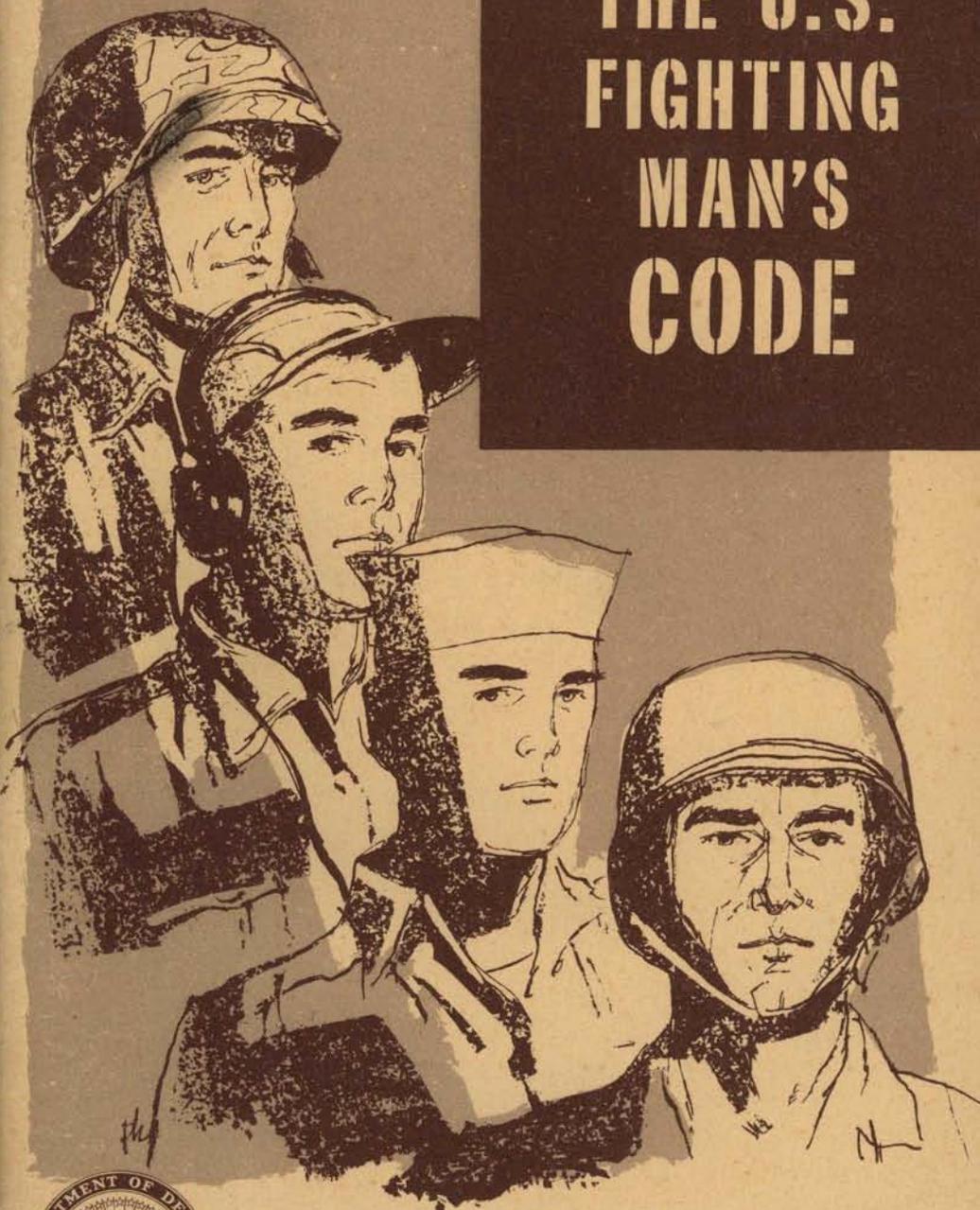


WM. S. FULTON

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THE U.S. FIGHTING MAN'S CODE



PUBLISHED BY THE OFFICE OF
ARMED FORCES INFORMATION AND EDUCATION
DEPARTMENT OF DEFENSE

**THE U. S.
FIGHTING MAN'S
CODE**

**Published by the
OFFICE OF ARMED FORCES
INFORMATION and EDUCATION
Department of Defense**

November 1955

**This publication includes the report of the
Secretary of Defense's Advisory Committee
on Prisoners of War**

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EXECUTIVE ORDER 10631

**CODE OF CONDUCT FOR MEMBERS OF THE
ARMED FORCES OF THE UNITED STATES**

By virtue of the authority vested in me as President of the United States, and as Commander-in-Chief of the Armed Forces of the United States, I hereby prescribe the Code of Conduct for Members of the Armed Forces of the United States which is attached to this order and hereby made a part thereof.

Every member of the Armed Forces of the United States is expected to measure up to the standards embodied in this Code of Conduct while he is in combat or in captivity. To ensure achievement of these standards, each member of the Armed Forces liable to capture shall be provided with specific training and instruction designed to better equip him to counter and withstand all enemy efforts against him, and shall be fully instructed as to the behavior and obligations expected of him during combat or captivity.

The Secretary of Defense (and the Secretary of the Treasury with respect to the Coast Guard except when it is serving as part of the Navy) shall take such action as is deemed necessary to implement this order and to disseminate and make the said Code known to all members of the Armed Forces of the United States.



THE WHITE HOUSE,
August 17, 1955.

In signing this order, the President said: "No American prisoner of war will be forgotten by the United States. Every available means will be employed by our government to establish contact with, to support and to obtain the release of all our prisoners of war. Furthermore, the laws of the United States provide for the support and care of dependents of members of the Armed Forces including those who become prisoners of war. I assure dependents of such prisoners that these laws will continue to provide for their welfare."

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THE DEFENSE ADVISORY COMMITTEE ON PRISONERS OF WAR

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* * * * *

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Lt. Colonel F. B. Nihart, USMC—Member.
Major Donald B. Churchman, USA—Administration.

*Died 14 August 1955



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON 25, D. C.

July 29, 1955

Defense Advisory Committee on Prisoners of War

Dear Mr. Secretary:

Your Defense Advisory Committee on Prisoners of War has been in constant session for the past two months and is pleased to submit this report of its deliberations and findings.

We are certain that many persons have expected this Committee to recommend courses of action which would be as revolutionary as the speed and techniques of the latest guided missile or jet aircraft.

However, our task deals with human beings and the Nation. We can find no basis for making recommendations other than on the principles and foundations which have made America free and strong and on the qualities which we associate with men of integrity and character. It is in this common belief that we have determined on courses of proposed action which we are convinced are best for the United States and for its position among free nations.

The Code of Conduct we recommend sets a high standard and a reasonable course for members of the Armed Forces of the future. The conscience and heart of all America are needed in the support of this Code, and the best of training that can be provided in our homes, by our schools and churches and by the Armed Forces will be required for all who undertake to live by this Code.

America no longer can afford to think in terms of a limited number of our fighting men becoming prisoners of war and in the hands of an enemy in some distant land. Modern warfare has brought the challenge to the doorstep of every citizen, and so the Code we propose may well be a Code for all Americans if the problem of survival should ever come to our own main streets.

And then too the United States must constantly be aware of her high position of world leadership, and the Code we propose must consider the standard of the Ten Commandments and of our Constitution, as well as our pledge to the United Nations.

No Code should overlook the watermarks of America's greatness or bow to the easier courses which might entrap more easily our men as alleged war criminals and weaken their fiber for the many ordeals they may face. We must bear in mind the past and future significance of the reservation made by Soviet Russia and other Communist nations to Article 85 of the Geneva Conventions of 1949 on prisoners of war.

Past history, the story of Korea and the crises which faced our prisoners of war in that conflict from capture through Operation Big Switch and after, were all carefully considered and are presented in our report. The prisoner of war situation resulting from the Korean War has received a great deal of adverse publicity. As is stated in our account, much of that adverse publicity was due to lack of information and consequent misconceptions in regard to the problem.

A few statistics may prove reassuring to anyone who thinks the Armed Forces were undermined by Communist propaganda in Korea.

A total of about 1,600,000 Americans served in the Korean War. Of the 4,428 Americans who survived Communist imprisonment, only a maximum of 192 were found chargeable with serious offenses against comrades or the United States. Or put it another way. Only 1 out of 23 American POWs was suspected of serious misconduct.

The contrast with civilian figures tells an interesting story. According to the latest F. B. I. statistics, 1 in 15 persons in the United States has been arrested and fingerprinted for the commission, or the alleged commission, of criminal acts.

When one realizes that the Armed Forces come from a cross-section of the national population, the record seems fine indeed. It seems better than that when one weighs in the balance the tremendous pressures the American POWs were under. Weighed in that balance, they cannot be found wanting.

We examined the publicly alleged divergent action taken by the Services toward prisoners repatriated from Korea. The disposition of all cases was governed by the facts and circumstances surrounding each case, and was as consistent, equitable and uniform as could be achieved by any two boards or courts. As legal steps, including appeals, are completed and in light of the uniqueness of the Korean War and the particular conditions

surrounding American prisoners of war, the appropriate Service Secretaries should make thorough reviews of all punishments awarded. This continuing review should make certain that any excessive sentences, if found to exist, are carefully considered and mitigated. This review should also take into account a comparison with sentences meted out to other prisoners for similar offenses.

In concluding, the Committee unanimously agreed that Americans require a unified and purposeful standard of conduct for our prisoners of war backed up by a first class training program. This position is also wholeheartedly supported by the concensus of opinion of all those who consulted with the Committee. From no one did we receive stronger recommendations on this point than from the former American prisoners of war in Korea—officers and enlisted men.

In taking this position and recommending this Code, it was pointed out to the Committee, and the Committee agrees, that in return America must always stand behind every American upon whom befalls prisoner of war status and spare no reasonable effort in obtaining their earliest possible release back to our side.

Sincerely,

Wenatche G. Eason
P. W. ...
Charles A. ...
Edward N. Edwards
John E. ...

...
Frank B. ...
...
...
...

The Honorable Charles E. Wilson
The Secretary of Defense



BACKGROUND

The Fortunes of War

Fighting men declare it is neither dishonorable nor heroic to be taken prisoner. In the sense that the victim does not covet it, but finds himself unable to avoid it, capture is an accident. Often, like a motor crash, it comes as complete surprise. Often, too, it is accompanied by injury. Nearly always the upshot is painful and in the end it may prove fatal. And, as is the case with many accidents, it is "bad luck."

Fighting men speak of "the fortunes of war." In combat, luck cannot smile on all participants. Some are bound to lose. The man taken captive is one of the unlucky—a Soldier of Misfortune. That can be one definition for war-prisoner.

But the prisoner is always a soldier, adversity despite. Fortune can change. In the U. S. Submarine Service there is the maxim: "Luck is where you find it." The POW must keep on searching. It may come by way of chance for rescue or chance for escape. Opportunity or luck may favor him through prisoner exchange. They also serve who only stand and wait. The Lord helps those who hustle in the meantime.

These are the views of fighting men. And of men who have been prisoners of war—those who have "had it." Their convictions, derived from experience, serve to dispel a popular fallacy—the misconception that a prisoner of war is, perforce, a hero. Conversely, they do not chalk his capture down to inferior performance. Everything depends on the individual and the circumstances involved.

Public Interests and Misconceptions

Clearly one should not generalize about POWs, lump them all into a single slot, or jump from "some to all" conclusions. Public opinion tends to settle for generalities because they are convenient. The "single slot" is easy to handle. The some-equals-all deduction, quickly arrived at, does not entail bothersome thinking. But these handy and quick devices serve to distort factuality. Misconceptions result. If, in addition, there has been misinformation or lack of information, public opinion may go far askew.

In the case of American POWs—in particular, those taken prisoner in Korea—misconceptions are abundant. For the most part they are based on erroneous generalities and some-equals-all deductions. Too, for reasons which will become

clear, the public has heretofore not been fully informed on the details necessary for balanced judgment.

Definitions were and are unclear or lacking. To begin with, just what is a prisoner of war? The man and his situation may be readily visualized. But what is his military status? What conduct is required of the prisoner in regard to enemy interrogation? What rules and regulations must he follow during confinement? What are his rights and privileges as codified by various international conventions and protocols?

What treatment may the prisoner of war expect from the "detaining power," his captors? What conditions are imposed by the so-called "laws of war?" Can a POW be tried as a war criminal? What is a war criminal?

Did the American POW in Korea face some novel and alarming menace from his Communist captors? Were nearly all prisoners tortured or "brain washed?" Did many POWs in Korea adopt Marxist doctrine? Were there hundreds of subverted turncoats, traitors, voluntary collaborators? In punishing such malefactors was there divergence in the military Services—some lenient; others "Spartan?"

On many of these and similar questions the citizen on the home front has remained largely uninformed. Too often the POW, himself, has not known the answers.

Appointment of the Defense Advisory Committee

Every war has its disturbing aftermath. There is always another side to the Victory coin. If the victory is not clearly imprinted and the war has ended in what seems a stalemate, the coin becomes suspect. In any event, there is usually a post-war inventory. If losses have been heavy and objectives obscure, the coin may seem debased.

The inventory after the War of 1812 was unpleasant. There were some rude reactions after the Spanish-American War.

In a great war, some battles are inevitably lost. Military leaders study these battles, determined to uncover mistakes, if any were made, so that errors in kind may be avoided in the future.

Correction of possible errors and the need for a unified plan for the future led the Department of Defense to examine closely the prisoner-of-war situation in Korea. The Defense Advisory Committee on Prisoners of War was organized to study the problem.

II

A BRIEF LOOK AT HISTORY

From the Beginning of Time

For a full understanding of today's prisoner of war problem, background knowledge of the past is essential. History has established precedents which provide the knowledge necessary to shed light on preparation for the future.

Primitive man and his barbarian descendant annihilated or enslaved all foemen who were captured. In time it occurred to the conqueror to hold a captured headman or leader as hostage. Such a victim was Lot. According to Scripture he was freed by the forces of Abraham—perhaps the earliest prisoner-rescue on record.

But the vanquished of the ancient world usually faced extermination. One finds in *Samuel*: "thus saith the Lord of Hosts . . . go and smite Amalek and utterly destroy all they have, and spare them not." Saul was considered disobedient because he took a few Amalekite prisoners. Six centuries later Hemocritus of Syracuse was exiled for refusing to slaughter all Athenian captives. But it seemed mankind had a conscience. In respect to humane treatment of captives, it found voice in India in the ancient Code of Manu (about 200 B. C.). The Hindu warrior was enjoined to do no injury to the defenseless or to the subdued enemy.

Less humane, the Romans sported with their war-prisoners, often using them for target practice or gladiatorial shows. Captives were tortured for public amusement. Enslaved warriors rowed Caesar's naval galleys to North Africa and Britain, and were killed when they could no longer pull an oar. "Slay, and slay on!" Germanicus ordered his Rhineland invaders. "Do not take prisoners! We will have no peace until all are destroyed." Thumbs sometimes went up for the valiant foreign gladiator or the stalwart warrior who begged no quarter. But mercy to the conquered foe was usually a whim.

Medieval Concepts

Chivalry developed in the Western World with the rise of Christian civilization, the concept of "Do Unto Others." In the Dark Ages, soldiering remained savage, but the codes of knighthood served to temper the warrior's steel. The true

knight refused to slay for slaughter's sake. Conquering, he could be merciful to a gallant opponent. His prisoner was not a plaything for sadistic entertainment.

If the chivalric code was sometimes more honored in breach than in observance, the ideal—the Golden Rule—was there. It was threatened by intolerant ideologies and the fanaticism which fosters atrocities. Cruel pogroms and religious wars bloodied Medieval Europe. The Islamic conquests were savagery untrammelled. Woe to the Unbeliever captured by the stepsons of Abu Bekr! But even as it clashed with the sword, the scimitar acquired tempering. Possessed of his own code, the Moslem warrior could appreciate gallantry.

The knight was called upon to assume the obligations of *noblesse oblige*. Warrior or liegeman, facing battle, was pledged to remain true to his king or cause, even if captured. Under any circumstance treason would merit retributive punishment. Treachery, the disclosure of a trust or the deliverance of a friend to the enemy, was perfidious—the mark of Judas the Betrayer.

Thus rules for the fighting man in combat or in captivity were linked to knightly concepts of duty, honor, loyalty to friend, and gallantry to foe.

Some time during the Crusades a rule evolved in regard to prisoner interrogation. The captive knight was permitted to divulge his name and rank—admissions necessitated by the game of ransom. A necessity for prisoner identification, the rule holds today, as imposed by the modern Geneva Conventions:

“Every prisoner of war, when questioned on the subject, is bound to give only his name, rank, date of birth, and army, regimental, personal or serial number.”

In Europe during the 17th Century the concept emerged that prisoners of war were in custody of the capturing sovereign or state. No rules for their treatment had yet been formulated, but they were protected from servitude and personal revenge. Later, during the 18th Century, captivity was considered a means of preventing return to friendly forces. This was a step forward. Military prisoners were no longer considered guilty of crimes against the state.

The American Revolution

To discourage desertions during the Revolution, the United States established the death penalty for those prisoners who, after capture, took up arms in the service of the enemy. Am-

nesty was granted to deserters but not those who deserted to the enemy. Duress or coercion was recognized as mitigating only in event of threatened immediate death. This was the first American definition of required prisoner conduct. In the Treaty of 1785 no standard of conduct was prescribed but conditions of confinement, care and parole were defined.

The American Civil War

During the Civil War there was some regression in the treatment afforded prisoners. About 3,170 Federal prisoners joined the Southern forces and about 5,452 prisoners of the Southern armies joined the Federal army.

Prisoner conduct after capture was mentioned in War Department General Order No. 207, 3 July 1863. Among other things, the order provided that it was the duty of a prisoner of war to escape. This order apparently was intended to curb widespread practices of surrender and subsequent parole to escape further combatant service. Prosecution for misconduct was based on three criteria:

- misconduct where there was no duress or coercion.
- active participation in combat against Federal forces.
- failure to return voluntarily.

Nine years after the Civil War a declaration establishing the rights of prisoners was drafted by the Congress of Brussels (1874). It was signed by fifteen nations, none of which ratified the agreement.

World Wars I and II

In 1907 the Hague Regulations established rules pertaining to captivity in war. These regulations led to the Geneva Conventions of 1929 and 1949. The United States signed all three, and it recently ratified the Geneva Conventions of 1949. The Conventions set forth in detail the rights and protections which should be afforded prisoners, but they do not specifically prescribe the conduct which a nation may require of its personnel who may become prisoners. This is rightfully left for prescription by sovereign powers.

There are, however, several provisions of the Conventions which do require specific conduct. Prisoners are subject to the laws, regulations and orders in force within the armed forces of the detaining power. They may be punished for infractions of rules. They must divulge name, rank, service number and date of birth.

A Code of Conduct

Although all the Services had regulations, the U. S. Armed Forces have never had a clearly defined code of conduct applicable to American prisoners after capture. There are piecemeal legal restrictions and regulations but no comprehensive codification. However, despite this lack of a code, American troops have demonstrated through all wars that they do not surrender easily, they have never surrendered in large bodies and they have in general performed admirably in their country's cause as prisoners of war.

III

THE AMERICAN FIGHTING MAN AND KOREA THE KOREAN BATTLE

Our cause was simple and just, but our objectives in the Korean War were frequently confused in the public mind.

The Korean War had three aspects. There was the Civil War aspect—North Koreans fighting South Koreans for control of a divided country. There was the collective aspect—the first United Nations' attempt to stop a treaty breaking aggressor. And there was the Cold War aspect—the Western powers blocking the expansion of Communist imperialism.

The causes of the war, United Nations' objectives and the need for American intervention were not clearly delineated in the public mind. This lack of understanding prevailed among citizens and American fighting men.

The Communists attempted to exploit to the fullest this condition in both international propaganda and in dealing with our prisoners of war.

Armed with Soviet weapons, North Korean Communist forces invaded South Korea on June 25, 1950. Six days later a battalion of the U. S. 24th Infantry Division was rushed to Korea from Japan. The division was soon in action against the enemy on the outskirts of Seoul.

The United States began a piecemeal build-up of the fighting forces in Korea. The first units to reach Korea were not well prepared for combat. Thousands of reserves were flown to Korea. Many were veterans of World War II, but five years at a factory or office job can slow up a man's trigger finger. However, by November 1950, the North Koreans had been completely beaten, their capital was in Allied hands, and their remnant forces were scattered and disorganized. The victory was almost at its climax when the Chinese Red avalanche crashed over the Yalu.

That was on October 25th. A month later the Chinese opened a massive counter-offensive hurling our forces into retreat. Early in December, American and Allied Forces were trapped at the Chang-Jin Reservoir. By fierce fighting they broke the trap and fought their way to Hungnam where they were evacuated. There ensued a winter of back-to-wall

battling in subzero cold. It was during this gruelling period that most of the American POWs were captured.

Imprisonment, North Korea

During the Korean War a total of 7,190 Americans were captured by the enemy. Of these, 6,656 were Army troops; 263 were Air Force men; 231 were Marines; 40 were Navy men. The Army bore the heaviest burden of prisoner losses.

The captives were marched off to various prison camps in the North Korean interior. Altogether there were 20 of these camps.

"Death Marches"

The first ordeal the prisoner had to suffer—and often the worst—was the march to one of these camps. The North Koreans frequently tied a prisoner's hands behind his back or bound his arms with wire. Wounded prisoners were jammed into trucks that jolted, dripping blood, along broken roads. Many of the wounded received no medical attention until they reached the camp. Some were not attended to until days thereafter.

The marching prisoners were liable to be beaten or kicked to their feet if they fell. A number of the North Korean officers were bullwhip barbarians, products of a semi-primitive environment. Probably they had never heard of the Geneva Conventions or any other code of war. The worst of this breed were responsible for the murder of men who staggered out of line or collapsed at roadside. They were particularly brutal to South Korean captives. Evidence indicates that many ROK prisoners were forced to dig their own graves before they were shot (an old Oriental custom applied to the execution of criminals). Some Americans, with hands tied behind back, were shot by the enemy.

So the journeys to the prison camps were "death marches." Especially in the winter of 1950–1951 when the trails were knee-deep in snow and polar winds flogged the toiling column. On one of these marches, 700 men were headed north. Before the camp was reached, 500 men had perished.

Facilities, Food, and Care Were Poor

The camps were what might be expected in a remote corner of Asia. Prisoner rations were scanty—a basic diet of rice occasionally leavened with some foul kind of soup. The Red

Chinese and Korean authorities pointed out that this larder conformed with the rules of the Geneva Conventions—the prisoner received the same food as the soldiery holding him captive. Of course, the Chinese were inured to a rice diet. The average American could not stomach such fare. Sickness broke out in the camps. Many of the men suffered long sieges of dysentery.

The men suffered much from cold in winter and heat in summer. Water was often scarce; bathing became difficult. Barracks were foul and unsanitary.

In the best of the camps the men behind the barbed wire were sometimes given tobacco, a few morsels of candy, occasional mail. As will be noted, such items were usually offered as rewards for "cooperative conduct."

A few Red Cross packages got through. However, the enemy consistently refused to permit the International Red Cross to inspect prisoner of war camps. There was good reason.

Camps Varied from Bad to Worse

In the worst of the camps, the prisoners existed by the skin of their teeth and raw courage. Men in the "bad" camps were known to lose 50 pounds weight in a matter of weeks.

The "bad" camps included the so-called "Bean Camp" near Suan, a camp known as "Death Valley" near Pukchin, another camp called "The Valley," apparently in the vicinity of Kanggye. Among the worst camps were the "Interrogation Center" near Pukchin and a neighboring disciplinary center called "The Caves." This last was literally composed of caverns in which the men were confined. Here they were forced to sleep without blankets. Their food was thrown at them. There were no latrine facilities. In "The Caves" the prisoners were reduced to a degree of misery and degradation almost unbelievable. Those sent to "The Caves" were prisoners accused of insubordination, breaking camp rules, attempting to escape, or committing some other crime (so-called). The testimony of survivors suggests that the "crime" was seldom fitted by the punishment. Some men who refused to talk to military interrogators were threatened with, or sent to "The Caves."

"Pak's" Was No Palace

Possibly the worst camp endured by American POWs in Korea was the one known as "Pak's Palace." This was a highly

specialized interrogation center located near the city of Pyongyang. The place was a brickyard flanked by Korean houses. It was a North Korean establishment dominated by a chief interrogator, Colonel Pak. Pak was ably assisted by a henchman who came to be called "Dirty Pictures" Wong by the POWs.

The camp was under the administration of a Colonel Lee, and there were several other interrogators on the team. But Pak and Wong were symbolic of the institution. Pak was a sadist, an animal who should have been in a cage. The team employed the usual questionnaires, the carrot-and-prod techniques to induce answers. Failing to induce them, they contrived to compel them. The "Palace" wanted military information. Coercion was used as the ultimate resort. And for Pak, coercion began soon after a prisoner refused to talk. Then Pak would use violence. Abusive language would be followed by threats, kicks, cigarette burns, and promises of further torture.

Several U. S. Army and Navy officers were questioned at "Pak's Palace." A few Army enlisted men went through this brickyard mill. The great majority of POWs held there were Air Force officers. They took a bad beating from Colonel Pak.

But the prisoners found ways to get around the beating. One way was to convince the captors that you were dumb, stupid, the low man in your class. Undergoing interrogation, one officer convinced his inquisitors that he was the stupidest officer in the service. He was awarded a contemptuous slap, and that was about all.

To the surprise of some prisoners at the "Palace," the interrogation team would sometimes open up with a wild political harangue. Then came the word that the enemy had established a system of indoctrination courses. The prisoner might start the hard way—and be punished by restricted rations and other privations. If he began to show the "proper spirit"—to cooperate with his captors—he was lectured and handed Communist literature. A docile prisoner who read the literature and listened politely to the lectures, was graduated to a better class. Finally he might be sent to "Peaceful Valley." In this lenient camp the food was relatively good. Prisoners might even have tobacco. And here they were given all sorts of Marxian propaganda. The graduates from "Peaceful Valley" and others who accepted Communist schooling were called

"Progressives." Prisoners who refused to go along with the program often remained in tougher circumstances. They were considered "Reactionaries."

But the enemy followed no rigid system. Rather, his treatment of prisoners was capricious. Sometimes he showed contempt for the man who readily submitted to bullying. The prisoner who stood up to the bluster, threats and blows of an interrogator might be dismissed with a shrug and sent to quarters as mild as any—if any prison barracks in North Korea could be described as mild.

All in all, the docile prisoner did not gain much by his docility—and sometimes he gained nothing. The prisoner who defied Pak and his breed might take a beating, but again he might not. The ordeal was never easy. But things weren't easy either for the combat troops battling out there in the trenches.

Progressives and Reactionaries

The POW "political" schools in North Korea were, of course, patterned after the Soviet Russian design. They were part of a mass program to spread Marxian ideology and gain converts for International Communism. The Progressives were called upon to deliver lectures, write pamphlets, and make propaganda broadcasts. Progressive leaders were sent among Reactionary groups to harangue the men. They wrote speeches condemning Capitalism and "American aggression in Korea." They organized a group known as "Peace Fighters."

Fortunately, only a few officers were Progressives. However, their influence was unfortunately strong on the enlisted men. If the Captain can do it, why can't I? If the Colonel signs a peace petition and orders the rest of us to do it, we have to follow orders, don't we? Altogether the enlisted men were on a spot. That many of them refused to join the Progressives (and rejected a promise, sometimes unfulfilled, of better food, minor luxuries, and mail call) says something for the spirit of privates and non-coms. The men who gave the Progressives an argument—the active Reactionaries—were a rugged group.

Breakdown of leadership was exactly what the enemy desired. Officers were usually segregated. Then as soon as a natural leader stepped forward in a camp, he was removed. Progressives were usually placed in leadership positions. And if they weren't obeyed by the other POWs, punishments were in store for the "insubordinate prisoners."

By design and because some officers refused to assume leadership responsibility, organization in some of the POW camps deteriorated to an every-man-for-himself situation. Some of the camps became indescribably filthy. The men scuffled for their food. Hoarders grabbed all the tobacco. Morale decayed to the vanishing point. Each man mistrusted the next. Bullies persecuted the weak and sick. Filth bred disease and contagion swept the camp. So men died for lack of leadership and discipline.

Ordeal by Indoctrination

When plunged into a Communist indoctrination mill, the average American POW was under a serious handicap. Enemy political officers forced him to read Marxian literature. He was compelled to participate in debates. He had to tell what he knew about American politics and American history. And many times the Chinese or Korean instructors knew more about these subjects than he did. This brainstorming caught many American prisoners off guard. To most of them it came as a complete surprise and they were unprepared. Lectures—study groups—discussion groups—a blizzard of propaganda and hurricanes of violent oratory were all a part of the enemy technique.

A large number of American POWs did not know what the Communist program was all about. Some were confused by it. Self-seekers accepted it as an easy out. A few may have believed the business. They signed peace petitions and peddled Communist literature. It was not an inspiring spectacle. It set loyal groups against cooperative groups and broke up camp organization and discipline. It made fools of some men and tools of others. And it provided the enemy with stooges for propaganda shows.

Ignorance lay behind much of this trouble. A great many servicemen were 'teen-agers. At home they had thought of politics as dry editorials or uninteresting speeches, dull as ditchwater. They were unprepared to give the commissars an argument.

Some of the POWs—among them men who became defectors—had heard of Communism only as a name. Many had never before heard of Karl Marx. And here was Communism held up as the salvation of the world and Marx as mankind's benefactor.

The Committee heard evidence which revealed that many

of the POWs knew too little about the United States and its ideals and traditions. So the Chinese indoctrinators had the advantage.

The uninformed POWs were up against it. They couldn't answer arguments in favor of Communism with arguments in favor of Americanism, because they knew very little about their America. The Committee heard a number of ex-POWs who stated that a knowledge of Communism would have enabled them to expose its fallacies to their camp-mates. The Red indoctrinators tried hard to win the support of factory workers. But as one of them put it, "We'd heard all that guff before. Back home. We knew their line." Knowledge was a defense weapon.

While it might be argued that few of the men became sincere converts to Communism—indeed, the percentage seems to have been infinitesimal—the inability of many to speak up for Democracy distressed loyal POWs. Active collaborators aside, there were other passive prisoners that "went along." They lacked sufficient patriotism because of their limited knowledge of American Democracy.

It seemed that these POWs in question had lost their battle before they entered the Service. Good citizens—loyal Americans—the responsibility for their building lies with the home, the school, the church, the community. When men enter the Armed Forces, the Military Services must carry on with this development.

The Committee, stressing the need for spiritual and educational bulwarks against enemy political indoctrination, recommends that the Assistant Secretary of Defense (Manpower and Personnel) be directed to initiate exploratory conferences with the Department of Health, Education, and Welfare, and other agencies and institutions on pre-service training.

Brainwashing and Indoctrination

The Committee made a thorough investigation of the "brainwashing" question. In some cases this time consuming and coercive technique was used to obtain confessions. In these cases American prisoners of war were subjected to mental and physical torture, psychiatric pressures or "Pavlov Dogs" treatment.

Most of the prisoners, however, were not subjected to brainwashing, but were given a high-powered indoctrination for propaganda purposes.

In either case the members of our Armed Forces should be given the best education and training possible in the future so that they can resist and cope with these practices.

The Committee also learned that POWs in Korea were not drugged. Other methods such as denial of food or sleep were equally effective and more practical.

Behind the Barbed-Wire Curtain

Perhaps the Red enemy worked harder on the Americans than he did on the other prisoners. An American who signed a propaganda leaflet, a peace petition, or a germ warfare confession, was a big feather in the enemy's hat. Many Americans in Communist POW camps signed something or wrote something. Out of 78 men under various forms of duress, 38 signed germ warfare confessions. Forty others did not. Both groups were under coercion. Why did some men break, and some refuse to bend?

Many servicemen exhibited pride in themselves and their units. This was particularly pronounced where they had belonged to the same unit for years. They stood by one another like that "band of brothers" inspired by Nelson. If a soldier was sick, his fellow soldiers took care of him. They washed his clothes, bathed him, and pulled him through. They exhibited true fraternal spirit comradeship, military pride. These soldiers did not let each other down. Nor could the Korean Reds win much cooperation from them.

Interrogation went hand in glove with indoctrination. A prisoner was questioned for military information. He was also queried on his home life and educational background. The interrogator made him put it in writing—a biographical sketch. Seldom did the brief autobiography prove sufficient. The prisoner was usually compelled to write more, and in greater detail. If his literary efforts were painful, the discomfort was only a beginning. His autobiography was used against him. The slightest discrepancy, and he was accused of lying. He might discover that he had written a confession of some kind. And in any case, the information supplied the interrogators with a useful leverage for more pressure. The author's mistake was in taking pen in hand.

Only a handful of the POWs in Korea were able to maintain absolute silence under military interrogation. Nearly all of the

American prisoners went beyond the "absolute" name, rank, number, date of birth restriction.

Reviewing the interrogation matter, the Defense Advisory Committee felt that the steps taken up to now by the Armed Forces had been decidedly inadequate.

The Committee recommends that the Department of Defense devise a special training program to teach American servicemen the ways and means of resisting enemy interrogators.

What Can Be Done?

In a war for the minds of men, the enemy's methods can be successfully combatted by military training and civilian education. In battle and in captivity the fighting American is no better than his training and education. Military schooling can teach him combat skills. Such know-how is a "must."

The Committee recommends that the Military Services initiate a coordinated training program including—

First, general training. This is motivational and informational training to be conducted throughout the career of all servicemen during active and reserve duty. Second, specific training. This is designed for and applied to combat-ready troops. A code of conduct must apply uniformly to all Services, and training must be uniform among the Services to the greatest degree practicable.

In all Services training should be adapted to cover the needs of all ranks from the enlisted man to the commander. It must be realistic as well as idealistic. Above all, it must be presented with understanding, skill and devotion sufficient to implant a conviction in the heart, conscience, and mind of the serviceman that full and loyal support of the code is to the best interests of his country, his comrades, and himself.

But skill must be reinforced by will—by moral character and by basic beliefs instilled in home and classroom long before a lad enters the Military Service. Pride in a country and respect for its principles—a sense of honor—a sense of responsibility—such basics should be established long before "basic training," and further developed after he enters the Armed Forces.

The Committee recommends that the Services find an effective means of coordinating with civilian educational institutions, churches and other patriotic organizations to provide better understanding of American ideals.

War has been defined as "a contest of wills." A trained hand holds the weapon. But the will, the character, the spirit of the individual—these control the hand. More than ever, in the war for the minds of men moral character, will, spirit are important.

As a serviceman thinketh so is he.

IV

A CODE OF CONDUCT FOR THE FUTURE

The Services Voice Their Opinions

The leaders of the American Armed Forces—the Joint Chiefs of Staff—The Department of Defense Committees—the various planning and policy-making boards—reach decisions through discussion and debate based on *facts*. In striving to design a Code of Conduct for United States fighting men, the Defense Advisory Committee weighed opposing points of view in regard to the “name, rank, serial number and date of birth” provision embodied in the Geneva Conventions.

The traditional view is that the POW stockade is only an extension of the battlefield where the prisoners must be taught to carry on the struggle with the only weapons remaining—faith and courage.

The absolute restriction—name, rank, number, date of birth, and nothing more, has been called the “Spartan Code.”

To some persons, such a restrictive code seemed unrealistic. Especially in the light of modern interrogation methods. Authorities on the subject of interrogation insisted that the iron-bound “nothing more” of the Spartan Code was impossible. They pointed out that Communist interrogators had bent such men of steel as Cardinal Mindszenty. Doctors and psychiatrists generally conceded that “every man has a breaking point.” Many prisoners in World War II were forced beyond “name, rank and serial number.” And nearly every prisoner in Korea divulged something. Why, then, the dissenters asked, should a man endure purgatory when his “breaking” was inevitable? This view was publicized in an article in a popular magazine. It was the author’s opinion that American servicemen should be told that “they may sign any document the Communists want them to, or appear on TV and deliver any script the Reds hand them.”

Referring to the case of a Marine colonel, the author pointed to a fine officer who had been coerced into signing a germ warfare confession. Why not let American captives sign anything at all? The United States could announce that all such confessions were obtained under duress, and therefore invalid.

In addition to the "Spartan view" and the "let them talk view" there were numerous advocates of in-between measures—talk, but don't say anything.

In Axis camps and in Korea many prisoners had stood up against interrogation. Many had refused to sign on any dotted line. The idea that an officer or enlisted man might stand up to a microphone and denounce his country, his President, or his faith, remained repellent. Moreover, the man who signed a germ warfare or some other confession let himself in for a "war criminal" charge. Having obtained such a confession the unscrupulous enemy labeled him a war criminal and claimed that he was beyond the protecting Geneva Convention.

The Committee believes that this practice is another strong reason for our prisoners of war adhering to a well defined code of conduct in any future conflict.

Pro and Con. There was much to be said on both sides. And there was something to be said by experienced officers who felt that a man could be taught to hold his own in the battle of wits against enemy interrogators. Authorities pointed out that the Geneva Conventions did not impose "absolute silence" on the interrogated war-prisoner. There were clauses indicating that he might discuss his employment, his finances, or his state of health, or "conditions of captivity" if necessity demanded. In short, he did not have to remain mute.

The Committee agreed that a line of resistance must be drawn somewhere and initially as far forward as possible. The name, rank and service number provision of the Geneva Conventions is accepted as this line of resistance.

However, in the face of experience, it is recognized that the POW may be subjected to an extreme of coercion beyond his ability to resist. If in his battle with the interrogator he is driven from his first line of resistance he must be trained for resistance in successive positions. And, to stand on the final line to the end—no disclosure of vital military information and above all no disloyalty in word or deed to his country, his service or his comrades.

Throughout, the serviceman must be responsible for all of his actions. This in brief is the spirit and intent of the Code of Conduct which the Defense Advisory Committee recommends.

Prominent Civilians Stated Their Views

The Committee discussed sociological and educational problems with leading educators. It consulted with labor leaders. The religious problem was discussed with leaders of various

faiths. The Committee also sought and received the invaluable views of the leaders of the nation's veterans organizations. All contributed worthwhile suggestions. All helped to select a code compatible with American precepts of honor and justice.

The Recommended Code of Conduct (See Addenda 2)

After long study and earnest deliberation, the Committee came to its decision. That decision is found in the Code of Conduct now proposed for all members of the Armed Forces.

The Committee recommends that the proposed Code of Conduct be promulgated in the form of an Executive Order. The Code demands high standards. To ensure achievement of these, each member of the Armed Forces liable to capture must be provided with specific training designed to equip him better to cope with all enemy efforts against him. He will be fully instructed as to his behavior and obligations in combat and in the event of capture.

No prisoner of war will be forgotten by the United States. The support and care of dependents of prisoners of war is prescribed by law. Every practical means will be employed to establish contact with, to support and to gain the release of all prisoners of war.

I

The United States serviceman, by his service is protecting his nation. Any shirking of this responsibility or any unwillingness to do his full part weakens this defense and invites disaster.

I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

A member of the Armed Forces is always a fighting man. As such, it is his duty to oppose the enemies of the United States regardless of the circumstances in which he may find himself, whether in active participation in combat, or as a prisoner of war.

II

If individuals and commanders were permitted to surrender whenever a situation seems to be desperate it would become an open invitation to all weak of will or depressed in spirit.

I will never surrender of my own free will. If in command I will never surrender my men while they still have the means to resist.

As an individual, a member of the Armed Forces may never voluntarily surrender himself. When isolated and he can no longer inflict casualties on the enemy, it is his duty to evade capture and rejoin the nearest friendly forces.

The responsibility and authority of a commander never extends to the surrender of his command to the enemy while it has power to resist or evade. When isolated, cut off or surrounded, a unit must continue to fight until relieved, or able to rejoin friendly forces by breaking out or by evading the enemy.

III

The fight is everywhere. Even in the prison camp. When the use of physical weapons is denied, the mental and moral "will to resist" must be kept alive in every prisoner.

If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.

The duty of a member of the Armed Forces to continue resistance by all means at his disposal is not lessened by the misfortune of capture. Article 82 of the Geneva Conventions Relative to the Treatment of Prisoners of War of August 12, 1949, pertains, must be explained, and covered in the training programs to be carried out by the Services.

Article 82 provides as follows:

"A prisoner of war shall be subject to the laws, regulations and orders in force in the armed forces of the Detaining Power; the Detaining Power shall be justified in taking judicial or disciplinary measures in respect of any offence committed by a prisoner of war against such laws, regulations or orders. However, no proceedings or punishments contrary to the provisions of this Chapter shall be allowed.

"If any law, regulation or order of the Detaining Power shall declare acts committed by a prisoner of war to be punishable, whereas the same acts would not be punishable if committed by a member of the forces of the Detaining Power, such acts shall entail disciplinary punishments only."

He will escape if able to do so, and will assist others to escape. Parole agreements are promises given the captor by a prisoner of war upon his faith and honor, to fulfill stated conditions, such as not to bear arms or not to escape, in consideration of special privileges—usually release from captivity or lessened restraint. He will never sign or enter into a parole agreement.

IV

The most despicable act an American can commit is to give aid and comfort to the enemy by informing or otherwise harming fellow prisoners. Failure to assume responsibilities commensurate with rank is equally reprehensible.

If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information nor take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

Informing, or any other action to the detriment of a fellow prisoner, is despicable and is expressly forbidden. Prisoners of war must avoid helping the enemy identify fellow prisoners who may have knowledge of particular value to the enemy, and may therefore be made to suffer coercive interrogation.

Strong leadership is essential to discipline. Without discipline, camp organization, resistance and even survival may be impossible. Personal hygiene, camp sanitation, and care of sick and wounded are imperative. Officers and non-commissioned officers of the United States will continue to carry out their responsibilities and exercise their authority subsequent to capture. The senior line officer or non-commissioned officer within the prisoner of war camp or group of prisoners will assume command according to rank (or precedence) without regard to Service. This responsibility and accountability may not be evaded. If the senior officer or non-commissioned officer is incapacitated or unable to act for any reason, command will be assumed by the next senior. If the foregoing organization cannot be effected, an organization of elected representatives, as provided for in Articles 79-81 Geneva Convention Relative to Treatment of Prisoners of War, or a clandestine organization, or both, will be formed.

V

Every serviceman possesses some important military information of value to the enemy. By revealing it they may cause the death of comrades or disaster to their unit, or even the defeat of major forces of the nation.

When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements dis-

loyal to my country and its allies or harmful to their cause.

When questioned, a prisoner of war is required by the Geneva Conventions and permitted by this Code to disclose his name, rank, service number, and date of birth. A prisoner of war may also communicate with the enemy regarding his individual health or welfare as a prisoner of war and, when appropriate, on routine matters of camp administration. Oral or written confessions true or false, questionnaires, personal history statements, propaganda recordings and broadcasts, appeals to other prisoners of war, signatures to peace or surrender appeals, self criticisms or any other oral or written communication on behalf of the enemy or critical or harmful to the United States, its allies, the Armed Forces or other prisoners are forbidden.

It is a violation of the Geneva Conventions to place a prisoner of war under physical or mental torture or any other form of coercion to secure from him information of any kind. If, however, a prisoner is subjected to such treatment, he will endeavor to avoid by every means the disclosure of any information, or the making of any statement or the performance of any action harmful to the interests of the United States or its allies or which will provide aid or comfort to the enemy.

Russia and the Communist Bloc nations have made a significant reservation to Article 85 of the Geneva Conventions of 1949. Under this reservation a prisoner of war who may be convicted of an alleged war crime under the laws of the captors, loses the protection afforded a prisoner of war by these Conventions. Therefore the signing of a confession or the making of a statement by a prisoner is likely to be used to convict him as a "war criminal" and thus, according to this Communist Bloc device, deny to him any protection under the terms of the Geneva Conventions, including repatriation until his sentence is served.

VI

An American is responsible and accountable for his actions. Prisoner of war status doesn't change this nor does it change the obligation to remain faithful to the United States and to the principles for which it stands. Throughout his captivity, a prisoner should look to his God for strength to endure whatever may befall. He should remember that the United States of America will neither forget, nor forsake him, and that it will win the ultimate victory.

I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.

The provisions of the Uniform Code of Military Justice whenever appropriate continue to apply to members of the Armed Forces while they are prisoners of war. The conduct of prisoners is subject to examination as to the circumstances of capture and through the period of detention with due regard for the rights of the individual and consideration for the conditions of captivity.

A member of the Armed Forces who becomes a prisoner of war has a continuing obligation to remain loyal to his country, his Service and his unit.

The life of a prisoner of war is hard. He must never give up hope. He must resist enemy indoctrination. Prisoners of war who stand firm and united against the enemy will aid one another in surviving this ordeal.



V

KOREAN SUMMARY

Misconduct by a Minority

A total of 4,428 American fighting men were recovered from enemy prison camps in Korea. The prisoner exchanges began with Operation "Little Switch" in April 1953—significantly enough, the month after Stalin died and Malenkov assumed Soviet leadership. The war was almost over. Some 600 Allied prisoners were returned in exchange for ten times that many Communist Chinese and North Koreans. During subsequent Operation "Big Switch" most of the American prisoners were recovered. At this time it was learned that 2,730 Americans had died in Korean prison camps. This ghastly death-toll—38%—was the worst since the Revolutionary War.

By joint action of the services, all of the prisoners recovered were screened by military intelligence agencies. Of the 565 whose conduct was questioned, 373 were cleared or dropped after investigation. Of the remaining 192 suspects, 68 were separated from the services; 3 resigned; 1 received reprimand; 2 were given restricted assignments; 6 were convicted by courts-martial. As of July 20, 1955, 112 cases are pending. The cases pending are in various stages of investigation. Many may never come to trial for various reasons. Others will be disposed of by minor disciplinary action or may be cleared. However, it is fairly certain that the number brought to trial will be substantially less than the 112 pending, perhaps less than half that many. Some of these last are men who were discharged soon after war's end and now have a civilian status. Information which came to light after their separation made further action indicated. The Committee feels that justice must be done in these cases—the men who kept faith with their country and fellow prisoners need have no fear—but those who did not should be brought to trial.

The Committee recommends that separated servicemen be brought to trial if they are charged with crimes similar to those which brought about the prosecution of other servicemen.

Obviously a change from uniform to civilian clothes does not divest a guilty wrong-doer of responsibility for a crime. A

civilian criminal would not be permitted to wear Army uniform as protective coloration. If action is indicated, the dischargees should be prosecuted in civil courts. When they cannot be tried in civilian courts and the evidence warrants it, they can be brought to trial under the Uniform Code of Military Justice.

The Committee finds the Uniform Code of Military Justice adequate for the prosecution of misconduct cases of prisoners of war in Korea. The Committee recommends that the Uniform Code of Military Justice should govern the final adjudication of cases still pending.

None Were Tried Unjustly

Establishing facts in the case against a prisoner charged with misconduct is a lengthy process. Evidence must be studied and assessed. Witnesses must be produced. Depositions must be obtained. In the Armed Forces this amounts to the equivalent of the work a District Attorney's office must do before it presents a case to a Grand Jury. Consequently, there may seem to be a long delay before an accused service man is brought to formal trial. The Army has not been dilatory in trying the present cases. Rather it has been thorough and exacting in its research and investigation.

The Committee finds that those servicemen who have been prosecuted and those who are facing trial were charged with serious crimes. Charges included homicide, and treasonable collaboration with the enemy, combined with informing on fellow prisoners. No man of any service—Army, Air Force, Navy or Marines—who might have been charged with such crimes would have escaped disciplinary action. As in the past, the crimes enumerated are major offenses in the Armed Forces. (Of course, such alleged misconduct must be substantiated by evidence before disciplinary action is taken.)

While the six thus far tried and sentenced to prison have been enlisted men, one officer was also disciplined; one was tried and acquitted; and other cases coming up involve officers. They do not make pleasant reading.

A typical case involves an officer who is accused by 180 POWs of delivering anti-U. S. speeches, informing on fellow prisoners, hoarding food, teaching classes in Communism, and ordering men to sign peace petitions. There is no evidence he suffered duress.

Another case involves a sergeant accused by many witnesses of "ratting" on his prison-mates, beating a sick prisoner, stealing

a wallet from a dying man, forcing a fellow prisoner out into the snow and leaving him there to die, and drowning three U. N. prisoners crossing a stream.

There was an officer who allegedly courted favors of his captors as soon as he reached prison camp. He is charged with confiscating the small tobacco ration dealt to the other men and eating more than his share of the food. It is recorded that he made the heartless remark, "The more men who die here, the more food for the rest of us." He signed peace petitions, made propaganda broadcasts, and evidently "ratted" on other prisoners. There is no evidence that he was coerced.

There is evidence that an enlisted man informed on fellow prisoners planning to escape. He wrote Red literature for his captors. He was put in charge of a spy system which resulted in the punishment of "Reactionaries" in his camp. He asked for the job. No "brainwashing" here.

Many of the accused informed on their prison-mates, sometimes with dire consequences for the victims who were usually severely punished. The man who tried to escape and was victimized by "ratting" was indeed a Soldier of Misfortune. Invariably he was accused of breaking camp rules—a violation which "entitled" his captors to punish him. He might be placed in a hole in the ground and forced to endure an animal existence. He might be sent to "The Caves." He might be compelled to stand for hours in a latrine.

To the combat veterans, "ratting" was a crime as unforgivable as treason.

The Turncoats

The 21 turncoats who decided to stay with the Communists—here was another group of "exceptions." Their number included men accused of informing—which suggests a good reason for electing to remain in the enemy's country. Evidence indicates that few of these 21 were "sincere" converts to Communism. Expediency, opportunism, and fear of reprisal doubtless influenced some of the group.

Promises Were Not Broken

It has been stated that men were "lured" back to the American side by promises of clemency. This misconception, like

many others concerning the POWs, is far from the truth. The Army possesses a tape recording of the broadcast made to the men in question. No promise to the effect that they would not be prosecuted was offered. What the broadcast said in substance was this: If the men returned they would not be charged with desertion. "Ratting" was another matter entirely. Also other crimes which were subsequently revealed by investigation.

Finally the Uniform Code of Military Justice is devised for defense as well as prosecution. A military court often bends over backward in the interest of the accused. The man is assured a conscientious defense. If he cares to, he may procure civilian lawyers. There is nothing "star chamber" about a modern military trial. After witnessing the trial of a confessed "Progressive" charged with collaborating (and confessing to the charge), a reporter for the *Christian Science Monitor* wrote: ". . . perhaps a word of advice is not amiss; make a trip to one of your local, federal, state, or municipal courts; watch the procedures, then look in at a general court-martial."

The reporter went on to observe: "The (military) code provides for post-trial procedure, including automatic reviews by the Staff Judge Advocate of the First Army and a special board of review in the Pentagon. If this does not satisfy the prisoner—and he can show good cause—the conviction and sentence can go to the Court of Military Appeals, composed of three civilian judges appointed by the President." And clemency is possible through the Executive branch of our government.

Service Action Not Divergent

The public has been under the misapprehension that some of the men court-martialed and sentenced for misconduct while in POW camps "had the book thrown at them" while others went free.

Each of the Services *thoroughly investigated all alleged cases of misconduct*. They used generally identical criteria in determining the disposition of each case. Criteria considered type of misconduct, duress, and indications of informing or "ratting."

The Department of Defense maintained surveillance over cases brought to trial.

The disposition of all cases was governed by the facts and circumstances surrounding each case and was as consistent, equitable, and uniform as could be achieved by any two or more boards or courts.

No case was brought for court-martial action in which there was evidence of duress, brainwashing or any other type of coercion.

The Committee finds that there was no divergent action among the services. The relatively large number of Army POWs naturally shifted the largest number of misconduct cases into the Army's column. All services employed the same screening procedures in examining repatriated POWs. All services applied the same standards in weighing alleged charges of misconduct. Resultant service actions were based on the evidence in each case.

Prisoners Unrecovered

The Korean Armistice Agreement contained a proviso that "each side would directly repatriate all those prisoners of war who desired repatriation." The Communists did not honor this agreement. After repatriation operations were concluded, the U. N. command listed 944 servicemen as "missing" and presumably in enemy hands. Nineteen of this number were finally accounted for by the Communists. By our own U. S. efforts this list has been reduced to 470, some of whom we have reason to believe were at some time in the hands of the enemy. In the United Nations, the United States has consistently demanded an accounting for them.

The Committee believes that the Communists should be held strictly accountable for the 470 men still missing in action. Information indicates they were at one time or another in Communist hands.

All have been declared legally dead. Nevertheless, the Communists should account for them in accordance with a signed agreement with the United States.

The Communists admitted holding 15 Air Force men and two Department of Defense civilian employees. Their detainment was in direct violation of the Armistice Agreement and the Geneva Conventions.

Concern of Ex-Prisoners

The Committee also concerned itself with the question of service men who were discharged at the close of the Korean War—men who have been returned to civilian status. Also repatriated POWs who may have remained in uniform.

Because of the misconduct charges brought against a small number of POWs, and the accusations of misconduct levelled at

a slightly larger number, some of the former POWs may have grown uneasy about the matter. The Committee considers that no man with a clear conscience need worry about a possible charge.

The repatriated POW has been entitled to special compensation for the period of his confinement. Every repatriated POW could receive this money by applying for it, with this exception: The war-prisoners who voluntarily, knowingly, and without duress gave aid to, collaborated with, or in any manner served the enemy, are excluded. All repatriated prisoners who receive this compensation have been cleared of any such misconduct charge.

VI

THE ROAD AHEAD FOR AMERICA AND THE ARMED FORCES

Total War for the Minds of Men

America must view the Communist treatment of captives as but another weapon in the world-wide war for the minds of men. The nation must recognize the duplicity of an enemy which pays no more than lip service to the Geneva Conventions.

However, the United States cannot oppose duplicity with a similar policy. To do so might be fighting fire with fire. But the United States refuses to sacrifice principle for expediency. Such a justification of means for end would mean the abandonment of the cause for which America fights. The national conscience would revolt at such a solution.

The nation must continue to oppose Communism, or any other threat to Democracy, with American weapons and principles. The machines of war are assured by American enterprise, science and industry. The principles, home-forged by America's founders, are more than an heirloom heritage for showcase display. They are precepts which must be practiced if the nation is to remain the guardian of man's liberties that it is.

The responsibility for the maintenance and preservation of the United States and all it stands for is one which must be shared by every citizen. Every American is in the front line in the war for the minds of men.

Code of American Conduct

The battlefield of modern warfare is all inclusive. Today there are no distant front lines, remote no man's lands, far-off rear areas. The home front is but an extension of the fighting front. In the dreaded event of another all-out war—a thermonuclear war—the doorstep may become the Nation's first line of defense. Under such circumstances, the new code of conduct for the American serviceman might well serve the American citizen.

The Code's high standards will serve as guides for Americans in uniform. Backed by adequate training and education, they will support the assurance of Armed Forces leaders that American fighting men will be fully prepared to meet the enemy on any front.

The Korean story must never be permitted to happen again.

ADDENDA

- 1. Terms of Reference**
- 2. Code of Conduct**
- 3. Citizens, Former Prisoners of War, and Government
Representatives Who Consulted with the Defense
Advisory Committee on Prisoners of War**
- 4. The Mind and the Spirit in National Security**
- 5. Prisoners of War in History**
- 6. Bibliography**
- 7. Charts**

ADDENDA NO. 1
TERMS OF REFERENCE



THE SECRETARY OF DEFENSE
WASHINGTON

May 17, 1955

MEMORANDUM FOR THE CHAIRMAN, DEFENSE ADVISORY
COMMITTEE ON PRISONERS OF WAR

SUBJECT: Terms of Reference

I am deeply concerned with the importance to our national security of providing Americans who serve their country in battle with every means we can devise to defeat the enemy's techniques. To assure the success of our Armed Forces it is equally as essential to arm them with the best weapons of the mind and body as it is to provide them with the machines of war.

Our national military needs must be met. This requires that each member of the Armed Forces be thoroughly indoctrinated with a simple, easily understood code to govern his conduct while a prisoner of war. However, this military need must be met in a manner compatible with the principles and precepts basic to our form of government. Enforcement must be accomplished with justice and understanding.

I have appointed this Committee to advise me on this matter. I request that you consider the methods we may expect our potential enemy to employ, the obligation which national military needs impose on members of the Armed Forces and the obligation of the United States to afford protection to its citizens in the custody of a foreign power. I direct your deliberation toward the development of suitable recommendations for a Code of Conduct and indoctrination and training on preparation for future conflict. You will also consider certain other related Prisoner of War Problem areas which I will make known.

Staff support will be supplied in the form of a Secretariat, with the Staff Director from the Office of the Assistant Secretary of Defense (M&P), the Deputy Staff Director from the Office of the Joint Chiefs of Staff, and one officer each from the Army, Navy, Air Force and Marine Corps for full-time staff duty.

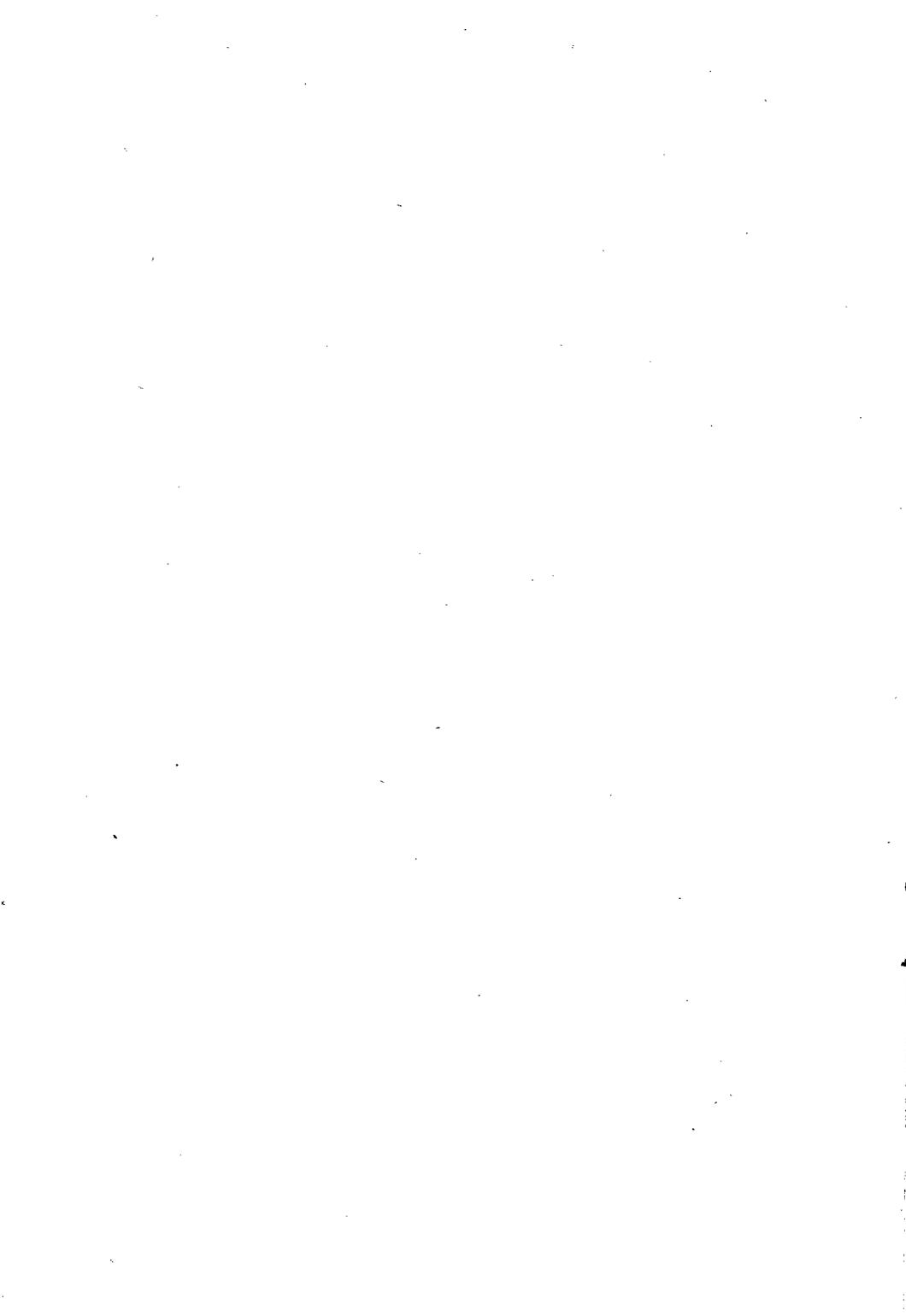
Legal counsel will be provided by the Office of the General Counsel (OSD), and research assistance will be supplied through the Office of the Assistant Secretary of Defense (R&D).

Liaison between this Committee and government agencies outside the Department of Defense will be conducted with the help of the appropriate office in the Office of the Secretary of Defense as coordinated by the Office of the Assistant Secretary of Defense (M&P).

It is desired that this Committee submit its recommendations within two months after its first meeting.



C. E. WILSON.



ADDENDA NO. 2
CODE OF CONDUCT



CODE OF CONDUCT

For Members of the Armed Forces of the United States.

By virtue of the authority vested in me as President of the United States, and as Commander in Chief of the Armed Forces of the United States, I hereby prescribe the Code of Conduct for Members of the Armed Forces of the United States which is attached to this order and hereby made a part thereof.

Every member of the Armed Forces of the United States is expected to measure up to the standards embodied in this Code of Conduct while he is in combat or in captivity. To ensure achievement of these standards, each member of the Armed Forces liable to capture shall be provided with specific training and instruction designed to better equip him to counter and withstand all enemy efforts against him, and shall be fully instructed as to the behavior and obligations expected of him during combat or captivity.

The Secretary of Defense (and the Secretary of the Treasury with respect to the Coast Guard except when it is serving as part of the Navy) shall take such action as is deemed necessary to implement this order and to disseminate and make the said code known to all members of the Armed Forces of the United States.



INSTRUCTIONAL MATERIAL

I

I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

A member of the Armed Forces is always a fighting man. As such, it is his duty to oppose the enemies of the United States regardless of the circumstances in which he may find himself, whether in active participation in combat, or as a prisoner of war.

II

I will never surrender of my own free will. If in command, I will never surrender my men while they still have the means to resist.

As an individual, a member of the Armed Forces may never voluntarily surrender himself. When isolated and he can no longer inflict casualties on the enemy, it is his duty to evade capture and rejoin the nearest friendly forces.

The responsibility and authority of a commander never extends to the surrender of his command to the enemy while it has power to resist or evade. When isolated, cut off or surrounded, a unit must continue to fight until relieved, or able to rejoin friendly forces, by breaking out or by evading the enemy.

III

If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.

The duty of a member of the Armed Forces to continue resistance by all means at his disposal is not lessened by the misfortune of capture. Article 82 of the Geneva Convention pertains and must be explained. He will escape if able to do so, and will assist others to escape. Parole agreements are promises given the captor by a prisoner of war upon his faith and honor, to fulfill stated conditions, such as not to bear arms or not to escape, in consideration of special privileges, usually release from captivity or lessened restraint. He will never sign or enter into a parole agreement.

IV

If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information nor take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

Informing or any other action to the detriment of a fellow prisoner is despicable and is expressly forbidden. Prisoners of war must avoid helping the enemy identify fellow prisoners who may have knowledge of particular value to the enemy, and may therefore be made to suffer coercive interrogation.

Strong leadership is essential to discipline. Without discipline, camp organization, resistance and even survival may be impossible. Personal hygiene, camp sanitation, and care of sick and wounded are imperative. Officers and noncommissioned officers of the United States will continue to carry out their responsibilities and exercise their authority subsequent to capture. The senior line officer or non-

INSTRUCTIONAL MATERIAL

IV (continued)

When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

commissioned officer within the prisoner of war camp or group of prisoners will assume command according to rank (or precedence) without regard to Service. This responsibility and accountability may not be evaded. If the senior officer or noncommissioned officer is incapacitated or unable to act for any reason, command will be assumed by the next senior. If the foregoing organization cannot be effected, an organization of elected representatives, as provided for in Articles 79-81 Geneva Convention Relative to Treatment of Prisoners of War, or a covert organization, or both, will be formed.

When questioned, a prisoner of war is required by the Geneva Convention and permitted by this Code to disclose his name, rank, service number and date of birth. A prisoner of war may also communicate with the enemy regarding his individual health or welfare as a prisoner of war and, when appropriate, on routine matters of camp administration. Oral or written confessions true or false, questionnaires, personal history statements, propaganda recordings and broadcasts, appeals to other prisoners of war, signatures to peace or surrender appeals, self criticisms or any other oral or written communication on behalf of the enemy or critical or harmful to the United States, its allies, the Armed Forces or other prisoners are forbidden.

It is a violation of the Geneva Convention to place a prisoner of war under physical or mental torture or any other form of coercion to secure from him information of any kind. If, however, a prisoner is subjected to such treatment, he will endeavor to avoid by every means the disclosure of any information, or the making of any statement or the performance of any action harmful to the interests of the United States or its allies or which will provide aid or comfort to the enemy.

Under Communist Bloc reservations to the Geneva Convention, the signing of a confession or the making of a statement by a prisoner is likely to be used to convict him as a war criminal under the laws of his captors. This conviction has the effect of removing him from the prisoner of war status and according to this Communist Bloc device denying him any protection under terms of the Geneva Convention and repatriation until a prison sentence is served.

VI

I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.

INSTRUCTIONAL MATERIAL

The provisions of the Uniform Code of Military Justice, whenever appropriate, continue to apply to members of the Armed Forces while prisoners of war. Upon repatriation, the conduct of prisoners will be examined as to the circumstances of capture and through the period of detention with due regard for the rights of the individual and consideration for the conditions of captivity.

A member of the Armed Forces who becomes a prisoner of war has a continuing obligation to remain loyal to his country, his Service and his unit.

The life of a prisoner of war is hard. He must never give up hope. He must resist enemy indoctrination. Prisoners of war who stand firm and united against the enemy will aid one another in surviving this ordeal.

ADDENDA NO. 3

CITIZENS, FORMER PRISONERS OF WAR, AND GOVERNMENT REPRESENTATIVES WHO CONSULTED WITH THE DEFENSE ADVISORY COMMITTEE ON PRISONERS OF WAR

CITIZENS, FORMER PRISONERS OF WAR, AND GOVERNMENT REPRESENTATIVES WHO CONSULTED WITH THE DEFENSE ADVISORY COMMITTEE ON PRISONERS OF WAR

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and

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American Veterans of World War II

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The Attorney General of the United States

HONORABLE WILBER M. BRUCKER

then General Counsel, Department of Defense, now

Secretary of the Army

DR. LEONARD CARMICHAEL

Secretary, Smithsonian Institution

COLONEL A. P. CLARK, U. S. Air Force

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MR. MILES KENNEDY
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HONORABLE HAROLD E. TALBOTT
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ADDENDA NO. 4
THE MIND AND THE SPIRIT
IN NATIONAL SECURITY

THE MIND AND THE SPIRIT IN NATIONAL SECURITY

(An address by Admiral Arthur Radford, Chairman of the Joint Chiefs of Staff, before the Second National Conference on Spiritual Foundations, Washington, D. C., 25 October 1955.)

President Eisenhower recently issued a widely publicized executive order to announce a Code of Conduct for the members of the Armed Forces.

In brief, pointed terms, the first article of this Code said:

"I am an American fighting man. I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense."

I believe most of you realize this is written in the form of a creed. Possibly some of you feel that it is written mostly for those of us in uniform. If so, you are not wrong. It is written as a guiding precept to be followed by the men in our Armed Forces.

I would suggest, however, that this creed could very well be a part of every American's attitude. There is no hidden meaning, nor is there lack of meaning, when you pledge: "I serve in the forces which guard my country and our way of life." These words are the key to the part played by the mind and the spirit in our national security. They signify: Militant Liberty.

Ladies and gentlemen: Every American should be dedicated to this mission. It is not sufficient for only a relatively few to defend the United States. In our present peril, people everywhere must unite in the fight against militant international Communism, or any other threat to our American way of life.

What is this "American way of life" of which I speak? You know it and I know it. We have lived it and enjoyed its benefits. But how can we define something so nebulous?

Language is sometimes a peculiar thing. Sometimes it plays tricks on us. The word "Freedom" has far different meaning when spoken from Communist lips. And in American speech, that word may become so loosely used that its meaning begins to wear thin and to become vague.

It has become increasingly apparent to me since World War II that men and nations who want to remain free must understand Freedom and be able to explain it—by their example as well as in their own words.

It is obvious the Communists have made amazing gains, largely because they know what they believe, why they believe it, and can explain it. They are educated in it and completely versed in it.

On the other hand, we who are free have many times been incoherent or have lacked the verbal ability to explain or defend completely what our way of life really is. We must know what we mean by it. We must be

convinced that it presents the very best way of life in today's world—and I think we are. But we must be able to explain this conviction to others.

Freedom

My own understanding of the American way of life is many-fold. First it is Freedom and Liberty.

Freedom began with a belief in human dignity, and it grew with the history of the world. Often it came in conflict with tyranny and despotism. Often it was knocked down, but always it arose to fight again. It would fight, and lose, and then fight again.

We learned this in history when Moses stood before Pharaoh and said: "Let my people go." We read it again when the barons stood before King John and the Magna Carta was embodied into laws. We lived it still again in the epic of Valley Forge.

Our Founding Fathers were adept at choosing the right words to explain the meaning of our way of life. Thomas Jefferson called it "Life, Liberty and the Pursuit of Happiness." Patrick Henry summed it up when he said: "Give me liberty or give me death."

All of you know well the other meanings of our four freedoms: They are all part of the American way of life:—freedom of religion, freedom of press, freedom of assembly; freedom of speech, and many more. We have lived with these freedoms so long, and have enjoyed them so much, that we are prone to take them for granted.

Faith

A second primary ingredient in our American way of life is faith. Faith is essential. We must have it.

The New Testament calls faith "the substance of things hoped for, the evidence of things not seen." (Hebrews 11:1.) Let me repeat that. Faith is "the substance of things hoped for, the evidence of things not seen."

Faith is our belief in the equality of man in the sight of God. It is our belief in what Alexander Hamilton referred to as "the Sacred Rights of Mankind." Far beyond the point of lip-service, we must all believe that each and every human is entitled to "Life, Liberty, and the Pursuit of Happiness." These are the "substance of things hoped for."

That cold winter at Valley Forge was truly an ordeal. The suffering from freezing and starvation almost led American troops to abandon their cause. Faith in their God; faith in their great leader, George Washington; and faith in the righteousness of their cause inspired the courage with which these men were victorious in their hour of trial. These are the "evidence of things not seen," to return again to the words of the New Testament.

Without such faith, we could not be ready, as written in the Code of Conduct, "to give my life in their defense." But with it, we can meet successfully any future hour of trial.

Responsibilities

Now, faith in the principles upon which this nation was founded automatically implies a third important element of "the American way of life"; namely, the individual acceptance of responsibility to defend these principles against any threat.

To the young person growing up in a country such as ours, it is too easy to consider the rights of man as accepted facts rather than as prizes to be won. The world can too easily seem his for the taking, without personal effort.

The lessons of history, however, teach us otherwise. History is replete with instances to prove that nations who take their liberty for granted are apt to fall prey to tyrannical forces, from within as well as from without.

For every freedom there is a corresponding responsibility. If a person denies his responsibility, he runs the risk of losing his freedom. If he accepts his responsibility, he can do much to perpetuate freedom for generations to follow.

In this same vein, teaching a person to recite the Declaration of Independence and the Bill of Rights by memory, line by line, word for word, is not enough, for you could teach a parrot to do that.

Instead, teaching him to understand the meaning of liberty is much better. It is all important. We should always give him a "Bill of Responsibilities" to go along with his "Bill of Rights," and at the same time, instill in him, a spirit of service to God and country.

Spreading the Word

Having established Faith, Responsibility, and Freedom as the three elements of "the American way of life," I am concerned with relating the whole to the concept of the mind and the spirit in national security. How do we go about perpetuating this "American way of life," for us today and for our children tomorrow?

An important feature in the multi-faced Soviet threat has been their conviction and complete command of their doctrine. Their successes have been achieved in great part by the subversive appeal of an artful logic, effectively spread by organized zealots. They have denied spiritual values and pretended to show that following the Communist system is the dynamic way to economic security for the masses. They have associated the United States with status quo powers whose only motivation is to hold onto the bounties they already possess.

Thus, the Free World, in spite of its greater resources and spiritual values, has been sometimes outmaneuvered. Too many times we who are free have seemingly lacked the understanding conviction with which to defend our way of life.

The answer lies in the heart, the mind, and in the spirit of all Americans. We must teach a better understanding and appreciation of "the American way of life"; we must rebuild the conviction that our path is the closest to that which God would have us follow, that it is truly worthy of personal sacrifices.

We must spread the word, both at home and abroad. We must call on the good offices and influence of the home, church, school, and Armed Forces, to develop the sound minds and dedicated spirits upon which our national security is fundamentally based. We can take our cue from Nathan Hale, who, when asked by his captors if he had any last words, simply said: "I only regret that I have but one life to give for my country."

You, ladies and gentlemen, are among the teachers. By virtue of the great wisdom you possess, you are able to wield your power and influence on people everywhere. Therefore, you have perhaps a greater responsibility to Freedom.

Yes, you are accountable. You are accountable for your use of Freedom and your powers to teach. Through your patriotic dedication, you can rekindle the fires of understanding conviction so that all Americans will proudly dedicate themselves to the words of our Founding Fathers in the Declaration of Independence:

“And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.”

This, ladies and gentlemen, is the Mind and Spirit in our National Security.

ADDENDA NO. 5
PRISONERS OF WAR IN HISTORY

PRISONERS OF WAR IN HISTORY

Dungeon, Cell and Stockade

The captive knight languished in a "donjon." The languishing was usually rugged. Facing "durance vile," many Medieval warriors preferred death to capture, refusing to surrender and battling until they fell.

The Medieval foot soldier continued to risk death or enslavement at the hands of a conquering enemy. But in the 17th Century he found a notable spokesman in Hugo Grotius—Dutch lawyer, humanist, one of the world's great democratic thinkers. At one time, Grotius himself was imprisoned. He contrived a remarkable escape. Thereafter, he dedicated himself to a study of international law, attempting to devise a set of rules which combatant nations could follow to mutual advantage. His efforts to humanize warfare by legal means did not meet with immediate success. But they did publicize the problem and place it on humanity's conscience.

The concurrent rise of nationalism aggravated the prisoner problem. As national armies grew, so did the complexities of war and soldiering. Usually the conquering army had few facilities for confining a mass of captives. Castle dungeons were few and far between. Great bastilles were built to hold prisoners. The British constructed Dartmoor as a prison for soldiers captured during the Napoleonic Wars.

As cells overflowed, the captives were crowded into miserable stockades. They were packed into airless prison ships or bleak compounds. Because guards were shorthanded, prisoners were frequently chained in droves.

Fortunately for the war-prisoner two lenitives eventually developed. One came in the device of the prisoner exchange. The second stemmed from the concept that the soldier in a national army was a servant of his government. As such he could not be held personally responsible for the actions of that government. Hence, he was not subject to punishment for going to war. The prisoner had right of reparation, and it was due from the "detaining state" and not from individual captors. The point bears on the problem of the "war criminal"—one of the serious questions involving the modern POW.

The issue arose during the American Revolution. So did other issues pertinent to the POW problem of today—questions involving treatment of captive by captor; prisoner conduct and allegiance; prison break and escape; truce exchange or prisoner rescue. The American patriot's first experience with these issues was not a happy one.

The First American POW's

George III decreed that all Americans who revolted against Crown authority were war criminals subject to hanging. Doughty Abraham Whipple of Rhode Island reminded the king, "Always catch a man before you hang him!" But every Revolutionary soldier and sailor went to war under shadow of the gallows. The noose was relaxed only because it proved impractical and English liberals deplored such high-handed

tyranny. Soon after the outbreak of hostilities prisoner exchanges were begun and paroles arranged. Whipple himself was eventually captured. The Red Coats considered the "Informal Commodore" worth more as hostage than hangee.

Captive American seamen were lodged in the worst of England's naval prisons, the "Old Mill" at Plymouth. Early in the war Dr. Franklin informed Lord Stormont in Paris, "The United States are not unacquainted with the barbarous treatment their people receive when they have the misfortune of being your prisoners in Europe." Lord Stormont's answer was blunt. "The King's Ambassador receives no applications from rebels unless they come to implore His Majesty's mercy." Mal-treatment of captured Yankees led Paul Jones to raid Nova Scotia in a daring rescue effort. "Justly indignant at the suffering of these Americans, I resolved to make the greatest efforts to succor them." His sensational raid on England featured an attempt to kidnap the Earl of Selkirk to force a prisoner exchange.

A view of Red Coat prisons in America comes from the pen of Ethan Allen, himself made captive. "The prisoners who were brought to New York were crowded into churches by the slavish Hessian guards I have seen sundry of the prisoners in the agonies of death, in consequence of very hunger; and others speechless and near death, biting pieces of chips; others pleading for God's sake for something to eat, and at the same time shivering with cold. . . . The filth was almost beyond description. . . . I have seen in one of the churches seven dead at the same time, lying among the excrement of their bodies. . . . I saw some sucking bones after they were speechless. . . . I was persuaded that it was a premeditated and systematized plan of the British Council to destroy the youth of our land."

From Bunce's *Romance of the Revolution* comes an equally harrowing account. "Of all the atrocities committed, those in the prison ships of New York are the most execrable . . . there is nothing in history to excel the barbarities there inflicted. Twelve thousand (American prisoners) suffered death . . . on board the filthy and malignant ships. The scenes enacted in these prisons almost exceed belief." Worst of the prison ships was the hulk "Old Jersey" anchored in Wallabout Bay, Brooklyn. The many dead, thrown overside, silted the bay with skeletons. A poet patriot engraved the picture in verse:

"Let the dark Scorpion's hulk narrate,
"The dismal tale of Red Coat hate;
"Her horrid scenes let *Jersey* tell,
"And mock the shades where demons dwell . . ."

The Red Coat leaders countered that the Yankees tarred and feathered Tory loyalists and that captive British soldiers were worked in brutal mines. The claim was made (in some instances substantiated) that Continental Navy captains slew naval prisoners. But "Old Jersey" remained a blot on the record.

In the "Old Mill" at Plymouth, England, some of the Revolution's greatest sea warriors were imprisoned. The prisoners were chained and placed under heavy guard. Yet the "Mill" featured two of the most remarkable escapes in history—exploits which inspire American fighting men to this day. With almost superhuman determination, Captain

Gustavus Conyngham and a group of fellow prisoners tunneled out and made a get-away. Thereby, as Conyngham dryly put it, "committing treason through His Majesty's earth." Aided by friends in the English underground, the intrepid Joshua Barney contrived an over-the-wall escape. Eluding pursuers, he bluffed his way across England, and reached Holland in disguise—an exploit to rival anything in Dumas. So was born the tradition that the American POW does not meekly accept captivity.

"The Meaning of Treason"

Laws affecting military discipline were evolving. Of course, the basic codes prevailed. Treason was punishable by death. Treachery could not be countenanced. The question of treasonable collaboration while a prisoner of the enemy came up during the Revolution. The case and its decision—a precedent—was recorded in 1781. *Respublica vs. M'Carthy*. The accused faced trial for serving in enemy uniform after capture. He claimed he was forced to do so under compulsion of duress. The court held that the duress was insufficient, only the threat of imminent death would constitute adequate excuse.

Clearer cases of treason were made against enlisted men who deserted their posts and went over to the enemy. Paul Jones had such a traitor in his raider, the *Ranger*. The man, a David Freeman, fled ship at Whitehaven and tried to alarm the town. If Jones had caught him—!

During the Civil War many prisoners of war changed uniform. Some 3,170 Union captives exchanged blue for gray. About 5,452 Confederates went over to the Federal side. One famous company of "reconstructed Rebs" was sent West to man a frontier outpost and relieve a Union garrison needed on the front.

In cases involving disloyal prisoners of war, the question of duress—or degree of duress—was weighed in the balance. The Union Judge Advocate General recognized coercion as a defense. It was held that "extreme suffering and privation which endangered the prisoner's life" might justify his enlistment with the enemy. However, if the prisoner made no effort to escape when opportunity offered, he was liable to a desertion charge. War Department General Order No. 207 (July 1863) provided that it was the duty of a prisoner of war to escape. The order was designed to curb wholesale surrenders by men eager to obtain parole and evade further military service.

The war was opposed by Northern "Copperheads." Lincoln was inclined to be lenient. Referring to "Copperhead" leaders, he asked, "Should I hang a young soldier, and free a wily politician who induces him to desert?"

Lieber's Code

Civil War prison camps were harsh. In Southern camps, particularly Andersonville and Florence, men suffered greatly from malnutrition and lack of medication. The Union prison on Johnson's Island in Lake Erie was a bleak Alcatraz, and Union stockades at Point Lookout on the Potomac were described as "hell holes."

Humane citizens, North and South, appealed for lenient treatment of captive soldiery. In 1863 President Lincoln requested Professor Francis

Lieber to prepare a set of rules for immediate promulgation. Lieber's *Instructions for the Government of Armies of the United States* were probably the first comprehensive codification of international law issued by a government. Based on moral precepts which recognized the enemy as a fellow human with lawful rights, they embodied the first code pertaining to prisoners of war. Lieber's code contained the following injunctions:

No belligerent has the right to declare that he will treat every captured man in arms . . . as a brigand or a bandit.

A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering, or disgrace, by cruel imprisonment, want of food, by mutilation, death, or any other barbarity.

A prisoner of war remains answerable for his crimes committed before the captor's army or people, (for crimes) committed before he was captured, and for which he has not been punished by his own authorities.

A prisoner of war . . . is the prisoner of the government and not of the captor.

Prisoners of war are subject to confinement or imprisonment such as may be deemed necessary on account of safety, but they are to be subjected to no other intentional suffering or indignity.

A prisoner of war who escapes may be shot, or otherwise killed in flight; but neither death nor any other punishment shall be inflicted on him for his attempt to escape, which the law of order does not consider a crime. Stricter means of security shall be used after an unsuccessful attempt at escape.

Every captured wounded man shall be medically treated according to the ability of the medical staff.

Lieber's code was a milepost on civilization's highroad. But its commandments were easier to publish than practice. For example, the code stipulated that prisoners should receive rations similar to those issued his captors. Military and economic stringency often negated the intention of this rule. The Confederacy agreed to recognize and apply the code. But under pressure of blockade, the South was slowly starving and Southern soldiers and their prisoners showed the effects of the scarcity of food.

Lieber recognized that war was a harsh taskmaster. Prisoners would have to obey various prison-rules. They would be punished for infractions. During the Civil War, prisoners were sometimes chained together, placed in brutal irons or "bagged" (a suffocating canvas sack tied over the head). They were placed in solitary confinement, and denied water. These vicious measures were seldom used as disciplinary punishments. More often they were employed to wring information from a captive. Such "third degrees" were sub rosa and usually applied by military police or Secret Service agents.

Interrogation and Information

In the American Civil War, espionage, military intelligence, and counterintelligence were important features of the conflict. In the two previous wars fought by the United States few trained intelligence operators had served the American forces. Efforts to gather military informa-

tion had been haphazard and disorganized. The advent of the Pinkerton Service which operated with McClellan, the Federal Secret Service under Colonel Lafayette Baker, and a well-organized Confederate Secret Service put intelligence-gathering (and defensive counter-intelligence) on a modernized basis.

Spies were called "scouts." As old as war was the rule that the enemy spy, caught in disguise, faced death. They were beyond the pale of prisoner-of-war exemptions. The Civil War featured many heroic spy exploits. It also featured daring raids on enemy lines to capture troopers for interrogation. In every war thereafter, military intelligence would be closely linked with prisoner interrogation.

The officer or man who gave his captors military information was as dangerous to country and cause as the deliberate traitor. So soldiers were enjoined "not to talk." Lieber set down the rule:

Honorable men, when captured, will abstain from giving to the enemy information concerning their own army, and the modern law of war permits no longer the use of any violence against prisoners, in order to extort the desired information, or to punish them for having given false information.

Again the rule was easier to recite than observe. On the one hand, there was the interrogator ordered by his chiefs to acquire vital information—intelligence which might win a battle and save many lives. On the other hand, there was the prisoner, sworn to withhold information which might cost a battle and the lives of his countrymen. Here are the opposing forces for a cruel contest. By virtue of the fact that he is a captive, the odds are all against the prisoner. His refusal to talk inevitably invites some form of duress. Accordingly, Lieber's Code outlawed violence by the captor.

Civilized men did their best to follow the precepts of the Golden Rule and Christian doctrine.

So another significant effort was made to regulate warfare by ethics. The going was slow but the steps were in the right direction. A promise of something better for the POW was coming from Geneva.

The International Red Cross

In 1864, the Swiss philanthropist Henri Dunant wrote a book which set the stage for a conference at Geneva and the founding of the International Red Cross. The Red Cross offered relief to all combatants, regardless of the flag they served. All participants agreed that "the sanitary personnel might continue its duty in the presence of the enemy." Through the determined campaigning of Clara Barton the United States joined the convention in 1882, and the American Red Cross was organized.

Dunant's work inspired the founding of other prisoner-relief societies. In 1874 a conference was held in Brussels at the instigation of the Russian Government. Delegates of all the major European nations attended. A code, based on Lieber's, was projected. The Brussels code was not ratified. But it strongly influenced the first Hague Conference which met at the turn of the century.

The devoted men at Geneva and Brussels worked overtime to devise international laws which would be effective. They were confronted with race prejudice, ancient grudges, super nationalism, and mistrust.

Czar Nicholas II sponsored the Hague Conference of 1899 which broadened the scope of Red Cross operations. Representatives of 26 nations attended the Conference. Discussed were disarmament proposals and the possibility of establishing a world court. The delegates negotiated various agreements relating to warfare and war-prisoners.

The prisoner-of-war code adopted at the Hague was based on the one proposed at Brussels. It embodied many of Lieber's original stipulations. Prisoners of war were to be considered as lawful and disarmed enemies. They were captives of the hostile government (and not in the power of the individual captors or jailors). Humane treatment of prisoners was obligatory. And it was agreed that unruly prisoners could be punished for insubordination.

Twenty-four of the attending powers ratified the Hague Convention. Signers included the United States, Germany, France, England and Russia. A hopeful generation called the Conference the "First Parliament of Man."

Acting on a Russian proposal, the Netherlands called a second Hague Conference in 1907. During this conference, the powers affirmed their adherence to the principles previously adopted.

So the Red Cross raised its flag in the capitol of every modern nation including Russia. Eventually the Soviet Union agreed to follow the rules laid down by Hague and Geneva Conventions. At the outbreak of the Korean War, the North Koreans and subsequently the Red Chinese announced an intention to observe the rules. While the Red Cross was conspicuous by its absence in North Korea, a few of the POWs did receive mail and packages. And some of the Chinese held their fire when medical troops were recovering wounded. The Red Cross was there in shadow, if not in substance.

The First Total War

Another conference was in the making when the First World War exploded. The German intentions seemed only too clear when the Kaiser's spokesman described a treaty with Belgium as a "scrap of paper."

The concept of total war—mustering an entire nation and its forces for the conflict—was not new. But in the modern sense it was first advocated by the elder Von Moltke. If rules and codes abetted the war effort, observe them. If they didn't, they were unrealistic and to be dispensed with. Total war was no gentleman's game. Any expedient that spelled victory was justifiable.

Von Moltke's concept was not entirely accepted by the High Command, but the Prussian school generally endorsed a policy of *Schrecklichkeit* (planned terror or "Frightfulness") to subdue defiant enemy peoples. Prussian "Frightfulness" was amateurish, and not very effective. But it did represent a 20th Century development in psychological warfare. Its usefulness was countered because it backfired in another area—propaganda warfare.

Organized propaganda was an innovation. The practice of propaganda was as old as preaching, electioneering or salesmanship. Early American war propaganda was written by Thomas Paine whose book *Common Sense* was the sensation of '76. Washington urged his troops to read it. And the phrases "summer soldier" and "sunshine patriot" scathed the faint-hearted of the Revolution.

Captain David Dixon Porter, U. S. N., pioneered with propaganda during the Civil War. Past the Vicksburg forts he floated a dummy gunboat bearing a huge sign advising: "Deluded Rebels, Cave In!" Porter was probably the originator of the leaflet barrage. From one of his gunboats he flew kites over Vicksburg. A cut string would drop a bag of letters on the besieged city. "Think of chicken and biscuits!"

But organized propaganda—contrived press releases, editorial campaigns, leaflet barrages—the use of all kinds of mass media to reach a national audience or influence the enemy populace or army—this was something new. From the outset Germans and Allies saw it as a tremendously powerful weapon. Offensively and defensively, both sides employed it to the utmost. Again the Germans went wide of the mark. Their propaganda "threatened." Basically, propaganda is advertising. Force it, and it becomes repellent.

The Germans introduced another innovation during World War I. This new element could be called "Political Warfare." As distinguished from propaganda, it involved the process known today as political indoctrination. In 1914 this came as an extraordinary (and an alarming) machination. The Germans did not employ it successfully or on a large scale. They were pioneering. But they set the pattern for the future.

At Limburg and Zossen, the Germans set up what were known as "political camps." To these camps were sent prisoners who seemed likely subjects for subversion. The inmates were quartered in comfortable barracks. Instead of the normal prisoner ration they were fed the best viands available. Tobacco and candy were plentiful. During the first eighteen months of the war, Irish prisoners were selected for these segregated camps.

As reported by Major H. C. Fooks in his book *Prisoners of War*: "One commandant talked to his men and stated that the emperor was aware of the downtrodden state of Ireland, and wished that the Irish captives be placed in a separate camp, where they would be better fed and treated better than the English captives. . . . Sir Roger Casement was sent to the Limburg Camp to give a series of lectures."

Casement was a famous Irish rebel—in British eyes an arch-traitor. He had slipped into Germany to organize an anti-British brigade. His attempts with the Irish prisoners of war were a pathetic failure. From Fook one learns: "The lectures were poorly attended and as soon as the real purpose of them was disclosed serious trouble developed in the camp wherever Casement appeared; in fact a guard had to be sent with him to protect him from the indignant Irishmen. After every inducement had been held out for a long time, including freedom of the prison camps, and especially the privilege of having an Irish regiment of their own with green uniforms and a harp embroidered on the coat, only thirty-two men volunteered for the new regiment from four thousand captives. The thirty-two were despised by their compatriots."

Fook tells of a Roman Catholic priest, an Irishman, who was sent to the Limburg camp by special arrangement with the Vatican. This clergyman, Father Corotty, refused to cooperate with Casement and the Germans. He denounced them both to the prisoners and urged the captive soldiers to remain loyal to their oaths and their king. Father Corotty at Limburg was a valiant pleader. He would have his counterpart in Father Emil Kapaun—a brave priest who died in a prison camp in North Korea.

One may find another parallel in the 32 Irish converts who joined the German side in World War I and the 23 defectors who turned the coat in Korea. A final parallel comes from the World War I account. "After the failure of such methods the Irish captives were subjected to rigid discipline and limitation of liberty. The leaders in this antagonism to German diplomacy were removed from the main camp to working camps where they were forced to live on the camp foods without receiving their packages and letters which would normally have been forwarded to them. Bitter complaints were made to the effect that men too ill to get out of bed were ordered to leave in violation of the orders of the medical officers Reprisals by the Germans were not uncommon."

As a footnote to this political indoctrination program, Roger Casement was captured by British agents when a U-boat landed him in Ireland. Summarily tried as a traitor, he was found guilty and executed.

At war's end approximately 2,200,000 prisoners were in the hands of the Central (Germanic) Powers. The Allies were holding 615,900. The Americans had captured some 49,000 Germans. The Germans captured 4,120 Americans. A total of 147 Americans died in the enemy's prison camps. Few Americans escaped from Germany, but daring attempts were made.

By and large, the American prisoners had been well treated. Undoubtedly the Kaiser's military leaders foresaw the results of America's entry into the conflict. With the handwriting on the wall it was only expedient to treat captured Doughboys with lenience.

In reviewing World War I—the First Total War—one may note four major developments:

- Scientific intelligence warfare.
- Psychological warfare.
- Propaganda warfare.
- Political warfare.

All dealt with the human mind, and all would be brought to bear on future prisoners of war—in World War II and in Korea.

Star Chamber Confessions

Intelligence warfare, psychological warfare, propaganda warfare and political warfare did not end with the signing of the Armistice. World War II began almost as soon as the First World War was terminated. Out of Europe's ruins crawled Fascism and Nazism. Communism had already taken root in the wreckage of Imperial Russia.

Begin a war for the minds of Europe's people—those millions contemptuously looked upon by War Lord and dictator as "the masses." While spies and subversives swarmed across the Continent, the "masses" were deluged with propaganda appeals. Salute with upraised hand, with clenched fist and cocked elbow—here comes the Millennium! The Rebirth of the Roman Empire! The Thousand Year Reich! International Communism! The democratic nations looked on in helpless alarm.

The Fascist Terror seemed mostly bugaboo. But Nazi Germany produced a horror of pogroms. Concentration camps. Torture chambers. Finally, in the early 30's, Hitler's Blood Purge.

Then, from the murk of Communist Russia, came a startling series of headlines.

In 1937, the Kremlin staged a wholesale purge of Bolshevik traitors and defectors. Among the number brought to trial were some of Russia's toughest Red commissars and no less a figure than Marshal Tukhachevsky, one of the ablest military strategists in Europe. Western observers were astounded to hear the accused stand up in court and openly confess to treason. A number of them read or recited long speeches, admitting to designs against the Soviet Union and the regime in power, and voicing penitence for their deeds. With fantastic self-abnegation, some of the confessors condemned themselves and recommended judgment without mercy. As they marched off to face firing squads or the oblivion of Siberia, the world stared after them in astonishment.

The techniques used in the cases of the Russian political prisoners demonstrated that they had a very effective means of forcing individuals to make false confessions. To some extent this special intensive and protractive technique, sometimes referred to as "brainwashing", was employed on American prisoners of war in Korea. It was used to elicit false confessions and other statements for propaganda purposes.

Threats. Blows. Days in solitary confinement. Dribbles of food and sips of water. Then questioning, hour after hour, a brilliant light in the eyes. Exhaustion, then, perhaps, sudden leniency. An abrupt shift from brutality to smiling kindness. Anything to throw the victim off balance. And if the "kindness" fails, another resort to remorseless punishment. The simple carrot-and-prod procedure. Months of such treatment could, and evidently did, crack the staunch commissars. A sensitive man would succumb sooner. A Dutch doctor coined the term for this type of psychological and physical pressuring—"menticide."

The Geneva conventions outlawed duress and physical torture. But a cynical and ruthless enemy would hardly balk at the breakage of humane rules. Moreover, he might claim that mental torture did not constitute physical torture. In any event, the question seemed academic as far as the Nazi S. S. were concerned. But as Germany marched toward war there was some hope that the professional Wehrmacht commanders would abide by the Geneva Code. It would appear that many of them did.

The Second Total War

Seen as an extension of World War I, the global war exploded by the Axis Powers produced nothing new in the way of warfare until its atomic ending. Unless it could be stated that air raids and buzz bombs extended the battle front to the home front and put every civilian—man, woman, child—on a potential firing line. And for the first time in modern history, thousands of civilians were taken prisoner and impounded in concentration camps.

The conflict that would leave millions of dead was an anthology of atrocities. The civilians suffered most. Rotterdam blasted. Coventry blasted. Lidice destroyed. Thousands of peasants herded to the wall and shot. Victims beaten and tortured by their S. S. captors. Resisters starved, flogged, mutilated, slain in endurance tests and medical experiments behind the walls of Oranienburg and other "special prisons."

The horrors endured by captive civilians in Nazi hands defy assessment.

Their sum may never be totaled. The authors of the Blood Purge silenced many of their captives and saw to it the records were destroyed.

Prisoner Interrogation—A Battle of Wits

During World War II a total of 129,701 Americans were captured by the Axis enemy.

Perhaps fearing reprisal more than public opinion, the German military were fairly punctilious in handling American POWs. Americans captured in Italy were awarded similarly "correct" treatment. The prisoners were usually allowed to organize in groups. Captured officers assumed command according to rank. The POWs often ran their own work details. In lenient camps sports and shows were permitted. Red Cross packages were distributed, and mail call was the happiest moment of the month. But the men were behind barbed wire, and Americans behind barbed wire are never happy men.

In the matter of prisoner interrogation the German military seem to have been punctilious enough. At least toward the Americans. There was none of the brutalizing that was evident in such Japanese camps as Ofuna and Ashio, where American submariners were tortured.

The Americans captured by General Homma's forces on the Bataan Peninsula and at Corregidor counted themselves fortunate if they reached a prison camp alive. In the "Bataan Death March" General Wainwright's surrendered troops endured one of the most excruciating ordeals of the war. Britons and Australians caught at Singapore were similarly brutalized. The veneer of civilization was thin on the Emperor's soldiery. It peeled off like varnish as the Rising Sun blazed in triumph over the Southwest Pacific.

Airmen and submariners bore the brunt of interrogation ordeals. Reason: they usually possessed information of more value to the enemy than an infantryman's. They may have flown from a carrier or perhaps from some hidden island base. The name of the flattop, the location of the base—this was vital intelligence. The submariner knew a dozen secrets: his sub's cruising range, its radar and sonar devices, its torpedo gear. One of the best kept secrets of the war (and one of the most important) was the depth at which a U. S. submarine could operate.

So pilots and submarine sailors who were captured "got the works." The Japanese did not employ subtle interrogation methods. Nor did they employ the methods associated with "menticide." Prisoners were flogged and tortured. They were treated to such Oriental punishments as judo experts and hatchet men could devise. One submarine captain who took it was a skipper whose vessel had been battered into surrender. Cigarette burning, bamboo splinters under the fingernails—this officer's ordeal hardly bears recital. But the Japanese did not extract from him the diving depth of U. S. submarines.

In the South Pacific after the war, Americans found the graves of captured destroyermen. Several of the bluejackets had been beheaded. And on Palawan Island was found a trench containing the bodies of American prisoners who had been drenched with gasoline and burned alive. Their story was told by a survivor who had escaped this horror.

These grim reports from the Pacific may be detailed as the exception. Late in the war Japanese prison camps were on a par with those in some

backward country at century's turn. The blockaded Japanese were reduced to meager rations. The Philippines and the Home Islands were undergoing non-stop bombardment. Consequently food and medical supplies were at barrel-bottom. The POW's received the leftovers.

But beheadings, torture, Palawan massacre and "Bataan Death March" were on the record. Like the Malmedy massacre in the Belgian Bulge, like Buchenwald and Belsen, they awaited an accounting. The outraged people of the United Nations demanded retributive justice.

The Germans applied other and seemingly more effective interrogation methods. Consider the testimony of Hanns Joachim Scharff. Scharff was an interrogator stationed at Auswerstelle West, Oberursel, Germany. This was the camp where all captured aviators (except Russian) were brought for questioning. Every American fighter pilot made prisoner by the Germans was sent to Oberursel. Scharff questioned 500 of them. From "all but a handful" he obtained the information he was after. His work was so successful that he came to the notice of the Department of Justice. After the war he was brought to America to explain his remarkable methods.

As it evolved, Scharff's methods were not so remarkable. It might be said that he "killed his victims with kindness." Expecting to face a Nazi terrorist or an S. S. savage, the captured pilot found himself confronting a genial English-speaking German who seemed as polite and friendly as a new acquaintance on the college campus. Scharff would open the interview by offering the prisoner a chair and a cigarette. "Lieutenant, it is my duty to ask you certain questions. May I have your name, rank and serial number?"

The prisoner would cheerfully comply. At that date U. S. Army regulations required him to "maintain silence" after he had spoken the required identification.

"Now, then," Scharff would go on amiably. "That number of yours. Are you a bomber? Or a fighter pilot?"—No answer.—"What is your home address, Lieutenant?"—No answer.—"What type of plane do you fly?"—The Lieutenant grins and shakes his head. Scharff chuckles. "I see I can't get anything out of you. Here take a look at the latest *Stars and Stripes*. I'll be back in a few minutes."

The chair, the cigarette, the *Stars and Stripes*—these are stage props cunningly contrived to set the prisoner at ease. The interrogator's brief retirement gives the prisoner a chance to relax. A relaxed man may be caught off guard. The next move by the interrogator (and in all the moves in this game he has the advantage and maintains what chess players call the initiative) puts him in touch with BUNA. The initials stand for *Beute und Nachrichten Abteilung*, which translates roughly into "Booty and Information." At this BUNA center the Germans assembled everything recovered from downed pilots. The booty included things as innocuous as mess-hall tickets, book matches, bits of maps, lucky pieces, and anything else scavanged from pilots shot down over the lines. More informative items were letters, snapshots, or newspaper clippings found on the dead or taken from prisoners. Needless to say, wrecked aircraft were salvaged whenever possible. If the planes were blown to pieces, the pieces were recovered and shipped to an assemblage base similar to BUNA.

The BUNA center also contained thousands of dossiers on prisoners.

And thousands of dossiers on officers who had not been taken prisoner. Suppose the captured Lieutenant were a football hero. Doubtless when he enlisted the old home town published his name in the paper and his photograph with it. The chances were that BUNA had his name, his address, his picture, and the names of his uncles, his cousins and his aunts. Also his nickname—"Bud." Perhaps even the fact that his father was president of the local bank. If "Bud" graduated from college or military school or academy, his picture would be in the classbook along with those of his fraternity brothers. All of which made it easier for Interrogator Scharff. (The Germans were not the only ones who assembled such information. It was said that when the war broke out the British knew the name and address of every officer and man in the Nazi Navy.)

Now, the game became relatively simple for Scharff. Armed with background information from BUNA, he would return smiling to the contest. "Well, Bud, you see I have found you out. You flew over here in a P-38. Your squadron commander, Jack Williams, is in prison down the line. He's a nice guy. I couldn't get anything out of him, but my intelligence boys came across a news clipping. You fellows flew in here from Tunbridge Wells. Nice going. By the way, how's your little sister Peggy? We've got a chap in my outfit who used to live in Oak Park. I understand your father is president of the First National Bank."

What could be more disarming than this routine? Of course, it wasn't always that easy. The Lieutenant might refuse to rise to the bait. BUNA might have more trouble acquiring biographical information. But the illustration suffices. Nine times out of ten a prisoner would be completely "beaten" when the interrogator came up with his nickname, the name of his squadron leader, and intimate details of his home. Not to mention the type of plane he flew, the armament carried by the plane, its rate of climb, and so on.

So Scharff was able to report that he "broke" almost 500 American pilots. After the opening breach, the follow-through was usually easy. The prisoner would be invited out for a stroll in the park. Scharff would take him to some quiet beer garden for a friendly Bock. A few aimless remarks about nothing at all. Then Scharff would slip in the trick question, shrouding it with indirection—an indifferent tone, an offhand manner, or a yawn. That was the way it was done. A game of words. A battle of wits.

And what if the prisoner proved obdurate and buttoned up into absolute silence? Then would come the glass-of-water trick. Or one of its many variations. There were ways to slip a pill into the prisoner's glass. Ten minutes after drinking, he might become a very sick man. Nothing fatal or injurious. Nothing worse than something that felt like acute indigestion.

As the prisoner doubles up, sweating, the interrogator is most solicitous. "Lieutenant! You are sick! It may be peritonitis! You must go to the hospital immediately. Surely you have a family. You will want us to notify your next of kin if—!"

No prisoner wants to be buried in an unknown grave. Even so, a man might remain defiant. And Scharff would then encourage such defiance. "Ha! You won't tell me the name of your squadron commander. What is the name of your commanding general?" The defiant

prisoner refuses to speak. *Sehr gut*, he goes back to his cell. There he is locked up with his cellmate—a pleasant fellow from Ohio who was captured early in the war. “Huh! Did they sweat you out?” And “Bud” nods grimly, “Yeah, but they couldn’t get General Jones’ name out of *me*.” And at that moment they’ve got it. Perhaps by concealed microphone. Perhaps from the pleasant cellmate who lived ten years in Ohio before he returned to his home Germany.

So most of Scharff’s victims were tricked. They were not tortured with thumbscrews and cigarette burns. They were baffled by stagecraft, misleading geniality, glib queries that were as fast as the jabs and feints of a boxer. The average prisoner who faced Scharff was at almost hopeless disadvantage. He was somewhat in the position of a civilian who might be compelled to improvise his own defense against a skilled and wily District Attorney.

In the war there were many Scharffs. Not all of them were on the German side. Adept Allied interrogators pumped information from case-hardened Luftwaffe pilots and U-boat skippers. In the closing days of the war they pumped their rivals—captured Nazi interrogators—among them Joachim Scharff. In this duel among experts the Germans found themselves hoist on their own petards.

The prisoner in an interrogation center is a fly in a web. The enemy has all the say. At the end of World War II the consensus of the experts was this: *It is virtually impossible for anyone to resist a determined interrogator.*

But the experts came up with another consensus: *Although a determined interrogator cannot be resisted, he may be evaded by the prisoner.* The prisoner may dodge loaded questions.

Treason Trials, World War II

As in World War I, and, indeed, every previous major war, the Second World War disgorged a number of indigestible traitors. Among the first arrested by the United Nations powers were the Quislings who had willingly cooperated with the Nazis.

In Holland, Belgium, Norway, Denmark and other occupied countries treasonable collaborators were summarily dealt with. Those who had their heads shaved by angry partisans got off easily. Some were tried by kangaroo court and shot.

Some British servicemen were court-martialed for treasonable collaboration with the enemy while they were prisoners of war. The accused pleaded coercion as a defense. As had the Federal judges of the Civil War, the British military judges took into account “degree of coercion.” They seem to have been severely exacting in the case of Henry Rose, a Navy stoker. Rose had been captured, beaten, threatened with death, and shown two terrifying corpses. (An example of German interrogation at its worst.) The sailor then blurted out the information his captors wanted. The British found him guilty of “aiding the enemy,” and sentenced him to 16 years hard labor (subsequently reduced). On the other hand, Major Cecil Boon, charged with writing a propaganda letter for the Japanese in Hong Kong, and informing them of a prisoner escape plot, was acquitted on the score that they had threatened him with the “punishment of death.”

American prisoners of war charged with treasonable conduct included Sergeant John Provoo of the U. S. Army, and Chief Signalman Hirshberg of the Navy. Another case involved an Army sergeant who wrote to a Japanese surgeon, offering to aid the enemy.

Altogether it would seem that the Americans taken prisoner in World War II established a remarkably fine record for courage, endurance, and unyielding loyalty. Like their fathers in the A. E. F. of World War I, they stood up to a ruthless enemy, and stood up better than well. For the most part, the soldiers or the aviators who talked to German interrogators were tricked into talking by experts at the game.

The troops went to Normandy and Guadalcanal knowing *Why We Fight* and *The Nature of the Enemy*. The American soldier and his sailor team-mate were well informed on Hitler and Tojo.

So American POWs of World War II knew pretty much what it was all about. There were no Arnolds, but many Wainwrights.

Of the 129,701 American prisoners in Axis captivity, 14,090 died in the enemy's prison camps. The percentage—10.9%—was cruel. But unquestionably it would have been higher had morale been as low as it was in the subsequent Korean War.

Geneva Conventions of 1949

Troubled by the terrible death-toll of prisoners in World War II, delegates of the many countries met at Geneva in 1949 to formulate and define higher standards of treatment for POWs. The articles of the earlier Geneva Convention were clarified and strengthened. Fifty-seven nations signed the new Geneva Treaties.

Although the Russians had not participated in the Geneva (POW) Conventions of 1929, the Soviet Union signed the 1949 Convention. So did eight other nations in the Communist bloc. The U. S. S. R. and its satellites held out, however, on certain points. One of their reservations concerned Article 85, Relative To The Treatment of Prisoners of War. The Article reads:

Prisoners of War prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present Convention.

The Soviet delegate entered the following reservation:

The Union of Soviet Socialist Republics does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subjected to the conditions obtaining in the country in question for those who undergo their punishment.

This reservation is a disturbing indication of Soviet intention so far as applying the conventions is concerned.

The American Way

The Russians held thousands of German soldiers in captivity at the close of World War II. Brutality breeds brutality. Hitler's legions had murdered thousands of Russian and Ukrainian peasants. And the patriotic

Slavic soldiers sought reprisal. But the men in the Kremlin had other designs. Doubtless to the surprise of many Russian Army veterans, the captured invaders were herded into "political camps." Instead of shooting Panzer officers and Stuka pilots for outrages committed, the Red commissars shoved them into colossal indoctrination mills. From dawn to dark, week in, week out, the prisoners were besieged with Marxian doctrine. It would seem that their crime, after all, was not invading Russia. They had been guilty of anti-Communism!

The Soviet campaign to indoctrinate masses of German prisoners with Communist ideology emerges as one of the strangest war-moves in history. The Reds, of course, were copying the tactics employed by the Germans in World War I when they tried to indoctrinate Irish prisoners with *Kultur*. But the early German attempt was picayune compared with the Soviet program. The German attempt failed. The Red indoctrination program gained hundreds of German converts. Prize of the lot was no less a figure than General Von Paulus, captured at Stalingrad.

While Soviet Communists were haranguing German war-prisoners, the Chinese Reds, waging civil war, adopted similar tactics. Nationalist prisoners were herded into "political camps" and barraged with the Red Chinese version of Marxian doctrine. But the reindoctrination of a Nazi-indoctrinated German demanded a high-powered approach akin to evangelism.

It was nothing more than a high-gear recruiting campaign. It did not involve "menticial" pressuring or anything akin to so-called "brain-washing." Boiled down, it amounted to advertising.

In America there were some who took fright at Communist advertising. Alarmists thought the way to combat it was to hide it. Taboo the subject. Push it out of sight. The fear of Marxist literature, for example, caused the banning of *Das Kapital* from a number of school and public libraries. Such censorship gave Marx and his writings a stature far beyond their value.

The way to combat such a subject as Communism is not to hide it—or hide from it. The way to combat it is to explode it. Americans have the means at hand—The Bill of Rights. Or call it Democracy, or Republican Government, or the American Way. Armed with a knowledge of American principles—and a knowledge of the enemy's—the American fighting man possesses a sword and shield which cannot be wrested from him in combat or in captivity.

As in the interrogation battle, the war for the minds of men is a war of wits. It will not be lost by the serviceman who is equipped with the necessary education.

ADDENDA NO. 6

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ADDENDA NO. 7

CHARTS

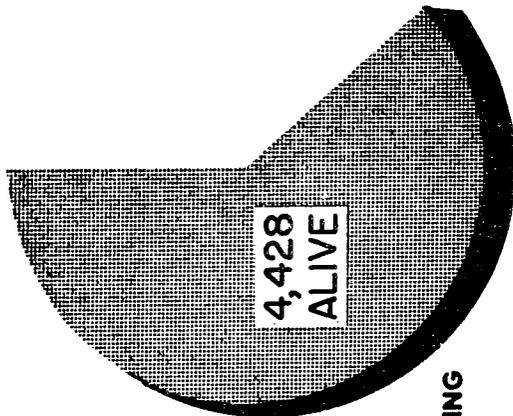
NO. 1 POW BREAKDOWN

NO. 2 BREAKDOWN BY SERVICE

NO. 3 HOW POW'S WERE PROCESSED

NO. 4 HOW SUSPECTS WERE INVESTIGATED

**OUT OF 1.6 MILLION IN KOREAN CONFLICT 20 JULY 1955
7,190 WERE CAPTURED NO 1**



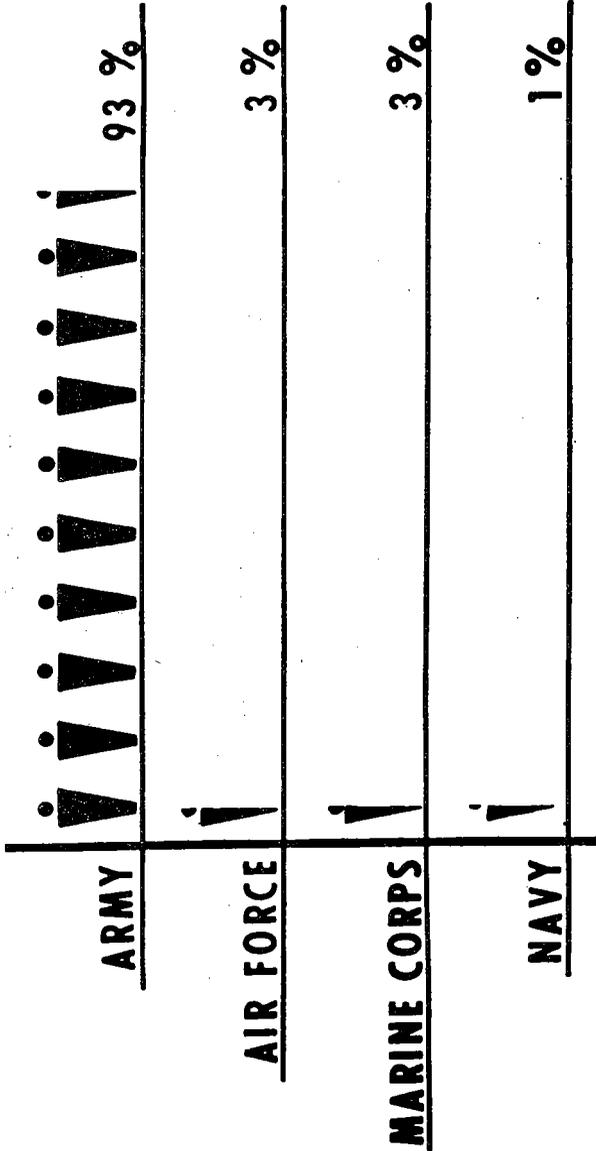
AN ADDITIONAL 470 WERE MISSING

- 21 Refused Repatriation
- 11 Retained by the Communists Against Their Will (Subsequently Released)

7,190 CAPTURED - KOREA

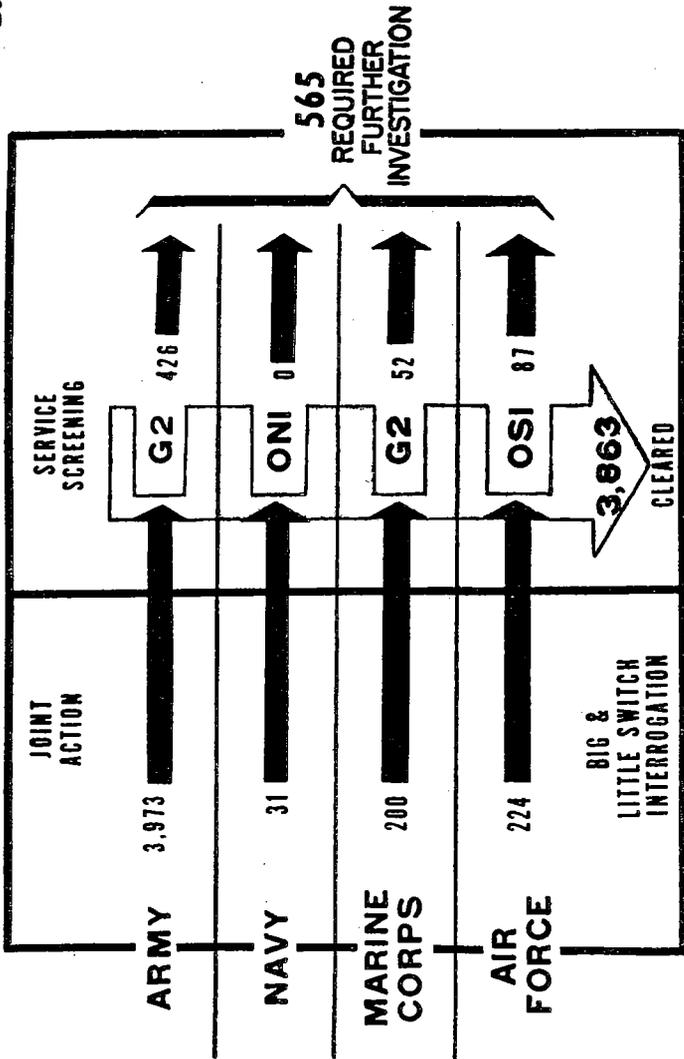
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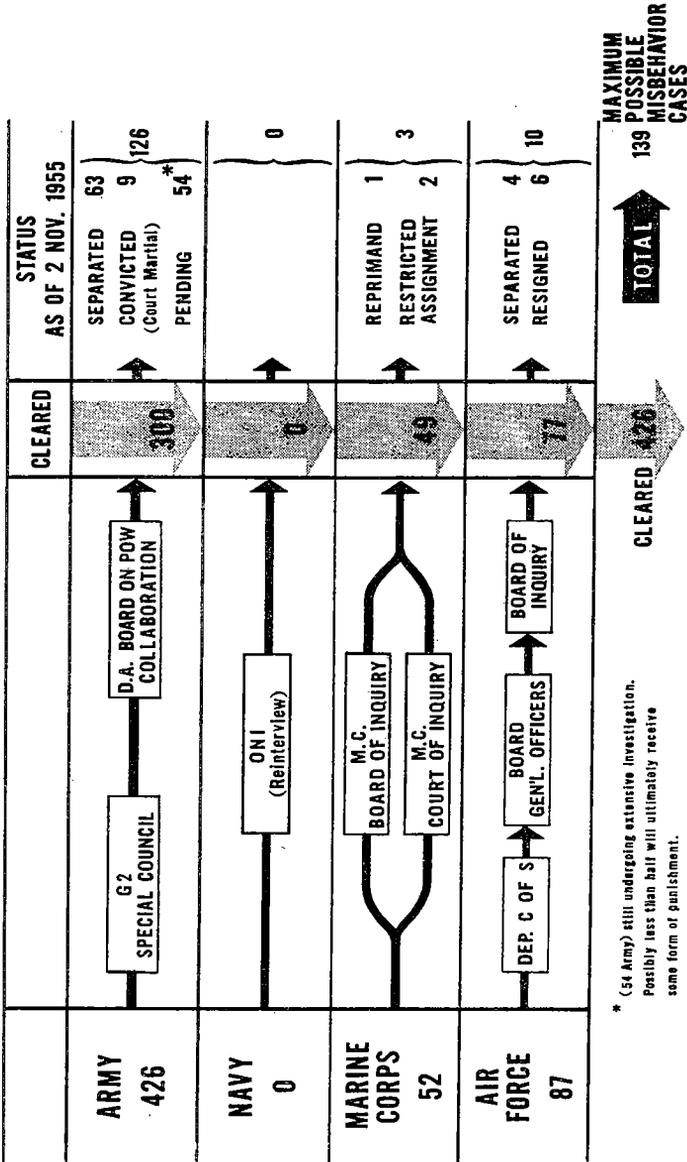


HOW THE 4,428 POW'S WERE PROCESSED

20 JULY 1955
NO 3



HOW THE 565 WERE INVESTIGATED



* (54 Army) still undergoing extensive investigation. Possibly less than half will ultimately receive some form of punishment.

THE SECRETARY OF DEFENSE

November 1955 .

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A handwritten signature in black ink, appearing to read "C. E. Wilson". The signature is written in a cursive, flowing style with a large initial "C".

Charles E. Wilson

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