

A war crime in Pietermaritzburg¹

‘**D**eath For All The Chief Nazi War Criminals’ declared the front page headline of *The Natal Witness* on Wednesday, October 2, 1946, above a report on the outcome of the Nuremberg Trials that followed World War II. Photographs of the condemned men – among them Herman Goering, Joachim von Ribbentrop, Julius Streicher, Martin Borman, and Rudolf Hess – filled the page. Twelve were sentenced to death while others were given prison sentences and in some cases acquitted.

‘The dramatic climax of the longest trial in history’² dominated the newspaper again the next day but Friday saw *The Witness* lead with a war crimes trial much closer to home.

On the previous day, standing in the dock of Pietermaritzburg’s Supreme Court still wearing their faded Afrika

Corps uniforms, Walter Werner and Paul Wallatt were sentenced to five years’ hard labour for murdering a fellow prisoner, Helmuth Haensel, at the Durban Road POW Camp in June 1942. Mitigating circumstances saw them narrowly avoid the death penalty.

The two men and their victim were among the 6 800 German prisoners of war (POWs) that passed through South Africa during World War II, held in transit camps prior to being sent on to Canada.

Unlike the 100 000 Italian POWs that were held in South Africa, the Germans presented a major challenge. While the Italians were largely uncommitted to fascism and posed no threat to South Africa’s security, the Germans were a different story. They were front-line soldiers and as Bob Moore, Professor of Modern History at the University

of Sheffield, points out in *Unwanted Guests in Troubled Times: German Prisoners of War in the Union of South Africa, 1942–1943*, were ‘potentially the most dangerous elements among the prisoners. Moreover, at the time of their capture, the fate of the war in Europe still hung in the balance. Many of them firmly believed that they could continue the war behind barbed wire by making it as difficult as possible for their captors, even thousands of miles from the front.’³

In South Africa there was the added risk German POWs would be actively assisted in such endeavours. The country had come into the war only on the strength of a seven-vote parliamentary majority and ‘given the substantial opposition to the war inside the country, considerable pro-German sentiment among certain Afrikaner elements, and the experiences of World War I and the Afrikaner rebellion of 1914, the decision to accept responsibility for German captives was finely calculated.’⁴ While some thought a German victory might pave the way for an Afrikaner-dominated South African republic and were content to await such an outcome, ‘radical Afrikaner groups as the *Ossewabrandwag* and its paramilitary wing *Stormjaers* ... might be expected to exploit the situation.’⁵ An additional factor in Natal was the presence of tight-knit German-speaking communities living close to Durban and Pietermaritzburg.

In June 1940 when the British Home Defence (Security) Executive had approached the Dominions with regard to accepting German prisoners of war and civilian internees, Canada and Australia offered to take both categories while South Africa, mindful

of internal tensions, agreed to take prisoners but not internees. This option was taken up in 1941 when Italy’s entry into the war and subsequent defeats in North Africa and Abyssinia generated thousands of prisoners and consequently ‘many thousands of Italians were shipped from Suez and Abyssinia to Durban’.⁶ By the late summer of 1943, South Africa had become ‘the detaining power for up to one hundred thousand Italian prisoners’.⁷

In January 1942 South Africa was ‘asked to accommodate German prisoners of war, albeit only while they were in transit to permanent camps in Canada’.⁸ South African Prime Minister Jan Smuts agreed on the basis they would only be in the country for a short time. ‘In some respects, Smuts’s agreement to allow in battle-hardened frontline German soldiers still represented a gamble as South Africa was a huge country and the soldiers available to him for internal security were small in number and not always of the highest quality.’⁹ Germany was actively involved in propaganda campaigns and espionage in the country and in ‘February 1942, the South African Legation in Washington had warned Smuts about the possibility of a German-inspired coup in the Union’.¹⁰

On March 5, 1942, the South African authorities were asked ‘to take two thousand men immediately and then further batches up to a total of three hundred officers and ten thousand other ranks’.¹¹ The numbers involved made accommodation in the existing transit camp in Clairwood, Durban, impractical and so a new site was established just outside Pietermaritzburg on the road to

Durban, where prisoners would be housed in tents.

The first batch of German prisoners arrived in Durban on March 18 aboard the *HMT Pasteur* and by April 10, 1942, there were 2 002 German prisoners in Pietermaritzburg. 'For the most part, they were the expected battle-hardened Afrika Korps veterans from frontline units, many of whom had been confined in transit camps in Egypt for several months. Unlike their Italian counterparts, these men were also highly politicised and committed to the Nazi cause. In other words, both their experiences in captivity and their ideological commitment served to make them less than docile and eager to cause as much trouble as possible for their captors.'¹²

Security concerns dictated the German officers be moved as quickly as possible and nearly all of these prisoners – 200 officers and 1 795 men – were embarked on the *SS Nieuw Amsterdam* at Durban on April 29 bound for Simonstown, where they were transhipped onto the *HMT Queen Elizabeth* for the voyage to Canada. However, two officers did not go. Major Eberhard von Luepke¹³ and Leutnant Joachim von Grawert had concealed themselves under the floor of the camp's music pavilion with the intention of escaping after all the others had left. Their plans were, however, foiled when the camp was repopulated almost immediately with nearly two thousand ordinary German soldiers and non-commissioned officers. In accordance with the Geneva Convention these were allowed to appoint a camp representative. According to Moore this 'paved the way for a prominent or forceful individual to take control of

affairs, in this case Gefreiter Walther Werner'.¹⁴

As far as the authorities were concerned, Werner seemed an ideal choice. He spoke perfect English and had submitted a favourable report to the delegate of the International Committee of the Red Cross, the Reverend H. P. Junod, who had inspected the camp in May. 'His report, although marked by the usual guarded language employed by the ICRC, did convey a positive impression of the camp and its facilities. The location was said to be in 'one of the most agreeable parts of South Africa' and the German prisoners well equipped. Prisoners were housed eight to ten per tent, were given straw mattresses, and had the services of two doctors. The prisoners were given aid by the *Deutsches Hilfsverein* in Johannesburg and complained only that they were short of tooth powder, razor blades, shaving soap and warm clothes. The report concluded that 'The general impression made by the German section is good. On the day of the visit the prisoners were taking exercise in the sun, some of them were playing football, others chess or cards and they all seemed to be in very good health.'¹⁵

But the good relationship between guards and inmates was about to sour. 'From the beginning, the Germans had been keen to cause trouble,' says Moore. 'During April, two prisoners escaped by hiding on the night soil truck that entered and left their compound. Three others also managed to break through the wire and escape although both groups were apparently recaptured.'¹⁶

There were stone-throwing incidents, arc lamps were broken and all privileges were stopped until the

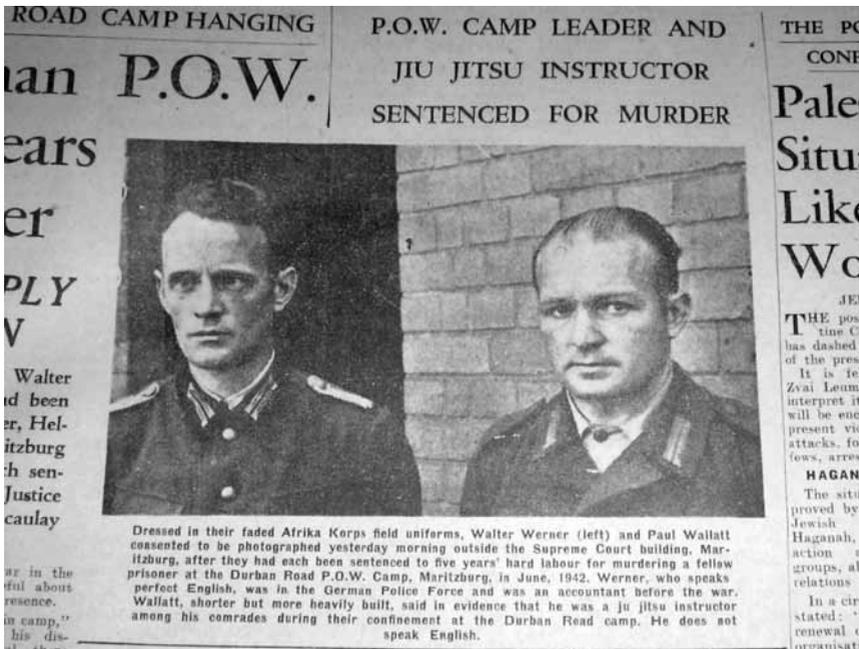
culprits were produced. Stones were also thrown at the Indian and Malay Corps guarding the camp. The Germans resented being guarded by non-white troops and a letter of complaint from Werner was, according to the camp commander, 'full of contempt and scorn for our native soldiers' and that 'the Germans resent being guarded by native troops' and were outraged when he took the word of a 'few natives' against that of the prisoners.¹⁷

Werner had become a liability. 'It is my opinion that this POW is definitely an agitator and in the interests of the smooth running of the Camp, I consider it advisable, if possible, to have him transferred.'¹⁸ This was written in July 1942. Unknown to the camp commander Werner had, in June, been involved in the death

of a German soldier, the 29-year-old Helmuth Haensel.

Haensel arrived in Durban on March 25, 1942, and, along with a thousand other men, was sent to the camp in Pietermaritzburg. 'In early May, he was sent back to Durban for onward shipment to Canada via *HMT Queen Elizabeth*, then berthed in Simonstown,' writes Moore. 'Somehow, he managed to hide in the transport ship *HMT Nieuw Amsterdam* and was discovered only on 7 May, after the *Queen Elizabeth* had departed. Taken back to Pietermaritzburg suffering from pneumonia, he was held in the camp hospital until being discharged on 6 June.'¹⁹

The German POWs suspected Haensel was a British spy and it was thought he might betray the presence



Walter Werner (left) and Paul Wallatt at the Pietermaritzburg Supreme Court on October 4, 1946, after being sentenced to five years' hard labour for the murder of Helmuth Haensel, a fellow prisoner, at the Durban Road POW Camp in June 1942. Photo: The Natal Witness

of the two officers, Von Luepke and Von Grawert. As we have seen, the new influx of POWs had prevented their escape and they had subsequently been discovered by Werner when he was busy getting the camp organised. He agreed to help them escape in exchange for being promoted to a Sonderführer.

Prior to the war Werner had been an accountant. He subsequently joined the German Police Force and claimed to have been a Gestapo agent. Werner's regime in the camp reflected the methods of the German security services. 'In a camp short of food, hunger was used as a means of coercion and reward,' says Moore. 'Stealing food was then punished by public or private beatings, the former seen by hundreds of witnesses. Potential rivals for leadership positions were marginalised and discredited by Werner and his circle of associates. At the same time, he personally enjoyed a "party-boss" lifestyle. He lived in a special room, ate only the best food available, smoked constantly, and even succeeded in providing himself with alcohol. Under Werner's regime of terror, the two officers began to assert an increasing role. Two men were constantly posted to their hiding place, so Von Luepke and Von Grawert could move freely without upsetting the numerical total in the camp. The officers began to make plans, not only for their own escape, but also for mass break-outs and subsequent attacks on the Durban-Pietermaritzburg railway line and the occupation of Pietermaritzburg itself.'²⁰

Haensel was seen as a threat to these plans. For reasons unknown Haensel was generally disliked. After his release from the camp hospital

the guards noticed that Haensel was 'not popular with the crowd'²¹ and transferred him to the detention pen. The camp commander refused to countenance such a step and ordered his release

According to Moore, Haensel had enjoyed a strange military career. 'The son of a Czech father and German mother, he had spent most of his life in France and Italy. When his passport ran out in 1941, he was instructed by the German consulate to report to Berlin for military service as an interpreter. Arriving in Tripoli, he was considered suspect by his unit, the 15th Panzer Division, for not being a party member and expressing "friendly views" about the English. For this, he had served forty-two days in detention, but he was also suspected of sabotage when, on the day of his unit's capture, he had failed to blow up a truck as ordered.'²²

A few hours after his release from the detention pen Haensel was found dead, 'hanging in a music pavilion in Cage 6. A note was attached to his body claiming he had been accused by a fellow prisoner of being an English spy at a camp in Cairo.'²³

Giving judgment at the trial four years later, Mr Justice Carlisle said, 'Opinion among the prisoners appeared to have been that Haensel was looked upon as a spy, as a traitor, and as a British agent.'²⁴ Carlisle was unable to verify if this was the truth.

Werner had been ordered to ensure the presence of the two officers be kept secret, said Carlisle. 'On the morning of June 6 [Werner] was sent for and found both officers in his tent. He was told that the prisoner Haensel was a source of danger and that if Haensel had been sent as a spy it might lead to the discovery of the two officers.'

Major von Luepke said he intended to ascertain the truth of these rumours by calling before him such men in the camp in a position to depose what they knew about Haensel.²⁵

‘These men were brought in and were told by Von Luepke that they were to give evidence on oath as they did in Germany; that they were not to report hearsay statements, but to confine their statements to what they personally knew. Werner said that Von Luepke told the men that they would have to repeat their evidence in Germany when they went back there. The conclusion of the matter was that Von Luepke gave his decision. It was that, on his responsibility, and by his order, Haensel should be executed that night. He ordered Werner to carry out the sentence that evening and to get men to assist him.

‘That evening Haensel was brought into the music pavilion in accordance with Major von Luepke’s instructions. Luepke was not there. Those present were Lieut. von Kravert, the two accused and some others. Haensel was overpowered, gagged, and throttled. His body was hanged by his neck to a tent pole. All the arrangements for this atrocious deed were made by Werner.²⁶

This included the idea of making Haensel’s murder look like a suicide with a hand-written note attached to his body.

Haensel’s body was soon found by the authorities who, it seems, did not suspect foul play. The murder only came to light after the end of the war in 1945 when a German prisoner in Canada, Hans Karrell, implicated Werner and others, claiming to have been an eyewitness to a kangaroo court and to the ‘execution’ that followed.

Karrell turned informant after discovering that ‘Werner had become camp leader of a lumber camp in Canada and had even been featured in the Canadian press as an avowed anti-Nazi and democrat.’²⁷ Karrell resented Werner ingratiating himself with the authorities and thus smoothing his reintegration into the new Germany under Allied control.

Werner and one of his accomplices, Paul Wallatt,²⁸ were brought back from Canada to stand trial in Pietermaritzburg. Both men were convicted of murder and sentenced to five years’ hard labour. The extenuating circumstances that averted the death penalty revolved around the defence that the two were acting under orders in wartime, though there were questions about the legitimacy of those orders.

In 1947 an appeal ‘on a question of law’ regarding the case was heard in *Rex v. Werner and Another* by the Appellate Division in Bloemfontein. The judgment – a seminal one in South African law – handed down by C.J. Watermeyer, J.A. Tindall, and J.A. Greenberg agreed that the mitigating circumstances justified a sentence of imprisonment but found the orders issued by the officers were manifestly illegal.²⁹ The two officers, Von Luepke and Von Grawert, who issued those orders succeeded in escaping from the Durban Road camp some time in August 1942. How exactly is not known. They were recaptured at Ndumo on August 23, returned to the camp and subsequently sent to the United States.³⁰ Werner and Wallatt served one year of their sentence in South Africa before being returned to Germany where, as was standard practice with repatriated prisoners, the remainder of their sentences was remitted.



The grave of Helmuth Haensel in Mountain Rise cemetery. Photo: The Witness

POSTSCRIPT

Following publication of the articles on which this essay is based in *The Witness* on 24 and 25 November 2008, I received an e-mail dated 5 December from Ryan Werner, who identified himself as the grandson of Walter Werner and asked if I had ‘any more information regarding Mr Walter Werner’s life? It would be greatly appreciated if you could let me know.’

I responded saying that all I knew about his grandfather had been obtained from the articles in *The Natal Witness* at the time of the trial and the paper by Bob Moore. I also asked if he knew any more concerning his grandfather following his repatriation to Germany. This was the reply: ‘Unfortunately I do not know anything about him. All I know is that he died at the young age of 49 (10 days before his 50th birthday). He had a stroke and had his head strapped down in the

hospital bed and drowned in his own vomit.’

Given the possibilities for deception granted by the Internet, there must remain an element of doubt around this e-mail correspondence. One thing is for certain though: there are two German POWs buried in Block E of the Mountain Rise cemetery in Pietermaritzburg. One is 22-year-old Carl Xavier, who died in the POW hospital of infective endocarditis on 2 November 1942. Next to him is the grave of Helmut Haensel. The cause of death recorded in the cemetery’s burial register: ‘Asphyxia (due) to hanging’.

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NOTES AND REFERENCES

- 1 This essay is an extended version of two articles headlined ‘Murderous Intentions’ and ‘Killing a fellow prisoner’ published in *The Witness* on 24 and 25 November 2008. As will become clear both articles and essay

- rely heavily on the paper 'Unwanted Guests in Troubled Times: German Prisoners of War in the Union of South Africa, 1942 – 1943' by Bob Moore published in the *Journal for Military History of the American Society for Military History*, Volume 70, Number 1, January 2006, pp. 63-90. Website: www.smh-hq.org. Acknowledgement must also be made to Robert Stuart-Hill, who first drew *The Witness's* attention to the 'Rex vs Werner and Another' judgment from 1947 which spurred me to research further.
- 2 *The Natal Witness*, October 3, 1946, p.1.
 - 3 Moore, p.89.
 - 4 *Ibid.*, p.66.
 - 5 *Ibid.*, pp.66-67.
 - 6 *Ibid.*, p.68.
 - 7 *Ibid.*
 - 8 *Ibid.*, p.66.
 - 9 *Ibid.*, p.69.
 - 10 *Ibid.*, p.69.
 - 11 *Ibid.*, p.69.
 - 12 *Ibid.*, p.73. There had already been trouble on the voyage to Durban aboard *HMT Pasteur*. See Moore pp.73-75.
 - 13 Several different forms of this officer's surname exist 'including Luebbke, Luebke, and Lupke. The small number of German officers transferred to South Africa makes it unlikely that more than one man was involved.' Moore, note, p. 81.
 - 14 Moore, p.78.
 - 15 Report on Visit to Durban Road Camp, Natal by H. P. Junod, 28–29 May 1942, p. 3, BTS 9/55/1/1B Vol. 1, South African National Archives (SANA). Quoted in Moore, p.77.
 - 16 *Ibid.*, p.78.
 - 17 Report, Commander Pietermaritzburg Camp to Officer Commanding Troops, Oribi Camp, 17 July 1942, File 548, Box 100, AGPOW, SANDFA. Quoted in Moore p.78-79.
 - 18 Officer Commanding Pietermaritzburg Camp to Adjutant-General, 23 July 1942, File 523, Box 98, AGPOW, SANDFA. Quoted in Moore p.79.
 - 19 *Ibid.*, p.79.
 - 20 *Ibid.*, p.82.
 - 21 Memorandum, Attorney-General Pietermaritzburg, 14 August 1945, BTS 9/39 German POWs, SANA. Quoted in Moore, p.79.
 - 22 *Ibid.*, pp.79-80.
 - 23 *Ibid.*, p.79.
 - 24 *The Natal Witness*, 4 October 1946, p.1.
 - 25 *Ibid.* *The Natal Witness* used the spelling Von Lubke. I have retained Moore's preferred version of the name. See note 13.
 - 26 *The Natal Witness*, 4 October 1946, p.1.
 - 27 Moore, p.80.
 - 28 According to *The Natal Witness*, 4 October 1946 p.1, Wallatt was a 'ju jitsu instructor among his comrades during their confinement at the Durban Road Camp' and did not speak English.
 - 29 The judgment can be found on the website of the International Committee of the Red Cross at <http://www.icrc.ch/ihl-nat.nsf/39a82e2ca42b52974125673e00508144/eb71b7f31aaf3380c1256afb0036970d!OpenDocument>, where the following summary is given: The appellants had been German prisoners of war detained in a camp in South Africa. They were convicted by the trial judge for the murder of another prisoner of war suspected of spying. The homicide had been ordered by a German officer hiding in the prisoner-of-war camp. Superior orders and compulsion were cited on appeal but the appeal court rejected both. Superior orders had been rejected by the trial judge as a defence on the grounds that the order was manifestly illegal and thus offered no excuse. The appeal court held that the superior orders defence would not have been available even if the order had not been obviously illegal. The accused were not legally bound to obey the orders of the German officer, since the officer had no authority to give orders under South African law, which was applicable under the circumstances. Under Article 45 of the 1929 Geneva Convention relative to the treatment of prisoners of war, prisoners are subject to the laws, regulations and orders in force in the armed forces of the detaining power. The defence of compulsion was rejected since the killing of an innocent person is never legally justifiable by compulsion or necessity under South African law.
 - 30 There were other escapes by Germans from the Durban Road camp. 'For example, there (are) thick files on a prisoner shot and seriously wounded at Pietermaritzburg on 5 May 1943. The man had gone too close to the fence to see (Vichy French) Indo-Chinese prisoners in the next compound and had not retreated when ordered to do so by the sentry. Evidence in favour of the sentry had been given by the then camp leader, Bekker, and no further action was taken. The following month another prisoner was shot trying to escape from a train at Booth Junction, en route from Mkondeni to Durban.' Moore, p.83.