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UCSB Hist 133B Source Exploration
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To Condemn a Death Sentence: A Historical Perspective on Nazi Euthanasia

- USA-342 *630-PS "Order by Hitler to Reichsleiter Bouhler and Dr. Brandt, 1 September 1939, to authorize certain doctors to carry out 'mercy killings' on incurables." *Trial of the Major War Criminals before International Military Tribunal, Volume XXIV.* Nuremburg, 1945. https://www.loc.gov/rr/frd/Military_Law/pdf/NT_Vol-XXIV.pdf

Headnote: The document in question is a typed statement from Nazi Fuhrer Adolf Hitler (1889-1945) to SS-Obersturmbannführer Dr. Karl Brandt (1904-1948) and the head of the Reich Chancellery Phillip Bouhler (1899-1945). Brandt served as Adolf Hitler's personal physician after having already performed countless abortions on those deemed genetically inferior under the 1933 "Law for the Prevention of Hereditarily Diseased Offspring."[1] The statement, translated into English by staff at the Nuremburg trials and dated to September 1 of 1939, reads: "Reichsleiter Bouhler and Dr. Brandt, M.D. are charged with the responsibility of enlarging the authority of certain physicians to be designated by name in such a manner that persons who, according to human judgment, are incurable can, upon a most careful diagnosis of their condition of sickness, be accorded a mercy death. - A. Hitler."[2] The handwritten comment at the foot of the document reads "Given to me by Bouhler on 27 of August, 1940 – Dr. Gürtner."[3] The document acts as authorization for what would become known as the Tiergarten-4 program of involuntary euthanasia in the Third Reich.

As illustrated by the handwritten annotation on the document, the copy available as evidence in the Nuremburg trials is attributed to Nazi Minister of Justice Franz Gürtner (1881-1941) by way of Phillip Bouhler, who received the order from Hitler himself. The first known publication of Gürtner's copy of the letter was as evidence during the Trial of the Major War Criminals before International Military Tribunal, as no other copies have ever surfaced. Any other copies of the

[1] "Karl Brandt." Wikipedia. January 28, 2019. Accessed February 20, 2019. https://en.wikipedia.org/wiki/Karl_Brandt.
[2] German History in Documents and Images. "Signed Letter by Hitler Authorizing Euthanasia Killings" (backdated to September 1, 1939). In United States Chief Counsel for the Prosecution of Axis Criminality, *Nazi Conspiracy and Aggression*, Volume 3. Washington, DC: United States Government Printing Office, 1946; Document 630-PS, p. 451. (English translation attributed to Nuremberg staff.)
[3] "Aktion T4." Wikipedia. February 17, 2019. Accessed February 18, 2019. https://en.wikipedia.org/wiki/Aktion_T4.

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order are believed to have been destroyed in the final days of the Nazi Reich. Gürtner died on January 29, 1941 and consequently his copy of the report remained among his possesions until the conclusion of the second World War.[4] The document now resides in the Nuremburg State Archive where it is available for research purposes.[5] The original order from the Fuhrer has been referenced numerous times by authors and historians to illustrate how far-reaching the bureaucratic implementation of the human euthanasia program was, and that it was knowingly approved at the highest level. Upon examining the document's trail through the years it becomes clear that, before the judgement of history, the short and simple note used to justify the death warrants of thousands has ironically only served to condemn the practice of eugenics and racial cleansing once and for all.

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Annotated Bibliography in Chronological Order

- The Associated Press. "Nazis Plan to Kill Incurables to End Pain; German Religious Groups Oppose Move." *New York Times* (1923-Current File), Oct 8, 1933.
  While this article predates the source itself, I would be remiss not to include it here given the climate it describes that gave way to the creation of the original source in question. The newspaper account refers to statements from the Nazi Ministry of Justice broaching the subject of euthanasia for the incurably ill, going so far as to lay out a system by which euthanasia could be administered with the approval of a panel of three medical doctors. This directly mirrors the format employed during the T-4 euthanasia program, which the original source in question authorizes.[6] Furthermore, it goes without saying that the specific involvement of the Ministry of Justice is intriguing given that the only known copy of Hitler's written approval of human euthanasia was among the posessions of Justice Minister Franz Gürtner.
- Dana Adams Schmidt. "Nazi Medical Horrors Revealed at New Trials." *New York Times* (1923- Current File), Mar 2, 1947.
  This article reports on the proceedings and implications of the Nuremburg Doctor's Trial. It relates how, in the face of conviction and probable execution, those responsible for mass murder under the Nazi regime claimed that their actions constituted merciful

[4] "Franz Gürtner." Wikipedia. February 10, 2019. Accessed February 18, 2019. https://en.wikipedia.org/wiki/Franz_Gürtner.
[5] "Copy of an Original Letter Signed by Adolf Hitler Authorizing the T4 (Euthanasia) Program." United States Holocaust Memorial Museum. Accessed February 06, 2019. https://collections.ushmm.org/search/catalog/pa15074.
[6] "Aktion T4." Wikipedia. February 17, 2019. Accessed February 18, 2019. https://en.wikipedia.org/wiki/Aktion_T4.

euthanasia under the direction of Adolf Hitler, in clear referece to the original source and its presentation during the Nuremburg proceedings. The article, clearly aimed at forming public opinion against the defendants, references such arguments and orders as merely a hollow excuse for an inexcusable crime. This marks one of the earliest instances of Hitler's orders to Bouhler and Brandt seeing the light of day in mainstream international media.

- Mitscherlich, Alexander and Mielke, Fred, *Das Diktat der Menschenverachtung. Der Nürnberger Ärzteprozeß und seine Quellen*, Lambert Schneider, Heidelberg 1947.
  Translated and re-printed in English two years later,[7] *Doctors of Infamy* provides an account of the Doctor's Trial at Nuremburg and the heinous experiments and practices that led to the prosecution of so many Nazi health administrators. The publication cites Hitler's order for the expansion of the T-4 program in the context of its use in the defense as an argument for simply 'obeying orders.' The account notes, however, that preparations for the euthanization of 'undesirables' and the disabled had reportedly begun in early 1939, well before the authorization of the initiative by Adolf Hitler. In this respect, the book condemns the criminals and makes certain to include text of the Hippocratic Oath and Nuremburg Code to emphasize how far the doctors on trial strayed from their mission to serve others.
- Verlag, Paul-Rugenstein. *Blätter für deutsche und internationale Politik*, Volume 5. 1960. {This is a journal--you need to cite the article within it!}
  This German publication provides an overarching historical analysis of recent and contemporary political events, including the state of euthanasia under Nazi rule. The book paraphrases Hitler's orders to Brandt and Bouhler as the beginning of institutionalized "mercy killings" within the regime. Like many of the sources to follow, Verlag employs the original orders as a means of stating that Hitler himself directed the euthanasia, without going into great deal or directly quoting the Fuhrer's typed statements. This implies that by 1960 the findings of Allied investigators and prosecutors during the Nuremburg Trials had been widely disseminated to the public and academic community, with publications such as this providing the facts surrounding Aktion T-4 for educational purposes.
- Lebowitz, Robert. "Medical Science Under Dictatorship." *Pediatrics 64*, no. 4 (October 1979): 495.
  This particular article from 1979 explores the ethics of human euthanasia and notes how it is historically possible under conditions where human rights are secondary to the wishes of authoritarian powers. The article refutes claims of other scholars and argues that euthanasia can only be a voluntary and lucid decision. The article specifically cites

[7] Mitscherlich, Alexander, and Fred Mielke. *Doctors of Infamy*. New York: Schuman, 1949.

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Adolf Hitler's letter of authorization, detailing the appeals process of parents asking the Fuhrer for the option to end the lives of their disabled children. This citation and use of the document does not quote the order in full, but relies on the premise of its existence through paraphrase to lay the groundwork for the author's argument. The article then lays out the process and means by which such children were executed under the Nazi regime, contending that such euthanasia can in no way be humane or just.

- Friedlander, Henry. *The Origins of Nazi Genocide: From Euthanasia to the Final Solution*. Chapel Hill: University of North Carolina Press, 1995.
  This publication comes as part of a wave of academic interest in the 1990s in the practices of the Third Reich. Henry Friedlander cites Hitler's orders and their execution by Dr. Karl Brandt as a turning point in the murderous story of Nazi racial policy. In the instances I was able to find, the full quotation of the typed order is not used but rather, once again, paraphrased and referenced as the turning point, if not the beginning of the Nazis' escalation of domestic euthanasia. Friedlander uses the premise of the original source and many others to argue that Hitler's program of euthanasia served as a model that led directly to the mass killings of Jews and Romani peoples and should therefore be considered part of the overarching horror that was the European Holocaust. He also explores the bureaucratic functions that enabled the order to be given and carried out, marking in time how a seemingly simple note from some fifty-six years prior set the stage for genocide.
- Spitz, Vivien. *Doctors from Hell: The Horrific Account of Nazi Experiments on Humans*. Boulder, CO: Sentient Publications, 2005.
  Vivien Spitz served as a translator at the Doctor's Trial in Nuremburg and is credited with providing first-hand accounts of the proceedings there.[8] Her 2005 publication of *Doctors from Hell* details the atrocities that came to light during the prosecution of Karl Brandt and nineteen others. In her chapter on the atrocities of euthanasia, Spitz makes specific reference to the letter sent from Adolf Hitler to Karl Brandt authorizing the killing of disabled chilren at Brandt's discretion. The publication serves as a condemnation of the actions of Nazi medical professionals as well as a testament to the horror mankind is capable of inflicting on its own number. Her citation of U.S. Prosecution Exhibit #342 forms an important component of that narrative.
- Bryant, Michael S. *Confronting the "Good Death": Nazi Euthanasia on Trial, 1945-1953*. Boulder, CO: University Press of Colorado, 2005.
  This particular publication serves as a legal record of criminal trials against those responsible for Nazi human euthanasia by both American and West German authorities.

[8] "Vivien Spitz." Colorado Women's Hall of Fame. Accessed February 20, 2019. https://www.cogreatwomen.org/project/vivien-spitz/.

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The book, by Michael Bryant, tangentially cites the original order from Hitler as it relates to the defense of those on trial for mass murder at the behest of their Fuhrer. However, its main agenda looks at the failings of judicial prosecutions in the postwar period given the contentious political climate and the task of rebuilding[9] – a considerable deviation which implies that, at some point, the signifigance and role of the original source is well established and can only be stretched so far. That is not to say that the original source is of no more historical value, but rather that it has been repeatedly applied to a very focused and oft repeated narrative to which it is best suited. Bryant's work differs slightly in this regard.

To conclude, the path taken by Hitler's orders to Brandt and Bouhler in autumn of 1939 can be relaibly traced to the present, at first during wartime through the horrors it unleashed, and later through literary and academic publications recognizing the dreadful implications of that fateful slip of paper. The source has stood the test of time and been used ad nauseum by numerous authors to demonstrate the inhumanity and origins of the so-called "good death," and even from its vault in Nuremburg echoes still through the works of those who would ensure that no one ever again be accorded the Nazis' "mercy."

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[9]Knight, Lora. Review of Bryant, Michael S., *Confronting the "Good Death": Nazi Euthanasia on Trial, 1945-1953*. H-Eugenics, H-Net Reviews. January, 2008. http://www.h-net.org/reviews/showrev.php?id=14041