

## INTERPRETATION AT THE NUREMBERG TRIAL

**It is often argued that the first War Crimes Trial (Nuremberg Trial) could not have been possible without simultaneous interpretation. This notwithstanding, Nuremberg interpreters have been consistently ignored in the historical record. This paper seeks to do justice to the language personnel of the Nuremberg Trial, by presenting the people who brought interpretation to the Trial, the court interpreters themselves, and the effect that interpretation was perceived to have on the proceedings. For this paper I draw on historical official and unofficial documents of the Nuremberg Trial deposited in major national archives, as well as on personal communication with 12 interpreters who worked at the Trial in Nuremberg between 1945 and 1946.**

### Introduction

After more than 50 years, the War Crime Trials, known generally as the Nuremberg Trials,<sup>1</sup> still have a powerful hold on people's imaginations, and have been the object of continuous study by historians, legal scholars and political scientists. Recently, the creation of International Military Tribunals has called renewed attention to the historical, legal, and political legacy of the Nuremberg Trials. On November 20, 1945, at the Main War Crimes Trial, the world's attention focused on the crowded Nuremberg courtroom, where, for the first time, war criminals were tried in front of an International Military Tribunal. One feature that made this trial even more peculiar was something hardly ever seen before: simultaneous interpretation. The Main War Crimes Trial (1945-1946) was an interpreted trial, the first major international event in which simultaneous interpretation was used. The world marveled

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<sup>1</sup> For general information about the Main Nuremberg Trial (1945-1946) I refer the reader to two excellent volumes (Tusa & Tusa 1983; Persico 1994).

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at the novelty of a system which allowed defendants, counsel, prosecution and judges to speak to each other while speaking different languages.

The interpreting system attracted a lot of attention from the media, and was often referred to as what struck people's imaginations most about the trial (Tusa & Tusa 1983: 218; Bardèche 1948: 29). But despite the immediate and fleeting interest that simultaneous interpreting raised in 1945, surprisingly little is known about its system, its organization and its people. As Mr. Alfred G. Steer, Head of Translation Division at the Nuremberg Trial, says in a letter to the author,

You are quite right in expressing incredulity that we did not include a complete description of the simultaneous multi-lingual interpreting system in the first volume of the printed Nurnberg record. Why none of us then thought of it I cannot now imagine (1998, October 22).

The importance and impact of interpretation on the trial never received much attention by historians, legal scholars, journalists, and biographers. Historical documents about the Nuremberg Trial only mention simultaneous interpreting on the side, among the many other technical requirements or details of the trial (Shawcross 1969: 120). Hardly anyone seemed to notice that simultaneous interpretation was not just a technicality of the trial; few realized that interpretation not only made the trial possible at all, but it also affected the way the proceedings were carried out.

This paper seeks to do justice to the interpreters of the Nuremberg Trial. Because a few articles have been published about the workings of the interpretation inside the Nuremberg courtroom (Bowen & Bowen 1985; Ramler 1988; Skuncke 1989; Skinner & Carson 1990; Koch 1992), I here present material that is less known and which was drawn from unpublished historical documents in archives around the world. I focus on pre-trial arrangements, including the difficult decision to use simultaneous interpretation at the trial, and the tasks of procuring equipment and training interpreters. I interweave historical and archival data about the system with information about the lives and experiences of

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interpreters who worked at the trial, most of which I collected from personal communications with Nuremberg interpreters and personnel. The emphasis of this first part of the paper will be on the *people* who made interpretation at Nuremberg possible, rather than on the system itself.<sup>2</sup> Finally, I discuss the impact of interpretation on the proceedings and the way defendants used it or were affected by it.

### Pre-trial arrangements

The decision to carry out the Main War Crimes Trial in four languages (German, French, Russian and English) generated concern and anxiety about how the participants in the trial would communicate with each other. At pre-trial meetings during the summer of 1945, organizers were aware of the potential that the trial become “a farce in four languages” (“The Chalice,” 1945: 26). American Prosecutor Justice Jackson, whose delegation had assumed responsibility for many technical and logistics aspects of the trial, was vexed by the issue:

I think there is no problem that has given me as much trouble and as much discouragement as this problem of trying to conduct a trial in four languages. I think this has the greatest danger from the point of view of the impression this trial will make upon the public. Unless this problem is solved, the trial will be such a confusion of tongues that it will be ridiculous, and I fear ridicule more than hate (International Military Tribunal 1945, Oct. 29: 16).

The obvious need for translation spurred the organizers of the trial to investigate existing interpreting methods, as used for example at the League of Nations Headquarters in Geneva. While there is no consensus among authors about how and when simultaneous interpreting was first used before the Nuremberg Trial (IBM, n.d.; “Telephonic Interpretation,” 1946: 2-

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<sup>2</sup> For a complete description of the simultaneous interpreting system at the Nuremberg Trial, see my volume *The origins of simultaneous interpretation: The Nuremberg Trial* (Ottawa: The University of Ottawa Press 1998).

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4; Kaminker 1955: 11-12; van Hoof 1962: 19; Herbert 1978; Lederer 1981: 16; Skuncke 1989: 7; Gaskin 1990: 43; Bourgain 1991: 18; AIIC 1992; Morris 1997), members of the Nuremberg court were dissatisfied with the techniques they observed at different international organizations (Dostert, n.d.: 1; Steer 1992: 229). They found that existing methods would not be appropriate for the Nuremberg Trial: for example, both consecutive interpreting and what I call “successive simultaneous interpretation”<sup>3</sup> would slow down proceeding unbearably, while the Charter of the Trial called for an expeditious process (Charter of the International Military Tribunal, in Baird, ed. 1972: 15-17); most importantly, these techniques would give the defendants with knowledge of more languages the chance to prepare their answers. Finally, the simultaneous reading of pretranslated texts was not a viable option in some parts of the trial, given the extempore nature of many speech occurrences in a Tribunal. In the historical record about the Nuremberg Trial, I found no mention that organizers of the trial witnessed simultaneous interpretation in Geneva or at other international gatherings. Thus, when Colonel Léon Dostert from Washington, D. C., informed court members of a system of simultaneous interpretation, and when the world laid eyes on it on the first day of the trial, it was hailed as a revolution in the field of interpreting and multi-language communication.

Léon Dostert has been credited with bringing simultaneous interpretation to the Nuremberg trial. Born in France, Dostert studied languages and linguistics at the Georgetown University, and served as interpreter for Eisenhower during the war (McDonald 1967). At the end of WW II, Dostert was responsible for language services in US foreign affairs, and suggested that a similar system to the one used at Geneva could be used at the Nuremberg Trial (William Jackson to Secretary of State 1945; Horsky 1995; Persico 1994). According

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<sup>3</sup> With this technique, all interpreters take consecutive notes during the original speech. At the end of the speech, one interpreter takes the stand and interprets into his/her assigned language, while other interpreters simultaneously interpret into other languages from their notes from the interpreting booths. With this technique, all interpretations are consecutive to the original but are simultaneous with each other (Dostert, n.d.: 1).

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to Peter Uiberall, interpreter and monitor<sup>4</sup> at the Nuremberg Trial, “it was Dostert who was convinced that the existing apparatus, with some modification, could be used for *spontaneous, immediate* interpretation” (Uiberall 1995, Feb. 11).

But his suggestion was not immediately welcomed. The delegations of France, Great Britain and the Soviet Union expressed concern and disbelief that a person could listen, translate and speak at the same time, especially when translating extempore speech (Chief Prosecutors 1945). André Kaminker, Interpreter in Chief of the French Delegation and one of the most famous interpreters at the time, declared simultaneous interpretation inappropriate for a trial because the speakers would not be able to check the accuracy of the translation, as they can with consecutive interpretation (Kaminker 1955). Kaminker suggested the use of what I have called “successive simultaneous interpretation” (International Military Tribunal 1945, Oct. 29). The American delegation suggested instead using as few witnesses as possible in order to minimize the need for simultaneous interpretation, and increasing the use of documentary evidence which could be translated beforehand (International Military Tribunal 1945, Oct. 29).

Despite these concerns, at pre-trial meetings, Americans more or less imposed their view that simultaneous interpreting was the best option for the Nuremberg Trial, and the decision was taken to find equipment and personnel for its functioning.

### **The interpreting equipment and personnel**

Because IBM has installed similar equipment at Geneva, the American delegation contacted IBM for the supply of the Nuremberg interpreting equipment, including headphones, cables, amplifiers and microphones (Anderson 1945). Supplied at no cost, six crates of equipment landed in Nuremberg three weeks before the beginning of the Trial, scheduled for November 20, 1945. Because the *Justizpalast* was still being restored at great effort—part of the

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<sup>4</sup> In the courtroom, monitors would check the accuracy of interpretation. They would signal the speakers to slow down when they spoke too fast, and would request a recess to substitute a failing interpreter.

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courtroom floor had collapsed three stories into the basement during early restoration—a provisional installation of the interpreting equipment was made in the attic of the courtroom.

Dostert, who in the meantime had been appointed Head of the Translation Division and Chief Interpreter, insisted that the equipment be installed as quickly as possible, so that interpreters could be tested and trained. In the United States, government and military offices were instructed to recruit personnel with knowledge of foreign languages (Record of Telephone Conference, 1945). Finding the job too difficult, the War Department handed the task over to the State Department (Horsky 1945; War Department 1945), who outlined the following plan: France and the Soviet Union would provide personnel for interpreting, translation and court reporting into French and Russian respectively. The United States and Great Britain would share the responsibility for English and German (Chief Prosecutors 1945, Aug. 31).

Even though France, Great Britain and the Soviet Union committed themselves to the plan (Chief Prosecutors 1945, Aug. 31), they faced more difficulties in recruiting personnel than the US did, undoubtedly because of the hardships they were facing in post-war times. Interestingly, concerned that France and the Soviet Union would fail to supply language personnel, the American delegation envisaged two alternatives: a waiver of the four language requirement, after which each prosecuting team would present their case in their language with sole interpretation into German for the use of the defendants; and a two-language trial conducted by the US and Great Britain in English and German (William Jackson to Secretary of State 1945). The issue of interpretation created tensions among the delegations, and 22 days before the beginning of the trial, Americans were the only ones conducting pre-trial interrogations. While the British chose not to interrogate, the French and the Russians simply did not have enough interpreters (Tusa & Tusa 1983).

People who applied for the interpreting/translating job at the Pentagon in Washington, D. C., were put through a language test. They were tested for language knowledge in a variety of fields. If selected, candidates were sent to Nuremberg, where they were tested for simultaneous interpreting skills in mock trial situations. Some were professional consecutive interpreters, while others had no previous experience of translation or interpretation. Not

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surprisingly, only few were selected for the simultaneous interpreting positions, many were hired as pre-trial consecutive interpreters and document translators, and finally those with no useful knowledge were relegated to an area called “Siberia,” where they performed menial tasks before being shipped to their home countries (Persico 1994).

Selected interpreters were then trained in mock trial situations, using the previous day’s transcripts of the trial once it started. Because of the urgent need for interpreters and the high turnover, training standards were later relaxed and some interpreters, such as Elisabeth Heyward, remember receiving no training at all (Heyward 1995, April 14).

Elisabeth Heyward worked at Agence France Press in Paris at the beginning of the Trial, where she was interviewed and recruited as an English into French interpreter for Nuremberg. Ms. Heyward recalls going into the visitor’s gallery on the day she arrived in Nuremberg, and being astonished at simultaneous interpreting, which she had never seen before. The next day, in the booth, she discovered that despite the initial difficulty she could translate simultaneously. After the trial, Ms. Heyward became a free-lance interpreter and was hired by the United Nations, where she worked until her retirement in 1981 (AIIC 1992; Heyward 1995, April 14; Heyward 1995, May 1).

Edith Simon Coliver heard of the upcoming trials through the newspapers and applied to the US War Department, where she was tested and hired for Nuremberg as a consecutive interpreter (German-English) for pre-trial interrogations. She was then trained in Nuremberg as a simultaneous interpreter. Ms. Coliver had already worked as a translator under Léon Dostert at the first UN conference in San Francisco in the summer of 1945 (Coliver 1995).

The US War Department invited linguist and interpreter Haakon Chevalier to join the interpreting team for the War Crimes Trial in Nuremberg (Chevalier 1965). Chevalier, of French and US dual nationality, had worked as an interpreter at the International Labor Organization in Philadelphia in 1944, and at the first meeting of the United Nations in San Francisco in 1945, upon invitation of the French government. He was one of the few experienced interpreters who worked at the Nuremberg Trial. Chevalier stayed in Nuremberg until May 1946, during which time he also co-authored a glossary of legal terms for the use of interpreters. He left before the end of the trial, but was soon after recruited by Dostert to

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launch simultaneous interpretation at the United Nations. Chevalier felt that his experience with simultaneous interpretation would help Dostert overcome the resistance of old-guard consecutive interpreters, who were opposing the introduction of the new technique (Chevalier 1965).

Interpreters were also recruited by the US delegation in Europe, especially in Belgium and Holland, at the Paris Telephone Exchange, and obviously at the only existing school for interpreters at the time, the University of Geneva. Patricia Jordan, court interpreter at the Nuremberg Trial, remembers that Lieutenants Peter Uiberall and Joachim von Zastrow, both monitors at the trial, were scouring the universities for talented interpreters. Ms. Jordan had received her degree in interpretation in Geneva in six months, but the technique of simultaneous interpretation was wholly unfamiliar to her. In Nuremberg, where she found other Geneva graduates, such as Frederick Treidell and Stefan Horn, she spent a week in the courtroom listening to and familiarizing herself with the proceedings, after which she was instated as a simultaneous interpreter for French into English. Ms. Jordan remained in Nuremberg until the end of the first trial, when the Chief Interpreter of UNESCO hired her for the new Paris-based organization (Jordan, 1997, March 14).

Most interpreters preferred to interpret into their mother tongue from a foreign language, though administrators found that the best result was had when interpreters interpret from their mother tongue (Persico 1994). Wolfe Frank, a German émigré to England, for example, translated German into English, and was unanimously considered one of the best interpreters of the trial. His use of both German and English were considered to be outstanding (Tusa & Tusa 1983: 219) and he stayed on to become Chief Interpreter during the Subsequent Proceedings (1946-1947).

Recruiting for the interpreting booths became a constant concern before and throughout the trial. At any given moment during the trial, 36 simultaneous interpreters, all specializing in different languages, had to be available. The interpreting system featured three teams of interpreters, two of which were present in the courtroom while the third had the day off. In the courtroom, the two teams would alternate at the microphones every 90 minutes. Each team was composed of 12 interpreters, three at each language desk. At the



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Russian desk, for example, the English-Russian, French-Russian and German-Russian interpreters would alternate at the microphone according to the language spoken at the moment. Interpreters translated into one language only, with no relay system (Dostert, n.d.; Uiberall, “Court Interpreting,” 1995).

Recruiting and training also had to keep up with the large turnover of language personnel, which, according to Steer, Head of the Translation Division, topped 100% during the course of the trial. People hired by the Translation Division by the US delegation often were on 90-day appointments, after which they had to return to their jobs in the United States. Others found the strain of simultaneous interpretation and of the subject matter too hard to deal with, and gave up their jobs as interpreters and were sometimes employed as translators or reviewers. Finally, as mentioned, even before the end of the trial, many interpreters left for other, more permanent jobs with newly created organizations such as the Un and UNESCO.

### **The impact of interpretation on the proceedings**

As mentioned before, all delegations were concerned that the system of interpretation would not work, and also felt awkward using it because of their unfamiliarity with it (International Military Tribunal 1945, Oct. 29). A number of dress rehearsals were held before the beginning of the trial to iron out technical hitches and give trial participants an idea of how to conduct an interpreted trial (International Military Tribunal 1945, Oct. 29; Schmidt 1946; Steer 1992: 237). While the dress rehearsals confirmed the viability of the interpreting system, a number of issues surfaced throughout the trial which reminded people of the “different” nature of his trial. Complaints about technical problems, participants tripping over the cables and sending the whole courtroom into silence were frequent occurrences, but they are less interesting to us scholars than the comments about the impact of interpretation on the trial as a communicative event.

As Morris (1989) and Berk-Seligson (1990) argue, court interpretation affects court proceedings in a variety of ways. For example, it affects the control that lawyers have over

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the pace and rhythm of interrogation. At the Nuremberg Trial, some lawyers complained that interpretation affected the speed of their cross-examination, and did not allow them to dictate the speed of interrogation (Gründler & von Manikowsky 1969: 134). Especially with defendants/witnesses who spoke the original language, the delay gave them more time to think about their answer. American Prosecutor Justice Jackson was eager to blame simultaneous interpretation for his failure in cross-examining Hermann Göring. After the cross-examination Jackson bitterly complained that

[Göring] could always get time to get his speech ready. You couldn't stop him. He knew English, could understand the question, and while they were interpreting it for him he already had the question from me, and was getting his answer ready (Gerhardt 1958: 397).

Jackson was correct in his appraisal that Göring understood English quite well. The transcripts of the proceedings show that Göring adopted a successful strategy to make the Prosecutor lose his temper. He would argue that the German translation was either inaudible or inadequate, so that the lengthy question had to be reformulated (International Military Tribunal 1947, 9: 419-420). At other times, Göring would argue that the translation into German was inadequate but that he was able to answer all the same (International Military Tribunal 1947, 9: 419-420). His knowledge of both English and German gave him an advantage over Jackson, and was at the basis of the famous “translation mistake.” Jackson introduced a document to prove the German intention to free the Rhineland early in 1935, but unfortunately for Jackson, the original German text read “*Freimachung des Rheins*.” During the court session, Göring insisted that the document had been mistranslated, and that “*Freimachund des Rheins*” meant “clearing of the Rhine”—the river—and not “liberation of the Rhineland” (International Military Tribunal 1947, 9: 419-420). Jackson was left with no choice but to withdraw the document from the evidence.<sup>5</sup>

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<sup>5</sup> In fairness to the interpreter, the translation read “liberation of the Rhine” and it was Jackson—or someone of his staff—who mistook Rhine for Rhineland. Following the court session,

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Göring also commented on a serious weakness of the interpreting system, the double translation. German documents that had been translated into English for use of the Prosecution were now translated simultaneously back into German in the courtroom. Paradoxically, during his cross-examination Göring was given the original German text, while the English-German interpreter was not. After the second translation, the text was obviously slightly different from the original, and Göring claimed that interpreters were twisting his words to make them sound more incriminating:

That quotation has not been translated by the interpreter as it is written down here in the original. The interpreter who is translating your words into German is using many strong expressions which are not contained in this document (International Military Tribunal 1947, 9: 419-420).

This quotation by Göring also points to another interesting way in which court interpretation may affect proceedings. Interpreters “can alter the pragmatic intent of an utterance” (Berk-Seligson 1990: 97), which, in a court of law, is how lawyers construct accusations and allocate blame (Schmid and Fiedler 1996; Berk-Seligson 1990: 99). Intentionality and blame are attributed not only by explicitly *saying* something, but also in the ways in which things are said (Schmid & Fiedler 1996). Powerful vs. powerless speech styles in the courtroom (O’Barr 1982) affect the way in which speakers are perceived in terms of honesty and credibility. Berk-Seligson (1990) argues that interpreters may affect testimony by altering the pragmatic intent of speech or by rendering powerful speech with powerless speech and vice versa.

During the course of the Nuremberg proceedings it is possible that the interpreters impacted on the style of testimony (powerful/powerless), and on the pragmatic intent of the

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Jackson complained to Dostert about the text, and Dostert defended the interpreter claiming that “liberation” was an acceptable translation for “*Freimachung*.” It should also be added that suspicion was raised by the fact that, in a list of seemingly ordinary preparations for war, “*Freimachung des Rheins*” was the only entry in inverted commas.

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speakers' utterances. Many interpreters at Nuremberg were inexperienced translators and interpreters, and only a few had experimented with the technique of simultaneous interpretation. While Berk-Selingson bases her research on accurate transcriptions of courtroom proceedings, the same is not possible for the Nuremberg trial. There are no surviving records of the exact translations that the court heard. Only the verbatim recording has been preserved (Official Sound Recording), and the official transcripts in German, English, Russian and French, which were taken down short-hand in the courtroom, are polished and edited versions of the translations performed in the courtroom.

Thus, we have to rely on second-hand information to find out how interpretation affected testimony at Nuremberg. Alfred Steer and Elisabeth Heyward, for example, remember two interpreters who refused to translate what they considered the derogatory and filthy language of the witnesses, and gave a "polished" version of what had been said (Gaskin 1990: 41; Heyward 1992), thus altering the impact of testimony. Complaints were also raised when powerful speeches by generals were translated by soft-spoken interpreters (Birkett in Hyde 1964: 521; Persico 1994: 263), or when educated German speech was translated into slang American English (Persico 1994: 263), also diminishing the impact and credibility of testimony.

Finally, Hans Fritzsche, one of the defendants, commented extensively on the impact of interpretation on the proceedings. Realizing that the syntactic structure of German makes it less suitable to simultaneous interpretation, he wrote notes to his fellow defendants urging them to use simple, short sentences in their testimony to ensure a more accurate translation. According to his memoirs, many speakers did not follow his suggestions:

Many a time I have wrung my hands in despair while a German counsel or witness, seeing the yellow flashes, would with the best of intentions pause in the middle of a sentence, a proceeding not to the slightest service to the interpreter, who was still waiting eagerly for the verb. Often a guard would signal to me to be quiet as I tried, instinctively, to stop with a gesture some compatriot who had over-shot the one and only point at which a pause could

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make sense to his foreign audience. Because of this weakness, essential parts of various German arguments were entirely lost in translation and never came up for discussion at all (Fritzsche 1953: 83).

### Conclusion

Comments such as these are powerful commentaries of the Nuremberg Trial, and are important reminders of the interpreted nature of the trial. It seems anomalous therefore that this aspect has raised little interest and scholarly concern among trial participants and among scholars of the Nuremberg Trial. In this paper I have tried to redress this anomaly by presenting the people who organized simultaneous interpretation at Nuremberg, some of the personnel of the Nuremberg Interpreting Division, and finally the testimony of some who perceived that interpretation affected the proceedings. It has been my intent to draw attention to the interpreted nature of the trial, and to give recognition to the Nuremberg interpreters, too often ignored by historians, without whom the trial could not have taken place.

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