

THE LOGIC OF NAZIFICATION: THE CASE OF THE INTERNATIONAL CRIMINAL POLICE COMMISSION ("INTERPOL")**

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ABSTRACT

The evolution of the International Criminal Police Commission (ICPC), the police organization today known as Interpol, is investigated in the period when the organization came under control of the Nazi regime and when, at roughly the same time, the Federal Bureau of Investigation (FBI) became the Commission's official U.S. representative. Confronting some of the prior historical literature on Interpol, this article draws out the conflicting motives of Nazi police and FBI in participating in the same international organization. It is argued that the nazification of the ICPC occurred in two strategic stages: from seeking influence in the organization to acquiring control of it. Although the infiltration of the ICPC by Nazi police officials was realized in these stages, in practical terms, it never went beyond presenting an illusion of continuity in international police cooperation. It is concluded that theoretical models of nazification should consider the rationality and purposive orientation of its direction as well as its complex dynamics and historically variable determinants.

Keywords: Nazism, international police cooperation, Interpol, FBI.

Introduction

This article provides an analysis of the nazification of the International Criminal Police Commission (ICPC), the organization today known as Interpol, against the background of the American participation in the Commission by the Federal Bureau of Investigation (FBI). Although the sociology of nazism has made very

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important progress in recent years, especially with respect to the study of popular support for Nazism and the reception of the holocaust (Baldwin 1990; Brustein and Falter 1994; Brustein 1996), the nazification of the ICPC has not yet received due attention. Of all historical antecedents of international police cooperation today, Interpol may surely count among the most relevant and most discussed. However, several writings devoted to uncovering the past of the police organization offer very shaky interpretations and are more critical of Interpol than the presented evidence can support (e.g., Garrison 1976; Greilsamer 1986; Meldal-Johnsen and Young 1979; Schwitters 1978). Relatedly, there is considerable disagreement in the literature about the course of the ICPC since the Nazis took control. Some commentators have suggested that the Commission no longer functioned after the "*Anschluss*" of Austria in March 1938 (Fooner 1989:40; Lee 1976:19), others argue that the Commission was effectively used to advance Nazi goals (Garrison 1976:79; Stiebler 1981:33).

Because of the possible influences of the gruesome Nazi regime in the International Criminal Police Commission and the many misconceptions about it, this analysis relies largely on original data, which was collected as part of a larger project on the history of international policing (Deflem 2000, forthcoming). Available evidence indicates that during the 1930s and early 1940s, German and U.S. police representatives in the ICPC were on a collision course in a quest for control under conditions of anticipated and actual warfare. Nazi police infiltrated the ICPC from 1935 onwards, and by 1941, finalization of the nazification of the international police organization was symbolized by the transfer of the Commission's headquarters to Berlin. The FBI was invited to become a member of the ICPC since the mid-1930s and formally joined the Commission in 1938 as the congressionally sanctioned representative of the United States. The motives of Nazi police and FBI to participate in the ICPC were, of course, highly antagonistic and of a very different ideological character. In fact, by the time Nazi police had taken control of the international police organization, the FBI leadership decided to discontinue participation.

In order to rectify some of the misinterpretations that have been advanced on the Nazi take-over of the ICPC, this paper will provide an account of the various relevant factors that determined the course and outcome of the ICPC from the mid-1930s until the end of the Second World War. I will first describe how the FBI became a member of the ICPC at roughly the same time as when German participation in the Commission was affected more and more by the Nazi seizure of power. The next section discusses the confrontation between FBI and Nazi police as coexistent members of the ICPC and the implications thereof in terms of investigative work and international cooperation. Then a sociological model is presented which can account for the dynamics of the Nazi involvement in the ICPC. Taking my cues from recent sociological scholarship on the expansion of the Nazi movement, institutional nazification can be conceived of as either the manifestation of a preconceived, novel, and coherent Nazi ideology (Brustein 1996, 1997)

or as a more *ad hoc* and opportunistic process (Anheier 1997). I will argue that there were strategic shifts in a well-directed nazification of the ICPC. This process of nazification also depended on changing historical conditions, especially world-political and military developments before and during World War II, but nazification of the ICPC always remained in tune with the broader goals of Nazi rule, especially in matters of foreign policy. Applied insights may offer realism in analyzing some of the more problematic aspects in the history of Interpol. More broadly, this study offers insights into the historical antecedents of international police practices—many dimensions of which have been analyzed (e.g., McDonald 1997; Nadelmann 1993; Sheptycki 1998).

Interpol before World War II: FBI and Nazi Police join the ICPC

The International Criminal Police Commission was founded in 1923 in Vienna, Austria, with the goal of forging international cooperation of criminal police (Deflem 2000).¹ Between 1923 and 1938, the Commission held fourteen international meetings in various European countries and steadily elaborated the organization's organizational structures. The ICPC was set up (and Interpol operates until this day) as an international cooperative network of national police institutions. Also set up were systems for international telegraphic and radio communications, while a regularly published periodical transmitted relevant information among the member-states. Over the years, the ICPC membership gradually expanded. By 1940, the Commission represented more than 40 states, including most European powers (e.g., France, Germany, and Italy) as well as some non-European countries, such as Bolivia, Iran, and Cuba.

In May 1934, Antonio Pizzuto of the Italian Federal Police proposed that the ICPC presidency should permanently reside with the Vienna Police Directorate. The motion was carried and the Police President of Vienna, Michael Skubl, became the new ICPC President. The new appointment procedure for the ICPC presidency was confirmed few months later at the organization's meeting in Vienna. The gathering paved the way for the eventual Nazi infiltration of the ICPC.

The FBI Entry in the ICPC

Although there were some communications from the ICPC to the FBI in the 1920s and early 1930s, it was not until 1935 that the FBI was invited to participate in the Commission, when FBI Director J. Edgar Hoover approved a Bureau representative to attend the ICPC meeting in Copenhagen.² The American presence at the Copenhagen meeting did not immediately lead the FBI to join the ICPC, but the Bureau did pass on information on fugitives—on at least seven occasions between 1935 and 1937—to the ICPC headquarters for publication in the periodical FBI to join the ICPC, but the Bureau did pass on information on fugitives—on at least

seven occasions between 1935 and 1937—to the ICPC headquarters for publication in the periodical *International Public Safety* (FBI 1/11, 26-32, 2/32-36). A more formal initiative for the FBI to join the Commission was first taken in 1936 when FBI Director Hoover was invited to attend the next ICPC meeting. Hoover replied that he could not attend because of "official duties in Washington" (1/17), but the following year FBI Assistant Director Lester attended the ICPC meeting in London (2/37,49). Upon his return, Lester advised that the United States should become a permanent member of the ICPC, and Hoover approved of the plan. On June 10, 1938, President Roosevelt enacted a bill that authorized the Attorney General to oversee U.S. membership in the ICPC.

In December 1938, Hoover again declined because of "official duties" to attend the next ICPC meeting, which was planned to be held in Berlin in 1939 (5/186x). The Berlin meeting, however, was first postponed, and then cancelled. In June 1940, the FBI received an ICPC circular letter with the notice that Reinhard Heydrich, the Chief of the German Security Police, had accepted the presidency of the Commission (5/196x2). A little over a year later, on December 4, 1941, Hoover issued an FBI memorandum stating it was "desired that in the future no communications be addressed to the International Criminal Police Commission" (5/201x).

The Invasion of the Swastika

When Adolf Hitler had been appointed to the German Chancellorship in January 1933, the National Socialist party sought to establish dictatorial rule by implementing the so-called "*Gleichschaltung*," the Nazi policy that was aimed at bringing Germany's social institutions in line with Nazi ideology. Nazification included, most importantly, the control of labor and politics, the manipulation of public opinion, the passing of nationalist laws, and the control of bureaucratic institutions, including law enforcement (Fischer 1995:278-284; Thamer 1996). In the case of police, nazification was a remarkably smooth process, consisting of three strategies: the removal of unwanted personnel; the establishment of organizational connections between existing German police agencies and relevant NSDAP organs such as the *Schutzstaffel* (Protective Squadron) or SS; and centralization and nationalization of German police institutions (Browder 1990; Gellately 1992). In June 1936, the completion of this nazification process was symbolized by the appointment of Heinrich Himmler to the post of *Reichsführer-SS und Chef der deutschen Polizei* (Reich Leader SS and Chief of the German Police).

Nazi police officials did not participate in the ICPC until the 11th meeting in Copenhagen in 1935. Most of the German participants at the Copenhagen meeting, Arthur Nebe, Hans Palitzsch, Karl Zindel, Wolf von Helldorf, and Kurt Daluege, were not only members of a thoroughly nazified German police, they were among its main architects. Most notably, *SS-Gruppenführer* Kurt Daluege headed the *Ordnungspolizei*, the Nazi police division that would rise to infamy

because of its involvement in mass executions in the German occupied territories in Eastern Europe. At the next meeting in Belgrade, all resolutions passed unanimously, except those that involved cooperation with the League of Nations, from which the Germans abstained. The German delegates noted that Germany was not a member of the League and said to rely on "a statement delivered by their *Führer*" (AfK 1936:91). At the 13th ICPC meeting in London in 1937, implications of the Nazi take-over in Germany were becoming clear to the Commission membership. Although no Nazi police attended the London meeting, the Commission there reached certain decisions which were anything but detrimental to secure the Nazi influence in the ICPC. In particular, it was decided that the function of the ICPC President would reside until 1942 with the President of the Federal Police in Vienna (AfK 1937).

On March 12, 1938, German troops invaded Austria. At noon that day, the President of the ICPC, Michael Skubl, was called to the building of the Austrian federal chancellery where he was told that Himmler demanded his resignation. Skubl was arrested and imprisoned until Allied Forces freed him in 1945 (Greilsamer 1986:46-47). With the annexation of Austria, nothing would prevent the Nazis from taking full control of the ICPC. By implication of the appointment procedure of the ICPC presidency decided upon in London, the Nazi-approved President of the police at Vienna, Otto Steinhäusl, became the new ICPC President in April 1938. Not only was Steinhäusl's loyalty to Nazi Germany secure, the Germans also reckoned he would be but an interim figure, as he was known to suffer from tuberculosis (Bresler 1992:50-51). The first meeting under Steinhäusl's Presidency, in Bucharest in 1938, produced only one unanimous decision: that the next meeting was to be held in Berlin. A preliminary program for the Berlin meeting was drafted—a copy has survived in the FBI files on Interpol (FBI 5/179x)—but, as noted, the meeting was canceled.

Following the death of Steinhäusl in June 1940, Secretary General Dressler sent a report to all ICPC members which specified that he and other police, including Nazi officials Nebe and Zindel, had decided "to request the Chief of the German Security Police" to accept the Presidency of the ICPC (FBI 5/197). Reportedly, twenty-seven police officials representing 15 states consented with the suggestion (Jeschke 1971:119). Because this was less than two-thirds of the total ICPC membership, the countries that could not be addressed were not counted and those that had abstained were considered as not voting against the motion, so that, the Nazi-controlled ICPC leadership reasoned, the necessary majority was reached. In a circular letter of August 24, 1940, Reinhard Heydrich declared—in a manner all too characteristically familiar of Nazi officialdom—that he had been informed that his candidacy as ICPC Presidency had "passed unanimously." Heydrich continued that he would "lead the Commission into a new and successful future" and that the ICPC headquarters would "from now on be located in Berlin" (5/198x).

American Perceptions of a Nazified World Police

Since it was several months after the *Anschluss* of Austria in June 1938 that the FBI formally joined the Commission, it could lead to the conclusion that the FBI willingly and consciously joined the ICPC when the organization was already under Nazi control. Some secondary studies on the ICPC have defended such unfounded interpretations (e.g., Greilsamer 1986:55-63; Meldal-Johnsen and Young 1979:49-52; Schwitters 1978:25-26). To reach a more balanced conclusion, attention should be paid to the increasing awareness among FBI officials of the growing Nazi influence in the ICPC.

From Hesitation to Awareness

Ever since the FBI was first contacted about the ICPC, the Bureau judged membership in the Commission as a technical matter on the basis of nationally benefits, for instance, the control of federal crimes, for which the FBI was responsible. It was as a consequence of these practical concerns that the FBI did not contemplate in the years before 1937 the Nazi presence in the ICPC, which at that time was in fact relatively unpronounced. Although the FBI representative at the London meeting in 1937 had witnessed certain politically charged animosities between the European delegates, a more pressing matter for the Bureau was the cost of membership. Once Hoover had managed to get the necessary budget amendment approved, the procedural requirements to have the matter congressionally sanctioned took up so much time that when the appropriate bills were entered in Congress (April and May 1938) and enacted by President Roosevelt (June 1938), Nazi Germany had already annexed Austria and the ICPC Presidency was placed with the Austrian Nazi Steinhäusl.

From 1938 onwards, the FBI leadership gradually became aware of the Nazi presence. In March 1939, the German question was explicitly brought up by the State Department's Division of International Conferences, which contacted the FBI to ask if "the German government intended to foster the International Crime Commission [sic], [and] whether it had taken over control of the same." Hoover initially responded that the ICPC was an "independent entity" but soon agreed that the ICPC had assumed a "distinctly Austro-German atmosphere" which was judged "the principal objection to joining the Commission" (5/162, 184x).

From Awareness to Confrontation

Antagonisms began to mount between the FBI and the ICPC, first because of certain measures the ICPC suggested with respect to the use of passports, not coincidentally a matter of investigative police work. During March and April 1939, ICPC permanent reporters, Florent Louwage, Bruno Schultz, and Secretary General Dressler made requests to the FBI to send copies of all valid and canceled

forms of U.S. passports to the ICPC headquarters. The passports were to be collected in line with the ICPC resolution reached at the London meeting: the refusal of the issuance and the annulment and withdrawal of passports were accepted as appropriate police measures in the fight against international crime (AfK 1937:102). The ICPC had introduced, in other words, an important technique of policing inspired by a Nazi philosophy of "pro-active" control. Aware of the unacceptability of such measures under U.S. law, Hoover responded that individual case records concerning passports could not be transmitted, clarifying that in the United States "the punishment for criminals is indicated in the laws, and additional punishment is not imposed through the refusal of passport facilities unless there is an outstanding reason for so doing" (5/195x). In April 1940, there was a final request from the ICPC, but then communications on the matter were discontinued.

When an ICPC correspondence was sent from an address in Berlin, Germany, identified as "Am Kleinen Wannsee 16" (5/201x), the FBI leadership suggested to stop all communications with the Commission headquarters from 1941 onwards. In December 1941, three days before the Japanese bombing of Pearl Harbor, Hoover circulated the memo that no FBI communications should be sent to the ICPC "whose present location is Berlin, Germany" (5/201x). Clearly, concerns critical against the Nazi involvement in the ICPC had by now sufficiently developed that FBI participation in the Commission had become impossible.

The Path of Nazification

A gradual infiltration of the Nazi police in the ICPC is revealed in the activities of Nazi officials at the Commission's meetings, the transfer of the presidency to the Nazi-appointed head of the Austrian police, and, ultimately, Heydrich's "election" as ICPC President and the move of the International Bureau to Berlin. Analyzing these phases of the ICPC's nazification, I particularly focus on the justifications of the Nazi police for taking command of the Commission.

Strategies of Nazification, I: Influence through Participation

In the immediate years after Hitler's appointment, Nazi police officials did not seek control of the ICPC, but attempted to exert influence through participation in the organization. Mere participation, however, could very well prove beneficial for the Nazi police. The Copenhagen meeting was the first occasion where the Nazi presence in the ICPC could be felt. Shortly before the meeting, *SS-Gruppenführer* Kurt Daluege was interviewed about the ICPC for *Der Deutsche Polizeibeamte*, a police magazine published under the auspices of *Reichsführer SS* Himmler (Daluege 1935). It was the intention of the National-Socialists at the meeting, Daluege argued, to communicate their experiences and to promote the

international fight against crime, the "common enemy of every people" (p.489). Daluege furthermore emphasized the nonpolitical nature of the ICPC and attributed its success to the meetings, which, he argued, brought a "personal touch" to an otherwise "purely technical (*sachlich*)" matter (p.490). At the Copenhagen meeting, the Nazi representatives achieved some effective influence. Zindel delivered an address on the National-Socialist fight against crime, which a report in *Die Polizei* referred to as "the greatest result" of the gathering (*Die Polizei* 1935). The Commission elected Daluege as an ICPC Vice-President and a Nazi-supported plan for the creation of an "International Central Office for the Suppression of Gypsies" was taken under consideration. At the Belgrade meeting in 1936, there was growing awareness among participating police of the political sensibilities involved with the German participation. President Skubl in his opening speech to the meeting emphasized that the ICPC should serve "the cause of peace" (Leibig 1936:266). But during the discussions, the Nazi police delegates achieved relative success with their exposition on the National-Socialist principles of law enforcement. Daluege, in particular, argued for the effectiveness of the German measures on matters of "preparatory actions of serious criminals" and other dangerous acts that revealed a "criminal will" (Leibig 1936:269).

As mentioned before, Nazi police reorganization led to a centralization of the different local police institutions in Germany. By 1935, the implications of the nazification of police institutions in terms of international police activities included that all provincial and regional police were no longer allowed to entertain direct communication with foreign police (*Kriminalpolizei* 1937:22; Nebe and Fleischer 1939:166-170). Cooperation with the International Bureau in Vienna on matters of international investigation was still allowed, but all German communication to the ICPC had to originate from the central Nazi institution of criminal police, the *Reich* Criminal Police Office (RKPA). The German police could send legal documents abroad only with the approval of the Minister of the Interior, and a duplicate of all such documents had to be sent to the RKPA. Centralization of German police institutions not only involved a transfer of police powers from local to national police, but also implied that those powers were delegated to the NSDAP. Police communication with German consuls abroad on matters that concerned the "disposition and implementation of the party program of the NSDAP" were not allowed, and any exchange with NSDAP representatives abroad had to be handled through the "*Auslandsorganisation*" (Foreign Organization) of the NSDAP (*Kriminalpolizei* 1937:24-25). In other words, not only were German criminal police institutions centralized and harmonized, they were also brought under control of the Nazi Party.

At the London meeting in 1937, the ICPC Presidency was fixed for a period of five years with the President of the Federal Police of Vienna. There is no direct evidence to substantiate the claim that the decision was reached under influence of pressure by Nazi police, but it is to be noted that the resolution was reached at the suggestion of a representative of the Italian fascist police, which

was not unsympathetic to the Nazi cause. In 1936, Mussolini and Hitler had agreed on a formal treaty of alliance between Germany and Italy, and in a speech on November 1, 1936, the Duce announced the formation of an "axis" running between Rome and Berlin (Morris 1982:252). The Italian initiative for the London resolution may have been suggested by Nazi police officials at one of the international police meetings which the Italian fascist police organized in Italy during the 1930s or at a bilateral German-Italian police meeting in Germany in the same period.³

Strategies of Nazification, II: Command Through Control

The annexation of Austria left little in the way of the nazification of the ICPC. Austrian police officials were either dismissed or allowed to remain in place when considered sufficiently loyal to the Nazis. For Oskar Dressler, Secretary General of the ICPC since 1923, the consequences of the "Anschluss" provided no main obstacles. Dressler cooperated with the Nazi-appointed ICPC President and as Editor of the ICPC periodical, which contributed to the growing prominence of Nazi viewpoints. Since 1938, the renamed periodical "*Internationale Kriminalpolizei*" (*International Criminal Police*) published articles on racial inferiority and crime, praiseworthy reviews of books on racial laws, and reports concerning preventive arrests (Bresler 1992:53).

The ICPC meeting that was planned to be held in Berlin was initially postponed until some time in February 1940, but eventually canceled because of the outbreak of the war in Europe when German troops invaded Poland (National Archives, Records of the German Foreign Office 3262/E575156). Even then, Dressler wrote to FBI Director Hoover to affirm that despite the cancellation of the Berlin meeting, "the International Criminal Police Commission carries on their activities" (FBI 5/194x). The relatively intense and cordial correspondence between a nazified ICPC and the FBI in this period reveals how the Nazi regime during the late 1930s was still seeking to acquire the status as a respected nation and viable partner in international affairs. When in August 1940, Heydrich accepted the ICPC Presidency, he similarly expressed that he would continue the work of the ICPC "in the interest of the peoples (*Völker*)" (FBI 5/198x). Striking is the manner in which the Nazi rulers sought to invade existing political and bureaucratic structures in a pseudo-legal manner: Dressler's motion about Heydrich's nomination carefully pointed out that the election was in complete harmony with the ICPC statutes (Möllmann 1969:46-47).⁴

The aspiration of Nazi police to fully control the ICPC was symbolized in the take-over of the Presidency and the placement of the headquarters in the RKPA offices in Berlin (Dressler 1943:30; Werner 1942:467). The Commission's new leadership was, thus, institutionally linked the ICPC with the Nazi police structures. Even then, Nazi officials remained eager to presume continuity in the Commission's goals and activities. A 1940 report in *Die Deutsche Polizei* declared

that the ICPC had kept on functioning since the outbreak of the war in 1939, "because all the states of the Commission—except of course England and France—continue international criminal-police collaboration in the frame of this Commission" (DDP 1940:305). A 1942 article promoting the Nazi police system still declared that "despite the war, the international relationships, though often in different forms, could be maintained and furthered" (Werner 1942:467). And in a book published in 1943, Secretary General Oskar Dressler stated that no less than 21 countries—including Belgium, Switzerland, France, England, and the United States—were still cooperating with the ICPC headquarters in Berlin (Dressler 1943:69).

On June 4, 1942, ICPC President Reinhard Heydrich died and was provisionally replaced by Arthur Nebe (Dressler 1943:9, 120). A year later, Ernst Kaltenbrunner, the leader of the Austrian SS, acquired the post by virtue of his appointment as Chief of the German Security Police (DDP 1943:193). In a letter of May 29, 1943, directed to "all members" of the ICPC, Kaltenbrunner announced that he had accepted the ICPC Presidency, "conforming to the statutes (*satzungsgemäß*)" and expressed the hope that he could further the Commission's "truly great work of civilization (*Kulturwerk*)" (Dressler 1943:II, III). Later that year, Kaltenbrunner reaffirmed that he would maintain the activities of the ICPC, at least "as far as this is at all possible during the war" (National Archives, Records of the *Reich* Leader SS [hereafter: RLSS] R450/4190151). In October 1943, Kaltenbrunner once again emphasized the ICPC's "noble *Kulturwerk*" and asked "all members of the Commission" for their continued cooperation (RLSS, R450/4190151).

The Rationality of a Nazified World Police

The nazification of the International Criminal Police Commission strategically involved a shift from seeking partnership in the organization to taking control thereof. Nazification of the ICPC was practically achieved by Nazi police participants seeking to influence the Commission's agenda and by a mixture of manipulating legality and resorting to deceit in order to take control of the ICPC Presidency and headquarters. The various strategies in the nazification of the ICPC were adapted to specific needs and circumstances, mostly determined by world-political and military developments, but always fit the overall frame of National-Socialist policy. In this section, I offer a model to account for this two-staged development.

The Logic of Nazification

The strategic shift in the nazification of the ICPC generally followed the foreign policy of National-Socialist Germany, which generally implied a transformation from international participation to a quest for global control (Fischer 1995:394-

440, 473-476; Herzstein 1989). During the first phase of this "*Stufenplan*" (plan in stages), Nazi foreign policy mainly sought to abide by established diplomatic rules. To be sure, the Nazi regime had then already developed ideas about foreign occupation and conquest, in particular the expansion of German "*Lebensraum*" in Eastern Europe, but the regime at first attempted to maintain acceptability and partnership in world affairs. Even when it became clear that the Nazis actively sought to achieve hegemony on the European continent, including the destruction of France, an alliance with Great Britain was still considered feasible. But although the Nazi plans for expansion through diplomacy had proven relatively successful (most notably at the Munich conference in 1938), a shift to global domination through aggressive imperialism and war was ultimately not avoided. Signaling the beginning of this second stage, Poland was invaded in September 1939, and Great Britain and France declared war on Nazi Germany. Once Nazi troops had swept the low countries and France had fallen, Hitler's foreign policy still counted on American neutrality, but those hopes could not be maintained after the Japanese attacked Pearl Harbor.

Corresponding to Nazi foreign policy, the first episode of the ICPC's nazification entailed a strategy of influence through participation, best exemplified in the Nazi presence at the ICPC meetings from 1935 to 1938 and culminating in the planned organization of the meeting in Berlin in 1939. These seemingly innocent initiatives had the purpose of influencing the Commission's activities but also and at the same time were part of an effort to present a respectable Nazi nation and police. As late as June 1939, with tensions mounting in Europe, an invitation from Dressler to Hoover for the Berlin meeting still pleaded that the FBI Director should attend so he would become acquainted "in Germany, with an excellent Criminal Police Organization,...with a people making progress and intending to come into friendly relations to all the nations" (FBI 5/179x).

The second episode of nazification was launched when the ICPC Presidency was secured in Nazi hands (first with the Austrian Nazi Steinhäusl, then with Reinhard Heydrich) and when the headquarters were transferred to Berlin. But even then and throughout the war, there was still an eagerness on the part of the Nazi police to uphold the Commission's continuity, at least in appearance. This presentation of continuity was also reflected in the manner in which the Nazis took control of the ICPC through pseudo-legal means, a tactic often preferred by the Nazi Party in its rise to power in Germany (Thamer 1996). There was, in fact, a clear obsession among Nazi police officials to stress compliance with ICPC procedures, even if such compliance was fabricated, as when Heydrich was "elected" President of the Commission.

The purpose of nazification was tuned to specific needs but always fit the overall frame of the Nazi ideology, even those aspects of Nazi criminal justice which were racially motivated and lacked due process protection. This is not surprising considering that Nazi criminal-justice policies were partly continuations of existing measures, such as the policing of narcotics, passport forgery, as well

as political policing. German and other European police, also, were experienced in targeting Jews and other ethnic groups as special categories of criminal suspects. However in most countries (except Nazi Germany), race-related police activities were not reflected in official policies of criminal justice and could, therefore, also not formally foster international collaboration. The formalization of racial policies in Nazi Germany, thus, signaled a separation between Nazi police and the other ICPC members. The so-called "Nuremberg laws" of September 1935, stripped Jews of civil rights and citizenship and introduced a system of criminal justice that broadened the definition of crime beyond legality and legitimated police arrests based on the suspicion of a crime. Amongst other things, Nazi criminal law stipulated that every crime to which no law was immediately applicable would be punishable by a closely related law. Thus, the Nazis had replaced the principle of "*nulla poena sine lege*" (no punishment without law) with the principle of "*nullum crimen sine poena*" (no crime without punishment) (Preuss 1936:848).

The implications of the Nazi reorganization of criminal justice for the nazification of the ICPC are not altogether clear. In terms of international cooperation, the Nazi proposals on so-called "pro-active" principles of policing and punishment were not widely adopted and did not seem to influence investigative work in the various countries of the Commission. In fact, because of these issues there was mounting tension among police at the ICPC meetings from 1935 onwards. Nonetheless, the Nazis did achieve some results, such as the implementation of pro-active passport measures and the control of the ICPC Presidency with the Austrian Police. During this period, in fact, Nazi police officials organized international meetings with representatives from several European countries independently from the ICPC network.⁵

The fate of the ICPC reveals a mode of nazification which indicates that a coherent plan was reflected in different strategies of implementation, depending on pre-conceived planning in tune with National-Socialist ideology, but also responding to shifting historical conditions within an over-all masterplan of nazification. Theoretically, this process can be framed in terms of a rationalist model of nazification as the implementation of a preconceived and coherent Nazi ideology (Brustein 1996). The decisive and goal-oriented path of the nazification of the ICPC hints at a coherent and a purposely-directed plan, although its various methods, tactics, and strategic shifts reveal the historical dynamics that a rationalist explanation of nazification must also take into account. At the organizational level, a rationalist perspective adequately emphasizes a logic in the making and implementation of Nazi policies. Indeed, the manner of nazification in the case of the ICPC underscores, first and foremost, the consistency of the Nazi seizure of power in terms of its popular and institutional implications. This is reflected in the Nazis attempting to take power of the ICPC, first by seeking influence through participation, then by pursuing domination through control. Additionally, however, it is clear that the Nazi police in their involvement with the ICPC also respond-

ed to historical circumstances and tuned their plans to historical opportunities and constraints, especially the anticipation and outbreak of war. Thus, what my analysis brings forth is the value of a perspective that argues for the embeddedness of the rationality of criminal justice policy in a dynamic context of influencing factors. Distinguishing between the formation of the Nazi policy and the implementation thereof can lead to transcending a relativistic model of eclecticism of the Nazi program (Anheier 1997; Gamson 1997). In the case of the ICPC, indeed, developmental stages involved the two strategies of influence through participation and of command through control in fulfillment of materializing Nazi police ideology on an international level. This National-Socialist policy consisted of partly new, partly re-assembled fragments from a nineteenth century "rubble of ideas" (*Ideenschutt*), couched in populist terms (Thamer 1996:13). However, entirely novel or not, the policy always served as a coherent guide for the officials who accepted its legitimacy and was consistently sought to be implemented in the various Nazi and nazified institutions, as demonstrated by the gradual but consistent controlling path of the nazification of the ICPC.

Ideal and Reality of a Nazi World Police

There is considerable disagreement in the literature about the implications of the nazification of the ICPC in terms of investigative work and international cooperation. In part, this confusion is a result of the uncertain destiny of the ICPC investigative files once the Nazi regime had taken control of the organization. Most often repeated in the secondary literature is the conjecture that the ICPC files were somehow destroyed or got lost at the end of the war (e.g., Fooner 1973:21; Forrest 1955:31; Möllmann 1969:47). In the memoirs of Swedish police official, Harry Söderman, an ICPC participant before as well as after the war, there is recounted a different story. According to Söderman, Nazi police official, Karl Zindel left Berlin shortly before the fall of the city in 1945 in a car filled with ICPC files. Zindel reported to the French authorities in Stuttgart, but what then happened with the files is unclear. Some have stated that those files survived (Fooner 1973:21), others argue that they were destroyed (Meldal-Johnsen and Young 1979:80-87).

Analysis of the FBI "Interpol" files reveals a different destiny of the ICPC dossiers. At the end of the war in Europe, the FBI received a press release entitled "World Police Files Found," which stated that on August 2, 1945, U.S. army authorities had in Berlin discovered the ICPC records of 18,000 international criminals (FBI 5/end). In October 1945, the FBI leadership deemed the files not useful and recommended to take no further action (6/206). Not incompatible with the evidence from the FBI files, some commentators have claimed that part of the ICPC records were destroyed during the raids on Berlin but that some were recovered from the ruins and possibly taken to Moscow by Soviet military (Tullett 1963:30; Walther 1968:160-163). It has further been suggested that some of the Commission's documents were retrieved shortly after their discovery in Berlin

(Forrest 1955:31) or later during the blockade of the airbridge from Berlin to Paris in 1948 (Möllman 1969:49-50). Documents from the FBI "Interpol" files corroborate the recovery theory of the ICPC records. In a letter of December 4, 1945, Director Hoover was informed about "the recovery of the archives of the former Bureau at Vienna" (7/257). In May 1946, Hoover was similarly told that Florent Louwage, the first President of the ICPC after the war, had been "successful in hiding some of the records of the Commission in Germany" and had now "in his possession at Brussels the files of some 4,000 criminals" (6/228). Two years later, the FBI attaché in Paris again confirmed that "a portion of the files of the Commission" had been "recovered" (9/end).⁶

Partly because of the confusion over the fate of the ICPC files, the history of the international police organization immediately before and during World War II has been a topic of considerable controversy. Several commentators have suggested that the Commission no longer functioned after the *Anschluss* of Austria in March 1938, or that at least the nations of the free world then ceased participating in the organization (e.g., Fooner 1989:40; Lee 1976:19; Tullett 1963:27-29). Others, however, have argued that the Nazi regime took control of the ICPC with the express and consequential purpose of using the organization to further its own goals (e.g., Garrison 1976:63-85; Greilsamer 1986:45-88; Stiebler 1981:33). This debate was additionally fueled when it was discovered in the early 1970s that Paul Dickopf, President of Interpol from 1968 until 1972, had been a member of the SS until 1943, when he fled to Switzerland to work for the Office of Strategic Services, the forerunner of the CIA (Garrison 1976:66-73; Schwitters 1978:47-65). The Dickopf affair then also led to question the involvement of other police officials in the years before 1945. Especially two of the post-war Presidents of the ICPC, the Belgian, Florent Louwage and the Frenchman, Jean Nepote, were targeted because they would have collaborated with the Nazis during the war (e.g., Garrison 1976:66-69; Wiesenthal 1989:254-255).⁷ Others, however, have downplayed the role played by Louwage and other officials involved in the ICPC at the time of its nazification (Forrest 1955:24-26). Söderman (1956), for instance, described Arthur Nebe and Karl Zindel as "professional policemen,... very mild Nazis" (p.376).

In 1975, when U.S. participation in Interpol was evaluated by Congress, the famous Nazi-hunter Simon Wiesenthal declared that the ICPC had been used by the Nazis to track down fugitive criminals and force them to provide information on (fellow) Jews (Garrison 1976:79). In his memoirs, Wiesenthal repeated the allegation and also claimed that the ICPC files provided the Nazis access to the identity and whereabouts of banknote forgers, who could be coerced to produce false foreign currency in the Sachsenhausen concentration camp (Wiesenthal 1989:253-255).⁸

What the presumed continuity of the ICPC during the war actually implied from the viewpoint of international cooperation and investigative police work is not clear. Primarily, it seems, nazification of the ICPC involved a presen-

tation of continued international police work. Effective use of the ICPC headquarters to advance the nationalist agenda of Nazi rule is improbable because the files were few in number and could not be of much practical benefit, especially not relative to the extensive collections of the national police systems in the Nazi-occupied countries.⁹ Also, based on available evidence, it is unlikely that the ICPC achieved any of the Nazi-aspired continuity in investigative work or international cooperation, especially across the Atlantic (see, generally, Waite 1992). Among the few tangible achievements, the ICPC periodical, *Internationale Kriminalpolizei*, continued to be published regularly during the war years.¹⁰ Yet, the publication mostly contained general interest articles and administrative notices, all authored by Nazi police or sympathizers (among them, Nebe, Kaltenbrunner, Dressler, and Schultz). In a 1943 issue, there was detailed a list of countries that had in recent years joined the Commission. The list still included the United States. In fact, the United States was legally a member of the ICPC throughout the war, for the enactment of membership in the Commission was never reversed. That this was a mere formal matter became clear when after the fall of Nazi Germany, it was discovered that the nazi-controlled ICPC had after 1941 still forwarded about 100 wanted notices to the Federal Bureau of Investigation, an unidentified number of which had reportedly been forwarded to the FBI after the entry of the United States into the war (FBI 6/205). In the February 29, 1944 issue of the ICPC periodical, there appeared a short article on "The Gathering of Members of the ICPC, in Vienna," held from 22 to 24 November 1943 (in RLSS R450). The meeting was likely the first held since 1938, but the article does not mention any noteworthy events or decisions reached at the conference.

However, regardless of whether the ICPC served investigative purposes for the Nazi regime, what the nazification of the ICPC definitely entailed was a conscious attempt to maintain the appearance of "at least the fiction of its ongoing existence" and "the illusion of a normally functioning ICPC" (Jeschke 1971:118; Fijnaut 1997:118). The portrayed appearance of continuity in the ICPC towards the end of the war may (in anticipation of a German capitulation) also have served purposes that took into account changing historical circumstances. An official Nazi *Aktennotiz* (file memorandum) of May 2, 1944, on the "Activities of the ICPC after the War," states that it should be endeavored to have as many countries as possible participate in the Commission during its control by the Nazis, so that participation of enemy countries could be used to reach more favorable peace settlements after the war had ended (Jeschke 1971:119; Walther 1968:160-163). The remarkable continuation of the appearance of diplomacy and pseudo-legality, even when nazification had turned from participation to command, presents an interesting case of institutional impression-management that is to be attributed to the Commission's unique international character. Not an international organization perceived as a foreign threat to Nazi Germany (like the League of Nations), nor a German institution that could be taken control of with-

out foreign interference, the ICPC was a facilitating network of national police systems with German as well as foreign police united in a common cause against international crime. Acquiring control of the organization, therefore, had to involve participation of Nazi officials with police of other nations, however fabricated and imagined such collaboration would be.

Finally, it is to be noted that nazification of the ICPC was swiftly achieved, not only because of pseudo-legality, but also because novel Nazi principles of policing could be readily infused with existing police practices. After the headquarters had moved to Berlin, for instance, the ICPC search-warrant forms were altered in only one respect: the addition of the category "RASSE" (race) next to the entry "RELIGION (Dressler 1943:53). Beyond such symbolic manipulation, all that had to be done to achieve nazification of the Commission, at least organizationally, was placement of the ICPC headquarters in the Nazi criminal police, Office V of the *Reichssicherheitshauptamt*. The lack of needing any major revisions to the already existing ICPC structures in order to institutionally complete, nazification can be attributed to the fact that the international police network provided for a purposive-rational machinery that could be used by any police—loyal to whatever political purpose and ideological persuasion—that participated in, or had taken control of, the organization. This confirms the perspective that the ICPC was founded as an expert technology of crime control independent from legal and political contexts (Deflem 2000).

Conclusion

The nazification of the ICPC set Nazi police institutions on a collision course with the Commission's other members, particularly the FBI. Initially, the FBI did not join the Commission because membership in the international police network was not thought to have many practical benefits for the agency. When Director Hoover approved of FBI membership in the ICPC, he did so because he thought it would be "helpful to *us* in *our* work" (FBI 3/54, emphasis added). But once the FBI had joined the Commission in June 1938, the Bureau did not collaborate much in the international police network—in fact, less than it had before membership was approved. The reasons for this lack of cooperation may be twofold. First, the FBI had little practical need to join an international police organization because it had itself already established a vast cross-border system of policing. Especially through the FBI fingerprinting system, the Bureau had managed to expand its powers not only nationally (and financially) but also internationally. A second reason for the FBI's reluctance to collaborate in the ICPC, especially after 1940, was the growing awareness among the Bureau's leadership of the increasing influence of the Nazi presence in the Commission. And once the ICPC headquarters had been moved to Berlin, the FBI leadership was well aware of the intolerably tainted status of the ICPC and decided to terminate all communications. By then, the FBI was already intensely involved in anti-Nazi espionage activities. In May

1934, President Roosevelt had secretly ordered the FBI to launch an investigation of the American Nazi movement. The presidential order was twice renewed, before President Roosevelt publicly designated the FBI in charge of espionage and sabotage activities after the outbreak of war in Europe (Ungar 1976).

Considering the Nazi infiltration in the Commission, Nazi police officials at first sought to participate in the ICPC. In this seemingly benign way, it was sought to have Germany accepted as a viable partner in international affairs, a nation among nations. But in a second phase of nazification, the attempted control of the ICPC displays the aggressive nationalism of the Nazi dictatorship, implying the threat of imperialism and war. Thus, the case of the ICPC shows that strategically there were notable shifts in the nazification process, indicating the value of an analytical distinction between establishing and maintaining control and a dynamic perspective that conceives of nazification as a process. The Nazi take-over of the International Criminal Police Commission reveals a mode of nazification which offers support for the viewpoint that Nazi officials strategically invaded, coordinated, and controlled existing social institutions, guided by concerns that were systematically directed at implementing a policy of nationalism and global domination. Corresponding to Nazi foreign policy, the nazification of the ICPC shifted in strategy, from seeking influence through participation to striving for command through control. Strategies of nazification were also influenced by shifting conditions and opportunity structures in relation to world-political and military affairs, but in terms of goal-direction they were always attuned to Nazi ideology.

The nazification of the ICPC, moreover, was more ambivalent than the *Gleichschaltung* of German institutions (and the military conquest of enemy countries), because the Commission was an international organization with German as well as foreign participation. Indeed, explicitly built on an ideal of respect for nation-state sovereignty, the ICPC was not (and Interpol today is still not) a supranational police force, but an inter-national network for exchange and cooperation between national police institutions, with the central headquarters functioning as a facilitator of communication between the participating national systems of police (Anderson 1989:168-185). Thus, the status of the ICPC "in-between" Germany and the world not only accounted for the fact that Nazi police in an initial phase sought to influence the Commission's work more cautiously through participation, but also that imperialist nazification directed at global control was not destructive and remained deceptively committed to uphold pseudo-legality.

In sum, this analysis brings forth the value of a perspective that draws a distinction between the formation of the Nazi policy and the implementation thereof. Nazification of the International Criminal Police Commission involved strategies of influence through participation and command through controlling the fulfillment of a police ideology that was only partly new. Additionally, it is revealed that there was a continued portrayal of diplomacy and semi-legality, a

case of institutional impression-management that is attributed to the Commission's international character. If the National-Socialist cause was to be advanced in international police matters, the ICPC had to be invaded and managed, ideally with the approval of its foreign members. Of course, absent any concrete participation from the ICPC's international membership, the nazification of the ICPC was but an illusionary achievement without much if any effective consequences in terms of purported Nazi objectives. Nonetheless, in view of the relative ease with which the ICPC was subjected to nazification, the ironic consequence is that the ICPC became amenable to be politicized by whoever had control of the organization and wanted to use it to advance a particular ideology (precisely because the organization was established as an international institution independent from international political conditions). Hence, it was the very independence of the ICPC as an expert bureaucracy of criminal policing that paved the way for its nazification and attempted use for political and nationalist purposes.

NOTES

- 1 Throughout this paper, I rely on some academically oriented studies on Interpol (Anderson 1989; Fooner 1989; Greilsamer 1986; Hoeverler 1966), but I have mostly analyzed primary sources, such as documents published by the ICPC and reports of the Commission meetings (see, e.g., *Archiv für Kriminologie* [here after: AfK] 1936, 1937, 1938; *Die Deutsche Polizei* [hereafter: DDP] 1940, 1943; *Die Polizei* 1935; *Internationale Kriminalpolizeiliche Kommission* [here after: IKK] 1923, 1934; *Kriminalpolizei* 1937; Leibig 1936).
- 2 My analysis of the FBI participation in the ICPC largely relies on a collection of relevant FBI documents (see Federal Bureau of Investigation Headquarters, Washington, D.C., Freedom of Information/Privacy Acts Reading Room, Interpol files; hereafter: FBI). References to these 1,758 pages of files, mostly containing correspondence as well as some investigative materials, include the section and page number. Unless otherwise stated, all references are to the FBI "Interpol" files.
- 3 An international police meeting under Italian auspices was held in Rome shortly before the London meeting (FBI 3/90), and a German-Italian police meeting was planned for March 1936 in Berlin (RLSS 20/2525494).
- 4 A report in the SS police magazine *Die Deutsche Polizei* went further and stated that the ICPC members had "delivered the request" to Heydrich to accept the Presidency (DDP 1940). The Commission members, the report added, had also agreed that the headquarters should be moved to Germany, the country with the "best-organized and most exemplary police organization" (p.305).

- 5 One such police meeting was held in Berlin from August 30 to September 10, 1937. The meeting was attended by representatives from 15 countries (including Belgium, Brazil, Finland, The Netherlands, Japan, Uruguay, and Switzerland). Chaired by Heinrich Himmler, the meeting centered on the international fight against Bolshevism (RLSS 21/2525789). One more anti-Bolshevist police conference was organized by the Nazis in September 1938 and an additional one planned by Heydrich as late as October 1941 (Doorslaer and Verhoeyen 1986:72-74; Fijnaut 1997:120-121), but the practical implications of these meetings are not clear.
- 6 In a letter of December 4, 1945, Director Hoover was informed about "the recovery of the archives of the former Bureau at Vienna" (7/257). In May 1946, Hoover was similarly told that Florent Louwage, the first President of the ICPC after the war, had been "successful in hiding some of the records of the Commission in Germany" and had now "in his possession at Brussels the files of some 4,000 criminals" (6/228). Two years later, the FBI attaché in Paris again confirmed that "a portion of the files of the Commission" had been "recovered" (9/end).
- 7 In an FBI memorandum of September 1, 1950, certain "derogatory allegations" against Louwage are mentioned, but the memo is otherwise favorable (FBI 17/102-127). Among the few corroborated facts it can be mentioned that Louwage was (in 1943) once in touch with Arthur Nebe in Berlin in order to rescue (successfully) two Belgian police officials from Nazi captivity; he reaffirmed his position as ICPC Permanent Reporter in December 1942; and, that he was confirmed in the position when Kaltenbrunner became President of the Commission (Fijnaut 1993; IKP, September 30, 1943, in RLSS R450/4190151).
- 8 Wiesenthal and others have also claimed that the infamous conference at which Reinhard Heydrich and other Nazi officials discussed the practical aspects of the implementation of the "Final Solution" was held in the headquarters of the ICPC (Wiesenthal 1989:253). This is inaccurate. The Wannsee Conference, as the meeting has come to be known, was held on January 20, 1942, in a villa located at "Am Grossen Wannsee, No. 56-58." However, the meeting was originally planned by Heydrich to be held "on December 9, 1941, at 12:00 p.m., in the headquarters of the International Criminal Police Commission, Berlin, Am Kleinen Wannsee No. 16" (Heydrich to Luther, in Friedman 1993). The planned meeting was postponed because of the Japanese bombing of Pearl Harbor and the American entry in World War II. There is no evidence to determine whether Heydrich had scheduled the meeting in the ICPC headquarters because he conceived of the extermination of European Jewry as a matter of international criminal police.
- 9 Before the war, the ICPC headquarters contained less than 4,000 investigative

case files. And, although the number rose rather dramatically to 18,000 at war's end (FBI 5/end), it is still negligible relative to the files available to the Nazis through the occupation of Europe.

- 10 According to Bresler (1992:55-56), the periodical was published every month until April 1945. The Captured German Records at the National Archives contain an incomplete collection of *Internationale Kriminalpolizei* issues from the years 1942, 1943, and 1944. Only the German version is available (which was likely the only one printed during the war).

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