

Mossad would constitute treason, but that seems to be his only course of action. "Wenn wir etwas für unser Land tun wollen, dann müssen wir es in diesem Fall verraten." The way he solves this conflict of bringing Eichmann to justice and not being arrested for treason himself reveals the intelligence, courage, and determination of Bauer. Therein both the drama of this movie and the merit of Bauer's life are magnified.

Paragraph 175

Paragraph 175 of the German Criminal Code (*Strafgesetzbuch*) made homosexual acts between males a crime. This provision existed uninterrupted with various redefinitions and degrees of punishment from 1871 until 1994 when it was finally eliminated from the legal code. Intertwined with Bauer's struggle to bring Nazi criminals to justice is the topic of homosexuality. We know from files of the Danish police from 1936 that Bauer admitted to homosexual contacts, yet in this movie he appears quasi asexual.

It is the fictional character of his young assistant Staatsanwalt Karl Angermann (played by Ronald Zehrfeld) who brings this potent ingredient into the dramatic mix. Angermann, who has been married for two years and has no children yet, makes the acquaintance of a supposedly female character while defending a man accused of a homosexual affair. It turns out that this female is a transgender male, and Angermann falls for the allure of this heavily sexualized nightclub singer.

Despite the warnings of Bauer to break it off after their first encounter, Angermann continues the affair, only to be blackmailed by a BKA man with explicit photos of their intimate encounter. The BKA wants Angermann to reveal Bauer's contacts with the Mossad so that his enemies can charge him with treason. Angermann is forced to decide between his own jail time combined with public humiliation on the one hand and the arrest of Bauer and the end of Bauer's fearless anti-Nazi crusade on the other hand.

Since Angermann is a fictional character, this conflict superbly externalizes Bauer's own vulnerabilities and his own dilemma in confronting the German people with the truth about the Nazi past. The courage that Angermann displays is the courage that Bauer had when he undertook his path for a more just, free, and tolerant society, a courage that aligns him with people like Georg Elser, Dietrich Bonhoeffer, Claus von Stauffenberg, Hans and Sophie Scholl, and all the others who in resisting the Nazis became the moral cornerstones of the new post-war Germany.



Burghart Klaussner as Fritz Bauer

(The resemblance between Klaussner and Bauer is extraordinary.)

THE GERMAN SOCIETY OF PENNSYLVANIA

Friday Film Fest Series



Der Staat gegen Fritz Bauer

By Lars Kraume

April 7, 2017

• 6:30 PM •

Film, Food & Discussion

The German Society of PA

611 Spring Garden St.

215-627-2332

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Der Staat gegen Fritz Bauer

Director:	Lars Kraume
Screenplay:	Lars Kraume, Olivier Guez
Producer:	Thomas Kufus
Camera:	Jens Harant
Music:	Christoph M. Kaiser, Julian Maas
Production:	Zero One Film, Terz Film, WDR, HR, Arte
Length:	105 Minutes
Cast:	Burghart Klaussner – Generalstaatsanwalt Fritz Bauer Ronald Zehrfeld – Staatsanwalt Karl Angermann Jörg Schüttauf – Paul Gebhardt Sebastian Blomberg – Ulrich Kreidler Michael Schenk – Adolf Eichmann Götz Schubert – Georg August Zinn
Commentary:	Karl Moehlmann



“Deutschland ist heute stolz auf sein Wirtschaftswunder, es ist auch stolz, die Heimat Goethes und Beethovens zu sein, aber Deutschland ist auch das Land Hitlers, Eichmanns und ihrer vielen Spießgesellen und Mitläufer. Wie aber der Tag aus Tag und Nacht besteht, hat auch die Geschichte eines jeden Volkes ihre Licht- und Schattenseiten. Ich glaube, dass die junge Generation in Deutschland bereit ist, die ganze Geschichte, die ganze Wahrheit zu erfahren, die zu bewältigen ihren Eltern allerdings mitunter schwer fällt.” - Generalstaatsanwalt Fritz Bauer (1958)

Fritz Bauer (1903 – 1968)



Born in Stuttgart in 1903 to Jewish parents, Fritz Bauer studied business and law at the Universities of Heidelberg, Munich, and Tübingen. After having joined the SPD early in his life, Bauer was, along with Kurt Schumacher, one of the leaders of the local Reichsbanner chapter in Stuttgart in the early 1930s. When a plan to organize a general strike against the Nazis in Stuttgart failed in May 1933, Schumacher and Bauer were arrested and taken to the Heuberg concentration camp.

While Schumacher remained defiant and incarcerated for twelve years until 1945, the young and largely unknown Bauer was released after he signed his submission to the Nazis in an open letter (*Treuebekennen einstiger Sozialdemokraten*). In 1935, Bauer emigrated to Denmark and later to Sweden where he remained during the Second World War. He returned to Germany in 1949 and once more entered the civil service in the justice system.

After becoming District Attorney in Braunschweig, in 1956 he was appointed to the office of District Attorney of Hessen (based in Frankfurt) by Governor Georg August Zinn. He held this position until his death in 1968. His relentless drive to bring surviving Nazi perpetrators to justice may go back to his decision to sign

that open letter of submission after his arrest. He would confess later: “Ich habe mir das nie verziehen. Der Schumacher unterwarf sich nicht. Man darf sich der Tyrannie niemals beugen, niemals.”

During his lifetime, Bauer's name was mainly associated with the *Auschwitz Trial* of 1963, where for the first time since the Nuremberg Trials of 1945-46 the Nazi past and atrocities were addressed. (The 2014 movie *Labyrinth of Lies* includes Bauer's role in this important judicial event.) The fact that Bauer was instrumental in garnering the intelligence that helped find Eichmann in Argentina and thus brought him to trial and justice in Israel was not known until ten years after his death. This movie is designed to fill that gap.

Fritz Bauer gegen den Staat

When in the late 1950s Bauer receives a letter from Argentina alluding to the presence of Adolf Eichmann in that country, he sees a historic opportunity to bring Eichmann to trial in Germany. Such a trial would end twelve years of inactivity, disinterest and even opposition to the pursuit of Nazi criminals like Bormann, Mengele und Eichmann. This opposition ranged from disappearing files from his own office (“Meine eigene Behörde ist Feindesland”) to active surveillance by the official investigating offices like the BKA (*Bundeskriminalamt*), the BND (*Bundesnachrichtendienst*) and the *Verfassungsschutz*.

“Es gibt keine Ermittlungsbehörde, die nicht durchsetzt ist mit Nazis”, claims Bauer. He also mentions former SS-commander Schneider who works *gemäßigt* for Mercedes-Benz in Stuttgart. But the reluctance and opposition to a relentless pursuit of Nazi criminals may go far beyond the above mentioned institutions. It may touch the office and government of Konrad Adenauer itself and the interests of the US occupation powers at the time of the intensifying Cold War.

“Eichmann würde Namen nennen, vielleicht sogar den von Staatssekretär Hans Globke”. Globke worked in the Kanzleramt of Konrad Adenauer and was considered his right hand man. But he was known for his positive judicial commentary on the *Nürnberger Rassegesetze* (1935), and he could be potentially linked to Eichmann's transportation and organization of the Holocaust. If Globke falls, then the Adenauer administration could have a problem, and if Adenauer has a problem, then the US administration has a problem.

So beginning in Bonn and ranging all the way to Washington, there seems to be no appetite for an Eichmann trial in Germany. By the same token, the German people themselves are more interested in establishing normal lives again and enjoying the material comforts of the *Wirtschaftswunder* instead of confronting their haunting past. As has so often been the case in German history, the restoration has gained the upper hand over the revolution and thus preempted the establishment of a new and more just society.

It is against this backdrop of institutional opposition and public disinterest in the late 1950s that Fritz Bauer decides to continue his pursuit of Eichmann. He aims to find a second source that would confirm Eichmann's presence and address in Argentina and bring him to justice. Turning over the intelligence to the Israeli