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Conspiracy of Silence: How the “Old Boys” of American Intelligence Shielded SS General Karl Wolff from Prosecution¹

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This article examines the circumstances surrounding the escape from prosecution of SS-Obergruppenführer Karl Wolff, one of the central SS figures in the Mediterranean Theater during World War II. Key to his evasion of justice was his role in “Operation Sunrise”—negotiations conducted by high-ranking American, Swiss, and British officials in violation of the Western Allies’ agreements with the Soviet Union—for the surrender of German forces in Italy. After 1945, these officials, including most notably Allen W. Dulles, shielded Wolff from prosecution in order to prevent information about the negotiations from coming out. The details had to be kept secret, they believed, in order to avoid a confrontation with Stalin as the Cold War took shape. New evidence suggests that the Western Allies not only failed to ensure cooperation between their respective national war crimes prosecution organizations, but in certain cases even obstructed justice by withholding evidence.

The release of CIA files under the 1998 Nazi War Crimes Disclosure Act has meant that research into the prosecution of war crimes—or, as German scholars call it, “*Vergangenheitspolitik*” (the politics of memory)²—will have to be expanded to include additional areas of study. Among the topics that have yet to be thoroughly researched are the extent and practical application of military intelligence on the Holocaust and the practice of exempting war criminals from prosecution in return for their collaboration with the Allied cause.³ Richard Breitman has shown that SS Captain Guido Zimmer was shielded from Allied prosecution as a result of his contacts with United States intelligence officers; Zimmer had made these contacts in early 1945 during negotiations for surrender of the northern Italian front.⁴ But Zimmer’s was not an isolated case. Not one of the senior SS figures involved in these cease-fire negotiations—code-named “Operation Sunrise”—was brought before an Allied court. On the contrary, they were actively shielded: some were helped to escape to South America, and others were employed after the war within the U.S. intelligence agencies. The case of Karl Wolff is an outstanding example of such cooperation, and allows us to outline three

phases in the interaction between SS leaders and U.S. intelligence officers in bestowing on Nazi officials a “conditional form of legal immunity.”⁵

Obergruppenführer and General of the Waffen-SS Karl Wolff was the chief German negotiator in the talks concerning a cease-fire in northern Italy. As former chief adjutant to Heinrich Himmler, and Supreme SS and Police Commander in Italy, he was listed among the major defendants for Nuremberg. Yet it seems that his willingness to surrender earned him favorable treatment during the post-1945 series of Allied war crimes trials; his status soon was downgraded to that of witness. Wolff could not disclose any of the promises that he claimed had been made to him during the surrender negotiations, but he was able to use hints to pressure his former negotiating partner into protecting him.

The capable diplomat and lawyer Allen W. Dulles⁶ played a key role in Wolff’s escape from justice. Upon joining the newly formed Office of Strategic Services (OSS) in 1942,⁷ Dulles was tasked with collecting information on the enemy—mainly from Jewish refugees from Europe. Through his work with refugees, Dulles became familiar with the extreme brutality of the Nazi regime toward its victims.⁸ As head of the OSS outpost in Bern, he was responsible for contacting resistance circles within Nazi Germany. Through these circles he carried out the initial, exploratory soundings on a possible surrender in 1945. The OSS’s emphasis lay not on rescuing the European Jews, but on ending the military conflict.⁹ After the war, Dulles’s position enabled him to exert influence on other veterans of the competing intelligence services to help prevent Wolff’s prosecution. An examination of the reasons why Wolff was granted *de facto* immunity sheds new light on the benefits of the surrender in northern Italy for the Western Allies and neutral Switzerland. The successful outcome of those surrender negotiations benefited Dulles’s future career—a career that ended as director of the CIA.¹⁰ These three factors—strategic cooperation on the part of the accused, Dulles’s personal commitment, and the political interests of the Western Allies—facilitated Wolff’s evasion of prosecution.

Karl Wolff: Career and Capitulation

Having spent many years as the head of Himmler’s personal office, Karl Wolff was one of the most senior surviving SS leaders after 1945. He was outranked only by Ernst Kaltenbrunner, head of the Reichssicherheitshauptamt (Reich Security Main Office, RSHA).¹¹ Born in 1900 to the family of a district court assessor, Wolff volunteered for the SS in October 1931. In 1933, he was appointed as an adjutant to Himmler, and by 1936 he had risen to the position of Chief of Staff to the SS Reichsführer. In this capacity, Wolff was responsible for maintaining contacts with Himmler’s circle of industrialist friends, as well as for liaising with the SS Germanization organizations *Ahnenerbe* (Ancestral Heritage) and *Lebensborn*.¹² Wolff became a key figure in Himmler’s anteroom, and was

considered the “second man” in the SS.¹³ It therefore came as no surprise when, in 1939, Himmler appointed him SS liaison officer in the Führer’s headquarters. Despite this new appointment, Wolff retained his position as head of Himmler’s personal staff. However, Wolff’s absence from Berlin while serving in Hitler’s various operational headquarters gave rise to serious conflicts as other SS functionaries—notably Kaltenbrunner and Walter Schellenberg, the director of the SS Political Intelligence Service (Amt VI)—jockeyed for position.

Wolff found himself sidelined when his divorce and re-marriage in 1943 resulted in personal differences with Himmler. The Reichsführer-SS viewed Wolff’s divorce as a betrayal of traditional family values; moreover, Wolff had turned to Hitler for permission for the divorce, rather than to Himmler himself, which the latter viewed as a disloyal act. However, as Supreme SS and Police Commander for Italy, Wolff had command powers in his sector—although his authority overlapped with that of the Wehrmacht’s commander-in-chief in Italy, Field Marshal Albert Kesselring. Among Wolff’s primary responsibilities was combating partisan activity.¹⁴ Following the July 20, 1944 attempt on Hitler’s life, Wolff replaced Lieutenant General Rudolf Toussaint as Plenipotentiary General of the Wehrmacht for Italy (Bevollmächtigter General der Deutschen Wehrmacht in Italien). This meant that, in addition to his SS role, Wolff was in charge of the entire rear army, and thus of sections of the Wehrmacht in Italy. He was therefore a key figure in the Mediterranean theater and was in a position to carry out surrender negotiations.

There can be no doubt that, as Himmler’s adjutant, Wolff was aware of the extent of the Holocaust. We know that Wolff accompanied Himmler on a visit to Minsk in August 1941 to witness mass shootings, and we also know that reports of successful *Judenaktionen* in occupied Poland (collectively codenamed “Aktion Reinhard”) passed across his desk. This information emerged through Wolff’s testimony in the trial of SS-Obergruppenführer and administrator of concentration camps Oswald Pohl in 1947; however, in a private meeting with the judges, Wolff denied any responsibility and pointed to his achievements in the Sunrise negotiations.¹⁵ Subsequently, the judges concluded that there was insufficient evidence to indict Wolff for his involvement in “Aktion Reinhard.” One of the judges later recalled that consideration of Wolff’s services to the U.S. in the surrender negotiations was the dominant factor in the court’s decision. Wolff’s direct assistance in organizing rail transports of Jews from Warsaw to Treblinka became the subject of criminal proceedings only in 1962, when he was brought for trial before the Munich Regional Court.

Although studies have been published on German occupation policy¹⁶ and the war crimes committed in Italy,¹⁷ as well as on various occupation authorities’ overlapping policing and anti-partisan warfare competencies,¹⁸ Karl Wolff’s role in German actions in Italy has yet to be thoroughly researched. Newly released

documents show that he may have transmitted to SD-officer Herbert Kappler the order to deport the Jews of Rome to Auschwitz, and so connect him directly with the Holocaust in Italy.¹⁹ However, given the dearth of sources, it has not yet been possible to research fully certain aspects of Wolff's responsibility—in particular the role that SS combat groups played in anti-partisan warfare.²⁰ If only because of his senior position in Italy, one would have expected Wolff to be included in the Allies' series of war crimes prosecutions after 1945. It was also conceivable that Wolff would have been prosecuted in Nuremberg as proxy for the deceased Heinrich Himmler. This study will show that the Allies' failure to prosecute Wolff had its origins in the negotiations for a partial surrender in Northern Italy.

In an unambiguous agreement reached at Casablanca in January 1943, the Allies agreed to accept only an unconditional surrender and rejected the possibility of prior contact with the SS. Nevertheless, senior Nazi officials attempted to contact Allied authorities in the late autumn of 1943 through the Swiss offices of the British and American intelligence agencies.²¹ Although surrender bids made by Walter Schellenberg²² and Ernst Kaltenbrunner²³ had been rebuffed, Wolff had rather more luck—no doubt because he extended a concrete offer at the right time. In his position as Plenipotentiary General of the German Army in Italy, Wolff was able to offer the Allies a handover of arms in a relatively self-contained theater of war.²⁴ A cease-fire in Italy was of great interest to the Western powers: not only did they want to end the combat with the 800,000 troops of Army Group C as soon as possible, but they also hoped to be able to bypass the feared "Alpine Fortress" without a battle during the planned advance on Berlin. British and U.S. intelligence reports on the military threat from an alpine Nazi redoubt led to a shift in Eisenhower's strategic plans in late February 1945: the general stopped the advance on Berlin and turned his forces to the south. Therefore, surrender offers within this zone were regarded as of the highest priority.²⁵

As a first step, an OSS representative at Lugano met with SS-*Standartenführer* Eugen Dollmann and SD officer Guido Zimmer from Milan.²⁶ Shortly thereafter, on March 3, 1945, Dulles indicated that he was willing to receive Wolff on one condition: the SS commander had to demonstrate his authority and good faith by releasing two of the leaders of the Italian resistance movement then in SS custody—one of whom had served also as an agent for the OSS.²⁷ As Dulles's superior OSS Director General William Donovan enthusiastically reported to the State Department, Wolff complied with this demand.²⁸

Wolff's first encounter with OSS representative Allen W. Dulles took place at an exploratory meeting in Zurich on March 8, 1945. The Allies failed to realize at this point that Wolff was not sufficiently high-ranking²⁹ for his signature to give legal force to the capitulation of a Wehrmacht army group. The situation was complicated by the fact that Wolff's counterpart, Field Marshal Kesselring, was

appointed Commander-in-Chief (West) on March 15, leaving Italy to Lieutenant General Heinrich von Vietinghoff-Scheel.

Wolff and Dulles met again in Ascona on March 19, 1945, together with British Major-General Terence S. Airey, the British chief intelligence officer at Allied Forces Headquarters, and U.S. Major General Lyman Lemnitzer, then deputy chief of staff to Field Marshal Alexander.³⁰ The men discussed military details of a surrender in light of the changed command situation. Wolff made several proposals in this regard. He suggested that he should first win over the skeptical Kesselring, whose consent would be of significance in winning over the other army commanders in Italy. He would then appeal to the generals on the Western Front to join in the surrender, and finally deliver a radio address aimed at persuading the German people that the war was lost. Wolff also offered to end the anti-partisan warfare in northern Italy, provide the Allies with military maps, and arrange for the release of a small group of prisoners consisting of Jews, political detainees, and Allied POWs. Wolff was taking a substantial risk, emphasizing that he was ready to act independently of Himmler and thereby betray his government. Dulles set aside his skepticism after his first meeting with Wolff; impressed by his German conversation partner's energy and bearing, he characterized Wolff as "Goethe'esque," trustworthy, and "extremely good-looking."³¹

However, the day after Wolff went to the German headquarters, the Combined Chiefs of Staff ordered Dulles to end the negotiations.³² A final settlement could be reached only with the help of Swiss intelligence officer Max Waibel, who received the German plenipotentiaries in his own home to facilitate exploratory meetings. When Wolff was ambushed by partisans in Italy, Waibel led a covert US-Swiss joint mission to get him back to his headquarters at Bozen via Switzerland.

Finally, on April 29, 1945, the surrender was signed at the Allied headquarters at Caserta by German plenipotentiaries Viktor von Schweinitz (representing Vietinghoff) and Eugen Wenner (representing Karl Wolff). Meanwhile, Wolff had not yet won over all of the commanders at the German headquarters at Bozen. News of the surrender thus created confusion and nearly resulted in a coup.³³ But the agreement took legal effect on May 2, hastening the general capitulation of the Third Reich on May 8, 1945.

Wolff was playing a risky game. He needed to convince Dulles of his credibility, but at the same time Hitler and Himmler were demanding explanations for his trips to Switzerland. In a hand-written letter of condolence following Roosevelt's death on April 12th, Wolff emphasized to Dulles that he continued to believe in their common goal of preventing further bloodshed.³⁴ In meetings with his own superiors, Wolff pretended that he was trying to secure special treatment for them all. When he described the course of these meetings in his witness testimony at Nuremberg, Wolff highlighted the riskiest aspect of the enterprise.³⁵

Twice he was summoned to Berlin for meetings: on March 17, he met with Himmler and Kaltenbrunner in the SS Hohenlychen military hospital, and at the next meeting, on April 18, he saw Hitler as well. Although Schellenberg and Kaltenbrunner knew that Wolff was involved in treason, the general was able to protect himself by reminding them of their own efforts to achieve a separate peace. There can be no doubt that in March 1945 Wolff changed sides, betraying his government. By handing over military maps, he rendered himself guilty of high treason.³⁶

By the same token, Dulles was taking a risk; in trusting Wolff, he opened himself to a charge of malfeasance—a charge that could have left him with a taint of political unreliability. At the Casablanca Conference an agreement had been reached prohibiting Allied officers from making concessions to representatives of the Third Reich in return for surrender of arms. However, especially during the final months of the war, both British and American intelligence officers,³⁷ including Dulles and Donovan, lured senior functionaries of the Third Reich to the negotiating table with hints at possible preferential treatment or even immunity from prosecution.³⁸ Their attempts to obtain official sanction for these actions—which were tacitly tolerated—ultimately failed.³⁹ U.S. government officials reiterated that the Casablanca formula remained in effect.⁴⁰ Not surprisingly, therefore, in official correspondence Dulles consistently emphasized “that he had never made any promises.”⁴¹

The absence of clear-cut spheres of authority on both sides provided the powerful Nationalist Socialist officer and the high-ranking American intelligence agent with room to maneuver during the surrender negotiations. An unwritten law remained in effect: Wolff could make no demands. Even so, Wolff established himself as a cooperative partner⁴² and attempted to increase his credibility as a negotiator by claiming that he had not been involved in war crimes. Dulles sent Washington favorable reports about him. His face-to-face meeting with Wolff, Dulles wrote, had convinced him that the German “was to be trusted,” even if his success could not be guaranteed; Dulles noted that Wolff’s “hopes may exceed his ability to act.”⁴³

The files contain no indications that Dulles made concrete promises of immunity to Wolff. However, contemporaries clearly believed that the mere fact of his entering into negotiations with Wolff amounted to preferential treatment and made his claims about an immunity deal seem plausible. In any case, Wolff was surrounded by an aura of *de facto* immunity from prosecution. British authorities’ interrogations of German officers in the summer of 1945 revealed that Wolff’s immunity was taken for granted in SS circles at his Bozen headquarters. During an interrogation, one of Wolff’s subordinates stated: “It was an open secret that Wolff had negotiated an addendum to the capitulation agreement with the Americans to the effect that attacks by the German security police on the Italian civilian

population would not be the subject of war crimes investigations.”⁴⁴ Other documents from Wolff’s private office indicate that this “open secret” created some bitterness among members of his staff.⁴⁵ In 1947, Major Max Waibel and negotiator Max Husmann—both of Switzerland—testified that they had been present when Dulles and Wolff entered into the alleged agreements.⁴⁶ Later, British general Airey noted that he had felt he could not rule out the possibility that such promises had been made.⁴⁷

The Anglo-American Allies’ Geopolitical Interest in Sunrise

Political differences between the Western Allies and Stalin became more evident during the spring of 1945. Since victory was already in sight, the question was no longer how Hitler could be defeated, but rather who would dominate the postwar order in Europe. The basic ideological pattern of the Cold War could already be discerned. The negotiation of the partial capitulation in northern Italy—a capitulation that circumvented agreements with the Soviet Union—can be understood only in this context.⁴⁸ In this light, the American government had good reason to fear a public trial of Karl Wolff and his SS negotiating team after 1945: Wolff’s defense counsel no doubt would have seized the opportunity to point out that an American intelligence officer—probably with his government’s consent—had breached the Allied Casablanca principle.

The military benefits of the partial surrender were obvious. Beyond that, in the spring of 1945, the Western Allies believed that the Soviet Union posed a substantial threat; a third world war, it seemed, was within the realm of possibility.⁴⁹ As the Red Army liberated East European states, it installed proconsuls or concluded partial surrender agreements, expanding its sphere of control.⁵⁰ British and American authorities now perceived the curtailment of this expansion as a vital political interest.⁵¹ The southern Tyrol and Trieste thus came to play a key strategic and military role in their geopolitical policy.⁵²

Economic interests also played a role in U.S., British, and Swiss joint efforts to shield Wolff after the war. For example, Dulles appears to have acted not only as a government emissary, but also as an attorney protecting his private civilian clients’ interests in Northern Italy.⁵³ As a partner at the prominent East Coast law firm Sullivan and Cromwell, Dulles represented banking houses and industrial firms based in Europe. Similarly, Waibel reported that the Swiss interest in the surrender negotiations was based on a perceived need to protect Swiss businesses in northern Italy and Switzerland’s access to the ports of Genoa and Savona in the face of the communist threat.⁵⁴

From March 11, 1945, U.S. officials kept Moscow informed about the ongoing negotiations. Stalin’s furious reaction to the news that a partial surrender was being negotiated was interpreted in both London and Washington as confirmation of the alliance’s fragility.⁵⁵ In 1946, the American head of the military mission in Moscow,

General John Deane, opined that Sunrise had represented the turning point in American policy towards the Soviet Union. Following those negotiations, the U.S. had displayed a new self-confidence in its dealings with Stalin.⁵⁶ The ambassador in Moscow, W. Averell Harriman, strongly advised against involving the Soviets in the surrender negotiations. Likewise, British Prime Minister Winston Churchill's remark that "the wrong pig" had been butchered at the end of the war⁵⁷ indicates that the Western Allies' interests had shifted away from alliance with the Soviets. The U.S. and Britain were united in their anti-communist stance.⁵⁸

As a result of the peace agreement, two Allied armies were spared and could be redeployed to Southern Germany to counter any further advance of the Red Army.⁵⁹ Moreover, in the event of a conflict with Stalin, British and American authorities could have cited a coincidence of ideological aims to deploy the 800,000 German soldiers in Army Group C against the "Bolsheviks."⁶⁰ This thesis is bolstered by the fact that, after May 2, 1945, some sections of Army Group C were deliberately allowed to keep their weapons.⁶¹ The reason for the decision not to disarm the German troops is open to debate. However, it is noteworthy that disarmament measures varied depending on troop locations. Divisions in the southern Tyrol and on the Yugoslav border, in particular, retained their weapons.⁶²

Dulles Shields Wolff from Prosecution

The capitulation on the Southern Front clearly had been in the American interest, but intelligence circles saw it as vital that the anti-Soviet maneuverings—in violation of Allied agreements—be concealed from the public after the war. Karl Wolff thus had to be prevented from testifying publicly about the negotiations. When one considers that Wolff, the Supreme SS and Police Commander in Italy, escaped prosecution, while Albert Kesselring, the former Wehrmacht commander in chief in Italy, was sentenced to death by a British military court (though later he was pardoned and released), certain questions become inescapable.⁶³ How was this difference in treatment justified to the public? What groups had a vested interest in shielding Wolff? And how did they manage to ensure that incriminating evidence was ignored? An analysis of the documentation reveals that the interested parties' influence derived not from any operational authority, but rather from their personal connections. Certain high-ranking U.S. intelligence officers intervened directly with American prosecutors in Nuremberg, as well as with members of the U.S. Military Government. Using their personal influence, these men managed to persuade the British authorities to forego the prosecution of Karl Wolff.

The first task in explaining the Allies' seeming inconsistency is to map the various interest groups involved in the preparations for the International Military Tribunal in Nuremberg. Widely held assumptions regarding the homogeneity of such groups are no longer tenable, as recent British and American studies have shown.⁶⁴ Rather, it is apparent that very diverse interest groups in both London

and Washington not only worked against each other within their departments (the intelligence services being a striking example), but also formed alliances across their areas of competence, establishing so-called “circles of friends” for the purpose of achieving their particular goals. In this way, officials brought influence to bear on the executive—and thus on war crimes policy. As individual officers exceeded their authority by lobbying on behalf of alleged war criminals, they undermined what should have been overriding political agreements. Specifically, Dulles exerted direct influence on American officials in Nuremberg and in the American Military Government in Germany. Moreover, almost one-third of the staff members available to prosecutors in Nuremberg had backgrounds in the OSS. Many of these officials were bound by ties of personal loyalty to William Donovan, championing his cause after his forced resignation in November 1945.⁶⁵

Previous research into the history of the American intelligence services tended to neglect the issue of former OSS members’ influence on the executive branch in terms of war crimes policy,⁶⁶ although more recent studies have touched on the subject.⁶⁷ Some scholars have suggested that the American intelligence apparatus helped certain National Socialist functionaries suspected of war crimes to escape after the war.⁶⁸ But exactly how this was possible remains a mystery. Although memoirs point to instances of quid pro quo between intelligence officers and incriminated Nazi functionaries—and even mention the anti-communist dimension of such deals⁶⁹—historians only recently have begun to research intelligence and prosecution officials’ further protection of Nazi war criminals.⁷⁰

Dulles, his Swiss aide Gero von Schulze-Gaevernitz, and the military negotiators during the Sunrise talks—American general Lyman Lemnitzer and British general Terence Airey—were at the center of the efforts to shield Wolff. Their involvement with Wolff can be divided into three distinct phases. The first phase, which could be termed the “interrogation phase,” lasted until Wolff’s transfer to Nuremberg in 1946. The second phase included Wolff’s testimony at Nuremberg and the attempt to have him declared incapable of standing trial. The third and final phase lasted from the autumn of 1947 until the end of 1948,⁷¹ and involved former Sunrise negotiators’ intervention on Wolff’s behalf.

Dulles’s strategy in the first phase was to extol Wolff’s virtues, creating a climate favorable to the former SS general and thus shielding him from prosecution. It is clear that Wolff made his protectors’ task more difficult when, during preliminary interrogation, he began to boast to a wider audience of the services he had performed. Wolff’s own strategy—which at various times included refusing to give evidence, cooperating with the interrogating officers, and demanding that the secret promises he claimed to have received be honored—was not only in breach of the agreement he had made with his backers, but actually undermined the

strategy they had devised to assist him. Nevertheless, they did not abandon him. This indicates that they were motivated by overriding considerations.

Interrogation and Trial Preparation

During the summer of 1945, the British and the American prosecuting authorities appeared determined to ensure that war criminals were severely punished. An analysis of the concrete difficulties that the Wolff case posed brings to light the obstacles facing prosecutors as well as the opportunities available to Allen Dulles for intervention.

During the preparations for the first Nuremberg war crimes trial, the Allied planning staff circulated a list naming Kesselring and Wolff as “major war criminals.”⁷² Allied officers were convinced that, because of his high rank and his areas of competency within the SS and the police, Wolff was a likely candidate for prosecution in the Nuremberg trial⁷³—or at least in one of the planned follow-up trials. If Kesselring and Wolff were not brought to trial in Nuremberg, there seemed little doubt that they would be called to account for their actions before one of the newly-established British military courts in Italy. A preliminary report stated: “Wolff should be charged with a war crime in respect of any atrocity committed by the SS if any evidence can be adduced to show that he acquiesced in the action taken by his subordinates or ordered such actions to be taken.”⁷⁴

The British were planning to hold two major trials in Italy, one of which would include Karl Wolff. They hoped that the trials would ease political tensions within Italy.⁷⁵ According to the policy set by the Judge Advocate General (JAG), British military courts would try only those senior German officers to whom *political* responsibility for reprisals against Italian civilians could be attributed on the basis of the available evidence. Those who had carried out the orders would be tried before an Italian military court. The commanders in chief had to be convicted before the Italian program of trials could commence.⁷⁶ The first trial was to focus on the March 24, 1944 massacre at the Ardeatine Caves on the outskirts of Rome, in the course of which 335 Italians were shot in retribution for an attack on a German police company.⁷⁷ The second planned trial would involve the most senior Wehrmacht and SS⁷⁸ officers at corps and division levels whose troops had been involved in war crimes against Italian civilians. Both trials were to include Kesselring⁷⁹ and Wolff.

However, prosecutors encountered some difficulties as they prepared the case against Wolff. Solid evidence was scarce,⁸⁰ and London had stipulated that defendants should be brought to trial only if prosecutors were confident of obtaining a conviction.⁸¹ It was not possible to speed up the preliminary investigations, since the chronically under-staffed British investigating officers did not have sufficient personnel to question all the relevant SS commanders of the units in question.⁸² Although a special group was formed within the War Crimes Commission

to investigate SS war crimes in Italy, it proved almost impossible to form even a general picture of the SS power structure and the various command levels involved in anti-partisan warfare in the country.⁸³ Interrogations failed to produce any usable evidence, and Wolff naturally avoided incriminating himself. Wolff's British interrogators noted with some irritation: "Wolff cannot be regarded as a completely reliable witness. He gave information only after being convinced by lengthy discussion of actual orders in our hands, and of the investigations we had carried out, that we knew so much that it was useless to evade the points."⁸⁴ Since Wolff had never participated personally in an anti-partisan operation, it was impossible to prove anything beyond his indirect responsibility.⁸⁵ Rather, the so-called "cleansing operations" appeared either to have been carried out by the SS commanders exercising authority over the sections in question,⁸⁶ or directed by Himmler himself from Berlin.⁸⁷

It was only in 1946 that SS-Sturmbannführer Heinrich Andergassen provided investigators with an overview of events in Italy.⁸⁸ Although he already had been sentenced to death for his role as a Gestapo torturer in Bozen, he provided some usable evidence against his superiors. Andergassen emphasized that he wanted to help bring his superiors to trial because they had "wanted to ensure that Allied prisoners in the Bozen HQ and other Italian cities died an agonizing death, and also wanted to achieve the deaths of Italian civilians." But Wolff was not among those he mentioned. Thus, it was difficult even for SS officers to link the "gentleman" Wolff with war crimes.

Delays between interrogation sessions gave German POWs an opportunity to develop strategies for minimizing the significance of their crimes and to coordinate their statements. Loyalty could sometimes take macabre forms. The impression that the "Members of the Black Order," as they called themselves, continued to band together even in defeat was confirmed by the fact that some SS commanders deliberately sought to be convicted. This way, they believed, they would achieve a so-called "clean exit." When questioned, these SS commanders assumed responsibility for decisions that undoubtedly had been taken by Wolff and his section commanders.⁸⁹ The resulting execution of the purported culprits meant that those at the top of the SS apparatus in Italy were able to escape punishment.

Documents connecting Wolff to war crimes were difficult to come by. The war diaries of Army Group C disappeared after the war, and even though the private notebook of Wolff's chief of staff has been preserved,⁹⁰ none of its entries provide a direct link between an order issued by Wolff and SS massacres of civilians.⁹¹ Richard Halse, a prosecutor in the JAG's office in London, pointed out that Wolff could not be tried by a British court under these circumstances because opening a War Crimes Trial under Royal Warrant regulation required *prima facie* evidence. In Wolff's case the available evidence did not meet that standard.⁹² Halse recommended that Wolff be sent for trial by the Americans in

Nuremberg.⁹³ This, too, may be seen as an indication that the British trial program's focus was not on the higher Nazi functionaries, but on the murderers themselves.⁹⁴ Dulles seized this opportunity to intervene with the American authorities on Wolff's behalf.

The OSS, on the other hand, appeared to have in hand concrete evidence of Wolff's war crimes; a September 1945 report held him responsible for the "wholesale slaughter of populations, the taking and killing of hostages, and the collective reprisals" in Italy.⁹⁵ On the basis of the report, which linked the SS Police commander to the "special orders for execution of foreign nationals," we can conclude that some OSS veterans blamed Wolff for the murders of American intelligence officers in the Bozen SS headquarters. Believing that he personally had interrogated captured American intelligence officers, they wanted to see him put on trial.⁹⁶ As a rule, however, internal OSS reports were not made available to the investigating authorities preparing for war crimes trials; sharing information was simply not part of the modus operandi of the intelligence agency.⁹⁷ As a result, Dulles was able to bury the report on his desk. Moreover, in the internal final report, Dulles's colleague Colonel Russell B. Livermore appeared to accept Dulles's portrayal of Wolff as a moderate SS officer. The report contained a recommendation against prosecution.⁹⁸ Although Livermore mentioned the SS war crimes in Italy and the murders of OSS agents in Wolff's Bozen headquarters, the report characterized Wolff himself as a gentleman who should not be prosecuted for SS crimes. Thus, Dulles had prepared the ground for benevolent treatment of the SS general. However, his efforts on Wolff's behalf were increasingly at odds with the orders he had received to provide all incriminating material to prosecutors preparing for the Nuremberg and other war crimes trials.

From the beginning, Dulles tried to make Wolff's imprisonment as bearable as possible. Privately, he asked Lemnitzer whether this was simply a formal and temporary arrest; Lemnitzer assured him that the arrest had been made at least in part to allow the Allies to nip in the bud any accusation of preferential treatment for Wolff.⁹⁹ However, even Wolff's former comrades could not ignore the special treatment afforded the SS general. Wolff enjoyed better conditions and food than other prisoners and was allowed to continue wearing his full uniform (albeit without SS insignia), including a side-arm.¹⁰⁰ In August 1945, Wolff was transferred together with other SS leaders to a small American POW camp on the shores of Lake Gmunden in Austria. The *New York Herald Tribune* claimed that Wolff had enjoyed the summer of 1945 in luxurious surroundings with his family, had enjoyed great freedom of movement, and had sent for his yacht to be brought to the lake.¹⁰¹ Even if the story is an invention, when taken together with the events at Bozen it served to cement Wolff's reputation as a mysterious figure singled out for special treatment—and to feed speculation about services he had rendered.¹⁰²

However, the arrest came as a surprise to Wolff, who had convinced himself that he would be rewarded immediately for arranging the surrender and would avoid imprisonment completely. He soon developed an approach for dealing with his unexpected circumstances. An examination of interrogation records shows that Wolff's strategy during his initial period of imprisonment was two-pronged: he would cooperate with his captors and at the same time put pressure on Dulles. If Wolff remained silent during questioning, or presented himself as a "man with a clear conscience,"¹⁰³ he did so in the knowledge that his Allied backers would not bring charges against him. Internally, Wolff was deemed "cooperative."¹⁰⁴

Unbeknownst to Wolff, the British Combined Services Detailed Interrogations Centre (CSDIC), which was run jointly by the War Office and the British Army with the participation of intelligence agencies MI5 and MI9, was recording German prisoners' conversations.¹⁰⁵ During one recorded conversation, Wolff boasted that his surrender negotiations with Dulles had resulted in the favorable treatment he was currently receiving, and he praised the Americans for keeping "all their promises" to him.¹⁰⁶ In the summer of 1945, these recorded conversations provided the British authorities with their first inklings of Dulles's commitment to Wolff's cause.

When Wolff was transferred to Nuremberg on August 21, 1945, he found himself within the sphere of influence of Dulles's immediate superior, William Donovan. As deputy to Justice Robert H. Jackson, chief U.S. prosecutor at Nuremberg, Donovan had worked until December 1945 for the prosecuting authority in the influential Office of the Chief of Counsel (OCC). While there, he had been able to recruit Telford Taylor to Dulles's "circle of friends." Taylor, the U.S. Chief of Council for War Crimes, had apparently been persuaded by political arguments about the Soviet threat.¹⁰⁷ Although it seems out of keeping with Taylor's overall commitment to the prosecution of war criminals, Taylor exerted deliberate influence on the British investigating authorities in Italy in Wolff's case. In August 1946, the head of the British military prosecutors' office in Naples, Major Field-Fisher, was summoned to Nuremberg to discuss "fundamental issues regarding the prosecution of German war criminals in Italy."¹⁰⁸ Although the minutes of this meeting have not survived, Wolff's name was subsequently deleted from the British lists. Up to that point, Wolff had been mentioned consistently in conjunction with the planned trial of Field Marshal Kesselring.¹⁰⁹

Wolff's status at Nuremberg was unclear. Nuremberg prosecutors considered him a reliable source of information and an important witness. Therefore—to the surprise of many trial observers¹¹⁰—he was not sent for trial in place of Himmler but transferred to the witnesses' wing.¹¹¹ However, no preparations had been made at Nuremberg to honor Wolff's special role: after testifying on Göring's behalf, Wolff was moved to a small cell in the defendant's wing, and was treated like an ordinary defendant. Low-ranking American guards ripped the epaulettes

off his Waffen-SS general's uniform. Wolff immediately went on a hunger strike; he made it clear that if the insults continued, he would give no more witness testimony.¹¹²

Another political factor that contributed to the delay of legal proceedings against Wolff had to do with the role of Swiss diplomats in the capitulation negotiations. The commitment shown by Major Max Waibel and intelligence chief Roger Masson cast doubt on Switzerland's official policy of neutrality. Thus, the Swiss had a vested interest in ensuring that these talks, which had taken place on Swiss soil, remained secret. In fact, it is conceivable that Switzerland had a commercial and political interest in a partial surrender in Italy.¹¹³ Initial press reports on *Sunrise* attracted considerable attention there during the summer of 1945.¹¹⁴ In response, the Swiss government did everything in its power to suppress newspaper coverage. Additionally, it forbade Max Waibel to speak publicly of his experiences or to publish his report.¹¹⁵ The intelligence officer's protests against his silencing were unsuccessful.¹¹⁶ Nevertheless, Waibel continued to insist that his actions had, at all times, been approved by Swiss army head General Henri Guisan and Oberstbrigadier Masson. As a result of his statements, the individuals named were summoned before a committee of inquiry.¹¹⁷ Members of the Swiss parliament questioned President Eduard Kobelt regarding the content of Swiss neutrality policy. Not surprisingly, both Guisan and Masson denied any knowledge of the negotiations, and the questions were deemed "unfounded."¹¹⁸ Had the allegations been confirmed, the entire leadership of the Swiss intelligence service, as well as sections of the general staff, would have been vulnerable to parliamentary demands for their dismissal.

To avoid placing further strain on relations with the Soviet Union, the Swiss government posted the inconvenient Waibel to Washington as a military attaché. The *Sunrise* file was officially closed, with Swiss authorities cleared of any breaches. Waibel's promotion to military attaché was accompanied by a clear threat: the Swiss political department expressed its hope to President Kobelt that Waibel would "continue to remain silent about his experiences in the future," since the Americans might view disclosure as "an absence of due deference."¹¹⁹ It seems clear from the files that Waibel's superiors knew about the negotiations between Dulles and Wolff, and that they not only approved of them but may even have fostered them.¹²⁰ However, more extensive research is required to fully clarify this issue.

In the spring of 1946, Wolff suddenly showed symptoms of a nervous disorder. It is not entirely clear whether this was a genuine breakdown or a tactical move on Dulles's part designed to make the general's prosecution more difficult. Wolff himself suspected that the goal of the diagnosis was to "use a medical and a judicial error to prevent me [from] talking."¹²¹ As a result of the diagnosis, the patient was transferred from the Nuremberg Palace of Justice to the psychiatric

facility in Augsburg.¹²² Wolff's transfer was carried out with intelligence officers' assistance,¹²³ and was designed to ensure that his name would be removed from the list of presumed war criminals. Thus, Dulles's strategy in Nuremberg was successful: Karl Wolff's hospitalization shielded him from further prosecution.

The Shift in War Crimes Policy and Wolff's New Strategy

Although Wolff was shielded by personal interventions from the end of the war until around the middle of 1947, his special treatment was in line with the new prosecution policy that the political establishment developed during the same period. Following the Kesselring trial, British domestic debate—including contributions by members of the House of Lords—shattered the legitimacy of the war crimes trials in the eyes of the British public. The shift culminated in the trial program's abandonment in 1948. The significance for Wolff was clear: he had nothing to fear from the British program of trials related to crimes in Italy.

Kesselring was sentenced to death on May 6, 1947. This led to a storm of protest in Britain, coupled with a questioning of the war crimes policy as a whole. One camp included the opposition leader, Winston Churchill,¹²⁴ and Field Marshal Viscount Alexander,¹²⁵ who argued that the sentence was "unjust" on the grounds that it made use of ex post facto laws. This camp was opposed by Foreign Secretary Ernest Bevin and Secretary of State for War Frederick Bellenger, who defended the policy of retribution. American trial observer Colonel Preston Murphy was also critical of the sentence and expressed doubt regarding the defendant's guilt.¹²⁶ The issue of clemency for Kesselring was subsequently debated both in Parliament and in the press.¹²⁷

The shift in British war crimes policy was, however, primarily due to other influences—in particular Italy's refusal to execute the death sentence imposed on Kesselring.¹²⁸ Rome's unwillingness was due to a fear that Italian war criminals, especially in Yugoslavia, could face execution based on the principle of equal treatment.¹²⁹ The Italian decision, though motivated by domestic political factors, thus had a direct impact on British war crimes policy.

Kesselring's sentence was commuted to life in prison.¹³⁰ The War Crimes Group, which officially was to continue the investigations,¹³¹ recognized the possibility that even those trials that had been prepared would not take place. With clear frustration, the investigators noted the failure due to lack of evidence of trial preparations against Karl Wolff.¹³² The War Crimes Group continued to press for Wolff to be brought to trial since, they argued, he did not conform to the picture drawn by Dulles of a "good SS man."¹³³ But by mid-February 1948 the matter had been decided; the JAG sent a message to the War Crimes Group (South East Europe) declaring: "No Germans will in future be tried by British Military Courts for war crimes committed against Italian victims."¹³⁴ The preliminary investigation of Karl Wolff came to a halt.

The decision not to try Wolff in Britain had ramifications for various extradition requests from other countries: as the state holding Wolff, Britain had to decide on these. The Italian authorities' request was rejected due to a lack of evidence. Extradition requests for Karl Wolff from the Belgian and Czech authorities were still pending.¹³⁵ This was a very dangerous situation for Dulles and his allies, whose preference, if Wolff were to be tried at all, was to see him tried in a British court. Gaevernitz wrote to Dulles: "Quite apart from any moral commitment which we may or may not have towards him I believe it would be a grave political error if he were to be extradited to Czechoslovakia—for very obvious reasons."¹³⁶ This letter indicates that Gaevernitz, when meeting with Robert M. W. Kempner, a member of the U.S. prosecution team in Nuremberg, had argued against extraditing Wolff. Kempner had transmitted this opinion to the U.S. Political Adviser for Germany, Robert Murphy, who in turn placed the arguments before James W. Riddleberger, chief of the political section of the American Military Government, Berlin. Riddleberger then wrote directly to Gaevernitz, who was probably standing in for Dulles (the letter was found in Dulles's papers) and informed him that the British merely wished to question Wolff. No decision had been made regarding extradition.¹³⁷

While his backers were still rethinking the fate of the SS general, Wolff changed his strategy and began to intervene on his own behalf. As events unfolded, his behavior placed pressure on Dulles and his supporters to bring Wolff to trial under Western Allied auspices. If he were to be tried in the East, his information about the surrender terms and the Western Allies' anti-Soviet negotiating stance would reach the public in Soviet-dominated Europe and elsewhere. Eventually they hit upon the solution of bringing Wolff to trial before a denazification tribunal at Hamburg (to be discussed below).

Wolff made no attempt to escape from the hospital in Augsburg. After his return to Nuremberg, the prosecution continued to use him as a witness in subsequent U.S. trials, although he also testified at times for the defense.¹³⁸ He now abandoned his original dual strategy—cooperation during questioning combined with gentle pressure on Dulles—and began to insist that the promise of immunity he had allegedly received must be honored.¹³⁹ Apparently, Wolff managed to convince his interrogating officer, Norbert Barr, of his good intentions.¹⁴⁰ Barr helped Wolff circumvent the rigid mail censorship regime at Nuremberg, smuggling letters for him via his own account to Switzerland.¹⁴¹ These letters formed part of Wolff's new strategy for obtaining release. Through this correspondence Wolff arranged a meeting in Nuremberg with the Swiss Sunrise intermediary Max Husmann.¹⁴² Their conversation gave Wolff a chance to exert more pressure on Dulles: as Wolff anticipated, the meeting was recorded, which enabled him to alert a wider audience to the alleged immunity promises.¹⁴³ Wolff was daring enough to

reproach Dulles directly, claiming that Dulles and other negotiators—Gavernitz, Airey, Lemnitzer, and Field Marshal Alexander—had betrayed him.

Wolff and Husmann's new strategy included personal interventions with key figures in the United States. Husmann approached an unnamed U.S. senator to lobby for Wolff's cause.¹⁴⁴ The U.S. military governor for Germany, General Joseph T. McNarney, who had personally granted Husmann permission to visit Wolff, attended the meeting. Husmann also wrote to Telford Taylor¹⁴⁵ in an attempt to convince him that Wolff had been badly betrayed. Evidently with Barr's help, Wolff was also granted a meeting with Rapp and Taylor in the Nuremberg Palace of Justice on August 1, 1947. During this meeting, Wolff asked for nothing less than to be "excluded from the War Criminals List."¹⁴⁶ Soon after, he wrote to Field Marshal Alexander to ask for his "release from British captivity."¹⁴⁷

Husmann's intervention was a turning point in Wolff's case. The extent of the potential threat posed by Wolff became apparent—especially when his statements were confirmed by a Swiss citizen. Moreover, these machinations around Wolff's status were taking place against the background of a crisis among the Allies that culminated in Soviet Marshal Sokolovsky's withdrawal from the Control Council in London in March 1948. In his private diary, which he had left with American prosecutors in Nuremberg, Husmann had written: "It is thanks to Mr. Dulles that you were not included in the first Nuremberg trial list because, in Nuremberg, he immediately said: 'Leave this man for a while. Perhaps we will be able to help him.'"¹⁴⁸ Though there was no mention in it of a clearly stated *quid pro quo*, this diary was viewed as more or less official corroboration of Dulles's promise of immunity for the SS general.

Not surprisingly, the men named in the Husmann-Wolff conversation immediately distanced themselves from Wolff, rejecting any claims that they had made promises.¹⁴⁹ The official story was that Wolff had been "driven crazy" by his detention.¹⁵⁰ Anxious to deny him any opportunity to broadcast his story and his demands to a wider audience, the prosecution lost no time in transferring Wolff to a British POW camp. Although no written record has been found in the Wolff case, we do have documentation from the cases of other SS-officers involved in Sunrise who were kept from the public eye. For example, the Bavarian section of the American Military Government in Germany was advised to take Eugen Dollmann and Eugen Wenner out of circulation to "protect" them: "The pardon of these individuals is deemed advisable and appropriate on the basis of their valuable service which they have rendered to the U.S. government and for reasons of security."¹⁵¹ The internal request reached the Military Government from intelligence quarters; thus, it had been agreed "to postpone public action on these cases as long as possible" and give "these individuals the most favorable possible status that could be done on the basis of their records."¹⁵²

Although Wolff is not named, these documents reveal the security services' attitude towards the SS negotiator group as a whole. It should be noted that, thanks to Dulles's preparatory work and the political mood shift that ended in the abandonment of the British War Crimes Trials program, Wolff's confrontational approach ultimately did him no harm. However, he was not successful in obtaining immediate benefits for himself; he remained in custody.

Extradition and Denazification Processes

During the third and final phase of the protection of Karl Wolff, it became clear that the Allies had a common interest in shielding Wolff and thus ensuring that his role in the surrender negotiations on the Southern Front and the true Allied interests behind the negotiations remained secret—especially against the background of the escalating Berlin crisis and rising tensions between the Soviets and their former allies.

After meeting with Husmann and Dulles, Taylor attempted to speed the decision in the Wolff case by issuing a negative recommendation on extradition to Robert Murphy, who as U.S. Political Adviser for Germany was connected to the American element of the Military Government within the Control Council at Berlin.¹⁵³ The Americans then put pressure on the British military governor, Brian Robertson, who was charged with ruling on pending requests for Wolff's extradition. Murphy took up the battle on Wolff's behalf: repudiating any alleged immunity agreements, he insisted that the "good deeds" done by the SS general were of value to America and must be remembered. He wrote: "For my part, I conclude from the evidence that this is a borderline case but that Wolff's activities were sufficiently independent and risky, and sufficiently valuable to us in material and lives to warrant recommending to the British that he be paroled and not turned over to any other power for trial."¹⁵⁴ The line laid down by Dulles now became official American policy, and was reflected in the recommendation to London that Wolff be released from custody. The issue of whether or not Wolff really had been promised immunity was set aside.

However, the Foreign Office dismissed the U.S. Adviser's recommendation,¹⁵⁵ referring to the fundamentals of Allied war crimes policy and the principle that retribution should be exacted for crimes committed. After all, the SS general faced an impressive list of possible charges.¹⁵⁶ Any decision to spare Wolff would put those responsible for war crimes prosecutions in an untenable political position if the charges against him became known. In addition, the Foreign Office questioned whether references to Wolff's "good character" should suffice to prevent his extradition.¹⁵⁷

It is apparent that both the British Military Government and the Foreign Office were growing increasingly suspicious of American interest in Wolff's case. Certain American officers had inquired repeatedly about Wolff, noting that he had

become a genuine anti-Nazi after March 1945. This claim was received by British officers with some derision.¹⁵⁸ However, it was clear to the British that Wolff enjoyed the protection of a powerful group of friends, and that a compromise would have to be found.¹⁵⁹ The German Department of the British Foreign Office therefore made the Americans an offer: Wolff would be brought before a German denazification court. This would allow the British to reject the various extradition requests legally by pointing to the planned proceedings against Wolff.

In March 1948, Wolff was transferred to the Neuengamme detention center. This move officially brought an end to the possibility of extradition.¹⁶⁰ The British were thus able to comply with the wishes expressed by senior British politicians and American intelligence officers without attracting public attention. The proceedings against Wolff began in February 1948. Although the British Ministry of Justice had anticipated that Wolff would spend at least five years in prison, the final outcome, which gave him credit for the time he had already served, amounted to an official amnesty.¹⁶¹

Nevertheless, Dulles decided to take no chances and rallied his friends to Wolff's aid.¹⁶² Their affidavits on his behalf underline American authorities' interest in shielding Wolff. From Dulles's point of view, it was vital that there should be no discussion of the surrender negotiations during the proceedings. In order to prevent any disclosures relating to the capitulation, British military governor Brian Robertson proposed to threaten Wolff that if he were to reveal anything about the negotiations, the authorities would withhold documents containing exculpatory information.¹⁶³ Although he bore no official responsibility for the case, Dulles was updated constantly—as the correspondence from other officers preserved in Dulles's papers indicates.¹⁶⁴ Robert Murphy assured Dulles that everything possible was being done for Wolff and forwarded correspondence on the matter to him "in the strictest confidence."¹⁶⁵

Although the denazification court received official assurances to the effect that the British would not try to influence the proceedings in Wolff's favor,¹⁶⁶ precisely such influence was brought to bear. Using the head of the Foreign Office's German Department, William Strang, as an intermediary, U.S. general Lemnitzer informed the British military governor, General Sir Brian Robertson, of his "reservations" concerning the denazification proceedings.¹⁶⁷ In this way, Lemnitzer ensured that the case would not remain at an administrative level but would be dealt with personally by key players in Britain's German policy. Robertson acquiesced to this American pressure, promising to issue a "recommendation" to the German court seeking a lenient sentence for Wolff.¹⁶⁸

In what surely was not a routine procedure, Robertson arranged for statements submitted through the Foreign Office to be checked by the legal division of the Military Government's office at the Control Council in Berlin.¹⁶⁹ In a secret telegram to Washington, William Strang's subordinate, Ivone Kirkpatrick, the

permanent undersecretary of state of the Foreign Office in Germany, referred to March and April 1945 cables between Bern and Moscow concerning inter-Allied agreements.¹⁷⁰ He noted that “the Secretary of State attaches considerable importance to ensuring that the affidavits are in line with our assurances to Stalin.”¹⁷¹

In its recommendation to the denazification court, the British legal division concluded that Wolff was innocent of the crimes with which he was charged because he had not been made aware of them, and in any case would not have had the authority to prevent them.¹⁷² Although the British recommendation was not binding on the German court, it could not be ignored. Taken together, the affidavits and interventions ensured that the trial ended with a lenient ruling. Himmler’s adjutant was deemed to have been a nominal member of the SS and thus placed in Category III as a “minor offender.”

Clearly, the primary purpose of the interventions on Wolff’s behalf was to conceal information about the surrender negotiations from the public. This goal, it seems, outweighed that of securing the SS general’s conviction. The general’s claims concerning immunity promises were widely considered plausible; Robertson, for one, had no doubt that a quid pro quo had been reached during the Sunrise negotiations:

I should add that Wolff has stated that assurances were given to him at the time about his future treatment. Airey tells me quite positively that no such assurances were given to his knowledge, but he adds the following. “Nevertheless, one cannot be sure that, at some level, Wolff may not have been given some inducement by agents of O.S.S. Although I have no information whatsoever that such inducements were given, my experience of the workings of the occult services led me to conclude that it would be wise to assume that they were.”¹⁷³

Wolff’s four-year sentence was offset against the time he had already served, and he was released immediately after the sentence was handed down. Thanks to Dulles, Karl Wolff was able to find his way back into civilian life and was not subjected to an employment ban. Shortly after his release, Wolff began to give interviews in which he complained repeatedly about “broken promises.”¹⁷⁴ Through Max Waibel, then Swiss military attaché in Washington, Wolff asked the Americans¹⁷⁵ to reimburse him for the material losses he had “incurred through the handling of the Italian capitulation as agreed.” Optimistically, Wolff enclosed an impressive itemized account of his losses, totaling precisely DM 220,252.50. Dulles held nothing back in his response to Max Waibel: “Between you and me [Wolff] doesn’t realize what a lucky man he is not to be spending the rest of his days in jail, and his wisest policy would be to keep fairly quiet about the loss of a bit of underwear, etc. He might easily have lost more than his shirt.”¹⁷⁶

Conclusion

The Wolff case allows us to analyze the political considerations that bore directly on war crimes prosecution policy during the early days of the Cold War. The Allied authorities' willingness to address Nazi crimes—whether those crimes were committed in concentration camps or in the context of anti-partisan warfare—changed over time. The 1943 decision to prosecute German officers as war criminals was disputed within certain institutions, and was subject to individual officers' interpretation. Although trials were still being prepared and conducted as planned in 1945 and 1946, specific exceptions to prosecution policy were made during the second phase. A few trials were still being conducted after 1948, but the program as a whole had been abandoned. As a result of the new postwar pragmatism, more concessions were granted to the erstwhile German opponents (and, in view of the escalating Cold War, potential future allies) than the evidence warranted.

By the time Wolff was brought before the denazification court in 1948, it had become clear that shielding the SS general was not an isolated act by Dulles, but rather represented a politically calculated trade-off. It is unlikely that Dulles acted completely alone and without the consent of superior officers—or indeed of his government. While Dulles was privately sympathetic towards Wolff¹⁷⁷ and at least partly motivated to shield him in order to consolidate his own reputation as a capable diplomat qualified for high office in the intelligence services, he was acting primarily as an agent of the U.S. government's anti-communist policy. Above all, he worked to protect the economic, political, and ideological interests of the United States and its political allies. Karl Wolff benefited personally from all of these factors. In addition, it is apparent that a "prosecution witness provision" amounting to immunity was applied in Nuremberg and exploited by Karl Wolff.

There can be no doubt that, as early as 1945, the available evidence would have made it possible to prove Wolff's complicity in a variety of crimes, including the deportation of Jews, participation in medical experiments carried out by the SS, and making war on the Italian civilian population. But Wolff had realized that he would benefit from cooperating with American investigators, and that he was safe from prosecution as long as he was needed as a witness. The protection afforded Wolff by the Central Intelligence Group, Robert Murphy, and Allen W. Dulles was not unique; other senior SS figures¹⁷⁸ who had likewise earned kudos from the OSS for their involvement in the Sunrise negotiations were suddenly eliminated from the war criminals lists after the war. Among these were Dollmann,¹⁷⁹ Wenner,¹⁸⁰ and the aforementioned Guido Zimmer,¹⁸¹—all of whom, at various times, had been in the pay of postwar U.S. Intelligence. Wolff—whose senior position made it impossible to smuggle him out of the country—is thus merely the best-known of the high Nazi officers who escaped prosecution.

The actions of SS troops in Italy remained an untold story for many years, especially since the conviction of Albert Kesselring as Commander-in-Chief of the

Wehrmacht in Italy appeared to have closed the issue. Wolff's role in the SS power structure—as adjutant to Heinrich Himmler—became the focus of renewed attention only in 1959, when a new investigation was opened. The proceedings were undoubtedly influenced by the Eichmann trial in Jerusalem in 1961, which focused the world's attention on the “desk-murderers”—the bureaucrats who did not participate directly in the killings. Eichmann himself referred to Wolff as “one of the salon officers who wishes to keep their hands in white gloves and did not want to hear anything about the solution of the Jewish problem.”¹⁸²

In 1964 Wolff was convicted by the Munich Regional Court of complicity in genocide.¹⁸³ The investigations into the Wolff case coincided with Dulles's retirement at the end of 1961. When Wolff's attorney asked Dulles to intervene on Wolff's behalf, Dulles responded in a letter dated May 1, 1963 that he could no longer do anything for Wolff since he was now a “private citizen.” Gaevernitz,¹⁸⁴ Taylor, and Murphy¹⁸⁵ discussed possible interventions on Wolff's behalf during and after the trial. Their interventions culminated in Wolff's release from custody on medical grounds in 1969.¹⁸⁶ However, from that time until his death in 1984, he never saw any of these “personal friends.” The broad front of U.S. support had disintegrated and Wolff's protective shield had crumbled.

Notes

1. This article originated from a project conducted at Tübingen University, Germany. It was preceded in 2003–2004 by a collaboration with Michael Salter of the University of Central Lancashire Law School, Preston, UK. I would like to express my thanks to Dr. Salter for his collaboration in that effort. See Kerstin von Lingen and Michael Salter, “Contrasting Strategies within the War Crimes Trials of Kesselring and Wolff,” *Liverpool Law Review* 26, no. 3 (2005): 225–66.
2. Norbert Frei, *Vergangenheitspolitik: Die Anfänge der Bundesrepublik und die NS-Vergangenheit* (Munich: Beck, 1996), 13.
3. Richard Breitman, Norman J.W. Goda, Timothy Naftali, and Robert Wolfe, *U.S. Intelligence and the Nazis* (Cambridge: Cambridge University Press), 2005.
4. Richard Breitman, “Analysis of the Name File of Guido Zimmer,” National Archives (NA), Record Group (RG) 263, July 2004, available at: http://www.archives.gov/iwg/declassified_records/oss_records_263_detailed_report_guido_zimmer.html.
5. Von Lingen and Salter, “Contrasting Strategies,” 227.
6. The biographical studies of Dulles to date pay little attention to his role in American war crimes prosecution policy. See Peter Grose, *Gentleman Spy: The Life of Allen Dulles* (Amherst: University of Massachusetts Press, 1995); Leonard Mosley, *Dulles: A Biography of Eleanor, Allen and John Foster Dulles and Their Family Network* (New York: Dell, 1979). However, initial information on the political subject is provided in Michael Salter, “Intelligence Agencies and War-Crimes Prosecution: Allen Dulles's Involvement in Witness Testimony at Nuremberg,” *Journal of International Criminal Justice* 2, no. 3 (2004): 826–54.

7. The Office of Strategic Services (OSS, 1942–45) was the first centralized American intelligence service and a predecessor of the CIA. The OSS was involved in espionage, counter-espionage, and propaganda, and directed Special Forces operations such as sabotage. For an introduction to the history of the OSS, see Bradley F. Smith, *The Shadow Warriors: OSS and the Origins of the CIA* (New York: Basic Books, 1983); and Michael Warner, *OSS: America's First Central Intelligence Agency* (Washington: Public Affairs, 2000).
8. Richard Breitman with Norman J.W. Goda, "OSS Knowledge of the Holocaust," in Breitman et al., *U.S. Intelligence and the Nazis*, 22.
9. Richard Breitman, "Other Responses to the Holocaust," in *ibid.*, 54.
10. Robert Wolfe, "Coddling a Nazi Turncoat," in Breitman et al., *U.S. Intelligence and the Nazis*, 326.
11. Wolff's role in the SS power structure has not yet been sufficiently researched, but a brief biographical sketch and a popular biography have been published. See Brendan Simms, "Karl Wolff—Der Schlichter," in *Die SS: Elite unter dem Totenkopf. 30 Lebensläufe*, ed. Ronald Smelser and Enrico Syring (Paderborn: Schöningh, 2000), 441–56. The writer Jochen von Lang conducted extensive archival research for his Wolff biography but did not include any source references in his text. The book is therefore only of limited scholarly value. See Jochen von Lang, *Der Adjutant. Karl Wolff: Der Mann zwischen Hitler und Himmler* (Munich: Herbig, 1985).
12. Elisabeth Kinder, "Der persönliche Stab Reichsführer-SS: Geschichte, Aufgaben und Überlieferung," in *Aus der Arbeit des Bundesarchivs*, ed. Heinz Boberach and Hans Booms (Boppard: Boldt, 1977), 25: 379–97.
13. Robert L. Koehl, *The Black Corps: The Structure and Power Struggles of the Nazi SS* (Madison: University of Wisconsin Press, 1983), 234ff.
14. For information on Wolff's responsibility for anti-partisan warfare in Italy, see Gerhard Schreiber, "Partisanenkrieg und Kriegsverbrechen der Wehrmacht in Italien 1943–1945," in *Repression und Kriegsverbrechen: Die Bekämpfung von Widerstands- und Partisanenbewegungen gegen die deutsche Besatzung in West- und Südeuropa* (=Beiträge zur Nationalsozialistischen Gesundheits- und Sozialpolitik 14) (Berlin: Assoziation A, 1997), 110 ff; Kerstin von Lingen, *Kesselrings letzte Schlacht: Kriegsverbrecherprozesse, Vergangenheitspolitik und Wiederbewaffnung. Der Fall Kesselring* (Paderborn: Schöningh, 2004), 62ff.; Carlo Gentile and Lutz Klinkhammer, "Gegen den Verbündeten von einst. Die Gestapo in Italien," in *Die Gestapo im Zweiten Weltkrieg: "Heimatfront" und besetztes Europa*, ed. Gerhard Paul and Klaus-Michael Mallmann (Darmstadt: Wissenschaftliche Buchgesellschaft, 2000), 521–40; Ruth Bettina Birn, *Die Höheren SS- und Polizeiführer: Himmlers Vertreter im Reich und in den besetzten Gebieten* (Düsseldorf: Droste, 1986), 279–83.
15. Richard Breitman with Robert Wolfe, "Case Studies of Genocide," in Breitman et al., *U.S. Intelligence and the Nazis*, 86. The transcripts of the Pohl trial from June 4 and 5, 1947 show that Wolff completely changed his testimony overnight.
16. Lutz Klinkhammer, *Zwischen Bündnis und Besatzung: Das nationalsozialistische Deutschland und die Republik von Salò 1943–1945* (Tübingen: Max Niemeyer Verlag,

1993); Michael Wedekind, *Nationalsozialistische Besatzungs- und Annexionspolitik in Norditalien 1943 bis 1945* (Munich: Oldenbourg 2003).

17. Gerhard Schreiber, *Deutsche Kriegsverbrechen in Italien: Täter, Opfer, Strafverfolgung* (Munich: C.H. Beck, 1996). The expanded Italian edition also includes the latest war crimes trials in Italy and addresses the controversies surrounding the trial of former SS-Obersturmbannführer Erich Priebke from 1996 to 1998 in Rome. See *La vendetta tedesca 1943–1945: Le rappresaglie naziste in Italia* (Milan: Arnoldo Mondadori Editore, 2000).

18. Michele Battini and Paolo Pezzino, *Guerra ai civili: Occupazione tedesca e politica del massacro, Toscana 1944* (Venice: Marsilio, 1997); Giovanni Contini, *La memoria divisa* (Milano: Rizzoli 1997); Paolo Pezzino, *Anatomia di un massacre: Controversia sopra una strage tedesca* (Bologna: Il Mulino, 1997); Paolo Paoletti, *Sant'Anna di Stazzema 1944: La strage impunita* (Milan: Il Mulino, 1998).

19. Breitman and Wolfe, "Case Studies of Genocide," 78.

20. Carlo Gentile, "'Politische Soldaten': Die 16. SS-Panzer-Grenadier-Division 'Reichsführer-SS' in Italien 1944," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 81 (2001): 529–61; Breitman and Wolfe, "Case Studies of Genocide," 85.

21. Richard Breitman, "Nazi Espionage: The Abwehr and SD Foreign Intelligence," in Breitman et al., *U.S. Intelligence and the Nazis*, 108; Richard Breitman, "A Deal with the Nazi Dictatorship? Himmler's Alleged Peace Emissaries in Autumn 1943," *Journal of Contemporary History* 30 (1995): 411–30.

22. Pierre Th. Braunschweig, *Geheimer Draht nach Berlin* (Zürich: Verlag Neue Zürcher Zeitung, 1990). Schellenberg also used Sweden as a venue for conducting negotiations with the OSS; see Ingeborg Fleischer, *Die Chance des Sonderfriedens: Deutsch-sowjetische Geheimgespräche 1941–1945* (Berlin: Siedler, 1986), 205, 224.

23. Peter Black, *Ernst Kaltenbrunner, Vasall Himmlers: Eine SS-Karriere* (Paderborn: Schöningh, 1991), 267ff.

24. The extensive 1979 study by Bradley F. Smith and Elena Agarossi remains the standard work on the negotiations: *Operation Sunrise: The Secret Surrender* (New York: Basic Books, 1979). This work is supplemented by Edmund Theil's study, *Kampf um Italien: Von Sizilien bis Südtirol 1943–1945* (Munich: Langen Mueller, 1983), which contains some important details not considered by Smith and Agarossi. Other important works on the subject are Georg Kreis, "Das Kriegsende in Norditalien," *Schweizer Monatshefte* 65 (1985): 507–21; Catherine Schiemann, "Der Geheimdienst beendet den Krieg: 'Operation Sunrise' und die deutsche Kapitulation in Italien," in *Geheimdienstkrieg gegen Deutschland: Subversion, Propaganda und politische Planungen des amerikanischen Geheimdienstes im Zweiten Weltkrieg*, ed. Jürgen Heideking and Christof Mauch (Göttingen: Vandenhoeck & Ruprecht, 1993), 142–65; Max Waibel, *1945: Kapitulation in Norditalien. Originalbericht des Vermittlers* (Basel: Helbing und Lichtenhahn, 1981); August Walzl, "Kapitulationskonzepte im Alpen-Adria-Raum 1945," *Militärgeschichtliche Mitteilungen* 2 (1986): 71–84. See also the more popular work by Rodney G. Minott, *Top Secret: Hitlers Alpenfestung* (Hamburg: Rowohlt, 1967); and the memoirs of Italian OSS contact Feruccio Lanfranchi, *La resa degli otteocentomila* (Milan: Rizzoli, 1948).

25. Timothy Naftali, "Creating the Myth of the 'Alpenfestung': Allied Intelligence and the Collapse of the Nazi Police-State," in *Austrian Historical Memory and National Identity*, ed. Günter Bischof and Anton Pelinka (New Brunswick: Transaction Publishers, 1997), 217; F.H. Hinsley, *British Intelligence in the Second World War: Its Influence on Strategy and Operations* (London: Oxford University Press, 1988), 2: 712–13.
26. Allen W. Dulles and Gero v. Gaevernitz, "Report: The First German Surrender," NARA, RG 226, E. 190c, box 8, 22 May 1945, pp. 5–7.
27. William J. Casey, *The Secret War against Hitler* (New York: Berkley Books, 1988), 201.
28. Memorandum from Donovan to Secretary of State, 8 Mar. 1945, NARA, RG 226, E. 192, box 1.
29. Smith and Agarossi, *Operation Sunrise*, 125.
30. Allen W. Dulles, *The Secret Surrender* (New York: Harper & Row, 1966), 105.
31. Notes Dulles on Sunrise (1945?), NARA, RG 226, E. 190c, box 8, p. 9f.
32. Memorandum for the Director of Strategic Services from the Joint Chiefs of Staff, April 20, 1945, NARA, RG 226, E. 192, box 1.
33. Private diary kept by Fritz Pfrommer, war diarist with South-West Command, writing about the arrests and counter-arrests in the South-West Command headquarters in Bozen, April 29–May 2, 1945, Bundesarchiv-Militärarchiv Freiburg (BA-MA), MSg 2/8089.
34. Karl Wolff to Allen Dulles, 14 Apr. 1945, Dulles Collection, Mudd Library, Princeton (DCMLP), Box 59, Folder 9.
35. In the final analysis we must rely on Wolff's description, which found its way into memoirs written by others involved. Dulles cited Wolff's version in his memoirs. See Dulles, *Secret Surrender*, 204–215; and Waibel, *1945*, 79–111. Theil also describes these scenes (*Kampf um Italien*, 290), as does von Lang (*Der Adjutant*, 273, 278–84). Historians have accepted this version of events, albeit with critical comments (see Smith and Agarossi, *Operation Sunrise*, 172, 301n10).
36. At a March 19, 1945 meeting in Ascona, Wolff handed over military maps that made it possible for the Allies to bomb and largely destroy the HQ of Army Group C in Recoaro on April 20, 1945; see Smith and Agarossi, *Operation Sunrise*, 149 and 172. See also Husmann-Wolff interview transcript, July 1947, Institut für Zeitgeschichte (IfZ) Munich, Sig.: Polad/33/18, p. 5.
37. OSS report, 13 Dec. 1944, NARA, RG 226, E. 192, box 1.
38. Bern to Washington, telegram 6209, 2 Mar. 1945. NARA, RG 226, E. 90, box 6.
39. In December 1944, Donovan had asked President Roosevelt for permission to make promises of immunity to those National Socialist leaders who were prepared to enter into surrender negotiations. See "Memos for the Secretary," Edward Stettinius Papers, box 733, University of Virginia. I am indebted to Michael Salter for bringing this information to my attention.
40. Response to Dulles, 24 Feb. 1945, William Donovan Collection, Churchill Library, Churchill College, University of Cambridge (CCC), reel 76, box 12, cable 5527.

41. Telegram from Dulles to Glavin, Donovan, and Forgan, 9 Mar. 1945, Donovan Collection, CCC, reel 76, box 12. See also Smith and Agarossi, *Operation Sunrise*, 82.
42. Kesselring's approach was in marked contrast to Wolff's: in April 1945, he attempted to make his formal consent to the capitulation contingent on "honorable conditions." He was brusquely rebuffed. See Dulles to OSS Washington, 24 Feb. 1945, Donovan Collection, CCC, reel 76, box 12. The incident was reported by Charles Clark, Berlin correspondent of the *London Daily Dispatch*, on February 24, 1945.
43. Dulles, in turn, relied on the assessment provided by Gaevernitz. See Report from Dulles and [Gero von Schulze-] Gaevernitz to Brigadier General E.L. Siebert, G-2 (U.S. Army intelligence), 10 Mar. 1945, BA-MA, N 524/ 33.
44. Voluntary Statement of Heinrich Andergassen, 21 Feb. 1946, TNA (formerly PRO), War Office, (WO) 310/ 123. Heinrich Andergassen was SS-Untersturmführer in the Palazzo Pistoia, Wolff's Bozen HQ.
45. See Eugen Wenner to Eugen Dollmann, 7 May 1945. Bundesarchiv (BA) Berlin, R 70, Italy/4. SS-Sturmbannführer Wenner was the chief of staff to the Supreme SS and Police Commander in Italy.
46. W. Rapp to Telford Taylor, 16 Oct. 1947, replying to a query dated 16 Sept. 1947, IfZ Munich, Polad/33/18, p. 4.
47. Chief of Legal Division, OCC (Nuremberg) to the Office of Military Governor Berlin, 14 Aug. 1948, TNA Foreign Office (FO) 1030/424.
48. It should be noted that while these negotiations breached Allied agreements in force at the time as well as the principle of inter-Allied unity, this was not true of the preceding exploratory contacts between the U.S. intelligence authorities and the SS general. Indeed, it was one of the duties of the OSS to initiate talks and provide a contact point for those seeking to defect or surrender. The situation became questionable only after the soundings resulted in negotiations.
49. This perception was significantly bolstered by news of alleged separate peace agreements between the Soviet Union and the Third Reich. See Fleischauer, *Chance*, 284ff.
50. Churchill to Stalin, 5 Apr. 1945, published in *Stalin's Correspondence with Churchill, Attlee, Roosevelt, and Truman 1941-1945*, ed. Komissiiia po izdaniuu diplomaticheskikh dokumentov (Soviet Union) (London: Lawrence & Wishart, 1958).
51. Kreis, *Kriegsende*, 515. The concerns of the Western Allies are particularly evident in the correspondence between Churchill and Roosevelt after March 8, 1945. See Francis L. Loewenheim et al., eds., *Roosevelt and Churchill: Their Secret Wartime Correspondence* (New York: Dutton, 1975), doc. 905ff.
52. G.A. Lincoln to Dulles, 27 Dec. 1966, DCMLP, box 59, folder 10. Dulles had asked Lincoln to give his opinion on the anti-communist "background considerations" with respect to Sunrise, since Lincoln was then a staff officer in the Joint Chiefs of Staff. Lincoln confirmed that, in order to improve the position around Trieste and Venezia-Giulia, attempts had been made to conceal the true extent of the capitulation efforts from Stalin. However, the delays and complications surrounding Sunrise meant that these attempts were only partially successful.

53. Some of these clients had connections to German businesses such as IG Farben. See s.v. "Allen Welsh Dulles," *American National Biography* (New York: Oxford University Press, 1999), 7: 42–44. See also Richard H. Immerman, *John Foster Dulles: Piety, Pragmatism and Power in US Foreign Policy* (Wilmington, DE: SR Books, 1999). I would also like to thank Brendan Howley for discussing the Dulles family's professional interests with me and for sharing his manuscript titled "The Witness Tree."
54. Max Waibel, "Bericht über den Abschluß der Kapitulationsverhandlungen," April 26, 1945," Eidgenössisches Bundesarchiv Bern, E 27, 9540, vol. 3.
55. Smith and Agarossi, *Operation Sunrise*, 101–106, 135–44, esp. 143; Waibel, *Kapitulation*, 171 ff; Theil, *Kampf um Italien*, 292–99.
56. John R. Deane, *The Strange Alliance: The Story of American Efforts of Wartime Co-operation with Russia* (London: Viking Press, 1947), 165: "It marked a distinct turn in the attitude of the United States toward the Soviet Union and gave notice that we were not to be pushed around."
57. Theil, *Kampf um Italien*, 293.
58. Gerald Steinacher, *Südtirol und die Geheimdienste 1943–1945* (Innsbruck: 2000), 49 ff; Kreis, *Kriegsende*, 513ff.; Smith and Agarossi, *Operation Sunrise*, 74.
59. Loewenheim et al., eds., *Roosevelt and Churchill*, doc. 934, Churchill to Roosevelt, 5 Apr. 1945.
60. Arthur Smith, *Churchill's German Army: Wartime Strategy and Cold War Politics* (Beverly Hills: SAGE Publications, 1977). Smith was the first to put forward this thesis. Documents released since then, together with data from oral testimonies, support the conclusion that some U.S. offices raised the possibility of using German military forces against the Soviets as a way to win over Nazi functionaries.
61. Personal communication from Wolfgang Wirth, radio operator with the Mountain Corps Communication Department 451/ LI. Mountain Army Corps, April 18, 2004. In fact, the armed units remained in place until, following the general European ceasefire on May 8, all troops were disarmed and transported to POW camp Ghedi.
62. Interview with Christoph Kolleth, Obergefreiter with Field Artillery Regiment 661/ 114th Jägerdivision in Italy, August 19, 2004. In a personal communication dated August 17, 2004, Kolleth states that at the Lana POW-camp near Meran, "all the barracks were overflowing with all units imaginable, including sailors. They were divided into groups, platoons, companies and battalions, were equipped for field marches, did regular service, and underwent a great deal of instruction, generally dealing with the issue of the Soviet Union and communism. It was said that we would be fighting Russia together with the Allies."
63. On Kesselring, see Kerstin von Lingen, "Konstruktion von Kriegserinnerung: Der Prozess gegen Generalfeldmarschall Albert Kesselring vor einem britischen Militärgericht in Venedig (1947) und das Bild vom Krieg in Italien," *Militaergeschichtliche Zeitung* (MGZ) 59, no. 2 (2000): 435–50; id., "... wenn wir zum letzten Kampf in Italien antreten": Die Konstruktion von Kriegserinnerung am Beispiel des Kriegsverbrecherprozesses gegen Albert Kesselring," in *Erster Weltkrieg—Zweiter Weltkrieg: Ein Vergleich*, ed. Bruno Thoss and Hans-Erich Volkmann (Paderborn: Schöningh, 2002), 687–709.

64. Donald Bloxham, *Genocide on Trial: War Crimes Trials and the Formation of Holocaust History and Memory* (Oxford: Oxford University Press, 2001); Tom Bower, *Blind Eye to Murder: Britain, America and the Purging of Nazi Germany. A Pledge Betrayed* (London: Paladin Books, 1997 [1981]). Peter Maguire, *Law and War: An American Story* (New York: Columbia University Press, 2001); Breitman et al., *U.S. Intelligence and the Nazis*.
65. One indication of the overlap between the OSS and the Nuremberg authorities can be found in reports by Nuremberg prosecutors who were either themselves members of the OSS (such as Whitney Harris and Drexel Sprecher) or who had a comparable intelligence background (such as Robert Storey). In this regard, see Whitney Harris, *Tyranny on Trial* (Dallas: Southern Methodist University Press, 1954); Drexel Sprecher, *Inside the Nuremberg Trial: A Prosecutor's Comprehensive Account* (Lanham, MD: University Press of America, 1998); and Robert Storey, *The Final Judgement? Pearl Harbor to Nuremberg* (San Antonio, TX: Naylor, 1968).
66. See Thomas Troy, *Donovan and the CIA: A History of the Establishment of the CIA* (Frederick, MD: Aletheia Books, 1981).
67. Ian Bryan and Michael Salter, "War Crimes Prosecutor and Intelligence Agencies: The Case for Assessing Their Collaboration," *Intelligence and National Security* 16 (2001): 93–120; Claire Hulme and Michael Salter, "The Nazis' Persecution of Religion as a War Crime: The OSS's Response Within the Nuremberg Trials Process," *Rutgers Journal of Law and Religion* 3, no. 1 (2001): 1–23; Michael Salter, "The Prosecution of Nazi War Criminals and the OSS: The Need for a New Research Agenda," *The Journal of Intelligence History* 2 (2002): 77–119.
68. Holger M. Meding, *Flucht vor Nürnberg? Deutsche und österreichische Einwanderung in Argentinien 1945–1955* (Cologne: Böhlau Verlag, 1992); Simon Wiesenthal, *Recht, nicht Rache* (Berlin: Ullstein, 1988). For a popular study see Rena Giefer and Thomas Giefer, *Die Rattenlinie: Fluchtwege der Nazis. Eine Dokumentation* (Frankfurt-am-Main: Beltz Verlag, 1991).
69. Deane, *Strange Alliance*. Dulles's private correspondence confirms that anti-communist considerations also played a role in his dealings. See Dulles to Gaevernitz, 9 Feb. 1948, DCMLP, binder 59, folder 9. In this letter Dulles wrote: "It is one thing for Wolff to be tried by American or British justice but to have him turned over to the Czechs or by them to the Russians would be unconscionable."
70. Christopher Simpson, *The Splendid Blond Beast: Money, Law and Genocide in the 20th Century* (Monroe, ME: Common Courage Press, 1995); Breitman et al., *U.S. Intelligence and the Nazis*.
71. Von Lingen, *Kesselrings letzte Schlacht*, 100.
72. United Nations War Crimes Commission's list of accused persons detained by the Allied Forces HQ in the Mediterranean theater TNA, WO 219/ 3585, 16 July 1945. Wolff is number 346 on List 7.
73. King to Passingham, 14 Aug. 1945, TNA, WO 310/ 123.
74. Bradshaw, War Office, to Passingham, 17 Aug. 1945, TNA, WO 310/ 123; and JAG to Central Mediterranean Forces (CMF), War Crimes, 8 Dec. 1945, TNA, WO 310/ 123.

75. King to Passingham, 14 Aug. 1945, TNA, WO 310/ 123.
76. Von Lingen, *Konstruktion*, 691.
77. GHQ CMF to War Office, "Trial of Minor War Criminals," 5 Oct. 1945, in conjunction with the report "German reprisals on Partisan activity," TNA, WO 311/ 28.
78. Telegram of 21 Apr. 1946 and letter from Halse to JAG CMF, 7 May 1946, TNA, WO 310/ 123. Other senior SS figures who had been involved in the surrender, such as Eugen Dollmann, Eugen Wenner, and Guido Zimmer, were also to be charged (see memo from JAG to HQ CMF, 10 Sept. 1946, TNA, WO 310/ 127).
79. With regard to Kesselring's guilt, see Kerstin von Lingen, "Soldat bis zum letzten Tag? Generalfeldmarschall Albert Kesselring," in *Karrieren im Nationalsozialismus: Funktionseliten zwischen Mitwirkung und Distanz*, ed. Gerhard Hirschfeld and Tobias Jersak (Frankfurt-am-Main: Campus Verlag, 2004), 205–24, esp. 214 and 221; Richard Raiber, "Generalfeldmarschall Albert Kesselring, Via Rasella, and the 'Ginny Mission,'" *Militärgeschichtliche Mitteilungen* (MGM, [after 2000, MGZ]) 56 (1997): 69–106.
80. Investigators had referred to this situation as early as October 1945. See Report of 5 Oct. 1945, TNA, WO 311/ 28, p. 31.
81. Napier, War Crimes Commission CMF, to War Office, 9 Apr. 1946, TNA, WO 310/ 123.
82. Sainty to Hornby, 8 Jan. 1946, TNA, WO 310/ 123.
83. Halse, deputy JAG, to JAG London, 3 Mar. 1946, TNA, WO 310/ 123.
84. Report of 5 Oct. 1945, TNA, WO 311/ 28, p. 22.
85. Memorandum JAG, 13 Jan. 1946, TNA, WO 310/ 127, p. 7; Report 5 Oct. 1945, TNA, WO 311/ 28, p. 22. Harro With emphasized that Wolff had been completely subordinate to Kesselring when it came to anti-partisan warfare. This statement was directly contradicted by Colonel Dietrich Beelitz, Kesselring's Erster Führungsoffizier (I a), during interrogation.
86. See Statement by SS-Obersturmbannführer Erwin Baumann, 10 May 1946, TNA, WO 310/ 123.
87. Statement by SS-Obersturmführer Heinz Joachim Richnow, 17 July 1946, TNA, WO 310/ 123. Richnow, Wolff's private secretary, stated that Wolff had received his orders directly from Himmler.
88. Statement by SS-Sturmbannführer Heinrich Andergassen, 21 Feb. 1946, TNA, WO 310/ 123.
89. See for example documents on the case of SS-Sturmbannführer August Schiffer, head of the Gestapo in Bozen: Statement of SS-Sturmbannführer Heinrich Andergassen, 21 Feb. 1946, TNA, WO, 310/ 123. Andergassen remarked: "He wanted a clean exit and for that reason did not mention who gave him the orders. He said that later or sometime, it will be spoken about by those left behind, and they can say 'Schiffer was a real guy.'" Schiffer was convicted by an American military court in 1946 and subsequently shot; see Steinacher, *Südtirol*, 267.
90. Private office notebook for the SS command staff in Italy, kept by Harro With, August 1944–May 1945, BA Berlin, R 70/ Italy/ 3.

91. Report 5 Oct. 1945, p. 10, TNA, WO 311/ 28.
92. Memorandum, Halse to War Crimes Group, Caserta, Major McKee, re: War crimes SS-Obergruppenfuhrer Karl Wolff, 1 Jan. 1947, TNA, WO 310/ 127. Halse stated that “it appears most unlikely that he will ever be brought to trial.” See also Telegram from Nuremberg to JAG CMF, 22 May 1946, TNA, WO 310/ 123; and Telegram in reply, 23 May 1946.
93. Telegram from JAG to the War Crimes Group South East Europe, 19 Feb. 48, TNA, WO 310/127.
94. Bloxham, *Genocide on Trial*, 25. Bloxham maintains that the Royal Warrant trials were not suited to punishing Nazi war crimes as genocide (224). On British trial strategy see also Gary Jonathan Bass, *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals* (Princeton: Princeton University Press, 2000), 185–86.
95. OSS R&A Report No. 3133.7, “Principal Nazi Organizations Involved in the Commission of War Crimes: Part Four: The Nazi Party,” 10 Sept. 1945 (draft for internal use), 87: 107, Donovan Archive at Cornell Law School, Ithaca, NY.
96. Burton Hersh, *The Old Boys: The American Elite and the Origins of the CIA* (New York: Tree Farm Books, 1992), 133. See also von Lingen and Salter, “Contrasting Strategies,” 231n20.
97. Robert Herde, *Command Responsibility: Die Verfolgung der “Zweiten Garde” deutscher und japanischer Generäle in alliierten Prozeßprogramm nach dem Zweiten Weltkrieg* (Baden-Baden: 2002).
98. Livermore Report, NARA, RG 226, entry 190, box 89, folder 16. Livermore reported to Colonel Edward Glavin, Dulles’s superior when it came to operational issues, and acted as his deputy. Livermore thus outranked Dulles.
99. Lemnitzer to Dulles, 1 June 1945, NARA, RG 226, E. 190C, B. 9, Dulles Files—Sunrise—Lemnitzer.
100. E. J. Carson (CIC special agent, Miesbach, Germany) to the Officer in Charge, “Wolff, Karl,” NARA, RG 319, IRR Personal Name Files, B. 423, File: Karl Wolff XO 8288.
101. Gaston Cobentz and Seymour Freidin, “Strange Story of an SS General,” *New York Herald Tribune*, January 23, 1962.
102. Interview with Widukind Wolff, August 26 (Kreuzlingen) and September 16, 2004 (Lindau).
103. Voluntary statement by Karl Wolff, TNA, WO 208/4372, p. 8.
104. “SS Hideout in Italy,” 13 Nov. 1945, NARA, RG 319, IRR Personal Name Files, B. 423, File: Karl Wolff XO 8288, Col. Earle Nichols (G-2) to A.C. G-2 Main HQ, U.S. Forces European Theater (USFET).
105. Sönke Neitzel has discussed the bugging at the German generals’ prison camp at Trent Park in his recent work *Abgehört: Deutsche Generäle in Britischer Gefangenschaft 1942–1945* (Berlin: Propyläen, 2006); see also Richard Overy, *Interrogations: The Nazi Elite in Allied Hands, 1945* (London: Viking, 2001).

106. Transcript of recorded conversation between Wolff and General Klaps (who previously had refused to make any statements) dated May 21, 1945 (p. 6), Donovan Collection at Cornell Law School, Ithaca, NY.

107. Fritz Bauer et al., eds., *Justiz und NS-Verbrechen: Sammlung deutscher Strafurteile wegen nationalsozialistischer Tötungsverbrechen 1945–1999* (Amsterdam: University Press Amsterdam, 1979), 20:501. Taylor had also sworn an affidavit on January 23 and 24, 1964 in which he stated that “for certain political reasons” it had not been possible to prosecute Wolff in Nuremberg or later in 1948. I am indebted to Dick de Mildt for this information.

108. Communication from the Nuremberg prosecutors’ office to JAG CMF, 21 Aug. 1946, TNA, WO 310/ 123.

109. Telegram from GHQ to JAG London, 10 Jan. 1947, TNA, WO 310/ 127; Special trial instructions, 7 Feb. 1947, TNA, WO, 310/ 129.

110. In his opening address at Nuremberg, Justice Jackson had described Wolff as one of the “masterminds” behind the experiments conducted on humans by the SS in concentration camps. See International Military Tribunal, vol. 2, day 2, p. 129.

111. However, G-2 complained that no provision had been made to ensure that Wolff was received fittingly and in accordance with his status as a prosecution witness: “Despite our cable to Nuremberg warning of his arrival no provisions had been made to receive him.” See “Transfer of Karl Wolff to Nuremberg, Germany,” TNA, WO 204/12804, 106173.

112. Hauptstaatsarchiv (HStA) Nuremberg, Interrogation of the Obergruppenführer Karl Wolff, 11.12.1946 by Walter H. Rapp.

113. Jon Kimche, *General Guisans Zweifrontenkrieg: Die Schweiz zwischen 1939 und 1945* (Berlin: Ullstein, 1962); Georg Kreis, *Die Schweiz im Zweiten Weltkrieg: Ihre Antworten auf die Herausforderungen der Zeit* (Zurich: Pro Helvetia, 1999); Hans Rudolf Kurz, *Nachrichtenzentrum Schweiz: Die Schweiz im Nachrichtendienst des zweiten Weltkrieges* (Frauenfeld: Huber, 1972); Konrad W. Stamm, *Die guten Dienste der Schweiz: Aktive Neutralitätspolitik zwischen Tradition, Diskussion und Integration* (Frankfurt-am-Main: Bern, 1974); Georg Kreis, ed., *Die Schweiz im internationalen System der Nachkriegszeit 1943–1950* (Basel: Itinera, 1996).

114. “Wie Norditalien gerettet wurde: Erster Tatsachenbericht,” *Die Weltwoche* (Switzerland) June 8, 15, and 22, 1945. Following the appearance of this series of articles, an apparently abridged translation appeared in the French *Le Figaro* entitled “Comme fut sauvée l’Italie du Nord,” August 28, 1945. Finally, the story was published in the *Saturday Evening Post*: “Secret Story of a Surrender,” September 22 and 29, 1945 (all articles in: BA-MA, N 524 [Schulze-Gaevernitz] /31 and 32).

115. Report from the Swiss Military Department to the Bundesrat (Kobelt), “The matter of Lt. Col. i. Gst. Waibel, surrender of German Army Group South, spring of 1945,” 8 Oct. 1946, Swiss Federal Archives, Bern, E. 27, 9540, vol. 3; Senator Kobelt, Swiss Military Department, to General Guisan, 25 June 1946, Swiss Federal Archives, Bern, E. 27, 9540, vol. 3. “Through the chief of the general staff, we ensured that these disclosures [by Waibel] ceased; in our view, they could have created political difficulties.”

116. Waibel to Oberstkorpskommandant de Montmollin, 30 Apr. 1946, Swiss Federal Archives, Bern, E. 27, 9540, vol. 3. In this letter, Waibel sought to forestall the impending publication prohibition by explaining that, in his view, the negotiations had always been legal and had not in any way breached Swiss neutrality.
117. Senator Kobelt, Swiss Military Department, to General Guisan, 25 June 1946, Swiss Federal Archives, Bern, E. 27, 9540, vol. 3.
118. Guisan to Kobelt, 3 July 1946, Swiss Federal Archives, Bern, E. 27, 9540, vol. 3. In his response to Kobelt (located in the same file) dated July 5, 1946, Masson also denied any responsibility and emphasized that Waibel had “clearly exceeded his authority.”
119. Swiss political department to President Kobelt, 14 June 1946, Swiss Federal Archives, Bern, E. 27, 9540, Band 3.
120. Affidavit by Edmund H. Stinnes, de-nazification proceedings against Karl Wolff, 21 Oct. 1948, Bundesarchiv Koblenz, Z 42 III/2670, folio 1. Stinnes was Gaevernitz’s brother-in-law; the secret negotiations were held at his home in Ascona.
121. IfZ, ZS 317 vol. 3, interrogation of Karl Wolff by Mr. Barr, 25 Feb. 1947.
122. IRR Personal Name Files, NARA, RG 319, B.423, File Karl Wolff XO 8288; E. J. Carson (CIC special agent, Miesbach, Germany) to Officer in Charge, “Wolff, Karl.”
123. IRR Personal Name Files, NARA, RG 319B.423, File: Karl Wolff, XO 8288, “Summary of information, Wolff, Karl,” File D-26169.
124. Discussion memo for Attlee regarding Churchill, 6 May 1947, TNA Prime Minister (PREM) 8/707.
125. Richard Lamb, *War in Italy 1943–1945: A Brutal Story* (New York: St. Martin’s Press, 1994), 6, 76.
126. Report of War Crimes Trial against Albert Kesselring, by Colonel Preston Murphy, NARA, RG 338, file 000.5, box 816, p. 5.
127. Latenser to Kesselring, 19 Oct. 47, including Parliamentary Debates in the House of Lords, 13 May 1947, copy, Bundesarchiv-Militaerarchiv (BA-MA) Freiburg, N 431/934.
128. In this regard, see the surprised reaction in London, documented in Bellenger to Bevin, 8 May 1947, TNA, PREM 8/707 (final Foreign Ministry memorandum on the abolition of the death penalty, 13 Oct. 1947); as well as in the Italian statement in Criminali di Guerra tedeschi, envelope 176, Archivio Storico-Diplomatico del Ministero degli Affari Esteri (ASMAE) Roma, Affari Politici, 1952.
129. Filippo Focardi, “La questione della punizione dei criminali di guerra in Italia,” *Quellen und Forschungen aus Italienischen Archiven und Bibliotheken* 80 (2000): 543–624.
130. Message from Harding to the War Office, 29 June 1947, TNA, PREM 8/707; and report JAG 8 July 1947, TNA, WO 310/ 127. The decision to commute Kesselring’s sentence was a compromise. General Harding informed the War Office that he had confirmed the guilty verdict, but commuted the sentence to life imprisonment.
131. Telegram from JAG to the War Crimes Group (South East Europe), 26 Jan. 1948, TNA, WO 310/ 127.

132. See Telegram from JAG to the War Crimes Group, 26 July 1947, TNA, WO 310/ 127; British Territory Army (BTA) to JAG, 5 Aug. 1947, TNA, WO 310/ 127.
133. JAG to the War Crimes Group, 28 Oct. 1947 and 31 Oct. 1947, TNA, WO 310/127.
134. JAG to the War Crimes Group (South East Europe), 19 Feb. 1948, TNA, WO 310/ 127.
135. Ibid.
136. Gaevernitz to Dulles, 7 Feb. 1948, DCMLP, box 59, folder 9.
137. Riddleberger to Gaevernitz, 23 Jan. 1948, DCMLP, box 59, folder 9.
138. Reginald Thomas Paget, *Manstein: Seine Feldzüge und sein Prozess* (Wiesbaden: Limes, 1952), 308–309. Wolff made his final witness statement in January 1948. See IRR Personal Name Files, NARA, RG 319, B. 423, File: Karl Wolff XO 8288.
139. IfZ, Polad/33/18, Wolff to Major Teich, Commandant, International Security Detachment Nuremberg, 15 April 1947. In his letter, Wolff asked to be released from prison in consideration of his work for “Sunrise.”
140. The story of the Nuremberg interrogators has yet to be told. It was particularly difficult to trace the Jewish émigré Norbert Barr, born in Vienna in 1900, and I would like to thank the Kultusgemeinde Wien for its invaluable assistance. Barr’s papers are kept at Columbia University, Rare Books and Manuscript Library, Papers of Norbert Barr, NYCR89-A47. The correspondence regarding Wolff is in Box 7. Barr had transmitted several letters from Wolff to Dulles and Truman on 28 Feb. 1947. Barr seems to have been motivated by personal sympathy for Wolff. He kept Wolff’s letter to the director of the Nuremberg Prison, dated May 10, 1946, in his papers. In that letter Wolff claimed that he had been betrayed; he also showed signs of depression or mental illness.
141. Husmann to Wolff, 15 July 1947, Barr papers NYCR89-A47, box 7 makes it clear that Barr transmitted messages between Wolff and Husmann after the July 1947 meeting.
142. IfZ, AG 45/ 92/ 6, letter from Husmann to General Joseph McNarney, commander in chief of the U.S. Forces in Europe, Frankfurt, 15 Jan. 1946; and letter from Berlin (unsigned) to the U.S. Legation, Bern, 28 May 1947, IfZ, Polad/33/18.
143. Husmann-Wolff interview transcript, 5 July 1947, IfZ, Polad/33/18. Wolff: “I cannot turn to anyone but the guarantor, because partner America doesn’t talk to me anymore. He has denied or disregarded the facts. That is why I have turned to you, and now to Gaevernitz.”
144. Husmann to Wolff, Barr Papers, NYCR89-A47, box 7.
145. Husmann to Telford Taylor, 7 Aug. 1947, Barr Papers, NYCR89-A47, box 7.
146. Wolff to Rapp, 2 Aug. 1947, and Wolff to Taylor, 2 Aug. 1947, with reference to the conversation the day before (also with Judge Musmanno), Barr Papers, NYCR89-A47, box 7.
147. Wolff to Alexander, 10 Sept. 1947, Barr Papers, NYCR89-A47, box 7.
148. “Private diary of Max Husmann 1945” (some pages missing), together with addenda by Karl Wolff, 3 July 1947, Wolff private papers (in possession of the author).

149. Memorandum from W.M. Chase, Office of Military Government for Germany U.S. (OMGUS), to Ambassador Heath, 15 July 1947, IfZ, Polad/33/18. Chase reports that “General Airey, British Chief of Staff in Nürnberg, disagreed with the premise that any promises were made”; Dulles finally told General Clay in person that Wolff had not been given any promises of amnesty. See Dulles to Clay, 20 Nov. 1947, DCMLP, box 59, folder 9.
150. See Rapp to Taylor, Nuremberg, 16 Oct. 1947, IfZ, Polad/33/18.
151. “Exemption of German Nationals from Denazification,” C.H. Garde, AGD, to Office of Military Government in Bavaria, 7 Aug. 1947, IfZ Munich, AG TS/53/4.
152. Lindjord (Chief Counter Intelligence Section) to Col. Rhodes, Director of Intelligence, EUCOM, 22 July 1947, IfZ Munich, AG TS/53/4.
153. Taylor to Murphy, 6 Sept. 1947, IfZ, Polad/33/18. Dulles himself turned to Field Marshal Alexander requesting assistance for Wolff; see Dulles to Gaevernitz, 9 Feb. 1948, DCMLP, box 59, folder 9.
154. The report itself was drafted by Murphy’s staff member Perry Laukhuff. See Laukhuff to Murphy, 30 Dec. 1947, IfZ Polad/33/18.
155. Dean was a representative of the German Department. Handwritten notes on Dean’s drafts indicate that he had been instructed by Fraser not to entertain proposals for “exceptional case” arrangements. See TNA, FO 371/70652: “We cannot act otherwise in a war crimes case.”
156. P. Dean (London) to Steel (U.S. Political Adviser Berlin), 9 Feb. 1948, TNA, FO 371/70652. Wolff was accused of the following crimes: “medical experiments on prisoners, illegal arrests, deportation, ill-treatment of internees, mass murder, and torture.”
157. *Ibid.* Dean noted that, although the American had halted Wolff’s extradition to Czechoslovakia for political reasons, the British had not yet made a similar decision. “If there is reliable evidence that he committed some of the wide selections of crimes alleged against him, and if Czechoslovakia or Belgium can produce a strong *prima facie* case, then I think we shall have to hand him over. Indeed we will be putting ourselves in an indefensible position if we did not, and should let ourselves in for a great deal of trouble.”
158. N. H. Moller, Deputy Chief, Zonal Executive Office, Control Commission Germany, British Element, (= CCG[BE] Berlin), British Army of the Rhine (BAOR) to the War Crimes Group, BAOR, 28 Feb. 1948, TNA, WO 309/347. “The interest from on high centres round the fact that from March 1945 onwards he apparently turned 100% pro-Ally and did everything he could to bring about the final collapse in North Italy.”
159. Clay to Dulles, 12 Jan. 1948, DCMLP, box 59, folder 9.
160. Kit Steel to Robert Murphy, Political Adviser OMGUS, 9 Mar. 1948, DCMLP, box 59, folder 9.
161. Ministry of Justice, London, to the Office of the Legal Adviser, 25 Aug. 1948, Trial files of Karl Wolff, Hamburg, 1948, Bundesarchiv (BA) Koblenz, Z 42/III 2670.
162. *Ibid.* The trial collection includes affidavits from Dulles, Waibel, Airey, Lemnitzer, Gaevernitz, and Stinnes, all dated between October and December 1948. It is noteworthy

that, after the verdict, the originals of the crucial affidavits provided by Lemnitzer and Airey were removed from the file.

163. Brownjohn to General Robertson, telegram 419, 2 Oct. 1948, TNA, FO, 1030/424; and Robertson to Brownjohn, "Trial of Obergruppenfuehrer Wolff," "top secret" telegram 327, 3 Oct. 1948, TNA, FO, 1030/424.

164. DCMLP, box 59, folder 9, letter from Lemnitzer to Dulles, 23 Nov. 1948. Lemnitzer wrote that the trial had ended successfully with a favorable outcome for Wolff—an outcome to which, he wrote, his and Airey's affidavits had doubtless contributed.

165. Murphy to Dulles, 13 March 1948, DCMLP, box 59, folder 9.

166. Note, Denazification Court on Karl Wolff, Bergedorf, 25 Sept. 1948, BA Koblenz, Z 42/III 2670b.

167. Lemnitzer's reservations apparently made quite an impression. See Chief Legal Division, OCC (Nuremberg) to the Office of Military Governor Berlin, 14 Aug. 1948, TNA, FO 1030/424.

168. Robertson to William Strang (Secretary of State, Foreign Office, London), 4 Sept. 1948, TNA, FO 371/70652. Robertson noted that Lemnitzer was "greatly concerned about the Wolff case. He feels very strongly that Wolff's action in regard to these negotiations should be held to compensate for any past misdeeds."

169. According to a file note dated 15 Dec. 1948 in the German Federal Archives, Koblenz, Z 42/III 2670, trial files of Karl Wolff, Hamburg 1948, the originals of the affidavits submitted by Lemnitzer and Airey had been sent to the (British) Inspector General for review.

170. Smith and Agarossi, *Operation Sunrise*, 160. In a routine cable dated March 11, 1945, Churchill informed Moscow that preliminary meetings were taking place. Molotov responded angrily that the Soviets would not tolerate these negotiations at a time when they were bearing the greatest burden of the war effort and taking the biggest losses.

171. Secret telegram for Washington (Kirkpatrick to Frederick Hoyer Millar), 11 Oct. 1948, TNA, FO 371/ 70652.

172. Chief Legal Division, OCC (Nuremberg) to the Office of Military Governor Berlin, 14 Aug. 1948, TNA, FO 1030/424.

173. Robertson to William Strang, (Secretary of State, Foreign Office, London), 4 Sept. 1948, TNA, FO 371/70652.

174. Wolff even voiced his criticisms in newspaper interviews; see the series of articles he published in the Italian newspaper *Il tempo* under the title "Ecco la verità" (nos. 5–11, 1951).

175. Waibel to Dulles, 7 June 1950, DCMLP, box 59, folder 9.

176. Dulles to Waibel, 12 June 1950, DCMLP, box 59, folder 9.

177. See transcript of the interrogation Husmann-Wolff, 5 July 1947, IfZ, Polad/33/18; and Dulles, *Secret Surrender*, 118, 122, 125, 188, 305.

178. There are parallels with the case of Walter Schellenberg; see Black, *Kaltenbrunner*, 280n71.

179. Robert Wolfe, "Coddling a Nazi Turncoat," in Breitman et al, *U.S. Intelligence and the Nazis*, 320, 326; Dossier on Eugen Dollmann, safe pass dated 7 Nov. 1947, U.S. Counter Intelligence Corps, Miesbach, confirmed in Bad Tölz 12 Nov. 1947, Swiss Federal Archives, Bern, E 4320/17, vol. 101.

180. IfZ, AG TS/53/4 includes the file "Exemption of certain German nationals from denazification (Eugen Dollmann, Eugen Wenner)," which attests to the protection afforded the SS "Sunrise" negotiators by Dulles and OSS and traces the Germans' journey from employment by the American intelligence service after 1945 to their later lives as private citizens. Dollmann and Wenner worked for the OSS between 1945 and 1947; see the report "Zusammenarbeit von Dollmann und Wenner mit den Amerikanern seit März 1945," 28 Nov. 1947, in private Wolff papers.

181. Richard Breitman, "Analysis of the name file of Guido Zimmer."

182. Gaevernitz to Dulles, 6 Feb. 1962, DCMLP, box 59, folder 10.

183. Bauer et al., eds., *Justiz und NS-Verbrechen*, 20:380–504. Although defense counsel tried to interpret Wolff's absence from the trial of major war criminals in Nuremberg as exculpatory evidence, their efforts proved unsuccessful.

184. Letter from Gaevernitz to Dulles, 6 Feb. 1962, DCMLP, box 59, folder 10. Gaevernitz believed Wolff to be innocent: "Personally, I feel that it is rather regrettable that Wolff should be tried, while so many Nazi mass-murderers escaped the meshes of the law."

185. Telford Taylor's papers (TTP) reveal the course of the discussions. Murphy to Taylor, 10 Oct. 1963; Taylor to Murphy, 17 Oct. 1963; Taylor to Ingeborg Wolff, 17 Oct. 1963; Handwritten note Ferencz for Taylor, 25 Oct. 1963; Taylor to Sprecher, 31 Oct. 1963; Sprecher to Taylor, 2 Nov. 1963; Kempner to Taylor, 7 Nov. 1963; Taylor to Kempner, 19 Nov. 1963, all located in TTP, Princeton, 5-4-3-40. See also Bauer et al., eds., *Justiz und NS-Verbrechen* 20:501.

186. After the trial, Gaevernitz intervened with the Bavarian Justice Minister seeking Wolff's early release. See Gaevernitz to Dulles, 25 Apr. 1968, DCMLP, box 59, folder 10.