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# A STUDY OF PRISONERS OF WAR IN THE TWENTIETH CENTURY

by  
**Victor Montejo** ©

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Submitted to the Committee on Undergraduate Honors of Baruch College of The City University of New York in partial fulfillment of the requirements for the degree of Bachelor of Arts in History with Honors

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My interest in prisoners of war began when I was a boy in the 1980's when I saw blockbuster films, such as **Rambo: First Blood Part II**, **The Deer Hunter**, **Uncommon Valor** and **Missing in Action**. America was caught up with the subject of our soldiers who were or might have been left behind as POW's and MIA's. These movies depicted prisoners' experience and conveyed the fear that soldiers who had done their duty as Americans were being punished for carrying on a war that many regretted. In some ways these films reflected the period of self-examination the country went through. Older Americans had thoughts of dishonor, betrayal, loss, and unfinished business. For me, then, when I watched these movies, I always asked "Why are these soldiers, unarmed and imprisoned, treated so harshly? Is it always this way? Do captured soldiers always get treated so badly for doing their job? Have they always? Are there safeguards? If there are, why aren't they honored?"

The object of this study is to examine the issues of prisoners of war in various conflicts spanning the twentieth century, the safeguards for the treatment of prisoners that have been set down in the various conventions, and to argue that these safeguards have failed to secure humane treatment for prisoners in an era of ideological warfare. There are many explanations for failures: the changing nature of warfare, the particular logistics and strategies of particular wars, and the ideological and racial conflicts of war in this century. In this study we can see how ideological conflicts come to overshadow and dominate national and ethnic hatreds for a time and the bearing that fact has on the treatment of the captured. We can also see how national and ethnic concerns affect the treatment of prisoners. There are many successes as well when one compares the situation of the prisoners at the end of the twentieth century with that of his peers in previous eras.

A definition of war is the armed conflict amongst states or nations, a conflict in which one's goal is to impose one's will or view upon the other. According to Clausewitz, 'the enemy must be disarmed' in order to achieve this goal.<sup>(1)</sup> But what happens when the enemy is disarmed, captured, or surrenders? In the general history of warfare, as we can see in the classic era and tribal warfare, a captive became a slave or form of property.

Therefore, the prisoner was at the mercy of his captor. Frequently, a captured soldier was executed, as for example Alexander the Great's order that 3,000 Phokian prisoners be drowned.(2)

In the Middle Ages there was an attempt to let the chivalric code determine conduct on the battlefield in conflicts between Christians. The Lateran Council of 1179 prohibited conquerors from selling or enslaving soldiers, but only in wars between Christians. However, the chivalric code was not unique to Christians. During the Crusades Saladin allowed the Knight Hospitallers of Jerusalem to care for the wounded Christians, and in Spain the exchange of prisoners between Moslems and Christians was frequent.(3) It was at this point that the execution and enslavement of soldiers declined and the prisoner's status evolved from slave or property into a hostage whose freedom could be ransomed. When King John 11 was captured at the Battle of Poitiers in 1356, his release cost France 3,000,000 gold ecus.(4) The treatment and even the definition of what is a prisoner of war has differed throughout the centuries. We believe we have come a long way from the classical era and the Middle Ages when captured soldiers were executed, enslaved, or ransomed.

In the West, the middle of the seventeenth century seems to mark the moment when the belief that certain humanitarian rules should be observed in times of war took hold. In 1648, the Treaty of Westphalia was perhaps the first international instrument to have laid down provisions for the treatment of prisoners. In Article 43, prisoners were to be freed by both sides 'without payment of ransom and without any exception or reservation.'(5) This ideal was taken up in the next century by philosophers, including two important Swiss, Jean-Jacques Rousseau and Emmerich de Vattel. In his book **The Social Contract**, Rousseau states:

The aim of war being the destruction of the hostile State, we have a right to slay its defenders so long as they have arms in their hands; but as soon as they lay them down and surrender, ceasing to be enemies or instruments of the enemy, they become again simply men, and no one has any further right over their lives.(6)

And Vattel repeated:

...as soon as the adversary has been disarmed and has surrendered; no one any longer has any right to take his life ... it must be remembered that prisoners are men and unhappy ones at that.(7)

This humanitarian ideal also appeared in the Far East. In Japan the *bushido* was a code of conduct of the samurai class which taught the soldier the right and wrong way to behave. By the mid nineteenth century it became the basis of ethical training for the whole society. *Bushido* stressed in compassion towards the vulnerable, such as disarmed prisoners, and allowed honorable surrender, an ideal that would disappear during the Second World War.(8)

These humanitarian principles had yet to be institutionalized in the relations between the states. The wars of the mid-nineteenth century were bloody, both the Civil War in the United States, and in the wars of national unification in the German and Italian states. There was clearly an escalation of the destructive power of warfare as a result of industrialization. There was a shift from mercenary and enforced soldiery to universal or democratic service in which all able-bodied men might be called to war as well. In such a changing environment humanitarian concerns pushed the question of treatment of the captured to the forefront. A movement emerged which created international laws, through conventions and agreements, regulating the treatment of prisoner of war.

The first steps to make these humanitarian principles international took place in Geneva in 1862. The carnage and suffering encountered by the wounded and sick soldiers and the inadequate care they received on the battlefields of Europe and America was the motivation behind the international legislation. The battlefields which horrified Francis Lieber, Gustave Moynier, Florence Nightingale, and made Henry Dunant write **Souvenirs de Solferino**, an account of the battle of Lombardy, also horrified the civilians of many nations.<sup>(9)</sup> The governments of these people were now pressured to address these issues, and the Genevans who had founded the International Committee of the Red Cross (ICRC), now had the opening to make these principles international.

The US was the first government to establish formal guidelines on how its army was to deal with the enemy in 1863 with the "Instructions for the Government of the Armies of the United States in the Field." This set of instructions was written during the American Civil War by Francis Lieber, a German immigrant and professor of law at Columbia College in New York, who was influenced by the ideals of Rousseau and Vattel. It declared that: "A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering, or disgrace, by cruel imprisonment, want of food, by mutilation, death or any other barbarity."<sup>(10)</sup> The influence of his ideals can be seen as late as the Second World War where the US Army directly incorporated this code. Lieber's Code, as it became known, was the prototype and model for the Geneva and Hague Conventions that were to follow in the succeeding decades.<sup>(11)</sup>

Fundamentally the Geneva Convention and the Hague Convention dealt with different areas of humanitarian concern. The Hague Convention relates to the weapons and method of warfare; the Geneva Convention is concerned with the protection of the individual. It's important to realize that the Geneva Conventions are a product of the humanitarian efforts by such individuals as Henry Dunant, Gustave Moynier, and Lieber and organizations like the International Red Cross. The Hague Conventions, which deals with the same subject, is a convention, which has at the heart of it, the national interests of each participating state.<sup>(12)</sup> In the end, the motivation for both conventions is the desire of the contracting parties to ensure that its captured soldiers receive adequate care and treatment.

The work of the Genevans culminated in the "Convention for the Amelioration of the Condition of Soldiers Wounded in Armed Forces in the Field", but it was not truly

international until 1882 when it was ratified by all the Great Powers and the United States. This Convention was responsible for establishing the International Red Cross as an organization responsible for the protection of wounded soldiers and the civilians who cared for them. At this time a Red Cross on a white background was recognized as the symbol of the organization. The Geneva Convention was a revolutionary piece of legislation, as Louis Renault, one of the founders of the Red Cross, said: 'The Geneva Convention was important and unique since it aimed at regularizing in a permanent manner a situation which, until then, had only been haphazard.'[\(13\)](#)

The Geneva Convention of 1864 was followed by the Brussels Declaration for the regulation of the Laws and Customs of War on Land. This conference was initiated by the Czar of Russia and its task was to prepare a treaty which would be considered by the attending countries. The principles were based on a Russian code on prisoners much like Francis Lieber's and it stated: 'Prisoners of war are not criminals but lawful enemies. They are in the power of the enemy government ... and should not be subjected to any violence or ill-usage.' If the principles of the treaty were agreed upon by all the delegates then it would become a convention with binding powers, if not then they would reopen the deliberations.[\(14\)](#) They did not achieve a convention at Brussels, all the delegates could not agree and it was not until the Hague Peace Convention in 1899 that a new convention was established. Specifically Article 21 of the Hague stated: 'The obligations of belligerents with regards to the sick and the wounded are governed by the Geneva Convention of August 22, 1864.' The Hague Convention was based on both the Geneva Convention of 1864 and the Brussels Declaration of 1874.[\(15\)](#) The preamble of the Hague Convention was a summation of the humane ideals of the conveners:

Animated by the desire to serve, even in this extreme hypothesis, the interests of humanity and the ever increasing requirements of civilization; Thinking it important, with this object, to revise the laws and general customs of war, either with the view of defining them more precisely, or of laying down certain limits for the purpose of modifying their severity as far as possible,... [\(16\)](#)

The Hague strove to attain these goals by laying down extensive rules and regulations for the conduct of war and in Chapter II discussed the treatment of prisoners of war. The prisoner should be treated in a 'manner analogous to that of the troops of the Detaining Power'.[\(17\)](#) Many articles convey this concept, such as the principle that the prisoner must be humanely treated, prisoners shall be treated, in regards of food, quarters, and clothing on the same footing as the troops of the government which captured them and that to declare that no quarter will be given is illegal.

Other articles dealt with the use of prisoner labor. Officers could not work, a reflection of the tradition that officers were gentleman born. The amount of work, which was 'not to be excessive', depended upon the rank and physical condition of the prisoner, and the work had to be non-military in nature. In articles 14 and 15, an information bureau for prisoners in the custody of the belligerent states, and, if necessary, in neutral states, was to be established. The job of the bureau was to answer all questions concerning the

prisoner, to notify any interested parties of any changes in internment, such as transfers between camps or to a hospital, and to keep track of the death of prisoners. Further 'Relief Societies', for example the Red Cross, were to be allowed to visit the prisoners in their place of internment to offer aid and comfort, and these societies were to be assisted by the belligerents in 'the effective accomplishment of their humane task.'[\(18\)](#)

At the time of the Hague Convention (1899), the Swiss Federal Council was asked to head a new conference and to revise the Wounded and Sick Convention of 1864 so that it could be included. By 1906 a new conference produced a new Geneva Convention in time to govern the treatment of the wounded and the sick during the first World War.[\(19\)](#) There were four main principles that the Convention emphasized, wounded and prisoners are to be taken care of, they are to be exchanged during the war and not after, they are the property of the detaining power, and, with the exception of officers, may be employed for non-military work.[\(20\)](#)

A second Hague Peace Conference was held and its convention ratified in 1907. There were few revisions to the original Hague Convention of 1899, except that it took a step back by not removing the 'general participation clause'. According to Article 2 of the Hague Convention: "The provisions contained in the Regulations referred to in Article 1, as well as in the present Convention, do not apply except between Contracting Powers, and then only if all the belligerents are parties to the Convention."[\(21\)](#) In effect this clause only made the Convention binding in case of war between two belligerent states who had agreed to the convention and ceased to have effect if any 'nonContracting' party became a belligerent. This clause was detrimental to the convention because it could be, and later on would be, used as an excuse for the maltreatment of prisoners. Many countries had not ratified the convention and were, therefore, not bound to follow the guidelines. It indicates that the framers were unaware that the future nature of warfare would involve not just two nations but alliances of many nations and that not all belligerents would be parties to the convention.

The First World War severely tested the Hague Convention of 1907, the rules and regulations of which were written only seven years before the outbreak of the war. The framers could not predict that warfare, as it was known to them, would change so drastically in such a short period of time. Europe had not witnessed a general war since 1815, but instead short, decisive, and not very bloody conflicts such as the Austro-Prussian War of 1866, and the Franco-Prussian War of 1871. These two national wars did not resemble the American Civil War, in which over four million men were mobilized and staggering casualties and tens of thousands of prisoners were taken. Neither did they resemble the Russo-Japanese War of 1904-1905 in which the Russian surrender at Port Arthur yielded over 24,000 prisoners to the Japanese. But the experiences of the American Civil War and the Russo-Japanese War fell on deaf ears; they were not much appreciated in Europe.[\(22\)](#) These wars ought to have indicated to the nations of the world that modern warfare was going to be different, but the Geneva Convention remained the same on the eve of the First World War.

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The twentieth century has often been described as the century of 'total war'. With the introduction of the Industrial Revolution to the battlefield many of the traditional restraints on warfare were broken. Nations mobilized their industries to produce such technological innovations like the machine gun, which had proved its effectiveness in the Russo-Japanese War, poison gas, and barbed wire, all of which made the war on the western front stagnate. "Strategists perceived a devastating contradiction between their initial dreams of a brief, glorious, and inexpensive victory and their soldiers' desperate attempts to win a few yards of blood soaked ground at tremendous cost." (23) New weapons, such as submarines and Zeppelins, were used to attack civilian targets. As a result of the increasing demands by the military in terms of food, clothing, and war materiel for the front, the civilians at home became directly involved in the war effort, therefore the distinction between combatant and non-combatant was lost. Michael Howard put aptly when he said that the First World War was: 'a conflict, not of armies but of populations.' By extending the boundaries of war, and with the increasing evolution of two distinct but equally important fronts, the Home Front and the Battlefield, the First World War became a true unification of war and 'civil society'.(24) This confusion of the Home Front and the Battlefield made it harder to treat prisoners humanely as there was no longer any place free from the threats and pressures of violence.

A result of the total war was the largest scale mobilization of soldiers in history, which in turn meant the greatest number of prisoners captured and imprisoned. Within the first six months of the war there were already over 1.3 million prisoners in Europe.(25) During the Battle of Tannenburg, on the Eastern front, the Russian Army surrendered by the thousands:

Eventually, they came towards us with a very large white flag, the Russian officer telling their men to throw away their arms,... We took 20,000 prisoners...The hundreds of officers were rounded up in two farmhouses, while the men desperately hungry, were put in fields where they had to stay for several days.(26)

By the end of that campaign there were over 92,000 Russian prisoners. Just to find housing was a mammoth problem. Besides housing there were other logistical problems such as food and clothing. The examples of mass surrender were not only common on the Eastern front but also in the Arabian Peninsula, 'In British hands were 75,000 Turkish prisoners', all captured between September 19 and October 26, 1916.(27)

Many officials overlooked the amount of logistical support modern warfare required. Many nations had enormous difficulty maintaining their armies in the field, never mind the prisoners they captured. This was especially true of Russia. It's important to realize that the Russian Army's logistical capabilities were stretched to the limits. Russia's dependence on the Allies, for the import of war materiel and export of wheat, was crucial if it was going to continue fighting.

Many men have no boots, and their legs are frostbitten. They have no sheepskin or warm underwear, and are catching colds. The result is that in regiments which have lost their officers mass surrenders to the enemy have been developing, sometimes on the initiative of wartime officers. 'Why should we die from hunger and exposure, without boots? The artillery keeps silent, and we are shot down like partridges. One is better off in Germany.'[\(28\)](#)

This dependence led to the gradual collapse of the country.[\(29\)](#) It could not conduct a successful offensive or defensive campaign let alone run a system of prison camps. Russia had in custody over 300,000 of the 1.3 million men captured within the first six months of the war. The condition in Russian prisoner camps were nowhere near the minimum the Geneva Convention called for. The camps were overcrowded and clothing and housing were poor. Most German prisoners were sent to Siberia where the ratio of guards to prisoners was 1 to 100 while west of the Urals the ratio was 10 to 100. This allowed the Russian Army to keep a greater number of soldiers on their western front. But there was also a political reason for this transfer of prisoners to Siberia. As part of their Pan-Slavism the Russians intended often to exploit the ethnic differences among the prisoners favoring Slavs over Germans. In the end approximately 17 to 25 percent of the prisoners in Russian hands died, roughly 5 times the death rate in German prison camps.[\(30\)](#)

In 1917, with the outbreak of civil war, the Russian Army lost its ability to administer its camps. When Revolution, nationalism, and total warfare had become inseparable the prisoner of war became a potential soldier both in propaganda and armed conflict. During the Revolution the Bolsheviks tried to recruit prisoners to fight against the white armies. The prisoner was seen as someone who could fight or be repatriated to sow dissension or rebellion at home. Such practices that we refer to as 'brainwashing' and 'indoctrination' in the latter half of the twentieth century had their beginnings among the prisoners in Russian camps. Just as nationalists had mobilized ethnic hatreds, at the beginning of the war through Pan-Slavism, an ideological struggle was born in the prisoner camps of the Bolsheviks. The treatment of Russia's prisoners was affected the most by the circumstances of the country. The various factors that contributed to the poor treatment of the prisoners was the climate, the logistical shortcomings of the army, which induced battlefield reverses, and most importantly social upheaval in the form of the Bolshevik Revolution.[\(31\)](#)

The German army did its best to adhere to the Geneva Conventions and to care for the prisoners in a humane and proper manner. Their camps provided barracks, bathhouses, clinics, and prison kitchens but prisoners still suffered from overcrowding and malnutrition. The latter was partly a consequence of the naval blockade imposed by the Allies. One German practice that was widely criticized was the mixing of prisoners of different nationalities in one camp, but there were exceptions. Irish prisoners were housed at a camp in Limburg and Hindu and Islamic prisoners were housed at Zossen. This was a calculated attempt to exploit the ethnicity of the prisoners for military and political advantages and was aimed at disrupting the forces of Great Britain, a tactic similar to

Russia's. The prisoners that seemed to suffer the most were Russian. According to a British officer: "It was no unusual sight to see a crowd of Russians on their hands and knees in the pit in which potato peelings were thrown, struggling to find a stray potato or a piece of rind with a little more potato than usual."<sup>(32)</sup> The method, by both the Russians and Germans, to isolate different ethnic groups and to single out others for maltreatment during the Second World War has its origins here.

The British had little trouble with the housing of their prisoners because compared to the other belligerents they had so few, only 150,000 by February 1915. The prisoners were housed in camps in France, Great Britain and aboard ships, nine holding 11,000. British camps were adequate and there was little of the hunger, malnutrition, and diseases which plagued the camps of the other belligerents.<sup>(33)</sup> The prisoners were used for labor and most were engaged in agricultural work. By end of the war there were 67,000 prisoners at work in Britain. The work week ran from Monday to Saturday, except during the harvest season which included Sundays, and they labored for the same number of hours as local workers. These same work conditions applied to the camps under British authority in France. The success of the British camp system can be attributed to two reasons; one, they believed and followed the rules and regulations laid down by the Geneva Convention and two, they captured a small number of prisoners, 165,000 during the war.

By 1914 Germany had many colonies in the Pacific, Tsingtao, on the southeast coast of China's Shantung Peninsula, was a major reason for Japan's involvement in the war.<sup>(34)</sup> German prisoners from Tsingtao were confused by the treatment they received at the hands of the Japanese. The people were very friendly to them; "The Japanese Emperor also dispatched [to the port] an officer as his official representative to welcome the prisoners."<sup>(35)</sup> But the internment camps were not adequate, dating back to the Russo-Japanese war, of eight to ten years before. In Camp Kurume, for example, the combination of poor housing, overcrowding, and lack of food created tension between prisoners and guards.

During the First World War there were massacres of prisoners, particularly reprisals as was common in the Arabian desert. On September 27, at the village of Tafas, Turkish and German forces murdered hundreds of women and children. As they retreated to Damascus they were attacked by a force of Arabs whose leader, T.E. Lawrence, gave orders that no prisoners were to be taken, 'The best of you bring me the most Turkish dead'. In his own words he wrote: 'the rich plain was scattered over with dead men and animals. In a madness born of the horror of Tafas we killed and killed even blowing in the heads of the fallen and of the animals.'<sup>(36)</sup>

On the following day at Dera'a Bedouin and Arab forces murdered Turkish wounded and prisoners. The British 4th Cavalry Division reported: 'Arabs murdered in cold blood every Turk they came cross.' The atrocity of Tafas was used as an excuse for the murder of these Turkish prisoners. As the war dragged on, according to Liddell Hart: 'The decline of civilized behavior became steeper ... there was an appalling growth of brutality towards wounded and prisoners.'<sup>(37)</sup> Various nations broke the laws which they had written only a few years earlier.

The Geneva Convention of 1906 and the Hague Convention of 1907 proved inadequate in their first 'field test' and they were revised in the Geneva Convention of 1929. The effects of total war showed that if a nation is not prepared, logistically, it becomes difficult, almost impossible, to treat prisoners decently and humanely as soon as their numbers start to get into the hundreds of thousands. The collapse and breakdown of many countries during the war contributed to the mistreatment of the prisoners. Add to this the beginnings of ideological struggles and emergence of nationalism, then the prisoner of war is placed in a situation which leaves him powerless.

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The decades between the First World War and the Second World War witnessed the movement from the Wilsonian spirit to fascism. In the eyes of President Wilson the First World War was 'a war to end all wars' and to 'make the world safe for democracy'; through international cooperation wars would be a thing of the past, hence the League of Nations. The 'Era of Good Feeling' came to an end with the Great Crash of 1929 and the rise of fascism in Europe. Nevertheless the problems posed by the war were deemed important enough to the nations of the world that they found it necessary to expand on the previous guidelines.

The League of Nations was instrumental in the drafting and completion of the Geneva Convention of 1929, which was written in the light of the experience of the First World War. A major revision in this Convention was the removal of the 'general participation clause' which could be found in the previous two Conventions. This clause was a 'fatal flaw' because it meant that the rules and regulations governing the treatment of prisoners had not been applicable as law. The clause rendered the Convention void because not all the belligerents; Italy, Bulgaria, Serbia, Montenegro, and the Ottoman Empire, were signatories of the Convention. Consequently Germany used this clause to its advantage, because it did not regard the Convention as binding they could not be held responsible for any infractions they may have committed.(38)

Another important area were the practice of reprisals. Following the large scale use of reprisals against prisoners during the war, for example at Dera'a, this practice was categorically forbidden by Article 2 of the 1929 Convention, which is, in essence, a repetition of Article 4 of the 1907 Convention: "They must at all times be humanely treated and protected particularly against acts of violence, insult, and public curiosity. Measures of reprisals against them are prohibited.(39) The Convention was much more detailed in an attempt to establish rules and guidelines which would cover all aspects of the life of a prisoner. Articles 1 through 7 covered the general rules pertaining to prisoners. This section also stated that the prisoner must be evacuated from the area of their capture, or the site of danger in the shortest amount of time. Furthermore, it specified that the prisoner was not to walk on foot for longer than 20 kilometers a day, unless he could not reach food and water within that distance.

Unlike the previous Conventions, the Convention of 1929 was also much more specific with regard to the internment of prisoners. Articles 9 through 18 covered the camp and its

facilities which contrasts with the single article, number 7, of the 1907 Hague Convention. Prisoners were to be interned in a closed camp, they were to be accorded facilities for the preparation of additional foods, and disciplinary actions affecting food were not allowed. Article 11 reiterated the concept that the food supplied to the prisoner be equivalent to the food supplied to the depot soldier. The camp was obligated to maintain sanitary measures to prevent the spread of epidemics, which included supplying water for baths and showers.

The use of prisoner labor was also regulated in articles 30 through 32. The length of the workday was not to exceed that of the civilians of the area, and they were to have 24 hours of continuous rest, for example Sunday. The labor performed should have no direct relation to war operations, and it was forbidden to use prisoners for the manufacture of arms or munitions.

The Geneva Convention of 1929 also allowed the prisoners to assign a representative, usually the highest ranking officer, to make any complaints and recommendations to the Detaining Power and the Relief Societies. In addition disciplinary punishments and judicial processes were covered. Under the heading 'Disciplinary Punishment' the prisoner was subjected to the laws, regulations, and orders of the Detaining Power. It forbade the use of corporal punishment, isolation of a prisoner from his comrades or daylight, collective punishment for the actions of an individual prisoner, and in general any form of cruelty. The Detaining Power had the responsibility of informing the Protecting Power of the opening date of a trial for a prisoner, and that the sentence be immediately reported to them. If the sentence was the death penalty, then a detailed report concerning the nature and circumstances of the offense was to be forwarded to the Protecting Power and any Interested Power, these regulations lay under the title 'Judicial Punishment'. The idea of a prisoner information bureau was reiterated in Article 77, and it retained its purpose which was originally put forth in the Hague Convention of 1899.<sup>(40)</sup> Most, or all of these regulations would be violated to one degree or other due to the increasing militarism before and during the Second World War.

The dominant political trends of the 1930's were the rise of fascism, in Italy, Germany, Portugal and Japan, and the polarization between the Left and the Right. The world could no longer look at the First World War as the 'war to end all wars', there was now a division of Europe into 'three opposing ideologies, fascism, democracy and communism.'<sup>(41)</sup> The Spanish Civil War of 1936? provided a glimpse of the ideological confrontation which would play such an important role in the treatment of prisoners during the Second World War. It was the war in which the ideological confrontation between fascism and communism, through the Nationalists and the Republicans, with support from fascist Germany and Italy and communist Soviet Union, first occurred. In this sense the Spanish Civil War was an international civil war, an aspect that would come to define the later conflicts of the twentieth century, especially Korea and Vietnam.

The destructiveness of the men imbued with these ideals, fascists and communists, can be attributed to what Paul Fussell calls the 'versus habit', which was an outcome of the First World War:

...a model of modern political, social, artistic, and psychological polarization ... what we can call the modern *versus habit*: one thing opposed to another, not with some Hegelian hope of synthesis involving a dissolution of both extremes ... but with a sense that one of the poles embodies so wicked a deficiency or flaw or perversion that its total submission is called for.(42)

The ideological and racial objectives of the belligerents in the Second World War would exhibit this behavior and it would be evident in the treatment of prisoners. While the Republicans and the Nationalists fought, Germany annexed Austria and Czechoslovakia, and Japan was pursuing its imperial objectives in the Pacific. Five months after the end of the Spanish Civil War the world would once again be engulfed by the flames of war.

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The Second World War brought death, destruction, and suffering on a scale never witnessed before in history and the prisoner was part of that. During the war some thirty five million prisoners were taken worldwide. For all its logic and humanitarian values the Geneva Convention was only a collection of guidelines written ten years earlier, and many of the problems that were theoretical in 1929 became a reality in 1939. (43) The ideological differences born out of this decade would be the major factor in the treatment of prisoners. The treatment of the prisoners also varied greatly between the Pacific and the European theaters of operation. In the Pacific theater racism played an important role and it epitomizes the extremity to which the maltreatment of prisoners can reach. The same could be said for the treatment which Soviet prisoners encountered at the hands of the Germans in eastern Europe. In the European theater, the treatment which a prisoner was subjected to depended on whether he was captured in the western theater, including North Africa, or captured in the eastern theater. The one characteristic that the Pacific theater and the eastern European theater had in common was that the treatment of prisoners was dictated by racism.

The Bataan Death March stands out as the classic case of the mistreatment of prisoners in the Pacific theater, which is notorious for the atrocities perpetrated by the Japanese during the war. This is in stark contrast to the way the Japanese treated prisoners during the Russo-Japanese War and to some extent the First World War. Article 7 of the Portsmouth Treaty, which ended the Russo-Japanese War, states: 'The Japanese army will, in honor of the gallant defense made by the Russians, allow the Russian military and naval officers to wear swords.' (44) In contrast to the Second World War when the Japanese would strip their prisoners of all their possessions, and these sword vestiges of feudal military codes would disappear.

When 70,000 American and Filipino soldiers surrendered to the Japanese, on April 9, 1942, they were already close to starvation. They were marched fifty-five miles to San Fernando virtually without food or water. On the road Japanese soldiers heading south would strike at the prisoners as they headed north with: 'rifle butts, bayonets, lengths of bamboo, looted golf clubs, anything.' They beheaded prisoners for having water stains on their trousers. Prisoners were fed watery rice, one five gallon can per hundred men,

which averaged out to 'five ounces of *slop* per man.'<sup>(45)</sup> Herded onto trains which came in two shapes and sizes, one, made out of wood with a low ceiling, the Japanese fit fifty prisoners; the other was a *forty and eight*, from the First World War, which were meant for forty soldiers or eight horses. The Japanese fit a hundred men into these. Men died of heat strokes and dehydration: 'Men died standing up with no room to fall, and the others cursed them for not dying at a stop so they could be thrown out to make more room.'<sup>(46)</sup> The outcome of this 100 mile, two week experience was the death of 16,000 prisoners.

The camp commandant, Captain Tsuneyoshi Yoshio, greeted them with his view of the world. The domination of the 'white man' in Asia was over, and the prisoners were the eternal enemies of Japan due to their inferior race. The camp, originally built for 8,000 Filipino soldiers, would eventually house over 50,000 American and Filipino prisoners. The conditions at the camp were horrendous. There was a shortage of water and what little they had was filthy. The food was usually *lugao*, rice gruel, and perhaps, though infrequently, some meat or *camote*, sweet potato. There was also a lack of medical supplies, the medics had next to nothing to combat malaria, dysentery, and other diseases common to the jungle.<sup>(47)</sup> When the Filipino Red Cross tried to deliver food or medicine, as was granted by the Geneva Convention, they were not allowed to unload. Captain Yoshio regarded relief society aid as a violation of 'regulations'.

When it came to the treatment of Asian prisoners the Japanese were just as cruel and barbaric. After the surrender at Bataan Japanese soldiers were halting men from the 91st Filipino Division and tying their hands together with telephone wire. On the third day they were all escorted to a ravine near the Pantingan River. Once there a Japanese officer stated: "Dear friends, pardon us. If you surrendered early, we will not kill you. But we suffered heavy casualties, so just pardon us. If you have any last wish before we kill you just tell us." The Japanese proceeded to bayonet and behead the prisoners. On a separate occasion at a hospital the Filipino sick and wounded were led to believe that they were free to go: 'They took off [Filipinos], thousands of them crutches and all, branches of trees if they had no crutches.' the Japanese went after them and killed them all.<sup>(48)</sup>

The Japanese also conducted medical experiments on prisoners, whether they were American, British, Dutch, or Asian. At Shinagawai the head doctor conducted operations no western doctor would have approved, with the exception of Nazi doctors. Furthermore, they gave injections of caprylic acid, soybean extract, sulfur, castor oil, serum from malaria sufferers, and urine. At Khandok a prisoner was used as a live specimen for the benefit of Japanese medical students. He was tied to a tree, his fingernails torn out, his body cut open, and his heart cut out; a medical student commented, 'For the first time I saw the internal organs of a human being. It was very informative.'<sup>(49)</sup>

These actions violated not only international laws but the regulations issued to the Japanese Army. Army Instruction No.22, issued in 1904 and entitled 'Japanese Army Regulations for the Handling of Prisoners of War' states: '[that all] prisoners of war will be treated with a spirit of goodwill and shall never be subjected to cruelties or humiliations.'<sup>(50)</sup> From the beginning of the war the Japanese government issued an all

purpose statement to cover up their treatment of prisoners. The statement read: "In the general spirit of *bushido* all captives are being accorded the best possible treatment, and they [prisoners] were unanimously expressing appreciation of Japanese magnanimity."<sup>(51)</sup> From that point forward the Japanese government insisted that abuses were 'non existent' or that allegations were being 'investigated'.

Of course the atrocities during the war were not one sided. On the allied side of the war, from beginning to end, among the soldiers, there was as a reluctance to take prisoners. There were relatively few prisoners taken by Allied forces. There were cases when American bomber pilots and submarine commanders would machine-gun the survivors of a sunk ship. American soldiers would take Japanese ears, boil heads and sometimes send the skulls back home. In the May 22, 1945 issue of **Life** there was a picture of an 'All-American' girl holding the skull of a Japanese soldier that her fiance had sent her. Marines and soldiers often felt that a 'well washed Japanese skull' was a symbol of invincibility. After securing the island of Saipan, Seabees were cruising around in boats decorated with Japanese skulls 'skewered on stakes like shish kebabs.'<sup>(52)</sup> There are also examples of Americans taking the gold teeth from Japanese prisoners, as E.B. Sledge wrote in **With the Old Breed**;

The Japanese's mouth glowed with huge gold-crowned teeth, and his captor wanted them ... He put the point of his Kabar [knife] on the base of a tooth and hit the handle with the palm of his hand ... Another Marine ran up, put a bullet in the enemy soldiers brain and ended his agony [the prisoner was still alive]. The scavenger grumbled and continued extracting his prizes undisturbed.<sup>(53)</sup>

Australian soldiers were also known to gouge the gold teeth out of prisoners.

After Guadalcanal it was common to treat surrendering Japanese soldiers as rifle targets. following is an account of how American soldiers "flushed" a Japanese soldier out of hiding and amused themselves by shooting at him:

The soldiers found his movements uproariously funny and were prevented by their laughter from making an early end of the unfortunate man. Finally, however, they succeeded in killing him, and the incident cheered the whole platoon, giving them something to talk and joke about for days afterward.

In one particular case, the Sittang River flooded and as Japanese soldiers were swept downstream British soldiers opened fire with their machine guns.<sup>(54)</sup>

Allied commanders in charge of prisoner camps tried to treat the Japanese within the humanitarian guidelines laid down by the Geneva Convention of 1929, but supply problems led to a shortage of rations in some camps and none of the camps were immune to the diseases of the jungle. General Numata, reporting in 1946 on the 'condition of Japanese personnel in Southern regions', noted that 20 percent of the 59,000 prisoners at Rempang were infected with malaria, dysentery, or beri-beri.<sup>(55)</sup> At other camps the

Japanese prisoners revolted, at Featherston camp in 1943 and Cowra in 1944. At Featherston several hundred prisoners with stones and makeshift weapons attacked their guards. At Cowra over 900 prisoners stormed the barbed wire perimeter which resulted in 248 dead prisoners and over 100 wounded prisoners.(56)

The actions by Japanese soldiers was dictated by their belief of 'kill or be killed'. In a report, dated June 1945, the U.S. Office of War Information (OWI) noted that 84 percent of a group of interrogated Japanese prisoners stated that they expected to be killed or tortured in retaliation for the treatment that the Allied prisoners had received. For example, on the island of Saipan 30,000 Japanese soldiers preferred death to capture, only 921 prisoners were taken. In addition to these casualties an additional 4,000 civilians committed suicide.(57) The OWI analysts described this as typical concluding that fear of the consequences of surrender, as well as the *bushido* code, was the motivation for many Japanese soldiers to fight to their deaths. This fear was not totally unfounded as word of the Allied soldiers taste for 'souvenirs' spread.

The war between the United States and Japan was not only a war for control of the Pacific, but one of culture and especially race. The Japanese attitude toward the prisoner was different than that of the Western nations, and in turn the United States attitudes toward Japanese prisoners differed from that of their other prisoners. Prisoners from all the armies were starved denied medical treatment, and forced to perform hard labor, all of which were violations of the Geneva Convention. As John Dower states: 'Race hate fed atrocities and atrocities in turn fanned the fires of race hate.'(58) This race war was brutally waged by both sides. This ideology that the Japanese race was the superior race of Asia is evident in the speeches of Captain Yoshio. Paul Fussell also takes this point of view in **Thank God for the Atom Bomb**. The Japanese soldier was able to rationalize the mistreatment of the prisoners since the 'white man was dishonorable and worthless', with the idea that the Japanese race was superior.(59) The race war was also fueled by propaganda, especially in the United States. After the attack on Pearl Harbor the Japanese were seen as dishonorable. During the war the Japanese were often depicted as 'apes' or 'monkeys' and referred to as 'slant eyes.'(60)

Another reason for this race war was the idea of 'Pan-Asianism'. The Japanese military elected to establish, through force, a Greater East Asia Co-Prosperity Sphere', which was not much different from Nazi Germany's idea of *Lebensraum*. It was to be an industrial and economic bloc with the ability to compete with the world powers. As the self-appointed leaders of the CoProsperity Sphere, Japan would dominate the political scene, take over the local economies, and impose broad programs of 'Japanization'. In 1942 the government prepared a secret study which was entitled 'Global Policy with the Yamato [Japanese] Race as the Nucleus.' The purpose of this study was not to advance the interests of the 'Asians' but of Japan, in the end the slogan *Asia for the Asians* became *Asia for Japan*.(61)

The Japanese believed that there were recent attempts by the United States and European nations to weaken them. During the Versailles Treaty, in 1919, they were not allowed to retain the colonies that they had won in the war, colonies that had once belonged to

Germany. At the Washington Naval Conference, in 1922, the ratio of American and British ships to Japanese ships was established at 5 to 3.(62) An insult to an island nation who had come to depend on its navy before and during the war. To the United States and Europe, especially Great Britain, 'Pan-Asianism' was a threat to their control of the colonies in the Far East, especially since Japan had decided to take up the mantle of '*Asia for the Asians*'.

It's important to analyze the influence of *bushido* on the Japanese Army and its role in the treatment of prisoners. During the Second World War the code of the mid-nineteenth century, which was honorable and just, was misinterpreted, anything with concern to respect for the enemy, or mercy, or restraint seems to have been ignored. This began in 1904 when a new set of service regulations was issued which placed extraordinary importance on 'military spirit', and explicitly held the *bushido* as a model.(63) The soldier held a view that death meant honor, and surrender meant dishonor, a belief that led them too have total contempt for prisoners.

The *bushido* was used as an explanation for the mistreatment of prisoners. The best example of this is the ultimatum issued by the Japanese General Homma to the American and Filipino forces on Bataan. He issued the ultimatum with the humanitarian principles of *bushido* in mind.(64) If they surrendered by March 22 they would be treated fairly and according to international law, the Geneva Convention. Allied forces did not surrender until April 9, they had not accepted what General Homma called an 'honorable defeat', and in the process dishonored the *bushido*. Therefore, the Japanese soldier did not have to treat the prisoners in accordance with the Convention resulting in the Bataan Death March.

*Bushido* meant whatever the officers wanted it to mean. There were those officers, such as Lieutenant Colonel Tsuji Masanobu, who wanted all prisoners killed. These officers were usually from the 'China Gang', veterans of the Nanking Massacre. There were others, like Rear Admiral Sadamichi who saved the lives of 1,600 American prisoners on Wake Island on December 23, 1942 by ordering the officer in charge to not execute the prisoners. He believed that killing prisoners was a violation of *bushido*. Another officer who believed this was General Kiyotake Kawaguchi. He refused to kill Filipino officials on the island of Cebu, He had worked in a prisoner camp during the First World War and was proud of the humanitarian treatment given to German prisoners, in his own words he said: 'To shoot defeated opponents in cold blood [is] a violation of the true bushido.' But these examples are few and far in between, and at the end of the war the International Tribunal for the Far East was severe in its condemnation of the *bushido* as a major factor in atrocities.(65)

In Europe the Germans generally respected the rights of American, British, and French prisoners, but they treated the Soviet and Slav prisoners brutally. With regard to the prisoner on the Eastern front the treatment, by both Germany and the U.S.S.R., was clearly criminal and caused millions of deaths. Its important to realize that this racial and ideological hatred would surpass the boundaries of war and also include the civilians of eastern Europe, especially Jews.

The operations of the mobile killing groups, *Einsatzgruppen*, under the command of Reinhard Heydrich, were instrumental in the elimination of the Red Army Political Commissars. Under the 'Commissar Order', they [commissars] were not to be treated as prisoners of war but be shot on the spot.(66) These groups worked right behind the advancing army, and in many cases worked in close co-operation with the army. There were also orders to execute guerillas and any civilians suspected of helping them. If the guerillas could not be found than collective measures were to be taken against the civilian population.(67) For the millions who survived the offensive and the *Einsatzgruppen* there was still the matter of the prisoner camps.

The German Army had made no specific arrangements for transporting, feeding, and clothing the large number of prisoners they were going to capture in its *blitzkrieg* offensive. The Soviet prisoner was not allowed to ride on trains or trucks returning to the rear, in the direction of the camps, out of a racist fear that they would contaminate the vehicles with 'lice and vermin'.(68) Many died of exposure because they marched unprotected against the elements, their clothes having been confiscated by German front line troops. Thousands more died from lack of food, and many more died because they were falling behind and the Germans had orders to shoot them. During the Nuremberg Trials one witness said: "The greater number of prisoners remained in the theater of operations, without proper care... Many of them died on the bare ground. Epidemics broke out and cannibalism manifested itself." When they reached the camps the camp commanders complained that: 'from five to ten percent of the prisoners arrived either dead or half-dead.'(69)

According to General Reinecke, the Soviets were different from other combatants and should be treated differently. It was suggested that the camp guards carry whips and should have the authority to shoot prisoners when necessary. Once at the camps conditions did not improve, at one of the camps the hungry prisoners were thrown a dead dog: '...there followed a spectacle that could make a man puke. Yelling like mad, the Russians would fall on the animal and tear it to pieces with their bare hands... The intestines they'd stuff in their pockets.' At another camp, near Rovno, a Hungarian tank officer witnessed a similar situation: 'I went to have a look. Behind wire there were tens of thousands of Russian prisoners [80,000]. Hundreds were dying every day, and those who had any strength left dumped them in a vast pit.(70) In the concentration camp of Saachsenhausen alone, some 60,000 Soviet prisoners of war died of hunger, neglect, torture, and shooting in the winter of 1941-1942.(71)

At other camps the prisoners were used for medical experiments. At Auschwitz the first successful use of Zyklon B was on Soviet prisoners of war, this method of killing would be later implemented to the 'Jewish question'. At Dachau, the prisoners of war were subjected to a number of 'immersion' tests into ice cold water. This experiment was to test the survivability of downed pilots in extremely cold waters, none survived.(72)

Prisoner labor became very important to the leaders of the Third Reich as the war dragged on. Short and decisive victories were necessary if Germany was to accomplish its goals but the tactic of *blitzkrieg*, or lightning war, did not work as Germany was not

able to defeat the Soviet Union. The German economy was not geared toward the war of attrition which it now faced at the end of 1942. As the war progressed it became clear that German industry could not keep up with the numbers of armaments and supplies which the Allies produced. In fact when the United States joined the Allies in 1941 Germany faced an enemy which outproduced them by 300 percent. Since a large portion of men were drafted into the German army it meant that workers in agriculture and industry would have to be replaced. By 1940 there were 300,000 Polish prisoners working in agriculture while French prisoners were filling the labor deficits of the industrial arena. By October 1940 there were 1.2 million French prisoners working in the Reich. At first the thought that a Soviet prisoner could replace a German worker was inconceivable. The racist attitude that they were subhumans persisted, but as the war dragged on it became obvious that the Soviet prisoners were needed to fill in the gaps of the labor shortage.(73)

At this point the Soviet prisoner was used for labor and their rations depended on their ability to work. Those that could work received 15,400 calories per week (cal/wk), and those that were involved in any 'work worth mentioning' 14,200 cal/wk. The rations of the latter groups were reduced to 10,407 cal/wk in October 1941, the same month as the von Richenau. order. This was in direct violation of the Geneva Convention which required that the prisoners receive rations equal to those of the depot soldiers. The depot soldier in Germany received 24,203 cal/wk, a difference that ranged between 9,000 and 14,000 cal/wk. In a speech by Heinrich Himmler:

The attacking forces [German army] cut their way through. The Russian army was herded together in great pockets, ground down, taken prisoner ... the mass of humanity as we value it today [in the form of labor] ... it is deplorable [that they were not saved] ... the prisoners died in tens and hundreds of thousands of exhaustion and hunger."(74)

The Soviet Union made an effort to follow international laws even though the mistreatment of prisoners was common. The flood of German prisoners began in the winter of 1941-1942, after the counter-offensive on the Moscow front which resulted in 115,634 prisoners. Many of the prisoners did not reach the camps as those that fell behind were shot. The harsh Russian winter also took its share of the prisoners. The lack of food made some wander into the fields and they too were shot. After the battle of Stalingrad in 1942, when the German army had surrendered, Stalin had the 57,000 prisoners, with several generals and dozens of officers at their head, marched through the streets of Moscow.(75) Of the 10,000 prisoners in one of the camps near Kiev 8,000 died in the span of two months, a mortality rate of 80 percent.(76)

Their policy concerning prisoners was similar to the one implemented by the Germans when it came to labor. Production was more important than humane treatment. A prisoner might literally work himself to death. Many of the German prisoners volunteered for heavy quarry work because he had heard that they got more to eat. The prisoners were underfed and often reduced to 'eating rats and drinking melted snow.' What little food they were given was usually rotten, spoiled food. This was because the camp commanders would accept the spoiled food and let the suppliers sell the good food on the

black market. Not unlike the Germans the Soviets linked work quotas to rations, the less produced, the less food.(77)

The Soviets had a 're-education' and 'de-Nazification' program in which they would first 'dehumanize' the prisoner and then 'remold' him through work. The first step was to make the German soldier feel as if he were alone: "First shock: the collapse of order in which one had previously believed and thought to be soundly constructed ... Men ... suddenly revealed themselves as merely human, people for whom "I" was more important than the idea of sticking together."(78) The National Socialist Party emphasized the importance of the state, not the individual. It was essential to strip the German soldier of this identity, to make him believe that the 'Reich' had deserted him. The second aspect of the 're-education' program was hard labor. According to Red Army Colonel Osipenko, head of the Political Education Program: 'There is no better educator than work, hard physical work. It purifies a man's body and mind.' In a propaganda article, entitled "**Captured into Freedom**", the Soviets declared: "The prisoner has learned to see. Under the Nazi uniform a beast has slowly evolved back into a human being. In Russia he [prisoner] begins to realize that he is not something 'higher'."(79)

The Soviets first tried this program on Polish prisoners. After the annexation of Eastern Poland in 1939 the Soviets tried to select and train men for a Polish 'Red Army' from captured officers. Of the 8,500 candidates only 20 officers were successfully indoctrinated. During the marches, in 1939, the Polish prisoners were given a kilo of bread, one salt fish, and no water. A Lieutenant Solczynski described his march:

I suffered terribly from thirst. I put a piece of bread in my mouth and started to munch it, but a quarter of an hour passed before I could swallow it, so dry was my throat ... After marching without rest from 10 a.m. to 6 p.m., we were again halted. We remained without shelter and crowded together without food or drink, until six o'clock the next morning.

Of the 2,000 men who accompanied Lieutenant Solczynski only 550 survived. Execution of Polish prisoners also occurred, such as the Katyn Forest Massacre, or the 7,000 prisoners who were placed aboard barges and towed out into the White Sea and abandoned.(80)

A major factor behind the atrocities committed by both the Soviet and German armies was ideology. The war against the Soviet Union was described by Adolf Hitler as a '*Weltanschauungskrieg*':

[A] struggle between Weltanschauungen [ideologies] ... it is a war of extermination... The struggle will be very different from that in the west. In the east toughness now means mildness in the future. The leaders [German generals] must make sacrifices and overcome their scruples.(81)

Omer Bartov's book, **The Eastern Front 1941-1945: German Troops and the Barbarisation of Warfare**, reveals how the propaganda machine of the Third Reich

successfully put forth the idea that the people of Eastern Europe were '*Untermensch*', subhuman. This idea shaped the actions of the German army. In a moment that demonstrated this idea Herman Goering, commander of the *Luftwaffe*, stated 'jokingly': '...the cannibalism among Russian prisoners was now going a bit too far, they had eaten a German sentry.'<sup>(82)</sup> By reducing the Soviet prisoners to cannibalism they were trying to show the *Untermensch* nature of the Soviets. The influence of such ideals were best exemplified by Field Marshall Walter von Richenau, who said:

The essential goal of the campaign against the Jewish-Bolshevik system is the complete destruction of the sources of power and the eradication of the Asian influence on the European Cultural sphere ... The soldier in the East is not only a fighter by the rules of war but also the carrier of an inexorable racial concept and the avenger of all bestialities inflicted upon the Germans ... For this reason the soldier must have complete understanding for the necessity of harsh but just measures against Jewish sub-humanity ... Only in this manner will we do justice to our historical task, to liberate the German people once and for all from the Asiatic-Jewish danger.<sup>(83)</sup>

There was significant evidence about this philosophy produced for the War Crimes Trial at Nuremberg. One witness, Eric Lahousen, of the *Abwehr*, spoke about a meeting he attended in which General Reinecke explained that the war against the Soviet Union was unlike any other, 'The Red Army soldier ... was not a soldier in the ordinary sense, but an ideological enemy.' National Socialism's enemy to the death and as such he had to be treated accordingly.<sup>(84)</sup> Therefore, the German soldier on the eastern front felt that he was fighting for the survival of the 'Fatherland', of his 'race'. The Soviets had lost their rights to humane treatment because they were racially and culturally inferior.

There was also Hitler's fear that the economic burden of caring for millions of prisoners would bring about unrest among the German people. This was especially true as the war progressed and the food situation worsened. The Reich did not believe that it was their business to feed the civilian population or prisoners.

... for the harsh punishment of Jewry ... The food situation at home makes it essential that the troops should be fed off the land, and that the largest possible stocks should be placed at the disposal of the homeland. In enemy cities a large part of the population will have to go hungry. Nothing, out of a misguided sense of humanity, may be given to prisoners of war or the population, unless they are in the service of the German Wehrmach.<sup>(85)</sup>

Millions of prisoners and civilians died as a result of this policy. By 1941 meat rations for German consumers were reduced by half. The official reason given for this drastic measure was that prisoners and foreign workers had to be fed.<sup>(86)</sup>

The war in the east was supposed to address the economic problems which an expanding Germany was facing. This concept was translated into the policy of *Lebensraum*, or 'living space'. Its goal was to establish Germany as the leading power in Europe, and free it of all external dependencies. The main goal of Operation Barbarosa was not only the

destruction of the Red Army but also the capture of Kiev, a fertile and economically rich region. Germany would secure food supplies from the Ukraine, also known as the 'bread basket', and guarantee the flow of oil and other raw materials from the Caucasus. This expansion would also allow for the resettlement of the growing 'Aryan' race.(87) Because of this policy the Polish and Soviets were seen as obstacles to be gotten rid of.

To the Soviets this was a war of survival as well as one of ideology. As the war progressed Soviet propaganda reached out to the patriotic Soviet citizen by emphasizing the defense of the 'Rodina', or Motherland, not the Communist state.(88) The difference between the Soviet treatment of prisoners and the German treatment of prisoners was that the suffering was not ordered from above. There were two orders: not to mistreat or to beat prisoners, and to release those incapable of work. As one German prisoner stated:

I was hit with a rifle butt twice and both times the offending soldier, when I complained, was released from guard duty ... The medical attention was excellent ... The system [of torture, and humiliation] that made the German camps into hell ... were not part of the Russian system. The cruelty of Stalinism was a bloodless cruelty. They wanted work from us, nothing but work.(89)

During the war there were two reasons for the use of prisoners as forced labor, a response to the needs of the war economy, and the influence of ideology and racism. Prisoners captured in the west were not subjected to the hard labor and living conditions which were imposed upon Soviet and Slavic prisoners. As Dziewanowski said: 'Human life was cheaper, the farther one went east.'(90)

When it came to dealing with prisoners of the Western Allies, it is believed that the Germans did their best. At the end of the war the House Committee on Military Affairs concluded that overall the Germans tried to observe the rules and regulations of the Geneva Convention. Whatever discrepancies there were came from a few camp commanders and the worsening food crisis. When it came to the campaigns in the west, for example France in 1940, the Wehrmacht issued a series of orders to the effect that strict discipline be maintained among the prisoners, but at the same time not to harm or mistreat them. Logistical problems were foreseen, such as transportation and food, and rules were set down so as to 'avoid chaos and prevent unnecessary hardships.'(91)

This is not to say there were no atrocities committed against western prisoners. One example is the massacre at Malmedy which occurred on December 17, 1944. Hundreds of American prisoners were shot by troops of the 1st SS (Schutzstaffel) Panzer Division, It is important to remember two things about Malmedy; one, it was carried out by the SS, the fanatical wing of the Nazi Party, and two, the Germans were losing the war. On a separate occasion Adolf Hitler ordered, in 1942, that Allied commandos captured within the boundaries of the Third Reich, whether in uniform or not, be refused quarter.(92)

In many cases prisoners were housed in small and overpopulated camps. At one Stalag in Moosburg, there were over 110,000 Allied prisoners, of whom 11,000 were

American.(93) The Germans had certain 'show' camps to impress the Red Cross and other relief societies, where the treatment of prisoners was appropriate and humane. The *Stalags* which were not open to inspection were well short of treating the prisoners within the guidelines of the Geneva Convention. In fact it was only the arrival of Red Cross packages that helped the prisoners survive.(94) The conditions experienced by the prisoners were often the best that could be provided by a country losing the war which had difficulties feeding its own soldiers and civilians.

The Americans, on the other hand, tried to give their German prisoners the best possible treatment. The argument for this was that the Germans might retaliate against American prisoners in their custody.(95) By taking such special care of German prisoners, the War Department wanted to assure that captured American soldiers would get the best possible treatment. To a certain extent this strategy worked in that Americans were always better off than the Polish or Soviets. Then again the Germans did not harbor the same racist feelings for the western prisoners that they did for the eastern prisoners. As more and more American prisoners returned, the conditions of their internment became public knowledge, and it was acknowledged by the War Department that there was a great difference in the level of treatment that the Germans received and the Americans received. The Assistant Provost Marshall, defending the difference in treatment, declared before Congress:

Yet, for us to treat with harshness the Germans in our hands would be to adopt the Nazi principle of hostages. The particular men held by us are not necessarily the ones who ill-treated our men in German prison camps. To punish one man for what another has done is not an American principle.(96)

When American forces invaded North Africa, they expected, and were prepared to take a fairly large number of prisoners, a total of 250,000. These prisoners faced hardships when they were transferred from camp to camp in the North African desert due to weather, and lack of shelter. But once they reached the United States they were accorded every privilege of the Geneva Convention.(97)

The prisoners were housed in Army barracks, fed, clothed, and entertained. Life in an American run camp in the US was much more pleasant than in any of the other camps kept by the Allies. The food provided was as good and sometimes better than what the civilians received. Diaries and memoirs of the German prisoners agree that food was excellent in quality and quantity. A standard lunch at Camp Clinton in Mississippi consisted of potato salad, roast pork, carrots, and ice water. They were provided with a canteen where they could buy additional foodstuffs, in some camps even beer or wine. They received adequate clothing, work clothes, which had a large white "PW" on the back, and personal items such as undergarments and coats. Team spoils and theatrical performances were organized by the prisoners.(98)

The Americans, like the Soviets, had a program for 're-education' and 'de-Nazification'. By March of 1943 the War Department drafted a plan in which: "Prisoners of war might be exposed to the facts of American history, the workings of democracy and the

contributions made to America by people of all nations and origins." It was believed that exposure to political democracy would help the Germans see the error of Nazism. But the camps were controlled, through threats and physical violence, by a handful of hard-core Nazis and in order for the Americans to accomplish their policy they would have to segregate the camps. By removing the hard-core Nazis they could work with those that had a chance of changing.(99)

There were more and more violations of prisoners' rights by American forces as the war came to an end. On April 6, 1945 in the village of Tietelsen, Americans bitter with the loss of a hundred men, refused the appeal of an SS soldier for mercy. In a nearby forest thirteen German soldiers were found with bullet holes in the back of their heads. When American forces took Dachau, of the 560 German guards, 30 were killed in combat the rest shot afterwards, 346 being machine gunned under the orders of a lieutenant.(100) In May of 1945 there was a volatile mix in Germany, angry soldiers, who had witnessed the atrocities of the concentration camps, frustrated recruits, who did not get a chance to fight, and 'revenge seeking' Jewish officers. These factors accompanied by the overpopulated holding camps along the Rhine River led to unbearable conditions for the German prisoners on a massive scale.

In spite of the widespread breakdown of the treatment of prisoners there is no evidence that the mistreatment of German prisoners were part of a systematic and organized plan by the Allies as put forth by James Bacque in **Other Losses**. According to Bacque, the Allies, specifically Dwight Eisenhower, devised of a way to not meet their obligations to the Geneva Convention by reclassifying the prisoners as 'Displaced Enemy Forces'. This new 'classification' allowed Eisenhower to withhold adequate food rations and shelter. The result was underfed prisoners who were vulnerable to diseases which caused between 800,000 and 1,000,000 deaths. This plan was supposedly carried out in the 'Death Camps' along the Rhine River.(101)

Bacque's assertions are refuted by many historians, including Gunter J. Bischoff's and Stephen E. Ambrose's **Eisenhower and the German POW's**. This book reveals that the 'systematic' plan which Bacque proposes never existed. The number of German prisoners taken by American forces shot up from 313,000 to over 2.5 million in April of 1945. With the collapse of the Ruhr pocket, Field Marshall Walter Model's Army Group B surrendered, adding 317,000 Germans to the already growing number of prisoners in American hands. There was an agreement between the United States and Great Britain whereby they would divide the prisoners fifty-fifty. But the British reneged for a variety of reasons; the effect of too many prisoners on the home island, not enough manpower to guard them, or space to allocate them. By June 1st Eisenhower reported that the number of German prisoners was so high because of British refusal to accept anymore, that it began affecting the food stocks 'feeding all these unanticipated millions became a logistical nightmare.'

The United States was obligated, as a signatory of the Geneva Convention of 1929, to provide the German prisoners with rations equal to those of its own troops. The Supreme Headquarters of the Allied Expeditionary Force did not have enough resources to feed all

those prisoners and American soldiers, therefore the Joint Chiefs of Staff ordered General Eisenhower to change their designation to DEF's. The United States was not the only country to take such an action, Great Britain designated their prisoners 'SEF's'. This would allow them to feed the German prisoners at a lower level, but not starvation levels. The plan was to use German food supplies to feed the prisoners and whatever shortages appeared would be augmented by American food supplies. A reason for the shortage of supplies was that in the spring and summer of 1945 ships were being diverted to take assault troops and supplies to the Pacific, in preparation for the planned offensive against the home islands of Japan. Also it was difficult to transport supplies within Germany because its transportation network; railroad lines, bridges, and terminals, had been destroyed by Allied bombers. In the British zone of occupation of the 13,000 kilometers of railroad tracks only 1,000 were operable.(102)

The British can claim the best record when it comes to the treatment of prisoners which they held before the end of the war. The rations given to the prisoners were sometimes better than that of many British civilians. The one criticism they do receive is for the prisoner camps in Belgium. The mass surrender of the German armies toward the end of the war made it much more difficult to supply the prisoners with adequate housing, food, and clothing. These camps had an unusually high percentage of men over fifty and teenagers, ranging from 14 to 16. The mass surrenders also forced the British to reclassify some prisoners as 'SEF's' and to refuse to keep prisoners.(103)

The French, on the other hand, did not seem to care about the Geneva Conventions with regard to Germans. Resistance fighters within France were organized into the French Forces of the Interior (FFI), and formed part of the French army. In late 1944 the Germans executed 80 French civilian internees, and the FFI in response executed 80 German prisoners.(104) Jean Pierre Pradervand, head of the International Red Cross, inspected a French camp that was 'like Buchenwald' in the sense that the prisoners were undernourished and dying at a rate of thirty per day. Once the conditions of the camps became known the United States, which turned over German prisoners to the French, ceased to do so. Another action taken by the United States was to deliver food and clothing to the Red Cross to distribute among the prisoners, not to the FFI. The mistreatment of prisoners also extended to the Italians captured in North Africa. Many were barefoot, 700 had died marching towards one of the camps, some being shot when they stopped for water.(105)

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The experiences of the prisoner during the Second World War was dictated in large part by ideology and racism. This is evident in the practices by both Axis and Allied forces. There is a difference in that German, Japanese, French, and Soviet policies were ordered from above; while the illegal actions of American, British, and Australian soldiers came from individual decisions. As with the First World War and the convention of 1907 the Second World War clearly showed that the Convention of 1929 had many faults. The Convention, though with some exceptions, was in varying degrees applied in the Western European theater and North Africa. But nonetheless the International Red Cross and the

nations of the world once again revised the Convention. The result was the Geneva Convention of 1949 which expanded the obligations of the Detaining Power.

The Convention pertaining to prisoners was expanded to 143 articles compared to the 97 articles of the 1929 Convention. But the second half of the twentieth century has been witness to armed conflicts, liberation struggles and revolutions, not declared wars. This is evident in the cases of Korea and Vietnam. Nonetheless, Article 2 states: '...the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise.'<sup>(106)</sup> Therefore, the rules and regulations pertaining to prisoners were in full effect during the Korean and Vietnamese conflicts.

The Convention is a code of legal rules designed to prevent the brutal and atrocious experiences of prisoners during the Second World War. An important concept of the Convention is that humane and decent treatment is a human right not a favor. The Convention is divided into six parts and each one deals with a distinct aspect of the prisoners rights and the Detaining Power's obligations. The first Parts, I and II, deal with the general provisions and rights of the prisoner. The most extensive is Part III, Articles 17-108, which deals with the life of a prisoner while in captivity. The most disputed article from this part is Article 85 which deals with the restrictions of the Convention if a prisoner is found to be a war criminal. The interpretation of this article by the North Vietnamese during the conflict would be of major concern to the United States. Part IV titled 'Termination of Captivity' deals with the repatriation of the prisoners at the end of hostilities and this section would be the one which would lead the conflict in Korea to extend for another two years. Part V relates to the information bureaus and the Relief Societies, while Part VI grants the Protecting Power the ability to inspect the places of internment in order to ensure that the Detaining Power is adhering to the Convention.<sup>(107)</sup>

During the Korean conflict the issue which stalled the armistice was repatriation. In general the prisoners are victims of circumstance and the principle task of the Detaining Power is to ensure that the prisoners are in good physical and mental condition at the end of hostilities for repatriation. Article 118 of the Convention called for the immediate repatriation of all prisoners at the end of hostilities. This was originally intended as a weapon, by the United States, against the Soviet Union which held large number of Axis prisoners as forced labor after the end of the Second World War.<sup>(108)</sup> The Convention assumed that all prisoners would wish to return to their homeland but the Korean conflict was one in which the allegiance of the prisoners, especially Chinese and North Korean, would fluctuate between communism, capitalism, and nationalism. This article would come to dominate the question of prisoners of war during the conflict as its interpretation from both sides differed.

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After the Second World War there was a polarization of the victorious Allies along ideological lines. The 'Cold War', as it became known, was a reflection of the political differences between the forces of 'Capitalism' and 'Communism'. The Korean Conflict

was the first battleground for these ideals. Both sides regarded the prisoners as tools in the ideological struggle as 'the Chinese tried to convert UN personnel along the Yalu, the US attempted to demonstrate the bankruptcy of communism.' The prisoner of war issue was bound with national prestige and ideology and was so important during the conflict that it singlehandedly almost destroyed the prospects for an armistice.

Yet, none of the participants of the conflict were signatories of the Geneva Convention of 1949, as they all came to sign the Convention years later, but they, the United States, South Korea, China, and North Korea, announced at the outset of the conflict that prisoner of war policy would be based on the Geneva rules.<sup>(109)</sup> Because of Article 85 the repatriation of prisoners became a major obstacle to the armistice. The question which arose in Korea is whether or not the prisoner must be repatriated against his will.

The deaths of most UN personnel were concentrated in the first year of hostilities when 'mistreatment, disease, cold, and food scarcity made conditions submarginal for sustained life.' These were not just problems affecting the prisoners but also the soldiers on the front. A feature of this conflict was that an overwhelming number of the prisoners were taken in the first year. During the North Korean offensive, June to mid-September 1950, the prisoners were treated well, with adequate food and first aid for the sick and the wounded. Most of the prisoners were transported by train from Seoul to Pyongyang.<sup>(110)</sup> But in some cases prisoners were often shot, especially if wounded, and were marched north to be held in overcrowded jails and requisitioned schools.

Improved treatment coincided with the attempts of the North Koreans to exploit the prisoners for propaganda purposes. This improvement was evident in the food supplied to the prisoners. American prisoners in North Korea were fed on a diet of bread, rice, dried fish, fruit, and sometimes meat. The propaganda methods ranged from radio announcements denouncing American involvement to written statements in support of the North Korean cause by prisoners. But these efforts were cut short with the landing of UN forces at Inchon. During the time when North Korean forces were beaten back the mistreatment of prisoners increased and the first of the 'Death Marches' took place.

Many atrocities occurred as the American advance pushed the Communist forces out of South Korea. The prisoners, often without boots and clad in summer uniforms, were marched north toward temporary camps. This occurred in the month of November when the weather conditions began to worsen. An official Army War Crimes report states: "most fatalities resulted from marches to camps..." General Philip Deane, captured after the fall of Taejon, witnessed the brutality of Major 'Tiger' Kim of the Security Police:

We heard many shots. At one point in the serpentine winds of the road, stopping because of dysentery, I looked down to the lower bend. The Tiger was pushing one of the dying with his foot into the ditch. When the GI was completely off the road, the Tiger shot him. I saw two more killed in this way...before the guard kicked me on.

The "Sunchon Tunnel Massacre" was another one of these incidents. A group of prisoners from Pyongyang were being evacuated by train. On October 20, 1950 the train halted in a tunnel near Sunchon and the prisoners were taken off in groups and machine-gunned.(111)

When China entered the conflict the tide turned against the United Nations forces and many more prisoners were taken. Upon their capture the prisoners were usually stripped of their clothing and the sick and wounded went untreated. Prisoners were forced to live outside as Chinese troops occupied their quarters and as the weather turned cold the prisoners, still clad in summer uniforms, began to suffer from exposure. Some were housed in mud huts that were so overcrowded they hardly had room to lie down. Millet replaced rice as food rations were cut. Because of these conditions 'Malnutrition, dysentery, pneumonia, louse infestation, frostbite, and neglected battle wounds took heavy tolls.' The prisoners were interned at temporary camps where they were once again recruited for propaganda purposes.'(112)

With the establishment of the permanent camps along the Yalu River the prisoners were once again subjected to a long and harsh journey. The policy regarding prisoners were laid down by China and it was in direct contrast to the North Korean policy. The North Koreans never had a coherent policy regarding prisoners and it was made worse by the turn of events that swung the conflict from near victory to total defeat. Due to this there were no preparations to hold the prisoners and their exploitation was haphazard. The Chinese had established a policy, with regards to prisoners, during the civil war and the Second World War which they would implement in the Korean conflict. This was a two fold policy, the 'lenient policy' and the 'long-term policy'. With the 'lenient policy' prisoners were given food, medical treatment, and were not to be robbed or abused. This was accompanied by a political speech before being released. A group of Americans were: 'inspected by a Chinese officer who gave them cigarettes, a good meal of chicken, and told them they could rejoin their own forces.' The lenient policy was not always applied as their decision to intervene was a sudden one and they were not yet prepared to house and feed the prisoners. This policy was abandoned with the UN's spring offensive.(113)

The Chinese decided to implement their 'long-term policy' and held the prisoners in the permanent camps along the Yalu. Once the truce talks began there was some improvement in the treatment of prisoners. The food and medical care provided were not the best but they were sufficient enough where they were not a threat to the lives of a prisoner.(114) Under these conditions the prisoners were forced to participate in an intense 're-education' program. They were to be 'reeducated' by showing them that they were pawns of the 'ruling class' and the true nature of their societies and the war. The methods of this program became known as 'brainwashing' though it did not use drugs or hypnosis but 'psychological pressure and calculated brutality ... within a totally controlled environment.' But 'brainwashing', according to an official U.S. Army report, is 'designed to erase an individual's past beliefs and concepts and substitute new ones.' The report went on to state, 'In Korea, American prisoners of war were subjected to group indoctrination, not 'brainwashing'. (115)

In order for successful indoctrination the Chinese had to create a total environment in which the prisoner was dependent on them. This started with the removal of officers, NCO's and 'reactionaries' from the camps. The 'reactionaries' were segregated and forfeited their right to 'lenient treatment', while 'progressives' were given special privileges and promoted to key positions in the camps. In order to foster distrust among the prisoners informing on one another was encouraged. They also played upon the racial and ethnic differences among the prisoners by segregating African-Americans, Puerto Ricans, and Filipinos.(116) Non-American prisoners were also used to try and exploit the tensions between the US and its Allies.

The program extended from education to leisure and recreation and was based on reward/punishment. The educational aspect of the program consisted of discussions usually lasting six to eight hours but sometimes longer in which the Chinese explained communism, capitalism, and the origins of the war. At the same time the prisoners were encouraged to confess past errors and to criticize the social and economic organization of their countries. During leisure and recreation periods the camp loudspeakers were tuned to the English language service of Radio Beijing, and were shown Soviet propaganda films. They also manipulated the mail in order to make the prisoners feel isolated, and denied the International Red Cross access to the camps until shortly before the truce. The object of this program was 'to transform the prisoners into a force which would "fight for peace" within their own societies upon release.'(117)

The efforts of this program resulted in twenty-two Americans and one Scot refusing repatriation. The "22 Who Stayed" led many Americans to question the strength of American prisoners to communist indoctrination and to the spirit of the soldier in general. It is important to realize that collaboration with the enemy was never as serious as some believed. For the prisoners writing letters home in support of the Chinese and signing petitions were the only way to let people know that they were still alive. The majority of prisoners were guilty of such collaboration without ever truly becoming 'progressives'. This attitude "that seemed to represent a vulnerability with respect to superficial compromises with their captor in the long run was a fundamental armament."(118) It was their desire to survive that led the prisoners to choose this path during their internment.

In order to ensure that North Korean prisoners would be treated according to the Geneva Convention the US Army assumed control of prisoners in September 1950. As always the US wanted to prevent reprisals against captured UN personnel, particularly since South Korean soldiers had 'a tendency to mistreat or kill prisoners of war at the slightest provocation'(119) Because of the rapid advance of UN forces it was believed that the conflict would shortly be over. Therefore prisoners were housed in temporary camps. These camps were mostly located in Pusan, Pyongyang, and Inchon. Despite the desire of the US Army to follow the guidelines of the Convention the conditions in the camp were poor as they lacked the resources to provide adequate food, clothing, shelter, and medical care. With the intervention of China in November of 1950 the Eighth Army hastily evacuated the advance camps as they retreated. The population of the Pusan camp increased from 63,000 at the end of October to 135,000 by the end of December.(120)

At this point it was realized that the conflict would last longer than predicted and preparations had to be made for the maintenance of the prisoners. Because Pusan was the UN's principal port for supplies and personnel the presence of hundreds of thousands of prisoners and tens of thousands of refugees created a security problem. In February 1951 Operation Albany was executed. This was the evacuation of prisoners from Pusan to the island of Koje-Do. The prisoners faced many hardships on this voyage:

If any camera man had filmed what happened during this voyage ... even Satan would be indignant at seeing it ... When two-thirds of the POW's [had been] put in the ship, the room of the ship was jammed with people. GI guards pushed them ... [further in], but they found it of no use and they stabbed the men around them with jackknives.(121)

With the establishment of the camps at Koje food and rations improved even though life as a prisoner remained unpleasant. By May 1951 Koje was accepting 2,000 new prisoners every day. Most of them Chinese captured during the spring offensive. By the end of June 1951 there were over 146,000 prisoners on Koje.

The one problem which carried over from the camps at Pusan was the shortage of manpower, and this shortage was quantitative as well as qualitative. The ratio of prisoners to American guards was 188 to 1 and if the South Korean guards were included than the ratio dropped to 33 to 1. But this was still above the recommended 20 to 1 ratio. On the whole living conditions were much improved and in some cases the prisoners were better off than the South Korean guards.(122)

A re-education program entitled Civil Information and Education (CIE) had been introduced in the temporary camps of Pusan in 1950. Five hundred North Korean prisoners were selected to participate in the pilot program which was a mixture of lessons learned during the 'de-Nazification' of Germany and 're-education' of Japan. The plan collapsed as UN forces retreated and the prisoners were evacuated to Koje. CIE was introduced to the prisoners on Koje in April 1951 and was designed: "to develop ... an understanding and appreciation of the political, social, and economic objectives of the United Nations and to assist [the prisoners] in various other ways so that they may become better citizens in their country."(123) The program was combined with literacy and vocational training, which communist prisoners would participate in, but boycott the orientation lectures. The program led to violent confrontations between the Communist and anti-Communist prisoners when the issue of repatriation arose. It is important to note that the program was not intended to persuade the prisoners to refuse repatriation but to return to their countries with these new ideals.

The prisoner had divided themselves into two factions, Communist and anti-Communist, when they arrived at Pusan. The first members were leaders or potential leaders and were familiar with organizational tactics. The Communist faction was more formally organized as the core of party members had been 'schooled in the use and techniques of organization as a weapon of control.' For this reason the anti-Communists usually patterned their organization on that of the Communists. In the anti-communist Chinese

camps the leaders were ex-Guomindong soldiers drafted into the PLA after 1949. They were aided by the presence of Guomindong staff officers brought from Taiwan to help in the CIE program. This reinforced the anti-communist's refusal of repatriation. These factions would retain their control over the prisoners when they were transferred to Kojedo.

What became the most important aspect of a prisoners camp life was his political allegiance as it became a struggle between communism and democracy. This struggle was accentuated by the lack of manpower because camp administrators came to rely heavily upon the prisoners and their leaders for the distribution of supplies and maintenance of discipline. Once a faction had control of a camp they would place their members, with the consent of camp administrators, in positions of authority, especially in the police force. They would use this police force to disrupt and antagonize other factions through beatings, incarceration, and murder. This allowed the political leaders to control the prisoners not only through the manipulation of supplies but also through physical violence and terror.(124)

The resistance of the anti-communists made it very difficult to end the conflict. On the one hand there was Washington's refusal to force repatriation, coupled with fear that if the prisoners were not returned there would be reprisals against UN captives. How to protect both the UN prisoners and the repatriated prisoners? Both Truman and Acheson cited the forced repatriation of Soviet citizens at the end of the Second World War, many of whom committed suicide on the transport trains, were murdered or sent to labor camps, as a reason why not to forcefully repatriate the prisoners.(125)

This issue was a source of friction for the United States and its allies. Great Britain and Australia accepted that there was an element of genuine humanitarianism in US policy, but ideological considerations and propaganda were involved as well. The US wanted to claim a moral and ideological victory over the Communists perhaps because the conflict had come to a draw. Both Churchill and Foreign Secretary Anthony Eden believed that the fate of the prisoners was a question of 'honor and humanity'. They had no wish to let the war drag on, especially "at the expense of additional suffering to British and Commonwealth prisoners," but they too recalled the fate of repatriated Soviet citizens from the Second World War. Australian Prime Minister Sir Robert Menzies criticized Washington's policy saying; 'if the allied choice lay simply between the continuation of the war and acceptance of forcible repatriation ... I would have no hesitation in choosing the latter.'(126) Nonetheless Great Britain and Australia supported US policy.

The end of the conflict depended upon communist agreement to voluntary repatriation, which was rejected at Panmunjom in January, 1952. A solution to this impasse was the screening of the prisoner into two groups, 'repatriates' and 'non-repatriates'. It was hoped this would be acceptable to the North Koreans, but only if there was a large number of repatriates. The communist prisoner factions controlling the camps exerted their power over the mass of prisoners, demonstrating and rioting to avoid screening. The UN commanders, lacking manpower, avoided screening these camps. The anti-Communists used violence to convince a majority of prisoners to refuse repatriation; those who

wanted repatriation were 'either beaten black and blue or killed.'[\(127\)](#) A total of 70,000 prisoners demanded repatriation 75,000, refused. This number was unacceptable to the communists, making screening more of a problem than a solution.

The armistice talks reached a deadlock until Resolution 610, by the UN General Assembly in 1953, which stated 'force shall not be used against prisoners of war to prevent or effect their return to their homelands. After further negotiations both parties agreed on the principle of voluntary repatriation. Article 51 (a) of the Armistice ordered the release of "all those prisoners of war in its custody who insist on repatriation to the side to which they belonged at the time of capture."[\(128\)](#)

Ideological and national interests were put before the well-being of the prisoners. Both in the propaganda battle between the US and the Communists and in the negotiations that followed, the issue of prisoners was of key importance. This is especially true of the UN prisoners who remained . in enemy hands longer due to the policies of the US, ultimately they were sacrificed in the name of 'democracy'. Former American prisoners were scrutinized for collaboration becoming the scapegoat for the nation's failure to win in Korea. It led to "...propaganda by Americans, about Americans, directed to Americans. The theme of this propaganda was that there had been wholesale collaboration by the American prisoners with their Communist captors..." The 'weakness' of the American prisoners was seen as a weakness in the social fabric of the US and they were accused of collaboration when they returned during the 'McCarthy Era'. Further those Korean and Chinese prisoners who refused repatriation were seen as heroes in the ideological struggle for 'the minds of men.'[\(129\)](#) Of the thousands of 'Communist' prisoners who refused repatriation, the quality and the opportunity of the capitalist way of life gave reality or meaning to 'democracy'.

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Vietnam involved a new method of warfare, guerrilla warfare, and US military commanders believed that American forces, with their superior mobility and firepower, could easily destroy the Vietcong and the North Vietnamese. The confidence in American technology and industrial strength led the military commanders to underestimate the ability and commitment of the communist soldier, due in part to their lack of weapons and training. On the other hand American soldiers could rely on the latest equipment to help in destroying the enemy. General William Westmoreland, head of Military Assistance Command in Vietnam, planned his strategy of 'search and destroy' around the 'superior mobility and firepower' of the US in order to 'bleed' the communist forces. It failed because Communist forces were willing to accept a high rate of casualties in exchange for victory.[\(130\)](#)

American soldiers, trained to fight a conventional war against Communist forces in Europe, would find themselves in the unconventional world of rice paddies and jungles where technology would not have the impact it had in previous wars. Another complication to Westmoreland's 'search and destroy' strategy was the inability to distinguish between combatant and non-combatant . "...the enemy soldier clad in black

pajamas and a cookie hat, wraps his weapon in oil cloth, buries it in a rice paddy during the day and becomes a soldier only at night."[\(131\)](#)

It should be noted that the ranks of the Vietcong were made up of armed farmers including women and children, who could strike in the jungle or the streets of Saigon. This led to atrocities on behalf of American and South Vietnamese forces who could not tell the difference between the two. The incident at My Lai, in which American soldiers massacred a hundred Vietnamese peasants, women, children, and old men among them, was due in part because the inhabitants were alleged to have concealed their weapons. The entitlement to prisoner of war status is that the person "carry arms openly and respect the laws and customs of war," by 'hiding' the weapons they had violated these laws and customs of war.[\(132\)](#)

US combat forces in Vietnam began to take prisoners but the denial of prisoner of war status to the Vietcong was to haunt American prisoners in the hands of the Vietcong. Since the Vietcong were considered insurgents they were turned over to the South Vietnamese for detention.

... An American unit will move into a village, or an area, and round up every male. A South Vietnamese liaison officer will then interrogate each man, and if he believes that the man is a Vietcong guerrilla or even a sympathizer, the man will be taken off to a detainment camp. After detailed interrogation, he is usually executed.[\(133\)](#)

The transfer of prisoners to the South Vietnamese by American forces is contrary to the provisions of the Convention because of the deplorable treatment they receive. Before persons entitled to prisoner of war status are handed over to South Vietnamese forces the US must assure the former's *willingness and ability* to treat them as prescribed in the Geneva Conventions of 1949; article 12 of the Convention states:

Prisoners of war may only be transferred by the Detaining Power to a Power which is party to the Convention and after the Detaining Power has satisfied itself of the *willingness and ability* of such transferee Power to apply the Convention... Nevertheless, if that power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.[\(134\)](#)

Therefore the US is responsible for the well-being of the prisoners that they have turned over, in this manner, among others, they failed in adhering to the Geneva Conventions. The inability of the US to safeguard the rights of Vietcong prisoners resulted in reprisals against American prisoners. On June 25, 1966 Radio Hanoi and the Liberation Front Radio announced that an American soldier, Sgt. Harold G. Bennet, held as a prisoner by the Vietcong had been executed in reprisal for the execution of a Vietcong guerrilla by the South Vietnamese. [\(135\)](#)

In order to be successful in guerilla warfare the interrogation of guerrillas, and the civilians suspected of helping them, is an important key to winning the conflict. But in many instances the interrogation of prisoners degenerated into brutal torture. The use of torture was clearly prohibited by international law but was widely practiced by both sides in Vietnam. As early as 1964, in the presence of US military advisors, South Vietnamese soldiers were torturing and executing prisoners.

The favorite methods of torture used by Government troops are to slowly beat a captive, drag him behind a moving vehicle, apply electrodes to sensitive parts of his body or block his mouth, while water spiced with hot pepper is poured down his nostrils.

The Vietcong have treated captured government soldiers or officials with equal brutality. There have been innumerable cases of Government soldiers and officials who have been crucified, burned alive, horrible mutilated in torture, beheaded, disemboweled or simply shot.(136)

There is also evidence of Americans beheading and shooting wounded prisoners, and pushing them out of helicopters. The soldiers responsible told their superiors that the prisoners were killed while attempting to escape. There was also the case of an American Lieutenant wiring a field telephone generator to the genitals of a prisoner and administering electric shocks. (137)

At the outset of the war the North Vietnamese government informed the Swiss government of its intentions to abide by the Geneva Conventions of 1949. One point which the North Vietnamese would object to was Article 85; 'Prisoners of war prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present convention.' The communique from the North Vietnamese government included a reservation to this article:

The Democratic Republic of Vietnam declares that prisoners of war prosecuted and convicted of war crimes or crimes against humanity, in accordance with the principles laid down by Nuremberg Court of Justice shall not benefit from the present Convention, as specified in Article 85.(138)

The North Vietnamese referred to captured American pilots as "war criminals" for bombing the cities of North Vietnam, therefore, they were not entitled to the protection of the Convention.

There is a difference among the American prisoners of war held by the Vietcong and the North Vietnamese. This distinction is made mainly because of their place of internment. Those held by the Vietcong are known as 'Jungle POW's' and were constantly on the move so as to avoid ground and air attacks. Those held by the North Vietnamese were known as the 'Hanoi POW's' because a majority were held in Hao Lo prison, also known as the 'Hanoi Hilton'. Conditions for both types of prisoners were primitive. At the Hanoi

Hilton the prisoners were locked up in filthy cells, and the malnourished prisoners suffered from dysentery, fevers, and chronic skin infections. After 1969, when the Paris peace talks got under way, the internment conditions of prisoners in North Vietnam improved. The diet was improved as sweetened milk and pieces of meat were added. The jungle camps were worse because the prisoners were at the end of the enemy supply distribution chain which forced them to supplement their diet of rice and manioc, with plants and rats. Many died from sicknesses due to malnutrition.(139)

At the 'Hanoi Hilton' the majority of prisoners were subjected to psychological and physical torture. Often isolation, from the world and one another, was in itself a form of torture. Men were beaten and in many cases their wrists and elbows were firmly bound behind their back with rope that was then pulled upward until his arms were raised and his head was forced downward between his shackled legs. This form of torture often resulted in dislocated arms and legs, and nerve damage which could last for months or years. The Jungle POW's suffered less torture than their counterparts in the north but they were frequently placed in bamboo huts, also known as 'tiger-cages', and placed in leg irons or chains.(140)

From the moment of capture the prisoners were used for a propaganda campaign that was waged for both international and domestic public opinion. On July 6, 1966, in preparation for their trial, American prisoners were 'paraded through the crowd lined streets of Hanoi.' The prisoners were forced to write letters of amnesty to Ho Chi Minh, sign statements of apology to the Vietnamese people, and tape record messages denouncing the war. Non-cooperation led to collective punishment by reducing the amount of food and care. Individual punishment was in the form of solitary confinement in pits or other small, cramped spaces.(141)

The Paris Agreement had two short range goals, the return of American prisoners and the simultaneous withdrawal of US combat forces by the end of March 1973. The Prisoner of War Subcommittee was to handle all matters concerning both American and Vietnamese prisoners. The American delegation requested information including the numbers to be released, places of detention, and places of release. They also wanted to secure information on personnel not included on the published lists, including death certificates to help account for the missing and provide for the return of their remains. The repatriation of prisoners went along with few problems and the last group of Americans were returned by early April.(142) There remains many questions about the men which are unaccounted for in Vietnam. There is no way to tell if those 'Missing in Action' were prisoners of war or not and this study concerns itself with the experiences of the prisoner of war. So like the men their story remains a mystery.

The repatriation procedures for American prisoners was called 'Operation Homecoming.' They were to be flown to Clark Air Force Base in the Philippines. Once there they received extensive medical attention and were given the opportunity to telephone their next of kin. The former prisoners were treated like heroes receiving promotions, back pay, and parades upon their arrival to the US. This is in contrast to the repatriation procedures of 'Big Switch' from Korea when former prisoners were received with

suspicion and skepticism. The US Army wanted to avoid the attack on returning soldiers which the Korean prisoners encountered in the 1950's.(143)

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The prisoner of war in the twentieth century is a victim of circumstance whose treatment, at any given time, has been affected by many factors. Amidst the chaos of war the humanitarian principles of the Geneva and Hague Conventions have tried to regulate the treatment of prisoners. The experiences of the prisoner of war can be divided into two phases during this century, the first phase can be attributed to a lack of understanding of modern warfare; the second the ideological differences between belligerents.

In the First World War the mistreatment of prisoners was not a systematic policy, it came about because of the underestimation of warfare. New weapons, the commitment necessary from the civilian population, mass armies and the tremendous amount of logistical support to sustain both the civilian populace and the military revolutionized warfare. The mobilization of millions of men meant that millions of prisoners would be taken and the logistical capabilities of the belligerents were not sufficient to care for the extraordinary amount of prisoners.

In the Second World War we see that the treatment of prisoners is much harsher than the cases cited for the First World War. The Second World War shows us that in some areas it is possible to set up a logistical base that can meet the needs of the prisoners, the United States, Great Britain, and to some extent Germany did so. But at some point in time the number of prisoners overwhelms the capabilities of the detaining power to fulfill the Geneva Conventions. In some cases, like Tietelsen, the massacre of prisoners was a form of reprisals and it occurred in the heat of battle. During the Second World War the massacre of prisoners was justified by ideology, the *bushido* in Japan, *Weltanschauungen* in Germany, and ethnic and ideological hatreds among the Allies. As Gerhard Weinberg wrote:

The subject has only recently begun to draw serious attention, but there had clearly been a distinctive break in the military traditions of both Germany and Japan. Armies which had conducted themselves on the whole rather honorably before [in prior wars] ... acted fundamentally different in World War Two.(144)

The evidence indicates that the policies of the belligerents was very different from those in place during the First World War. This shows the extent to which the ideological differences and the militarism of the period influenced the treatment of prisoners of war.

The latter half of the twentieth century saw the division of the world into two armed camps led by the United States and the Soviet Union. During the Korean conflict the prisoner of war became a pawn in the 'Cold War'. The belligerents were interested in winning the allegiance of the prisoners, therefore treatment was based upon the prisoner's willingness to conform to the wishes of the Detaining Power or the prisoner faction. In

the Second World War and Korea, the treatment of prisoners was on the whole much better than it was to prove in Vietnam. Those conflicts were conventional in nature involving nation states which recognized the Geneva Conventions.

In Vietnam ideology and revolutionary insurgency would influence the way prisoners were treated. The difficulty in distinguishing combatants from non-combatants during Vietnam led to many atrocities. The inability of the US to adapt to guerilla warfare and their underestimation of the Vietcong led to the mistreatment of prisoners of war. The Vietcong policy on prisoners of war was reactionary as they murdered American prisoners in response to the execution of Vietcong personnel.

It is difficult to write a conclusion which answers those questions which I asked myself as a boy. The history of the prisoner of war in the twentieth century has been pessimistic with few bright spots, the Geneva and Hague Conventions being two of them. The conventions have been successful in learning from the experiences of these men, and applying what has been learned. Nevertheless the evidence proves that the willingness and ability of the belligerents to provide for the prisoner of war is crucial if atrocities and abuses are to be avoided. Many nations have proven that the ability to provide adequate care and treatment for the prisoner of war exists, the question now becomes: Is the state willing to provide adequate care and treatment for the prisoner of war? The answer to this question can be attributed to ideology, nationalism, and racism, particularly in the last half of the century, and its infringement upon the rights of the prisoners which are guaranteed by international legislation. Though cooperation of states depends on their view of the enemy, whether foreign troops or revolutionary rebellious citizens, as long as ideological, national, and racial hatreds dominate the treatment of prisoners of war this cycle of human suffering will continue.

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