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Abstract: Bodies in the Snow

The Battle of the Bulge, during WWII, began with a war crime, the Malmedy Massacre. The German SS lined up 123 American prisoners and killed them. These Germans were tried at the Nuremberg Trials.

My story is about an American war crime that was nearly forgotten.

John Fague witnessed the massacre at the Belgian town of Chenogne. The massacre was caused by an order to take no prisoners. This is outlawed by the Geneva Conventions.

The crimes ballooned. At battle's end, Fague watched as fifty German prisoners were murdered.

Fague's story is corroborated by General George Patton's diary.

Source List and Background

Sources:

John Fague, first-hand witness of the American massacre at Chenogne. Interview.

Roger Marquet, Belgian who survived Battle of the Bulge near Chenogne as a child. Became an amateur historian, compiled the accounts of villagers who also witnessed the American massacre of surrendered Germans in Chenogne.

Jean-Marie Denis, Belgian who lived over the hill from Chenogne and survived the Battle of the Bulge. Interview about stories of extraordinary violence between December '44 and January '45.

Norman Naimark, Historian at Stanford University. Interviewed about documentary evidence of Chenogne Massacre.

Gerard Gregoire, Belgian survivor of Battle of the Bulge, local historian. Interview about war crimes by both sides.

Peter Schrijvers, historian and author of books on the Battle of the Bulge

Matthie Stephens, curator and historian for Ardennes '44 Museum in La Gleize, Belgium. Interviewed about how history is made - "Winners write the history".

Philippe de Raditzky - Belgian son of baroness in the Ardennes who witnessed a small execution of German prisoners outside their family's chateau in 1944.

Numerous interviews compiled by the American Veterans Project in which veterans recounted many small executions of German prisoners in the Ardennes during the Battle of the Bulge.

Theodore James Paluch, survivor of the Malmedy Massacre, interview conducted by Veterans' History Project.

Documents:

Footage of the Malmedy Massacre Trial.

"The Rules of Land Warfare". US Department of War. 1917.

Malmedy Massacre Investigation: Hearings Before a Subcommittee of the Committee on Armed Services, United States.

Transcript of Roger Marquet's address to the Buffalo NY Reunion of the 11th Armored

Division - describes massacre.

Patton Papers, Patton's Diary from 1940-1945 - Image of original page describing the 11th Armored Division's murder of at least 50 Germans.

Catalog of Fighting West of Bastogne, near Chenogne - Christer Bergstrom

History of B Company, 21st Armored Infantry Battalion. Compiled by the 11th Armored Division Legacy Group.

"One Small Corner of the Battle of the Bulge", written by John Fague, posted to Veterans of the Battle of the Bulge Website.

Books:

"Fatal Crossroads", Danny S. Parker. Da Capo Press. 2012.

"Hitler's Warrior: The Life and Wars of SS Colonel Jochen Peiper", Danny S. Parker. Da Capo Press. 2014.

"After the Reich: The Brutal History of the Allied Occupation", Giles MacDonogh. Basic Books. 2007.

"Ardennes 1944: The Battle of the Bulge". Anthony Beevor. Viking Books. 2015.

"The Rise and Fall of War Crimes Trials: From Charles I to Bush II". Charles Anthony Smith. Cambridge University Press. 2012.

"Massacre en Ardenne: Hiver 1944-1945". Matthieu Longue. Racine Editions. 2006.

"War Crimes: The Legacy of Nuremburg" Edited by Belinda Cooper. TV Books. 1999.

"The Patton Papers 1940-1945". Martin Blumenson. Houghton Mifflin Boston. 1957.

"Those Who Hold Bastogne". Peter Schrijvers. Yale University Press. 2014.

"The Crash of Ruin: American Combat Soldiers in Europe During World War II". Peter Schrijvers. New York University Press. 1998.

"The Unknown Dead: Civilians in the Battle of the Bulge". Peter Schrijvers. University Press of Kentucky. 2005.

"Meltdown in Haditha". Kenneth F. Englade. McFarland and Company Inc. 2015.

"Son Thang: An American War Crime". Gary D. Solis. 1997.

“Do You Remember?” John Fague. Shippensburg Historical Society.

Script: Bodies in the Snow

Written by Chris Harland-Dunaway

TRACK: It's quiet on the frontlines in the Ardennes Forest of Belgium. Its 1944, eight days before Christmas. The Allied armies are on the west, the German Reich is in the east. Between are hills and dense spruce forests, with little Belgian towns tucked into them, including the hamlet of Baugnez. The story of what happened here comes from numerous eyewitnesses.

TRACK: A long line of trucks drives through the crossroads at the center of Baugnez, carrying a battalion of American artillery soldiers. They can't hear the sound echoing from the woods just outside the village. It's the squealing of tank treads. A dull rumble comes next. This graph is always tough for me because the two sounds of trucks.

TRACK It's an attack. A column of German tanks roar into view and surround the Americans in a couple minutes. One soldier remembers lying in a ditch beside the road, he and his buddies getting their rifles ready to fight back, when an enormous German Panzer tank rolls up and points its long cannon down at them. They drop their weapons and surrender with the rest of the battalion.

[MUSIC] "The Struggle of Hurt Animal", Gasper Piano (00:00-00:

The German attack is lead by one of Hitler's favorite commanders, Joachim Peiper. This attack is the first of a long bloody campaign called the Battle of the Bulge.

[MUSIC] Volume of "Struggle of Hurt Animal" comes up for muffled gong, cuts out.

The American prisoners are rounded up in a muddy field beside the crossroads. Snow patches checker the ground. They have their hands on their heads, a 127 of them. The Germans set up a machine gun. A lot of firepower just to guard some prisoners of war.

But then the guards swivel the machine gun towards the prisoners, and they open fire,

ACT: Sound of MG42 in snowy terrain until

"Finally" ... (<https://www.youtube.com/watch?v=kD3FgfbYCIM>)

(<https://www.youtube.com/watch?v=N59msUnyy1g&t=1s>)

TRACK: Finally, the guns go quiet. Some of the Americans are still alive. They lay there, playing dead, as they listen to the Germans footsteps among the bodies. Some groan in pain. When they do, Germans walk over and shoot them.. Satisfied, they finally leave.

Survivors, wounded and frozen, crawl and hobble to the tree line, running for their lives. Forty three survivors lived to tell what happened – a war crime. The bodies of the other 84 remained in the field. It was remembered, as the Malmedy Massacre. It shakes the US military to its core.

[MUSIC] "Asking the Wind", Alain (00:00-00:16)

TRACK: After the war ends, the Allies prosecute dozens of German war criminals inside former concentration camps. These are all part of the famous Nuremberg Trials. The concentration camp at Dachau is where the Malmedy Massacre case is tried.

The trial is filmed. The footage shows a makeshift courtroom. A half dozen American officers sit at the front behind a long desk. They have coiffed hair and gleaming medals pinned to their dark green uniforms.. A German translator stands in the center of the room. Joachim Peiper and his entire combat group are crowded into wooden stands against the wall. Each of them wear a necklace with a big number hanging from it.

ACT: Judge: I assign the accused number 41. Joachim Peiper.
Translator: Joachim Peiper

[FADE DOWN UNDER TRACK]

Judge: State your full name
Translator: [In German]

TRACK: Peiper has a sharp angular face, almost no lips to speak of, and neatly combed hair.

ACT: Judge: Were you ever a member of the armed forces of the German Reich?
Peiper: Jawhol
Translator: Yes

TRACK: Peiper argues that the mistreatment of prisoners in the heat of battle should be tolerated if it guarantees victory. The court rejects this argument.

ACT: Judge: The Court in clore session, sentences you to death by hanging at the time and place as we may direct.

ACT: (Flashbulb pops)

TRACK: A camera flashbulb pops

TRACK: Peiper turns and leaves before the translator is done repeating the death penalty in German.

ACT: Sound of footsteps across court. You can hear the German interpreter. Courtroom fades out.

TRACK: The United States was looking for justice . The goal of the Nuremberg trials was to bring justice to Germans who committed war crimes. When Supreme Court Justice Robert Jackson made the opening remarks for the trials, he said they were one of the most significant tributes that Power has ever paid to Reason...

TRACK: Only Germans were tried. No Americans. Or any of the other Allies. There was no official investigation into the possibility of American war crimes. great

[MUSIC] “Air”, Alain Riad – (00:00-00:33)

Meanwhile, far away from Dachau, in the quiet Pennsylvanian town of Shippensburg, some important letters were delivered to the Fague family’s house. They were from their son John, who was nineteen, and had been fighting in Europe since last winter. And his letters told a very different story about the war. It wasn’t just the Nazis who committed war crimes. It was the Americans too.

[MUSIC out]

The Battle of the Bulge was seventy two years ago. Very few veterans are still alive. John Fague is 91.

ACT: Fague: I delivered newspapers. I had the Pittsburgh Press and the Pittsburgh Sun Telegraph and they were three cents a piece and I got a half a cent if I collected the money.

TRACK: He’s from Shippensburg, Pennsylvania, where he had a quintessential American upbringing. A paperboy. A college student. A good kid.

He entered the service in 1943. Fague’s ability to remember his impressions of war when he was just 19 is remarkable. Sometimes he can call up details of what he saw. But often he’ll say...

Fague: I don't know. I don't know. This was seventy five years ago!

TRACK: Which is entirely reasonable. But it seems like Fague doesn’t want to make stuff up. When he begins telling his story, one particular memory of the Ardennes forest floods back.

Fague: Well like I say it was what a beautiful country but it was so cold and miserable and the boys got frozen feet and my feet turned dark gray

TRACK: The frostbite was so bad, some of Fague’s platoonmates had to have their feet amputated. The horrible cold settled over the Ardennes right when the Americans started a massive counterattack against the Germans in the Ardennes.

He has his memories, and a detailed account of that month fighting in the snow.. He barely survived, but he wrote down everything he had seen. So as he tells his story, he switches back and forth between reading and talking. You'll hear the difference.

Like his first glimpse of the frontlines.

Fague: The day was cold and windy. There was a layer of snow blanketing the ground; here and there it had drifted

TRACK: He also saw American soldiers walking along the roadside...

Fague: They had thick beard on their faces.
The sight of these withdrawing men filled me with fear.
I put a cartridge in the chamber of my rifle.

TRACK: In a couple days, he'd be face to face with the Germans. Fague's company stopped along a hillside to camp for the night. He spotted a crashed German plane nearby, and his curiosity got the best of him. He walked over to it. As he got closer, he could see a body.

Fague: When I inspected the first body in the snow I knew I should not have looked. It was the body of a German fighter pilot. His face was frozen and gray in color. It had the horrible far horrible far away stare.

TRACK: Fague quickly figured out he was not the first American to have a look. The pilot's pockets were inside-out.

Fague: G.I.'s had already looted the corpse.
I noticed the stump of a finger had been cut off to get the ring he wore.

TRACK: Its illegal to pillage the dead. The Hague Convention outlawed looting dead bodies in 1907, well before World War II. Fague couldn't unsee it.

Fague: All during that sleepless night I could see the face of that flyer before me. In the days that followed I rubbed elbows with death with many times. I saw my friends die and the strangeness of the phenomenon of death became blurred.

TRACK:

The night before their big offensive, Fague's battalion got together.

FAGUE: We were told to take no prisoners. And that didn't make any sense to me because we hadn't even been in battle yet. It was so strange.

TRACK: Fague's head was swirling. Everyone knew the rules of war. But he and every other G.I. in the Ardennes had heard what Joachim Peiper did in Malmedy two weeks before.

ACT: Fague: And so we were told to take no prisoners

TRACK: "Take no prisonerS." The phrase is both very direct and incredibly vague. The order explains that Germans should be killed before surrender. What if a battle is over, and a huge number of Germans surrender? They're weaponless, their arms are raised, or they're waving a white flag. Was he supposed to kill them?

TRACK: The next day Fague was on the edge of tiny Belgian hamlet called Chenogne. His battalion failed to capture it from the Germans before sundown. So he and his buddy Jim Cust dug a shallow trench to sleep in.

MUSIC: (Contains burning wood sound) "The World Undoes Itself", Gasper

Fague: Now it is nearing midnight New Year's 1945. I was in a foxhole cold shivering miserable and wondering if I would live to see the new years in. The houses along the road to my left were burning brilliantly. This gave an eerie touch to the black night.

TRACK: Then, Fague spotted figures silhouetted by the light of the burning buildings. They were walking towards him.

M1 Garand https://www.youtube.com/watch?v=_S5MKR07tfo

TRACK : He opened up on them with his rifle. Quiet. And then he heard them yell:

Fague: Comrade, comrade! Out of the darkness, two men trudged toward me the arms raised in surrender.

TRACK: The muzzle of Fague's rifle was still hot from firing at these two Germans, only moments before. Now, he couldn't bring himself to shoot.

Fague: They were my first prisoners.

TRACK: Fague knew what they had been ordered to do. But he tried to talk to his prisoners instead. He didn't want to kill them. He turned them over to another soldier who could speak German, then returned to his foxhole with Jim Cust. Fague drank a can of condensed milk and tried to go to sleep.

Fague: Later I learned that these two men had had been taken behind the haystack and shot.

TRACK: He woke up in the morning after a rough night in the cold.

Fague: It was New Year's day 1945. It was a holiday back in the States. Mom would be fixing up a big dinner.

TRACK: But Fague's company had a brutal day ahead of them. They had dug in on the outskirts of Chenogne, which meant they would have to go house to house from one end of town to the other.

Fague: James Cust suggested that he and I stick together for the attack. And sort of look after each other.

TRACK: They rushed down towards the town.

Fague: As soon as the boys started to crest the hill into town, the German machine guns sprang to life.

TRACK: It was going badly. All Fague could hear were cries of:

Fague: Medic! Medic! Bring a stretcher!

TRACK: Fague's company pushed through town, slowly, until they reached a large stone house. There was a machine gun somewhere inside, stopping the GIs from going any further. Fague and his buddy Jim Cust sprinted towards the house and crouched beneath a wall.

Fague: I remember that house.

Philip (Son): You do remember that house?

Fague: I remember that house and he tried to put a grenade in it and he failed and I failed.

TRACK: A sergeant ordered Cust and Fague out of the way, so a tank could fire its cannon at the house. The tank fired, but the machine gun continued. As Jim Cust and Fague ran from the house, Jim took a bullet in the forehead.

Fague: In the confusion and excitement of the action. I didn't know that Jim Cust had been killed. A little later I asked the sergeant where Cust was. He said the Krauts got him and that he was lying by the hedge. I could not believe anything like that could

happen to Jim. The boy lying in the snow had little resemblance to the Jim I knew so well. His face had that horrible look of violent death. His eyes had that glassy stare as though he was seeing something very far away.

TRACK: Smoke poured from the basement, beneath the wreckage of the house. And the GIs could hear screams from below.

Fague: All of us stood with our guns ready.

They were begging for mercy but there was no mercy in our hearts. We yelled for the Krauts to come out. The first soldier to come up through the smoke was a German medic. He staggered a few steps and a score of rifles cracked. He lay still. Another Kraut groped his way through the door, took a few steps and met a hail of bullets. More Germans rushed to the door and dropped in the snow outside. A ring of bodies was forming around the doorway.

TRACK: All throughout the slaughter, Fague, the 19-year-old paperboy stood there, rifle at his side.

Fague: I didn't shoot any of them, but that's my main thing I can remember, seeing them being shot... and killed.

TRACK: Fague's company swept through the center of town. They filtered through to the far end, tanks behind them. As they approached the final house, he saw movement.

Fague: A man appeared with a white flag.
Many of them are young arrogant boys of 16 and 17.

TRACK: The young-looking soldiers were added to the growing group of prisoners the company was now taking. The battle was over. And then Fague noticed something going on.

Fague: As we were going up the hill out of town. I saw some my boys were lining up the German prisoners in the fields on both sides of the road. There may have been 25 or 30 German boys in each group. The machine guns were being set up. These boys were to be machine gunned and murdered.

[give this some breathing room]

Fague: We were committing the same crimes we were accusing the Japs and Germans of doing

[Heavy pause, music cue, or something to make this statement land]

Fague: After all of the killing and confusion that morning, the idea of killing more Krauts didn't particularly bother me.

FAGUE: I was too worn out.

Chris: I have to ask directly, did you shoot any prisoners?

Fague: No, I did not!

TRACK Alternate: Fague was worried that the Germans hiding in the woods could witness the atrocity.

TRACK: But he was worried that the Germans hiding in the woods could witness the atrocity. He thought that Americans would receive the same treatment again if they were captured. It could spiral out of control, into the exact bloody and violent mess the Geneva Conventions were designed to stop.

Fague: I turned my back on the situation and walked on up the hill.

TRACK: Fague met up with a few other GIs and they ate some rations. They received and order to move out. He and some others passed back along the road, gazing into fields.

Fague: dark lifeless forms lay in the snow.

[A few beats]

TRACK: Fague's company worked its way across Germany until the war ended.

Fague: As soon as the war was over my company commander Captain Fabrick gave me the first pass and I went to Nice, France on the French Riviera.

TRACK: The beautiful coastline and azure waters stretched out before his hotel.

Fague: Every afternoon I'd go to my room and write about the story about this battle. I just wrote it the way it was. The way I saw it.

TRACK: Fague spent weeks, writing down all of his memories while they were fresh. When he recalled the battle, he could easily remember the cold, the fatigue, and the killing and death that surrounded him at every moment, even while the Mediterranean light filtered through his hotel window in Nice. He compared what he saw to the war crimes of the Germans and Japanese. International law and U.S. rules have a clear ruling on the order to "take no prisoners."

TRACK: The Department of War (Now the Department of Defense), gave soldiers, and certainly all officers a manual called “Rules of Land Warfare”. The 1917 edition says, “It is especially forbidden to kill of wound an enemy who having laid down his arms and no longer means of defense has surrendered..The same rules appear in the 1940 and 1943 editions published in the middle of the war..

Fague’s battalion had been ordered to commit war crimes....

Fague estimates 72 Germans were killed in American atrocities he witnessed. The German SS had killed 84 prisoners of war in the Malmedy Massacre. The commander Joachim Peiper was sentenced to death for his crime after a highly public trial. After Chenogne, there was no trial. No Sentence.

ACT: I mean I wasn't looking for it at all and I just put it in a separate pile and that pile began to grow and grow and grow

TRACK: Norman Naimark is a historian at Stanford. In the eighties, he uncovered Soviet war crimes against the Germans during World War II. First he found stories about the Soviet atrocities in German memoirs. Then, after the collapse of the Soviet Union, the communist archives were opened, and he found reports from Russian officers complaining about the horrible deeds of their troops.

ACT: Historian Norman And it was really quite extreme, meaning that there was a lot of brutality a lot of... rape of German women.

So as I got all that material I began to realize this was a very serious business.

TRACK: John Fague wasn't the only one to write about Chenogne – SO DID General George Patton. He was in charge of Fague's armored division. The 11th Division to be exact. I pull out a transcript of Patton's diary and show Norman.

ACT: Chris let's see right here OK so we're on January 4th. Exactly.

ACT: Norman (taking over) 'The 11th Armored is very green and took the necessary losses to no effect. There were also some unfortunate incidents in the shooting of prisoners. I hope we can conceal this...' Is that what you mean? Yeah...

Norman: So what he's saying is we don't want to talk about this business. He says “unfortunate incidents”... That even surprises me.

TRACK: This passage was transcribed by an Army historian named Martin Blumenson. It turns out he didn't do a faithful job. I bring up an image of the real passage, from Patton's actual pocket diary. Blue ink on tan pages.

ACT: Chris [00:36:13] 'the division is very green and took unnecessary losses to no effect. Also murdered 50 odd German med. I hope we can conceal this' [11.6]

ACT: Norman: This is more raw... It certainly corroborates the memoir of this veteran and... There's nothing really to doubt here! [9.9]

TRACK: Patton's REAL diary is the closest thing we have to an official record. Unofficial estimates put forth by historians counted six to twenty-one German prisoners murdered in Chenogne. IT'S impossible to know with certainty how many prisoners were killed. When Martin Blumenson transcribed Patton's count of the murdered, he rewrote it. He worked for the Army. This is exactly how the winners write history.

ACT: Historian Norman: You know one of the mythologies that's out there is the greatest generation.. My dad has now passed away, he fought the war and was a very kind of noble guy when it comes to defending freedom and justice... He spent 30 years in American military. I'm an Army brat. So I grew up on this stuff. But I mean, you can go overboard. This great generation also committed atrocities. They killed people.

TRACK: There's another lesson buried in the legend of the greatest generation.

ACT: Historian Norman when people are fighting for their lives and they're in life and death situations and they have been for weeks or months on end - they're going to do some horrible things. You know if the opportunity presents themselves, some will do some horrible things.. and you never know who it is!

And it's scary because it means you can't predict your own behavior.

TRACK: It makes sense. The fresh memory of the Malmedy Massacre, the order to "take no prisoners", lost friends, constant killing: Imagine making a moral calculation under those circumstances.

TRACK:What Fague did in Chenogne was unusual. Even when he was ordered to take no prisoners, he tried to. When he lost his best friend Jim Cust, he resisted his thirst for vengeance. And when the machine guns were being set up to mow down the Germans in the fields, he walked away. He refused to participate.

Horrible things happen during war. And for Americans, this story was buried under the more important fact that America won.Fague published his story through the local historical society, but it never took hold in the broader narrative of the war. He was in his eighties when his book came out. So why tell the story at all?

Historian Norman[00:40:38] You know it bubbles up after all these years you know that you feel like you need to tell the story. You know for your own conscience your own sense of getting down you know in black and white what you've experienced. [20.2]

I still imagine Fague on the French Riviera, as the waves lapped the shore and sun sank in the sky, alone in his room. Maybe, as a nineteen year old kid, he didn't wonder how people would react to what he wrote. Like he says, He just wrote it the way it was. The way he saw it.