

Making Killers: Hate Training and the US Army's War in Europe, 1942-5

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Abstract

During the Second World War, the US Army was faced with the problem of turning average civilians into soldiers capable of destroying the German army. To ease their adjustment to their new duties and overcome what US officers saw as the unsuitability of Americans for soldiering, the Army Ground Forces adopted a training regimen designed to produce an 'induced urge to hate the enemy'. This training would make soldiers into enthusiastic killers by portraying the enemy as brutal and ruthless and warfare as a fundamentally lawless activity. As the war went on, hate training increasingly emphasized German atrocities, breaking down the distinctions between soldier and civilian and painting all Germans as potential threats. This antinomian approach achieved only marginal effectiveness in getting US troops to kill, but had dire results for military justice. Blurring the lines between lawful killing and murder, the army's hate training program crippled its ability to police its soldiers. As violence against German civilians and POWs mounted, many officers felt these war crimes were the natural and inevitable result of the army's training regimen. Unwilling to hold soldiers responsible, confessed war criminals were only lightly punished, explicitly because the Army believed they had only acted on their training.

Keywords

combat training, European Theater of Operations, international law, US Army, war crimes

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In November 1948, the city of Milwaukee prepared a Thanksgiving for the homecoming of a native son, Robert Schneeweis, whose return was long delayed by the war. Under the headline 'I'd Have Crawled Back From Texas', the Milwaukee Sentinel ran a photo of the former lieutenant and his smiling family, a quintessential piece of Americana. The caption portrayed the reunion as nothing short of the fulfillment of the American Dream, though it was 'no dream last night – as it has been for three long years – Robert Schneeweis sat in his own kitchen... with Fannie, his wife, to serve him, and [his two children] to snuggle up to him'. At long last his 'fearful army "nightmare" [was] behind him'.¹

Domestic tranquillity had been in short supply in prison, where Schneeweis had faced the prospect of a 25-year sentence on four counts of manslaughter, itself a generous reduction from the four murder charges he had initially faced, which in turn had generously ignored his role in ordering his subordinates to commit two other murders. Indeed, Schneeweis would see the inside of a cell for less than three years for organizing a spree-killing in the small German town of Voerde in the last days of the war, in which he and three of his subordinates murdered six unarmed German civilians in or around their homes. The lieutenant had (among other atrocities) executed two elderly German women in their own garden, emptying his pistol into them at point-blank range, pausing only to reload and do it again. The killings were senseless in the extreme, described by Schneeweis as a 'kraut hunt' and according to all involved conducted solely for the sport of the thing. Neither Schneeweis nor any of his subordinates ever offered any inciting incident that had sparked the episode other than Schneeweis' desire to kill Germans. His actions were so egregious and the circumstances so indefensible that the lightness of Schneeweis' sentence came to official notice, with an appellate review finding that Schneeweis had been 'convicted, somewhat incomprehensibly, of manslaughter... [for] homicides [that] were deliberate and entirely unprovoked'.²

Other Americans, many of them veterans, did not find the court's leniency so inscrutable; indeed, they felt that the court had been needlessly draconian in its treatment of a man who was only doing what the army expected of him. Support came in a deluge. Respectable Milwaukeeans wrote letters to the War Department on his behalf and supporters from as far away as California expressed their disgust that an American soldier might spend his youth in a cell for killings like these. The American Veterans' (AMVETS) Milwaukee chapter inveighed the Secretary of War to commute Schneeweis' sentence to make him eligible for parole. Their petition made clear where they believed real responsibility for the killings lay: with the army. 'Killing is the business of the army,' read the petition, 'and killing enemy personnel, whether military or civilian, was generally condoned by the Army

1 'I'd Have Crawled Back from Texas', *The Milwaukee Sentinel*, 17 November 1948.

2 See *United States v. Robert A. Schneeweis* CM ETO 18436 and *United States v. Glenn D. Joachims, William Peppler, and Francis Nichols* CM ETO 17041, National Personnel Record Center, St. Louis. The most comprehensive treatment of the Voerde killings is J. Weingartner, *Americans, Germans and War Crimes Justice Law, Memory and 'the Good War'* (Santa Barbara, CA 2011).

during combat periods. Robert failed to make the necessary and immediate adjustment.' His actions were the product of 'kraut killing propaganda' and he was 'totally unaware of the implications of his offense'.³ The *Milwaukee Sentinel* lay out the objections of these veterans in a single headline on the case: 'Milwaukeean Jailed for Reich Massacre; Blame Hate Lessons[.]' The 'Hate Lessons' in question were the US army's combat training, specifically the portions that sought to induce soldiers to hate their enemy, which Schneeweis and roughly 2.6 million other American men had imbibed in the Army Ground Forces and which many believed had turned an unassuming American boy into a war criminal.⁴

The Schneeweis case poses a puzzle to the modern reader: how was it that so many Americans were prepared to excuse an unprovoked spree-killing in the European theater? Indeed, how had they come to see those killings as a natural consequence of army combat training, and therefore unworthy of punishment? This was not the wilds of the Pacific theater, where racialized propaganda extolled the extermination of a verminous and inhuman enemy in a 'war without mercy'. Nor was it seemingly a product of the cold calculus of total war that excused the excesses of strategic bombing. These killings took place in a quiet European town in the midst of a conventional war against a regular, uniformed enemy. They took place in the midst of what historians have called a 'war of rules'.⁵

We can safely dismiss the idea that army hate training led soldiers to commit murder in large numbers if only because it seems that army training designed to convince the average soldier to kill at all was singularly ineffective. The army's efforts to get their soldiers to kill in that more orderly European war by making them hate has been widely commented upon, and a consensus emerged almost immediately that such training did little to actually shape the actions of the average infantryman. As early as Samuel Stouffer's 1947 social scientific treatise on the American soldier, scholars have found that the army's efforts to propagandize a gospel of hate to those in the ranks had at best a middling effect on altering their actual battlefield behavior. S.L.A. Marshall's contentious but highly influential postwar work *Men Against Fire* argued that hate training had not managed to overcome the fact that 'the average, normal man... comes from a civilization in which... the taking of life is prohibited and unacceptable'. This cultural heritage was such that 'the Army cannot unmake him... because it is an emotional and not an intellectual handicap... not removable by intellectual reasoning, such as: "Kill or be killed"'. More recent works have not appreciably challenged this assessment

3 'Milwaukeean Jailed for Reich Massacre; Blame Hate Lessons'; 'Renew Plea for Officer in Shooting of Germans,' *The Milwaukee Journal*, 14 January 1947; 'Clemency Sought for Milwaukeean,' *The Milwaukee Journal*, 17 January 1947.

4 'Milwaukeean Jailed for Reich Massacre; Blame Hate Lessons,' *The Milwaukee Sentinel*, 14 January 1947.

5 G. Linderman, *The World Within War: America's Combat Experience in World War II* (New York, NY 1997); J. Dower, *War Without Mercy: Race and Power in the Pacific War* (New York, NY 1986).

of the limited effectiveness of army propaganda in altering the behavior of the average soldier.⁶

Though it was ineffective at meaningfully shaping battlefield behavior, scholars have overlooked a part of the US army's hate training program that was more directly influential: its antinomian worldview. Hate training contended that modern war was fundamentally and inescapably lawless, and that the only rational response from the soldier who intended to survive was to hate and kill indiscriminately. As we will see, the design of the army's combat training for the individual infantryman proceeded from three key assumptions. First, that it was the soldier's fundamental task to kill the enemy. Second, that American civilians had little aptitude for or interest in taking human life, and overcoming this deficiency was key to making them combat effective. Third, that spurring a proclivity towards violence meant emphasizing the brutality and lawlessness of the enemy, and encouraging the American soldier to adopt the enemy's ruthlessness. In short, the program was designed to turn average people into enthusiastic killers not overly concerned with laws. This training presented the war in Europe, particularly in its final German phase, in a light much more commonly associated with the American war in the Pacific, or its later conflict in Vietnam. The war was kill or be killed, a fight to the death against a foe whose population, in or out of uniform, was treacherous and scheming. The army sought to instill in its soldiers the mentality that any German – man, woman, or child – could at any point or place be a

6 The question of how US army combat training during the Second World War taught men to think about killing the enemy has received relatively little scholarly attention, but all the available research seems to concur that hate training had little if any impact on soldiers' willingness to kill. Perhaps the most detailed and analytically rigorous treatment remains S. Stouffer and C. Hovland, *Studies in Social Psychology in World War II*, vol. 2, 2 vols (Princeton, NJ 1949); Treatments of the American soldier's experience in battle, including Linderman, *The World Within War*; P. Schrijvers, *The Crash of Ruin: American Combat Soldiers in Europe during World War II* (New York, NY 2001); J. McManus, *The Deadly Brotherhood: The American Combat Soldier in World War II* (New York, NY 2003); and P. Kindsvatter, *American Soldiers: Ground Combat in the World Wars, Korea, and Vietnam* (Lawrence, KS 2003) cover the topic only briefly, and in virtually all cases examined the combat soldier rather than what the army was trying to teach him. Other studies, including M. Doubler, *Closing With the Enemy: How GIs Fought the War in Europe, 1944–1945* (Lawrence, KS 1994); P. Mansoor, *The GI Offensive in Europe: The Triumph of American Infantry Divisions, 1941–1945* (Lawrence, KS 1999); and R. Rush, *Hell in Hurtgen Forest: The Ordeal and Triumph of an American Infantry Regiment* (Lawrence, KS 2001) have examined training from the perspective of its effectiveness on the battlefield, but do not generally spend undue time on how the individual soldier was trained to think about his enemy or killing his fellow human beings. The two works that have addressed the subject most directly are D. Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society*, revised edition (New York, NY 2009); and J. Bourke, *An Intimate History of Killing: Face-to-Face Killing in Twentieth-Century Warfare* (New York, NY 1999); both draw heavily on the S. L. A. Marshall, *Men Against Fire: The Problem of Battle Command*, (Norman, OK 2000) and his now discredited claim of an overwhelming reluctance to kill on the part of American infantrymen. Bourke does have an extended discussion on the analogous 'Hate Training' given by the British army that is well worth considering, though neither she nor Grossman much discuss the legal implications of such training or civilian responses to it.

lethal threat. In such a war, laws had little place and survival depended on ruthlessness and a readiness to use violence.⁷

If the army was mostly scrupulous in not directly instructing its soldiers to violate international law in its printed training materials, these documents walked a very fine line and many American officers, particularly in the judge advocate corps, believed that it effectively undermined both the average soldiers' understanding of the laws of war and undercut any effort to hold war criminals to account in the courtroom. The American officer corps believed firmly until the end of the war that the outcome of this training program would be to turn at least some percentage of otherwise normal Americans into war criminals. For those indoctrinated into this view of war, the numerous crimes US troops committed against prisoners and civilians in Europe took on a substantially different cast.⁸ Rather than being the actions of individual psychotics or men of low moral character, these crimes came to be seen as a natural and inevitable byproduct of an army that took normal men and made them into killers. As such, many officers openly expressed sympathy for the young men who, they believed, had only acted on their training. That sympathy was not idle, but took the form of unwarranted acquittals, light sentences, and swift clemency. After all, how could the army punish those who practiced what it had preached?

The ultimate significance of the army's hate training program in the European theater then is less its effect on the conduct of the average soldier than its role in undermining the ability of the US army to enforce international law in its ranks. Many in the army clearly believed that hate training made soldiers into war criminals, and despite this belief not only continued to use such training but intensified its use as the war went on. Indeed, the army's hate training program represents

7 Dower, *War Without Mercy*; J. Weingartner, 'Trophies of War: US Troops and the Mutilation of Japanese War Dead, 1941–1945', *Pacific Historical Review* 61, 1 (1992), 53–67; J. Weingartner, 'War Against Subhumans: Comparisons Between the German War Against the Soviet Union and the American War Against Japan, 1941–1945', *Historian* 58, 3 (1996), 557–73.; P. Schrijvers, *The GI War against Japan: American Soldiers in Asia and the Pacific During World War II* (New York, NY 2005); N. Turse, *Kill Anything That Moves: The Real American War in Vietnam* (New York, NY 2013).

8 A growing literature has begun to dig into these crimes committed by US troops in Europe, as well as, to a more limited extent, how the military justice system responded. For the most part however, this scholarship has confined itself to anecdotal accounts or single case studies. This paper draws heavily on previously unexamined courts-martial records and underutilized internal sources on the US army's military justice system, and is methodologically unusual in trying to establish connections between these cases and to examine how the army addressed war crimes in its ranks. For some of the major works examining US war crimes in the Second World War see J. Harris, 'American Soldiers and POW Killing in the European Theater of World War II', unpublished Master's thesis, Texas State University-San Marcos (2009); Weingartner, *Americans, Germans and War Crimes Justice Law, Memory and 'the Good War'*; J. Weingartner, 'Massacre at Biscari: Patton and an American War Crime', *Historian* 52, 1 (1989), 24–39.; A. Mollo, 'The Webling Incident', *After the Battle*, no. 27 (1980), 30–3; J. McManus, *Hell Before Their Very Eyes: American Soldiers Liberate Concentration Camps in Germany, April 1945* (Baltimore, MD 2015); J. Lilly, *Taken by Force: Rape and American GIs in Europe during World War II* (New York, NY 2007); M. Roberts, *What Soldiers Do: Sex and the American GI in World War II France* (Chicago, IL 2013); A. Kaplan, *The Interpreter* (Chicago, IL 2007); F. MacLean, *The Fifth Field: The Story of the 96 American Soldiers Sentenced to Death and Executed in Europe and North Africa in World War II* (Atglen, PA 2013); K. Alford, *American Crimes and the Liberation of Paris: Robbery, Rape and Murder by Renegade GIs 1944–1947* (Jefferson, NC 2015).

both in its inception and its execution that institution's conscious decision to unilaterally subvert, circumvent, and ignore both the laws of the United States government and its international commitments. By 1945 the US army was both training soldiers to ignore international law and quietly using that training as grounds for refusing to punish known and confessed war criminals in its ranks. It was a pointed rejection of the new humanitarian legal codes, the Hague and Geneva Conventions in particular, that proliferated in the first half of the 20th century.⁹ Hate training was an expression of the army's conviction that laws could only be an impediment to the fighting soldier, and that to make men into killers was to make at least some into murderers. It was the distillation of a doctrine of combat that held that wars could only ever be waged successfully by discarding the moral and legal standards of the wider world.

For all the later talk of 'citizen soldiers', the army's decision to emphasize the importance of hating the enemy was the product of a belief among some officers that there was a stark divide between the professional soldier and the hapless citizen. Many in the army leadership believed that unless they were taught to hate, the average American boy would be unwilling to kill another human being. This supposed deficiency was noticed early on. A lieutenant in the 45th Infantry Division commented that his regimental commander in Sicily was convinced that 'an American soldier was willing to be captured, wounded, or killed, but was not willing to kill'.¹⁰ Another felt that:

[the] men have been pampered too much. They must be taught to want to kill, taught to hate the enemy and to want to... exterminate him. This spirit can be developed by... indoctrination with the desire to kill the enemy, not just make him withdraw...¹¹

The problem, as many in the army saw it, was that the raw material was lacking. The National Research Council, in conjunction with *Infantry Journal*, published a primer on the social psychology of combat, and what they felt the combat soldier should know about himself. Among other things, he was to be aware that Americans viewed war as a 'dirty, disagreeable business', and had 'no particular love of killing', an activity that was 'wrong, sinful, [and] ordinarily punishable by death'. Indeed, 'from earliest childhood, American boys are taught that it is wrong – the greatest wrong – to kill'. If some of this was a deliberately idealized image of American youth (was *Infantry Journal* going to put into print that

9 For an extended discussion of this shift in international law see B. Schneider, 'No Law Except the Sword: American War Criminals and the Failure of Military Justice, 1942–1945' (George Mason University 2019).

10 R. Blanks Testimony 'United States v. John T. Compton CM MTO 250835', 23 October 1943, Court Martial of John T. Compton CM 250835, National Personnel Records Center, St. Louis.

11 'Training Notes for the Sicilian Campaign', 25 October 1943, Record Group 407 WWII Operations Reports 1st Infantry Division 270 54 2 1–2 Box 5005, National Archives at College Park, MD.

ordinary American teenagers were eager and unrepentant killers?) at least some was in earnest. This moral distaste for killing was a problem; soldiers who 'worry or feel guilty over killing enemy soldiers . . . may head into trouble, because killing is the main job of a combat soldier'. Only by understanding that their distaste for killing was normal, and then killing anyway, could soldiers get to the point where taking human life 'may [cause] a few bad dreams, but . . . won't interfere with doing the job ahead, disagreeable though it may be'. But how to get them over the hump? The answer was anger: '... anger shared, controlled and directed to the single purpose of destroying the enemy, is a powerful force for survival and victory.' Understood this way, 'hatred of the enemy makes sense'.¹²

It isn't clear how widespread this view of the American soldier as reluctant killer was. One prominent historian has argued 'only a few officers believed that the moral beliefs of American soldiers made them reluctant to kill enemy soldiers'.¹³ But whatever their number, the officers who held this view were without dispute highly placed and highly influential.

Indeed, no other explanation suffices for the meteoric rise of a pamphlet written by an unassuming private, Frank B. Sargent of the 34th Infantry Division, bloodlessly titled *The Most Common Short-Comings in the Training of Battalion and Regimental S-2 Personnel, and Some Suggestions to Overcome These*. Much of the pamphlet was an examination of intelligence gathering techniques the author had learned in North Africa, but these sections were mundane and not especially worthy of notice. What drew attention was the last fifth of the pamphlet, descriptively titled 'Psychology of [H]ate'.

Sargent begins with a description of a familiar problem: the flabby bonhomie of the American soldier. American soldiers were distinctive, said Sargent, in that they were 'innocent and trusting', and 'not at all aggressive'. They were 'fair minded and [think] that the enemy will be fair too. He does not want to kill, because he does not hate, yet.' Only after Sargent's friends began to die in combat was he shaken from his good-natured complacency; only after needless deaths would others realize what they should have known from the first day of training. The only hope for saving your friends and possibly yourself, said Sargent, was to develop through training a soldier's 'instinct to kill anybody who threatens him or his own'. It was, he admitted, a 'primitive psychology, a cruel and inhuman one. But war is all that.' One could only deal with war as it was, and to make Americans effective in combat, 'hate must become first nature to a soldier and make him want to use every trick'. Only after hate formed the core of a soldier's being could he act effectively. Sargent knew his own transformation was complete when he had honed his enthusiasm for killing: 'We went

12 National Research Council (US), Infantry Journal, *Psychology for the Fighting Man: Prepared for the Fighting Man Himself* (Washington, DC 1943), 13–4, 325, 348–9.

13 Mansoor, *The GI Offensive in Europe*, 261.

out for days to look for the enemy, we fired at anything that moved, we laid booby traps all over the front, because we wanted to kill.¹⁴

The pamphlet received quick notice. Sargent's division commander commented on 'its excellence' and forwarded it to Eisenhower. Eisenhower was 'so impressed by it that he published it to the Allied forces in North Africa'. The Army Chief of Staff received a copy and 'ordered it distributed to the Army at large'. Lesley J. McNair, commanding general Army Ground Forces, explained the popularity of Sargent's ideas in his introduction to the pamphlet. It was not the 'technical procedures' Sargent outlined that drew notice, as those were 'in large measure contained in training publications', but instead his comments 'as to psychological training' which McNair described as 'eloquent, sound, and generally applicable'. These suggestions were especially important, McNair continued, because 'if we are frank, it must be admitted that the fighting spirit of American troops in general is still inadequate for the desperate fighting ahead'.¹⁵

McNair's enthusiasm for Sargent's pamphlet was in no small measure a product of its reflection of his own thoughts and attitudes. On Armistice Day, 1942, McNair had addressed the troops of the Army Ground Forces over the radio. He did not mince words. 'Our soldiers must have the fighting spirit,' he began:

If you call that hating our enemies, then we must hate with every fiber of our being. We must lust for battle; our object in life must be to kill; we must scheme and plan night and day to kill. There need be no pangs of conscience, for our enemies have lighted the way to faster, surer, and crueler killing; they are past masters. We must hurry to catch up with them if we are to survive. Since killing is the object of our efforts, the sooner we get in the killing mood, the better and more skillful we shall be when the real test comes.

He proceeded to lament the fecklessness of the American soldier in preferring 'the more genteel forms of warfare' to the infantry and armored forces. Perhaps it had something to do, McNair speculated, with the fact that only a quarter of American soldiers surveyed expressed a strong desire to fight; most were ambivalent or actively disinterested in seeing combat. But, given that 'you are going to get killing mad eventually; why not now, while you have time to thoroughly learn the art of killing?' Whatever the soldier's inclinations, McNair reminded them that 'it is the avowed purpose of the Army to make killers of all of you; if not at home, far from the enemy, then overseas'.¹⁶

As McNair was in charge of all US army ground forces training, he certainly got his way. Many combat veterans recalled the particular mark left on them by the

14 F. Sargent, 'The Most Common Short-Comings in the Training of Battalion and Regimental S-2 Personnel, and Some Suggestions to Overcome These' (War Department: US Government Publishing Office, 16 June 1943), 16–20.

15 Ibid., 1–2.

16 L. McNair, 'The Struggle Is for Survival: The Importance of Training and Personnel', 11 November 1942.

army's desire to turn them into killers. Frank Irgang recalled that 'army indoctrination had taught me [there was no such thing as fairness in war]. It taught me to cheat, kill, and fight in the foulest manner ever conceived by man. [To] never give the enemy a fair chance, for he would never give me one.'¹⁷ Paul Fussell 'learned to kill with a noose of piano wire and with a sudden knife-thrust up under the rib cage. And I learned more. I learned to relish the prospect of killing this way and to rejoice in the conviction of power and superiority it gave me.'¹⁸ Another recalled how this 'brainwashing' unfolded in his unit prior to the invasion of France – twice daily, his division was shown 'movies about the Germans, you know, how they slaughtered the people and booby traps and this and that'.¹⁹

German atrocities were widely used as a spur to try to get men fighting mad, though the technique had its drawbacks. In fact, the War Department and some senior officers were so concerned about the possible repercussions of widely publicizing German atrocities that such stories were officially discouraged. Through summer 1944, the leadership of Supreme Headquarters, Allied Expeditionary Force (SHAEF) sought to stem the tide of such stories in the popular press. Their concern was that with rumors flying fast and thick, indiscriminate publications 'and the consequent discredit of some, would create a sceptical [sic] attitude to atrocity stories in general, which is undesirable'. A secondary effect would be, so they thought, to increase the number of war crimes committed by Allied troops, as 'atrocity stories relating to their own comrades might cause troops to seek hasty reprisals'.²⁰

American commanders in theater were not so hesitant. Common were *Army Talks* pamphlets, distributed down to the company level throughout the theater and designed to serve as fodder for training and discussion 'to give the soldier psychological preparation for combat'. These frequently highlighted German treachery and their habitual violations of the laws of war, especially after the landings in Normandy. One pamphlet titled 'How I Got Wounded' included helpful advice such as 'The White Flag May Mean Danger' and contained numerous stories from combat veterans who had been or had seen someone wounded or killed by 'surrendering' Germans.²¹ New soldiers were advised that when it came to the enemy: '...absolutely shoot him if he's got a gun, regardless of whether he looks like he's going to surrender or not.'²²

17 F. Irgang, *Etched in Purple: One Man's War in Europe* (Washington, DC 2008), 193–4.

18 P. Fussell, *Doing Battle: The Making of a Skeptic* (Boston, MA 1998), 80.

19 'Interview Transcript: Samuel F. Brown: Veterans History Project' (Library of Congress). Available at <http://memory.loc.gov/diglib/vhp/story/loc.natlib.afc2001001.03611/transcript?ID=sr0001> (accessed 3 October 2016).

20 'Notes of a Meeting Held At SHAEF On 30 Jun 1944 to Consider Policy Regarding the Publication of Atrocity Stories', 30 June 1944, Record Group 331 Entry 6 Box 3 SHAEF G-1 Administrative Section Decimal File 1944-5, National Archives at College Park, MD.

21 'Army Talks: How I Got Wounded', 6 September 1944. This collection of Army Talks pamphlets is held in the Boatwright Library Federal Depository at the University of Richmond. Available at <http://dlxs.richmond.edu/cgi/t/text/text-idx?page=browse&c=wtpt>.

22 'Army Talks: You're Really in the Army Now', 27 September 1944.

Nor did Army Talks pamphlets only offer reasons to dislike those Germans still fighting. A January 1945 pamphlet published a careful selection of soldiers' answers to the question 'How Do You Feel About German Prisoners?' Only two respondents offered anything in the way of sympathy. Other responses were more uniform. 'As for the prisoners, I want to cut their throats,' said one. Another offered 'I feel like batting a few of them off,' noting that prisoners were safe, fed, and warm; an unpleasant contrast to his own accommodations. Yet another: 'I don't like to take them as prisoners. But we play the game straight.'²³ The tone was consistent; the responses emphasized technical compliance with the law, but also a barely constrained, murderous hatred. It was this delicate, perhaps impossible, balance that the army sought to instill.

While the pamphlets were scrupulous in enjoining soldiers to obey the laws of war – prisoners were not to be shot out of hand – the unmistakable message was that many, many Americans were killed by German troops who gladly played fair minded, law-abiding soldiers for fools. Laws were thus at best a thing that shielded the hated enemy from the fate they so richly deserved, at worst a weapon that the enemy could wield against the naïve chivalry the state demanded its soldiers uphold. The desired response was obvious: fight as aggressively as possible and in so doing kill the enemy before the finer points of law even entered the equation. One pamphlet included an exhortation from an American veteran who summarized the desired view, who now '[knew] the score', and was 'out to kill every German I can get. The American soldier has to learn to hate: he has to learn to kill right away. Don't ask any questions, shoot and keep shooting.'²⁴

Not all army publications were so careful to stay on the right side of the law. Though most authors sought to preserve the impression of compliance, some produced training materials that rewrote the law to be more congenial to American interests, even at the risk of leading US troops to believe criminal actions were acceptable. Foremost among these was a pamphlet issued by Patton's Third Army, the 'Soldier's Handbook on the Rules of Land Warfare', of which 35,000 copies were distributed sometime prior to November of 1944.²⁵ This pamphlet was intended to offer soldiers a brief, 10-page overview of the relevant portions of the laws of war, presented in easily accessible language. It also, in practice if not intention, undercut these same laws by depicting them as being in conflict with a soldier's ability to survive in combat and suggesting (incorrectly) that in all instances the law placed the soldier's survival first.

For example, when dealing with prisoners, the pamphlet instructed readers that 'it is unfair and illegal for a soldier who throws down his rifle and holds up his

23 'Army Talks: Combat Man Speaks', 6 January 1945.

24 'Army Talks: Notes from Normandy', 5 July 1944.

25 C. Cheever, 'Soldier's Handbook on the Rules of Land Warfare (Included in Answers to: Judge Advocate Questionnaire Military Justice, Vol. III)', n.d., Record Group 498 USFET General Board, General Correspondence, 1945–6 UD 534 Boxes #3412–3414, National Archives at College Park, MD; War Department, *The Rules of Land Warfare*, FM 27-10 (Washington, DC: US Government Publishing Office, 1940), paragraph 347.

hands in surrender to pick up his weapon and shoot the soldier who has just spared his life. A soldier, however, cannot rely on the law to protect him against a trick,' and as such 'soldiers cannot take chances on the basis that the enemy will always do what the rules of war say he should'.²⁶

The pamphlet continued in this vein, reminding readers at regular intervals that 'the rules of war are not always followed by everyone' and that as soldiers their foremost concern should be survival. Thus, while notifying readers that 'it is forbidden to kill an enemy soldier who is disabled or wounded and has stopped fighting or mutilate a body by gunfire or in any other way', they are justified in doing any of these things so long as they are 'making certain that the enemy soldier who seems dead or wounded is not playing a trick'. Similarly, 'when a soldier or group of soldiers offers to surrender and stop fighting, which is sometimes called asking for quarter, the offer should ordinarily be accepted,' but readers are again immediately reminded that the law does not hold when 'it is impracticable... to give quarter' such as 'when some of the enemy continue to fight'.²⁷

While this was practical advice, it was poor legal counsel. International law offered none of the exemptions claimed in the pamphlet. According to the army's own *Rules of Land Warfare*, the 'wounded... shall be protected under all circumstances' and while a soldier who continued to fight while wounded remained a legal combatant, mere suspicion that a wounded man might resume fighting was not legal justification for killing him. In the same way, the manual strictly prohibited the refusal of quarter under any circumstances. Indeed, it was one of the actions specifically addressed under the section on 'measures not justified by military necessity'.²⁸ Simply put, a soldier in Third Army who read this pamphlet might come away believing he was obeying the law when he was not.

Other training materials went further, suggesting the US army did not care one whit what the law said. Nothing embodied this occasional indifference to law better than the 1943 training film descriptively titled 'Fighting Men: Kill or Be Killed'. The film explicitly rejected the idea that rules of any sort any had a place in war and made clear that American infantrymen were expected to conduct the war without restraint. Survival was, the film suggested to the new soldier, the foremost imperative of combat. War was not sport: 'when you step from the gridiron to No Man's Land the rule book is buried and forgotten'. Unlike at home, 'there are no penalties except the one for losing, and it's not measured in yards, it's measured in life and death'. Indeed, while 'the rules of a lifetime may whisper "you can't get a man when his back's turned"', soldiers were expected to reject this impulse 'because in war there are no rules'. To underline this point, the film depicts a hapless American soldier coming upon a wounded German begging for water. The American, still foolishly clinging to outdated laws that require him to render aid to a wounded enemy, sets down his rifle and opens his canteen, whereupon the German pulls a

26 Cheever, 'Soldier's Handbook on Rules of Land Warfare', 3.

27 Ibid.

28 War Department, *FM 27-10 (1940)*, paragraphs 33, 174, 346-7.

pistol and shoots him dead.²⁹ The message was clear: the enemy will not fight according to any rules or laws, and in order to stay alive the American soldier must do the same.

Perhaps more troubling, the average soldier had little training that might counter-balance this encouragement to skirt or ignore the law. While every soldier nominally received a refresher on the law every six months, the army did not consider it a particularly important subject. *The Soldier's Handbook*, for instance, addressed military and international law only so far as to say that 'as a general rule, they prohibit and penalize only such conduct as the person of ordinary intelligence will readily recognize to be wrong'. This was not, as it turned out, an adequate legal education, and after the war the army concluded that despite their responsibility to educate soldiers on lawful behavior, particularly regarding prisoners, 'this responsibility was not adequately discharged'.³⁰

Soldiers' legal ignorance was especially concerning given that army propaganda often encouraged them to view civilians as potential, even likely, combatants. Official exhortations and publications routinely portrayed German civilians as every bit as dangerous as German soldiers and offered some indication that the army expected US troops to meet German civilians with suspicion and a readiness to dole out violence. Like many army training materials, these injunctions walked a delicate legal line, perhaps best seen in Patton's order to Third Army prior to their crossing into Germany. In the memo he explicitly enjoined his troops to behave in a scrupulously lawful manner, demanding that 'German inhabitants who behave peacefully and refrain from hostile acts' were to be treated courteously, and promising swift punishment to any soldier who broke the law. Moreover, should German civilians 'wrongfully commit hostile acts against us' they were to be 'taken prisoner and tried by military court'. But underlying all this was a reminder that civilians were no less threatening than enemy soldiers. The 'cooperation of the French people' would 'be replaced in Germany by universal hostility, which will require that we regard all Germans, soldiers and civilians, men, women, and even children, as active enemies'. In such a country 'it is expected that we shall encounter sniping, guerilla warfare, sabotage, and treachery'.³¹

US troops were continually indoctrinated with the idea that all Germans everywhere were at all times their enemies. After crossing the Rhine, SHAEF began fighting a largely ineffective battle to keep Allied troops from interacting with the German population. 'Fraternization,' as befriending or bedding the local population was called, was decried in orders, print, and over local radio. The general tenor of these messages is embodied most concisely in the radio spots of March 1945,

29 US Army TF 21-1024 *Fighting Men: Kill or Be Killed*, 1943.

30 United States War Department, *FM 21-100 Soldier's Handbook 1941* (Washington, DC 1941), 6.; The General Board US Forces European Theater, 'War Crimes and Punishment of War Criminals USFET General Board Report No. 86', 1945, 11.

31 G. Patton, 'Relations with the German People Found in Answers to: Judge Advocate Questionnaire Military Justice, Vol. III', 1945, Record Group 498 USFET General Board, General Correspondence, 1945-6 UD 534 Boxes #3412-4, National Archives at College Park, MD.

which emphasized the average German's treacherous nature and complicity in Nazi crimes. One message offered a concise summation of the rest: 'Never trust a German.' Another reminded listeners, 'This is total war. We're not fighting just Hitler and his armies. We're fighting all the German people behind that war machine.' However sympathetic the Germans might appear, the Allied powers reminded their troops not to 'be misled into thinking of Germans; "Oh well, they're just human..." So is a murderer, so is a cannibal.' The German national character was revealed in the atrocious nature of the war they had fought, and 'German crimes in Poland, France, Russia... must be shared by all Germans'. The Allied soldier had to 'show them the world considers each of them guilty'. The radio blared on: '...every German – yes the children too – must learn that crime doesn't pay.'³²

The insidious War Crimes Bulletins addressed those crimes in far greater detail. Beginning in February 1945, Twelfth Army Group ensured that every unit down to the company level in the largest military formation in Europe received a monthly update on substantiated German atrocities. These ranged from *wehrmacht* troops burning Belgian civilians alive in a barn near Stavelot to the killing of six 2nd Infantry Division men shot down against a wall to German civilians brutalizing captured American soldiers. The bulletins again emphasized German treachery, especially in surrender, noting that 'the German (man, woman, and child) has been demonstrated time and again that he can hide more sadistic, inhuman cruelty behind a white sheet – presumably of surrender – or an ingratiating smile than it is possible for civilized human being to imagine'.³³

The bulletins' effect was noteworthy enough to draw specific comment from judge advocates after the war. Henry Mize, who had served in the War Crimes Branch investigating German atrocities, noted 'the use of war crimes bulletins is quite effective as a means of causing the soldier to hate the enemy'. Judge advocate Julian Hyer considered them part of the toxic brew along with 'movies, lectures, etc., which urged our soldiers "to give the enemy the same hell that he is giving to us"', which 'caused many reprisals, rape, murder, and pillaging cases by our soldiers'.³⁴

Of course, all of this only gives us a partial portrait of how the army sought to inculcate hatred in its soldiers. Written orders, pamphlets, films, and radio

32 Spots 7, 12, 19, 36, 38, 43 'Non-Fraternization Spot Announcements', March 1945, Record Group 331 Entry 6 Box 12 SHAEF G-1 Administrative Section Decimal File 1944-5, National Archives at College Park, MD.

33 'War Crimes Bulletins (Included in Answers to: Judge Advocate Questionnaire Military Justice, Vol. III)', 7 February 1945, Record Group 498 USFET General Board, General Correspondence, 1945-6 UD 534 Boxes #3412-4, National Archives at College Park, MD; J. J. O'Hare, 'If You Know Your Enemy You Will Not Fraternize (67)', 30 January 1945, Record Group 331, Entry 165, Box 27, HQ Twelfth Army Group General Staff G-1 Section Miscellaneous Branch Subject Correspondence File 1944-1945, National Archives at College Park, MD.

34 H. Mize and J. Hyer Surveys 'Answers to: Judge Advocate Questionnaire Military Justice, Vols. I-IV', 1945, Record Group 498 USFET General Board, General Correspondence, 1945-6 UD 534 Boxes #3412-4, National Archives at College Park, MD. Judge Advocate Questionnaire Military Justice hereafter 'JAG Surveys'.

broadcasts, were, after all, written, and could be carefully calibrated to maintain at least the appearance of compliance with international law. Verbal orders, speeches, lectures, and offhand comments were ephemeral (and thus not subject to appearing verbatim before a court-martial) and might be considerably less scrupulous. They also compounded the rhetorical effect of hate training by shaping soldier's assumptions about how they were supposed to interpret the language of the written training documents.

In Europe, loose comments about killing prisoners, surrendering soldiers, or civilians was relatively commonplace, though opinions varied on how seriously they should be taken. These comments shaped how soldiers and officers alike interpreted their training, and the extent to which written injunctions to follow the law might be drowned out by the drumbeat of hatred. Robert Schneeweis, whose spree-killing of German civilians had been pinned on army training, claimed that he believed that his battalion commander condoned indiscriminate slaughter, having told the lieutenant that 'everything on the other side of the Rhine was a kraut [and that] our mission was to kill krauts'.³⁵ Arthur Callahan, a colonel in the 20th Armored Division, was court-martialed for ordering his men to kill the division's SS prisoners after the end of the war, an order he said he issued because he had received 'verbal orders [to do so] from higher headquarters' and 'you know they don't put these things in writing'. An officer in his unit said the orders had not been seen as especially unusual, noting that 'ever since we have been in training we have been told about SS men and what they have done and it is a common expression for anyone to say "Boy, I'll kill every one of them and I'll mow them down"'.³⁶ In an incident that saw a massacre of roughly 20 prisoners from the Hitler Youth near Tambach, the officer accused of organizing it justified his action in part on the basis of a speech Patton gave the unit in which he was rumored to have told them 'not to line any prisoners up against the wall and shoot them. He said shoot [the bastards] before they get to the wall'.³⁷

Patton was perhaps the poster child for how common, severe, and intentionally off the record such remarks could be, an aspect of hate training that is hard to carefully scrutinize for lack of hard evidence but which cannot be ignored, and which contrasts markedly with the formal lawfulness of his written orders. Indeed, one soldier said he liked Patton specifically because he 'would tell us how we were going to fight, and it wasn't according to the Geneva Convention', noting that 'of course, [Patton] always denied whatever he said. He says, "I didn't say it," ... But we knew it wasn't kosher'.³⁸ Patton had already found himself subject to scrutiny

35 'United States v. Robert A. Schneeweis CM ETO 18436', July 21, 1945, Court Martial of Robert A. Schneeweis CM ETO 18436, National Personnel Records Center, St. Louis.

36 'United States v. Arthur P. Callahan CM ETO 13111', June 8, 1945, Court Martial of Arthur P. Callahan CM ETO 13111, National Personnel Records Center, St. Louis.

37 'United States v. Vincent C. Acunto CM ETO 13515', June 1, 1945, Court Martial of Vincent C. Acunto CM ETO 13515, National Personnel Records Center, St. Louis.

38 P. Andert, 'A Platoon Sergeant Who Served Under Patton at the Bulge', West Point Center for Oral History. Available at <http://www.westpointcoh.org/interviews/a-platoon-sergeant-who-served-under-patton-at-the-bulge> (accessed 2 October 2016).

for verbal orders issued in Sicily. A lieutenant had ordered the execution of 36 prisoners of war near Biscari Airfield defended his actions on the grounds that Patton had told his division to kill any German troops that failed to surrender until after American forces had closed to within 200 yards. Patton, of course, denied that he had ordered prisoners killed, but in addition to such orders other soldiers also recollected a remarkable liberality towards violence in the general's speeches. An officer with the 45th Infantry recalled that Patton had told them that if civilians 'persisted in staying in the vicinity of the battle and were enemy, we were to ruthlessly kill them and get them out of the way', while another with the 1st Infantry Division denied the speech had enjoined them to exercise even that much restraint, and they were instead to 'kill everything that moves, every man, woman, child, anything that's self-propelled, kill it'.³⁹ General Troy Middleton would remark that talk of killing prisoners and civilians was so widespread and unremarkable in the US army that 'you will find [it] in any organization' though he attributed it to the fact that 'people are all wrought-up during the conditions of battle, [and] you hear all kinds of big talk'.⁴⁰

Between the emphasis on hatred and killing, indifference to law espoused by some of the army's training, and the 'big talk' that muddled the waters further, it is not surprising that many officers came to the conclusion that army training either sanctioned or was untroubled by the prospect that American troops might commit war crimes. While it is unlikely that such training actually spurred Americans to commit murder, it created a tremendous difficulty for the army when it came to prosecuting soldiers accused of war crimes. Indeed, unless they were to admit that much of the theory on which US combat troops had been trained was wrong, it seemed virtually inescapable that the army was at least partially responsible for those crimes. Julian Hyer expressed the nature of this dilemma, remarking how 'it is a difficult thing to reconcile when you fire a man up to hatred, reprisal and revenge and then punish him for practicing it'.⁴¹

Nor was this a theoretical dilemma confined to a few scattered officers and judge advocates; it had real and practical consequences in trying to handle the thorny problem of war crimes committed by US troops in Europe. It was a serious enough issue that after the war the General Board conducted a survey of judge advocates where a standard part of the questionnaire asked them to assess to what extent 'the soldier's tendency to law violations' was a product of, among other factors, an 'induced urge to hate enemy [sic]'.⁴² Based on their responses, the General Board

39 'United States v. John T. Compton CM MTO 250835', October 23, 1943, Court Martial of John T. Compton CM 250835, National Personnel Records Center, St. Louis.

40 P. E. Brown, 'Subject: Shooting of Prisoners of War by Members of the 45th Infantry Division', March 21, 1944, RG 59 Inspector General Secret General Correspondence File 333.9, Box 67, Folder 'West, Horace T.', National Archives at College Park, MD. Middleton is almost certainly correct on this point, and the number of instances in which soldiers discuss off-color remarks, instructions, or orders from officers in memoirs, oral histories, or even official documents is enormous and widespread.

41 J. Hyer Survey 'JAG Surveys'.

42 Ibid., 4.

concluded that ‘the urge to hate the enemy [that] was part of combat training and orientation . . . was not a major factor in crime’, and more often ‘used as an excuse for misconduct’.

But this conclusion addressed the matter only as it impacted *all* crime dealt with by the JAG throughout the war. Most of the war, and indeed most of the crimes that the American military justice system confronted in the European Theater of Operations, were committed during the long build up and occupations in England and France. Only the last few months of the war saw American soldiers fighting German troops on German soil, and not coincidentally an explosion of rape, murder, and assault against German nationals that completely overwhelmed an already overstretched military justice system. Thus, while the Board was correct that most judge advocates did not consider the induced urge to hate the enemy a major factor in most cases they confronted, this was more an artifact of the military justice system’s focus on maintaining order in rear areas and relatively brief experience prior to the Board’s report with occupying enemy soil.⁴³

This final phase of the war was exceptionally violent and both the Board and the judge advocate corps agreed that combat training had contributed to American misconduct during the invasion of Germany. The Board noted that ‘the attitude of the unintelligent American soldier toward foreign civilians, particularly enemy civilians, often contributed to offenses’, especially when soldiers who ‘felt superior to all foreigners’ had those attitudes ‘accentuated by the urge to be ruthless towards the enemy. . . .’⁴⁴ This may have been understating the issue. Indeed, Joseph Riley, a judge advocate with the 66th Infantry Division, noted that such an urge was ‘doubtful’ in its contribution ‘to the commission of crimes, other than those against the enemy’. Instead, ‘the urge to retaliate encourage[d] mistreatment of and crimes

43 Indeed, the General Board Reports on military justice tend to downplay the acute collapse of the system under the deluge of incidents that occurred in the final months of the war. The system had never been particularly good at handling battlefield crimes, lacking investigative and legal resources sufficiently close to the front, but in Germany even rear area crimes were suddenly too numerous to handle properly. Rape claims against American soldiers were so frequent that judge advocates suspected an active campaign of sabotage through false accusation, and through 1946 violent crimes against German civilians were so numerous as to be considered an ‘epidemic’ of such proportions that investigating even a small number of the claims and trying the perpetrators was simply beyond the army’s resources. For an extended discussion of these issues see Schneider, ‘No Law Except the Sword: American War Criminals and the Failure of Military Justice, 1942–1945’; *History, Branch Office of the Judge Advocate General with the United States Forces European Theater 18 July 1942–1 November 1945.*, 2 vols., 1946; ‘History of the Office of the Provost Marshal ETOUSA 1 Oct 1944–8 May 1945’, Undated, RG 498 Provost Section; Administrative Branch: History of the Office of the Provost Marshal UD 1062 Box 4968, National Archives at College Park, MD; T. M. McGrail, ‘Attacks by U.S. Army Personnel on German Nationals’, March 14, 1945, RG 498 UD 26 Secretary General Staff, Studies Section; Studies and Reports, 1945–47, Box #203, National Archives at College Park, MD; Office of the Chief of Military History, *Morale and Discipline in the European Command 1945–1949*, 1950; J. Robert Lilly, *Taken by Force: Rape and American GIs in Europe During World War II* (Houndmills, Basingstoke, Hampshire [England]; New York 2007); M. Gebhardt, *Crimes Unspoken: The Rape of German Women at the End of the Second World War*, trans. Nick Somers, 1 edition (Cambridge; Malden, MA 2017); R. Lawlor, ‘American Soldiers and the Politics of Rape in World War II Europe’ (University of Cambridge 2019).

44 The General Board US Forces European Theater, ‘The Military Offender in the Theater of Operations USFET General Board Report No. 84’, 1945, 16.

against enemy aliens, who are already hated, upon observation of their own inhuman cruelties'. Another judge advocate with XIII corps remarked soldiers often had 'difficulty... in discriminating between the killing of enemy soldiers and the abuse of civilians. The latter, beginning as an unconscious reaction to the stress of battle, quickly degenerated into indiscriminate acts of assault and pillage,' though he attributed this less to army training and more to 'newspapers, moving pictures, and so forth' from 'civilian sources... who were unfamiliar with the true nature of warfare'. Perhaps most disturbing was the contention of a judge advocate from the 36th Infantry Division, who believed soldiers' training led to so pervasive a climate of abusing German nationals that after the war 'many acts that were previously condoned, even approved, suddenly became crimes'. He believed that quite a few soldiers found it 'impossible to make an adequate adjustment before finding themselves in a stockade'.⁴⁵

Quite simply, many judge advocates believed that some inevitable percentage of soldiers subjected to the army's combat training would consequently commit war crimes. To the extent the military justice system in Europe dealt with war crimes, it faced the reality of soldiers indoctrinated by a training regimen which proceeded on 'the theory that the fighting soldier must hate the enemy', the application of which, the Board concluded, 'complicated the problems of military justice'.⁴⁶

These complications were most evident during clemency considerations for accused or convicted war criminals, either during a case's review or in its aftermath, where soldiers and civilians both argued for leniency on the basis that the army bore much of the responsibility for the crimes. This belief was perhaps put most bluntly by Staff Judge Advocate William Rooney in his opinion on Vincent Acunto's acquittal for the massacre of twenty German prisoners near the town of Tambach. Rooney began by denigrating international law and the army's own *Rules of Land Warfare*, calling them 'the visionary ideals of post-war peace planners', and 'an expression of civilized society'. They were idealistic civilian prattle, because 'war is the negation of civilized society'. Instead, the army ensured that 'the individual soldier is trained to hate and kill'. Since 'his efficiency as a soldier is measured by the fury of his passion,... the trained, war-time soldier loses the values which as a civilian he was trained to observe'. This did not, Rooney felt, 'condone the action of the accused in directing the killing of unarmed helpless men'. Instead, he believed 'that these matters should be considered as mitigating the crime committed by the accused'. Mitigating or not, the point was moot. The officers of the court had acquitted Acunto.⁴⁷

Nor was the Acunto case unique. The nature of the army's training was at the core of a request for clemency in the case of Lt John T. Hanegan, who shot a German civilian who was alone and unarmed with Hanegan guarding the only exit

45 Surveys of C Decker, E.C. Betts, J Riley, R Pasley, J Young, Cumming, 'JAG Surveys'.

46 The General Board US Forces European Theater, 'The Military Offender in the Theater of Operations USFET General Board Report No. 84', 16.

47 W. Rooney, 'Staff Judge Advocate Review Vincent C. Acunto CM ETO 13515', 16 June 1945, Court Martial of Vincent C. Acunto CM ETO 13515, National Personnel Records Center, St. Louis.

to the room, which merely led into another filled with armed, alert US troops. The court called the shooting 'an error of judgment', reduced the conviction to manslaughter, and even then five of the seven members petitioned that the entire three year prison sentence be waived. While formally the request was based on his 'youth, family, overseas service and excellent combat record', another rationale was floated behind the scenes. A judge advocate who sat on Hanegan's case included in an informal argument for clemency the fact that:

For four years, and more, every agency of organized propaganda, both civil and military, have been urging [Hanegan] and millions like him to hate Germans and to kill them. [Hanegan] learned his country's lesson well, perhaps too well for his own good....⁴⁸

Hanegan would not even serve his full three year term. The army released him in 1946 contingent on his reenlistment for 18 months.⁴⁹

Marion Slota's counsel took up the emphasis on lawless slaughter in army hate training in defending his client for shooting an unarmed prisoner at a military hospital in England for laughing at him, noting, 'the evidence will show that when this man came into the army he was indoctrinated with a sort of suspicion of enemy people, collectively and individually'. This was a watered down summation of the evidence Slota's counsel would present. A lieutenant colonel in the Medical Corps, a psychologist, argued forcefully it was the army's training that had stripped Slota of moral discernment. The colonel testified that 'this man has been indoctrinated with the theory that we have been teaching our soldiers that makes him feel that the particular offense that he has committed wasn't anything that was absolutely wrong'. Slota's training led him to feel 'he was doing his duty and something his country called upon him to do'. If this was merely the insincere effort of unscrupulous officers to present any defense regardless of their belief in its truth, it relied on exploiting a wider feeling that murderous hatred of the enemy was normal and expected among men trained to fight. Slota was acquitted and despite concerns that he had shown himself a danger to others, he was deployed to a combat unit and fought during the Battle of the Bulge.⁵⁰

Several officers in the case of Wilmer Keech, a sergeant who shot a suspected German spy (who turned out to be a very drunk Luxembourger) taken prisoner during the Battle of the Bulge, noted his frothing hatred of Germans. The staff judge advocate reviewing his case recommended clemency, reducing Keech's sentence from death to life imprisonment, in part based on Keech's 'belief that the man he killed was a German soldier and that the conditioning which [he] had

48 F. Bolte, 'Staff Judge Advocate Review Lester Campbell CM ETO 16123', 9 August 1945, Court Martial of Lester Campbell CM ETO 16123, National Personnel Records Center, St. Louis.

49 'United States v. John T. Hanegan CM ETO 17141', May 31, 1945, Court Martial of John T. Hanegan CM ETO 17141, National Personnel Records Center, St. Louis.

50 'United States v. Marion Slota CM ETO 3960', 10 August 1944, Court Martial of Marion Slota CM ETO 3960, National Personnel Records Center, St. Louis.

received with respect to the German enemy'. One of Keech's superiors wrote an appeal for further clemency, again noting that Keech had killed out of hatred, and that hatred 'is natural since he had been taught [to hate] in his basic training'. Nor were Keech's attitudes deemed aberrant; the medical officer that conducted Keech's psychiatric exam commented that Keech had 'a dislike and hatred towards German people, but in my opinion no more than that of the average soldier in the combat zone'. Keech received early and positive consideration in his request for clemency and served not more than 10 years in prison.⁵¹

The effects of this training were not only seen as affecting relations with Germans. The defense counsel for James Thurman, one of two drunken home invaders who murdered two Frenchmen and attempted to rape their wives before passing out in a drunken stupor, argued for clemency for his client since:

The nature of his training in combat reconnaissance has been such as would cause him to be suspicious of everything and everyone when in an area in which the enemy or possible enemy might be. He was schooled in the Army Ground Forces dogma 'hate your enemies' and 'kill or be killed', which doctrine of training was emphatically expressed by General McNair in his 1942 Armistice Day address.⁵²

Contrariwise, a soldier without combat training might find that held against him at a murder trial. James Rice, who participated in the shooting of two supposedly SS prisoners (who turned out to be French conscripts into the *wehrmacht*), got little sympathy during the judicial review of his case, with the corps judge advocate noting that 'even though the victims were in Wehrmacht uniform, the nature of the duties of the accused had not been such as to instill in him a fanatical desire to murder all Germans'. Rice had served in a support role, and had not been given training designed to make him hate.⁵³

The hate training that the Army Ground Forces offered to its combat troops, however mixed in its successes in instilling in them a fanatical desire to murder all Germans, served to subvert both the common soldier's understanding of when they could kill lawfully and any effort of the military justice system to hold them accountable when they failed to do so. It was an antinomian doctrine, of a piece with the broader breakdown in adherence to any laws or standards that so grotesquely characterized the Second World War in virtually all of its theaters. If America's war in Europe was a 'war of rules', this was only because the army's

51 M. Wright, 'Staff Judge Advocate Review Wilmer Keech CM ETO 14547', 21 April 1945, Court Martial of Wilmer B. Keech CM ETO 14547, National Personnel Records Center, St. Louis; W. Forry, 'Subject: Appeal for Clemency', 23 April 1945, Court Martial of Wilmer B. Keech CM ETO 14547, National Personnel Records Center, St. Louis.

52 R. Love, 'Recommendation for Clemency', n.d., Court Martial of Thurman, James and Robert W. Post CM ETO 6265, National Personnel Records Center, St. Louis.

53 R. Pasley, 'Review of the Corps Judge Advocate James L. Rice CM ETO 13415', 13 June 1945, Court Martial of James L. Rice CM ETO 13415, National Personnel Records Center, St. Louis.

doctrine of hatred failed to break down the preexisting barriers and cultural norms erected by American society or by human nature.

The many officers – including quite a few at the highest levels – that adhered to it wanted their troops to view the war they were fighting as having moved beyond any rules other than those dictated by survival and victory. Senior officers like Eisenhower and McNair believed that ordinary Americans were unsuitable for combat and only rigorous indoctrination and an ‘induced urge to hate the enemy’ could overcome their natural pacifism. The ‘enemy’ here was broadly construed, and many soldiers believed that the army both expected and nurtured in them a proclivity to indiscriminate violence against anyone who stood in the way of America’s war aims, in or out of uniform. American soldiers who murdered prisoners or civilians, especially Germans, found sympathy from their countrymen, many of whom held the army partially or wholly responsible for stripping them of their moral inhibitions, instilling in them a desire to kill, and instructing them in the means of doing so.

This logic set a thumb on the scales of justice. If, as the army saw it, making combat effective soldiers necessarily entailed turning some men into indiscriminate killers, they could scarcely throw those who succumbed to their training in prison for it. Unjustifiable acquittals, short sentences, and early clemency were standard outcomes for war crimes cases in American courts. For many of the officers sitting on these courts, disregard for both military and international law was simply the price of victory. If few were willing to put it so bluntly, then the army’s heavy emphasis on training soldiers to hate and kill and its diffident efforts to teach them how to do so lawfully speaks clearly to the institution’s priorities. So too did its willingness to make continued use of, and even increase its reliance on atrocity propaganda well after field officers and judge advocates alike had concluded such methods were spurring American troops to murder and crippling any effort to hold them to account.

The army’s hate training doctrine and its consequences for military justice recast our understanding of America’s mid-century wars. Scholars of the American war against Japan and the conflict in Vietnam have tended to highlight the racial factors that drove soldiers in those conflicts to lawless violence, to ‘war without mercy’ or to ‘kill anything that moves’, arguing that those conflicts were both exceptionally bloody and this was the result of a uniquely toxic stew of racialized propaganda. An examination of how the US trained its troops to fight the war in Europe suggests these conflicts differed in intensity rather than kind, and that while racial propaganda played a clear role, we should not overlook the way the army’s methods of training soldiers for combat even in Europe encouraged them to kill without regard for international law.

To the extent these wars differed, they did so in large part despite the army’s efforts rather than because of them. Both at the time and in the aftermath, many army officers believed that their men had fought the war in Europe with too much restraint, and without adequate enthusiasm for killing. They saw the war as one of kill or be killed, a fight to the death against a foe whose population, in or out of

uniform, was treacherous and scheming; a lethal threat at any place or time. This perspective was institutionalized and a core part of how the army viewed its task of waging war and training young men to do so. If we are to understand America's wars in the twentieth century, particularly its brutal entanglements in the Pacific and later in Vietnam, we must grapple with the fact that American officers fully expected that the way they trained their men to fight would lead some to commit heinous crimes which would go unpunished, and forces us to confront that for some Americans no war allowed for the indulgence of any moral sentiment more elaborate than kill or be killed.

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