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PREFACE

Leo Alexander,[1] Jewish émigré neurologist and psychiatrist, documented world history through his diary and letters as an expert at the Nuremberg Doctors' Trial and as one of the authors of the Nuremberg Code has left a lasting legacy on medicine and ethics. When 25 years ago, in May 1999, one of the editors of this volume talked to Cecily Alexander-Gable,[2] his daughter, at their holiday cottage on Cape Cod, Massachusetts, about what had motivated her father in spending a year away from his family and career to prosecute Nazi doctors at Nuremberg, she replied:

> "He told me that he had worked on the creation of the Nuremberg Code for human experimentation and that, while there were still discussions to be brought up about how to implement these rules in the Code, but that these were the basis, and that there had to be a lot of development and that people needed to really pay attention to that, that these, these things should never ever ever [sic] happen again, that's why he was at Nuremberg to see to it."[3]

Her observation throws into stark relief the continued importance of individuals and organizations dedicated to the development and enforcement of the rule of law. It is thanks to them and their unwavering efforts throughout the last eighty years that fundamental violations against international laws and customs such as war crimes, crimes against humanity and genocide are being documented "so that no-one can ever doubt that they were fact and not fable", as the chief prosecutor in the Nuremberg Doctors' Trial, Telford Taylor,[4] pointed out. Earlier, Robert H. Jackson[5] had stressed that the wrongs which the International Military Tribunal (IMT) wanted to address had been "so calculated, so malignant, and so devastating, that civilisation cannot tolerate their being ignored because it cannot survive their being repeated".[6] As we are moving into the fourth year of the Russo-Ukrainian war, in which the Russian dictator and his regime have trampled on the existing rules and customs of war in flagrant breach of the Nuremberg principles and international law, we are a long way from ensuring that those who have initiated and committed such acts will be held accountable. Only recently has Vladimir Putin's regime attempted smother even the slightest form of discontent and public criticism by ensuring that his main political rival, Alexei A. Navalny,[7] found an untimely death. The civil courage shown by those who attended his funeral against a draconian police presence can only be described as heroic. The volume in front of us should not

1 Leo(pold) Alexander (11 October 1905 – 20 July 1985).
2 Cecily Kate Alexander-Grable (23 November 1938 – 7 January 2024).
3 Interview with Cecily Alexander-Grable, May 1999. The interview was conducted as part of Schmidt's work on *Justice at Nuremberg. Leo Alexander and the Nazi Doctors' Trial* (2004).
4 Telford Taylor (24 February 1908 – 23 May 1998).
5 Robert Houghwout Jackson (13 February 1892 – 9 October 1954).
6 Annas/Grodin (1992), 68.
7 Alexei Anatolyevich Navalny (4 June 1976 – 16 February 2024).

only give us pause for thought and a better understanding of existing historical precedents, in which key individuals such as Alexander and his mostly lawyer colleagues documented and helped to prosecute the crimes committed, but a renewed determination to work towards international justice and the rule of law, regardless of how difficult and futile it may seem at times.

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EDITORIAL GUIDE ON LEO ALEXANDER'S NUREMBERG DIARY

In the process of preparing Leo Alexander's Nuremberg Diary for publication, we have undertaken several editorial changes to enhance readability and accessibility. The original text was in some places highly fragmented, both in terms of language use, formatting, and handwriting, making reading and/or comprehension difficult. Despite making necessary modifications, we have strived throughout the transcription process to preserve the authenticity of the voice of Alexander and of the people he talked to and interviewed.

To achieve this, one of our key goals has been to maintain the original language use throughout the diary, reflecting Alexander's regularly alternating use of German, English and, in some instances, French, for example when he recorded his trip to Paris (see page 165ff. of the original diary). It is our intention that keeping this multilingual approach in the transcript of the diary text highlights both the international nature of the Allied investigation being conducted into Nazi medical war crimes, in addition to providing insight into the Alexander's own character through his diverse linguistic background and usage.

In addition to the preservation of language use, we have made the following editorial additions:

1. **[1]**: Square brackets in bold typeface have been used to indicate page numbers in the original diary.

2. [Nuremberg]: Square brackets are used to indicate that a word or a letter has been inserted into the original diary text by the editors. These insertions may be to provide context, correct factual errors or spelling mistakes, or to provide full names of individuals or institutions where abbreviations are used in the original text.

3. [Trial?]: Square brackets with an inserted word or letter followed by a question mark are used where the original text was illegible and where the editors have provided suggestions for clarity. It should be noted that these suggestions may not reflect the original word use by Alexander in the original, and should be cited with discretion.

4. […]: Square brackets with an ellipsis are used throughout the document to indicate to the reader where parts of the original text are missing or illegible, and where no editorial suggestion for clarity could be made.

5. [?]: We have used a single question mark in a square bracket to represent potential inaccuracies, misunderstandings, or spelling errors by Leo Alexander. The purpose of these marks is to highlight the contemporary

limitations in knowledge about the Nazi medical crimes during the investigation. In many instances these marks are further clarified with explanatory footnotes.

6. *Italics*: italic font has been used in those instances where in the original diary text a word or phrase was underlined by Alexander.

We have included extensive annotated footnotes in the diary. These footnotes provide biographies and institutional histories, historiographical details, and explanations of important ideas and details related to the investigation into Nazi medical war crimes. These editorial footnotes are largely explanatory and avoid giving overt interpretations of the diary, aiming to enhance reading of the diary by providing important contextual information. The index of persons, and the index of places and countries refer to chapter 5 "Leo Alexander – The Nuremberg Diary 1946–1947".

Throughout the transcription, we have kept to Alexander's original formatting and punctuation use as much as possible. All parentheses, question marks, exclamation marks, underlining, line and page breaks, and tables that do not appear in square brackets are as originally authored by Alexander. To give the reader a better impression of the original diary some selected pages are reprinted as images in the original version. We hope that this attention to detail ensures this transcription of the diary remains as true to the original as possible, allowing readers to engage with this important historical text in its authentic form.

3

LEO ALEXANDER IN NUREMBERG AN INTRODUCTION

Ulf Schmidt, Kate Docking, David Peace, Andreas Frewer

The poignant statement of Leo Alexander's daughter that her father was at Nuremberg to ensure that the medical atrocities committed during the Third Reich would "never ever ever happen again" reflected the desire of war crimes investigators, prosecutors, trial experts, and judges at the Nuremberg Doctors' Trial.[1] The individuals involved in the proceedings, which were held between December 1946 and August 1947 under the auspice of US-American military authorities, shared the goal of preventing non-consenting human experiments, compulsory sterilisations, and "euthanasia" killing carried out by doctors and nurses during the Nazi regime from happening again. The revelations of these medical crimes led to a consensus amongst the Allied legal and medical personnel at Nuremberg that the perpetrators should not only be suitably punished for their actions, but that medical ethics principles be formulated which would guide future experimental research conducted by physician-scientists in trials involving human subjects. Such guidelines would, it was hoped, "balance the need for advancements in medical science that benefit all human society with the right of the individual to personal inviolability, autonomy and self-determination".[2]

Leo Alexander (1905–1985) was an American psychiatrist of Jewish-Austrian origin and chief medical expert at the Nazi Doctors' Trial, who played an important role in formulating medical ethics guidelines known as the Nuremberg Code. The Code has significantly shaped modern biomedical research ethics and research regulations on human subjects.[3] The diary Alexander kept during the Doctors' Trial provides an important and unique insight into the historical background to the trial and the Nuremberg Code. It demonstrates how Alexander worked on, in his own words, "ethical and non-ethical experiments on human beings", reflecting his personal involvement in the drafting of the Code. The diary also highlights the viewpoints Alexander developed which convinced him that such regulations were necessary and how he arrived at certain perspectives, thus deepening understanding of the Code's origins.[4]

1 For the contemporary context see Mitscherlich/Milke (1947) and (1949), Bayle (1950) and for the further background Dörner et al. (1999), Frewer/Neumann (2001), Weindling (2004), Schmidt (2004), Schmidt/Frewer (2007), Bruns (2009), and Roelcke et al. (2014), Moreno et al. (2017), Schmidt et al. (2020).

2 Schmidt (2004), 3.

3 See, for example, Moreno (1997), Schmidt (2004), 6, Schmidt/Frewer (2007), Moreno et al. (2017), Weisleder (2021), 122, and Schmidt (2023).

4 See DUMC, Alexander diary (1946/47), 105, 6 December 1946.

The ten universally applicable principles of the Code, read out in court as part of the judgement in August 1947, established the rights of patients and the responsibilities of doctors with regard to human experimentation.[5] The authorship of the Code has been debated. Scholars have argued that Andrew Ivy, another medical expert present at the trial who had been sent by the American Medical Association, was the sole author, while others have made a case for Alexander's authorship.[6] Both men themselves claimed authorship in the mid–1960s, a claim not particularly surprising given the renewed international focus on medical ethics in light of the drafting of the Declaration of Helsinki in 1964; both likely wanted to shine the light on themselves as authors of the Code to enhance their own reputation.[7] The Code was in fact the work of both Ivy and Alexander, with their original principles changed by the Nuremberg judges (most likely by Harold L. Sebring[8]) to incorporate more legalistic and general language. Yet as Ulf Schmidt, one of the editors of this volume, has demonstrated, the Code was ultimately a product of the Doctors' Trial itself. It was shaped by the defendants, witnesses, experts, participants and the prosecution involved.[9]

Alexander's diary can help us to better understand his precise role in the writing of the Nuremberg Code. He sent a memorandum to the United States Counsel for War Crimes in April 1947 detailing six points for legitimate medical research; an expanded version of an earlier memo he had sent the chief prosecutor at Nuremberg, Telford Taylor, two days before the opening of the Doctors' Trial in December 1946.[10] However, Alexander wrote in his diary on 25 January 1947 that he had 'worked on Ethics article, drew up affidavit'. In the undated article and in the affidavit dated 25 January, the exact six principles from the April 1947 memo are recorded. Alexander's diary therefore deepens scholarly understanding of when particular principles from the Code were formulated. It shows that discussions about the six principles were held between Alexander and Ivy as early as January, and that Alexander originally formulated the six principles in this month but had only sent the memo to Taylor in April.[11]

The first principle Alexander formulated – and arguably the principle that has most significantly shaped the history of modern medical ethics – outlined the right of the experimental subject to consent or refuse to participate in human experimentation in an informed manner. It stated that the "legal valid voluntary consent of the experimental subject is essential". The first principle as reformulated by the judges in the Code in more legalistic terminology is one of the most elaborate informed

5 Schmidt (2004), 3.
6 For an extensive discussion on the origins of the Nuremberg Code see Schmidt (2004), 199-263; see also Shuster (1997) and Moreno (1997). While some have argued that Leo Alexander was the main contributor to the final version of the Code, others have critically assessed the role of Ivy, claiming that he was not the sole author; see Weisleder (2021) and Gaw (2014).
7 Schmidt (2004), 246.
8 Harold Leon Sebring (9 March 1898–26 July 1968), nicknamed "Tom" Sebring. He was a Florida Supreme Court and an American judge at the Nuremberg Doctors' Trial, first of the Subsequent Nuremberg Trials of German war criminals after World War II.
9 Schmidt (2004), 247, 252, 253.
10 Ibid.
11 Ibid., 203.

consent principle of any medical ethics code in existence. The five additional statements focused on the need for the experiment to be humanitarian in nature and purpose, and stressed the scientific integrity and obligations of the investigator to the subject's wellbeing.[12] The resulting Code was based on these statements. The fourth principle of Alexander's memo regarding experimental facilities and preparation to prevent injury and death was hardly changed in the Code.[13] The fifth principle of Alexander's memorandum from April 1947 – 'the degree of risk should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment' – was directly replicated in the Nuremberg Code. The rest of the stipulations were taken from a shortened version of a twenty-two page document Ivy had sent to the American Medical Association's Judicial Council.[14] Some key modifications were made based on Ivy's testimony during the Doctors' Trial; Sebring added the patients' right to withdraw from an experiment after questioning Ivy on this subject to principle nine. The Code was therefore drafted in stages.[15]

While the Nuremberg Code today is deemed to be one of the most significant documents pertaining to the regulation of human experiments in history – if not *the* most – it was initially dismissed by Anglo-American doctors in the immediate postwar period as irrelevant for their medical practice. Physicians contended that since the Code had been drafted in the wake of revelations about Nazi medical atrocities, it had no significance for their own practices of experimentation that took place in what was regarded as a world apart from the concentration camps in which experiments were conducted during the Third Reich.[16] It was viewed by the majority of the medical community, as the doctor and medical ethicist Jay Katz put it, as a "good code for barbarians but an unnecessary code for ordinary physician-scientists".[17] However, as Jonathan Moreno has shown, the Code did significantly shape the planning of the US government for defence against atomic, biological and chemical weapons during the decade following the end of the Second World War, even if its impact on both the medical profession and the practice of individual doctors was initially limited.[18] The Code was partially adopted by the United States Department of Defence in 1953 regarding defensive experiments associated with such weapons.[19] With regard to the history of modern bioethical research ethics, the Code has been a 'milestone'.[20] For example, informed consent forms the basis of the International Ethical Guidelines for Biomedical Research Involving Human Subjects, published in 1993.[21] While the Nuremberg Code is not explicitly mentioned with reference to 'informed consent' in the document, it is named as a document that prominently shaped medical ethical discussions during the formulation

12 Shuster (1997), 1437.
13 Schmidt (2004), 244.
14 Moreno (1997), 348.
15 Schmidt (2004), 246, 244.
16 Moreno (1997), 349.
17 Katz (1992), 228.
18 Moreno (1997), 351.
19 Moreno et al. (2017), 796.
20 Ibid., 795.
21 Shuster (1997), 1439.

of the International Ethical Guidelines.[22] The Nuremberg Code also influenced at least the Draft Code of the Declaration of Helsinki which serves as the guiding regulatory document for biomedical research; the final Declaration was published in 1964; subsequent versions followed. The principle of the Draft Code 'that during the course of the experiment the subject of it should be free to withdraw from it at any time' reflects the ninth principle of the Nuremberg Code.[23] The Code has therefore served as a key reference point in the drafting of bioethical regulations, even if the exact wording of the Nuremberg document is not used and references to it are not explicit.

The Nuremberg Code has also influenced the drafting of global human rights law. While the complete Code has not been legally adopted by any nation or as an ethical code by any major medical association, and the 1948 Universal Declaration of Human Rights has had a more significant influence in shaping international human rights law, the requirement of informed consent has been written into international law, as demonstrated in Article 7 of the United Nations International Covenant on Civil and Political Rights (1966).[24] However, in practice, the Code has not been readily applied as a legal precedent. Rather, there are notable instances where judges ruled that it did not apply. In 1987, the United States Supreme Court declared that it was not relevant to the case of a retired Army sergeant who stated he was injured in an LSD experiment. In the UK in 2004, British lawyers argued that the Code did not apply in the inquest into the death of a British serviceman from sarin nerve agent.[25] Yet the Code has certainly been significant as a legal reference point and as a regulatory document shaping modern biomedical research ethics.

Beyond the medical profession, the Nuremberg Code is also significant for historians. It has served as a key point of reference for assessing whether doctors who performed experiments on humans during the Cold War period adhered to, or violated, the medical ethics standards outlined in the Code. It therefore facilitates greater historical understanding of human experimentation during the Cold War period, and also informs legal judgement on, and contemporary scientific debate about, the actions of certain individuals and groups.[26] Analysing the Nuremberg Code also enables an insight into the extent to which subsequent ethical regulations – such as the Declaration of Helsinki – have weakened the Code's principles and provisions (e.g. the voluntary/informed consent principle) or have addressed the Code's shortcomings (e.g. its lack of legal gravitas), aiding in the strive of medical ethicists and other activists towards contemporary medical ethical regulations that protect patients' rights.

The context in which the Code was produced – beyond the principles of the document itself – also holds significance for the contemporary status of modern medicine in relation to the state. The entrenched entanglement between the German medical profession and the government of the Third Reich – with many doctors

22 See International Ethical Guidelines for Health-related Research Involving Humans, Prepared by the Council for International Organisations of Medical Sciences (CIOMS) in collaboration with the World Health Organisation (WHO), Geneva 2016, xi.
23 Schmidt et al. (2020), 5.
24 Shuster (1997), 1439, Moreno et al. (2017), 796.
25 Moreno et al. (2017), 796. For more detail about this inquest, see Schmidt (2015), 424–447.
26 Schmidt (2006), 5.

holding high-ranking positions in the Party and the SS – highlights the necessity of a degree of professional political independence from the state, in order to help prevent the profession from being subsumed into its ideological and geopolitical ambitions.[27] Alexander's own perspective on Nazi medicine and its ethical implications, revealed in his diary – that we must consider the power social and political forces have on medical practice – is still pertinent today, even if his statement that 'science under dictatorship becomes subordinated to the guiding philosophy of the dictatorship' perhaps minimises the complexities and dynamics of authoritarian regimes and the ability of the medical profession to resist certain ideological pressures.[28] Yet the legacy of the Code also points towards the importance of the medical profession being 'open to the essential role of nations and government agencies that respect broadly defined and agreed-upon rules to protect the rights and well-being of human research participants'.[29] The relationship between the state and the medical profession is often carefully negotiated and at times contested. Yet it is all the more essential – in the face of frequent medical ethical violations today and the concerning rise of right-wing political movements around the world – that governmental bodies and the medical profession collaborate effectively, on both a national and international level, to better protect the rights of patients and greater safeguard against unethical human experimentation.

LEO ALEXANDER AT NUREMBERG

The involvement of Leo Alexander in the drafting of the Nuremberg Code stemmed from his role as one of three medical experts of the prosecution in the Doctors' Trial, the other two being Werner Leibbrand[30] and Andrew Ivy.[31] After completing his training in neurology and psychiatry in Vienna, Berlin and Frankfurt/Main, Alexander taught at Peking Union Medical College in China. He had planned to return to Germany after his training, but after the rise of the Nazis to power in 1933, he immigrated to the United States where he was naturalised. In 1941, he was appointed associate professor of neuropsychiatry at Duke University, and served in the US Army Medical Corps during the war.[32] Alexander was recruited by the 7th US Army War Crimes Group in April 1945 to report on Nazi war crimes, selected due to his scientific training, German language skills, and knowledge of the cultural and scientific environment. He reflected on the 'grim spectacle' of German science as a result of these initial investigations in a letter to his wife in June, noting the "really depraved pseudo-scientific curiosity" of doctors.[33] By the time his initial war crimes investigations culminated in June 1945; Alexander had formed a good reputation for himself amongst American war crimes officials, which influenced his

27 Moreno et al. (2017), 796.
28 Schmidt (2004), 10; Alexander (1949), 39.
29 Moreno et al. (2017), 796.
30 For the role of Leibbrand in the Nuremberg Doctors' Trial see Frewer (2020), (2021), (2023) and Engelhardt/Frewer (2023).
31 For Ivy see Harkness (1996) and Gaw (2014).
32 Weisleder (2021), 122.
33 Schmidt (2004), 105.

appointment as medical expert for the Doctors' Trial in November 1946. While it is not known exactly who suggested him, the urgency of his presence in Nuremberg was articulated strongly by Taylor Telford in a cable to the United States War Department on 7 November 1946: "Badly need Dr Alexander here two or three weeks in advance of the trial for consultation and assistance in preparation of [the] case". He arrived in Nuremberg on 18 November after a tiring five-day journey he articulated in his diary.[34]

The "essential background work" Alexander completed before the trial helped to shape public, legal and medical awareness of the medical crimes individual doctors had committed.[35] The interviews he conducted with numerous perpetrators and witnesses in the lead up to the proceedings, and also during the trial itself, shed light on the extent of Nazi medical crimes from a psychological as well as medical perspective, across different geographical locations and spatial sites – from concentration camps to "euthanasia" centres. The victims of these atrocities were those deemed racially, politically and socially 'inferior' by the Nazi regime, such as Jews, communists, and the disabled. Alexander's tireless efforts in documenting these atrocities, which are described in vivid detail in his Nuremberg diary, ensured that some perpetrators – even if those tried in the Doctors' Trial formed only a small fraction of the medical personnel who committed medical crimes – were held legally accountable for their actions, providing some justice for the victims. Alongside investigating and documenting atrocities, and providing some of the crucial statements which were later incorporated in the trial judgement and the ensuing Nuremberg Code, Alexander helped to write the opening statement for the Doctors' Trial. He wrote in his diary that he "dictated Chapter 5".[36] In the two days before the beginning of the trial, Alexander worked with Taylor on the opening address, remarking that he had "tied in a good deal of my material".[37] Taylor's opening speech reflected Alexander's argument in the aspects of the statement which outlined the determination to kill within German medical science, referring to Alexander's concept of "thanatology".[38]

Alexander refined his concept of 'science of killing' during a time in which contemporary scholars were already writing about the Doctors' Trial. Alexander Mitscherlich and Fred Mielke's edition *Das Diktat der Menschenverachtung*, published in 1947 and followed by *Wissenschaft ohne Menschlichkeit* in 1949 and *Medizin ohne Menschlichkeit* in 1960, together with Alice Platen-Hallermund's book *Die Tötung Geisteskranker in Deutschland* (1948) were key early texts that highlighted the medical crimes committed during the Third Reich described in the trial.[39] The publication of George Annas and Michael Grodin's volume, *The Nazi Doctors and the Nuremberg Code*, was the first to fully historicise the case.[40] Since the publication of their book – and the passing of the fiftieth and seventieth anniversaries of the trial and the Nuremberg Code – there has been a proliferation of

34 Ibid., 77, 105, 151, 152; DUMC, Alexander diary (1946/47), 5, 18 November 1946.
35 Schmidt (2004), 7.
36 DUMC, Alexander diary (1946/47), 78, 3 December 1946.
37 Ibid., 105, 8 December 1946. See also Schmidt (2004), 67.
38 Schmidt (2004), 177; also Schmidt (2024) (forthcoming).
39 Mitscherlich/Milke (1947), (1949), (1960). Platen-Hallermund (1948).
40 See Annas/Grodin (1992) and Frewer et al. (1999).

literature on the Doctors' Trial.[41] While this scholarship initially criticised the trial for failing to identify the crimes of German doctors during the Third Reich, subsequent literature, notably Ulf Schmidt's book *Justice at Nuremberg*, have taken a more nuanced approach, placing the trial in its social and political context and analysing its implications for modern biomedical research ethics.[42]

In addition to this work, documents relating to the trial are now readily available. Since the microfiche edition of the trial transcripts was produced by Klaus Dörner and Angelika Ebbinghaus in 1999,[43] numerous documents have been digitised and published.[44] This effort has been part of a broader attempt to make files from the International Military Tribunal and the following twelve trials before the United States Nuremberg Military Tribunals (NMT) conducted between 1945 and 1949 accessible for use by scholars, students, and interested members of the public. The Nuremberg Trials Project, initiated by the Harvard Law School Library, contains open-access material specifically related to the Doctors' Trial, including prosecution and defence files, evidence documents, court transcripts, and photographs.[45] Yet in spite of Alexander's major role in uncovering Nazi medical crimes, shaping the Doctors' Trial, and articulating some of the key points of the Nuremberg Code, as outlined by Ulf Schmidt in his history of Alexander and the Doctors' Trial, his diary – which documents these key events – remains obscure and known to only a few expert scholars.[46]

ALEXANDER'S NUREMBERG DIARY

Leo Alexander wrote what we have termed the "Nuremberg Diary" between 11 November 1946 and 24 June 1947. Following on from the notes he took between May and June 1945, which pertained to his initial war crimes investigations in Germany regarding Nazi medical crimes, this particular diary – officially listed as "Record ledger book of activities and notes, 1946–1947" at Duke University Medical Center Library & Archives – documents and interprets the medical atrocities committed by defendants at the Nuremberg Doctors' Trial, based on numerous interviews with the accused and concentration camp survivors.

The scholarly use of Alexander's Nuremberg diary carries certain methodological problems. Alexander wrote in both English and German, switching languages sometimes in the space of one paragraph or sentence, which can be jarring for the reader. The use of multiple languages in the written text explains why it remained largely unexplored for many years. Indeed, a good command of the English and German languages together with knowledge of scientific terminology is needed to make sense of certain passages. Pages 26 to 30 of the diary, where Alexander notes detail about the freezing experiments at Dachau based on interviews with doctors

41 See, for example Freyhofer (2004), Weindling (2004) and Annas/Grodin (2018).
42 Marrus (1999).
43 Dörner et al. (1999); see also Frewer/Opitz et al. (1999).
44 For a guide to the microfiche edition, see Eltzschig/Walter (2001);.
45 See 'Nuremberg Trials Project', Harvard Law School Library, https://nuremberg.law.harvard.edu/. Digitisation begun in 1999, and was completed in 2016.
46 See Schmidt (2004).

involved, is a pertinent example of this.[47] His handwriting is also particularly hard to decipher; it is not always clear in the diary at first glance which language he is using, making an understanding of what he wrote particularly difficult. Alexander was not only a doctor, but also had a particular style of writing, utilising sometimes unconventional abbreviations, shorthand, and often missing out letters.[48] We have therefore made the editorial decision to stylistically change certain aspects of the diary to maximise readability; we have explained these changes in the following short editorial guide to the diary, along with other details we believe will aid the reader in interpreting this distinctive historical source.

In spite of extensive efforts to transcribe the diary entirely, gaps in the transcription remain: one example is the table about the different medical experiments carried out in the Third Reich on page 13 of the diary. The question of the extent to which we can use information from Alexander's scribblings as historical evidence when there are particular omissions might therefore be raised. Yet throughout the diary, the gaps are one or two words in sentences, rather than entire paragraphs or sections. It is still possible to glean Alexander's thoughts and therefore make historical arguments based on particular sections of the diary. Overall, approximately 95 percent of the diary has been transcribed. Instances where the words Alexander penned are not decipherable – in spite of best efforts – are clearly marked with dots inside square brackets. We have also indicated the instances where it is not completely clear what Alexander wrote but an educated suggestion can be made by placing the word or words in square brackets. Furthermore, Alexander's use of shorthand, abbreviations, and his missing out of letters convey to the reader his determination to hastily record what defendants and witnesses told him, so that this detail could be quickly used as part of trial investigations. His hurried handwriting thus provides an insight into the pressure Alexander was under, and is therefore of historical interest to the reader in itself. Alexander's frequent switching between German and English – while somewhat interrupting the diary's flow for the reader – also illustrates his multilingual background, further demonstrating why he was selected as an expert witness for the trial.

Another aspect of the diary which might make it difficult for the reader to follow are the numerous references to people and places with little or no context provided. To help readers better navigate the diary, we have provided footnotes and indexes detailing information about the lives of individuals and the geographic locations mentioned. The inclusion of a selection of Alexander's papers in this book also provides scientific context to some of the conceptual terms mentioned, for example, thanatology, and we have also defined other historically relevant conceptual terms. Since considerable medical expertise is needed to understand particular parts of the text, with many specialist medical terms used throughout the diary, we have also explained these terms in the footnotes.

In spite of these methodological problems, which we have tried to mitigate as far as possible, the diary is a rich historical source that is immensely valuable for specialist academics, undergraduate and graduate students, and interested general

47 DUMC, Alexander diary (1946/47), 26–30, 27 November 1946.

48 Berlin medical historians have written about doctors' handwriting. See, for example, Hess/Mendelsohn (2014), 471–503.

audiences. It provides a unique insight into preparations for the Nuremberg Doctors' Trial from the perspective of one individual; namely, it details the attempt of a medical expert to find general trends in the medical crimes committed by doctors during the Third Reich. We can discern how the contribution of one medical expert to the documenting of medical war crimes enabled arguments and theories to be produced about the nature of these atrocities and the motivations behind them. The diary highlights how Alexander developed his concept of thanatology based in numerous conversations with defendants and witnesses. Alexander developed the concept as a rebuttal against the possible defence argument that the human experiments carried out by Allied medical scientists were comparable to those conducted by the German doctors and should therefore not be punished.[49] Alexander first mentioned the concept in his diary on 21 November 1946, recording a discussion with Taylor on the subject.[50] He defined thanatology as the 'scientific implementation of genocide' on 21 November 1946, and wrote that he worked again on the concept over the next few days.[51] He seemingly titled a paper on the subject on 24 November as 'The voice of destruction spoke through medicine'.[52] By 28 November, Alexander noted that he had 'completed Thanatology'; his diary therefore indicates how he produced the broad outlines of the Thanatology concept in just over a week.[53] Alexander sent a memo to Taylor on 30 November with a subtitle 'Thanatology as a Scientific Technique of Genocide', and another on 5 December titled 'Suggestions for a Discussion of the Thanatology Genocide Angle'.[54] From January 1947, Alexander used the word 'ktenology' instead of 'thanatology' to describe the 'science of killing' in his diary, and 'ktenology' became his preferred term to describe this 'science' in his articles published after Nuremberg.[55] While the concept of thanatology has certain shortcomings and no bearing on international law today, it played an important role in solidifying the case of the prosecution in the Doctors' Trial by outlining ethical and non-ethical human experimentation for the purposes of the trial. The concept of Thanatology aimed to show how Allied medical experiments were distinct from the murderous intentions and outcomes behind the experiments conducted during the Third Reich.[56]

Alexander's diary provides hitherto barely known detail about the effects of some of the experiments which took place in the Nazi concentration camps. It describes in intimate detail the devastating impact sterilisation experiments at Auschwitz had, assumably based on an interview with two Jewish brothers, Abram and Joshua Sak, who were sterilised by exposure to X-Ray and subsequently castrated. Alexander noted that Abram felt 'deeply humiliated and ashamed of his disability', and found it difficult to tell his wife, a survivor of Majdanek concentration camp, about what had happened to him. He lost his desire to have sex after the experiment.

49 Schmidt (2004), 160–161; also Schmidt (2024) (forthcoming).
50 DUMC, Alexander diary (1946/47), 11, 21 November 1946.
51 Ibid., 12 and 18, 21 November 1946.
52 Ibid., 20, 24 November 1946.
53 Ibid., 35, 28 November 1946.
54 Schmidt (2004), 163.
55 DUMC, Alexander diary (1946/1947), 168, 21 January 1947. See Alexander (1948) and (1949).
56 Schmidt (2004), 168.

His wife decided to stay with him, but stated that she did not know how she would feel about the situation in half a year.[57] Alexander's notes highlight the devastating extent to which the sterilisation experiments affected the physical and personal wellbeing of individuals after the war, detrimentally influencing future relationships and social encounters. His diary provides a crucial insight into the impact of Nazi persecution on the Third Reich's victims and how the loved ones of individuals subjected to experiments often struggled to personally navigate what had happened to them.

Alexander investigated and documented these medical atrocities while remaining in close contact with his family in the United States. His diary provides a unique insight into how Alexander's professional obligations as a war crimes investigator ran parallel with his role as a husband and father.[58] His scientific notes and reflections on the trial are interspersed with comments referring to letters from his family. On 7 January 1947, for example, he commented on the 'magnificent testimony' of Eugen Kogon, who was imprisoned at Dachau, before writing directly afterwards '2 letters from Phyllis'.[59] When he was reunited with Phyllis in The Netherlands a week later, he remarked that it was "wonderful to see her again", but lamented on her 'attitude' towards a party at Nuremberg in May.[60] Alexander's diary therefore allows the reader a glimpse – if brief – into the textures of his marital relations, as well as his extensive work as a trial investigator. Using the diary in tandem with the letters Alexander sent to his wife provide a vivid insight into both the personal and professional aspects of his work at Nuremberg, and how the two often intersected in his thoughts.

Indeed, Alexander's interpretations of Nazi medical crimes were not simply formulated alone in the vacuum of his own mind. The articulation of his findings in letters to Phyllis and his family – even if these writings were not always frequent – no doubt helped him to compose his own thoughts in relation to the atrocities. Furthermore, Alexander's arguments were shaped not only by conversations with witnesses and defendants but by discussions with members of the prosecution and other individuals working on the Doctors' Trial case. Alexander's diary indicates that many of these conversations took place in social settings. On 8 December 1946, for instance, the day before the opening of the Doctors' Trial, he first worked with Taylor on the opening speech before attending a party hosted by the General at Villa Schickedanz in Dambach, a large estate located south-west of Fürth, where the conversation would, in all probability, have touched upon the strength of the prosecution case in the upcoming trial against the Nazi doctors.[61] He also frequently spent time with Keith Mant, a British medical expert who wrote an extensive report about the medical services at Ravensbrück concentration camp, in informal contexts. The two went for dinner on 20 November 1946 after Alexander had spent the day interviewing Herta Oberheuser and Gerhard Schiedlausky, two doctors at the camp.[62]

57 DUMC, Alexander diary (1946/1947), 41–44, 29 November 1946.
58 Schmidt (2004), 207.
59 DUMC, Alexander diary (1946/1947), 158, 7 January 1947.
60 DUMC, Alexander diary (1946/1947), 203, 13 March 1947. DUMC, Alexander diary (1946/1947), 237, 15 May 1947.
61 DUMC, Alexander diary (1946/1947), 105, 6 December 1946.
62 DUMC, Alexander diary (1946/1947), 7–11, 20 November 1946.