Vice President of the United States, with homage, my deep and humble gratitude.

*Leon Jaworski*

Houston, Texas  
May, 1961

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## Introduction

by

LYNDON B. JOHNSON

VICE PRESIDENT OF THE UNITED STATES

The middle years of the Twentieth Century—more than any other in mankind's experience—have witnessed the marshalling and the use of forces too vast for individual men to comprehend readily. There are those who despair before the very magnitude of such forces which shape the destiny of the world and the human race with such seemingly impersonal power. Yet a book such as this—personal and modest as it is—serves as a timely and useful antidote against such despair.

*After Fifteen Years*

The essence of Leon Jaworski's narrative is a reminder that the vast forces of our time are not so impersonal, that their impact falls upon the lives of individuals, and that today as since time began, men rise to the challenge of the forces they encounter.

Leon Jaworski was born the son of a minister, admonished from childhood, as he relates, "never to hate my fellow man." Through his Texas youth, through his student years at Baylor University, through his start toward brilliant legal success in the Thirties, Jaworski never contemplated what the forces of the century held in store for him.

But, in time, when forces of organized and contrived hatred plunged Europe and the world into destructive war, it fell to this young man from Texas to become for his government the Chief of the War Crimes Trial Section in the American Zone of Occupation in the European Theatre—responsible for bringing to account those who had turned hate against their fellow man. While Leon Jaworski has written little of himself in this volume, the narrative relates the inspiring story of his growth to master the forces of evil which he had never expected to encounter.

That, to me, is the inspiration of his story. Great forces need not be always and only for evil ends, for, as this book attests, men of good purpose

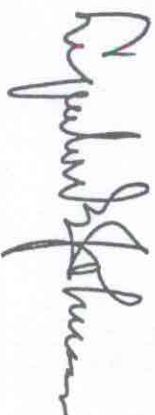
*Introduction*

can and will rise to such challenges—and become their master. The ultimate triumph of good is not to be assured by our despair but by our faith, and, beyond faith, by our diligence and our labors. As evil works without ceasing, so those on the side of freedom, peace, and justice must never cease to work—confident that their higher purpose will by such efforts ultimately prevail among all men.

In his own life, the author—one of the most outstanding citizens of Texas—epitomizes this concept of the always active, always working believer in the triumph of right. Having seen the price of hate, Leon Jaworski has dedicated himself to overcoming the weeds of hate which grow in any unattended field. For the past five years he has been Protestant Chairman of the Houston work of the National Conference of Christians and Jews. He is clearly a man wonderfully tolerant of the differences among men, vigorously intolerant of those who would exploit such differences to turn man against man.

I am glad that my friend and counselor, so distinguished and successful a citizen, has taken time to recount this story—of one man responding against the great forces which move our century.

WASHINGTON, D. C.  
MAY, 1961





“Ashcan”

Facts gleaned from interrogations I conducted of German nationals, some from the ranks of the masses and others in high places, enabled me to come to some rather definite conclusions. Chief among these is the undeniable fact that the Nazi Party would never have attained its great power on the basis of its fanatical followers alone. It had help from another source.

The Nazi Party drew much strength from the affiliation of individuals who did not really believe in the principles for which it stood. I talked with numerous Germans of good moral character who belonged to the Nazi Party, yet did not believe in its tenets. Some inwardly disapproved of the Party's purposes and practices, yet chose to hold membership in the organization, and thus passively

*No mention of support by industrialists  
Fin can well provide?*

support it. They did not have the moral courage to abstain. Among these were men prominent in the official life of Germany, as well as little men seldom heard of. Each of these, whether prominent or little known, lent aid and comfort to the Nazi Party, despite undeclared opposition to the principles it espoused. Let me cite an illustration.

In June of 1945 I received orders to interview Dr. Hans Borchers (Heinrich Franz Johannes Borchers), who, at one time had served in New York as Consul General and held other responsible positions representing the German Reich. He, along with other former high officials of what had been the German Reich, was being kept in confinement in a small village in Luxembourg, a top secret location known only by the United States Army's code designation "Ashcan." The British Army had its own code designation—"Dustbin." No one could enter "Ashcan" without a pass from General Eisenhower's Headquarters.

The directive that Dr. Borchers be interviewed came by cable from the Secretary of War. It was quite a coincidence that upon the presentation of my credentials at General Eisenhower's Headquarters, the pass to "Ashcan" was issued to me by a fellow townsman, the late William H. Francis, who was to become Assistant Secretary of Defense in the Eisenhower administration.

"Ashcan"

"Ashcan" was beautifully located, with scenery reminiscent of some of the picturesque localities in our own country. The particular building selected for the confinement of these top Nazi officials was a large hotel, apparently a resort place at one time. It had a veranda which virtually encircled the entire building. However, it no longer had any of the aspects of a pleasure resort. The grounds were completely surrounded with barbed wire entanglements with a watchtower in each corner manned by guards armed with machine guns.

When I entered these quarters on the morning of July 5, 1945, many of the Nazi bigwigs were sitting on this veranda, some reading, some writing, and some merely looking into space. Stripped of military dress and without the pomp and splendor of the Nazi heyday, they presented a distinctly different picture from former days. Some were dressed in undershirts only above the waist, and one of them had even dispensed with the undershirt.

Seated, one next to the other, were Hermann Wilhelm Goering, Commander in Chief of the Air Force and successor designate to Hitler; Joachim Von Ribbentrop, Reichminister for Foreign Affairs; Wilhelm Keitel, Chief of the High Command of the Armed Forces; Alfred Rosenberg,

*one of these big wigs*

*big wigs*



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Reichminister for the occupied eastern territories; Hans Frank, Governor General of the Occupied Polish Territory; Alfred Jodl, Chief of the Operations Staff of the High Command of the Armed Forces, and several other functionaries in the top echelon of the Nazi party less known than those named but not less brutal. The exceptions, of course, were Hitler and Himmler and Goebbels, and the others who had committed suicide prior to capture. There they sat—helpless and forlorn, the antithesis of their former imperiousness.

As I began to walk up the steps to the entrance of this building in the company of the American officer in charge of "Ashcan," he ordered these once mighty men to come to "attention." It seemed ironic to walk by the proud, powerful and arrogant Nazi rulers of the German Reich as they stood stiffly at attention. I could only hate them. From the day I was old enough to listen to my father's teachings, I had been admonished never to hate my fellow-man. I had tried to be faithful to this injunction, based on God's Commandments, but an emotional surge within me suppressed all else. Here I was meeting face-to-face men partly responsible for the pitiful, heart-rending scenes I had seen and the cold-blooded murders I had heard described. I quickly moved on.

*"Ashcan"*

When I interviewed Dr. Hans Borchers he admitted that he had been a member of the Nazi Party since January 1, 1936. I was interested in knowing what prompted him to join because his every indication had been that it was with reluctance. Let me give you the exact words of the interview of the official transcript on this point.

QUESTION: "Why did you join the Nazi Party?"

ANSWER: "Perhaps if I had foreseen things, I would not have done so. Naturally, in 1935, we still hoped that this very extreme attitude of the Party would gradually die down, that better elements would come into the Party, and that eventually out of this revolution we would be able to get an evolution, and I thought I could be a helpful part in that machinery. Most reluctantly I decided to join the Party, although I did not like it and although I particularly objected to the Jewish situation."

QUESTION: "By the use of the term 'Jewish situation' what do you mean?"

ANSWER: "I meant that the Jews were to be eliminated practically from the German life under the Nazi doctrine, which I thought was injustice."

This admission on the part of Dr. Borchers so strikingly illustrates the point I wish to make. Here was a man who knew that a tremendous wave of oppression would be launched against human beings who were members of the Jewish race; who

*and serving  
the part of the  
Nazi party  
was not  
extremely  
helpful  
Frank*

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knew it was wrong and who disapproved of this course of conduct. And yet, in order to promote himself in the eyes of the leaders of the Nazi Party and to gain favoritism and perhaps improve his position, he was willing to stultify his conscience and to become a silent party, at least, to the elimination of the Jews "from the German life." This is the weakness demonstrated by other men in other countries who have permitted themselves to become a part of a program of injustice and oppression. This is the weakness to which I hope Americans never succumb, lest the example of Dr. Borchers also become a way of life with them.

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### Conclusion

Germany's blighted years under Hitler are not being reviewed here to shame her people. But neither should they be brushed aside as past history with no future significance. They should be reexamined for the lessons they teach. The present generation and generations to come, not only of Germans but of all nationalities, must never lose sight of the cause that produced the effect.

While it is my earnest conviction that what went on in Germany is by no means peculiar to the German people, Germany owes it to herself to make absolutely certain that there will never be within her boundaries a recurrence of these ghastly years. The deep-seated fanaticism that burned so long in the hearts of the real worshippers of the



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Nazi ideology will never be completely extinguished during their lifetime. Except for isolated occurrences in which few participate, Nazism appears to be dormant. In such a state, it would not take much agitation to bring many of its devotees to activity again. It behooves the German leaders and the good elements among the German people to be aware constantly of this lurking danger and to be prepared to promptly suppress any movement to revive Nazism. And the peoples of other nations should ever be alert for similar activities within their lands.

We have seen how good and kind-hearted people became murderers; how Christians became savage haters; how people who had been taught to love their neighbors became fiendish killers. These vicissitudes did not happen overnight, but the advance was certain and unimpeded. As one moral barrier was removed another became weakened until it too gave way.

The monsters of prejudice and hate and bigotry and oppression took over from the spirit of love and tolerance and understanding. Mild prejudices grew into ogres of hate. Little acts of oppression grew into mass brutalities. Doubtless the German people never dreamed at the start that such seemingly insignificant wrongs could lead to such shocking evils.

At this point I am sure that all the people who were affected by Hitler and all the people who were affected by the German people's will are now, see 150

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The poet, Alexander Pope, gave us the answer in verse:

Vice is a monster of so frightful mien  
As to be hated needs but to be seen  
Yet seen too oft, familiar with her face,  
We first endure, then pity, then embrace.

Upon my return from Germany, I could not help but wonder whether my own native land, strengthened as it is by its free institutions, is immune from the encroachment of moral deterioration that might threaten its very foundation. Yes, there were those who said such things could happen in a country like Germany but never in a democracy like America. I wanted to believe that but I was not certain that I could.

It is well to take an honest inventory. In the early 1920s, there swept across the United States a movement in the form of a secret order based on prejudice, hate and oppression. The participants marched, threatened and flogged; they seized power and exercised it with flagrant disregard of the constitutional rights of American citizens. They met in secret, condemned men without a trial, punished them mercilessly and lacked the courage to face their victims without being masked. They infiltrated public office—even judicial office. They took an oath of allegiance to their organiza-

He does not mean identity. He says, "We first endure, then pity, then embrace."

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tion in conflict with the true principles of Americanism.

The scamps in each community often became the most ardent members of this organization. They reveled in the oppression it sought to achieve and their lust for bigotry was satisfied. It was not surprising that the less desirable elements of our citizenship found this order so much to their liking but it was alarming that good men, righteous Christian citizens, joined this movement.

Why did they do it? For economic gain? For excitement? Because it was the popular thing to do? Doubtless some were deceived; some misunderstood the true nature of this secret order and others were hasty. Yet, the organization advertised rather clearly that it sought to take the law into its own hands and that it stood for principles in direct contravention of our constitutional guarantees. And still good men joined. There were floggings and burning crosses and eerie parades and secret plots. And still good men joined. Could it be that they joined on the same basis and for the same reasons as the many good Germans who joined Hitler's movements?

One shudders at the thought of what this movement would have done to our land had it not been checked. Let it be said to the everlasting credit of good Americans that, unlike the German faint-

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heartedness in the days of Hitler's rise to power, they rose in militant opposition to this lawless movement. Churchmen and teachers, editors and statesmen, businessmen and laborers, unmasked this secret order and exposed it for what it was—wholly un-American. Good men who had been deluded into joining and others who realized their error withdrew from membership, and the hoodlums who craved the excitement it offered found themselves impotent to carry on.

But is it not true that we still find in our midst, cropping up from time to time, movements predicted on some of the same diabolical principles that formed the background of Nazism? Are there not many groups born for the iniquitous purpose of fostering prejudice and hate? Are there not many groups formed solely for arraying themselves in ill will against other groups? Do we not have demagogues and tyrants, small and large, whose platform is based on hate and strife and greed?

There is no denying that among us today are those who, although free men under our Constitution, are in fact subjected to oppression by groups of their fellow men. Within some societies, organizations and groups in America today, we can find practices of oppression and persecution as inimical to the principles of freedom under our Constitution as were the tenets under which the Nazi party

*He could do that  
with people  
we don't want  
not only men  
but women  
New York*



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was formed. Admittedly, within themselves they pose no dire threat to our form of government, but these wrongs can grow and spread and in time become a way of life.

In the beginning of this book, I mentioned the tremendous vote of approval Hitler received *after* he had published *Mein Kampf*—*after* he had made known his program and *after* he had demonstrated his art as tyrant and demagogue.

Do we today examine our conscience when we cast our ballot? Do we vote for the good of our country—for the preservation of the principles that made it great—or are we inclined to vote, as did many Germans in Hitler's time—for that which we think will bring us present economic gain, whether morally right or wrong? Do we let demagogues, and bosses and bigots and greedy men dictate our votes by selecting a ticket and urging us to cast block votes? Do we let deep-seated prejudices or class movements actuate our vote? Do we unwaiveringly defend the beliefs and ideals that made America great? Do we stand by what is right even if it is unpopular to do so? Honest answers to these questions may explain, at least in part, the large vote of approval Hitler received.

Are we not also often guilty of forcing dogmatism on our fellow citizens, quick to deride and

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condemn those who disagree with our thinking? So intent do we become to force our views on others that at times our adversaries are smeared and blackened and even subjected to economic reprisal. Strife and disunity in our ranks is the result, to the delight of opponents of our form of government. That we may be impelled by an emotion of national patriotism is no mitigation of our wrong. Many of the Nazis—in the wrongs they committed—were inspired by a sense of patriotism. Similarly, the oppressors in witchcraft days acted with sincere conviction. But when the means employed are wrong, the results can not be of lasting good.

The principles on which America was founded and grew to greatness are as well known to Americans as are the Ten Commandments. They revolve around the concept that all men are created free and equal. They stress the conviction, among others, that man is entitled to worship as he pleases, to speak his beliefs, to work as a free man and to be secure from oppression. Would any good American be without these precious rights? Never!

And yet, every word or act of prejudice and persecution toward our fellow man constitutes a weakening, an undermining of these cherished rights. And if doctrines of ill will espoused by some cliques and groups were to become the rule



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of the land, these constitutional guaranties we honor and reverer would become empty shells.

Thus we have learned from a crafty and scheming tyrant the particular institutions he weakened in order to gain control of a land and wipe out the freedoms that existed. Does this not mean, conversely, that these are the very institutions to keep strong and unimpaired to protect our freedoms?

Hitler took the youth of Germany from their homes and bewitched them with the outward glamour of the Hitler Jugend. The home did little to offset it. Parents, instead of training their children to appreciate the freedoms that were theirs, permitted them to be exposed to organizations designed to rob them of their individual liberties.

This brings to mind the inquiry of how many American parents devote any time to the indoctrination of their children in the great truths and virtues of the American Constitution. Do we ever take the time to discuss with our children the meaning of the Bill of Rights, and more especially, the life that would be ours were these guaranties to be lost?

The greatest foe of hate among men is the church itself. It is the standard bearer of the doctrine of love and understanding of fellow man. The school teaches the regard we must have for

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the rights of our fellow man and the folly of rule by force. A strong and courageous judiciary strikes down the acts of the oppressor and upholds the rights of free men. A courageous free press unmasks the tyrant and the demagogue.

Did Hitler not realize this to be true? Indeed he did. With every cunning means at his command he undertook to weaken the church. He found willing listeners—and good men and women withdrew from the church to pursue their deeds of evil. In the schools, noble teachers were replaced by the influence of the Gestapo so that the ravings of *Mein Kampf* would be taught in lieu of the virtues of peace and freedom. In time the judiciary became intimidated, and the oppressed had no recourse for the protection of their rights. The press was muzzled and its force was lost.

So I return to my concern of fifteen years ago—one that I have pondered from time to time. Could it happen in America? The answer today is the answer of fifteen years ago.

No nation, no matter how powerful and great and whatever be its form of government, can long withstand the stranglehold of moral deterioration in its people.

How then is this deterioration to be averted? Again, the answer today is the answer of fifteen years ago. The free institutions that made America

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great must be kept strong and effective, and their work, done faithfully and militantly under God and the Constitution, will preserve us.

Those who were tortured and died on the streets of Russelsheim, in the blighted halls of Hadamar and in the gas chambers of Dachau will have served mankind well after all, if these truths of freedom survive because of them.

And, after fifteen years, this is the lesson I have had welling up in me—to be passed on to as many of my fellow freemen as have read this recollection of a lifetime.

So slim a volume on the Nazi war crimes trial in which he had  
so important a role? As title to report, comment on?

LBS also had little to say.

The "Ashcan" chapter is very short, very superficial  
and very protective of the great German industrial leaders  
who made Hitler possible when profited enormously from  
Nazism. Including though what Jaworski does not  
mention, the slave labor of the Jews for whom he  
pretends sympathy.