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Source Exploration Essay
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The Softening of Denazification Policy Under John J. McCloy

Source: John J. McCloy, “Present Status of Denazification,” in Office of the U.S. High Commissioner for Germany, *5th Quarterly Report on Germany*. October 1 – December 31, 1950, pp. 46-55.

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<https://germanhistorydocs.ghi-dc.org/docpage.cfm?docpage_id=3029>

John J. McCloy was born on March 31, 1895, in Philadelphia, Pennsylvania.¹ In his early career, he served in the US Military in World War I and eventually became a Wall Street lawyer after the war. However, with the emergence of the Second World War, McCloy would once again serve his country, but this time as an assistant to the US Secretary of War, Henry Stimson. At the conclusion of WWII, McCloy became the second president of the World Bank, followed by his role as the first US High Commissioner for Germany from 1949 to 1952.²

McCloy’s “Present Status of Denazification” quarterly report was written in the context of post-World War II. In the aftermath of the conflict, the Allied powers had performed significant efforts to rebuild and mold post-war Germany into a democratic state that would not have the chance of rising to such power again. One of these efforts was the process of denazification. As the US High Commissioner, McCloy was the overseer of the American zone of occupation in Germany. With this role came the need to report and give updates upon the progress of denazification to US officials. In his report, McCloy aimed to provide information regarding the status of denazification; whether it was going well or poorly.

¹ Wikipedia contributors. (2024, June 25). *John J. McCloy*. Wikipedia.
https://en.wikipedia.org/wiki/John_J._McCloy

² *Biography: John J. McCloy | American Council on Germany*. (2001, October 31).
<https://acgusa.org/about-us/history/biography-john-j-mccloy/>

In this fifth quarterly report, McCloy expresses a positive review of the process of denazification thus far. By first explaining the initial goal of removing any National Socialists from positions of power and instead putting democrats in those roles through the Allied Control Council's Directives No. 24 and No. 38, he reveals one of the challenges that the US faced in their attempt at denazification; outing the immense number of former National Socialists meant the inadvertent discrimination of millions of Germans. With over 3.5 million former Nazis removed from the public sphere, it seemed likely that this majority of people would be a source of strife and eventually rise to power yet again. Recognizing that this would be cumbersome to the Americans and unproductive to the relationship between them and the Germans, McCloy facilitated the second phase of denazification. This new method implemented *Spruchkammern*, which were a series of courts dedicated to denazification. These proceedings would call all Germans before a court and decide their level of Naziism based upon five categories: major offender; offender; lesser offender; follower; and exonerated. In the wake of the courts, McCloy would admit that they, too, had their downsides, primarily in the overwhelming number of people that they had to examine and review. Beyond this, McCloy details how their scope was too broad; by examining so many Germans, it led to the courts being overwhelmed with lesser cases, forcing them to delay the more extreme cases. He even mentions how there was a level of discrimination between "big Nazis" who were exonerated, and "little Nazis" who were given harsh punishment. Regardless, he still viewed them as positive in the grand scheme of things; of the thirteen million Germans, over three million were guilty to some degree, and many of the top ranking Nazi officials faced justice. According to McCloy, the courts achieved the underlying goals of forcing Germans to face and judge their own behavior during Adolf Hitler's reign, which consequently rebuilt German society based on lesser offenders. He ended the report by explaining that the role of the Americans was no more; it was now time for the Germans to rebuild on their own.³

As much as McCloy reasons that the process of denazification under his watch was a success, there is a considerable amount of controversy and criticism regarding his role. Put simply, various sources view McCloy as far too lenient with Nazi war criminals,⁴ misaligned

³ The Present Status of Denazification (December 31, 1950), published in: German History in Documents and Images,

<<https://germanhistorydocs.org/en/occupation-and-the-emergence-of-two-states-1945-1961/ghdi:document-2308>>

⁴ Martin A. Lee (2013). *The Beast Reawakens: Fascism's Resurgence from Hitler's Spymasters to Today's Neo-Nazi Groups and Right-Wing Extremists*. Routledge. pp. 69–71. ISBN 978-1-135-28124-3.

with the true goals of denazification,⁵ ignorant to Holocaust victims,⁶ favorable to German elites,⁷ and too concerned with geopolitics (specifically the Cold War).⁸ The legacy of McCloy is an interesting one; on the one hand, there is the interpretation that he is a pragmatic leader who fostered post-war Germany into a blossoming democratic state. On the other hand, he is seen as someone who compromised general morals and abandoned serving justice. McCloy's policies undoubtedly had an effect on Western Germany, whether they be positive or negative.

Annotated Bibliography in Chronological Order

1. McCloy, John J. "July, 1944 - FDR: Day By Day." FDR. (1944, July 4)

<http://www.fdrlibrary.marist.edu/daybyday/resource/july-1944-2/>.

In Jacob Heilbrunn's story in *The New Republic*, he references plenty of McCloy's quotes in writing. In this letter to the War Refugee Board (WRB), McCloy responds to a request to bomb the railway lines leading to Auschwitz, saying that, "The War Department is of the opinion that the suggested air operation is impracticable." He goes on to explain why the operation would be impracticable, mainly because of its unnecessary diversion from current bombing missions. Regardless, I used this source as a way to confirm and cross-reference the findings from Heilbrunn's story.

2. "Auschwitz Bombing Controversy: War Department Rejects World Jewish Congress Request to Bomb Auschwitz." War Department Rejects World Jewish Congress Request to Bomb Auschwitz (August 1944).

<https://www.jewishvirtuallibrary.org/war-department-rejects-world-jewish-congress-request-to-bomb-auschwitz-august-1944>.

⁵ Bess, Demaree. "Discovered: An Optimist on Germany." *Saturday Evening Post*. 4/15/1950, Vol. 222 Issue 42, p30-195. 6p. 2 Cartoon or

Caricatures. <https://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=19619080&site=ehost-live>

⁶ Heilbrunn, Jacob. "The Real McCloy." *New Republic*. 5/11/92, Vol. 206 Issue 19, p40-45.

6p. <https://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=12030786&site=ehost-live>

⁷ Hevesi, Dennis (14 September 1995). "W. J. Wilkins, 98; Was Judge at Trial of Nazi Industrialists". *The New York Times*.

⁸ Schwartz, Thomas Alan. *America's Germany: John J. McCloy and the Federal Republic of Germany*. Cambridge, MA and London, England: Harvard University Press, 1991. <https://doi.org/10.4159/harvard.9780674432994>

This is another source that Heilbrunn refers to in his story in *The New Republic*. When continuing his story of McCloy's ignorance to the Jewish situation, he recounts an exchange of letters between McCloy and the World Jewish Congress; the WJC requested the destruction of the gas chambers and the crematoria in Auschwitz, along with the railway lines, as this would reveal the German atrocities. In response, McCloy said that there would be, "doubtful efficacy that it would not warrant the use of our resources", and that it might, "provoke even more vindictive action by the Germans." I used this source as a way to confirm and cross-reference the findings in Heilbrunn's story as well.

3. Pehle, John (1944, November 8). "Assistant Secretary of War John McCloy, 1941-1945 – Formerly Security Classified Correspondence, 400.38 – Countries-Germany, NARA-CP" National Archives & Records Administration. United States Holocaust Memorial Museum.
<https://perspectives.ushmm.org/item/war-refugee-board-director-john-pehle-to-assistant-secretary-of-war-john-mccloy>.

This is another source that Heilbrunn refers to in his story in *The New Republic*. After citing the previous material, he conveys how two Polish escapees from Auschwitz made a report about their experiences at the death camp. Pehle, director of the WRB, read their report and sent another letter to McCloy, urging him to have the, "War Department give serious consideration to the possibility of destroying the execution chambers and crematories in Birkenau through direct bombing action." Once again, McCloy declined this request. This source is the letter itself that Pehle sent to McCloy, so it functioned as another way for me to once again confirm and cross-reference the information I had gathered from Heilbrunn's article.

4. "Foreign Relations of the United States: Diplomatic Papers, The Conference of Berlin (The Potsdam Conference), 1945, Volume II." U.S. Department of State.
https://history.state.gov/historicaldocuments/frus1945Berlinv02/pg_756.

After reading a journal article by Wolfgang Schlauch about Stimson and McCloy's opposition to the dismantling of German industrial plants, I began my search for the original primary source of both McCloy's words in his memo, along with Stimson's remarks at the Potsdam Conference. I discovered this article in the Office of the Historian, and it features the original diplomatic papers from the Potsdam Conference. On page 756, the quote that Schlauch had cited can be found; Stimson with regard to the dismantling stated that, "It is my view that it would be foolish, dangerous, and provocative of future wars to adopt a program calling for the major destruction of Germany's industry and resources." At this point, this had further confirmed my findings. Despite this not being McCloy, the source is still relevant because McCloy was the assistant to Stimson at this point in time, meaning that their opinions would likely be closely related to each other, and this proves that.

5. Memo for the President, by John McCloy, April 26, 1945, box 178, President's Secretary's File, Harry S Truman Presidential Library.

This is the memo from McCloy to President Truman regarding his disagreement with the dismantling of German industrial plants. In it, McCloy informs Truman that, "There is complete economic, social and political collapse going on in Central Europe, the extent of which is unparalleled in history." This is the source that Demaree Bess was citing in her story on the *Saturday Evening Post*, which confirms my research thus far. By examining McCloy's quote, it can be said that he feared further detrimental effects on Germany after it had already suffered so much, especially considering that he wanted to foster relations between Germans and Americans.

6. Bess, Demaree. "Discovered: An Optimist on Germany." *Saturday Evening Post*. (1950, April 15) Vol. 222 Issue 42, p30-195. 6p. 2 Cartoon or Caricatures.
<https://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=19619080&site=ehost-live>

I found this source on Academic Search Complete (ASC). It features a newspaper article that talks about the controversy that McCloy received as the US High Commissioner. One of these criticisms included his stance on the dismantling of German industrial plants. Bess cites McCloy's memo for President Truman in 1945, which revealed his opposition to the proposal when he was the Assistant US Secretary of War in 1945 at the Potsdam Conference. Despite being outvoted, McCloy would revisit the issue in 1949 as the US High Commissioner and once again oppose the idea. His reasoning for this was that Germany needed an economic foundation to keep its society running; he felt that dismantling them in an effort to rule out any possibility of them rearming themselves was an unrealistic possibility. As a result of this, critics felt that McCloy had lost the original vision of denazification. They felt that he had suddenly become too absorbed with the prioritization of stability and economic recovery over justice.

7. The Present Status of Denazification (1950, December 31), published in: German History in Documents and Images, <https://germanhistorydocs.org/en/occupation-and-the-emergence-of-two-states-1945-1961/ghdi:document-2308>

This is the GHDI source that I examined and summarized to provide a brief description of the content. It is the main source and topic of this essay.

8. Schlauch, Wolfgang. "American Policy towards Germany, 1945." *Journal of Contemporary History* 5, no. 4 (1970): 113–28. <http://www.jstor.org/stable/259868>.

After reading through Bess' contribution to the *Saturday Evening Post* and seeing its connection to McCloy's memo for President Truman, I began to search for the memo itself when I discovered this JSTOR journal article by Wolfgang Schlauch. In his discussion, Schlauch comments on how the dismantling of German industrial plants was a large goal that the Americans had hoped to achieve in their post-war overseeing of Germany, specifically on page 116. After establishing this, he introduces members of the American Administration who were not in favor of this objective, which features Henry Stimson and John J. McCloy. At this point, I treated this material as a way of both confirming and cross-referencing my findings from Bess' *Saturday Evening Post*. Stimson and McCloy are cited by

Schlauch from both of their own works; for Stimson it is diplomatic papers from the Potsdam Conference, and for McCloy it is the same memo that I had been searching for leading up to this point. Since JSTOR contains peer-reviewed content that features reputable publishers, I felt comfortable in using this source as a stepping-stone for further research.

9. Schwartz, Thomas Alan. *America's Germany: John J. McCloy and the Federal Republic of Germany*. Cambridge, MA and London, England: Harvard University Press, 1991.

<https://doi.org/10.4159/harvard.9780674432994>

I found this book on Google Scholar and then checked it out from the UCSB Library. In the first chapter of the book, “The Making of a High Commissioner”, Schwartz highlights the controversy that Americans associated with McCloy regarding his policies and general process of denazification. Faced with the increasing amount of amnesties for Nazi war criminals, a portion of the public felt that McCloy valued US strategy over morals and justice. Rather than aiming to convict and bring justice upon the individuals who were responsible for the atrocities of the Second World War, McCloy allowed a number to escape consequences in favor of propelling US leverage over the Soviet Union in the Cold War. According to Schwartz, he obtained his research material on this aspect from David S. Wyman, *The Abandonment of the Jews: America and the Holocaust, 1941-1945* (New York: Pantheon Books, 1984).

10. Heilbrunn, Jacob. “The Real McCloy.” *New Republic*. (1992, May 11) Vol. 206 Issue 19, p40-45. 6p.

<https://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=12030786&site=ehost-live>

I found this source on ASC as well. In this review of McCloy, Heilbrunn sheds light on what he feels is evidence of McCloy's lack of compassion and ignorance towards the victims of the Holocaust and Jewish people in general. By describing McCloy's rejection of the idea to bomb the railroad lines and gas chambers in Auschwitz through citing McCloy's letter to the WRB, Heilbrunn feels this is evidence of an absence of conviction and care towards the Jewish prisoners. He even goes on to cite Bradley F. Smith's *The Road To Nuremberg*, saying that

McCloy stated that, “Hitler’s ‘mass extermination of Jews was only one of a number of military measures’ that the Nazis employed to prosecute their operations in the ‘most economic matter’”.

11. Hevesi, Dennis (1995, September 14). "W. J. Wilkins, 98; Was Judge at Trial of Nazi Industrialists". *The New York Times*.

I found this source on the New York Times search. Hevesi goes into detail regarding McCloy’s favoritism towards German elites in the pursuit of economic stability over justice, which in turn would build Germany into a democratic ally that would not be susceptible to the Soviet Union towards the East. One of these elites that McCloy pardoned was Alfried Krupp, who was a leading industrialist that was found guilty of utilizing slave labor and contributing to Nazi war crimes. Critics like Hevesi claim that actions like these undermined denazification and instead put worries circulating the Cold War as a higher priority, while even quoting Judge Wilkins from his 1981 autobiography *The Sword and the Gavel* on page 217; “Imagine my surprise one day in February 1951 to read in the newspaper that John J. McCloy, the high commissioner to Germany, had restored all the Krupp properties that had been ordered confiscated. At the time of his death in 1968, Krupp was reputed to be the richest man in Europe.”

12. *Biography: John J. McCloy* | *American Council on Germany*. (2001, October 31).

<https://acgusa.org/about-us/history/biography-john-j-mccloy/>

This is a brief biography that hones in on McCloy’s various careers in law, government, and finance. It provides plenty of information regarding the specific actions and policies he represented in the respective positions. In general, I used this source as a way to cross-reference a Wikipedia source to see whether or not there were any discrepancies between the two. The ACG was founded in 1952 by McCloy with the goal of strengthening the relationship between post-war Germany and the United States. Considering that the organization was founded by McCloy himself, it can be concluded that it is a reliable source for checking something else, such as a Wikipedia article.

13. Martin A. Lee (2013, October 23). *The Beast Reawakens: Fascism's Resurgence from Hitler's Spymasters to Today's Neo-Nazi Groups and Right-Wing Extremists*. Routledge. pp. 69–71. ISBN 978-1-135-28124-3.

I found this source in Google Books. In the chapter, “The Seesaw Strategy”, Lee goes into detail about how McCloy was essentially responsible for the reintegration of former Nazis into society when they should not have been. He goes into detail about how Nazi judges were free to resume their careers after being reviewed despite imposing, “the death penalty on persons convicted of telling an anti-Hitler joke or having sexual relations with a Jew.” The source reveals the point made by critics that McCloy was far too lenient with some of the criminals. On top of this, it exemplifies the point made by McCloy himself that some “big Nazis” were treated disproportionately in comparison to “little Nazis”.

14. Wikipedia contributors, “John J. McCloy,” *Wikipedia, The Free Encyclopedia*, https://en.wikipedia.org/wiki/John_J._McCloy (accessed October 25, 2024).

This Wikipedia article provides a brief overview of McCloy’s life, spanning all the way from his early life to his death. In between, this features his various careers and his specific roles and responsibilities in each. I used this as my starting point to get a general grasp of McCloy and his life.