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# Henning von Tresckow in Poland in 1939: The Future anti-Hitler *Frondeur* and the Origins of the Holocaust

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## ABSTRACT

*This article analyses the activities of Brigadier General Henning von Tresckow during his time as a front-line German divisional senior staff officer in Poland in 1939. Tresckow is known for his key role in the military element of the conspiracy which attempted the putsch on 20 July 1944. Latterly historians have shown that from 1941 Tresckow was complicit in atrocities in the Soviet theatre. This article demonstrates that Tresckow's awareness of atrocities began in Poland. His unit, neighbouring army formations, and SS-police Einsatzgruppen perpetrated anti-Semitic excesses presaging the Holocaust. The article's findings cast new light on the mental trajectories of Tresckow and other leading 1944 frondeurs.*

## Introduction

The military and civilian conspiracy against Hitler which culminated in the abortive putsch on 20 July 1944 holds totemic status in narratives of the Third Reich. Brigadier General Henning von Tresckow occupies a salient position among the plotters.<sup>1</sup> In 1941 he was head of operations in Army Group Centre (AG Centre), third in command of the largest German force in the Soviet Union. That autumn, he and associates initiated active dissent. In 1943 Tresckow recruited Colonel Claus Schenk Count von Stauffenberg, who was to earn fame as the would-be assassin of the *Führer*. When the coup failed Tresckow killed himself. Had it succeeded, he was to be head of the Reich's police. Today in Germany's public sphere Tresckow and Stauffenberg share pre-eminence as military paladins of 'the resistance'. Both have undergone global

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<sup>1</sup>Linda von Keyserlingk-Rehbein traces links among them: *Nur eine 'ganz kleine Clique': Die NS-Ermittlungen über das Netzwerk vom 20. Juli 1944*, (Berlin: Lukas, 2018).

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secular beatification: in the movie *Valkyrie* in 2008 Kenneth Branagh played Tresckow alongside Tom Cruise as Stauffenberg.

This article reconstructs Tresckow's actions in Poland. Drawing on unexplored or little-known German, Polish, and Jewish sources, it offers new data for the evolving historiography of the 20 July conspiracy. In Germany the interpretations are laden with particular sensitivities. For decades the orthodoxy held that the wartime military had been honourable, and that the atrocities were down to the SS and police. This doctrine was enabled by a compact to deceive, the notorious Himmerod memorandum, struck by senior ex-*Wehrmacht* men with the Federal Republic's first Chancellor, Konrad Adenauer.<sup>2</sup> The 'clean *Wehrmacht*' era saw accounts that were silent on many illegalities. For Tresckow and many others, they dominate to this day.<sup>3</sup> By the mid-1990s new generations of German researchers had 'rediscovered' the military's crimes, albeit just in the Soviet theatre. In their home country they were vehemently attacked for their iconoclasm but succeeded in finally exploding the 'clean *Wehrmacht*' delusion.<sup>4</sup>

Tresckow's reputation had also benefited from another canonical view, one specifically embracing the conspirators. For convoluted psychological and political reasons, it was desirable for the *frondeurs* to have acted because of revulsion at anti-Semitic crimes. Mendacious survivors and credulous writers combined to produce a long-dominant narrative: Tresckow and staff, and by extension Stauffenberg and others, started to

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<sup>2</sup>Jens Brüggemann, *Männer von Ehre? Die Wehrmachtgeneralität im Nürnberger Prozess 1946/46: Zur Entstehung einer Legende*, (Paderborn: Schöningh, 2018), pp. 403-04. See also Mark M. Hull's review, *Journal of Military History*, 83 (October 2019), pp. 1337-39.

<sup>3</sup>Bodo Scheurig, *Henning von Tresckow: Ein Preusse gegen Hitler* (Frankfurt: Ullstein, 1987). Peter Hoffmann, *Claus Schenk Graf von Stauffenberg und seine Brüder*, (Stuttgart: Deutsche-Verlags-Anstalt, 1992), trans. as *Stauffenberg: A Family History, 1905-1944*, 3rd ed., (Montreal: McGill-Queens's University, 2008), is the classic but flawed biography of Stauffenberg, reissued in 2017 as *Claus Schenk Graf von Stauffenberg: Die Biographie*, (Munich: Pantheon, 2017). Though dating to 'clean *Wehrmacht*,' Hans Mommsen, *Alternatives to Hitler: German Resistance under the Third Reich*, trans. Angus McGeoch, (Princeton, NJ: Princeton, 2003) remains the leading conspectus. Mommsen conceded that many (unnamed) military *frondeurs* were complicit in crimes - pp. 238-52.

<sup>4</sup>Wolfram Wette traces the *Wehrmacht*'s image in *Die Wehrmacht: Feindbilder, Vernichtungskrieg, Legenden*, (Frankfurt: Fischer, 2002), trans. by Deborah Lucas Schneider as *The Wehrmacht: History, Myth, Reality*, (Cambridge, MA: Harvard, 2006). A bibliography of 'clean *Wehrmacht*' is in David K. Yelton, 'Older German Officers and National Socialist Activism: Evidence from the German Volkssturm', *Journal of Military History*, 83 (April 2019), pp. 455-85.

conspire actively when, from late 1941 behind the army in the east, SS-police *Einsatzgruppen* (EG) task forces went over to killing Jews *as such*. They had earlier murdered 'only' among the Soviet 'elites' (which included many Jews). As addressed later, the demise of 'clean *Wehrmacht*' orthodoxy led German scholars to show that from the outset AG Centre itself committed widescale atrocities against many Soviet nationalities, Jews included. Tresckow oversaw murders pursuant to 'criminal orders' that mandated the killing of commissars and others and expunged legal responsibility. AG Centre actively sustained 'its' EG. Tresckow's experiences in 1939 as presented here fill the last major gap in his record and shed further light on his evolution towards active dissidence. As also elaborated upon below, in Germany the prevailing official narrative on the opposition diverges in key aspects from the understanding of many German and international scholars.

### **Poland in 1939: the invasion system**

Tresckow's actions in 1939 must be seen in context. He was part of an invasion machine revolutionary in its motives, aims, and behaviour. Hatred of the Poles was prevalent among all classes in Germany in a manner difficult to imagine today. 'The invasion', Timothy Snyder has noted

was undertaken on the logic that Poland did not, had not, and could not exist as a sovereign state. Soldiers taken prisoner could be shot, since the Polish Army could not really have existed as such. Once the campaign was over, what began was not an occupation, since by Nazi logic there was no prior polity.<sup>5</sup>

National Socialism of course also reinforced contempt for Poland's Jews, who at 3.5 million formed one-tenth of the population.

German atrocities during and after the fighting were both centrally directed and spontaneous. While unprecedented in Europe, in the West they were largely forgotten in the 'clean *Wehrmacht*' era. German accounts presented the campaign as basically 'normal', on the lines say of France in 1940. In the first decade of this century Alexander Rossino and Jochen Böhrer published ground-breaking work which began a new 'western school'. This built on the extensive Polish literature.

The *Wehrmacht* invaded on 1 September 1939 with five land armies comprising sixty-six divisions, and sundry auxiliaries. They progressively occupied the western part of

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<sup>5</sup>Timothy Snyder, *Black Earth: The Holocaust as History and Warning*, (London: The Bodley Head, 2015), p. 105.

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the country.<sup>6</sup> In formal terms the *Wehrmacht* ruled until 25 October. The literature suggests that in this period perhaps 50,000 Polish soldiers and Polish and Jewish civilians were put to death beyond combat and bombing.<sup>7</sup> A large proportion of these deaths can be put down to the military, either through direct action or via various forms of facilitation noted below. Notwithstanding overlaps and rivalries, the invasion machine functioned as a unitary force. Böhler has reported how the five armies each worked with a rearward head of civil administration, appointed by Hitler. These were designated *Chef der Zivilverwaltung* (CdZ) and were tasked with directing EG killing teams and similar entities.<sup>8</sup> The atrocities were also 'integrated': they were committed by the German army, by embedded SS units, by EG, by the civilian police, and by various militias. The literature explains how these formations interacted closely in 1939. On the EG specifically, German archive-based research now complements the early Polish accounts.<sup>9</sup>

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<sup>6</sup>The Soviets invaded eastern Poland on 17 September pursuant to the Ribbentrop-Molotov pact. Some 570,000 Polish POWs and civilians were detained, 320,000 were deported to the *Gulag*.

<sup>7</sup>Alexander Rossino, *Hitler Strikes Poland: Blitzkrieg, Ideology and Atrocity*, (Lawrence, KS: Kansas, 2003); Jochen Böhler, *Auftakt zum Vernichtungskrieg: Die Wehrmacht in Polen 1939*, (Frankfurt: Fischer, 2006), trans. as *Zbrodnie Wehrmachtu w Polsce*, (Kraków: Znak, 2009); Daniel Brewing, *Im Schatten von Auschwitz: Deutsche Massaker an polnischen Zivilisten 1939-1945*, (Darmstadt: WBG, 2016); Martin Winstone, *The Dark Heart of Hitler's Europe: Nazi Rule in Poland Under the General Government*, (London: Tauris, 2015); Jochen Böhler and Stephan Lehnstaedt, eds., *Gewalt und Alltag im besetzten Polen 1939-1945*, (Osnabrück: fibre, 2012); Stephan Lehnstaedt, *Okkupation im Osten: Besatzungsalltag in Warschau und Minsk 1939-1944*, (Munich: Oldenbourg, 2010), trans. by Martin Dean as *Occupation in the East: The Daily Lives of German Occupiers in Warsaw and Minsk*, (New York, NY: Berghahn, 2016); Roger Moorhouse, *First to Fight: The Polish War 1939* (London: The Bodley Head, 2019); Robert Forczyk, *Case White: The Invasion of Poland 1939*, (Oxford: Osprey, 2019); Stephan Lehnstaedt, ed., *Schuld ohne Sühne: Deutschland und die Verbrechen in Polen im Zweiten Weltkrieg*, (Berlin: Metropole, 2021).

<sup>8</sup>Jochen Böhler, 'German Preparations of Administration and Police Forces to War with Poland in 1939,' in Marek Deszczyński and Tymoteusz Pawłowski, eds., *Kampania polska 1939 r.: Polityka-społeczeństwo-kultura*, 2, (Warsaw: Neriton, 2014), pp. 233-43; Jochen Böhler, 'Ordinary Clerks or Trailblazers of Destruction? The 'First Wave' of Civil Administration and Their Implementation of Nazi Policy During the German Invasion of Poland in 1939,' *Dapim: Studies on the Holocaust*, 29, 1 (2015), pp. 17-40.

<sup>9</sup>Kazimierz Leszczyński, 'Działalność Einsatzgruppen Policji Bezpieczeństwa na Ziemiach Polskich w 1939 r. w Świetle Dokumentów', *Biuletyn Głównej Komisji Badań Zbrodni Hitlerowskich w Polsce*, 22 (1971); Maria Wardzyńska, *Był Rok 1939: Operacja niemieckiej policji bezpieczeństwa w Polsce*, (Warsaw: IPN, 2009); Klaus-Michael

The literature cited here and other Polish and German sources indicate the dimensions of the atrocities perpetrated by the German army.<sup>10</sup> There are accounts of over thirty known episodes of shootings of POWs, with over 3,000 killed. Hysteria known as *Freischärlerwahn* or *francs-tireurs* madness led soldiers to murder purported 'partisans' without due process. Some 573,000 POWs fell into German hands and perhaps 15,000 perished in the early period.<sup>11</sup> 'Small-scale' outrages against Jews, such as beard-cutting, were the norm. Army crimes against civilian Poles and Jews included robberies, rapes, village burning, mass arrests, shootings, and numerous cases where people were burned alive.<sup>12</sup>

The army sustained the EG which were tasked mainly with the murder of Poland's 'elite' (see below). Its own secret military police (*Geheime Feldpolizei, GFP*) joined in. The EG in turn were deployed to support the army and for repressions initiated by the CdZ. Historians know of over 700 massacres of civilians, with more than 16,000 dead.<sup>13</sup> Military police (*Feldgendarmarie*) and EG marshalled POWs and civilian internees. As elaborated upon below, the EG maltreated Jews and with army aid expelled them to Soviet-held terrain. Mass detentions led to 13,000 civilian deaths

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Mallmann, Jochen Böhler and Jürgen Matthäus, *Einsatzgruppen in Polen: Darstellung und Dokumentation*, (Darmstadt: WBG, 2008), trans. by Ewa Ziegler-Brodnicka as Böhler, Mallmann, and Matthäus, *Einsatzgruppen w Polsce*, (Warsaw: Bellona, 2009). See also a version by Matthäus, Böhler, and Mallmann issued by the US Holocaust Memorial Museum as *War, Pacification and Mass Murder, 1939: The Einsatzgruppen in Poland*, (Lanham, MD: Rowman & Littlefield, 2014); Stephan Lehnstaedt and Jochen Böhler, *Die Berichte der Einsatzgruppen aus Polen 1939*, (Berlin: Metropol, 2013); Böhler, 'Preparations', pp. 233-43; Böhler, 'Clerks', pp. 17-40; Brewing, *Im Schatten*, pp. 158-75.

<sup>10</sup>Szymon Datner, Janusz Gumkowski and Tadeusz Leszczyński, *War Crimes in Poland: Genocide 1939-1945* (Poznań: Wydawnictwo Zachodnie, 1962); Waldemar Grabowski, 'Raport: straty ludzkie poniesione przez Polskę w latach 1939-1945,' in Wojciech Materski and Tomasz Szarota, eds., *Polska 1939-1945: Straty osobowe i ofiary represji pod dwiema okupacjami*, (Warsaw: IPN, 2009), pp. 19-21; Szymon Datner, *Zbrodnie Wehrmachtu na Jeńcach Wojennych Armii Regularnych w II Wojnie Światowej*, (Warsaw: MON, 1964); Apoloniusz Zawilski, *Bitwy Polskiego Września*, (Warsaw: Znak, 2009). Early deaths among the 420,000 POWs in camps cannot readily be tallied. Around 130,000 had severe or minor wounds, numerous of the perhaps 10,000 who succumbed did so needlessly.

<sup>11</sup>Grabowski in 'Raport' presents current knowledge on major categories of losses.

<sup>12</sup>For anti-Jewish excesses see for example Rossino, *Hitler Strikes*, pp.191-226, and Böhler, *Auftakt*, pp. 25-45 and 181-199.

<sup>13</sup>See for example Brewing, *Schatten*, p.157.

(also see below). Finally, the CdZ implemented the liquidation of the Polish state, an act illegal in international law. The army allowed them and their minions to embark on large-scale theft or destruction of Polish governmental and Polish and Jewish property. By the end of 1939 the 'non-combat' murder toll in German-run Poland was at least 100,000.<sup>14</sup>

### Legal flux

The German invasion system operated in a state of legal flux. This circumstance is also crucial background for Tresckow in 1939. Poland and Germany were both party to the Hague Convention of 1909 on the Laws and Customs of War on Land (Hague), and the two Geneva Conventions of 1929 on POWs (Geneva). These were embedded in German military law and were held to apply despite the absence of declared hostilities. Departures from them occurred in phases. As seen above, the entire machine was primed for illegality.<sup>15</sup> 'Enabling legislation' followed. The most striking involved the EG. These were ordered to murder the Polish elite, officials, businessmen, academics, teachers, and the like. This state-mandated enormity was then revolutionary beyond the Soviet sphere. As recorded earlier, the EG in 1939 have been documented comparatively recently by non-Polish researchers.<sup>16</sup> This contrasts with EG activities in the Soviet Union, where their successors had 'their' Nuremberg trial, and have been studied exhaustively for their role in the Holocaust. As in 1941, the EG for Poland were organised by Heinrich Himmler's right-hand man SS-*Gruppenführer* Reinhard Heydrich. There were five initially, one per army, manned by the *Sicherheitspolizei* (Security Police or *Sipo*) and *Sicherheitsdienst* (Security Service or *SD*). While guided by the CdZ, in operational terms the EG started under the military, their ostensible task being to assure rearward security. Under the head of the General Staff, General Franz Halder, the Army High Command (*Oberkommando des Heeres*, OKH) joined in the planning. 'Special' dispensations from OKH on 9 August 1939 enjoined the army to supply the EG. Elaborations told divisional logistics and

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<sup>14</sup>Forczyk, *Case White*, p. 333, puts total civilian deaths during the fighting at 150,000. In a recent contribution (2021) Stephan Lehnstaedt has the EG murdering 60,000 by the end of 1939: Stephan Lehnstaedt, 'Vergessene Schuld, verweigerter Sühne' in Lehnstaedt, ed., *Schuld ohne Sühne*, pp.7-20.

<sup>15</sup>Andreas Toppe, *Militär- und Kriegsvölkerrecht: Rechtsnorm, Fachdiskurs und Kriegspraxis in Deutschland 1899-1940*, (Munich: Oldenbourg, 2008), pp. 11, 251-2, 296-99, 301, 431; Böhler, *Auftakt*, pp. 151-52. Polish forces conformed to Hague and Geneva: see Forczyk, *Case White*, p. 241.

<sup>16</sup>Notably Mallmann, Böhler and Matthäus, *Einsatzgruppen*; Matthäus, Böhler, and Mallmann, *War, Pacification*; and Lehnstaedt and Böhler, *Berichte*.

intelligence leaders to deploy and oversee the *Sipo-SD* teams. The army's *GFP* were to help the *EG*.<sup>17</sup>

Senior generals became aware of the real task of the *EG* at the latest at a briefing from Hitler on 22 August, but divisional leaders had to learn in the field. During the campaign OKH, subordinate commands, and Heydrich himself gave further instructions on army-*EG* interaction. On 21 September Heydrich issued a notorious order (*Schnellbrief*) to his *EG* on Jews in areas to be annexed. Widely seen as the first formal move in the Holocaust, it ordained that the *EG*, working with the military and *CdZ*, should concentrate or clear the Jews out (*freimachen*). The order was copied to OKH, the five armies, and the *CdZ*. On 30 September, in case the instruction had not penetrated, Heydrich ordered his *EG* heads at once personally to advise (*mündlichen Vortrag*) the army commanders and reiterated the need to work with the military.<sup>18</sup> There were other illegal edicts from OKH and from the *Wehrmacht* High Command (*Oberkommando der Wehrmacht*, OKW). For example, in mid-September OKH consigned isolated POWs in a large swathe of Poland to death by deeming them to be *francs-tireurs*.<sup>19</sup> Commanders would add their own instructions, such as those to burn villages or to forgo trials for purported 'partisans'.<sup>20</sup> All this set the climate for the countless spontaneous crimes committed by junior officers and men.

The initial approach to POWs was in conformity with the Geneva Convention but as we have seen there were numerous infringements. The Hague Convention applied to civilians and was also widely violated. Orders, illegal under Hague, mandated reliance on locals for food and basic medical help. Germans usually had priority for the transport of wounded, also contrary to Geneva and instances of overcrowding, starvation and disease abounded. The head of OKW, General Wilhelm Keitel, illegally mandated the segregation of Jewish POWs. There is much evidence of resultant maltreatment. On 30 November Germany abrogated Geneva for other-rank prisoners: some 60,000 Polish POWs of Jewish ethnicity were ultimately consigned to the ghettos and murdered, while the ethnic Poles were converted to slave labour and suffered resultant privation and high mortality.<sup>21</sup>

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<sup>17</sup> [www.germandocsinrussia.org](http://www.germandocsinrussia.org), Bestand 500, Findbuch 12451, Akte 387, Gen St d H, 6. Abt.(II), Sonderbestimmungen zu den Anordnungen für die Versorgung, 9.8.1939 (Sonderbestimmungen), accessed November 2018, various days; Rossino, *Hitler Strikes*, pp. 17-19.

<sup>18</sup> National Archives and Records Administration, College Park, MD, (hereinafter NARA), T-501, Roll 230, 5 AOK material Aug.-Oct.1939.

<sup>19</sup> Böhler, *Auftakt*, pp. 151-52.

<sup>20</sup> See for example Rossino, *Hitler Strikes*, pp.153-69.

<sup>21</sup> Datner, *Zbrodnie*; Rüdiger Overmans, 'German Policy on Prisoners of War, 1939 to 1945', in Jörg Echternkamp, ed., *Germany and the Second World War*, (Oxford: Oxford [www.bjmh.org.uk](http://www.bjmh.org.uk)



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Many accounts of 1939 overlook the widespread incarceration of entire civilian communities. This major crime under Hague was probably driven by irrational fears of mass resistance. 'Special' orders from OKH on 9 August mandated that

All men capable of bearing arms of Polish and Jewish nationality in the age range 17-45 are to be interned and treated as POWs (however, to be kept separately from them) as soon as the military situation permits.<sup>22</sup>

They were repeated by various army, corps, and divisional commands. Implementation usually involved gruelling forced marches. Most internees were kept in POW pens, but some were placed into temporary *Interniertenlager*. Contemporaries termed these 'concentration camps'.<sup>23</sup> Food and water were widely denied, sanitary facilities were primitive or non-existent, disease was rife. Women and children, and old men, were also often arrested, and some internees were sent to Germany. Most victims were released after some weeks, but many were held on and subjected to compulsory labour. In the area where Tresckow's division was operating internments did not cease until 3 October. They melded with army-assisted expulsions of Jews to Soviet-run territory, and of Poles from areas annexed by the Reich. Tresckow complained that POWs and internees overburdened his division's *Feldgendarmarie*, and that feeding them off the land was difficult.<sup>24</sup> As many as 300,000 Polish and Jewish civilians were detained, and we can estimate that 13,000 died.<sup>25</sup>

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University Press, 2014), 9/2: pp. 748-56; Böhler, *Auftakt*, pp. 9,169; Freiburg im Breisgau, Bundesarchiv-Militärarchiv (BA-MA), RH/21-3.16, XV AK Besondere Anordnungen für die Versorgung; Shmuel Krakowski, *The Fate of Jewish Prisoners of War in the September 1939 Campaign*, (Yad Vashem: Shoah Resource Center, n.d).

<sup>22</sup>Sonderbestimmungen.

<sup>23</sup>Andrzej Zientarski, *Obóz dla internowanych w Lipce*, (Łódź: OKBZH, 1979); Böhler, *Auftakt*, p. 39.

<sup>24</sup>[www.germandocsinrussia.org](http://www.germandocsinrussia.org), Bestand 500, Findbuch 12477, Akte 740, 228. Inf. Division, Abt. Ia, Erfahrungsbericht, undated, early October 1939, geh. Ang. II, p. 15 and geh. V, p. 17 (Erfahrungsbericht).

<sup>25</sup>Overmans reported that 200,000 civilians were held 'in error' or as 'suspicious elements'. He was unaware that the detentions were ordered for 'security' reasons by the OKH in its Sonderbestimmungen. Regarding the total, Overmans later suggested 292,000 (pers. comm., 26 July and 8 August 2018) so with those shipped to Germany, the number detained would have exceeded 300,000. Long-distance marches, catastrophic conditions, and forced labour justify application of a typical early-period death rate for much fitter POWs, 4.2% at Kielce. This yields the tentative estimate of 13,000 deaths.

## Methodology

Our knowledge of many events in Tresckow's purview derives from Jewish records. Among essential sources is Michał Grynberg's account of the Ciechanów region (*Regierungsbezirk Zichenau*) annexed by the Reich. Grynberg drew on credible eyewitness reports (the same event is sometimes described by more than one observer) but details can be imprecise. A special place is held by Emanuel Ringelblum's archive recovered from the ruins of the Warsaw Ghetto, now in the Warsaw Jewish Historical Institute, *Żydowski Instytut Historyczny* (ŻIH). This contains poignant accounts by witnesses who knew they were doomed. Credible too, if unspecific at times, are the township memorial books published in New York City and Israel in the 1960s, many in Yiddish. Other sources include websites such as those of the *Polin* Museum of the Polish Jews in Warsaw, and of Yad Vashem, the World Holocaust Remembrance Centre in Israel. Andreas Schulz on *Regierungsbezirk Zichenau* gives context, while *The Yad Vashem Encyclopedia of the Ghettos During the Holocaust* has thumbnail summaries for some townships.<sup>26</sup>

Locations of German army units are deduced from surviving orders and reports. At army group and army levels they are reliable, but formations sometimes failed to reach designated targets as ordered. Corps and divisional material is more granular, so the records of Tresckow's division in the Polish military's *Centralne Archiwum Wojskowe* (CAW) are valuable. Wojciech Zalewski's monumental atlas of the fighting in 1939 is a fine complement.<sup>27</sup> Polish histories use surviving orders, reports, and accounts by participants. They are believable, many being written by senior officers shortly after the fighting. In 1939 the spate of unprecedented measures occasioned some 'embarrassed' reticence on the part of the German forces. In contrast to the Soviet theatre, the army rarely recorded misdeeds other than roundups of civilian Poles and

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<sup>26</sup>Michał Grynberg, *Żydzi w reencji ciechanowskiej, 1939-1942*, (Warsaw: PWN, 1984); Tadeusz Epstein, ed., *Archiwum Ringelbluma: Konspiracyjne Archiwum Getta Warszawy, Inwentarz*, (Warsaw: ŻIH, 2011) (Ringelblum Inwentarz) and Magdalena Siek, ed., Tom 8: *Tereny wcielone do Rzeszy: Gdańsk-Prusy Zachodnie, Rejencja Ciechanowska, Górny Śląsk*, (Warsaw: ŻIH, 2012) (Ringelblum); Andreas Schulz, 'Regierungsbezirk Zichenau', in Wolf Gruner and Jörg Osterloh, eds., *Das 'Grossdeutsche Reich' und die Juden: Nationalsozialistische Verfolgung in den 'angegliederten Gebieten'*, (Frankfurt: Campus, 2010), trans. as *The Greater German Reich and the Jews: Nazi Persecution Policies in the Annexed Territories 1935-1945*, (New York, NY: Berghahn, 2015); Guy Miron and Shlomit Shulhani, eds., *The Yad Vashem Encyclopedia of the Ghettos During the Holocaust*, (Jerusalem: Yad Vashem, 2009); **Janusz Szczepański**, *Spółeczność żydowska Mazowska w XIX-XX wieku*, (Pułtusk: Wyższa Szkoła Humanistyczna im. Aleksandra Gieysztor, 2005).

<sup>27</sup>Wojciech Zalewski, *Atlas Kampanii Wrześniowej 1939 roku*, Tom I, II, V, (Warsaw: Taktyka i Strategia, 2009-13).

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Jews. The *EG* reported daily by radio to Berlin but they too occluded many actions.<sup>28</sup> This also contrasted with the Soviet campaign. A detailed and critical examination of the surviving records must often be applied to suggest which German unit (or mix of them) was responsible for a documented atrocity.

Heydrich lamented on 2 July 1940,

During the Polish engagement... the directives shaping the actions of the police were unusually radical (*for example, the order to liquidate numerous members of the Polish elite, which encompassed thousands*) so that the whole army leadership... could not be apprised'. (Italics added.)

He went on

If you compare the deeds, plundering and excesses [*Ausschreitungen*] of the army to that of the SS and police, the SS and police definitely do not appear worse.<sup>29</sup>

As pointed out by Jochen Böhler, in referencing these radical actions of the army, Heydrich was alluding to phenomena peculiar to 1939. A few senior army men complained of specific *EG* outrages but most simply wanted to maintain discipline and some themselves issued criminal commands.<sup>30</sup> By 24 September the *EG* killings were universally known, and the C-in-C of the German army, General Walther von Brauchitsch, felt compelled to order all troops in Poland to eschew participation (*Teilnahme*) in the shootings.<sup>31</sup>

### Tresckow's march to Modlin

In 1939 Tresckow was a member of the tight-knit command team in 228 Infantry Division (228ID). German doctrine was for the divisional commander (in this case Major General Hans Suttner) to work closely with three key officers. Tresckow was Suttner's deputy and ran the division's operations. He was designated First General Staff Officer or *Erster Generalstabsoffizier*, also called *la* ('*Eins a*'). The others were the quartermaster, *Zweiter Generalstabsoffizier* or *lb*, and the intelligence officer,

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<sup>28</sup>Lehnstaedt and Böhler, *Berichte*.

<sup>29</sup>Böhler, *Auftakt*, pp. 214, 239; Leszczyński, 'Działalność Einsatzgruppen', pp. 175-76; Matthäus, Böhler, and Mallmann, *War, Pacification*, p. 156; Mallmann, Böhler, and Matthäus, *Einsatzgruppen*, pp. 104-08.

<sup>30</sup>Pers. comm. 16 October 2020. A well-known case was that of General Johannes Blaskowitz, commander of Eighth Army and later C-in-C in Poland, who famously complained to Hitler. His point was that shooting Poles and Jews would not yield the desired suppression. Blaskowitz had illegally suspended trials for 'partisans'.

<sup>31</sup>BA-MA,RH/20-10/6, O.Qu. 10 AOK, BAV 24.9.1939.

*Abwehroffizier* or *Ic/AO*. All four were enmeshed in regular, standard mimeographed communications. They shared planning, decision making, and contacts with superior echelons and neighbouring units. Based on corps directives, Tresckow produced divisional daily orders, signed by Suttner or by himself. 'Special orders on supply' (*Besondere Anordnungen für die Versorgung*, BAV) emanated from each army's *Oberquartiermeister* (O.Qu). Suttner as divisional commander, Tresckow as the *Ia* and the *Ib* absorbed them before the *Ib* passed them on within 228ID. This command system was set out in the General Staff handbook issued by OKH. It should be noted that the *Handbuch* also summarised German and international legal prescripts, notably Hague and Geneva.<sup>32</sup>

228ID was raised comparatively late from 16 August as a 'third wave' unit in East Prussia. According to his biographer Scheurig, Tresckow put the division together and 'practically' led it.<sup>33</sup> Certainly the *Handbuch* ordained that he was to run the division's movements, oversee supplies, and support and deputise for the commander as needed. As seen below, he personally issued many divisional orders and reports. The division was initially in XXI Corps in Third Army, part of Army Group North under General Fedor von Bock. Third Army was commanded by Lieutenant General Georg von Küchler and was tasked with traversing the approximately 130-200 kilometres from East Prussia to Warsaw. Having started to the west of Third Army, by 9 September a significant part of Fourth Army, under Lieutenant General Günther von Kluge, had moved through East Prussia to the left flank of Third Army.<sup>34</sup> With the rest of the divisional command team, Tresckow was among intended recipients of the OKH dispensations on mass internment, including on 18 August a Third Army BAV that ordered internees to be delivered to forces at the disposal of the CdZ (i.e. EG or regular police). He would also have been privy to an OKH order of 21 August telling divisional *Ic* intelligence officers (thus all senior divisional officers) to oversee 'their' EG.<sup>35</sup>

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<sup>32</sup>Oberkommando des Heeres, *Handbuch für den Generalstabdienst im Kriege*, (Berlin: OKH, 1939), pp. 30-31, 36, 102-16.

<sup>33</sup>Scheurig, *Tresckow*, p. 82.

<sup>34</sup>Piotr Zarzycki, *Suplement do Września 1939: Ordre de Bataille Armii niemieckiej, słowackiej i sowieckiej wraz z obsadami personalnymi* (Warsaw: Historyczna, 2014), pp. 3-73; Andrzej Aksamitowski and Wojciech Zalewski, *Mława 1939*, (Warsaw: Taktyka i Strategia, 2015); Zawilski, *Bitwy*, pp. 181-217; <https://www.lexikon-der-wehrmacht.de/Gliederungen/Armeen/4Armee-R.htm>

<sup>35</sup>NARA, T-312, 3 AOK, BAV 18.8.1939; Rossino, *Hitler Strikes*, pp. 17-19

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Tresckow's route across Poland traversed territory strewn with small towns populated largely by Jews, known from the Yiddish as *shtetls* or *stetls*.<sup>36</sup> Here the army displayed extreme versions of the anti-Semitic fervour recorded across Poland. Grynberg recalls that the aim was to remove Poles and Jews from territories targeted for annexation, so the behaviour was unusually vicious. It was standard for the military to mete out beatings to Jews and Poles, to deny food and water, to enforce pointless labour, and to kill at random.<sup>37</sup> Army units specifically targeted Jews, stealing Jewish goods, destroying dwellings and shops, desecrating *Torah* scrolls, and immolating synagogues. Polish and Jewish men were marched off, and many treks became death marches. The first half of September saw 13,000 Poles sent to work in East Prussia.<sup>38</sup> As recounted below, EG units intermixed with Third and Fourth Army units, complemented the actions by the army. Dozens of criminal actions are recorded but only occurrences indicative of Tresckow's experiences are highlighted.<sup>39</sup>

Tresckow's division first fought for Grudziądz. It then swung southeast and moved on Modlin. On 6 September it was attached to II Corps in Fourth Army. 228ID perpetrated its own crimes and, as described below, was in the midst of other army units and EG responsible for many excesses. As the advance progressed (see Map 1) there were outbreaks of *francs-tireurs* madness. Four Hundredth Infantry Regiment (IR400), commanded by Lieutenant Colonel Eberhard Schöpffer, was one of three regiments in 228ID. It perpetrated shootings and village burnings as early as 4 September, albeit with attempts by junior officers to restrain 'rabid' behaviour.<sup>40</sup>

Mass detentions of civilians continued: II Corps noted on the 8th that there was a new camp for internees south of Grudziądz. On 10 September Bock ordered his army group to burn entire villages if precise targets were not available. In this early criminal

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<sup>36</sup>Eva Hoffman, *Shtetl: The History of a small Town and an extinguished World*, (London: Faber, 2009).

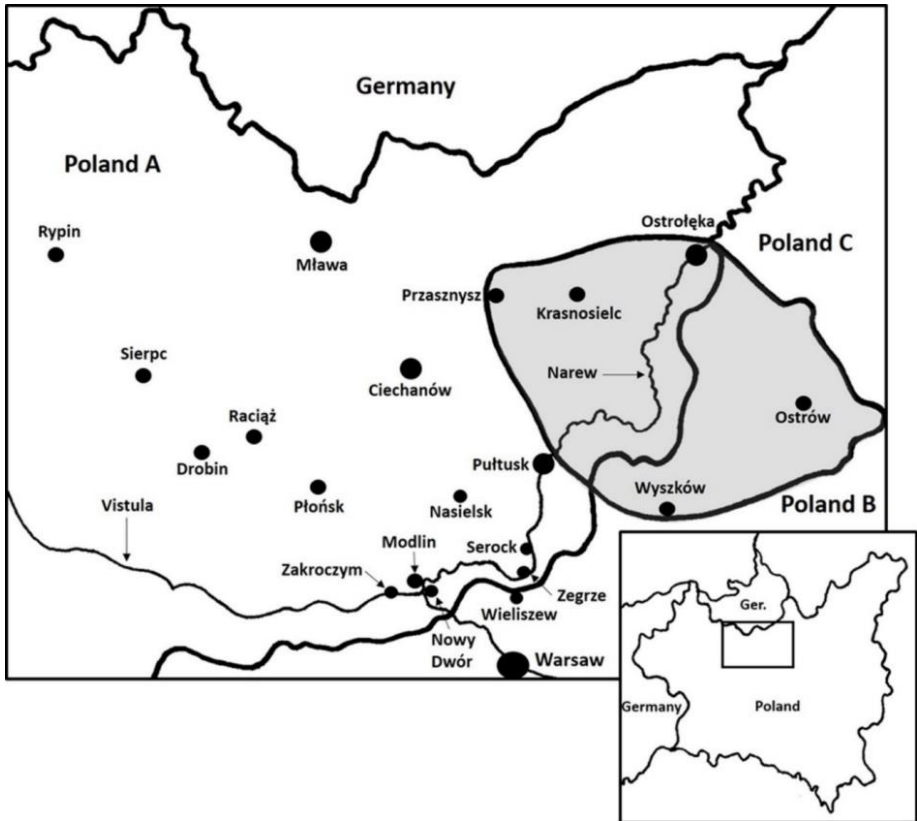
<sup>37</sup>Rossino, *Hitler Strikes*, pp.191-226; Böhler, *Auftakt*, pp. 25-45, 181-199; Grynberg, *Żydzi*, pp. 27-35; Epstein, ed., *Ringelblum Inwentarz*; Siek, ed., *Ringelblum*; Schulz, 'Zichenau'; Miron and Shulhani, eds., *Encyclopedia*; Janusz Szczepański, 'Żydowscy mieszkańcy Mazowsza w okresie międzywojennym', *Rocznik Mazowiecki*, 21 (2009), pp. 127-39.

<sup>38</sup>Agnieszka Dzierżanowska and Dariusz Pawłoś, 'Polacy na Robotach Przymusowych w Trzeciej Rzeszy (Metody Rekrutacji, Sposób Traktowania, Liczebność)' in *Polska 1939-1945*, p. 133.

<sup>39</sup>Grynberg, *Żydzi*, pp. 27-35; Epstein, ed., *Ringelblum Inwentarz*; Siek, ed., *Ringelblum*; Schulz, 'Zichenau'; Miron and Shulhani, eds., *Encyclopedia*; Janusz Szczepański, 'Żydowscy mieszkańcy Mazowsza w okresie międzywojennym', *Rocznik Mazowiecki*, 21 (2009), pp. 127-39.

<sup>40</sup>Böhler, *Auftakt*, p.129.

order Bock repeated the instruction that military-age civilian Poles and Jews 'be very speedily detained and taken away'.<sup>41</sup>



**Map I. German 228th Infantry Division in Poland, 1939.** A denotes the area annexed by the Reich, B the *Generalgouvernement*, C the Soviet zone. The division's occupation area bordering the Soviets is in grey. Scale: approx. 10 km to 1 cm. Source: Author.

As 228ID and flanking units advanced, settlements in their path were subjected to depredations. When correlated with Jewish sources, the division's own records and those of II Corps provide us with evidence of these events.<sup>42</sup> Sierpc was a town of

<sup>41</sup>Datner, Gumkowski, and Leszczyński, *Crimes*, pp. 14-17; Böhler, *Auftakt*, pp. 128-30, 152; NARA, T-314, II AK Abt. Qu., BAV 8.9.1939.

<sup>42</sup>Grynberg, *Żydzi*, pp. 33; CAW, 152-60, 228. Inf. Division, Abt. Ia, Divisionsbefehl für den 10.9.1939 (Divisionsbefehl Drobin), Divisionsbefehl für die Fortsetzung des

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some 15,000 (one-third Jews). Thirty-second Infantry Division (32ID) in II Corps was a few kilometres to 228ID's right and was first in. Second Corps' HQ joined 32ID there on 9 September. Jewish residents were beaten and the synagogue burned. A Jew who tried to douse the flames was shot and Ringelblum records how the cry went up: '*Noch einmal, der Hund lebt noch*' (again, the dog is still alive). On 10 September 228ID was just four kilometres away when 600 Poles and Jews were arrested and Sierpc became the site of a 'concentration camp' holding over 1,000 civilian Poles and Jews. The next day 228ID passed through Sierpc as it advanced to Drobin and Raciąż. At Drobin the divisional *Feldgendarmarie*, in accordance with Bock's orders, assembled hundreds of civilian male Poles and Jews who were marched thirty-seven kilometres back to Sierpc and kept for six days. The divisional military police must have been stretched, for the following day the division's BAV stipulated that new internees and POWs were to remain with the troops.

On 11 September, the division passed through Płońsk (Tresckow annotated the order). This settlement had over 10,400 inhabitants, 47% Jewish.<sup>43</sup> This time the 217th Infantry Division (217ID), the reserve division of Third Army, had arrived first, on its way from Mława. On 5 or 6 September the Jews in Płońsk had met with robberies and abuse and on the 8th some were killed by army men. 'Security units' from 217ID were still in Płońsk on 9 September before being replaced by 32ID's *Feldgendarmarie*. Further east was Nasielsk, where the Jews totalled around one-half of the 6,000 inhabitants. At the end of the first week of September 217ID, which had advanced nearby towards the river Narew, was responsible for the abuse of Nasielsk's Jews, for 'storage' of them in their synagogue, and for shoving them out of the *stetl*.<sup>44</sup> It should be noted that Second Corps HQ itself passed through Płońsk before reaching Nasielsk on the 12th.

German records indicate that on 11 September 217ID was near Serock, where Jews formed some 46% of the 5,400 inhabitants.<sup>45</sup> As no other German unit was close, we can attribute the crimes in Serock to the 217th: the synagogue was desecrated, and the *Torah* was burned and thrust into a latrine. Ringelblum has horrendous accounts

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Vormarsches, 11.9.-13.9.1939 and Ergänzung des Divisionsbefehls für den 12.9.1939; II/27, Abt.Ib, BAV 12.9.1939; 228. Inf. Division, Abt. Ib, BAV, 15.-20.9.1939, various days, courtesy of Andrzej Wesołowski; NARA, T-314, II AK Abt. Qu., BAV for 8.-13.9.1939, II AK Ia Korpsbefehl for 9.-10.9.1939; Ringelblum, pp. 155-59, 181-85 (account of Cwi Klejman), 200-03; [www.drobin.pl](http://www.drobin.pl), accessed 4 March 2020, various days; *Gal-Ed: Memorial book to the Community of Racianz*, ed. Ephraim Tsoref, n.d. (copy in ŻIH), pp. 35-39; Miron and Shulhani, *Encyclopedia*, p. 600.

<sup>43</sup>Szczepański, 'Żydowscy mieszkańcy', p.129.

<sup>44</sup>Ringelblum, pp. 155-57

<sup>45</sup>Szczepański, 'Żydowscy mieszkańcy', p. 129.

of beatings, forced labour, and a simulated burial alive. Described in Ringelblum as a 'concentration camp', on the 12th some of Serock's Jewish population were crammed into their synagogue, including women and children, so crowded that there was standing room only. A number of beatings followed.<sup>46</sup> On the 13th and 14th Tresckow with the 228th's command and the bulk of the division moved through Nasielsk and Serock to the river Narew. The Serock Jews would have still been incarcerated in the synagogue as the division passed through.

### In Tresckow's ambit

Other army units in Tresckow's area also perpetrated outrages. Notable was the *Panzer-Division Kempf* (Kempf) armoured division in I Corps, named for its commander, Brigadier General Werner Kempf. It comprised embedded SS including the *SS-Standarte Deutschland* motorised infantry regiment. Anti-Semitic outrages including multiple killings are recorded at Ciechanów (14,000-plus inhabitants, over 4,600 Jews), and Pułusk (15,500, 6,400 Jews).<sup>47</sup> So too for Przasnysz, Krasnosielc, and Goworowo.<sup>48</sup> Ostrów Mazowiecka was also a scene of mass executions.<sup>49</sup> Third Army's EG, EG V, followed closely behind the advancing troops. It perpetrated the usual killings of 'elite' Poles. Also, as Böhler reports, 'EG V in particular embarked on a reign of terror [of] shootings, looting, arson and systematic expulsion [of] the Jewish population'. After the first week in September EG V teams were based for periods in Mława, Ciechanów, Przasnysz, Raciąż, Płońsk, Pułusk, Serock, and Ostrów.<sup>50</sup> The EG worked closely with the army. In Grudziądz, where it overlapped with Tresckow and

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<sup>46</sup>Ringelblum, p. 158.

<sup>47</sup>Zalewski, *Atlas*; Aksamitowski and Zalewski, *Mława*, pp. 27-69; Grynberg, *Żydzi*, p. 30; Benjamin Apel in *Jizkor-buch fun der Ciechanower Jidiszer Kehile* (Tel-Aviv, 1962); Miron and Shulhani, *Encyclopedia*, p. 117; Janusz Szczepański, *Dzieje Pułuska*, Tom II, 1795-1989, (Pułusk: Wydawnictwa Akademickie, 2017), pp. 340-42; Warsaw, Polin Museum of Polish Jews, Virtual Stetl: Pułusk, accessed 25 October 2019; Ringelblum, pp. 153-54 (account of Cwi Klejnman).

<sup>48</sup>Grynberg, *Żydzi*, pp. 152-60; Böhler, *Auftakt*, pp. 227-30; Ringelblum, pp. 148-60; Rossino, *Hitler Strikes*, pp. 105-6. Küchler complained after Goworowo and urged Bock to disband Kempf. Kempf became Stauffenberg's commander in 6. *Panzer Division*. Ironically in 1948 when Küchler was sentenced to 20 years for crimes in the Soviet theatre Kempf gave exculpatory evidence.

<sup>49</sup>Grynberg, *Żydzi*, pp. 152-60; *Jizkor-buch fun der Jidiszer Kehile in Ostrow Mazowieck*, (Tel-Aviv, 1960), accounts of Tuwia Makower (ex-secretary of the *Kehilla* or Jewish community of Ostrów), Jakub Widelec, Benjamin Goldsztajn, Jehuda Gutgold, et al.; Schulz, 'Zichenau'.

<sup>50</sup>Matthäus, Böhler, and Mallmann, *War, Pacification*, pp. 36, 235; Lehnstaedt and Böhler, *Berichte*, pp. 50-301; Böhler, 'Ordinary Clerks'; Mallmann, Böhler, and Matthäus, *Einsatzgruppen*, pp. 56, 163, 235.



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228ID's movements, it took hostages at the army's behest and prepared to expel Jews. In Mława, a sizeable place of 19,600-plus including over 6,100 Jews, it massacred and burned. Jews from Mława and Przasnysz were expelled under agreements on 'emigration' with army commanders when Third Army's HQ and part of EG V were both in Przasnysz (9 to 13 September).<sup>51</sup> In that period in Pułtusk the EG made mass arrests of Poles and Jews. Jews were forced out across the Narew and many drowned. On the 13th, II Corps with Tresckow's division passed back to Third Army, and on 14 September Third Army's orders noted with approval that 'police' were active in respect of '*suspicious persons*' (italics added) and were interning Poles and Jews. Later EG V was 'controlling' refugees pursuant to an order (*Anweisung*) from Third Army, while *Feldgendarmarie* were corralling civilian Poles and Jews of military age. Jewish men were marched thirty-three kilometres from Serock to Pułtusk by the EG, the stragglers were killed. There followed a death *run* of forty-two kilometres to Ciechanów, whence the survivors were expelled.<sup>52</sup>

From mid-September rear echelon troops from 228ID and other units besieging Modlin were traversing the few metalled roads to Nasielsk, Płońsk, Raciąż, and Drobin. This was a major supply axis, doubtless also drawn on by the EG. Second Corps had moved to Zegrze, where it remained for the siege. For a time EG V had an offshoot in Zegrze while its HQ was a few kilometres distant at Serock. Tresckow with 228th's command was in Wieliszew during the siege, only a few kilometres from Zegrze and from EG V's base. During this period the EG continued to murder and steal.<sup>53</sup> There was further interaction between EG V and army in the guise of *Panzer-Division Kempf* in Płońsk, scene of a massacre of Poles and Jews, and in Raciąż. Both townships saw expulsions when the route for expellees led through 228ID's positions.<sup>54</sup>

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<sup>51</sup>Lehnstaedt and Böhler, *Berichte*, pp. 50-301; Zalewski, *Atlas*.

<sup>52</sup>**Szczepeński, Dzieje**, pp. 340-42; Lehnstaedt and Böhler, *Berichte*, pp. 50-301; Rossino, *Hitler Strikes*, pp. 103-09; Ringelblum, pp. 157-78; Schulz, 'Zichenau', p. 265; Miron and Shulhani, *Encyclopedia*, p. 623.

<sup>53</sup>CAW, II/2/7, 228. Inf. Division, Abt. Ib, BAV 12.-28.9.1939, various days; NARA, T-314, II AK Abt. Qu., BAV for 8.-13.9.1939, various days, II AK Ia Korpsbefehl für den 10.9.1939; Lehnstaedt and Böhler, *Berichte*, pp. 50-301; Zalewski, *Atlas*; Ringelblum, p. 143; Prince Maciej Radziwiłł, grandson of Prince Konstanty Radziwiłł of Zegrze, pers. comm., 2 September 2020.

<sup>54</sup>[https://www.yadvashem.org/yv/en/exhibitions/communities/plonsk/during\\_holocaust.asp](https://www.yadvashem.org/yv/en/exhibitions/communities/plonsk/during_holocaust.asp) accessed October 2019, various days; Tomasz Stempowski, "Bezinteresownie wyznaczony cel": Udział niemieckiej Tajnej Policji Państwowej w represjonowaniu ludności polskiej, eksterminacji Żydów oraz zwalczaniu konspiracji na ziemiach polskich wcielonych do Rzeszy Niemieckiej od września 1939 r. do grudnia 1943 r. w albumie SS-Oberscharführera Hermanna Baltruschata' in Jacek Sawicki and Jochen Böhler, eds., *Kariera SS-Oberscharführera Hermanna Baltruschata 1939–1943: Album*  
55 [www.bjmh.org.uk](http://www.bjmh.org.uk)

During *Yom Kippur* (22-23 September) there was a pogrom plus desecrations of the *Torah* in the supply *stetl* of Drobin. Army logistics people were using Drobin as a base and EG V were active in the area, so either or both could have been responsible. Third Army HQ and part of EG V were together in Ostrów when other obscene *Yom Kippur* 'celebrations' were staged.<sup>55</sup> From the 22nd to the 28th further thousands of Pułusk Jews were shunted across the Narew, first by EG V, then by EG IV attached to Fourth Army. Vaginas were searched for valuables, beatings, drownings, and mass shootings ensued, then a trek of over thirty kilometres to Wyszaków accompanied by the usual killings of stragglers.<sup>56</sup> On 29 September, just after its excesses at Pułusk, EG IV bivouacked alongside elements of 228ID in Jabłonna. This EG was on its way to 'pacify' Warsaw. That day too EG V reported to Berlin that its 'arrests of the Polish educated class, priests etc., continued'. It went on report: 'Jews were pushed over the demarcation line in large columns'.<sup>57</sup> Towards the end of September Third Army HQ troops witnessed an 'undisciplined' second major expulsion by EG V of Jews from Mława.<sup>58</sup> In the period to 2 October EG V boasted of making over 1,300 arrests and, given its standing orders from Hitler and Heydrich and its previous record, it is reasonable to assume that many if not most were shot.<sup>59</sup>

### The Fall of Modlin

From 14 September 228ID with other units invested Modlin, a strong fortress system at the confluence of the Vistula and Narew. Modlin's garland of 19th century forts were supplemented by modern defences. With Warsaw, it formed a redoubt for Poland (see Map 1). The 24,000 defenders, latterly commanded by Brigadier General Wiktor Thommée, held a perimeter approximately fifteen kilometres by fifteen, including the towns of Zakroczym and Nowy Dwór Mazowiecki (Map 2). The Germans were under Lieutenant General Adolf Strauss, commander of II Corps, and numbered up to 70,000. Over the following two weeks 228ID and *Panzer-Division*

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*fotograficzny funkcjonariusza Einsatzgruppe i Geheime Staatspolizei na ziemiach polskich wcielonych do Rzeszy*, (Warsaw: Niemiecki Instytut Historyczny, 2014), pp. 72-75; Jochen Böbler, 'Die heile Welt des Eduard Schmidt' in Böbler and Lehnstaedt, eds., *Gewalt*, pp. 89-116.

<sup>55</sup>*Jizkor-buch fun Ostrow*; Ringelblum, pp. 142-43; Grynberg, *Żydzi*, p. 32.

<sup>56</sup>Szczepański, *Dzieje*, pp. 340-42; <https://sztetl.org.pl/en/towns/p/599-pultusk> accessed October 2019, various days; Ringelblum, pp. 153-54, account of Cwi Klejman.

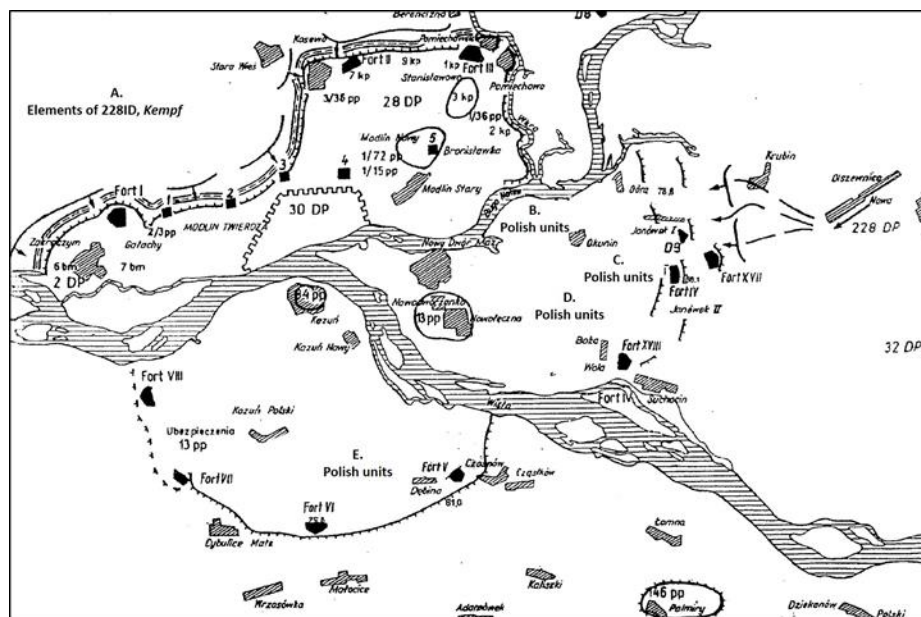
<sup>57</sup>Lehnstaedt and Böbler, *Berichte*, p.271.

<sup>58</sup>Böhler, *Auftakt*, pp. 219-20. Bizarrely, Küchler urged that EG V be withdrawn. The matter escalated but Heydrich and Hitler took no action.

<sup>59</sup>Lehnstaedt and Böbler, *Berichte*, pp. 50-301.

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*Kempf* made repeated unsuccessful assaults supported by heavy artillery and carpet and dive bombing attacks by the *Luftwaffe*.<sup>60</sup>



**Map 2. Siege of Modlin 14-29 September 1939, synthesis.** MODLIN TWIERDZA is the core fortress with Nowy Dwór to its southeast. The Polish perimeter includes forts (Roman numbers) and concrete emplacements (Arabic). Zakroczym and Fort III are connected by anti-tank and wire defences. Polish designations include DP for *dywizja piechoty*, infantry division, and pp for *pułk piechoty*, infantry regiment. The bulk of 228ID is to the East as '228 DP', 32ID is '32 DP'. At A., 228ID deployed IR400, anti-tank and reconnaissance units *Panzerabwehr-Abteilung 228* and *Aufklärungs-Abteilung 228*, and part of *Artillerie-Regiment 228*. Polish units at B. were principally 8th Infantry Division, at C. 32nd Infantry Regiment, at D. 56th Infantry Regiment, at E. elements of 8th and 30th Infantry Divisions. Zakroczym to Olszewnica Nowa is approx. 16 kilometres. Source: Author, after Ryszard Gołąb, with permission.

<sup>60</sup>Initial reliance solely on Tresckow's division suggests that there was a great underestimation of Modlin. The 228th, *Kempf*, and 32ID were ultimately bolstered by elements of XV Corps and X Corps, and by 300-plus aircraft. Ryszard Bochenek, *Twierdza Modlin*, (Warsaw: Bellona, 2003), pp. 331-418; Ryszard Gołąb, *Ilustrowana Monografia Miasta Nowego Dworu Mazowieckiego z Historią Twierdzy Modlin*, (Nowy Dwór Mazowiecki: Burmistrz Miasta Nowy Dwór Mazowiecki, 2006), pp. 312-51; Zawilski, *Bitwy*, pp. 619-31, 728-33; Janusz Ledwoch, *Polskie Pociągi Pancerne* (Warsaw: Militaria, 2021), pp. 36-37.

From mid-September Warsaw was also under siege. Given the exhaustion of supplies and to avoid more civilian suffering, Warsaw's command signed a cease fire on 27 September at 1400, pending negotiation of a surrender. In consequence, before 0100 on 28 September the two sides at Modlin also agreed a ceasefire, from 0600 that day. It was agreed that the Poles were to hoist white flags and negotiations for a handover on the 29th were to follow. Using Andrzej Wesołowski's account supplemented by further Polish, Jewish, and German records it can be seen that the fall of Modlin saw crimes involving II Corps, *Kempf*, 32ID, the divisional command team of which Tresckow was a member, and 228ID as a whole. II Corps was grossly derelict in failing to advise its formations of the ceasefire, and of its confirmation by the Poles via a flag II Corps HQ saw clearly on the citadel. The temporary absence of additional white flags on outlying forts was used to justify attacks by *Kempf*, 32ID, and IR400, which continued even after local flags were seen. Although ready to surrender the Poles naturally, and legally, resisted.<sup>61</sup>

At 0615 *Kempf* and elements of IR400 assaulted Fort I and Zakroczym. *Kempf* claimed to have heard of the ceasefire only at 0645 and reported that it saw no flags. Further east 32ID began to shell Fort III before 0600, at 0545 it too advanced. Its *Kriegstagebuch* or war diary claimed that II Corps advised it of the ceasefire at 0700. Fort III had raised its flag soon after 0630, Fort I followed. *Kempf* persisted in bloody assaults after it reported seeing local flags at 0840-0850. It penetrated Fort I as late as 0906 hours while in 32ID's area fighting continued even later.<sup>62</sup>

The flawed German communications were highlighted by a Captain in 6th Company in IR400, which with 3rd Company was attacking alongside *Kempf*. This officer initially claimed ignorance of the ceasefire. However, when he saw white flags *überall* before 0800 he halted but Third Company carried on, suffering further casualties. The Captain shouted to a Polish officer, whereupon firing ceased. The German telephoned IR400's

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<sup>61</sup>Andrzej Wesołowski, 'Kapitulacja Modlina we wrześniu 1939 r. w świetle materiałów niemieckich', *Rocznik Archiwalno-Historyczny Centralnego Archiwum Wojskowego* 2/21 (2009): pp. 133-68; Andrzej Wesołowski, '36. Pułk Piechoty Legii Akademickiej w obronie odcinka „Pomiechówek” (14-28 września 1939 r.)', *Niepodległość i Pamięć*, 16/2 (30), 2009: pp. 178-83; Zawilski, *Bitwy*, pp. 728-33; Herbert Drescher, *Warschau und Modlin 1939: Berichte und Dokumente*, (Pforzheim: self published, 1991), p. 868; BA-MA, RH 19 II/3, *Kriegstagebuch AOK* 3.

<sup>62</sup>Wesołowski, 'Kapitulacja'; Wesołowski, '36. Pułk Piechoty'; Zawilski, *Bitwy*, pp. 728-32; Adam Rządowski, '2 Dywizja Piechoty Legionów' in *Wielka Księga Piechoty Polskiej 1918-1939*, (Warsaw: Edipresse, 2016), pp. 31-2; Włodzimierz Parfieniuk, '32 Pułk Piechoty' in *Zarys Historii Wojennej Pułków Polskich w Kampanii Wrześniowej*, (Pruszków: n.d.).

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command, which in turn interrogated the 228ID HQ. Only then did IR400 learn of the armistice. This sequence of events confirms an extraordinary degree of negligence at II Corps, compounded by culpable insouciance by 228ID HQ and Tresckow. The division remained silent vis à vis its IR400 even after II Corps had belatedly advised it of the ceasefire and Polish agreement. Third Army later praised the 'heroic' capture of the forts, which were of course surrendering.<sup>63</sup>

### The aftermath of Modlin

Following the final surrender of Zakroczym and Fort I, *Kempf* murdered hundreds of men of the Polish army. The Zakroczym massacre was arguably the greatest crime against the Polish military in 1939. In the absence of German records, we rely on the accounts of survivors who described the piecemeal shootings. The consensus among Polish historians is that 500 POWs plus 100 Polish and Jewish civilians were killed. Wesółowski concludes that

For understandable reasons there is no mention of [all] this in the report by Adolf Strauss to Third Army, made on 30 September... Instead, he stressed that the defenders had delivered extraordinarily tough resistance [*ausserordentlich hartnäckigen Widerstand*], which caused high levels of casualties among the attackers.<sup>64</sup>

The men in IR400 fighting alongside *Kempf* and possibly other 228ID units would have seen the murders, if not participated in them. On 29 September IR400 with its fellow IR356 occupied Nowy Dwór. The town originally had over 9,400 inhabitants, 4,300 of

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<sup>63</sup>BA-MA, RH 37/3094, Mit der 6. Kompagnie des Schöpffer-Rgt (IR400) von Elbing bis Warschau (Polenfeldzug 1939); Parfieniuk, '32 Pułk'; CAW, 228. Inf. Division, Abt. Ia, 28.9.1939, Divisionsbefehl für die Besetzung des Ostteils der Festung Modlin am 29.9.39 with Bedingungen für die Übergabe von Modlin signed by Tresckow (Divisionsbefehl Modlin), courtesy of Andrzej Wesółowski; Andrzej Wesółowski, pers. comm., 14 April 2018. Tresckow's Divisionsbefehl Modlin was distributed later on the 28th. This did not preclude II Corps and 228ID giving advice before 0600 on the 28th, and during the final combat that morning.

<sup>64</sup>Datner, *Zbrodnie*, pp. 76-77; Wesółowski, 'Kapitulacja'; Gołąb, *Monografia*, pp. 350-51, 452-53; Zawilski, *Bitwy*, pp. 728-32; Grynberg, *Żydzi*, pp. 152-60; Parfieniuk, '32 Pułk'; Drescher, *Warschau und Modlin*, p. 870; Ringelblum, pp. 145-47. Sources include Lieutenant Colonel Bronisław Laliczyński's report to Thommée ('numerous hundreds'), and Colonel Ludwik Czyżewski. Ringelblum records murders of 150 'defenders of Zakroczym' and of 15 local Poles and Jews including children, and notes that Zakroczym was put to the torch. The commander of *SS-Standarte Deutschland*, *SS Standartenführer* Felix Steiner, was also responsible for later crimes. He became famous around Berlin in 1945. He was arrested but escaped trial.

them Jews. Many remained. The order to the division for that day, personally signed by Tresckow, illegally distinguished between POWs and male Polish and Jewish civilian prisoners (*Zivilgefangene*) aged from 17 to 50 (sic). In Nowy Dwór 228ID troops randomly killed Jews, plundered, closed Jewish institutions, and razed buildings including the synagogue. They drove Jews to forced labour, including cleaning latrines by hand. On 3 October II Corps ended mass internment.<sup>65</sup>

Tresckow continued to serve in 228ID until 22 October. On 9 October the division joined XXVI Corps in Third Army and the next day it began to occupy an area some sixty-five kilometres by forty-five encompassing Przasznysz, Ostrołęka, and Wyszków, with the German-Soviet line as eastern boundary (see Map 1). 228ID was to 'pacify' the area and secure the demarcation line.<sup>66</sup> The previous day Hitler had decreed the annexation of about one-half of the area to the Reich, as part of *Regierungsbezirk Zichenau*. On 12 October Hitler went on to order the formation of a rump German-run Polish territory termed *Generalgouvernement* (GG), to embrace the rest of the area which 228ID was occupying. In the meantime, military rule continued, for the *Führer's* decrees did not come into force until 26 October. 228ID HQ with Tresckow as senior staff officer ordered divisional components such as local *Ortskommandanturen* to support *Landräte* administrators under the CdZ establishing themselves in Przasznysz, Ostrołęka, Maków, Ostrów, and Pułtusk. Divisional HQ also issued dispositions on Jews. 228ID was expected to facilitate expulsions, and to help in blocking attempts to (re) enter. With other relevant units it had received an order from OKH of 30 September via II Corps which noted, 'The aim is to prevent undesirable Polish elements, especially Jews, crossing into German-occupied territory...' Robberies and displacements eastwards of Jews from Ostrołęka and hinterland began on 6 October. This embraced some 7,000 people in the division's area. Ostrołęka itself was thereupon declared *Judenrein*, free of Jews. From 15 October divisional HQ was in Ostrów, and during the month Ostrów's 6,000 remaining Jews were also driven to the Soviets. Expropriations and expulsions also began of Poles from the future Reich area to the GG. By the end of 1941 those displaced were to total around 91,500.<sup>67</sup> During Tresckow's time as a senior officer in 228ID Polish and

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<sup>65</sup>Divisionsbefehl Modlin; Miron and Shulhani, *Encyclopedia*, p. 531; *Pinkas Nowi-Dwor*, (Tel-Aviv, 1965), accounts of A. Goldbroch, and W. Szlamowicz; unpublished Aneks (Annex) to Ringelblum, courtesy of Magdalena Siek of ŻIH; Böhler, *Auftakt*, pp. 216-21; NARA, II AK, Abt. Qu., BAV 2.10.1939.

<sup>66</sup>Böhler, 'Ordinary Clerks'; CAW, 11/2/4, 228. Inf. Division, Abt. Ia, Divisionsbefehl 9.-17.10.1939, various days (Occupation Divisionsbefehle); NARA, II AK, Abt. Qu., BAV 29.9.-10.10.1939, various days, and Abt.Ic, 30.9.1939 (OKH Blockage order).

<sup>67</sup>BA-MA, Pers. 6/1980, AOK 2, Henning v. Tresckow, Beurteilung zum 1.4.1944; Occupation Divisionsbefehle; OKH Blockage order; Maria Wardzyńska, *Wysiedlenia ludności polskiej z okupowanych ziem polskich włączonych do III Rzeszy w latach 1939-*

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Jewish culture was suppressed, churches and synagogues closed, and systematic theft proceeded of governmental assets and Polish and Jewish private property. From 20 October, with Tresckow still formally in post, 228ID was ordered to central Warsaw where until May 1940 it was the principal army unit in the Polish capital.<sup>68</sup> During this period the German regime pursued extreme terror and exploitation of Poles and Jews, and laid plans to establish the Warsaw Ghetto.<sup>69</sup>

### Reconstructing the trajectory

Scholars continue to grapple with the factors which drove the *frondeurs* to dissent and Tresckow's path has been notably controversial. This account of 1939 fills the last major gap in the historical record. In Poland 228ID and the units around it perpetrated a range of crimes. The anti-Jewish acts were prolific and homicidal, even by the tragic measure of that year, and were harbingers of the Holocaust. Brauchitsch's order to the army to avoid EG shootings shows that many of the events were universally known. Given Tresckow's shared contacts with neighbouring entities and superior echelons, his network of peers in other divisions and his logistics men and despatch riders criss-crossing the hinterland we cannot doubt that Tresckow knew exactly what was happening.

We lack direct evidence of his involvement in criminality – in large part due to the prevailing *omertà* or code of silence – but in contrast, indirect signs abound. As senior staff officer Tresckow shared responsibility for the actions of his division. He was duty bound to have it support the EG, and there is no evidence of demurral. Divisional dispositions, some signed personally, locate his unit alongside atrocities. He ordered his people to Drobin where they forced civilian Poles and Jews to trek for thirty-seven kilometres.<sup>70</sup> He admitted failure to feed POWs and civilian captives.<sup>71</sup> He failed to

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1945, (Warsaw: IPN, 2017), p. 428; Witold Sienkiewicz and Grzegorz Hryciuk, eds., *Wysiedlenia, wypędzenia i ucieczki 1939-1959, Atlas ziem Polski*, (Warsaw: Demart, 2008), p. 63; Böhler, *Auftakt*, pp. 216-17.

<sup>68</sup>Szczepański, *Spółeczność*, p. 398; Bogumił Rudawski, *Grabież mienia w Kraju Warty 1938-1945*, (Poznań: Instytut Zachodni, 2018), pp. 20-35; Grynberg, *Żydzi*, pp. 30, 33-35; <https://sztetl.org.pl/en/towns/o/53-ostrow-mazowiecka> accessed 31 October 2019; Lehnstaedt and Böhler, *Berichte*, p. 271; Schulz, 'Zichenau', pp. 267-68; Böhler, 'Ordinary Clerks'; CAW, 11/2/4, 228. Inf. Division, Abt. Ia, Divisionsbefehl 9.-17.10.1939; Wardzyńska, *Wysiedlenia*, pp. 140-321; Lehnstaedt, *Okkupation*, pp. 89, 278-9.

<sup>69</sup>Krzysztof Dunin-Wąsowicz, *Warszawa w latach 1939-1945*, (Warsaw: PWN, 1984), pp. 45-67, 280-83.

<sup>70</sup>Divisionsbefehl Drobin.

<sup>71</sup>Erfahrungsbericht.

inform his fighting troops of the Modlin ceasefire.<sup>72</sup> He directed troops from the Zakroczyń mass-murder site to Nowy Dwór where he ordered his people to detain civilians and where they perpetrated a pogrom.<sup>73</sup> His division carried out the instruction by OKH to block Poles and Jews returning from Soviet-occupied Poland.<sup>74</sup> Tresckow's HQ ordered 228ID to work with CdZ entities which were unlawfully liquidating the Polish state, stealing, running ethnic cleansing, and preparing for German colonisation.<sup>75</sup>

Although hardly exculpation, Tresckow may have been insensitive to the revolutionary nature of the events of 1939.<sup>76</sup> John Horne and Alan Kramer, and Isobel Hull, have shown how Germany's military culture held a predilection for extreme violence, and was obsessed with purported civilian resistance. Robert Citino has deconstructed the single-minded 'German way of war'.<sup>77</sup> Rossino, Böhler, and others confirm that in 1939 *Freischärlerwahn*, POW shootings, and mass civilian arrests were a continuation the German military 'tradition' in which Tresckow was embedded. They and other

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<sup>72</sup>BA-MA, RH 37/3094, Mit der 6. Kompanie des Schöpffer-Rgt (IR400) von Elbing bis Warschau (Polenfeldzug 1939); Wesolowski, 'Kapitulacja Modlina'.

<sup>73</sup>Divisionsbefehl Modlin, *Pinkas Nowi-Dwor*; Aneks (Annex) to Ringelblum,

<sup>74</sup>OKH Blockage order.

<sup>75</sup>Occupation Divisionsbefehle.

<sup>76</sup>Scheurig, *Tresckow*, pp. 79, 83, 87. In 1939-40 the *frondeurs'* putative Interior Minister Fritz-Dietlof Count von der Schulenburg ran ethnic cleansing in Upper Silesia: Poland was to be cleared of Poles and Jews and peopled with Germans. In later putschist thinking the Reich was to retain Austria, Alto Adige, Sudetenland, and western Poland. A rump Poland and a Czech neo-*Protektorat* were to be German puppets. Matthew Olex-Szczytowski, 'The German Military Opposition and National Socialist Crimes, 1939-1944: The Cases of Stauffenberg, Tresckow, and Schulenburg', *War in History* 28 (2), April 2021, pp. 380-404; Hoffmann, *Brüder*, p. 357; Hans Rothfels, 'Zwei aussenpolitische Memoranden der deutschen Opposition (Frühjahr 1942)', *Vierteljahrshefte für Zeitgeschichte* (VfZ) 4 (1957), pp. 388-97; 'Geheime Denkschrift Goerdelers vom 26.3.1943 für die Generalität bestimmt, über die Notwendigkeit eines Staatstreiches' in anon. ed., *20. Juli 1944*, (Freiburg: Herder, 1961), p. 70; Gedenkstätte Deutscher Widerstand, *Scheitern des Umsturzes: Auslandskontakte*, (Berlin, n.d.).

<sup>77</sup>John Horne and Alan Kramer, *German Atrocities, 1914: A History of Denial*, (New Haven, CT: Yale, 2001), pp. 13, 33, 49, 64, 74-76, 103, 123-29, 132, 135, 158, 162-67; Isobel Hull, *Absolute Destruction: Military Culture and the Practices of War in Imperial Germany*, (Ithaca, NY: Cornell, 2005), pp. 33, 93-130, 208-62; Robert Citino, *The German Way of War: From the Thirty Years War to the Third Reich*, (Lawrence, KS: Kansas, 2005), pp. 256-67.



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scholars also note that hatred of Poles and Jews was widespread in German society and in the military.<sup>78</sup>

It should be noted that during other stages of his career Tresckow was aware of criminality and collaborated. Before the war he went along with increasingly vicious anti-Jewish policies (Jews were excluded from the then *Reichswehr* in early 1934) without any sign of protest.<sup>79</sup> From late 1940 Tresckow was with AG Centre's staff in Poznań, in an annexed part of Poland where the elite had been liquidated, 280,000 Poles had been robbed and expelled, and 460,000 Jews had been robbed and thrust into ghettos. The remaining Poles were subjected to extreme terror and German colonisation was in full swing. Then for months prior to the attack on the Soviets, AG Centre's HQ with Tresckow was in Warsaw. Alongside atrocious repression of the city's Poles, another 460,000 starving Jews had been crammed into its notorious ghetto. Obscenely, this functioned as a semi-obligatory 'tourist' destination for the German military.<sup>80</sup> None of this appears in conventional German accounts of Tresckow and his confrères.

As noted earlier, latterly German scholars have contested the once-canonical notion that Tresckow began to conspire in 1941 in 'shock' at EG shootings of Jews as Jews. These massacres might have served as an extra trigger, but his record in the Soviet theatre renders it unlikely that they were a major motivator. What we now know

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<sup>78</sup>Timothy Snyder, *Black Earth*, p. 105; Rossino, *Hitler Strikes*, pp. 1-28, 153-226; Böhler, *Auftakt*, pp. 154-80. Tresckow's widow implied his insensitivity when reporting his (partial) knowledge of EG atrocities only, not his or the army's. Scheurig, *Tresckow*, p. 83.

<sup>79</sup>A collection of essays was recently supported by the Federal German government: Ekkehard Klaus, *Das wiedererwachte Gewissen: Konservative im Widerstand gegen den Nationalsozialismus*, (Berlin: Lukas, 2019). Klaus is indulgent on the anti-Semitism of conservative conspirators, who sought exclusion and expulsion for Germany's Jews: 'Ganz normale Deutsche. Das Judenbild des konservativen Widerstandes', pp. 97-120. In 'Preussische Soldatentradition und Widerstand: Das Potsdamer Infanterieregiment 9 zwischen dem 'Tag von Potsdam' und dem 20. Juli 1944', pp. 81-96, he absolves the 'aristocratic' regiment that spawned Tresckow, Schulenburg, and other *frondeurs*, 9th Infantry (né Prussian 1st Foot Guards). Its enthusiasm for Hitler is unremarkable, its crimes in the Soviet Union go unmentioned.

<sup>80</sup>Agnieszka Łuczak and Aleksandra Pietrowicz, *Polityczne oczyszczenie gruntu: Zagłada polskich Elit w Wielkopolsce (1939-1941)/Politische Flurbereinigung: Die Vernichtung der Polnischen Eliten in Grosspolen (1939-1941)*, (Poznań: IPN, 2009), p. 9; Sienkiewicz and Hryciuk, eds., *Atlas Ziemi*, pp. 64-65; Lehnstaedt, *Okkupation*, pp. 89, 278-79, 292; Mion and Shulani, eds., *Encyclopedia*; Tomasz Szarota, *Okupowanej Warszawy Dni Powszednie*, (Warsaw: Czytelnik, 1988); Wardzyńska, *Wysiedlenia*; Rudawski, *Grabież*, pp. 20-35.

about Tresckow in Poland in 1939 (and 1940-41) reinforces the import of his 'Soviet' experiences after the invasion. His actions that year when head of operations in AG Centre were the subject of a vehement 'Tresckow debate', which came to a head in 2010.<sup>81</sup> After seventeen contributions, many in the *Vierteljahrshefte für Zeitgeschichte*, German researchers showed that AG Centre's own massacres were ordered and reported through Tresckow's team. Field Marshal Fedor von Bock, the AG commander, and Tresckow initialled 'their' EG's death tallies.<sup>82</sup> Bizarrely, though, the dispute was silent on Soviet POWs. During Tresckow's time as its head of operations, AG Centre began killing perhaps a million of them via exhaustion, starvation, exposure, and disease.<sup>83</sup> If during the 2010 debate there was, perhaps unsurprisingly, no allusion

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<sup>81</sup>The culmination is in Manuel Becker, Holger Löttel and Christoph Studt, eds., *Der militärische Widerstand gegen Hitler im Lichte neuer Kontroversen: XXI Königswinterer Tagung der Forschungsgemeinschaft 20. Juli*, (Berlin: LIT, 2010). A summary is in Olex-Szczytowski, 'Military Opposition'.

<sup>82</sup>Notable contributions included Klaus Arnold, 'Verbrecher aus eigener Initiative? Der 20. Juli 1944 und die Thesen Christian Gerlachs', *Geschichte in Wissenschaft und Unterricht*, 1 (2002), pp. 20-3; Johannes Hürter, 'Auf dem Weg zur Militäropposition. Tresckow, Gersdorff, der Vernichtungskrieg und der Judenmord. Neue Dokumente über das Verhältnis der Heeresgruppe Mitte und der Einsatzgruppe B im Jahr 1941', *VfZ*, 3 (2004), p. 533; Felix Römer, 'Das Heeresgruppenkommando Mitte und der Vernichtungskrieg im Sommer 1941', *VfZ*, 3 (2005), pp. 451-60; Johannes Hürter and Felix Römer, 'Alte und neue Geschichtsbilder von Widerstand und Ostkrieg. Zu Hermann Graml's Beitrag 'Massenmord und Militäropposition'', *VfZ*, 2 (2006), pp. 301-22; Felix Römer, 'Im alten Deutschland wäre solcher Befehl nicht möglich gewesen'. Rezeption, Adaption und Umsetzung des Kriegsgerichtsbarkeitserlasses im Ostheer in 1941/42', *VfZ* 1 (2008), pp. 53-99; Felix Römer, *Der Kommissarbefehl: Wehrmacht und NS-Verbrechen an der Ostfront 1941/2*, (Paderborn: Schöningh, 2008), pp. 108, 335, 452-66, 561; Felix Römer, 'The Wehrmacht in the War of Ideologies: The Army and Hitler's Criminal Orders on the Eastern Front', in Alex J. Kay, Jeff Rutherford, and David Stahel, eds., *Nazi Policy on the Eastern Front: Total War, Genocide, and Radicalization*, (Rochester NY: Rochester, 2012), pp. 73-100; Johannes Hürter, 'Militäropposition und Judenmord bei der Heeresgruppe Mitte im Sommer und Herbst 1941' in Becker, Löttel and Studt, eds., *Widerstand*, pp. 135-60; Günther Gillissen, 'Tresckow und der Entschluss zum Hochverrat: Ein Nachschau zur Kontroverse über die Motive' and Johannes Hürter, 'Entgegnung auf Günther Gillissen,' *VfZ*, 3 (2010), pp. 365-89; Danny Orbach, 'Criticism reconsidered: The German Resistance to Hitler in Critical German Scholarship', *The Journal of Military History* 75 (2011), pp. 1-26.

<sup>83</sup>Christian Gerlach, 'Die Verantwortung der Wehrmachtführung: Vergleichende Betrachtungen am Beispiel der Sowjetischen Kriegsgefangenen' in Christian Hartmann, Johannes Hürter and Ulrike Jureit, eds., *Verbrechen der Wehrmacht: Bilanz einer Debatte*, (Munich: Beck, 2005), pp. 40-49. Up to 3.3 million Soviet POWs perished.

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to Poland in 1939 or later, there was also no mention of Tresckow's subsequent career. Shortly before the failed putsch of July 1944, in March 1944, while Chief of Staff in Second Army, his subordinates contributed to the deaths of up to nine thousand civilians out of over forty thousand they had herded into camps. Then, in June 1944, Tresckow signed orders for the deportation of some fifty thousand Polish and Ukrainian children for slave labour and 'germanisation'.<sup>84</sup>

### Conclusions

The academic historiography has developed, but public faith in Germany in the unalloyed virtue of the leading military *frondeurs* stays strong. Officialdom commemorates the putsch in a manner underscoring its role as psychological and political counterweight to the crimes of National Socialism.<sup>85</sup> The spirit of the 'clean *Wehrmacht*' lingers and there are differences between aspects of the official narrative and the understanding of many German and international specialists.<sup>86</sup> The prevailing tenor was seen in 2019 when a major new biography of Stauffenberg concluded that the goal of the conspirators was to preserve the power of the Reich, not to save its victims. This conclusion would be unremarkable outside Germany, but the author, Thomas Karlauf, took withering fire from some German academics and in the serious media.<sup>87</sup> Tresckow is similarly defended. His public persona remains that of decent Prussian officer, reactionary but 'not too much so'. This was seen in 2019 in the

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<sup>84</sup>Dieter Pohl, *Die Herrschaft der Wehrmacht: Deutsche Militärbesatzung und einheimische Bevölkerung in der Sowjeunion 1941-1944*, (Munich: Fischer, 2011), p. 328; Christian Gerlach, 'Männer des 20 Juli und der Krieg gegen die Sowjetunion' in Hannes Heer and Klaus Naumann, eds., *Vernichtungskrieg: Verbrechen der Wehrmacht 1941 bis 1944*, (Hamburg: Hamburger Edition, 1995), p. 139.

<sup>85</sup>Defence Ministers Ursula von der Leyen and Annegret Kramp-Karrenbauer, and Chancellor Angela Merkel, showed this in speeches in 2018-20. Memorial sites such as the *Gedenkstätte Deutscher Widerstand* in Berlin are exclusively hagiographic. Federal, *Land*, and city governments support exhibits, literature, and symposiums troubling in their historical selectivity. See Notes 55, 63, 64, and 65.

<sup>86</sup>See David Stahel, 'The Battle for Wikipedia: The New Age of 'Lost Victories'', *Journal of Slavic Military Studies*, 31, 3, (2018), pp. 396-402. Stahel reports worrying repeated alterations to Wikipedia entries revivifying the 'clean *Wehrmacht*' myth.

<sup>87</sup>Richard Evans expressed it in 'Sein wahres Gesicht', *Süddeutsche Zeitung Magazin*, 4, 21 January 2009, pp. 8-10, and was duly attacked. In *Stauffenberg: Porträt eines Attentäters*, (Munich: Blessing, 2019) Karlauf deploys Max Weber: Stauffenberg is a pragmatic *Verantwortungsethiker*, not moralising *Gesinnungsethiker*. Acerbic criticism of Karlauf is exemplified in Hans-Christoph Kraus, 'Ein zeitgemässes Bild Stauffenbergs? Bemerkungen zu einer neuen Biographie', lecture on 4 July 2019 at a symposium at the *Militärhistorisches Museum* in Dresden, supported by the premier and *Land* of Saxony.

Bundeswehr's 75th anniversary exhibition at its *Militärhistorisches Museum* in Dresden (MHM).<sup>88</sup> On 20 July 2020 Defence Minister Kramp-Karrenbauer hailed Tresckow as the opposition's 'leading military thinker'.<sup>89</sup> It remains to be seen whether the evidence-based perspectives of academic historians can come to modulate the accepted public perception.

Meanwhile, Tresckow's experiences set forth here should aid researchers further to deconstruct the *fronde* and its motivational drivers. With him, as with Stauffenberg, Schulenburg, and most others, analysts might follow Evans and Karlauf and address the overriding desire to maintain German hegemonic power in Europe.<sup>90</sup> New insights may also come from studies of the continuities between earlier events and the military culture of the Third Reich. Following on from Horne and Kramer, and Hull, German and international scholars are exploring these continuities. This entails placing the Holocaust in global context and recognising the colonial nature of the army's actions in Poland and the Soviet Union in 1939-44. Many scholars have suggested that such aspects have been underplayed in German historiography.<sup>91</sup> Another dimension to consider is legality. As we have seen, the 'clean *Wehrmacht*' trope continues to animate

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<sup>88</sup>The catalogue and related essays is Magnus Pahl and Armin Wagner, eds., *Der Führer Adolf Hitler ist Tot. Attentat und Staatstreichversuch am 20. Juli 1944*, (MHM der Bundeswehr/be.bra: Dresden, 2019). Wagner suppresses Tresckow's complicity in 1941 in 'Der 20. Juli 1944: Persönliche Annäherung- Historische Aufarbeitung-Tradition', pp. 11-17. So does the catalogue, p. 123. Pahl contends that Stauffenberg first heard of EG excesses against Jews in May 1942, forgetting the conspirator's documented experiences in 1939 in Poland and in 1941 in Soviet terrain: 'Brillant oder Dilettant? Der Offizier Stauffenberg', pp. 21-31. There is silence on the military's actions in Poland, and on the political and territorial aims of leading *frondeurs* such as Carl Friedrich Goerdeler, Ulrich von Hassell, and Adam von Trott zu Solz.

<sup>89</sup>The *Bundeswehr* runs international missions from its *Henning-von-Tresckow* base in Potsdam. Recent state-supported but one-sided works on Tresckow include Uta von Arentin, *Freiheit und Verantwortung: Henning von Tresckow im Widerstand*, (Göttingen: Wallstein, 2015), and Sigrid Grabner and Hendrik Röder, eds., *Henning von Tresckow: Ich bin der ich war*, (Berlin: Lukas, 2017).

<sup>90</sup>Evans, 'Sein wahres Gesicht'; Karlauf, *Porträt*. David Stahel in *Operation Barbarossa and Germany's Defeat in the East*, (Cambridge: Cambridge University Press, 2009), pp. 253, 388, 395, shows that by the middle of 1941 decision makers in in AG Centre and OKH were very aware that victory was not certain.

<sup>91</sup>Steffen Klävers, *Decolonizing Auschwitz? Komparativ-postkoloniale Ansätze in der Holocaustforschung*, (Berlin: DeGruyter-Oldenbourg, 2019); Jürgen Zimmerer and Michael Rothberg, 'Enttabuisiert den Vergleich!', *Die Zeit*, 14/2021, 30 March 2021; A. Dirk Moses, 23 May 2021, <https://geschichtedergegenwart.ch/der-katechismus-der-deutschen/>

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the official narrative. It may be uncomfortable for exponents to concede that Tresckow and some confrères *prima facie* committed grave crimes in Hague and Geneva terms, but that is what the record suggests.<sup>92</sup> Had he lived Tresckow would have qualified for arraignment by Allied 'Nuremberg' courts in Germany and Poland for crimes against humanity (involving civilians) and war crimes (against the military), committed directly and under command responsibility.<sup>93</sup> The changing stance of Federal German justice is also relevant. As Annette Weinke and Kerstin Hofmann have reported, for decades it was derelict in pursuing Nazi crimes. They describe how the entity through which the *Länder* still do so, *Zentrale Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen* (Ludwigsburg), was subjected to legal sabotage and court-room casuistry.<sup>94</sup> In contrast, in recent years

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<sup>92</sup>Col. Winfried Heinemann, chief of staff in 2013-16 of the *Bundeswehr* history unit *Zentrum für Militärgeschichte und Sozialwissenschaften*, believes that junior officers were ineligible for 'Nuremberg', and that circumstantial evidence did not apply: pers. comm., 12 February 2019. To the contrary, US, British, French, and Polish 'Nuremberg' courts alone tried over 8,200 Germans of all ranks upwards from army private, (SS) *Mann*, (Waffen-SS) *Schütze*, and equivalents. Paweł Machcewicz and Andrzej Paczkowski, *Wina, Kara, Polityka. Rozliczenia ze zbrodniami II wojny światowej*, (Kraków: ZnakHoryzont, 2021), pp. 109-110, 113, 115, 273-4.

<sup>93</sup>Evidence from both Poland and the Soviet theatre would have met requirements. *Law Reports of Trials of War Criminals selected and prepared by The United Nations War Crimes Commission*, (London: HMSO, 1949), XV: pp. 197-99 ('Rules of Evidence'), also 6-8, 62-63, 78, 143-47, and XI: p. 60; *Trials of the War Criminals before the Nuernberg Military Tribunals under Control Council law No. 10, October 1945- April 1949*, (Washington, DC: US Government, 1950-52), 11: pp. 689, 1286-88; Andrew Clapham, 'Issues of Complexity, Complicity, and Complementarity: From the Nuremberg trials to the dawn of the International Criminal Court', in Philippe Sands, ed., *From Nuremberg to the Hague: The Future of International Criminal Justice*, (Cambridge: Cambridge University Press, 2003), p. 55; Andrzej Paczkowski, 'Crime, Treason and Greed. The German Wartime Occupation of Poland and Polish Post-War Retributive Justice', in Magnus Brechtken, Władysław Bułhak, and Jürgen Zarusky, eds., *Political and Transitional Justice in Germany, Poland and the Soviet Union from the 1930s to the 1950s*, (Göttingen: Wallstein, 2019), pp. 143-47; Machcewicz and Paczkowski, *Wina*, pp. 42-117, 150, 241, 247-99.

<sup>94</sup>From 8 May 1960 Ludwigsburg was blocked from pursuing *Wehrmacht* and other accomplices to crimes committed in Poland before 5 December 1939, due to a Hitler-era edict plus later enactments. Annette Weinke, *Eine Gesellschaft ermittelt gegen sich selbst: Die Geschichte der Zentralen Stelle Ludwigsburg 1958-2008*, (Darmstadt: WBG, 2015), pp. 159, 168, 171; Kerstin Hofmann, 'Ein Versuch nur - immerhin ein Versuch'. *Die Zentrale Stelle in Ludwigsburg unter der Leitung von Erwin Schüle und Adalbert Rückerl (1958-1984)*, (Berlin: Metropol, 2018);

German judges have radically gained in robustness. Verdicts have been delivered in respect of people 'merely' present where killings occurred, such as low-ranking camp guards. By its standards today German jurisprudence might also have placed Tresckow and other leading military putschists in the dock.<sup>95</sup> These are, of course, hypotheticals but the conspirators have always been judged in the round. After all, Tresckow was to be chief of the German police. His co-plotter and *prima facie* multiple criminal Schulenburg was to be Minister of the Interior. These and other *frondeurs* were expecting to negotiate as political and moral equals with the administrations of President Franklin Roosevelt and Prime Minister Winston Churchill.

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<https://amthauer-rechtsanwaelte.de/die-entwicklung-der-straftverfolgung-von-ns-verbrehen/> accessed March 2021, various dates.

<sup>95</sup>In a pers. comm. on 1 April 2021 the Ludwigsburg head, *Oberstaatsanwalt* (Senior State Attorney) Thomas Will, advised that '[Today] it is [...] impossible to prove that someone was involved in a concrete crime'. [...] If at all, we can hope to charge people with complicity'. He aims to apply recent precedents to *Wehrmacht* murders of Polish and Soviet POWs, and to the EG in Poland and the Soviet Union. 'We are testing in the case of a still-living *Einsatzgruppe* member who was in today's Ukraine [...] whether [the precedents apply] to persons known to have belonged to a given *Einsatzgruppe*, in subordinate roles, without command authority, whom we cannot prove to have joined in any particular killing.'