

Drexel A. Sprecher (1913-2006), Nuremberg Prosecutor

*John Q. Barrett**

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Drexel Andreas Sprecher died in March 2006 in Washington, D.C., a week short of his 93rd birthday. Sixty years earlier, Drexel Sprecher was a U.S. Army Captain working on Justice Jackson's staff in Nuremberg as Assistant Trial Counsel for the United States before the International Military Tribunal. Following the IMT trial, Sprecher remained in Nuremberg and participated from 1946 until 1949 as a senior attorney and prosecutor in the subsequent U.S. trials.

As Sprecher chronicled in his last book, Looking Backward-Thinking Forward,¹ he had a very interesting background and path to Nuremberg. Born in the village of Independence, Wisconsin, he attended local schools and experienced the hard work of a small farm, but he also traveled to Alaska and made a summer 1930 trip to Europe that included time in Weimar Germany. Sprecher spent his freshman year at a small religious college in Illinois and then transferred to the University of Wisconsin. In his senior year, he wrote an Economics term paper on German fascism, including the Nazi seizure of power months earlier and the nature and structure of that regime.

Sprecher graduated from Wisconsin in 1934 and then spent a year at the London School of Economics. On holiday travel that winter, he returned to Germany and had the experience of spending an evening in a Bavarian bar with German students who bragged of their support for Hitler and Nazism. Sprecher noticed that one of the German students remained quiet during these remarks, and she later told him privately that she was anti-Nazi but could not safely say so in front of the other German students.

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¹ DREXEL A. SPECHER, LOOKING BACKWARD-THINKING FORWARD: A NUREMBERG PROSECUTOR'S MEMOIR WITH NUMEROUS COMMENTARIES ON SUBJECTS OF CONTEMPORARY INTEREST (Hamilton Books, 2005) (www.hamilton-books.com and www.univpress.com).

In spring 1935, LSE Professor Harold J. Laski persuaded Sprecher to apply to Harvard Law School, telling him that it would improve his writing on complex topics and generally hone his mind. Laski then wrote to his friend Professor Felix Frankfurter at Harvard and arranged directly for Sprecher's admission. At Harvard, Sprecher was not a serious student—he did not flunk out, but he spent much of his time on non-academic activities and thus earned mediocre grades, which led Professor Frankfurter to admonish Sprecher more than once. His team won the Ames moot court competition in his third year, however, and as the competition topic was a labor law case, this experience helped earn him a trial attorney job with the National Labor Relations Board following graduation. From 1938 until he enlisted in the Army as a private in 1942, Sprecher handled increasingly complex, sometimes high profile, NLRB litigation throughout the country.

Sprecher's Army service during World War II was varied. In June 1942, he shipped to England, got promoted to Sergeant, and was assigned to the Inspector General's Department. After the November 1942 Allied invasion, he was sent to North Africa. In 1943, he was assigned to investigate there whether the Army was violating the laws of war in its treatment of German prisoners. In 1944, Sprecher transferred to the Office of Strategic Services (OSS) in Algiers, where he supervised training of 16 anti-Nazi Germans who ultimately parachuted into Germany ahead of Allied forces in 1945. On a June 1944 trip to Washington, following his own parachute training at Fort Benning, Sprecher was recruited from the OSS into the Army's Labor Branch. Its chief, Col. William Brennan, arranged Sprecher's transfer into the branch by calling a Major Arthur Goldberg, who was supervising German operative training at OSS. (In the early 1960s, former Col. Brennan and former Maj. Goldberg worked together for a few years, following the retirement of former Professor Frankfurter, as U.S. Supreme Court Justices.)

Drexel Sprecher actively sought the Nuremberg role that became, by his own description, the defining experience of his life. In June 1945, he was working in Chicago on Army manpower problems when he read in his newspaper Justice Jackson's initial report to President Truman on the war criminals prosecution assignment that Truman had given Jackson a month earlier. Sprecher was motivated immediately to get involved. He took leave, traveled to Washington, and talked his way into being assigned again to the OSS, this time for the purpose of joining Jackson's prosecution staff.

In summer 1945, Sprecher returned to Europe as a member of Jackson's staff and became deeply involved in collecting and assembling evidence. That fall, he prepared the prosecution's trial brief on the Nazi destruction of free trade unions and the creation of the German Labor Front.

On January 15 and 16, 1946, Sprecher, who had been promoted to Captain, presented to the IMT the evidence against defendant Baldur Von Schirach, the former head of the Hitler Youth and later the Gau leader of Vienna. Schirach was charged with conspiracy to seize power, establish a totalitarian regime and wage wars of aggression (Count One) and with crimes against humanity (Count Four). Sprecher's presentation, available in transcript form online through Yale's Avalon Project,² was interrupted a number of times on January 15th by the impatient chief judge, Lord Geoffrey Lawrence of the United Kingdom, who wanted Sprecher to stop presenting cumulative evidence on well-proven points. (The next day, by contrast, U.S. judge Francis Biddle interrupted Sprecher to encourage him to take more time to read documents into evidence!) The IMT ultimately acquitted Schirach of the conspiracy charge, convicted him of crimes against humanity and sentenced him to 20 years, which he served in Berlin's Spandau prison.

On January 23, 1946, Capt. Sprecher presented the evidence against defendant Hans Fritzsche, the leading Nazi radio propagandist. Fritzsche was charged with conspiracy (Count One), waging aggressive war (Count Two), war crimes (Count Three) and crimes against humanity (Count Four). On this occasion, no member of the IMT interrupted Sprecher's presentation (also available in transcript form through Yale's Avalon Project). Months later, the Tribunal acquitted Fritzsche on all counts.

During the subsequent proceedings at Nuremberg before U.S. military tribunals, Sprecher directed the Economic Division that gathered and assembled evidence against German industrialists. In 1947, General Telford Taylor, the U.S. Chief of Counsel for the subsequent proceedings, appointed Sprecher to head the trial team in the prosecution of former I.G. Farben company officers and leaders. Sprecher was the principal courtroom prosecutor in this case, which lasted until July 1948 and produced convictions on charges of plunder, spoliation and slave labor. In late 1948, as Taylor worked in the United States on his final report, he appointed Sprecher to serve as Acting Chief Counsel in Nuremberg. Following the final trial, he served as Director of Publications, supervising the production

² www.yale.edu/lawweb/avalon/20th.htm.

of 15 official volumes on the Nuremberg subsequent proceedings. (These volumes, Trials of War Criminals before the Nuremberg Military Tribunals, are often cited as “TWC” or, for their cover color, as “the Green Set.” Some of this material is available on line through Harvard Law School’s Nuremberg Trials Project.³

Following the IMT and the subsequent proceedings at Nuremberg, Sprecher returned to the United States. He married, raised a family and achieved successes in law practice, business, Democratic Party political activity and teaching.

Until the very end of his life, Sprecher remained deeply, passionately connected to the work and accomplishments of the Nuremberg prosecutions and committed to advancing their legacy. He kept in close contact with hundreds of Nuremberg “alumni” and organized their periodic reunions, the last one occurring in Washington in March 1996 during the 50th anniversary of the IMT trial.

Drexel Sprecher also engaged with Nuremberg as a scholar and writer. After decades of research, he published in 1999 a two-volume masterpiece, Inside the Nuremberg Trial: A Prosecutor’s Comprehensive Account,⁴ that is a definite, thoroughly documented, chronological summary and assessment of the 1945-46 IMT trial of the principal Nazi war criminals.

Among Drexel Sprecher’s many interesting interviews regarding Nuremberg, two that are readily available are a transcript on the CourtTV website⁵ and a one-minute video clip, about Justice Jackson as Nuremberg’s leading figure, on the Jackson Center website under “Nuremberg Trial Prosecutors.”⁶

Additional details on Drexel Sprecher’s long and productive life can be found in his Washington Post obituary.⁷ Drex was a generous gentleman, and I was honored to be part of his Nuremberg network.

³ <http://nuremberg.law.harvard.edu>.

⁴ DREXEL A. SPRECHER, INSIDE THE NUREMBERG TRIAL: A PROSECUTOR’S COMPREHENSIVE ACCOUNT (Univ. Press of America, 1999) (www.univpress.com).

⁵ <http://www.courtTV.com/archive/casefiles/nuremberg/sprecher.html>.

⁶ <http://www.roberthjackson.org/Center/videolist>.

⁷ See Patricia Sullivan, *Drexel A. Sprecher, 92, Prosecuted Nazi Leaders*, WASH. POST, Apr. 9, 2006, at C7.