

# Lessons for Ethically-compromised Physicians: Doctors Trial at Nuremberg (1946 - 1947)

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Theme: [Crimes against Humanity](#), [History](#),  
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Collated by Dr. Gary G. Kohls

## **Summary**

*The Medical Case, U.S.A. vs. Karl Brandt, et al. (also known as the Doctors’ Trial), was prosecuted in 1946-47 against twenty-three doctors and administrators accused of organizing and participating in war crimes and crimes against humanity in the form of medical experiments and medical procedures inflicted on prisoners and civilians.*

Physician and surgeon Karl Brandt, the lead defendant, was the senior medical official of the German government during World War II; other defendants included senior doctors and administrators in the armed forces and SS. Brandt had been appointed by Adolf Hitler to head the Euthanasia Program, Aktion T4. The defendants were indicted on four counts:

1. Conspiracy to Commit War Crimes and Crimes Against Humanity;
2. War Crimes (I.E., Crimes Against Persons Protected by the Laws of War, Such as Prisoners of War);
3. Crimes Against Humanity (Including Persons Not Protected by The Laws of War); and
4. Membership in a Criminal Organization (the SS).

The specific crimes charged included more than twelve series of medical experiments concerning the effects of and treatments for high altitude conditions, freezing, malaria, poison gas, sulfanilamide, bone, muscle, and nerve regeneration, bone transplantation, saltwater consumption, epidemic jaundice, sterilization, typhus, poisons, and incendiary bombs.

These experiments were conducted on concentration camp inmates. Other crimes involved the killing of Jews for anatomical research, the killing of tubercular Poles, and the euthanasia

of sick and disabled civilians in Germany and occupied territories. The defendants were charged with ordering, supervising, or coordinating criminal activities, as well as participating in them directly. The fourth count concerned membership in the SS (Schutzstaffeln) of the Nazi regime.

Karl Brandt and six other defendants were convicted, sentenced to death, and executed; nine defendants were convicted and sentenced to terms in prison; and seven defendants were acquitted.

The material presented in this project includes case file documents (the briefs and document books created and used in the course of the trial), evidence file documents (the evidentiary documents from which the prosecution, and occasionally the defendants, derived their exhibits), and the trial transcript.

The trial documents and evidence file documents related to Case 1 amount to approximately 2800 documents and 13,000 pages of material.

## Indictments – (25 Oct. 1946)

### Four Counts:

1. **Conspiracy to commit war crimes against humanity:** The ordering, planning, and organization of the war crimes and crimes against humanity charged in counts two and three. Charged against all of the defendants. The tribunal decided not to convict on this charge.
2. **War crimes:** Charged against all defendants. 15 guilty, 8 acquitted.
3. **Crimes against humanity:** Charged against all defendants. 15 guilty, 8 acquitted.
4. **Membership in a criminal organization:** Membership in the SS. Charged against K. Brandt, Genzken, Gebhardt, R. Brandt, Mrugowsky, Poppendick, Sievers, Brack, Hoven, and Fischer. All found guilty.

### Human Experiments and Other “Medical” Crimes (itemized in counts 2 and 3):

1. **High-altitude experiments.** March – August 1942. **Conducted for the German air force** to investigate the effect of high-altitude flying; experiments were conducted at the Dachau camp using a low-pressure chamber. Charged against Becker-Freyseng, K. Brandt, R. Brandt, Gebhardt, Handloser, Mrugowsky, Poppendick, Romberg, Ruff, Schroeder, Sievers, and Weltz. Charges against K. Brandt, Handloser, Mrugowsky, and Poppendick were withdrawn. R. Brandt and Sievers were convicted.
2. **Freezing experiments.** August 1942 – May 1943. **Conducted primarily for the German air force** to investigate treatments for persons who had been severely chilled, using prisoners at the Dachau camp. Charged against Becker-Freyseng, K. Brandt, R. Brandt, Gebhardt, Handloser, Mrugowsky, Poppendick, Schroeder, Sievers, and Weltz. Becker-Freyseng, K. Brandt, Gebhardt, Mrugowsky, Poppendick, and Weltz were acquitted; R. Brandt, Handloser, Schroeder, and Sievers were convicted.
3. **Malaria experiments.** February 1942 – April 1945. **Conducted to test immunization for and treatment of malaria;** experiments were conducted on more than 1000 prisoners at Dachau. Charged against Blome, K. Brandt, R.

Brandt, Gebhardt, Handloser, Mrugowsky, Poppendick, Rostock, and Sievers. (Evidence was also presented against Rose, but no judgment was reached.) No judgment was made concerning Mrugowsky. Blome, K. Brandt, R. Brandt, Gebhardt, Handloser, Poppendick, and Rostock were acquitted; Sievers was convicted.

4. **Mustard ("lost") gas experiments.** September 1939 - April 1945. ***Conducted for the benefit of the German armed forces*** to investigate treatment of injuries caused by Lost (mustard) gas; experiments were conducted at Sachsenhausen, Natzweiler, and other camps. Charged against Blome, K. Brandt, R. Brandt, Gebhardt, Handloser, Rostock, and Sievers. Blome, Gebhardt, Handloser, and Rostock were acquitted; K. Brandt, R. Brandt, and Sievers were convicted.
5. **Sulfanilamide experiments.** July 1942 - September 1943. ***Conducted for the benefit of the German armed forces*** to test the effectiveness of sulfanilamide and other drugs as treatments for infected wounds; experiments were conducted at Ravensbrueck. Charged against Becker-Freyseng, Blome, K. Brandt, R. Brandt, Fischer, Gebhardt, Genzken, Handloser, Mrugowsky, Oberheuser, Poppendick, Rostock, and Schroeder. Charges against Becker-Freyseng, Blome, and Schroeder were withdrawn. No judgment was reached concerning R. Brandt. Genzken, Poppendick, and Rostock were acquitted; K. Brandt, Fischer, Gebhardt, Handloser, Mrugowsky, and Oberheuser were convicted.
6. **Bone, muscle, and nerve regeneration, and bone transplant experiments.** September 1942 - December 1943. ***Conducted for benefit of German armed forces***, using Polish inmates at the Ravensbrueck camp. Charged against K. Brandt, R. Brandt, Fischer, Gebhardt, Handloser, Oberheuser, and Rostock. Charge against R. Brandt withdrawn. K. Brandt, Handloser, and Rostock were acquitted; Fischer, Gebhardt, and Oberheuser were convicted.
7. **Seawater experiments.** July - September 1944. ***Conducted for the German air force and navy*** to test methods of making seawater drinkable; experiments were conducted at Dachau. Charged against Becker-Freyseng, Beiglboeck, K. Brandt, R. Brandt, Gebhardt, Handloser, Mrugowsky, Poppendick, Rostock, Schaefer, Schroeder, and Sievers. The charge against Mrugowsky was withdrawn. K. Brandt, R. Brandt, Handloser, Poppendick, Rostock, and Schaefer were acquitted; Becker-Freyseng, Beiglboeck, Gebhardt, Schroeder, and Sievers were convicted.
8. **Epidemic jaundice experiments.** June 1943 - January 1945. ***Conducted for the benefit of the German armed forces to investigate causes of and inoculations against epidemic jaundice***; experiments were conducted on Polish prisoners at Sachsenhausen and Natzweiler camps. Charged against Becker-Freyseng, K. Brandt, R. Brandt, Gebhardt, Handloser, Mrugowsky, Poppendick, Rose, Rostock, Schroeder, and Sievers. Charges against Becker-Freyseng, Rose, and Sievers were withdrawn. R. Brandt, Gebhardt, Handloser, Mrugowsky, Poppendick, Rostock, and Schroeder were acquitted; K. Brandt was convicted.
9. **Typhus ("spotted fever") and other vaccine experiments.** December 1941 - February 1945. ***Conducted for the benefit of the German armed forces to test the effectiveness of vaccines against typhus, smallpox, cholera, and other diseases***; experiments were conducted at Buchenwald and Natzweiler. Charged against Becker-Freyseng, K. Brandt, R. Brandt, Gebhardt,

Genzken, Handloser, Hoven, Mrugowsky, Poppendick, Rose, Rostock, Schroeder, and Sievers. Becker-Freyseng, K. Brandt, Gebhardt, Poppendick, and Rostock were acquitted; R. Brandt, Genzken, Handloser, Hoven, Mrugowsky, Rose, Schroeder, and Sievers were convicted.

10. **Poison experiments.** December 1943 and September – October 1944. Conducted to investigate the effect of various poisons, including poison in food and poisoned bullets; experiments were conducted at Buchenwald (food) and Sachsenhausen (bullets). Charged against Gebhardt, Genzken, Mrugowsky, and Poppendick. Gebhardt, Genzken, and Poppendick were acquitted; Mrugowsky was convicted.
11. **Incendiary bomb experiments.** November 1943 – January 1944. **Conducted to test pharmaceutical treatments** for phosphorus burns; experiments were conducted at Buchenwald, involving the infliction of burns by materials from incendiary bombs. Charged against Gebhardt, Genzken, Mrugowsky, and Poppendick. All were acquitted.
12. **Sterilization experiments.** March 1941 – January 1945. **Conducted to develop methods of rapid, large scale sterilization in order to ensure the eventual elimination of “enemy” populations** while keeping captive workers as a labor force during the war. Experiments were planned and/or conducted at Auschwitz, Ravensbrueck, and elsewhere employing drugs, x-rays, and surgery. Charged against Brack, K. Brandt, R. Brandt, Gebhardt, Mrugowsky, Oberheuser, Pokorny, and Poppendick. The charges against Mrugowsky and Oberheuser were withdrawn. K. Brandt, Pokorny, and Poppendick were acquitted; Brack, R. Brandt, and Gebhardt were convicted.
13. **Skeleton collection.** June 1943 – September 1944. Conducted to complete a skeleton collection for an anatomical research project at the Reich University of Strasbourg; one hundred twelve Jews at Auschwitz were killed for the purpose. Charged against R. Brandt and Sievers; both were convicted.
14. **Tubercular Polish nationals.** May 1942 – January 1944. Polish nationals alleged to have incurable tuberculosis were imprisoned or killed on the pretext of protecting the health of Germans in Poland. Charged against Blome and R. Brandt; both were acquitted.
15. **Euthanasia.** September 1939 – April 1945. **Involved the secret killing of the aged, insane, incurably ill, deformed children,** and others, beginning at asylums in Germany and later in the camps and occupied territories. Charged against Blome, Brack, K. Brandt, and Hoven. Blome was acquitted; Brack, K. Brandt, and Hoven were convicted.

Other charges:

16. **Phenol (gas oedema) experiments.** 1942 – 1944. Conducted to investigate whether levels of phenol in gas oedema serum caused fatalities among wounded soldiers; experiments were conducted on prisoners at Buchenwald. Charged against Handloser, Hoven, and Mrugowsky. Handloser was acquitted; Hoven and Mrugowsky were convicted.
17. **Phlegmon experiments.** 1942. Conducted to test treatments for sepsis and related diseases, in coordination with sulfanilamide experiments at Ravensbrueck; experiments were conducted at Dachau and Auschwitz. Charged against Fischer, Oberheuser, and Poppendick; all were acquitted.
18. **Polygal experiments.** 1943 – 1944. Conducted to test the effectiveness of

polygal, a blood coagulant, for the treatment of wounds. Charged against Blome, Handloser, Poppendick, and Sievers. Blome, Handloser, and Poppendick were acquitted; Sievers was convicted.

19. **Planning, organization, and administration** (of 1-15 above)
20. **Conspiracy:** Count 1.
21. **Membership:** Count 4.

## The Nuremberg Code (1947)

### Permissible Medical Experiments

See [this](#).

The great weight of the evidence before us to effect that certain types of medical experiments on human beings, when kept within reasonably well-defined bounds, conform to the ethics of the medical profession generally. The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield results for the good of society that are unprocurable by other methods or means of study. All agree, however, that certain basic principles must be observed in order to satisfy moral, ethical and legal concepts:

1. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have the legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment.

The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs, or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.

3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results justify the performance of the experiment.

4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.

5. No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.

6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability or death.
8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.
9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.
10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him, that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

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