

## Chapter 7

# Wannsee as Prestige Television Drama and the fate of *Complicity*: 2001–2003

It's so devoid of emotion, that's what makes it so emotional.<sup>1</sup> – Stanley Tucci on *Conspiracy*

### 1 Editing, Reshoots, and Promotional Campaign

Executive Producer Frank Doelger was in shock. He had just seen Frank Pierson's rough cut of *Conspiracy* and could not believe what he was seeing:

We shot the film. We had gone back and we had reshot a section, and I had seen an assembly of the film which was where the whole film was put together. I gave notes on that and its faults. I was then invited to the screening room. At that point, we were editing in London and the editing room moved to Los Angeles and I was invited into the editing room to look at Frank's [Pierson's] now first cut of the film. And I was shocked to discover that Frank had completely intercut the film with stock footage of the Holocaust. Jews being loaded on trains, being transported, footage of the camps, the crematoriums, corpses, piles of corpses that were found by the Allies when they entered the camps . . . The film finished and I said to Frank, 'what have you done?' He said, 'I decided the film was boring. We'd never get an audience. It's men in rooms talking. We're not going to hold their interest, and we have to make it more cinematic.' And I said, 'Frank, I have to tell you, you have destroyed it. You have completely destroyed the film. It has now become people in rooms talking in between sections of stock footage. And I have no idea what to say, but if this is the film you want to put out there, you better go to HBO right now and tell them, because I guarantee you this will never be aired.' And he was furious at me. It was the biggest fight we ever had. He stormed out of the cutting room and there was radio silence for about 3 days. Then I got a call from Loring [Mandel] and then I got a call from Peter [Zinner], who said that they had felt the same thing and tried to mention it to Frank and they weren't getting anywhere. They think that Frank was beginning to soften. So, I then went back into the cutting room. I just said, 'I would really love to see your version of the film, Frank, without this footage, because you're telling me something didn't work and I haven't had the chance to see it. Please restore what it was before you put the footage together.' And he did. It was terrific. It was really interesting to me that someone who had a vision of this film as ninety-minute film of men talking had lost his way – he had also added a big score, almost every scene had underscoring, and then again the whole idea of the film was that music would only come in at the end when Eichmann was listening to the Schubert Quintet. So that was the real shock of the project.<sup>2</sup>

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1 Miller, *Tinderbox*, 377.

2 Interview with Frank Doelger, April 2, 2020, 23:38–28:54.

Pierson had been one of the most vociferous advocates for presenting *Conspiracy* without a score, without stock footage, and instead, letting the words of the Wannsee Conference participants drive the story and stand for themselves without resorting to cinematic artifice. This incident recounted by Doelger illustrates that even by that stage of post-production, Pierson was not immune from resorting to pure didacticism, splicing the film together with archival footage of the Holocaust and overlaying a “big score” to act as signposts for the audience – robbing the film of any subtext as well as doing the audience’s thinking for them. This was no sudden change on Pierson’s part: earlier drafts for *Complicity* also contained plenty of stock footage and Riegner’s narration as a didactic storytelling device – but these always fundamentally contradicted Pierson’s statements at previous meetings, in notes to Loring Mandel, and his impassioned letter to Stanley Sheinbaum. However, up until this point, Pierson had believed in the power of the history and the power of the script to carry the film without resorting to the methods of overly didactic after-school specials. Pierson himself never discussed this incident.

In the runup to the May 2001 premiere, HBO began a promotional campaign for the film which, in contrast with the actual film, promoted outdated notions of Wannsee being the key moment in the history of the Holocaust where “the decision” was made. For example, HBO’s April 2001 press release opens by describing the Wannsee Conference as both “the 90-minute meeting that set in motion the details of Hitler’s Final Solution” and as “a clandestine meeting that would ultimately seal the fate of the European Jewish population. Ninety minutes later, the blueprint for Hitler’s Final Solution was in place.”<sup>3</sup> These statements are slightly contradictory, but they are by no means as strongly worded as the film’s taglines. In contrast with the film itself, HBO Films’ press release makes Hitler’s involvement clearer and takes a much more intentionalist tack than Mandel’s script. The press release dubs the protocol “the only document where the details of Hitler’s maniacal plan were actually codified.”<sup>4</sup> During pre-production, the team debated what kind of (offscreen) role Hitler should have in the film. For example, in a June 1998 memo, Ani Gasti, Frank Doelger’s assistant at HBO NYC Productions, noted that “[t]here is a lack of Hitler’s presence. Perhaps a sidebar discussion at the end of the meeting could suggest an admiration for Hitler having got it accomplished without having been there and dirtying his own hands.”<sup>5</sup> In contrast with

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3 HBO Films, “Kenneth Branagh and Stanley Tucci Star,” 1.

4 HBO Films, “Kenneth Branagh and Stanley Tucci Star,” 1.

5 Ani Gasti to Frank Doelger, June 22, 1998, Box 15 Folder 1, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 6.

*The Wannsee Conference*, in which a bust of Hitler literally looms in the background during the conference, *Conspiracy* instead has its characters mention Hitler and his will – and how it is their duty to carry it out. They are, in the words of historian Ian Kershaw, “working towards the Führer.”<sup>6</sup> For example, in one pivotal scene, Kritzinger, representative of the Reich Chancellery, states that mass killings cannot possibly be happening and is quickly disabused of that notion:

KRITZINGER

That is not – no, that’s contrary to what the Chancellery has been told, I have directly been assured, I have – that we have undertaken to systematically eradicate all the Jews of Europe, that possibility has been personally denied, to me, by the Führer!

HEYDRICH

And it will continue to be.

KRITZINGER has been fearful that all the assurances he and Lammers have received have been lies. He stands again, HEYDRICH looks at him coldly. His following words, sounding regretful, are in fact a warning: this is the way it is, accept it

HEYDRICH (CONT'D)

My apologies.

KRITZINGER turns and walks toward the doors, wanting to walk out of the room but undecided; can he insult HEYDRICH by walking out. He paces randomly, knowing in his heart there’s only so far he can push it. All watch. KRITZINGER finally comes back to his chair.

KRITZINGER

Yes, I understand.

HEYDRICH has locked gaze with KRITZINGER; one of them will look away. Which one. The moment is attenuated until it’s unbearable for KRITZINGER, who, with the few empathic instincts he has left, can see HEYDRICH’s side of it.

KRITZINGER (CONT'D)

Yes, he will continue to deny it.

HEYDRICH

(forcing the moment)

Do you accept my apologies?

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<sup>6</sup> Ian Kershaw, “‘Working Towards the Führer.’ Reflections on the Nature of the Hitler Dictatorship,” *Contemporary European History* 2, no. 2 (July 1993): 103–118.

KRITZINGER  
(Still straight in the eye)  
Of course.

KRITZINGER's gesture of abdication ends the immediate tension.<sup>7</sup>

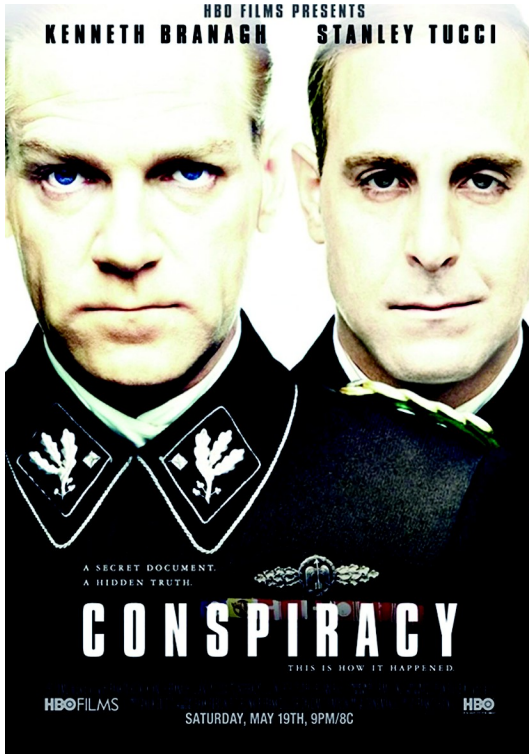


**Figure 7.1:** Heydrich (Kenneth Branagh) stares at Kritzinger, demanding acquiescence. *Conspiracy*. HBO Films, British Broadcasting Corporation (BBC), 2001.

This scene illustrates several key themes of the film. First, Hitler is absent at the meeting, but his presence is felt. He clearly has knowledge of and has approved this meeting, but he will not directly get involved. Second, the stage directions in the screenplay clearly show the importance of nonverbal communication for dramatic film. Much of the power dynamics in *Conspiracy* are illustrated with nonverbal communication. In this scene, Kritzinger debates with himself about whether or not he should leave the room but decides on staying in order to avoid offending Heydrich, who brings Kritzinger into line with a chilling, unblinking stare (Figure 7.1). It is, of course, debatable as to whether the real Heydrich would have intimidated his colleagues in such a fashion, but Branagh's performance in this scene is undeniably effective.<sup>8</sup> The theme of Hitler's knowing distance from

<sup>7</sup> Loring Mandel, *Conspiracy*, As Aired Screenplay, October 21, 2003, Box 1 Folder 6, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 46.

<sup>8</sup> See Evans, *Hitler's People*, 303 for a discussion of Heydrich's personality, how he “always made people feel uncomfortable.” Other parts of this passage include postwar statements from his subordinates, who describe him as “devilish,” “the most demonic personality in the Nazi leadership,”



**Figure 7.2:** HBO Films Poster for *Conspiracy*, 2001. see IMDb., <https://www.imdb.com/title/tt0266425/mediaviewer/rm2184429569/> (accessed August 11, 2021). HBO Films.

the meeting and its top-secret nature is also underscored in another scene, in which Eichmann orders a telephone operator (Tom Hiddleston) to stop accepting calls: “This meeting is not taking place. You are to take no phone calls for anyone at this meeting. Anyone. Unless the Führer calls. And he won’t.”

The film’s posters rely on both its star power and Nazi iconography. The posters (Figure 7.2) show a uniformed Kenneth Branagh and Stanley Tucci in close-up, with the more common poster and subsequent DVD cover placing them either in front of a Nazi flag or barbed wire (depending on the country of release). The film’s taglines, “One of The Greatest Crimes Against Humanity Was Perpetrated in Just Over an Hour” and “One Meeting. Six Million Lives” repeat, as previously noted, an old, erro-

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and how Einsatzgruppe leader Arthur Nebe “was said to have shaken with fear when he was in Heydrich’s presence.”

neous understanding of the Wannsee Conference.<sup>9</sup> Another, more neutral tagline read “A Secret Document. A Hidden Truth. This is how it happened.”<sup>10</sup> The historical consensus on the conference was, by this time, in agreement that Wannsee represented a key point where genocide became state policy, but not where Hitler’s decision to commit it had been made – that had happened in 1941 or 1942, but historians still debate about exactly when.<sup>11</sup> HBO’s current description of the film is more restrained. Its streaming service, HBOMax, describes the film as a “story of the top-secret Nazi meeting to debate the merits of Hitler’s ‘Final Solution.’”<sup>12</sup>

HBO Films’ April 2001 press release contains more information about the production. Frank Pierson held up the film’s long takes compared to “how movies are traditionally made” and noted that the cast uses their normal voices because speaking with German accents “would have interfered with the immediacy of the performances, distracting audiences from the emotional truth of the material.”<sup>13</sup> This practice is still common in HBO historical productions. For example, the 2019 miniseries *Chernobyl* features a mostly British cast speaking with their normal voices. Quotes from the cast discussed the difficulty of the material, with Kenneth Branagh arguing that Heydrich “seems to be soulless” and that “[p]laying such a character, I didn’t want to say the lines, I didn’t want to be connected to this moral vacuum that seems to be the man himself . . . There is something purely evil about him that is absolutely repellent and I’ll be very happy not to wear his uniform or play him ever again.”<sup>14</sup> The press release cites Hannah Arendt and her famous depiction of Eichmann, connecting it with Tucci’s performance. Colin Firth discussed the film’s relevance for the world in 2001, prefiguring arguments by scholars like Michael Rothberg, who propose a “multidirectional memory”.<sup>15</sup>

I am reading a book about Rwanda at the moment, and it is remarkable to me how many parallels there are . . . The Balkans might be a more fitting comparison, but nevertheless the attacks by machete in Rwanda were not performed by frenzied mobs and not necessar-

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9 See the taglines at IMDb. “Conspiracy,” <https://www.imdb.com/title/tt0266425/taglines> (accessed August 11, 2021).

10 See IMDb., <https://www.imdb.com/title/tt0266425/mediaviewer/rm2184429569/> (accessed August 11, 2021).

11 See Roseman, *The Wannsee Conference and the Final Solution: A Reconsideration*, 37–39, 76–79; Browning, “When Did They Decide?”

12 See HBO.com, “Conspiracy,” <https://www.hbo.com/movies/catalog.conspiracy> (accessed August 11, 2021).

13 HBO Films, “Kenneth Branagh and Stanley Tucci Star,” 2. See the discussion in the previous chapter for the production team’s reasons behind this decision.

14 HBO Films, “Kenneth Branagh and Stanley Tucci Star,” 3.

15 Michael Rothberg, *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization* (Stanford, CA: Stanford University Press, 2009).

ily by tribesmen. The people who were committing these murders were doctors, parish priests, research scientists and all sorts of other professional people . . . They weren't doing it in the spirit of passion, but because they felt it was necessary and that their lives would not be better until they got rid of an entire race of people. The same sort of normalization of what is absolutely unthinkable is still happening today.<sup>16</sup>

The press release also contains a detailed synopsis of the film which explains the meeting's purpose more clearly than its misleading taglines: "it's obvious that Heydrich is not proposing a final solution to the Jewish problem; he's telling the group that such a solution is already in place."<sup>17</sup> Future historical writing on *Conspiracy* should pay more attention to the actual film instead of relying on the marketing copy added to the DVD cover and poster. The film does not ultimately argue that the Holocaust was conceptualized at Wannsee; rather, in many scenes, it emphasizes that the mass murder is already taking place, and makes clear that the meeting's main purpose was informing and implicating the civilian ministries, as well as Heydrich and the RSHA assuming control. Nevertheless, HBO's own promotional material was contradictory, seemingly torn by the need to get the point across to as many people as possible with as little words as possible.

*Conspiracy* premiered on HBO at 9 pm on Saturday, May 19, 2001. It would not premiere in the UK until the following January – a common practice with such so-called "runaway" productions, which often premiere in the United States before their partner country.<sup>18</sup> Like HBO's other major production on World War II released that year, the miniseries *Band of Brothers*, *Conspiracy* would enjoy critical acclaim before quickly vanishing from public spotlight in the wake of 9/11 and its aftermath.

## 2 *Conspiracy*, 2001

*Conspiracy* begins with a cold open: a maid opens curtains, a cut to cooks preparing a meal, orderlies unrolling rugs and polishing silverware, and Eichmann meticulously filling out and arranging place cards around the conference table. This sequence unfolds without dialogue; a group of servants and kitchen staff prepare for a big event before a cut to a shot of Heydrich's plane flying over the Wannsee as the narrator provides context for the meeting. This montage, complemented by a similar scene of the Wannsee House staff cleaning up after the conference as

<sup>16</sup> HBO Films, "Kenneth Branagh and Stanley Tucci Star," 3–4.

<sup>17</sup> HBO Films, "Kenneth Branagh and Stanley Tucci Star," 6.

<sup>18</sup> For example, the HBO miniseries *Band of Brothers*, which was also filmed in England, received British tax money, and had a large British cast, was officially a BBC co-production. *Band of Brothers* premiered on HBO on September 9, 2001 but did not premiere on BBC2 until October of that year.

the participants leave and the end titles roll, only became included in the story after the bulk of the film had been shot in November 2000. Frank Doelger recounted how he came up with the idea for the film's new opening:

[W]hen I had seen the assembly of the film, one of the things that always fascinated me was that the conference took place in this fantastic, beautiful villa. From what I imagine and what I had read, it was a very formal lunch, well-staffed. And I thought the incongruity between the setting and the subject. The setting of the meeting and the subject were so fascinating. I felt that we hadn't really solved that. So, I tried to figure out what to do with the credit sequence. Frank [Pierson] had wanted to use some aerial maps of where Wannsee was, he was thinking of using a long sequence of Heydrich arriving by his plane, and I asked him if we could imagine a scenario where we are preparing for the meal. Again, I wanted everything that spoke of a certain level of civilization and sophistication, of refinement. We created a sequence of the silver being polished, the crystal being shined, the place cards being written, the table being laid. It was really a way to try to punch up, again, the incongruity of that situation.<sup>19</sup>

The narrator also bookended the film. Used sparingly, at the film's beginning, the narration only introduces the wider developments in the war up to January 1942, as well as the reason Heydrich convened the meeting. Frank Pierson discussed the problems he had finding the right narrator (the role eventually went to the British actor Rod Culbertson), stating that he constantly had to avoid the risk of priming audience emotions and reactions:

I went through probably twelve actors before I could find one who could read without introducing inflection; trying to produce an effect with the sound, and so on, because I said, "Listen," I wanted a rather thin voice that doesn't comment on it at all. Just simply tell us the story and let us feel what we feel about it because that is so much more powerful because it is then we who are producing the emotion out of ourselves; out of what it is that we are seeing, and what we have seen when it comes at the end that is the most telling thing. And to have an actor who is making a performance out of it, then he is telling us how to feel.<sup>20</sup>

Previous versions of the screenplay had relied on Gerhart Riegner's narration, which sardonically remarked on the events portrayed on screen.<sup>21</sup> Earlier drafts of the opening narration included claims contradicting the rest of the screenplay and made it seem like the decision to exterminate European Jews was made at Wannsee. For example, one early draft states that "Hitler dreamed of a German military empire that would last one thousand years . . . and Hitler had another

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<sup>19</sup> Interview with Frank Doelger, April 2, 2020, 29:20–30:49.

<sup>20</sup> Frank Pierson, "Visual History with Frank Pierson," Chapter 7, Clip 16, 26:39.

<sup>21</sup> Loring Mandel, *Complicity*, written by Loring Mandel, First Draft, 6/7/97, June 7, 1997, in Box 3, Folder 4, Loring Mandel Papers, 1942–2006, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1.

dream. In January of 1942, 15 men were convened to make it come true.”<sup>22</sup> An April 21, 2001 draft rewords this to “Hitler’s dream of an Aryan Empire to last a thousand years was, for the first time, in doubt . . . But though a German military victory was threatened, Hitler was determined to leave as his legacy a Europe of one dominant race. On January 20<sup>th</sup>, fifteen men came to Wannsee – a quiet lakeside resort near Berlin – to create that legacy. Here, in less than two hours, these men changed the world forever.”<sup>23</sup> The final version of the opening narration is more moderate and places more emphasis on the developments on the Eastern Front and keeps the meeting’s purpose more vague: “While [Hitler] hired and fired generals and winter grew colder, fifteen of his officials were ordered from their commands and ministries to meet in a quiet lakeside residence at Wannsee, near Berlin, far from the crisis at the front. In two hours, these men changed the world forever.”<sup>24</sup> The narration provides minimal background information; the rest of the information necessary for understanding the historical situation and context is conveyed through conversations between the characters.

In comparison with the 1984 West German film, *Conspiracy* retains the former film’s speed but allows for more pauses, giving the audience a bit of breathing room between long stretches of dialogue and information. The camera acts as a “you are there” device, placing the audience at the conference table. *Conspiracy* is what Alex Kay has referred to as an “intimate film” due to its eye-level camera and extensive close-up shots.<sup>25</sup> (see Figure 7.3) Pierson and cinematographer Stephen Goldblatt utilize long takes, which give the film both a sense of suspense and a theatric quality. In its most cinematographically inventive sequence, the camera emerges from a hole in the center of the conference table and spins 360 degrees around the room as each participant assents to Heydrich’s proposals.<sup>26</sup> Additionally, the film relies on a cold, naturalistic lighting, emphasizing both the wintry time of year and the coldness of the subject matter. The film’s soundscape is also equally naturalistic. We constantly hear glasses and silverware clinking, cigarette lighters clicking, papers shuffling, and other repetitive noises which con-

22 Loring Mandel, Undated Opening and Closing Narration Drafts, Box 9 Folder 10, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1.

23 Loring Mandel, Fax to Frank Pierson, April 21, 2001, Box 9 Folder 10, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1.

24 Loring Mandel, *Conspiracy*, As Aired Screenplay, October 21, 2003, Box 1 Folder 6, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 2.

25 Kay, “Speaking the Unspeakable,” 189.

26 Interview with Andrea Axelrod, March 9, 2018, New York City, 29:49–31:00.



**Figure 7.3:** Cinematographer Stephen Goldblatt keeps the camera at eye level, as if the viewer is sitting at the conference table. *Conspiracy*. HBO Films, British Broadcasting Corporation (BBC), 2001.

vey the busy atmospheres of both a hotel being run and a conference underway. Most notably, we constantly hear the sounds of the stenographer's typing, especially when the participants pause dramatically, underscoring the fact that the meeting minutes are being drafted in real time as we watch the conference unfold. Lastly, the film is almost completely devoid of a soundtrack. Music is only present in the final sequence and is diegetic; that is, it comes from the film's world – a Schubert record that Eichmann places on the phonograph – and not from an offscreen source.

After the opening narration, the film introduces Eichmann, who promptly scolds an orderly for breaking china, ordering another orderly to “itemize the cost,” emphasizing older depictions of Eichmann as a meticulous bureaucrat “absent of ideology” and portraying him as a man “severe in his treatment of subordinates,” (see the scene where he slaps a driver for participating in a snowball fight) as the historian Alex J. Kay has pointed out.<sup>27</sup> Kay claims that the filmmakers “appear to have followed an image of [Eichmann] that corresponds to the widespread misconception that Hannah Arendt portrayed Eichmann as a dutiful and obedient functionary, bereft of motives beyond personal advancement . . . his ideological zealotry is entirely absent in his depiction in *Conspiracy*.”<sup>28</sup> Kay's

<sup>27</sup> Kay, “Speaking the Unspeakable,” 193.

<sup>28</sup> Kay, “Speaking the Unspeakable,” 193.

assessment is borne out by the archival material. Stanley Tucci's letter to Frank Pierson, while it argues against a one-dimensional depiction of Eichmann, does not mention Nazi ideology at any point, instead focusing on the complexities of his personality – these suggestions did make it into the final film.<sup>29</sup> Andrea Axelrod, however, pushed back against the script's depiction of other characters viewing Eichmann as a “nobody” considering Eichmann's importance in deporting Jews from Vienna.<sup>30</sup> These remarks appear to have had no influence on the final cut of the film. The Eichmann of *Conspiracy* is more prominent and strays further from Hannah Arendt's characterization of him than does the portrayal in the 1984 version of *The Wannsee Conference*, but it still largely follows the classic depiction of Eichmann as an unideological desk-bound murderer (*Schreibtischtäter*), albeit with some notable exceptions. The script also directly alludes to Arendt's view of Eichmann, but in a more complicated manner. Instead of just dramatizing Arendt's portrayal of Eichmann, the script portrays a discrepancy between the actual Eichmann and how the other attendees underestimated him much in the same way Arendt did. For example, one section of the script states that “[a]ll turn to this man [Eichmann] whom they consider a glorified secretary.”<sup>31</sup> This is contrasted with the end of the film, which states that Eichmann pursued mass extermination with an unwavering singlemindedness after Heydrich's death. Stanley Tucci's performance is admirable, and the film does move away from Eichmann's self-portrayal as an unimportant flunky sitting in the corner of the room during the conference – the Eichmann here is clearly much more involved and is more than a meeting-organizer and notetaker – but the character still does not stray far from the archetype of a cold, dispassionate functionary. Recent biographies of Eichmann recenter ideology and convincingly demonstrate that he was, in fact, a passionate Nazi and antisemite.<sup>32</sup>

As the participants begin to arrive, the different groups are made clear. For example, the members of the SS/RSHA all clump together, intimidating several of the civilian *Staatssekretäre* (see Figure 7.4). Wreathed in smoke, Schöngarth and Lange swagger through the buffet line; Kritzinger notes their presence. It is clear that this meeting involves a power struggle. Mandel's final screenplay draft explicitly describes the situation before Heydrich's arrival at the villa:

<sup>29</sup> Stanley Tucci to Frank Pierson, undated (most likely late 2000) in Box 10, Folder 7, Loring Mandel Papers, 1942–2006, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin.

<sup>30</sup> Andrea Axelrod, “Overall Issues Part II,” June 26, 2000, copy in author's possession, 5.

<sup>31</sup> Mandel, *Conspiracy*, As Aired Screenplay, 55.

<sup>32</sup> See Cesarani, *Eichmann* and Stangneth, *Eichmann Before Jerusalem*.

Present in the room, with various degrees of conviviality, are LANGE, SCHÖNGARTH, BÜHLER, MEYER, LEIBBRANDT, LUTHER, NEUMANN, STUCKART, and HOFMANN. They mill about, forming brief combinations which alter and dissolve as clouds in the wind. Wine flows, the room is enveloped in cigar and cigarette smoke, murky and acrid. We will see that those in the SS tend usually to congregate with one another. There is, in this room, a general unease among the non-SS as to what will happen here. Plans may be cancelled, sinecures shattered.<sup>33</sup>



**Figure 7.4:** The SS officers Otto Hoffman (Nicholas Woodeson), Eberhard Schöngarth (Peter Sullivan), and Rudolf Lange (Barnaby Kay) eye the *Staatssekretäre* while enjoying cigars and wine. *Conspiracy*. HBO Films, British Broadcasting Corporation (BBC), 2001.

These early scenes also illustrate what Frank Doelger called “the incongruity of that situation,” depicting silver trays full of smoked herring and shrimp, boxes of “fine” cigars, and glasses of undoubtedly stolen French wine. While not as boisterous as the scenes in the 1984 film (which sometimes veers into a depiction of the participants reminiscent of pub regulars on a night out, *Conspiracy* constantly references alcohol in order to depict both the refinement of the setting and the loosening of characters’ inhibitions as the day progresses. The script is full of references to different characters pouring themselves wine and liquor – usually whisky or cognac – clearly confiscated from their French and British enemies. Usually, the characters on the “winning” side at the table – the SS members, Luther, and Klopfer – indulge more than those like Kritzing and Stuckart, who are

<sup>33</sup> Mandel, *Conspiracy*, As Aired Screenplay, 12.

placed on the defensive. In one scene towards the end of the film, the script mentions Schöngarth breaking decorum due to his indulgence: “his speech slightly slurred by the whisky, [Schöngarth] attempts an unjustified familiarity; he waves extravagantly at Heydrich.”<sup>34</sup> The film’s most important depiction of alcohol – besides that at the conference table, where tongues are increasingly loosened as the liquor flows – occurs at the film’s end, when Heydrich, Müller, and Eichmann retire to a study to discuss the day’s success by the fire. Here, Heydrich has a drink for the first time in the film and orders Eichmann to “take a fucking drink” with him. *Conspiracy*’s portrayal of this scene, which comes directly from Eichmann’s postwar testimony, chillingly illustrates how this was a very important workday for Heydrich and a cause for celebration.

*Conspiracy* similarly thematizes food in order to contrast the opulent setting with the meeting’s purpose. The attendees, especially Gerhard Klopfer, played by the corpulent Ian McNeice, discuss the merits of Nuremberg sausages (“those greasy little things”) and pile their plates high with hors d’oeuvres unavailable at either the front or in the occupied territories, further accentuating the film’s depiction of the Nazi Party man Klopfer – who was based in Berlin – as an unscrupulous glutton. Indeed, one of the film’s more comical – and historically absurd – aspects is how Heydrich calls attention to the buffet and takes breaks for food multiple times during a ninety-minute meeting, something the HBO Films press release directly alludes to, stating how, “with the deftness of a master politician, Heydrich defuses tense confrontations by taking several prudent breaks for drinks and lunch. There’s nothing like booze and food to temper a foul mood.”<sup>35</sup> Indeed, the film is not all doom and gloom. At times, *Conspiracy* is darkly comic. This is particularly evident during the film’s beginning, when each character shouts “Heil Hitler!” upon meeting a new arrival. The “heiling” goes on throughout the beginning of the film and only pauses once Heydrich arrives, telling them “[i]f we keep doing this all day we’ll never finish. With no disrespect to our Führer, it’s suspended till the conclusion of business.”<sup>36</sup> The heiling is indeed suspended until the end of the conference, when the attendees all stand up and shout it in unison.

In contrast with the role of alcohol in the film, *Conspiracy* portrays tobacco use in several different ways. Besides its visual aspect – smoke-filled rooms being shorthand for conspiratorial behavior – and, of course, its simultaneous importance in faithfully depicting the wide acceptance of smoking in the 1940s, the activity of smoking in *Conspiracy* also furthers both storytelling and character de-

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<sup>34</sup> Mandel, *Conspiracy*, As Aired Screenplay, 63.

<sup>35</sup> HBO Films, “Kenneth Branagh and Stanley Tucci Star,” 5.

<sup>36</sup> Mandel, *Conspiracy*, As Aired Screenplay, 21.

velopment. First, it depicts cigar smoking – almost exclusively on the part of the SS and Party members – in a manner that highlights both the refined setting and the confidence of Heydrich’s men – which goes overboard, as shown in a scene where Hofmann becomes ill after a discussion of killing methods, blaming it on the cigar, much to Schöngarth’s chagrin, prompting Heydrich to ban cigars for the remainder of the meeting. In this scene, Lange offers the ill Hofmann a cigarette, stating that “there aren’t enough of them in the world.” In contrast with the depiction of cigars, the film’s portrayal of cigarette smoking is one that stresses their necessity for stress relief. In contrast with the other SS men, who smoke cigars for enjoyment, Lange, who has just arrived from the front, only smokes cigarettes in the film. He clearly relies on them for stress relief, as evidenced by his comment to Hofmann and depiction as an individual psychologically burdened by the mass shootings he carried out in Latvia.

Several of Lange’s most important scenes in the film occur either when he is on a smoke break or is drinking. In the scene directly preceding Kritzinger’s stare-down with Heydrich, Lange challenges Heydrich about his use of the euphemism “evacuation,” Lange has already had several drinks by this point. The script notes that Lange “speaks reasonably, but the liquor has triggered a deep anger.”<sup>37</sup> As Simone Gigliotti has discussed in detail, *Conspiracy* is “a visual essay about language.”<sup>38</sup> The script, as seen above, is full of discussions about the meaning of words, euphemisms, and language rules, much as in *The Wannsee Conference*. Nevertheless, the film often sticks to language directly from the protocol, particularly in the first half when Heydrich presents his proposal for the “Final Solution.” However, in another scene, Kritzinger and Lange discuss language in the context of both the ongoing mass killings and Lange’s legal training, also introducing the concept of genocide, a word which had not yet been coined:<sup>39</sup>

KRITZINGER

What gas chambers? Gas chambers?

LANGE

I hear rumors, yes.

KRITZINGER

This is more than war. There must be a different word for this.

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<sup>37</sup> Mandel, *Conspiracy*, As Aired Screenplay, 45.

<sup>38</sup> Gigliotti, “Commissioning Mass Murder,” 128.

<sup>39</sup> This scene introduces the concept of genocide, a word first coined by Polish lawyer Raphael Lemkin during the war.

LANGE  
Try chaos.

KRITZINGER  
Yes. The rest is Argument. The curse of my profession.

LANGE  
I studied Law as well.

KRITZINGER  
How do you apply that education to what you do?

LANGE  
It has made me . . . distrustful of language. A gun means what it says.<sup>40</sup>

The number of lawyers and other highly educated people at Wannsee (note that Kritzinger was not actually a lawyer, a common mistake) is also a constant theme in the film, which exudes elegance, culture, and refinement – their presence at this beautiful villa in the heart of one of Berlin's affluent suburbs functions as a scathing indictment of German *Kultur* and Western Civilization.<sup>41</sup> No elegance, refinement, *Bildung*, or *Kultur* was able to prevent this meeting from happening or to prevent what would follow. In fact, it enabled it: As Alex Kay has pointed out, “[t]he filmmakers are playing here with the common perception of lawyers as cold and narrow-minded. The gravity of the subject matter, however, allows them to go one step further: the lawyers’ traditional role as upholders of the law is now inverted; they become criminals on a mass scale.”<sup>42</sup> Here, Kay also underscores the importance of the film’s title. A conspiracy is criminal by definition and we are witnessing, as the drug kingpin Stringer Bell famously said in Season 3 of *The Wire*, people “taking notes on a criminal fucking conspiracy.”<sup>43</sup>

In contrast with the 1984 *The Wannsee Conference*, which depicts Lange as a brutal, drunken buffoon, Mandel, in keeping with earlier historiography like Eugen Kogon’s *Der SS-Staat*, instead portrays Lange as a highly educated member of Heydrich’s “fighting administration” (*kämpfende Verwaltung*), whose doctorate is by no means an impediment to his work.<sup>44</sup> In highlighting the educated status of members of the RSHA and SS who also led *Einsatzgruppen*, *Conspiracy* follows

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40 Mandel, *Conspiracy*, 68.

41 For a discussion of the misidentification of Kritzinger as a lawyer, see Kay, “Speaking the Unspeakable,” 190.

42 Kay, “Speaking the Unspeakable,” 191.

43 Daniel Attias, “Straight and True,” *The Wire*, December 30, 2009.

44 For more on the “fighting administration,” see Wildt, *An Uncompromising Generation*.

developments in perpetrator studies throughout the 1990s, which, thanks to the work of scholars like Christopher Browning, had begun to move away from both the older depictions of Holocaust perpetrators as “demonic” figures as well as from the notion of the cold, rational “desk murderers” made famous by Hannah Arendt’s and Raul Hilberg’s studies.<sup>45</sup> Nevertheless, *Conspiracy* does not fully disconnect from earlier views of Nazi perpetrators, as its previously-discussed depiction of Eichmann as an obsessive administrator and meticulous planner illustrates.

Lastly, the film’s use of language is at its most effective when Mandel deploys it to break the veneer of refinement and professionalism, which is at its most explicit during the debate on mixed marriages and *Mischlinge*. After much back-and-forth with Stuckart and others over just who would be exempt from being “evacuated,” Heydrich loses patience and utters one of the most brutal and graphic lines in the entire screenplay:

We will not sterilize every Jew and wait for the race to die. We will not sterilize every Jew and then exterminate them, that’s farcical. Dead men don’t hump, dead women don’t get pregnant; death is the most reliable form of sterilization, put it that way.<sup>46</sup>

Mandel and Pierson fought to keep lines like these in the screenplay. Producers like Colin Callender had felt that such lines were “too contemporary,” but such language helped keep the film grounded, if not in “reality,” in an emotional truth: for all their outward refinement, for all their doctorates and villas and nice cars, these men exhibited brutality at an unprecedented scale – one can depict this contradiction without falling into the trap of “demonization” or caricature. These are not cartoonish Nazis out of a 1970s exploitation flick or old Hollywood war movie. This use of harsh, graphic language in the place of depicting violence visually is one of the great strengths of *Conspiracy* and the two German films about Wannsee. This language manages to disturb the viewer without overwhelming them emotionally. These perpetrators speak with a casualness and brutality that still manages to shock upon repeated viewings.

As the film progresses, Heydrich’s presentation – which largely sticks to the language of the protocol – is continuously interrupted, first by Lange, then by Kritzinger. At each interruption (and after each one) he becomes increasingly irritated and tells the interrupter to please wait until the end of his presentation, at-

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<sup>45</sup> See Arendt, *Eichmann in Jerusalem*; Raul Hilberg, *The Destruction of the European Jews*, 3rd ed. (New Haven, Conn: Yale University Press, 2003).

<sup>46</sup> Loring Mandel. “*Conspiracy* by Loring Mandel, with Scene Numbers, 5/19/01” May 19, 2001, Box 1, Folder 6, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 59.

tempting to assuage their concerns by stating that everyone's questions will be answered in due time. As the discussion shifts to the question of mixed marriages and *Mischlinge*, Wilhelm Stuckart (Colin Firth) breaks his silence and begins arguing with Heydrich's proposals, which he vehemently rejects. Firth's admirable performance does not excuse the more problematic aspects of Mandel's portrayal of Stuckart. Stuckart, one of the architects of the Nuremberg Laws, had reason to defend them against what the film calls "ad hoc law," i.e. just dissolving all mixed marriages by decree. Stuckart argues that such a move would bog down the courts for decades and instead suggests that all *Mischlinge* and Jews in mixed marriages be sterilized. Alex Kay has noted that in this film, "one almost gets the impression that Stuckart not only objects to the disregard shown for the Nuremberg Race Laws of 1935, of which he was co-author, but to the mass murder of Jews per se."<sup>47</sup> To be sure, by the end of the film, it is clear that Stuckart is an ardent Nazi, but his commitment to the cause is not portrayed as being as strong as it was in reality. He is not as much of a dissenter as in the 1984 film, but he is still too much of one when compared with the historical record.<sup>48</sup>

Throughout this section, Stuckart runs into opposition from Klopfer, Müller, and others, who accuse him of philosemitism. Unfortunately, even though both Christopher Browning and Andrea Axelrod had objected to it, the film still includes both the line about Jews "reject[ing] the Christ" and an improbable exchange between Stuckart and Klopfer, who in reality knew each other and would not have yelled at each other in this manner.<sup>49</sup> The film's portrayal of Stuckart additionally falters when it depicts Heydrich taking him onto the villa's terrace and intimidating him, where the following conversation occurs:

HEYDRICH

We will accomplish this. I won't allow administrative technicalities to slow it down. Every agency will jump to follow my order, or asses will sting, and there are no shortages of meat hooks on which to hang enemies of the State. This will be an SS operation, and as the war goes on, the SS will more and more command the agenda and put marks against the names of the less than cooperative. You have a choice to make.

STUCKART

You understand- (THAT I RESPECT ETC)

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<sup>47</sup> Kay, "Speaking the Unspeakable," 192.

<sup>48</sup> See Jasch, "Wilhelm Stuckart."

<sup>49</sup> Heckmann, "Gerhard Klopfer," 190, 193. See the discussion of Klopfer's conflict with Stuckart in the previous chapter.

HEYDRICH

Please. But you're still going to make your choice. Don't let a strutting imbecilic porcine prick like Klopfer make it for you.

. . .

HEYDRICH

I don't wish to see the bullies – I admit we have more than our share of them in the SS – take too much of an interest in you.

STUCKART

. . . interest in me . . .

HEYDRICH

Do you not think? And all I want from this meeting is unanimity, and no trouble getting what has to be done done.

STUCKART understands, and nods to indicate as much. HEYDRICH again puts an arm around STUCKART's shoulder to draw him close, his tone now lighter.

HEYDRICH (CONT'D)

With you at my side, so much is possible.<sup>50</sup>

This exchange is not so problematic at first glance, as Heydrich was known for intimidating subordinates. His goal at Wannsee was also to bring the civilian ministries into line. However, his direct intimidation of Stuckart goes too far. As a *Staatssekretär* in the Interior Ministry, Stuckart had an equivalent rank to Heydrich. Additionally, Stuckart held rank in the SS, as seen in the 1984 film. Heydrich had worried about Stuckart's potential objections at the conference and was "very satisfied with the outcome of the conference" in part due to Stuckart's agreement. Stuckart also was well aware of the SS taking over responsibility for the "Jewish Question," therefore making his objection to it in *Conspiracy* "very doubtful."<sup>51</sup> Although the script drafts, historical consultant memos, and other production documents make it clear that the filmmakers were aware that this characterization of Stuckart veered too far from historical reality, they stuck to their desire to use Stuckart's differences on the issue of mixed marriages and *Mischlinge* for dramatic license. In one darkly comic moment, however, the film addresses the byzantine and contradictory nature of Nazi racial law, openly acknowledging just how convoluted these definitions

<sup>50</sup> Mandel, *Conspiracy*, As Aired Screenplay, 64–65. Quote trimmed to reflect final cut of *Conspiracy*.

<sup>51</sup> Kay, "Speaking the Unspeakable," 192.

were, with a confused Schöngarth interjecting to ask which degrees of *Mischlinge* they are talking about.<sup>52</sup>

Other civilian ministries represented are given less attention than the Interior Ministry and the Reich Chancellery. In keeping with the protocol, Bühler (Ben Daniels) requests that deportations begin in the General Government, because the ghettos are overcrowded and those in the General Government administration (including his boss, Hans Frank) fear that their fiefdom will become the Reich's dumping ground for Jews. This is in keeping with the protocol, which notes that Bühler "stated that the General Government would welcome it" if the deportations began there, especially because of fear of "epidemics."<sup>53</sup> *Gauleiter* Albert Meyer and Georg Leibbrandt of the Reich Ministry for the Occupied Eastern Territories are also depicted as fanatical Nazis who are concerned with the need to maintain a pool of forced labor. Erich Neumann, who directly answered to Goering, the Plenipotentiary for the Four Year Plan, is single-mindedly concerned with the issue of labor in the film and is depicted as a buffoonish man out of his depth who constantly tries to network with other participants, inserting his job title in every possible conversation. Alex Kay has rightly criticized the film for this portrayal.<sup>54</sup> The Office of the Four Year Plan is not really explained in the film. The Four Year Plan was the 1936 plan to reorient Germany's economy towards rearmament in preparation for the coming war. It was extended after the war's outbreak in 1939.<sup>55</sup> Christoph Kreutzmüller has noted that at Wannsee, "Neumann, along with Kritzinger, represented the old, Prussian administrative elite and so contributed to the 'success' of the conference by his mere presence."<sup>56</sup> None of this aspect comes through in the film, with Neumann acting like a careerist more interested in hobnobbing with bigwigs, belying his actual importance to Goering and consistent presence at other conferences about the "Jewish Question."<sup>57</sup>

In its greatest departure from the Wannsee Protocol, the final section of the conference in *Conspiracy* discusses killing methods explicitly. In the protocol, Heydrich explicitly refers to extermination through labor:

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52 Mandel, *Conspiracy*, As Aired Screenplay, 48–49.

53 "Appendix: The Protocol" in Roseman, *The Wannsee Conference and the Final Solution: A Reconsideration*, 120.

54 Kay, "Speaking the Unspeakable," 194.

55 Adam Tooze, *The Wages of Destruction: The Making and Breaking of the Nazi Economy* (London: Penguin, 2007), 213–230.

56 Christoph Kreutzmüller, "Erich Neumann, Plenipotentiary for the Four Year Plan: A Colorless, Compliant Prussian," in *The Participants*, ed. Jasch and Kreutzmüller, 290.

57 Christoph Kreutzmüller, "Erich Neumann," 286–289.

In the course of the final solution and under appropriate leadership, the Jews should be put to work in the East. In large, single-sex labour columns, Jews fit to work will work their way eastward constructing roads. Doubtless the large majority will be eliminated by natural causes. Any final remnant that survives will doubtless consist of the most resistant elements. They will have to be dealt with appropriately because otherwise, by natural selection, they would form the germ cell of a new Jewish revival. (See the experience of history.)<sup>58</sup>

The filmmakers' justification for this departure is based both on a line from the protocol about "practical experience" as well as Eichmann's trial testimony, wherein he stated that the participants spoke quite freely about killing methods.<sup>59</sup> In his study on Wannsee, Mark Roseman notes that while "[t]here are some indications that Heydrich *did* talk at the meeting about how the Jews would be murdered," but "there is no hard and fast proof that the participants learned at the meeting that Jews were going to be gassed."<sup>60</sup> Nevertheless, Roseman concludes that after Wannsee, "whether or not the means were already established, the 'final solution' now unambiguously meant the death of all European Jews."<sup>61</sup> Moreover, in his article on *Conspiracy*, Alex Kay also points out that "the film cleverly provides an explanation for such talk not appearing in the Protocol: Eichmann . . . gestures to the stenographer to stop typing."<sup>62</sup> (see Figure 7.5)

*Conspiracy* discusses the *Einsatzgruppen* mass shootings via Lange's firsthand testimony, but Eichmann reports on gas vans and experience learned from the T-4 euthanasia program, which provided the knowledge base and personnel for stationary gas chambers in the first extermination camps located in the General Government: Chełmno, Bełżec, Sobibór, and Treblinka, which were either under construction or, in the case of Chełmno and Bełżec, already running at the time. Eichmann also mentions the construction of Auschwitz II at Birkenau. Early experiments with Zyklon B on Soviet prisoners of war had begun in Auschwitz as early as September 1941 and the gas chambers in Auschwitz II-Birkenau began operation in March 1942.<sup>63</sup> In 2021, a Dutch historian also revealed that Dutch Jews were gassed at Hartheim as early as August 1941, a finding that will no

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58 "Appendix: The Protocol" in Roseman, *The Wannsee Conference*, 116.

59 For a detailed discussion of if killing methods were discussed at Wannsee, see Roseman, *The Wannsee Conference*, 74–80.

60 Roseman, *The Wannsee Conference*, 78.

61 Roseman, *The Wannsee Conference*, 78–79.

62 Kay, "Speaking the Unspeakable," 189.

63 Saul Friedländer, *Nazi Germany and the Jews*, vol. 2, 236, 359.



**Figure 7.5:** Eichmann (Stanley Tucci) silently orders the stenographer (foreground right) to pause as Lange (Barnaby Kay) discusses the true meaning of “evacuation.” *Conspiracy*. HBO Films, British Broadcasting Corporation (BBC), 2001.

doubt change our understanding of when the shift to gassing began.<sup>64</sup> In late 1941, Heydrich ordered Eichmann to visit the extermination sites under construction in the General Government, which the film also directly references.<sup>65</sup> The film’s explicit discussion of killing methods does not stray too far from historical plausibility and, to be blunt, is necessary when making a film about Wannsee; otherwise audiences, production companies, and filmmakers would likely have found the entire purpose of the meeting rather murky and vague.

In his new study of the efforts to exhume the mass graves of *Einsatzgruppen* victims and burn the corpses, also known as *Aktion 1005*, Andrej Angrick has also noted perhaps the most chilling aspect of Wannsee yet unremarked on by filmmakers: *Aktion 1005* “can also be seen in connection with the Wannsee Conference or as a result of it” as Paul Blobel, the leader of *Aktion 1005*, received his initial orders from Müller by way of Heydrich around the same time as the conference. This also served as a way for Heydrich to gain access to extermination

<sup>64</sup> Paul Kirby, “Dutch Jews Died in ‘secret Nazi Gas Chamber’ in 1941,” *BBC News*, February 17, 2021, sec. Europe, <https://www.bbc.com/news/world-europe-56096686>.

<sup>65</sup> Wildt, *Generation des Unbedingten*, 636–637.

sites (they were not directly under his control) with the justification of “national security” requiring removal of human remains and covering up all evidence.<sup>66</sup>

At the end of the meeting in *Conspiracy*, Heydrich exhorts the participants to get on with the work ahead, stating that “the machinery is waiting. Feed it.” This choice of vocabulary is likely a reference to Raul Hilberg’s emphasis on the “machinery of destruction.”<sup>67</sup> Hilberg, whose *The Destruction of the European Jews* was a key source for Mandel’s screenplay, discusses this idea of the machinery of destruction at length. For him, the machinery of destruction encompassed disparate parts of the German bureaucracy acting in concert, whether in German railway offices, financial authorities, or the SS itself: “when we speak of the machinery of destruction, we refer to the German government in one of its special roles.”<sup>68</sup> Hilberg also stated that

The destruction of the Jews was in sum the work of a far-flung administrative machine. The apparatus took each step in turn. The initiation as well as the implementation of decisions was largely in its hands. No special agency was created and no special budget was devised to destroy the European Jews. Each organization was to play a specific role in the process, and each was to find the means to carry out its task.<sup>69</sup>

Later historiography, although still indebted to Hilberg’s work as a starting point, would focus on more up-close-and-personal aspects of the extermination process, particularly the *Einsatzgruppen*, police, and local collaborators instead of Hilberg’s focus on bureaucratic structures. Mandel’s use of the machinery term, while at first glance seemingly relying on older characterizations of Holocaust perpetrators as desk murderers disconnected from the killing sites, is actually more complicated and instead relies on Hilberg’s depiction of the German effort as a complex bureaucratic machine set in motion. Once Heydrich exhorts the attendees to feed the machinery of destruction, they rap enthusiastically on the

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66 Andrej Angrick, »Aktion 1005« - Spurenbeseitigung von NS-Massenverbrechen 1942 -1945: Eine »geheime Reichsache« im Spannungsfeld von Kriegswende und Propaganda, 2 vols. (Göttingen: Wallstein Verlag GmbH, 2018), 1–76. For a detailed discussion on the connection between genocide and “permanent security,” see A. Dirk Moses, *The Problems of Genocide: Permanent Security and the Language of Transgression* (New York, NY: Cambridge University Press, 2021).

67 For a detailed discussion of Hilberg’s term “machinery of destruction,” see Wulf Kansteiner, “Der Holocaust als Bild, Argument und Erzählung. Raul Hilbergs Vernichtungsmaschine,” in *Raul Hilberg und die Holocaust Historiographie*, ed. René Schlott (Göttingen: Wallstein Verlag, 2019), 183–202.

68 Raul Hilberg, *The Destruction of the European Jews*, 3rd ed., vol. 1 (New Haven, Conn: Yale University Press, 2003), 52.

69 Hilberg, *The Destruction of the European Jews*, 58.

table in applause and jump to their feet, shouting their approval and saluting, an impassioned display that would hardly suit a group of mere *Schreibtischtäter*.

After the conference has ended and Heydrich, Müller, and Eichmann retire to the study for a fireside drink, Heydrich recounts the following fictional story which Kritzingen had told him during one of the film's many quiet moments:

HEYDRICH

He told me about a man he has known all his life. Boyhood friend. This friend hated his father, but loved his mother fiercely. The mother was devoted to him. The father would beat him, demean him, and disinherit him. The friend grew to manhood, but he was still in his thirties when the mother died. The mother who had nurtured and protected him, she died. The man stood as they lowered her casket and tried to cry, but no tears came. The man's father lived to a very extended old age. Withered away and died when his son was in his fifties. And at the father's funeral, much to his surprise, the man could not control his tears, his sobbing, his wailing. He was inconsolable. Even lost.

(pause)

That's the story Kritzingen told me.

EICHMANN

I don't understand.

HEYDRICH looks at MÜLLER, who smiles

HEYDRICH

You don't?

EICHMANN shakes his head, still not understanding. Waiting.

HEYDRICH (CONT'D)

The man had been driven his whole life by hatred of his father. When his mother died, that was a loss. When his father died, when the hate had lost its object, the man's life was empty, over.

EICHMANN

Interesting.

HEYDRICH

That was Kritzingen's warning.

EICHMANN

That what? That we shouldn't hate the Israelites?

HEYDRICH

No no. That it shouldn't so fill our lives that once they're gone, we've nothing left to live for. So says the story.

EICHMANN looks at HEYDRICH without expression. HEYDRICH looks at his watch, then stands.

HEYDRICH, (CONT'D)

I won't miss 'em.

(to Müller)

Time.<sup>70</sup>

This story, while fictionally attributed to Kritzinger (and to Stuckart in earlier drafts), possibly stemmed from Mandel's own biography. It is unclear whether this incident directly happened to Mandel or to one of his friends, but in an interview, he simply stated "[Kritzinger's story] actually is true, but not from the Wannsee story, from another story that happened to me."<sup>71</sup> In interviews, as previously discussed, Mandel accused his father of internalized antisemitism and of ignoring pleas from relatives trapped in Europe.<sup>72</sup> Additionally, Mandel's father, Julius, died in 1982, and his mother, Frieda, died in 1961 – when Mandel was in his fifties and thirties, respectively.<sup>73</sup>

The film ends with a montage echoing that from the beginning. Before leaving the villa, Heydrich admires a shellac record of Schubert's String Quintet in C Major, stating "[t]he Adagio will tear your heart out." After he leaves, Eichmann inspects the record and places it on the Victrola turntable as the final montage begins. The villa's staff clean up after the meal and burn the place cards and notes, in keeping with the film's thematization of the secret nature of the meeting. Title cards show images of each character and mention the fates of the historic figures – Andrea Axelrod drafted these with Frank Doelger.<sup>74</sup> The narrator returns and discusses the fate of the protocol and Eichmann's continued role in the Holocaust. In his last line, Eichmann, raised in Austria, gets in a dig at hated Vienna and is portrayed as a man devoid of taste:

WE HEAR the music. The BUTLER likes it, and smiles when EICHMANN turns to him without expression.

EICHMANN

Does it tear your heart out?

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<sup>70</sup> Mandel, *Conspiracy*, As Aired Screenplay, 105–106.

<sup>71</sup> Interview with Loring Mandel, Somers, NY, April 5, 2018, 31:55–36:20.

<sup>72</sup> Interview with Loring Mandel, Somers, NY, April 5, 2018, 53:34–57:55.

<sup>73</sup> "Dr. Julius I. Mandel dies at 89; Chicago physician for 60 years," *Chicago Tribune*, July 17, 1982, p. 30, <http://www.newspapers.com/image/387740668/>

<sup>74</sup> E-Mail from Amanda Gray to Vivien Jordan and Frank Doelger, April 4, 2001; "The fate of the participants," undated, in Andrea Axelrod Private Archive, New York City, New York.

BUTLER  
Beautiful, sir.

EICHMANN is clearly unreachable, even curious as to what in the music could have such an effect.

EICHMANN  
I've never understood the passion for Schubert's sentimental Viennese shit.<sup>75</sup>

Tracking the source of the choice for the Adagio from Schubert's String Quintet illustrates the difficulties faced by a media historian. In the early production stages, Frank Pierson had suggested using Schubert's "Death and the Maiden."<sup>76</sup> In an interview with the Directors Guild of America, Frank Pierson alleged that he had made the final musical choice.<sup>77</sup> Andrea Axelrod claimed that she had chosen it and that it was her "major contribution" to *Conspiracy*.<sup>78</sup> Further confusing things, Loring Mandel claimed that Peter Zinner had come up with the idea for Schubert's String Quintet in C Major.<sup>79</sup> The shooting script includes a revision from as late as November 1, 2000, just before filming, which has "The Trout" from Schubert's Quintet in C Major.<sup>80</sup> Axelrod's script notes from October 24, 2000 prove that she made the first suggestion for the Schubert's String Quintet. In this document, Axelrod stated that "The Trout" was "generally known as a cheery work" and therefore inconsistent with Heydrich's praise of it as "music to wring your heart out with its beauty."<sup>81</sup> Frank Pierson's personal copy of the November 1, 2000 script revisions contains a handwritten emendation mentioning the String Quartet in C Major,

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<sup>75</sup> Mandel, *Conspiracy*, As Aired Screenplay, 107.

<sup>76</sup> Frank Pierson and Loring Mandel, Commented Version of *Conspiracy: The Meeting at Wannsee*, 2nd Draft 12/18/96, December 18, 1996, in Box 2, Folder 9, Loring Mandel Papers, 1942–2006, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 109–110.

<sup>77</sup> Pierson, "Visual History with Frank Pierson," Chapter 7, Clip 12, 20:05.

<sup>78</sup> Interview with Andrea Axelrod, March 9, 2018, New York City, 0:00–1:00.

<sup>79</sup> Interview with Loring Mandel, March 2, 2019, 48:08–50:20.

<sup>80</sup> Loring Mandel, *Conspiracy: The Meeting at Wannsee*, Shooting Draft dated October 20, 2000, Lilac Revisions dated November 1, 2000, in Box 9 Folder 2, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 107.

<sup>81</sup> Andrea Axelrod, "Re: Script/Page Notes for Conspiracy, Oct. 20 draft with pink revisions PART 2 page 41 to the end," October 24, 2000, in Box 10, Folder 8, Loring Mandel Papers, 1942–2006, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 8.

likely added during filming.<sup>82</sup> It is telling that Pierson – who never discussed Axelrod in his interviews, in stark contrast with Mandel – erased her input in his interview, claiming sole credit for the soundtrack choice. While he would have had ultimate veto power as a director – and Frank Doelger’s account of the editing room fiasco, where Pierson added a maudlin soundtrack to the entire film attests to this – it is undeniable that Axelrod, a trained opera singer and the most prominent woman on the pre-production team besides HBO executives and legal representatives, first had the idea to use the Schubert’s String Quintet. In any case, it was a fitting choice for the film’s only musical piece. Without the production archive, answering this question would have proven much more difficult, if not impossible.

The Schubert Adagio comes to an end, the end montage with the participants’ fates comes to a close, and Eichmann leaves the villa. The butler finishes cleaning off the conference table and shuts off the lights. We are left with a coldly-lit shot of the empty table and utter silence before the end titles roll (Figure 7.6).

*Conspiracy* argues that the Wannsee Conference was called to consolidate Heydrich’s power by bringing civilian governmental ministries into line. It masterfully depicts the infighting between different strands of the German govern-



**Figure 7.6:** *Conspiracy*’s Final Shot.

<sup>82</sup> Loring Mandel, CONSPIRACY [television] - script, Lilac Revisions, Folder 2, November 1, 2000, Frank R. Pierson Papers, Academy of Motion Picture Arts and Sciences, Margaret Herrick Library, Beverly Hills, California, 107.

ment, clearly reflecting a more functionalist historiographical position compared to the 1984 West German film – though it is not without nods to Hitler’s will and his subordinates seeking to carry it out – in keeping with developments in historiography. This depiction is not without its flaws when it comes to the details about specific historical individuals, but it successfully depicts rivalries between institutions. It does not argue, contrary to the assertions of some critics, that “the decision” was made at Wannsee. After all, when Eichmann reveals some of the killing methods being tested in the occupied East, Josef Bühler asks “If it’s already built, what is this meeting? Why bother?” Other dialogue refers to the extermination camps being constructed “under our noses” and emphasizes that the SS has already been conducting mass killings whether the civilian authorities knew or not. In contrast with other films and television programs depicting Wannsee up until this point, *Conspiracy* is a film full of quiet, intimate moments interspersed with scenes of men shouting at each other across a conference table. This juxtaposition underscores the film’s power, and the quiet moments also provide the audience with a bit of breathing room after the long, expository scenes at the conference table. *Conspiracy* excels as a drama thanks to Mandel’s dialogue and to its quiet moments between characters, as well as Pierson’s direction and Peter Zinner’s editing. Much is conveyed in this film through expressions and looks between characters – and much of this filmic language is present in the screenplay. The direction and cinematography, in keeping with cinematic realism, emphasizes a “you-are-there” perspective by keeping the camera at eye level, sticking to long takes, and keeping the film soundtrack-free until the very end. Lastly, the film attempts to portray the Wannsee Conference participants as complicated human beings, not monsters. In a recent interview, Stanley Tucci stated that the strength of *Conspiracy* is “[i]t’s so devoid of emotion, that’s what makes it so emotional.”<sup>83</sup> If the characters, nevertheless, come across as emotionless and monstrous, perhaps that is because their very words and deeds were monstrous. If the film does not depict them as “ordinary men,” it depicts them as a mixture of the highly-educated and highly-ideological. *Conspiracy* contends that such potential is present within modern society in general and that some of the greatest crimes in history can be perpetrated by society’s supposedly “best and brightest.” In short, the film functions as both a lesson from the past and a warning for the future.

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<sup>83</sup> Miller, *Tinderbox*, 377.

### 3 Academic Reception

*Conspiracy* achieved almost universal acclaim from critics and received many awards, including a Golden Globe Award for Stanley Tucci, Emmy Awards for Kenneth Branagh and Loring Mandel, and a Peabody Award. In contrast with the West German press's reaction to *The Wannsee Conference*, press reaction both in English-speaking countries and Germany was generally quite positive. No debates about the film's merits were unleashed and Mandel received no character assassinations or hate mail from unrepentant Nazis, as Paul Mommertz had experienced. In contrast, *Conspiracy* has received muted attention from historians until more recently. Alan Steinweis was the only historian to review the film in an academic journal upon its release. Steinweis criticized the film for "present[ing] conversations that are mentioned neither in the *Protokoll* itself nor in related documentation. One tendency of these embellishments is to overstate the degree of disagreement and dissent at the conference."<sup>84</sup> While Steinweis is correct that these "embellishments" do serve to insert dramatic conflict into the narrative, it seems to be a standard impossible for dramatic films to fulfill – the same goes for conversations in the film that are not present in the protocol. Steinweis argues that the film presents Kritzinger as a "moral dissenter," a debatable assertion given that Kritzinger provides, at most, token resistance to Heydrich in the film.<sup>85</sup> Steinweis does praise the film for its production values and acting, as well as its portrayal of Eichmann, which he calls "a refreshing departure from the old, and inaccurate, cliché of the 'banal' bureaucrat." For him, although the film "does not stray very far from what is factually plausible," he maintains his reservations because "[t]he main danger with this kind of film is that most viewers will not be able to tell the difference between plausible speculation and documented fact."<sup>86</sup> These criticisms have less to do with this particular film and more so indicate a problem that some academic historians like Steinweis have with historical film as a genre.

The only way to solve the issue highlighted by Steinweis (and later, by Stephanie Rauch) would be to destroy films as works of art by including footnotes running along the bottom of the frame, letting audiences know exactly which lines are "fiction" and which are "historical." The issues he identifies with *Conspiracy* are universal in historical filmmaking and, as the production documents and interviews show, were all well known to the filmmakers. Such rigorous crite-

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<sup>84</sup> Alan E. Steinweis, "Review of *Conspiracy*," *The American Historical Review* 107, no. 2 (2002): 674–675, 674.

<sup>85</sup> Steinweis, "Review of *Conspiracy*," 674.

<sup>86</sup> Steinweis, "Review of *Conspiracy*," 675.

ria for art depicting history would arguably either lead to complete misfires, like the 2019 Netflix docudrama series *The Last Czars*, which splices dramatic reenactment with commentary by historians, or highly-avant garde experiments, which, while satisfactory to historians, may alienate non-specialist audiences and remain a product for an educated few. The German theater collective *Historikerlabor* has staged the Wannsee Conference as a verbatim recitation (by historians in their everyday clothing, not costumed actors) of the protocol and other primary sources, but its dramatic and popular appeal is limited.<sup>87</sup> A drama with footnotes would likely fail in a democratic medium like television – but it can be valuable in literary fiction, which can more freely play with the conventions of form, with the Italian novelist Antonio Scurati’s fictionalized biography of Mussolini, *M: Son of the Century*, which juxtaposes the author’s prose with primary sources being the most recent promising example.<sup>88</sup>

The best recent compromises illustrating the interplay of fact and fiction in historical film have occurred thanks to the possibilities offered by the internet and by Blu-ray technology. The former is evidenced by the educational website for the 2016 Civil War drama *Free State of Jones*. The screenwriter and director Gary Ross directly addressed the issue of fictionalization and created a scene-by-scene guide complete with footnotes and timestamps.<sup>89</sup> Most filmmakers do not put in the effort to play with such open cards, and *Free State of Jones* is a promising example of potential best practices for the future. As for Blu-ray technology, the Blu-ray releases of HBO’s World War II miniseries *Band of Brothers* and *The Pacific* include special features which allow viewers to pause the episodes and read historical background information on what is taking place on screen, explore maps, or watch snippets of oral history interviews with the veterans whose stories are dramatized on film. Rebecca Weeks has discussed the advantages of such “paratexts” for historic television.<sup>90</sup> While not nearly as historically rigorous as the website for *Free State of Jones*, perhaps such technology could be adapted for future historical cinema, though this is unfortunately unlikely to occur, as streaming services increasingly replace physical media. The question for historians is do they want to continue to tow a conservative line and fret about the dangers of historical films or to deconstruct them in order to figure out just how and why instances of fictionalization happened, to understand such films’ appeal for audiences instead of dubbing them frivolous entertainment. Lastly, in an age of

<sup>87</sup> See “Historikerlabor e.V. – The Wannsee Conference,” accessed April 3, 2020, <https://www.historikerlabor.de/seite/297685/the-wannsee-conference.html>.

<sup>88</sup> Antonio Scurati, *M: Son of the Century* (London: HarperCollins UK, 2021).

<sup>89</sup> See <http://freestateofjones.info/>, accessed August 15, 2021.

<sup>90</sup> Weeks, *History by HBO*, 132–133.

fake news and propaganda spread throughout social media, it is likely that historians' continued skepticism of dramatic historical films has been eclipsed by the renewed danger of manipulative "documentary" films, which demand more respect from their audiences and claim a far higher degree of "realism" than dramatizations.

In her article, "Commissioning Mass Murder: *Conspiracy* and History at the Wannsee Conference," Simone Gigliotti directly responded to Steinweis's review. She echoes arguments leveled by scholars of film and history like Robert Toplin, Robert Rosenstone, and Alison Landsberg by noting that "Mandel faced hurdles not entirely dissimilar from historians investigating Wannsee – lack of clear evidence of planning and of first-hand testimony."<sup>91</sup> She notes the contrast between the "anger and passion" on display and the film with the cold rationality of the protocol. She also identifies Mandel's script as a historiographical intervention: "Mandel's method of informed speculation aspires to become a plausible historical conversation between these men at Wannsee and historians who have written about them."<sup>92</sup> Responding to Steinweis, she notes that "historians have applied, unsurprisingly, rigid assessment criteria that limit the possibility of artistic license in creating an alternative visual truth and memory of the meeting at Wannsee."<sup>93</sup> She argues that the film is not an "exercise in translation," as Steinweis alleges, but rather a "speculative re-interpretation of a discursive and subjective text."<sup>94</sup> Here, she also echoes Paul Mommertz's claim to be "a historian, too." Indeed, while Mandel, of course, acted as a screenwriter, he did "do history" with his script.

In her study on Holocaust film reception, "Understanding the Holocaust through Film: Audience Reception between Preconceptions and Media Effects," Stefanie Rauch includes *Conspiracy* alongside the Holocaust films *The Boy in the Striped Pyjamas*, *The Reader*, *Defiance*, and *The Grey Zone*. Her study is grounded in interviews with individuals in the United Kingdom after they had viewed the selected films. She questioned them about their historical knowledge of the depicted events prior to and after viewing the films. Rauch utilizes a reception studies approach, noting that studies of Holocaust films usually lack such sophistication.<sup>95</sup> She focuses on individual reception of the films – and viewers' prior knowledge – and argues that "the impact of Holocaust films on viewers has been

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<sup>91</sup> Gigliotti, "Commissioning Mass Murder," 127.

<sup>92</sup> Gigliotti, "Commissioning Mass Murder," 125.

<sup>93</sup> Gigliotti, "Commissioning Mass Murder," 131.

<sup>94</sup> Gigliotti, "Commissioning Mass Murder," 131.

<sup>95</sup> Rauch, "Understanding the Holocaust through Film," 151.

overstated due to reliance on assumptions and text-driven analysis.”<sup>96</sup> One strength of her article is she restores agency to the audience and takes their prior knowledge seriously. That is, she does not treat audiences as sponges that passively absorb a film’s message. She notes that the result of her project could provide evidence for “either argument” about Holocaust films; they either “transmit a simplified, trivialized and sensationalized version of history” or they “increase awareness of a given topic and thus keep the memory of the Holocaust alive.”<sup>97</sup> She claims that *Conspiracy* “enabled and encouraged” “problematic misconceptions” in viewers by “overstating the role the meeting played in the development of the genocide” and implying that “those present at *Conspiracy*’s Wannsee Conference had moral qualms about the extermination of the Jews and had to be coerced into agreement.” Echoing Steinweis, Kritzinger appears most often as the bearer of “moral qualms” in these interviews.<sup>98</sup> Both issues are legitimate, though the question of the conference’s importance is a historiographical debate that is largely still occurring; nevertheless, no historian working today claims that the Holocaust was “decided” at the meeting – and neither does the film itself, though its marketing material arguably did.<sup>99</sup> Rauch does note that *Conspiracy* “may have been the film with the strongest impact on the interviewees.”<sup>100</sup> She concludes that if we are to continue to consider historical films worthy of study, it is important for historians to use “a mix of sources and methods” and that we should acknowledge how little we know “about the impact of historical films on historical understanding and collective memory.”<sup>101</sup>

Alex J. Kay’s article “Speaking the Unspeakable: The Portrayal of the Wannsee Conference in the Film *Conspiracy*,” is the most recent and most detailed academic analysis of the film. Kay’s article “examines the historical accuracy of the portrayal, and where *Conspiracy* is forced to fill in what is missing from the historical record, it considers the film’s authenticity and credibility.”<sup>102</sup> Kay claims that the presence of a male stenographer is accurate, contrary to claims advanced in the press and in *The Wannsee Conference*. He argues that the film’s minimal-

96 Rauch, “Understanding the Holocaust through Film,” 152.

97 Rauch, “Understanding the Holocaust through Film,” 160.

98 Rauch, “Understanding the Holocaust through Film,” 161.

99 *Conspiracy* is not innocent of promoting this erroneous view of the Wannsee Conference. Although the film itself makes no such claim, HBO’s promotional material for it certainly did, with the taglines “One of The Greatest Crimes Against Humanity Was Perpetrated in Just Over an Hour” and “One Meeting. Six Million Lives.” See IMDb. “Conspiracy,” <https://www.imdb.com/title/tt0266425/taglines> (accessed November 12, 2019)

100 Rauch, “Understanding the Holocaust through Film,” 165.

101 Rauch, “Understanding the Holocaust through Film,” 180.

102 Kay, “Speaking the Unspeakable,” 188.

ism, such as its grounding in the protocol and the absence of a score, “adds considerably to the film’s credibility.” He also states that “[for] those aspects of the conference about which we know nothing . . . improvisation on the part of the filmmakers was absolutely essential.” Kay also correctly points out that although the protocol contains euphemistic language, it only “takes little reading between the lines to recognize the murderous intentions of the conference participants.”<sup>103</sup> The article examines the film’s portrayal of each participant, most notably Kritzing, Stuckart, and Eichmann.

In contrast with Steinweis, Kay argues that conversations absent from the protocol are justifiably in the film, at least those that explicitly mention killing.<sup>104</sup> Nevertheless, Kay agrees with Steinweis in his criticism of the film’s portrayal of Kritzing as a “moral dissenter.” Kay explains this choice as one “clearly for dramatic purposes” and that the filmmakers likely chose Kritzing because of his post-war regret (under interrogation). In contrast with Steinweis and Rauch, Kay states that this characterization, while inconsistent with the facts about Kritzing, was “necessary” in order to “provide viewers with someone to identify with.” He argues that this invented conflict arguably made *Conspiracy* a better film.<sup>105</sup> He also discusses the characterization of Stuckart in the film: For Kay, although the filmmakers certainly had “leeway” in their portrayal due to disagreement among historians about Stuckart’s role, the film risks giving the impression that Stuckart opposed mass murder on principle. In contrast with Steinweis, he asserts that the Eichmann of *Conspiracy* embodies Arendt’s “banality of evil” conceptualization.<sup>106</sup> Kay ultimately determines that the film “does not stray too far from what is factually plausible” and that its less-than-accurate portrayals of Kritzing and Stuckart “are to be explained – but not entirely excused – by the filmmakers’ pursuit of dramatic effect.”<sup>107</sup> For Kay at least, *Conspiracy* is worth watching alongside other classics of the genre and certainly succeeds in its aims: “In *Conspiracy*, the unspeakable is indeed spoken . . . [t]his recreation of an event of unquestionable evil does indeed represent evil in words. It is moreover these words that constitute the vital ingredient of the dramatization.”<sup>108</sup>

A recent article by Steffen Hantke examines *Conspiracy* from the perspective of the prestige horror genre. According to Hantke, prestige horror films are characterized by restraint, they are “as far removed from the over-the-top transgres-

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<sup>103</sup> Kay, “Speaking the Unspeakable,” 188.

<sup>104</sup> Kay, “Speaking the Unspeakable,” 189.

<sup>105</sup> Kay, “Speaking the Unspeakable,” 190.

<sup>106</sup> Kay, “Speaking the Unspeakable,” 192.

<sup>107</sup> Kay, “Speaking the Unspeakable,” 195.

<sup>108</sup> Kay, “Speaking the Unspeakable,” 195.

siveness some types of horror film claim as the genre's essence (Nazisploitation among them)."<sup>109</sup> Hantke notes that *Conspiracy* "aligns itself in eerie anticipation" of the genre.<sup>110</sup> For him, *Conspiracy*, in contrast with its West German predecessor and other more mainstream Holocaust films, is an example of a Holocaust film utilizing the techniques of a horror film; it is a minimalistic blend of the two genres and "has remained an experiment in cinematic austerity, a case study in radical reduction of cinematic options."<sup>111</sup> Hantke also points out that, as argued elsewhere in this study, *Conspiracy* is at its most powerful during its quiet moments beyond the conference table.<sup>112</sup> Colin Callender himself has also stated that *Conspiracy* "reminded me that there was power in simplicity."<sup>113</sup> *Conspiracy*'s cinematic minimalism and restraint can be observed in recent Holocaust dramas, particularly the 2023 film *The Zone of Interest*, and in this respect it echoes Holocaust literature and historiography, which tend to have restrained, spartan styles.

Other contemporary German academic reactions to the films have been more muted. In their introduction to the edited volume *The Participants: The Men of the Wannsee Conference*, editors Hans-Christian Jasch and Christoph Kreutzmüller express a typically dismissive attitude towards historical films like *Conspiracy*:

Notwithstanding the 2001 TV film *Conspiracy*, and specifically Kenneth Branagh's Heydrich, who seems to have stepped out of a Shakespeare play, these men do not at first glance appear to be evil psychopaths. As shocking as it seems, they were "ordinary men"<sup>114</sup> (Christopher Browning) who knew how to behave, who could appreciate fine architecture (with a view of the lake) and the good things in life, including the refreshments, possibly looted from across Europe, provided after the meeting.<sup>115</sup>

This passage's criticism of *Conspiracy* initially focuses on Kenneth Branagh's earlier career adapting Shakespeare rather than his performance in *Conspiracy* (are they criticizing him for being a well-trained English actor?) and secondly, relies on a misreading of the film. The documents contained within the Loring Mandel

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109 Hantke, "Horror and the Holocaust," 416.

110 Hantke, "Horror and the Holocaust," 416.

111 Hantke, "Horror and the Holocaust," 428.

112 Hantke, "Horror and the Holocaust," 418.

113 Miller, *Tinderbox*, 378.

114 "Ordinary Men" refers to a concept pioneered by Christopher Browning. See Browning, *Ordinary Men*. Browning, using a social psychology approach, explores the "normality" of Holocaust perpetrators in contrast with other authors like Daniel Goldhagen, who argued that the brutality of Holocaust perpetrators was due to a uniquely virulent antisemitism in German culture. See Daniel Jonah Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: Vintage, 1997).

115 Hans-Christian Jasch and Christoph Kreutzmüller, "The Participants: The Men of the Wannsee Conference," in *The Participants*, ed. Jasch and Kreutzmüller, 2.

Collection prove that the filmmakers sought to portray the conference participants as “ordinary men,” not “psychopaths”:

. . . everything [in the film] is very small, ordinary, and even silly . . . the drama of [*Conspiracy*] is how the worst crime of history was done by **ordinary men**, worried about the weather and their jobs [sic] security, their digestion and their sex lives, their dog and their wife.<sup>116</sup>

Obviously, this passage alone does not prove whether or not the filmmakers succeeded with their intentions (see Rauch).<sup>117</sup> Nevertheless, it points to an authorial intention that is in direct opposition to the criticism leveled by Jasch and Kreutzmüller. Additionally, almost all writing and criticism on the film (and on *The Wannsee Conference*, for that matter) praises it for portraying the participants as normal, well-educated and refined professionals instead of as stereotypical Nazi villains.<sup>118</sup> One wonders if the authors of this passage, so used to conventional depictions of Nazis in American film, simply responded to a *perceived* stereotype with one of their own. Except for the portrayals of Stuckart and Klopfer, *Conspiracy* does not stray far from accepted historical truth and, contrary to the assertion here, largely manages to avoid caricature and cliché.

The GHWK memorial site previously ignored the filmic adaptations of the conference (this would change in 2022). The memorial only includes documentary films in its educational programming, despite the fact that its library contains a large array of dramatic films and literature on film in general. Its earlier exhibit did not mention the films at all, but the new permanent exhibit, which opened in January 2020, includes a brief section highlighting the films, noting that interest in the conference has grown since the 1980s.<sup>119</sup> In 2019, Hans-Christian Jasch, the then-director of the Gedenk- und Bildungsstätte Haus der Wannsee-Konferenz, provides another example academic opinion on the two films. In his afterword to the German translation of Fabrice Le Hénanff's

<sup>116</sup> Frank Pierson, “Combined Notes on 4/19/00 Draft,” 2000, Box 10, Folder 8, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin. 1.

<sup>117</sup> Rauch, “Understanding the Holocaust through Film.”

<sup>118</sup> See Melvin Backman, “The New Yorker Recommends: ‘Conspiracy,’ a Withering Study of the Bureaucracy of the Holocaust,” *The New Yorker*, August 22, 2018, <https://www.newyorker.com/recommends/watch/conspiracy-a-withering-study-of-nazis-in-a-room>.

<sup>119</sup> Elke Gryglewski, Hans-Christian Jasch, and David Zolldan, (eds.) *Die Besprechung am Wannsee und der Mord an den europäischen Jüdinnen und Juden: Katalog zur Dauerausstellung*, (Berlin: Druckhaus Berlin Mitte, 2020), 212.

graphic novel *Wannsee*,<sup>120</sup> he again notes Branagh's Shakespearean qualities and briefly discusses *The Wannsee Conference* and *Conspiracy*. He claims that the former film adhered more closely to the contents of the Wannsee Protocol than the latter, but that "fantasy" was needed as the protocol was no verbatim transcript.<sup>121</sup>

David Cesarani, Holocaust historian and Eichmann biographer, pointed out that *Conspiracy*'s UK premiere date was set to coincide with Holocaust Memorial Day. Complicating other studies, which claimed that Stanley Tucci's performance adheres too closely to Hannah Arendt's portrayal of Eichmann, Cesarani, no fan of Arendt, calls Tucci's performance "outstanding" and contrasts it with more conventional, depictions which follow Arendt's lead. For Cesarani, it is Arendt, not *Conspiracy*, who is guilty of distorting Eichmann's biography and spreading falsities to a wider public.<sup>122</sup> He argued that Arendt erased the particularities of Eichmann's biography in order to make a wider point: "For decades, largely as a result of Arendt, Eichmann's cultural legacy was shaped so as to universalize the meaning of the man and to occlude what was special about him and the machinery of extermination that he served. The reasons for this lie partly with Arendt herself. Rather remarkably, in view of all the evidence to the contrary, she insisted that Eichmann was not anti-semitic and was not ideologically motivated."<sup>123</sup> Film scholar and producer Rich Brownstein recently discussed *Conspiracy* in his comprehensive study and teaching guide *Holocaust Cinema Complete*. Brownstein moves beyond film analysis and recommends what he considers to be the 52 best Holocaust films, *Conspiracy* among them. He places *Conspiracy* in the subcategory of "antisemitic Gentile films," that is films depicting antisemitic gentiles as opposed to righteous gentiles involved with rescue or bystanders.<sup>124</sup> In his review of *Conspiracy*, he calls it "a breathtaking reenactment of the Wannsee Conference . . . *Conspiracy* is perfect . . . [it] is an amazing film that should be mandatory for all English-speaking high school students."<sup>125</sup>

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**120** *Wannsee*, originally published in French, largely relies on both *Die Wannseekonferenz* and *Conspiracy* for its images and dialogue (Le Hénanff cites both in his list of sources). This is the first cultural depiction of the Wannsee Conference that has included a public "endorsement" from the director of the memorial site (even if, for example, Dr. Norbert Kampe, the former director of the GHWK, was consulted by the *Conspiracy* production team and granted them permission to film exterior shots at the Wannsee villa).

**121** Hans-Christian Jasch, "Nachwort," in Fabrice Le Hénanff, *Wannsee*, trans. Thomas Laugsteine (Munich: Knesbeck, 2019), 86.

**122** Cesarani, *Eichmann*, 343–344.

**123** Cesarani, *Eichmann*, 351.

**124** Brownstein, *Holocaust Cinema Complete*, 217.

**125** Brownstein, *Holocaust Cinema Complete*, 227.

With the rise of streaming services in recent years, *Conspiracy* has received more attention. A 2018 review in *The New Yorker* described the film as “a testament to the power of meetings” and directly referenced Donald Trump’s immigration advisor Stephen Miller:

Think about every bad decision you’ve read in a memorandum. Generally, those memos were the result of people sitting in a room. In that room, probably, were people with less bad ideas who were overpowered by more forceful or charismatic personalities. (President Trump’s adviser Stephen Miller is said to embody the latter traits.)<sup>126</sup>

In a period where the nationalist right is on the rise around the globe, *Conspiracy* has also gained new life as an antifascist film.<sup>127</sup> The widely popular and explicitly left-wing comedic podcast *Behind the Bastards*, hosted by the Portland, Oregon-based journalist Robert Evans, repeatedly references *Conspiracy* as an important film, most recently in a two-part episode on Heydrich.<sup>128</sup> Additionally, the less-popular but more investigative antifascist podcast *I Don’t Speak German* devoted an entire episode to the film, arguing that the film’s portrayal of Nazis speaking coarsely about murder among themselves is in keeping with how neo-Nazis talk to each other when they think no one else is listening.<sup>129</sup> This renewed appreciation of *Conspiracy* as an antifascist film will no doubt continue if the political situation in the Western world continues on its rightward trajectory. When compared with the political statements of the filmmakers (discussed below), calling *Conspiracy* an antifascist film is not wide of the mark – this statement would equally apply to Mommertz’s 1984 film. The filmmakers, particularly Frank Pierson, did not restrict themselves to criticizing the Nazi Party of the 1940s, but argued that the film offered universal political lessons about the dangers of us versus them thinking, racism, and extreme right-wing ideology applicable to the new millennium and was anything but a self-contained story limited to Germany in the 1940s. The filmmakers’ renewed efforts to get *Complicity* off the ground in the post-9/11 era only attest to that fact.

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126 Melvin Backman, “The New Yorker Recommends: ‘Conspiracy,’ a Withering Study of the Bureaucracy of the Holocaust,” *The New Yorker*, August 22, 2018, <https://www.newyorker.com/recommends/watch/conspiracy-a-withering-study-of-nazis-in-a-room>.

127 For more on this concept, see Jennifer Lynde Barker, *The Aesthetics of Antifascist Film: Radical Projection*, (New York: Routledge, 2012).

128 Robert Evans, “Part Two: The Young, Evil God of Death: Reinhard Heydrich - Behind the Bastards,” *Behind the Bastards*, July 8, 2021, accessed August 15, 2021, <https://www.iheart.com/podcast/105-behind-the-bastards-29236323/episode/part-two-the-young-evil-god-84563385/>.

129 Daniel Harper and Jack Graham, “51: Conspiracy,” *I Don’t Speak German*, May 12, 2020, accessed August 15, 2021, <https://play.anghami.com/album/1018355626>.

## 4 Death of *Complicity*

In an interview for a recent oral history of HBO, *Tinderbox: HBO's Ruthless Pursuit of New Frontiers*, then-HBO CEO Jeff Bewkes briefly discussed the decision to cancel *Complicity*:

Given the wider considerations of the war, I questioned whether it was fair to charge the United States with conscious complicity in the Holocaust. The answer I got was that we'd get a lot of attention, to which I said, "No shit. Let's talk it over with the creative team." I had to respond with, "No, in a war for survival of the country, the duty of the American president is to save 'our' people, the American people, before saving refugees in Europe. Look at the list the Nazis drew up in Wannsee: they were planning to kill thirteen million people and we stopped them halfway by winning the war." Dead silence in the room. I'm sitting there thinking, Great, here's a career-ender for me. The guy who took over from Michael Fuchs shuts down a Holocaust justice movie, clearly an anti-Semite. I'll have to leave the industry by Monday. And then an authoritative voice comes from the corner. "He's right. We're better off not making this argument. Ben-Gurion said as much in 1948." Brian Wapping, professor of history at Oxford. Thank God.<sup>130</sup>

Bewkes's description vastly oversimplifies *Complicity*'s unmade history. Far from a pitch he quickly shot down, the film's (un)production history lasted from 1995 until 2003. A memo from Ani Gasti dated June 22, 1998 discusses Bewke's objections mentioned in the above-quoted interview, making it likely that Bewkes helped quash the double feature in 1998, but the project lingered on for a few more years.<sup>131</sup> The unmade history of *Complicity* shows that HBO's "ruthless pursuit of new frontiers" may not have always pursued as many new frontiers as their marketing claimed.

Even before *Conspiracy*'s premiere, Mandel continued to work on the *Complicity* screenplay. In February 2001, Frank Pierson compiled notes for *Complicity* which contained a number of suggestions, likely taken from a meeting with Mandel and producers. Here, the team clearly agreed that it was necessary to "eliminate Riegner as narrator."<sup>132</sup> Pierson also made several political arguments in this

<sup>130</sup> Miller, *Tinderbox*, 376–377. No Oxford historian named Brian Wapping could be found, but the British television producer Brian Lapping held a degree in history from Cambridge.

<sup>131</sup> Ani Gasti to Frank Doelger, June 22, 1998, Box 15 Folder 1, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1. See also the copy in the Frank Pierson Papers: Ani Gasti, "CONSPIRACY [television] – script notes," Folder 6, June 28, 1998, Frank R. Pierson Papers, Academy of Motion Picture Arts and Sciences, Margaret Herrick Library, Beverly Hills, California, 1.

<sup>132</sup> Frank Pierson, "COMPLICITY: NOTES FEB 9 01 FRP," February 9, 2001, Box 11 Folder 4, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1.

document. Pierson was an unabashed countercultural liberal who had made his name as a writer and director critiquing the conservative American cultural consensus which the historian Andrew Hartman has dubbed “normative America.”<sup>133</sup> In this document, Pierson offered a vision of 1940s America at odds with rosy descriptions of New Deal unity, emphasizing its conformity and rejection of pluralism – illustrated here by cultural antisemitism:

Against the background of American isolationism and anti-immigration bigotry there is the stark fact of anti-Semitism. Quotas and bars in education and employment. Foreign languages not taught in public schools – labor unions anti-immigrant. And the generation in their working years wanted to forget their foreign heritage. The Jews of Hollywood expunging all Jewishness from their films; what foreignness allowed was the cuteness of the Irish.<sup>134</sup>

Pierson’s notes argued for a fundamental shift in storytelling. Instead of using Gerhart Riegner as a narrator and depicting his struggles to inform the Allies, Pierson argued that the production had to instead depict this history from the point of view of – if not Nazi perpetrators – American bystanders: “[t]he one truly different, shocking and original aspect of *Conspiracy* is presenting (in a sense) the holocaust from the Nazi point of view . . . Up to now we have always attacked *Complicity* from the victims’ point of view. What if [*Complicity*] was essentially told from [Breckinridge] Long’s point of view?”<sup>135</sup> He proposed exploring “[h]ow [Long] tried to keep American (WASP) values that had fundamentally changed the world over the past two hundred years from being diluted and corrupted by foreign influences,” but he did not want to simply tell a story that placed all the blame on a singular villain.<sup>136</sup> Instead, Pierson suggested that Long’s attitudes were a product of systemic American flaws:

It was not one man, or even his department but a large sentiment of the public, that took the form of mass deportations of ‘enemy aliens’ in the twenties, by J. Edgar Hoover, and a steady deluge of denunciation of foreign influences and spies, communists, socialists, and Jews, in the press and on the radio, by Catholics on the one side and the Ku Klux Klan and Protestant churches on the other.<sup>137</sup>

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**133** Andrew Hartman, *A War for the Soul of America, Second Edition: A History of the Culture Wars* (Chicago: University of Chicago Press, 2019), 5. Hartman defines normative America as “a cluster of powerful conservative norms [which] set the parameters of American culture . . . Normative Americans prized hard work, personal responsibility, individual merit, delayed gratification, social mobility, and other values that middle-class whites recognized as their own.”

**134** Pierson, “COMPLICITY: NOTES FEB 9 01 FRP,” 1.

**135** Pierson, “COMPLICITY: NOTES FEB 9 01 FRP,” 3.

**136** Pierson, “COMPLICITY: NOTES FEB 9 01 FRP,” 3.

**137** Pierson, “COMPLICITY: NOTES FEB 9 01 FRP,” 3.

Pierson argues that American reluctance to admit Jewish refugees was not just the work of high-ranking government officials like Undersecretary of State Breckinridge Long nor solely the work of faceless State Department bureaucrats (i.e., American *Schreibtischtäter*), but rather the culmination of widespread societal attitudes and practices, an argument quite similar to those prevalent in 1990s Holocaust historiography. His vision of the American establishment was also part of a classic countercultural sensibility which had been incubated throughout the 1960s and 1970s – Pierson’s earlier filmmaking attests to his scathing indictments of American society, whether its incarceration system in *Cool Hand Luke*, the failures of capitalism and straightjacketing sexual prudery in *Dog Day Afternoon*, or McCarthyism in *Citizen Cohn*. Pierson ended his notes by discussing an incident from his own life which, he argued, exemplified the bigoted attitudes of America’s twentieth-century white elites:

I remember an argument with my first Father in Law, a blood and money member of what used to be called “old money,” a third generation stock broker, member of all the most exclusive clubs, drove Fords and Plymouths, regarding Cadillacs as gangster cars, and a Rolls Royce as embarrassing pretension and an irresponsible waste of money. I was talking about the desirability of kids going to schools where they would meet members of all classes, as a desirable aspect of democratic society. “You mean take Negroes at ‘The Hill,’?” he asked[.] The Hill is the name of the prep school to which we both had gone – I on scholarship. I said yes. He though[t] for a moment, and said “My God, I always thought the reason to go [to] a good school was so you wouldn’t have to meet them.”<sup>138</sup>

Here, Pierson also emphasizes the generational and class conflicts between himself and the American establishment. The passage also serves as an example of Pierson’s resentment towards those who, he felt, had unearned privilege and were leading society in the wrong direction. As noted in the previous chapter, Pierson often clashed with authority figures and, even at the pinnacle of his long career, constantly felt embattled and reacted defensively to criticism, something Frank Doelger argued was due to negative experiences during his early Hollywood career.<sup>139</sup> Pierson was not wrong about the wider cultural forces at work during this period, even if some of his claims about FDR may have been overstated or misplaced. Indeed, historians still debate the issue of American complicity.<sup>140</sup>

138 Pierson, “COMPLICITY: NOTES FEB 9 01 FRP,” 3–4.

139 Interview with Frank Doelger, April 2, 2020, 20:17–22:08.

140 Examples of studies engaging with this debate since David S. Wyman include Michael R. Beschloss, *The Conquerors: Roosevelt, Truman and the Destruction of Hitler’s Germany, 1941–1945*, (New York: Simon & Schuster, 2002) and Richard Breitman and Allan J. Lichtman, *FDR and the Jews*, (Cambridge, Massachusetts: Belknap Press, 2013).

Pierson's February 2001 script notes served as a road map for the final iterations of the *Complicity* screenplay. It retains much of the dialogue found in earlier drafts but has a tighter focus. It focuses on Breckinridge Long and Henry Morgenthau as its two leads, with Long as the film's antagonist. Riegner's presence is greatly reduced, and the film limits itself to depicting his historical efforts. Riegner offers no commentary or narration as in previous versions of the script. He remains one of the screenplay's moral centers. At the end of the film, in a post-war conversation with Paul C. Squire, the American consul in Switzerland he had dealt with during the war, Riegner says "I'm all admiration for you people. All I say is this: for you people, what was happening to the Jews was perhaps tragic, but it did not become unbearable. It did not become unbearable. Paul, it did not."<sup>141</sup> Mandel's script depicts the US State Department as filled with nativists and antisemites (a faction headed by Long) and the rest of the US government as slow to act, naïve, or indifferent – including Jewish officials like Henry Morgenthau, who must be pushed into action during the course of the piece. Roosevelt comes across as easily bored, worried about his reelection chances or the wider events of the war. He only agrees to form the War Refugee Board via executive order when Morgenthau forces his hand and gives him no other choice. Until that point, he defends Long from accusations of antisemitism and dishonesty, but snubs him by the end of the film, foreshadowing Long's resignation. The Bermuda Conference is the film's centerpiece, but it remains a shadow of Mandel's depiction of Wannsee. There are simply too many cuts back and forth between Bermuda and the goings-on in Washington – *Conspiracy*, for example, does not cut back and forth between the Wannsee villa and Hitler's headquarters. Instead, it sticks to one location. Additionally, the final *Complicity* script still has too many characters and too many side plots for a ninety-minute television film. The story would have perhaps better fit a dramatic series, but it was still too much information, too much that needed to be explained, and simply too many characters to keep track of. Nevertheless, the story of American immigration policy during this period and its tragic consequences for Jewish refugees was worth attempting to tell. Perhaps one day filmmakers will dramatize it from the American point of view. Recent German-language films, however, likely in response to the 2015 refugee crisis, have thematized the issue from the refugee point of view, with Christian Petzold's dreamlike *Transit* (2018) best depicting the Kafkaesque bureaucracy

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<sup>141</sup> Loring Mandel, *Complicity*, First Rev Draft, July 10, 2003, in Box 10, Folder 4, Loring Mandel Papers, 1942–2006, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 109.

which the United States placed in the way of refugees trying to leave Europe's shores.<sup>142</sup>

In several interviews, Mandel claimed that HBO canceled *Complicity* because of a fear of offending FDR's descendants and admirers, most chiefly among them the attorney and diplomat William vanden Heuvel, then head of the Roosevelt Institute. Mandel also explicitly named then-HBO Executive Vice President Richard Plepler as the individual responsible for canceling the project, alleging a family connection to the vanden Heuvels, which would have meant that Plepler had a vested interest in protecting FDR's reputation.<sup>143</sup> Mandel claimed that Colin Callender informed him that the network was moving away from historical films: "When Colin called me to tell me that they were not going to go forward with *Complicity*, he said that HBO had decided to concentrate on contemporary pieces rather than historical pieces. Which was pretty ludicrous."<sup>144</sup> He also hedged, noting that he could not be sure "who pulled the plug," but that his feelings leaned towards Richard Plepler due to a conversation he had had with the executive:

[T]he impression I got from the conversation was that [Plepler] was very concerned about the picture [portrayal] of Roosevelt that appeared in the film *Complicity*. So . . . I have no real way of knowing whether he was the one who pulled the plug on it or someone else. But he was the only one who expressed an attitude toward me that gave me reason to think that he was probably the one.<sup>145</sup>

A 2012 *New York Times* profile of Richard Plepler discusses his political connections (the article discusses his friendship with former US Senator Chris Dodd, a dinner with former Israeli Prime Minister Shimon Peres, and other relationships with politicians), noting that they proved useful for several HBO projects focusing on political themes, such as the 2008 drama *Recount*, which focuses on the Florida Recount in the Bush v. Gore presidential election.<sup>146</sup> Additionally, a recent study on HBO describes Plepler as well-connected with the Democratic Party and someone who embarked on a "permanent campaign" to court favor with public figures.<sup>147</sup> Colin Callender later expressed his unease with non-creative executives

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142 See Christian Petzold, *Transit* (2018), Maria Schrader, *Stefan Zweig: Farewell to Europe* (2016), and Caroline Link, *When Hitler Stole Pink Rabbit* (2019).

143 Interview with Loring Mandel, Somers, NY, April 5, 2018, 18:51–23:09.

144 Interview with Loring Mandel, Somers, NY, March 2, 2019, 05:53–09:54.

145 Interview with Loring Mandel, Somers, NY, March 2, 2019, 05:53–09:54.

146 Laura M. Holson, "There's Something About Richard," *New York Times*, September 21, 2012, <https://www.nytimes.com/2012/09/23/fashion/richard-plepler-of-hbo-stands-tall-in-new-yorks-cultural-elite.html>.

147 Gillette and Koblin, *It's Not TV*, 67–68.

who had backgrounds in finance and politics taking charge at HBO at the expense of executives with stronger creative backgrounds: “[Plepler and Michael Lombardo] had no background in production or development. All of which Callender found alarming. ‘Programming,’ he says, ‘was now in the hands of a PR person and a business affairs person.’”<sup>148</sup>

Surviving documentation in Loring Mandel’s papers proves scarce, but a February 2003 fax from Plepler regarding *Complicity* survives. In this fax, Plepler suggests that Mandel consult William vanden Heuvel about the project: “I think he’d be a wonderful person for you to get in touch with, and I recommend that you do so.”<sup>149</sup> Plepler included a letter from vanden Heuvel with the fax. In this letter, written a week earlier, vanden Heuvel stated “For years I have lectured on various subjects relating to the Holocaust . . . I would greatly appreciate your bringing these efforts to the attention of those who are engaged in the film and would be pleased to meet with them for a general discussion relating to the subject.” The letter also alludes to vanden Heuvel’s comments on Michael Beschloss’s *The Conquerors*, a history about the Roosevelt and Truman administrations and the war effort against Nazi Germany which sharply criticizes US immigration policy and failure to bomb Auschwitz.<sup>150</sup> While vanden Heuvel’s letter at first appears to be a generous offer of help, his mention of *The Conquerors* reveals his true feelings about *Complicity*. Vanden Heuvel negatively reviewed Beschloss’s history, arguing that he joined the ranks of a “discredited group” of historians like David S. Wyman and claiming that it was unfair to accuse the United States of indifference or complicity when it came to the fate of European Jews.<sup>151</sup> Plepler and vanden Heuvel were friendly (in this correspondence, they refer to each other on a first-name basis). Vanden Heuvel had a history of vociferously defending any allegation on indifference or antisemitism on the part of the Roosevelt administration. He had previously been part of a publicity campaign against the 1994 PBS *American Experience* documentary *America and the Holocaust: Deceit and Indifference*, which largely advances David S. Wyman’s thesis from *The Abandonment of the Jews*. Wyman appears at several points during the documen-

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148 Gillette and Koblin, *It’s Not TV*, 217–218.

149 Richard Plepler to Loring Mandel, February 27, 2003, Box 11 Folder 2, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1.

150 William J. vanden Heuvel to Richard Plepler, February 20, 2003, Box 11 Folder 2, Loring Mandel Papers, 1942–2006, M2006-124, Wisconsin Center for Film and Theater Research, University of Wisconsin-Madison, Madison, Wisconsin, 1; Beschloss, *The Conquerors*.

151 William J. vanden Heuvel, “Comments on Michael Beschloss’ *The Conquerors*,” *Passport* 34, no. 1 (March 2003): 27–38, <https://jewelscholar.mtsu.edu/handle/mtsu/5994>, 27.

tary.<sup>152</sup> In terms of historiographical camps, David S. Wyman can be considered the most mainstream anti-Roosevelt position, with William vanden Heuvel espousing the most pro-Roosevelt line. In his influential study *The Holocaust and American Life*, historian Peter Novick dismissed Wyman for a simplistic moral narrative, somewhat prefiguring Bewkes's remarks quoted earlier.<sup>153</sup>

Recent scholarship, particularly Richard J. Breitman and Allan J. Lichtman's judicious *FDR and the Jews*, manages to split the difference and move beyond the heated debates of the 1990s, arguing that "FDR was neither a hero of the Jews nor a bystander to the Nazis' persecution and then annihilation of the Jews," and that when taking a longer view of American presidents, FDR did the most for Jews and victims of genocide than both his predecessors and successors – it is important to also mention that the authors do not let the US State Department off the hook, correctly depicting their obstruction of immigration during this period.<sup>154</sup> Plepler's correspondence with vanden Heuvel and suggestion that Loring Mandel bring him on board is no smoking gun, but it certainly points to a potential effort to steer the production away from its central thesis. It is hard to argue that Pierson and Mandel would have remained on board if vanden Heuvel's need to protect FDR's legacy was represented at production meetings and gained traction among HBO executives.

Frank Doelger discussed *Complicity* and Mandel's bitterness towards HBO and Richard Plepler, denying Mandel's allegations of some need on HBO's part to protect FDR's reputation, arguing instead that HBO had put too much effort into a project that had no future:

[HBO] were very concerned about making sure the appraisal [of the US government's actions] was fair. Also, there was so much information out there. We had lots of consultants, we read a lot of material, and there were certain things like that meeting which could be interpreted one way or another. But the record was pretty clear, we have Breckinridge Long's memos, we had what Morgenthau was doing, you know. Actually, I would say that Loring [Mandel] may have been told that [the project had been canceled due to pressure from Plepler or vanden Heuvel], but he certainly wasn't told it by me. But I just know that as person trying to develop that project working with Loring, working with Frank [Pierson], that there was no way to tell a satisfying drama as a companion piece to *Conspiracy* at all. Based on the Bermuda Conference and based on this whole question of how this information got out, what was going on . . . You probably could have done that story in 4 or 5 hours,

152 Karen de Witt, "TV Film on Holocaust Is Criticized as Unfair to Roosevelt," *The New York Times*, April 6, 1994, <https://www.nytimes.com/1994/04/06/us/tv-film-on-holocaust-is-criticized-as-unfair-to-roosevelt.html>; Marty Ostrow, "America and the Holocaust: Deceit and Indifference," *American Experience*, April 6, 1994.

153 Peter Novick, *The Holocaust in American Life*, (New York: Houghton Mifflin, 1999), 48.

154 Breitman and Lichtman, *FDR and the Jews*, 315–329.

but again it's a story that would be better told as a documentary . . . We had spent a lot of time and energy, and I was never convinced we were going to get there<sup>155</sup>

Doelger's statement fits with a reading of the final 2003 draft of the *Complicity* script. Although the Riegner narration was eliminated by this point, the script went in too many directions and failed to replicate *Conspiracy's* tight focus and drama. The script remained meandering, with far too many characters, too many side plots, and too much context for the audience. Mandel's final depiction of FDR is less of a villain than of a very busy wartime president, easily distracted by his schedule and the goings on at the front, as well as reelection. In 2005, HBO released the film *Warm Springs*, starring Kenneth Branagh as FDR. It could not have escaped Mandel's attention. This film focuses on Roosevelt's struggle with disability and his efforts to return to politics after his polio diagnosis – not his wartime record.

In an interview, Michael Berenbaum noted other reasons HBO may have passed on *Complicity*: "I think [HBO] were scared of provoking the American government."<sup>156</sup> Berenbaum suggested that rather than a worry about provoking FDR's promoters, HBO's decision instead was simply a product of the larger post-9/11 political climate: "This is the period of time right after 9/11. So, I think it is less about Roosevelt, more about the ethos of government at that time . . . a terrible time in which America felt itself under besiegement . . . also felt that there was a real enemy out to get us. And we were united in a very particular way behind George W. Bush. And that's before he fucked it up."<sup>157</sup> HBO's feel-good FDR film *Warm Springs* is evidence of this climate. This is a time when Americans were looking for unity, not division – and that meant comforting stories about the past, not pieces overtly critical of one of America's greatest liberal heroes and wartime presidents. In 2022, the pendulum swung the other way. The renowned documentarian Ken Burns, a filmmaker not disposed to radical politics, released the series *The U.S. and the Holocaust* on PBS.<sup>158</sup> While Burns's series does not cover the Bermuda Conference, it argues that the United States was rife with anti-semitism, including at the highest levels of power. Although Burns also made a fawning series about the Roosevelts as a political dynasty, FDR does not escape criticism in *The U.S. and the Holocaust*. The series persistently addresses the rescue question and, although not as damning as Mandel and Pierson would have liked *Complicity* to be, it comes close. Gerhart Riegner is a central figure in the

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155 Interview with Frank Doelger, April 2, 2020, 15:04–18:24.

156 Interview with Michael Berenbaum, April 13, 2021, 22:09–23:33.

157 Interview with Michael Berenbaum, April 13, 2021, 29:25–30:44.

158 *The U.S. and the Holocaust*, Documentary, History (Florentine Films, 2022).

series and, upon viewing, one wonders what might have been. The United States depicted here has much more in common with that racist and antisemitic society described by Pierson and Mandel; it is a place with dark impulses epitomized by the Ku Klux Klan and Charles Lindbergh. Additionally, in 2023, Netflix released the dramatic miniseries *Transatlantic*, which recounts the efforts of the journalist and activist Varian Fry to rescue persecuted cultural figures, including artists and academics, from wartime Europe. The series condemns U.S. State Department antisemitism and anti-immigrant attitudes in ways quite similar to Wyman and Mandel. Burns's documentary series and Netflix's *Transatlantic* excels at depicting the contingency of U.S. politics in the 1930s and both the apathy and active bigotry at the heart of institutions like the U.S. State Department. By drawing attention to nativist and antisemitic attitudes at the heart of American political power, these two series are characteristic of a changed cultural mood following the election of Donald Trump in 2016. In contrast with the post-9/11 climate of unity and patriotism, these productions contain a critical, warning tone towards American culture and policy. *The U.S. and the Holocaust* and *Transatlantic* show that *Complicity* may have simply been ahead of its time. In his landmark study *While America Watches: Televising the Holocaust*, television historian Jeffrey Shandler argued that "the primacy of television and other mediations in [American] memory culture has situated Americans in the distinctive posture of *watching* – emotionally, ideologically, and intellectually engaged, yet at a physical, political, and cultural remove."<sup>159</sup> The unmade history of *Complicity* shows that filmmakers – though working within this paradigm of "watching" – have continually attempted to overcome that remove.

## 5 *Conspiracy's* Legacy

When asked if he considered *Conspiracy* an educational film, Loring Mandel answered:

That's a hard question, because I'm of the opinion that what's become known as the docu-drama form is not fully educational in that you don't know – when you see it – what's true and what isn't true. I think in terms of *Conspiracy*, I think it was as true as we could possibly make it . . . I wasn't just making things out of the air, I was creating words that seemed to me, as far as I could tell, that represented the attitude of the character in almost every case. They were very well researched and what they said, in fact, was – reflected something real in their life, but that didn't mean the language was actual language that they used, and so

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159 Shandler, *While America Watches*, 261.

all I could say about whether *Conspiracy* is an educational film – I think it accurately educates the problem that they were dealing with – the need to destroy “Jew-dom” in Europe and the problems related to that, like labor – using Jews for labor, and social consequences, all of those things. It was an educational film in that respect.<sup>160</sup>

With his comments on the docudrama here, Mandel unintentionally echoes Stephanie Rauch’s criticism about the form in her reception study on Holocaust films including *Conspiracy*. Rauch notes that the perceived authenticity of the form, as opposed to blatantly fictional films, can lead audiences to be less critical than they otherwise would be.<sup>161</sup> Nevertheless, Rauch ignores the fact that audiences are less naïve than historians assume them to be; David Thelen and Roy Rosenzweig’s landmark survey of Americans’ attitudes towards history pointed out that audiences are already skeptical of historical depictions in mass media and are far from the uncritical, passive, childish impressionable stereotype of them common among academics.<sup>162</sup> Mandel’s answer also illustrates the degree to which he thought about docudrama as a form and its inevitable pitfalls. He was well aware of the exact issues with *Conspiracy* that historians like Steinweis mentioned. For him, these were largely unavoidable due to the nature and requirements of the docudrama form.

In a recent interview, Colin Callender stated that *Conspiracy* “was . . . the most striking example or dramatization of the banality of evil. It’s all about men being bullied into submission and acquiescing and seeking approval of others. And not wanting to step out of line. All the things that we’re watching right now with many of our politicians in American politics right now.”<sup>163</sup> Frank Doelger also argued that *Conspiracy* remains important today because of recent political events, but moved beyond a critique of the Trump administration and instead adopted a global perspective:

I think what’s important about *Conspiracy* today and unfortunately will always be important is that it is a meeting which is about “us versus them.” A meeting in which anybody who is different becomes a target. That difference can be because of your religion, it can be tribal, it can be sexual orientation. It can be political. It can be racial, it can be ethnic. To be targeted by some group and when that targeting becomes institutionalized, when it becomes accepted, when it becomes backed by official authority, whatever form it may take, whether it’s the President of the United States looking the other way when white supremacists attack Blacks, whether it is when European leaders demonize migrants trying to get into the coun-

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<sup>160</sup> Interview with Loring Mandel, Somers, NY, April 5, 2018, 31:55–36:20.

<sup>161</sup> See Rauch, “Understanding the Holocaust through Film.” For a detailed discussion of audience misconceptions and *Conspiracy*, see page 161.

<sup>162</sup> Rosenzweig and Thelen, *The Presence of the Past*, 97–100.

<sup>163</sup> Miller, *Tinderbox*, 378.

try. That's what that meeting was about. To identify who the people were that had been targeted and what was going to be their fate. Unfortunately, I think you can have similar conversations – not about exterminating – but about how [a targeted group] will be victimized or penalized. I imagine those conversations will be going on – have been going on – forever.<sup>164</sup>

Here, Doelger and Callender imagine a universal message on the part of *Conspiracy* which echoes the podcasts' more overtly left-wing praises of the film. Directed by an old-school countercultural liberal and written by a screenwriter whose political sympathies, if not left-wing, certainly were left of center, *Conspiracy* fits into Pierson's wider oeuvre. His television films always depicted socio-political issues of importance to progressives, whether transgender rights in *Soldier's Girl* (2003), McCarthyism and homosexuality in *Citizen Cohn* or working-class struggles in his classic *Dog Day Afternoon*. HBO is also a network known for its socially conscious programming, particularly exploring issues of race, class, and sexual orientation. Less beholden to advertisers, the network was able to depict themes that had no place on mainstream American broadcast television. It is possible that the story of *Complicity* illustrates HBO's limits in this regard, but even if that is the case, it still does not account for Doelger's claim of telling HBO to pass on the project and also ignores the fact that Mandel's script was still simply too big and too complex for a ninety-minute television movie. *Conspiracy* captured lightning in a bottle and was ultimately too big of an act to follow.

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164 Interview with Frank Doelger, April 2, 2020, 1:02:55–1:04:37.