

Revisiting the crimes of the past: the image of the perpetrator in recent German Holocaust film

Elizabeth M. Ward

School of Histories, Languages and Cultures, University of Hull, Hull, United Kingdom

Biographical note:

Elizabeth Ward is a Lecturer in German in the School of Histories, Languages and Cultures at the University of Hull. Her research interests include the Holocaust on film, East German cinema, and Cold War German cinema. Elizabeth has published on East German cinema and twenty-first century German Holocaust film, and forthcoming articles discuss the relationship between Maximilian Schell's Holocaust films and generational shifts in Holocaust memory. Her current research project examines the relationship between film festivals and cultural diplomacy in Cold War Germany.

Conflict of interest: none

Abstract: More than seven decades after the liberation of concentration camps across Europe, we are witnessing the jostle between communicative and cultural memory to determine how the Holocaust is inscribed in a post-victim and post-perpetrator world. This article will explore how German filmmakers are responding to the shift from memory to remembrance through three films: *Im Labyrinth des Schweigens* (*Labyrinth of Lies*, 2014), *Der Staat gegen Fritz Bauer* (*The People vs. Fritz Bauer*, 2015), and *Die Akte General* (*The General's File*, 2016). Underpinning each of these films is the call for individuals to interrogate

the foundations of societal narratives of the past. In doing so, the films not only raise important questions about the changing nature of Holocaust remembrance but they also offer a critical re-examination of the ways in which the Federal Republic of Germany did—and did not—grapple with its recent past in the 1950s.

Keywords: Holocaust; film; perpetrator; *Im Labyrinth des Schweigens*; *Der Staat gegen Fritz Bauer*; *Die Akte General*

In a scene roughly halfway through Giulio Ricciarelli's 2014 film *Im Labyrinth des Schweigens* (*Labyrinth of Lies*), two men are sitting at a desk in a dimly-lit room in the state prosecutors' offices in Frankfurt am Main. The year is 1958. The Attorney General (*Generalstaatsanwalt*), Fritz Bauer, berates his younger colleague, Johann Radmann, for failing to issue an arrest warrant for Hans Brandner, a baker suspected of having worked as a camp guard at Auschwitz. The young prosecutor responds furiously, arguing that if they are to make progress with their pursuit of those responsible for the Holocaust, they should focus their energies on one man: 'Without [Josef] Mengele this case is pointless.' A visibly angered Bauer replies: 'What about all the others? [...] These men are responsible for hundreds of thousands of deaths. Aren't they dramatic enough for you?'

Underpinning this scene in *Im Labyrinth des Schweigens* is the question 'Who is Auschwitz?' That is to say, who bears responsibility for the crimes committed: the military and political elites, the camp guards, or so-called 'ordinary Germans'? It is a question that has been answered differently by filmmakers in every generation since 1945, but its evocation here exemplifies a key shift in recent German Holocaust film.

The figure of the perpetrator has been present in German cinema since the very first postwar German film, *Die Mörder sind unter uns* (*The Murderers are Among Us*, Wolfgang Staudte, 1946). However, in contrast to earlier portrayals of the perpetrator such as the military and political elites of West German cinema, the East German focus on ‘capitalist fascists,’ or even the recent renewed interest in Hitler and the National Socialist leadership, these new films not only explore who was a perpetrator in National Socialist Germany—a question rooted in the past tense—but also question how actions of the past are repositioned, reformulated, and subsequently remembered in the present.¹ These new engagements with the past do not primarily focus on the actions of individuals during the Third Reich, but rather seek to expose society’s silence around these acts in the postwar Federal Republic of Germany. In this way, it is the memory of the past, rather than the past itself, that lies at the heart of this new mode of engagement.

This development sits within a broader realignment of cultural and societal discourses surrounding the Holocaust in the twenty-first century. With the death of the eyewitness generation, Daniel Levy and Natan Sznaider have pointed to the ‘flood of memories’ in popular culture in recent years as evidence of ‘one final attempt to preserve as much as possible from this generation’s storehouse of memories.’² The transition from individual memory to an archive of memory evokes Jan and Aleida Assmann’s critical vocabulary of communicative and cultural memory. According to the Assmanns, whereas individuals possess ‘memory’ (*Erinnerung*) of an event, over time—and above all with the death of the witness generation—the plurality of memory becomes streamlined and canonized into core narratives which underpin a society’s dominant culture of ‘remembrance’ (*Gedächtnis*).³ The critical framework of communicative memory and cultural memory offers a helpful entry point to analyzing the impact of generational shifts on the cultural remembrance of the Holocaust. In each

film, the young lawyers represent the postwar generation as they learn about the crimes of the past through direct access to the victims and perpetrators of the National Socialist crimes. This privileged dialogue is not possible for the film's audience. The films directly engage with this crucial juncture in Holocaust memory by deliberately fragmenting the path of understanding between witness testimony and the modern-day audience.

Taking this transition from a culture of memory to one of remembrance as its point of departure, this article explores the emergence of this new wave of Holocaust feature films in German cinema through an examination of three productions: Giulio Ricciarelli's *Im Labyrinth des Schweigens*, Lars Kraume's *Der Staat gegen Fritz Bauer* (*The People vs. Fritz Bauer*, 2015), and Stephan Wagner's *Die Akte General* (*The General's File*, 2016).⁴ All three films trace the (either historically-based or fictional) efforts of the real-life Attorney General of the German federal state of Hesse, Fritz Bauer, to pursue not only the unpunished leading figures from the Third Reich, but also 'all those who participated, who didn't say no.'⁵ In this task he is assisted by fictional young prosecutors—a different one in each film—whose aims run in conjunction with, although not necessarily in harmony with, those of Bauer. While the young prosecutors are resolute in their conviction that they need to pursue prosecutions against leading officials in the Third Reich, namely Adolf Eichmann, Hans Globke, and Josef Mengele, Bauer seeks to interrogate the unchallenged societal legacies of the past. The three films trace the conflicted loyalties of each of the young German prosecutors to the Federal Republic, to their mentor Fritz Bauer, to the pursuit of justice, and to their own family ties. The conclusion of each film ultimately turns on the willingness of the young prosecutor to question his image of the perpetrator and, by extension, of West German society.

Over the course of the three films, we witness how the legacies of the National Socialist past continue to cast a shadow over 1950s West German society, be it through the repeated anti-Semitic attacks against Bauer, or the willful propagation of a conspiracy of silence surrounding the crimes of the past among the broader population. Only by confronting the failure of their parents' generation to deal adequately with individuals who participated in the crimes of the Third Reich, and by tackling postwar society's complicit ignorance of the Holocaust, are Bauer and the young prosecutors able to begin to 'discover the whole story, the whole truth, to come to terms with it.'⁶ The young lawyers' willingness to challenge societal narratives leads them to ask the questions their parents' generation did not and to pursue the persecutors this older generation chose to protect. Here the films' intertwining of different time periods comes to the fore. On one level, the prosecutors' actions are designed to expose the widespread unwillingness of West Germans who had lived through the Third Reich to challenge the collective amnesia of the Federal Republic. On a second level, the film encourages spectators to question the core narratives of German society today, not least the celebratory narrative of the 1950s Federal Republic as the land of the *Wirtschaftswunder* (Economic Miracle).

The critical focus on West German society in the 1950s that runs through these three films sits within a broader cultural re-examining of the Federal Republic within recent German cinema. In recent years, filmmakers have returned to the decade of the *Wirtschaftswunder* with renewed critical focus through topics ranging from the Federal Republic's welcome of East Germans escaping from the German Democratic Republic in Christian Schwochow's *Westen* (*West*, 2013), institutional abuses of delinquent adolescents in Marc Brummund's *Freistatt* (*Sanctuary*, 2015), and broken family life in Adolf Winkelmann's *Junges Licht* (*Young Light*, 2016). Of course, political critiques of

West German society are not new themes in German cinema. New German Cinema directors in the 1970s were also highly critical of this period. However, there is a crucial difference between New German Cinema's interrogation of West German society and the critical position adopted by filmmakers in this new wave of twenty-first century German Holocaust film. Like their 1970s predecessors, the filmmakers in the three productions under discussion here reveal the willful silence of the West German population towards the crimes of the Third Reich and the complicity of the state in fostering this amnesia. However, in contrast to the films of New German Cinema directors such as Rainer Werner Fassbinder, Alexander Kluge, and Helma Sanders-Brahms, who sought to expose the myopia and hypocrisy of the German bourgeoisie, the new wave of Holocaust films seeks to celebrate exemplary behavior of middle-class Germans who challenged dominant narratives of postwar society. Fritz Bauer may have been a West German lawyer, but in these three films he is framed as a hero and founding father for all of Germany, not just for the Federal Republic, leading one reviewer to state that 'without Fritz Bauer's dedication, modern Germany would be unimaginable.'⁷

The Films

Set in Frankfurt in the late 1950s, *Im Labyrinth des Schweigens* follows the young state prosecutor Johann Radmann in his professional and personal journey as he confronts the Federal Republic of Germany's recent past. As the only state prosecutor willing to pursue a journalist's tip-off about a former member of the Waffen-SS who is now teaching in a local school, Radmann comes to discover the complicity of the Federal Republic in fostering a culture of silence around the crimes of National Socialism. As the extent of this 'labyrinth of silence' becomes apparent, he begins to question his own

place in the country: 'This is a nation of criminals and they act as if nothing happened. [...] We Germans should wear black forever,' laments the increasingly despairing and disgusted Radmann. Under the mentorship of Fritz Bauer, he interrogates those responsible for National Socialist crimes and, in doing so, puts an entire nation on trial. The film closes at the point the Auschwitz Trials begin. Bauer tells Radmann 'today we are making history,' and the sense that the trials will mark a watershed moment for postwar Germany is reaffirmed in the film's closing text: 'The trial is seen as a turning point in the history of the Federal Republic of Germany. The crimes of the Nazi regime could no longer be suppressed.'

Der Staat gegen Fritz Bauer takes the same period as its focus and setting, but this time the plot is underpinned by the trial of Adolf Eichmann. Again, we are presented with the character combination of Fritz Bauer and a young fictional state prosecutor—this time named Karl Angermann—who, director Lars Kraume has stressed, is 'representative of a generation of young, idealistic public prosecutors who fought together with Fritz Bauer out of conviction.'⁸ Of the three films examined here, *Der Staat gegen Fritz Bauer* is the only film that does not feature witness testimony or documentary footage. This is partly symptomatic of the film's privileging of explicitly moral over historical narratives. The dynamic, young prosecutor insists on the moral and criminal imperative of pursuing former National Socialist perpetrators. But he is also rendered a victim of the state when he is blackmailed by the West German authorities on account of his homosexuality. Here the film's multilayered temporal structure becomes evident. The film ends with Angermann's sacrifice and a monologue delivered by Bauer to the camera about the need to ensure that injustice is never left unchallenged. In this way, the first audience to come of age in post-reunification Germany is called upon to revisit one of the core narratives of the Federal Republic in

the 1950s: the tentative renewal of German national identity and social cohesion in the phrase ‘wir sind wieder wer’ (‘we are someone again’).⁹ ‘Hero or Traitor?’ asks the film’s tagline; it depends on the laws society upholds, is the message of the film.

Die Akte General takes a nearly identical backdrop for its setting, albeit situated within an openly fictional scenario. Under the guidance of Bauer, the young state prosecutor Joachim Hell embarks on a personal and professional coming of age as a young citizen of, and state prosecutor in, the Federal Republic in the 1950s. Here again, the conflict revolves around questions of whom to prosecute: the exiled Adolf Eichmann or the West German civil servant Hans Globke, who, Bauer argues, is far more representative of the unpunished and unproblematically rehabilitated National Socialist perpetrators in the Federal Republic.¹⁰ Alarmed at Bauer’s insistence that they prosecute West German political functionaries, Hell agrees to spy on his mentor for the West German Federal Intelligence Service (*Bundesnachrichtendienst*). By the time the young prosecutor realizes the legal and moral need to interrogate the pasts of former and unpunished National Socialist functionaries living in the Federal Republic, his covert activities have been uncovered by Bauer, who dismisses him from the case. As the film closes, Bauer insists that the need to pursue former National Socialist perpetrators is not only a necessary means of addressing the crimes of the past, but is also fundamental for the upholding of democratic principles in the present.

Revising the image of the perpetrator

On first viewing, the new wave of German Holocaust films seems to offer familiar images of the perpetrator through the inculcation of a prominent figure as the film’s—if not Germany’s—iconic perpetrator. In each instance, however, the young prosecutor’s desire for these figures to face justice is never satisfied in the filmic narrative: the trial

of Adolf Eichmann takes place off screen, Hans Globke is never indicted, and Josef Mengele remains a 'phantom.'¹¹ Instead, the films shift the focus from prominent and familiar figures from the Third Reich and place it onto postwar society and its refusal to confront the ever-present ghosts of its recent past.

In each film, the young prosecutors discover the scale of three parallel silences: the moral failure of individuals who undertook and participated in persecutory acts in the Third Reich, the failure of the West German legal system to prosecute those who actively facilitated the systematic persecution and then deportation of Jews, and the subsequent collective refusal of West Germans to challenge this failure in the postwar years. Only by moving beyond the comfort of their 'friendly detached house and small cars' will Germans be able to confront the crimes that were committed, 'not just by Hitler and Himmler, but by completely ordinary people.'¹² The message of the films is clear: the Nuremberg Trials were the start of the process, not the end. The test for the Federal Republic lay not in its willingness to accept the Allies' verdicts, but rather in its willingness to pursue its own prosecutions.¹³

The extent to which the films actually redirect understandings of the perpetrator away from high profile figures and onto society's complicity in the past and present is, however, questionable. The films may attempt to expose the collective amnesia of the Federal Republic in the 1950s by focusing on the perpetrator above the victim, but the image we gain from each film ultimately remains just that: a surface-level engagement. The films make little attempt to penetrate the subjectivity of their perpetrators, whose motives continue to remain 'outside the norms of human discourse.'¹⁴ This is particularly problematic given the films' renewed focus on criminal above moral guilt and the central theme of justice. Here it is helpful to draw on William Collins Donahue's study of Bernhard Schlink's *Der Vorleser*, a text often cited as a pivotal

turning point in literary presentations of the perpetrator figure. Donahue highlights the novel's problematic presentation of the former concentration camp guard Hanna's persecutory acts and accountability.¹⁵ Similar to the films under examination here, Hanna's question to the court, 'What would you have done?,' transcends three different temporalities: National Socialist Germany, the postwar Federal Republic, and the present-day. It is through this question Schlink asks the reader to engage in imaginative engagement with Hanna's position. But as Donahue argues, although such questions may seem to encourage readers to 'consider themselves as potential perpetrators,' this can only be of limited value without the qualification 'of what kind?'¹⁶ A similar question applies to the depiction of perpetrators in our three films. The films point to the widespread continued presence of the perpetrator in society, but the nature of his or her crimes is afforded far less attention.¹⁷

The failure to engage with the nature of perpetratory acts has been an ongoing challenge for filmmakers. The lack of in-depth engagement with the figure of the perpetrator certainly raises the question as to whether there exists an unwritten taboo that either 'prohibits or at least regulates' their representation on screen.¹⁸ Arguably, this has been caused in part by the difficulty in defining what constitutes a perpetratory act. The concept of the *Mitläufer* (fellow traveler) offers some redress to this as it allows for direct and indirect forms of participation, yet this separate categorization is unable to fulfill one of the films' primary aims: the exposure of society's complicity beyond readily recognizable figures.¹⁹ It is striking that the three films attempt to circumnavigate this problem by pursuing two parallel cases: a criminal case against those who committed crimes in concentration camps and a moral indictment of the willful silence surrounding these crimes in postwar West German society. Yet a core

problem remains: we learn a limited amount about the actual crimes committed. All the trials take place beyond the filmic narrative, and all evidence is given off camera.

The decision to place the perpetrators' testimony off screen should not be understood as an evasive means of avoiding this issue of legal culpability. Rather, it is a deliberate narrative strategy aimed at highlighting the role of perpetrator testimony in a post-eyewitness world and as an appeal directed to the modern-day spectator. The recent push to record the voice of eyewitness victims in films has been widely discussed, but there has been comparatively less focus on the legacy of perpetrator testimony.²⁰ In our films, the only access we have to the actions of the perpetrators is delivered by the victims off screen or with their dialogue muted and retold to the audience through the young lawyers. In each film, we are repeatedly denied the insight of the witness perspectives, we only see their effects on others. In *Die Akte General*, we witness the young prosecutor Hell watching allied footage taken during the liberation of the concentration camps. Importantly, the camera is positioned so that our attention is focused on Hell's response to the images rather than on the images themselves. In *Im Labyrinth des Schweigens*, we never hear the witnesses' testimony; we only see the speakers' faces. There are no flashbacks, survivors are repeatedly positioned off-camera, and extra-diegetic music drowns out their voices as they deliver their testimony. During one interview with a Holocaust survivor, Radmann begins by declaring, 'I want to know what happened there.' The survivor looks at him and removes his eye-patch. Crucially, we never see the hidden scars: we only see Radmann's response. Similarly, we never hear the witness explain what led to the injury. As he begins his testimony, the camera waits outside the room. We see the secretary leave the room in tears, and then hear Radmann's voiceover as he retells what he heard, and from this we extract meaning for ourselves. We are entirely dependent on

the narratives of non-eyewitnesses to understand the events of the past and we are no longer able to access the words and memories of the witness generation directly.

This very point underpins the dénouement of *Im Labyrinth des Schweigens*. Radmann and Gnielka, the journalist who first alerted the young prosecutor to the fact that a former member of the Waffen-SS is now teaching in a local school, visit Auschwitz together. The scene is shot in a way that positions the characters as the primary object of interest, not the former concentration camp. Gnielka asks Radmann to look around him and describe what he sees. Radmann answers in one word, 'Auschwitz.' Gnielka refocuses Radmann's attention by exposing the fracture between 'memory' and 'remembrance': 'No, you see a meadow. Trees, barracks, a fence. Auschwitz is the stories that happened here and are buried here.' Gnielka draws attention to the role of eyewitness testimony in unlocking the past. The only way to achieve justice for this 'buried' past is to preserve the stories; commemoration at the original site is of limited value in a world without some way of safeguarding and preserving the survivors' voice to recount what happened there. Here, the films deliver a key message to their twenty-first-century audiences. By shooting these sequences in a manner that forces us to witness the effect of the original sites, of authentic footage, and of testimony on non-witness generations who were neither victims nor perpetrators of the crimes, the transmission of Holocaust memory becomes a process of watching, listening, and interrogating memories of the past. Only then can the history of the Holocaust be retold anew.

Interrogating family narratives

The young prosecutors' determination to uncover the extent of the crimes of the past and to expose the presence of unpunished perpetrators in West German society signals

the willingness of the postwar generation to ask the questions their parents did not. However, it would be wrong to assume that the films present the societal reluctance to challenge narratives of the past exclusively along generational lines. The press notes for all three films stress the importance of Radmann, Angermann, and Hell as representative figures for a younger, postwar generation, but the films' presentation of generational divisions is more complicated than a simple young versus old divide would suggest. The films do not automatically equate the 'mercy of a late birth' with a more progressive attitude.²¹ In *Im Labyrinth des Schweigens*, Radmann is termed a 'stickler' because of his dogged pursuit of justice at the start of the film, but he too initially employs euphemisms when he refers to the camps as 'there' and asks a survivor what happened 'during your stay.' Likewise, in *Die Akte General*, Hell is commended by Bauer for his 'healthy disrespect for authority,' yet at the start of the film he considers any attempt to investigate the legacies of National Socialist perpetrators beyond the figure of Eichmann to be an act of 'treason.'

Indeed, in all three films, we see that younger Germans are just as likely to accuse Bauer of treachery as the state prosecutor's peers and contemporaries, are just as likely to obfuscate and excuse their parents' actions during the Third Reich and, at least initially, are shown to be just as ignorant about the past and reluctant to engage with it in the present. In a television interview with Bauer in *Der Staat gegen Fritz Bauer*, young Germans interrogate the Attorney General about 'what we as Germans can still be proud of today.' Bauer's religious identity as Jewish, his political identity as a socialist, and his sexual identity as homosexual expose him to repeated accusations of being a 'traitor,' whose desire for 'revenge' is merely masquerading as a campaign for justice. To visualize this very point, a camera is wheeled up to Bauer, and a point-of-view shot coupled with oppressive music and the use of a hand-held camera convey the

impression that society is interrogating him about his attempts to uncover the truth. Bauer responds by arguing that German postwar identity should not draw on achievements from the past such as the works of ‘Goethe and Schiller or Einstein’ as evidence of national pride ‘because *we* can’t do anything about that.’ That is to say, the achievements of the past do not define a nation’s conduct in the present. In a line that appears in both *Der Staat gegen Fritz Bauer* and *Die Akte General*, Bauer insists, ‘You can formulate paragraphs and write articles. You can have the best constitution. But what you need are people who live these democratic things.’²² This call to action is not determined by age, but by mentality. As an older prosecutor later laments in *Im Labyrinth des Schweigens*, ‘all we had to do was open our eyes.’

Bauer himself demonstrates the fact that the desire to interrogate the ghosts of the past in the Federal Republic was not the exclusive prerogative of the young. The act of ‘opening one’s eyes’ can occur at any point, but it does require a willingness to question the actions of the past. In all three films, this challenge is embodied within problematic father–son relationships.²³ In both *Die Akte General* and *Im Labyrinth des Schweigens*, we witness characters renouncing their filial loyalty in order to establish themselves as the ‘future of Germany.’²⁴ In our first introduction to Radmann in *Im Labyrinth des Schweigens*, we see him looking at a photograph of his father that bears the dedication ‘*Justis veritas humanitas*. Always do the right thing—your father.’ While pursuing the unpunished crimes of other West Germans, Radmann repeatedly upholds his own narrative of his father as an upstanding and honorable soldier. Only at the end of the film does he finally display a willingness—and need—to read his own father’s military record and confront the actions of his own father.²⁵ This crucial step opens up a rupture that allows Radmann to replace his father’s adage with his own: ‘the only response to Auschwitz is to do the right thing yourself.’ As he steps out from the

shadow of his father, it is this statement that defines Radmann's position at the end of the film.

The questioning of filial loyalties is even more pronounced in *Die Akte General*. During a party, Bauer tells Hell that fellow guest Thomas Harlan—son of Veit Harlan, who directed the notoriously anti-Semitic film *Jud Süß* (*Jew Süß*, 1940)—is emblematic of a generation of younger Germans who are challenging the actions of their parents.²⁶ When Bauer subsequently discovers Hell's covert surveillance of him, he pointedly tells the young lawyer, 'I thought you belonged to the future of Germany.' Tellingly, the film closes with Bauer and Harlan sitting together, while Hell is positioned out of shot, having failed in his moral quest to uncover the extent to which West German society was entwined in a web of complicit silence. Thomas Harlan, meanwhile, explicitly rejects the actions of his father to embrace the path signaled by Bauer and is able to take his place alongside the film's hero. This symbolic realignment underpins the broader message of the film: collective rehabilitation can only be achieved if individuals are prepared to move beyond familial loyalties and question the actions of those before them.

Conclusion

The repeated calls that temporal estrangement and postwar (self-)rehabilitation should be no barrier to prosecution have clear overtones for today. The recent prosecutions of John Demjanjuk, Hubert Zafke, and Oskar Gröning have all been accompanied by discussions as to whether these cases will represent the final prosecutions of Holocaust perpetrators.²⁷ At the same time, each case has provoked renewed questions about the implications of prosecuting individuals over seventy years after the event.²⁸ These films offer a clear answer: criminal responsibility is not diluted by the passing of time, and it

remains the duty of society to interrogate the past through the perpetrator. In doing so, they not only thematize the statute of limitations but also the statute of memory, as if in a plea to interrogate the image of the perpetrator before memory (*Erinnerung*) becomes molded into commemoration (*Gedächtnis*).

The three films examined here respond to this shift in both their subject matter and the means by which testimony is relayed to the audience. While the films expose the challenges of preserving the voice of the eyewitness in the future, they also call upon the present-day spectator to interrogate the foundations of societal narratives of the past. This new wave of films reveals the pursuit of elites to be misleading and fruitless: Eichmann's trial will not take place in the Federal Republic, Globke will never be indicted, and Mengele will remain a 'phantom.' But by refocusing attention on a broader spectrum of the population and by asking 'Who was Auschwitz?'—was it individual actions and guilt or the collective refusal to confront the actions in the Third Reich *and* in the postwar years—these films challenge not only dominant narratives of the 1950s but also of Holocaust memory today.

Notes

¹ For more on the figure of the perpetrator in German cinema since 1945, see Kapczynski, "The Treatment of the Past"; Wolfgram, *Getting History Right*; Hake, *Screen Nazis*.

² Levy and Sznajder, *The Holocaust and Memory in the Global Age*, 133.

³ Assmann, *Der lange Schatten der Vergangenheit*, 231. For more on these terms, see Assmann, "Collective Memory and Cultural Identity."

⁴ The English language titles of the films subtly modify the meaning from the original German. The German title *Im Labyrinth des Schweigens* translates literally as 'In the Labyrinth of Silence', rather than *Labyrinth of Lies*. *Der Staat gegen Fritz Bauer* literally translates as 'The

State against Fritz Bauer' rather than *The People against Fritz Bauer*. *Die Akte General* has not been released in English-speaking markets.

⁵ Line from *Im Labyrinth des Schweigens*.

⁶ This line is spoken by Bauer in the documentary footage included at the start of *Der Staat gegen Fritz Bauer*.

⁷ Kaefer, "Der Held will keine Rache."

⁸ Beta Cinema Press, *The People vs. Fritz Bauer*, 8.

⁹ This phrase is closely associated with the reawakening of national pride following the Federal Republic's unexpected victory at the 1954 World Cup and came to embody a new sense of confidence throughout the 1950s.

¹⁰ Hans Globke served as Chief of Staff in Konrad Adenauer's government between 1953 and 1963. In the Third Reich, he worked as a lawyer in the Ministry of the Interior, where he helped to write the legal commentary for the 1935 Nuremberg Race Laws.

¹¹ A term used in *Im Labyrinth des Schweigens*.

¹² Dialogue spoken by Fritz Bauer in *Der Staat gegen Fritz Bauer* and *Im Labyrinth des Schweigens* respectively.

¹³ There has been extensive research on the relationship between West German society and the National Socialist past in the 1950s and early 1960s. During this period, the Federal Republic is often characterized as suffering from a willed collective amnesia. Frank Biess challenges this reading and instead describes the climate as one of 'selective memory.' Here, Biess points to the prominence of prisoner of war repatriation debates, which meant that World War Two remained an active topic of discussion; see Biess, "Survivors of Totalitarianism," 58–59.

¹⁴ McGlothlin, "Theorizing the Perpetrator," 213.

¹⁵ Schlink's novel was subsequently adapted into an English-language film, *The Reader* (2008).

¹⁶ Donahue, *Holocaust as Fiction*, 67.

¹⁷ In all three films, the figure of the perpetrator is exclusively male. Although all three films broach the traditional gender roles of women in the 1950s, it is striking that none of the directors challenges the continued gendering of the perpetrator as male.

¹⁸ McGlothlin, "Theorising the Perpetrator," 213.

¹⁹ Difficulties of definition existed from the outset. From March 1946, the Allies' denazification measures categorised Germans into five groups of culpability ranging from 'Major Offender' to 'Exonerated.' However, there were no agreed criteria as to what constituted culpability in each category. As a result, there were significant discrepancies between the different zones of occupation: whereas ninety percent of those who were required to complete the denazification questionnaire in the British zone were 'exonerated,' only a third of Germans were in the American zone. By comparison, ten percent were considered "*Mitläufer*" in the British zone compared to just under fifty percent in the French zone; see Fulbrook, *A History of Germany 1918–2014*, 127.

²⁰ See, for instance, Fogu, Kansteiner, and Presner, *Probing the Ethics of Holocaust Culture*; and Fiedler, "German Crossroads."

²¹ During a speech to the Knesset in 1984, West German Chancellor Helmut Kohl famously described the 'mercy of a late birth' as befalling Germans too young to have become complicit—or responsible for—the crimes of the National Socialist regime.

²² Steinke, *Fritz Bauer*, 156.

²³ The father–son relationships are constructed differently in each film. In *Im Labyrinth des Schweigens*, Radmann idolizes his father, who died fighting in the war. In *Der Staat gegen Fritz Bauer*, Angermann has a tense relationship with his father-in-law as a result of their very different opinions about Bauer and the need to interrogate the past. In *Die Akte General*, the film's emblematic father–son relationship is not between Hell and his father, but between the figure of Thomas Harlan and his father, Veit Harlan.

²⁴ Line by Bauer to Hell in *Die Akte General*.

²⁵ Oddly, his father's actions are never explored in the film.

²⁶ Thomas Harlan very publicly denounced his father and worked with Bauer to expose unpunished war criminals. As a filmmaker and writer, Thomas Harlan's works thematized the refusal of his father's generation to acknowledge and atone for the crimes of their past. See also the article on the Harlans by Brad Prager in the present volume.

²⁷ Whitlock, "Germany Charges John Demjanjuk"; Gray and Shuster, "How the Last Surviving Nazis Could Be Brought to Justice"; Laurin, "Der letzte Prozess?"

²⁸ For example, Müller, "Der Gebrechliche auf der Anklagebank"; Epstein, "Once a Nazi"; Connolly, "Former Auschwitz guard Oskar Gröning jailed over mass murder"; Will, "Kommentar zum Urteil im Auschwitz-Prozess".

Filmography

Die Akte General. Dir. Stephan Wagner. Germany: Das Erste, 2016.

Der Staat gegen Fritz Bauer. Dir. Lars Kraume. Germany: Alamode Film, 2015.

Die Mörder sind unter uns. Dir. Wolfgang Staudte. Germany: DEFA, 1946.

Freistatt. Dir. Marc Brummund, Germany: Salzgeber & Co. Medien, 2015.

Im Labyrinth des Schweigens. Dir. Giulio Ricciarelli. Germany: Universal Pictures Germany, 2014.

Junges Licht. Dir. Adolf Winkelmann. Germany: Weltkino Filmverleih, 2016.

Jud Süß. Dir. Veit Harlan. Germany: Terra Film, 1940.

Westen. Dir. Christian Schwochow. Germany: Senator Home Entertainment, 2013.

Bibliography

- Assmann, Aleida. *Der lange Schatten der Vergangenheit*. Munich: Beck, 2016.
- Assmann, Jan. "Collective Memory and Cultural Identity." *New German Critique*, no. 65 (1995): 125–133. doi:10.2307/488538.
- Beta Film GmbH. "*The People vs. Fritz Bauer*." Press Notes. Munich: Beta Cinema Press, 2015.
- Connolly, Kate. 2015. "Former Auschwitz Guard Oskar Gröning Jailed Over Mass Murder." *Guardian*, July 15.
- Donahue, William Collins. *Holocaust as Fiction: Bernhard Schlink's "Nazi" Novels and their Films*. Basingstoke: Palgrave Macmillan, 2012.
- Epstein, Angela. 2016. "Once a Nazi, Always a Nazi—Even at the Age of 95." *Daily Telegraph*, March 16.
- Fiedler, Matthias. "German Crossroads: Visions of the Past in German Cinema after Reunification." In *German Memory Contests: The Quest for Identity in Literature, Film, and Discourse since 1990*, edited by Anne Fuchs, Mary Cosgrove, and Georg Grote, 127–146. Rochester: Camden House, 2006.
- Fogu, Claudio, Wulf Kansteiner, and Todd Presner, eds. *Probing the Ethics of Holocaust Culture: The Roots of Militarism, 1866–1945*. Cambridge: Harvard University Press. 2016.
- Fulbrook, Mary. *A History of Germany 1918–2014: The Divided Nation*. Chichester: Wiley-Blackwell, 2015.
- Hartl, Sonja. 2015. "Fritz Bauer ist ein moderner Held: Im Gespräch mit Lars Kraume." *kino-zeit.de*, September 28. <http://www.kino-zeit.de/blog/b-roll/fritz-bauer-ist-ein-moderner-held-im-gespraech-mit-lars-kraume>
- Kaever, Oliver. 2015. "Der Held will keine Rache". *Die Zeit*. 30 September. <http://www.zeit.de/kultur/film/2015-09/staat-gegen-fritz-bauer-lars-kraume>

- Kapczynski, Jennifer, M. "The Treatment of the Past: Gez Radvanyi's *Der Arzt von Stalingrad* and the West German War Film." In *Framing the Fifties: Cinema in a Divided Germany*, edited by John Davidson and Sabine Hake, 137–150. New York: Berghahn, 2007.
- Levy, Daniel, and Natan Sznaider. *The Holocaust and Memory in the Global Age*. Philadelphia: Temple University Press, 2006.
- McGlothlin, Erin. "Theorizing the Perpetrator in Bernhard Schlink's *The Reader* and Martin Amis's *Time's Arrow*." In *After Representation? The Holocaust, Literature, and Culture*, edited by R. Clifton Spargo and Robert Ehrenreich, 201–230. New Brunswick: Rutgers University Press.
- Müller, Daniel. 2015. "Der Gebrechliche auf der Anklagebank." *Die Zeit*, June 11.
- Programmdirektion Erstes Deutsches Fernsehen: Presse und Information. "*Die Akte General*." Press Kit. Munich: Steininger Druck e.K, 2016.
- Schlink, Bernhard. *Der Vorleser*. Zurich: Diogenes, 1995.
- Steinke, Ronn. *Fritz Bauer: oder Auschwitz vor Gericht*. Munich: Piper, 2016.
- Universal Pictures International Germany. "*Im Labyrinth des Schweigens*." Press Notes, 2014.
- Will, Barbara. 2015. "Kommentar zum Urteil im Auschwitz-Prozess: Richtig und notwendig." *Hessische/Niedersächsische Allgemeine*, July 15.
- Wolfgram, Mark. *Getting History Right: East and West German Collective Memories of the Holocaust and War*. Lewisburg: Bucknell University Press, 2011.