

The tragic life of Hans Joachim Scherer (1906-1945), brilliant neuropathologist and victim of political arbitrariness, envy, vindictiveness, and calumny

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ABSTRACT

Introduction. In 1997, a first biography of the neuropathologist Hans Joachim Scherer, written in German, was published by Jürgen Peiffer. Unfortunately, he relied on a biographical note on Scherer, divulged 10 years earlier as a typescript, by Klaus Joachim Zülch. In doing so, Peiffer published misleading information which damaged Scherer’s reputation.

Development. In a careful analysis of Peiffer’s text, these mistakes are pointed out and corrected. After that, a circumstantial description of Scherer’s life, based on documented facts, is given. Particularly in the Belgian period from October 1933 until January 1942, for which Peiffer admitted having encountered many lacunae and also incongruities, new and unexpected knowledge is revealed. Finally, we discuss how Scherer became the victim of envy and slander, and why he was ordered to go back to Germany after the invasion of Belgium by the Nazis.

Conclusions. The study of Hans Joachim Scherer’s life shows how easily somebody can be unjustly accused of crime and be defamed, because his first biography was published without the so necessary caution concerning the sources of information. Therefore, the present paper should be considered as a plea for more circumspection and accuracy in biographical notes and data in general.

KEYWORDS

Hans Joachim Scherer, Ludo van Bogaert, Viktor von Weizsäcker, Hugo Spatz, Klaus Joachim Zülch, Jürgen Peiffer, Nazism

Preface

Shortly after Prof. Jürgen Peiffer had published his biography of Dr med Hans Joachim Scherer^{1(p56-71)} he was contacted by Dr Giovanni Vandewalle, who was writing his thesis.² Vandewalle was so fascinated by the quality and quantity of the scientific work of Scherer, obtained in such a short time and under such difficult conditions, that he wanted to know more about him. Peiffer gave him copies of several documents³⁻⁶ from his personal archives, and a series of letters held at the archives of the University of Ghent. Not completely satisfied with this information, Vandewalle tried to find the whereabouts of Scherer’s family in Belgium. He found the address of

Elisabeth Scherer, the youngest daughter of Scherer, and gave her a copy of Peiffer’s book and the documents he had obtained from him. She forwarded these items to one of the authors of the present article [MS], who after a careful reading of Peiffer’s paper and Zülch’s note, realised not only the shortcomings but also the contradictions in these publications. Before he could write to Peiffer, to point out the unfair representation the latter had given about Scherer’s life, Vandewalle sent him a text “Hans-Joachim Scherer, Pionier der Gliomforschung” (Hans-Joachim Scherer, Pioneer in Glioma Research), written in German by Peiffer,⁷ to which he had attached a note asking him not to react before this paper was published.

Still later, Vandewalle forwarded a copy of this paper published in 1999 in English by Jürgen Peiffer and Paul Kleihues.⁸ MS, realising the damage that had been done to the reputation of his father, did not have enough time to respond in an appropriate way because, at that time, he still was professionally active.

In August 2008, MS learned that Dr John Steiner, of the University of Cincinnati's Medical and Neuroscience History Department (Ohio, USA), was looking for family members of Scherer, whose name came to Steiner's attention while he was reviewing the archives of the late Dr Charles Aring, founding chairman and professor of neurology at the University of Cincinnati. MS contacted him and they started an intense and fruitful correspondence. This stimulated MS to probe into the past of his father in the hope of discovering why he was defamed. Thanks to Steiner, MS entered into contact with Prof. Jean-Jacques Martin of the Born-Bunge Institute in Antwerp, who, in October 2009, provided him Reports I to IV from the Bunge Institute⁹⁻¹² and copies of letters from Scholz, Spielmeyer, Hallervorden, Bielschowsky, Epstein, etc, to Ludo van Bogaert. This helped a lot to learn about the past of Scherer. It allowed MS to send a Letter to the Editor of *Brain Pathology*¹³ in which he pointed out the shortcomings and errors of the Peiffer and Kleihues paper. In 2013, the rediscovery by Prof. Martin of an unpublished text written in French by Ludo van Bogaert, which we will call "selective memoirs,"¹⁴ made it possible to fill many of the blanks which still remained. Finally, their common special interest¹⁵⁻¹⁹ in the tragic life of Scherer has led the authors to publish the present paper, which is not a complete biography of Hans Joachim Scherer since his scientific work is not surveyed. We mainly focus on the difficulties Scherer met and the obstacles he encountered during his too short life, and how he became the victim of slander which started shortly after his death and still continues today.

1. Introduction

Although the value of the scientific work of the late neuropathologist Hans Joachim Scherer (HJS), born on 14 May 1906 in Bromberg (now Bydgoszcz, Poland), continued to be recognised after his untimely death on 16 April 1945, it is amazing that for more than four decades nobody was interested in the course of his life. This changed in May 1986, when, at a symposium held in Heidelberg in commemoration of the 100th anniversary of the birthday of the prominent German scientist Viktor

von Weizsäcker, embarrassing information was put forward. In her lecture, Mechthilde Küttemeyer declared that in the military archive of Katowice (Poland), evidence had been found that during von Weizsäcker's directorship of the Neurological Clinic and Research Institute at the University of Breslau, from 1941 to 1945, the fixed brains and spinal cords of more than 200 handicapped children from the Loben Psychiatric Clinic for Youth had been examined neuropathologically at the Neurological Research Institute. The patient files clearly showed that the brains in question were the result of child euthanasia.^{20(p204)} At the end of the discussion which followed, Dieter Janz, a student of Viktor von Weizsäcker, communicated that it was actually a "politically persecuted" physician from Belgium who dissected the brains in Breslau (today, Wrocław); von Weizsäcker had never been interested in neuroanatomy and neuropathology.^{20(p205)}

Shortly after the Heidelberg symposium, Janz tried to know more about this "politically persecuted" individual, as follows from Lowenthal's letter⁵ and Klaus Joachim Zülch's letter²¹ addressed to Janz. Translations of these two letters into English are given in Appendices I and II, respectively. Zülch's letter shows that he not only hated but also despised HJS. The harsh words he used are totally unjustified. Writing that van Bogaert "has taken HJS out from nothingness" is ignoring the numerous valuable scientific publications Scherer already had before arriving in Belgium. An unpublished biographical note on Scherer,⁶ attached to Zülch's letter, reveals more about Zülch's unbridled fantasy and his exaltation for Ludo van Bogaert (LvB), than it gives useful and correct information on HJS. Another striking fact is that Zülch recounts that he got angry when he heard that Scherer would obtain Gagel's position in Breslau, and that he did not like him because he completely rejected the "American classification" of brain tumours. One would suppose that information coming from such a source would be received with circumspection. Unfortunately, Peiffer, who had these documents at his disposal when he wrote the biography of Scherer, thoughtlessly trusted Zülch. A translation of Zülch's note into English is given in Appendix III.

2. Peiffer's biography on Hans Joachim Scherer

The first published biography of HJS was written in German by Julius Peiffer.^{1(p56-71)} He starts with a compendium of the scientific topics studied by HJS.

This broad survey certainly is valuable and useful. Unfortunately, the second part of this biography, devoted to Scherer's life, is not of the same quality, especially concerning the period October 1933 to January 1942, when he lived in Belgium as an emigrant. Peiffer avows that when he tried to clarify the information related to this period, and obtained from different sources, he encountered not only many lacunae, but also some incongruities. Peiffer's Belgian sources were the Archives of the town of Antwerp, the Archives of the University of Ghent, and the Centre de Recherches et d'Études Historiques de la Seconde Guerre Mondiale (Centre for Historical Research and Studies of the Second World War) in Brussels.^{1(p7)} It is incomprehensible that he did not contact the Born-Bunge Institute in Antwerp, i.e. the former Bunge Institute where HJS had been working for seven years. There, he would have had access to the reports "Travaux de l'Institut Bunge" vols I-IV,^{9,12} covering the activities from 1934 until 1945, from which he would have learned that the Director of this institution was Nestor Van der Stricht, and not Ludo van Bogaert as Peiffer assumes in his text. It is also regrettable that Peiffer relied so much on Zülch's biographical note on HJS, which cannot be considered a trustworthy document, considering Zülch's feelings and his attitude towards HJS.

The first incongruity Peiffer mentions^{1(p66-67)} is the allegation of Ostertag, who in letters written after the war accuses HJS of having given him away to the Gestapo in 1936 because of his contact with Max Bielschowsky, who had emigrated to the Netherlands. He adds that such a denunciation does not fit the image of somebody who emigrated for political reasons. However, in his text dedicated to Ostertag,^{1(p72-96)} Peiffer shows on different occasions how Ostertag could distort the truth:

If one looks at the inconsistencies between documents from the National Socialist days and the image of this period as presented by Ostertag, one cannot avoid the impression that Ostertag, certainly after 1945, reproduced a great deal touched up, that he suppressed a lot which he no longer wanted to admit, that, on the other hand, he finally believed himself his own distortions of his past.^{1(p95)}

Those who are interested in reading only the biography of HJS, will miss this information. Moreover, Peiffer possessed another document in which Ostertag wrote:

At a time when I was in the highest danger, threatened with exclusion from the SA

[Sturmabteilung, paramilitary organisation of the National Socialist German Workers' Party], where I had been brought in for probation, someone from Rössle's institute handed over to the Gestapo, the message from Scherer [declaring] that I supported Max Bielschowsky [sic] abroad.²²

This of course is not the same as stating that it was HJS who denounced him to the Gestapo! Nevertheless, Peiffer chose to publish the most damaging version for HJS's reputation.

That HJS would have denounced Ostertag can be ruled out, since at that time he had himself good contacts with Bielschowsky. In July 1934 the latter met HJS at the Bunge Institute in Antwerp,^{9(p11)} and on 21 May 1936, Bielschowsky wrote to LvB: "For me, travelling abroad is at this moment very difficult, nevertheless I would like to come once more to Belgium with pleasure after Scherer's return from his honeymoon."²³

Most of the other incongruities advanced by Peiffer are a consequence of the fact that he presupposes that HJS should have all the typical characteristics of a political emigrant. He did not know that HJS never asked for political asylum, but that he could stay in Belgium because he had obtained a work permit and an identity card.¹³ Neither did Peiffer know that in response to an inquiry of the Belgian Public Security Administration, the Staatliche Polizeiverwaltung (State Police Administration) in Berlin answered that "nothing unfavourable is known concerning the medical doctor Hans Joachim Scherer."²⁴ Therefore, the German Consulate in Antwerp had no reason to refuse the extension of validity of his passport when he applied for it to spend his honeymoon in Switzerland.

Peiffer asserts that HJS "originally belonged to the left political spectrum" but does not give evidence for this. He probably based this statement on Zülch's note, where it is written that in 1933 HJS had "in the Charité, friends who belonged to the communist circle."^{6(p1)} However, HJS did not attend any political assembly, neither did he publish political tracts; he was never politically active. The only reproach the Nazis could make was that he did not like them and that he never hesitated to say this in private conversations or to write it in letters to his friends and acquaintances.

Besides, in the petition for release from his German citizenship,^{25,13} no political reason nor hint is given. In February 1939, he explicitly writes that he would like to

obtain Belgian nationality because this was indispensable for the confirmation and regularisation of his scientific collaboration at the State University of Ghent. Finally, after his repatriation to Belgium from the French detention camp of Saint-Cyprien, to which he had been deported after his arrest by the Belgian police on 10 May 1940, he did not go into hiding, but less than 48 hours after his arrival in Antwerp he reported himself to the German Consulate.²⁶ Hence, there was no reason for the Gestapo to arrest him.

Peiffer cites van Bogaert's allegation that "with the arrival of the German troops Scherer had tried to usurp the direction of the Bunge Institute and push out Prof. van Bogaert, who had received him as a friend in 1933."^{1(p68)} According to Peiffer, LvB "told to several German scientists" this usurpation story, but he does not give any name except that of Zülch, whose text he quotes. It is worth mentioning that Zülch does not write explicitly that HJS wanted to usurp the direction of the Bunge Institute. He writes that LvB found HJS sitting behind van Bogaert's writing desk, that a dispute followed, and that as a consequence of this LvB fired HJS. Zülch obtained this information in 1950 when he made acquaintance with LvB, who must have been quite tense since "during the first hour the story gushed out."^{6(p3)}

It is obvious that this story is too far-fetched to be credible. Why should LvB go to the German commander of the town to dismiss HJS? Is it possible that at the beginning of the war with Belgium, a German commander of such an important harbour as Antwerp would take some immediate action to intervene in a dispute between two scientists working in a small private medical laboratory? Besides, the German officer who accompanies LvB to the Bunge Institute does not play any role in the story. Finally, the chronology in this story is totally wrong. Peiffer is aware of this, as follows from his footnote #140, where he writes that on 23 January 1941 HJS had sent a letter from the Bunge Institute, and that LvB wrote to Ostertag that HJS left in April 1941. He solves this problem in a very unscientific way, by asserting that Zülch "has been the victim of a misunderstanding."^{1(p69)} It probably never occurred to him that HJS was the victim of calumny, which became libel with the publication of this fabrication.

It is also worth mentioning that in the middle of the story, Zülch inserts the information that LvB was close friends with Hugo Spatz, and that "this is important for

the later development of the matter." Although Zülch does not give any detail about what Spatz did, Peiffer interpreted this in a peculiar way. He writes:

Thanks to the intervention of the German neuropathologist Prof. Dr H. Spatz [...] the Institute Bunge was put "Off Limit[s]" [in English in Peiffer's text] in September 1940 and Prof. van Bogaert was confirmed as the leader [footnote #139]. He immediately revoked the post of Scherer, who had to leave his work within three days.

This intervention of Spatz had nothing to do with HJS. Indeed footnote #139 refers to a letter from Spatz in which he writes: "I once more visited van Bogaert. Since the plan existed to occupy his institute with soldiers, I came just in time to help him."²⁷ Nowhere in this letter is it mentioned that LvB was or had to be confirmed as leader. Likewise, no evidence exists that LvB revoked the post of Scherer. On the contrary, Van der Stricht, Director of the Bunge Institute, wrote that the departure of HJS forced LvB to reorganise the Laboratory of Anatomical Pathology under very difficult conditions.²⁸

Peiffer also makes an error when he asserts that "Scherer's request for Belgian citizenship was rejected."^{1(p67)} Indeed, in a decision of the Higher Commission of Appeal of the Direction for the Pensions of the Civil War Victims, it is explicitly written that although HJS's request was submitted before 10 May 1940, "the procedure was not completed before the death of the victim."²⁹ Moreover, his assertion that, in 1944, HJS obtained authorisation to print his monograph on the comparative pathology of the nervous system of mammals is also incorrect.¹³

Referring to Zülch, Peiffer mentions that "Scholz and Hallervorden, who knew about the past history in Antwerp, had refused to employ him [HJS]."^{1(p69)} It is impossible that Scholz and Hallervorden knew about the past history in Antwerp, since LvB told this fabrication after the end of World War II, when he knew that HJS could no longer defend himself. Moreover, Peiffer has given a very personal interpretation of Zülch's words. Indeed, Zülch does not mention the story in Antwerp, but he writes:

In 1942 came an order that all Germans should leave the occupied territories – in this case Belgium. Mr Scherer now went to Germany; in Munich, at the Kaiser Wilhelm Institute for Psychiatry, he visited Scholz, who didn't want to give him employment. Then he saw Hallervorden in Berlin, who advised

him: “Mr Scherer, if I had your antecedents, I would present myself voluntarily to the armed forces.”^{6(p4)}

It is highly improbable that HJS visited Scholz in Munich, since in a letter to Ruprecht Scherer, Scholz wrote: “I haven’t seen your brother since his return to Germany.”³⁰ Moreover, it is difficult to believe that Zülch, as if he had been present, could cite the exact words pronounced during this assumed meeting between Hallervorden and HJS. Hallervorden’s opinion about HJS is clearly revealed in a letter he wrote in 1947 to HJS’s widow:

After much effort I now finally obtained your address from Verlag Thieme in Stuttgart. For a long time, I have wanted to write to you and tell you how strongly we are touched by the bereavement you and our science went through. I consider it as a duty of gratitude to your husband, to dedicate to him an obituary notice which will be printed in one of our soon-to-be-published journals. You certainly know that I had a lively scientific correspondence with your husband and that I particularly esteemed him. In general, we always have seen each other only for a short time and I know very little about his life.³¹

If it is true that Hallervorden refused to employ HJS in 1942, it must have been because HJS had the reputation of being an antifascist. Indeed in 1950, Hallervorden and Spatz declare: “From his superior at that time, Prof. v. Weizsäcker in Breslau, it was very brave that he ventured to take as assistant a man who in general was considered an antifascist.”³²

It is also worth mentioning that, contrary to what Zülch writes, HJS’s forced return to Germany was not the result of a general enactment, but that it was an individual measure. Indeed, at the Centre for Historical Research and Documentation on War and Contemporary Society, a Belgian public federal research institution which collects, among other things, documentation on the Second World War, no ordinance could be found which obliged all German civilians living in Belgium to return to Germany in 1941/1942. Dr Dirk Luyten, a historian working at the institute, found an ordinance which stipulates that from 1 May 1942, i.e. a few months after HJS was already back in Germany, all German citizens who were living in Belgium had the duty to report to the district commander and had to apply for a special residence permit.³³

For the Breslau period of HJS, Peiffer made several assumptions which are mostly conflicting with reality. In

making these assumptions he was probably influenced by the negative image Zülch painted of Scherer. Peiffer writes that HJS’s “special interest in the pathology of children’s brains was, as for Hallervorden, probably a motive to take part, from 1942 on, in examinations of the victims of the so-called euthanasia.”^{1(p64)} HJS has only one publication on this subject, viz. his paper with Roback in 1935.³⁴ Therefore, it is certainly inappropriate to talk about a “special interest.” Peiffer’s innuendo that Scherer was a voluntary participant, like Hallervorden, is unjustified.

Peiffer writes that Breslau was considered as a strongly national socialist-dominated University. From this, he concludes that “there, only apparently politically trustworthy collaborators would be appointed, especially for the working domains which were connected with the secret killings of the mentally ill.”^{1(p70)} This conclusion is refuted by Viktor von Weizsäcker, who wrote in 1947: “Although some authority in Berlin described him [HJS] as ‘politically untrustworthy’ I succeeded in letting him work as a scientific guest at the institute in Breslau”³⁵; and in 1950: “In those days I also received a visit from two police officers from Breslau who warned me that Sch. was politically suspect, but at the same time they told me that an appointment of Scherer by me or by the town of Breslau could be made.”³⁶

Peiffer also mentions that:

In August 1942 the leader of the Institute Lublinitz, Dr E. Buchalik, was summoned to the T4 headquarters, and in Brandenburg-Görden he was informed about the killing. Also, on 3 August and on 1 September 1942, Scherer visited Hallervorden in Berlin. [footnote 144]

From this he concludes that “it can be presumed that there he [HJS] also learned something about the killing and the planned scientific utilisation of the victims.”^{1(p70-71)} Footnote 144 refers to a letter from Hallervorden to Spatz in which he writes: “On 30.8 and 1.9 Scherer was here. I think that I already informed you, how very interesting it was to converse with him about controversial tumours and such things. He left me a manuscript from an outstanding but not yet completed monograph concerning the ‘Spontanerkrankung’ [spontaneous disease] of the primates.”³⁷ The only possible conclusion that can be drawn from this letter is that HJS spent a few days in Berlin at the end of August and beginning of September. To assume that during this

visit he was informed about the killing and planned scientific utilisation of the victims because Buchalik was summoned to Berlin in August 1942 is far-fetched, and is certainly not a rigorous, nor a correct way of writing a historical biographical study in which the truth is so desirable. Note also that Peiffer makes a mistake by wrongly quoting the date as 3 August instead of 30 August.

Once more referring to Zülch, Peiffer writes that at the end of 1943 or beginning of 1944, during a lecture in Breslau, HJS reported his research results concerning a large number of children with impaired brains.^{1(p70)} This is incompatible with von Weizsäcker's declaration from 1947: "The Dozentenführer [head lecturer] of the University of Breslau however didn't allow him [HJS] to become a university teacher nor to act in public."³⁵ Weizsäcker repeated this in 1950: "Moreover I was told by the national socialist 'Dozentenführer' Prof. Perwitschki (Professor of otology of the university) that Sch. was not allowed to become a professor and that neither was he allowed to speak in the medical society."³⁶

If at that time, HJS would have had the opportunity to give a lecture, it is difficult to imagine that he would have preferred to talk about the brains of those murdered children, which was Elisabeth Hecker's research project,³⁸ rather than to lecture about the *Vergleichende Pathology des Nervensystems der Säugetiere* (comparative pathology of the nervous system of mammals), which was his personal domain of research; he finished writing his book in November 1943.³⁹ HJS's lack of interest in Hecker's project follows from the fact that, after sending brains to the Neurological Research Institute in Breslau, Hecker had to wait three months before receiving the microscopic findings.^{40(p515)} Finally, the presumed lecture of Scherer has never been confirmed by anybody else who attended the afternoon discussions organised in Breslau. On the contrary, recently, Wilhelm Rimpau reported that according to Pickenhain's recollection, the lecture by Scherer, reported by Zülch, did not take place.⁴¹

Considering the strange way Zülch dated his biographical note on HJS, and the fact that he found this note "by chance" a few days after receiving the visit from von Weizsäcker's daughter,²¹ it cannot be ruled out that this note may have been written ad hoc. About 10 years ago, Steiner, in a private communication, explained that it was quite common for people to accuse someone

so that they themselves would give the image of being "clean," whereas all attention is focused on the one they accuse. According to him, the judicial investigation of the activities of H. J. Rauch and C. Schnieder during the war, as well as the revelation during the symposium held in commemoration of the 100th anniversary of the birth of von Weizsäcker, might have made Zülch fear that his activities during the Nazi regime could also be scrutinised. Recent research revealed that Zülch "was an early adherent of the ideology of National Socialism. He was a member of paramilitary units, joined the SA storm troopers in 1933, and the National Socialist German Workers' Party."⁴²

Peiffer stresses that HJS did not have the typical fate of a political emigrant, and that he has not been able to find univocal documents concerning his political position after his return to Germany. Nevertheless, without being able to prove it, he does not rule out that HJS was under pressure from the Gestapo. This supposition tallies with the common declaration of Hallervorden and Spatz: "There is no doubt that during his activities in Breslau, Dr Scherer, as a political suspect, was under constant surveillance by the Nazi authorities,"³² and the declaration of HJS's widow: "My husband was not apprehended in Germany [after his return] but was obliged to report himself regularly to the Gestapo."⁴³ It is also supported by documents kept in the Bundesarchiv⁴⁴ which were recently unearthed by Zeidman.^{40(p512)}

Peiffer continues by writing that another possibility was pointed out by the neuropathologist Jans Muller (Indianapolis, USA) in a letter addressed to him on 7 October 1986. He quotes in English: "It is known that Scherer left Germany on account of his strong political opinions. He was a highly emotional individual and, like so many people of extreme political opinions, he underwent an almost religious conversion and came to embrace fascism and was in the process of re-establishing himself in Germany."^{21(p71)} It is totally inappropriate to publish this extract since it is not only pure libel, it also is outrageous. Moreover, it is not relevant, knowing that Muller was born in 1930 in Indonesia, where he was imprisoned by the Japanese in 1942, before being repatriated to the Netherlands in 1946.⁴⁵ He never met HJS and was only 15 years old when HJS was killed in an Allied bombing of Landshut.

Muller's iniquitous view is in contradiction with the opinion expressed by several of HJS's contemporaries.

For von Weizsäcker: “Scherer’s personal attitude in for him very difficult times always seemed [...] not only comprehensible but also cogent. He had a very strong underlying ethical principle, from which he never departed for any personal profit, and for which he has made more than one sacrifice”⁴⁶; “he never has participated in politics, but he wasn’t an apolitical man either, since he hated National Socialism and never allowed himself the smallest concession.”³⁵ For Hallervorden, HJS “should be considered as a persecuted and it is simply grotesque that one can think that he has been an adherent of this pernicious party.”⁴⁷ For Rössle, “he returned from Belgium without having changed his opinion, as he let [me] know at the occasion of a visit to Berlin.”⁴⁸ According to Scholz, “Considering [HJS’s] personality and especially all the harm which befell him from the National Socialists, I cannot imagine that he changed his political opinion or that he cooperated in any way in the National Socialist sense.”³⁰ Likewise, Hallervorden and Spatz declare that “at the end of the war [HJS] was one of the few younger colleagues who had not followed the Nazi party and for whom a better career was near at hand, when a sudden death took him by surprise.”³²

It is striking that although Peiffer also possessed a letter which is laudatory for HJS, he does not mention it. Indeed, in 1959, Philipp Schwartz,^{49(p106)} a pathologist and founder of the wartime Emergency Association of German Scientists Abroad, wrote: “I was and am proud to have shaken hands with [Scherer] since he was one of the few Aryan colleagues who emigrated voluntarily because they didn’t accept the injustice which hit innocent people.”⁴

3. The Peiffer and Kleihues paper and its consequences

In 1999, Peiffer and Kleihues published a paper⁸ to honour HJS for his scientific achievements and pioneering role in the study of gliomas. There is no reason to doubt the good intentions of the authors, but the result certainly was not what they had expected. The reason for this failing is that in the “Biography” and “Personality” sections the authors repeated most of the errors and allegations published by Peiffer two years earlier, thus creating a negative image of HJS. As their paper was published in English, and because there was no other biographical note on HJS available in this language, their influence was important and HJS’s reputation was unjustly injured.

Since the Peiffer and Kleihues paper has been discussed elsewhere,¹³ we will not repeat the details here. Nevertheless, it is worth mentioning that the authors call HJS an “accomplice” of the “murderous child euthanasia programme.” Considering that “an accomplice is one who with criminal intent participates in the commission of an offence whether as principal, abettor or accessory. Legal usage does not recognise the distinction made by layman between ‘principal’ and ‘accomplice,’”⁵⁰ the choice of this word is certainly not appropriate.

Many authors refer to this paper. Unfortunately, some of them defame HJS without knowing anything more about his life than what is published by Peiffer and Kleihues. Andrew Lassman and Eric Holland write that HJS’s “scientific discoveries were tainted by his Nazi activities.”⁵¹ A few years later they were plagiarised by Yasser Metwally⁵²; Rael Strous and Morris Edelman call HJS not only “a willing accomplice in the murderous euthanasia project” but also an “aggressor.”⁵³ In May 2009, John Steiner wrote to Strous: “Can you give me a reference to define the term ‘willing accomplice’ which you applied to Scherer. What does the term ‘aggressor’ mean when applied to Scherer, and do you have a reference for that term which heads the list of those involved?”⁵⁴ He never received an answer. Strous and Edelman clearly give a very subjective interpretation, not substantiated by confirming evidence. Richard Panush named HJS a “Nazi physician,”⁵⁵ and Matthew Fox, during an interview with the Health and Science Editor of the Jerusalem Post, called HJS a Nazi doctor or Nazi sympathiser.^{56,57} His view was solely based on Strous and Edelman’s allegation.⁵⁸

Finally, it is interesting to note that according to Peiffer and Kleihues it can be assumed that HJS signed an agreement of secrecy because he examined the brains of euthanised children. However, they do not explain how this can be reconciled with what Peiffer published two years earlier, viz. that at the beginning of 1944, HJS would have lectured about the results of these examinations.

4. Hans Joachim Scherer’s life based on documented facts

4.1 The German period: 1906-1933

This period has been described correctly in earlier biographies.^{1,49} HJS was the eldest son of August Scherer and Margarete Fellbaum. August Scherer was the chief physician and director of the sanatorium for women at

Mühlthal bei Bromberg, created in 1904.^{59,60} The Treaty of Versailles (1919) granted this territory to the newly created Polish State, and the formal takeover took place on 20 January 1920. August Scherer was ousted by the Polish and moved with his family to Magdeburg,⁵⁹ where HJS continued and finished his studies at the secondary school.

From 1925 to 1930 he studied medicine in Munich. During his last two years of study he worked at the Pathological Institute of the Schwabinger Hospital, where he obtained a one-year service agreement on 15 July 1930.⁶¹ After specialising in neuropathology at the laboratory of Spielmeyer at the Deutsche Forschungsanstalt für Psychiatrie (German Research Institute for Psychiatry) in Munich, he moved to Berlin to specialise in the general pathology as assistant of Robert Rössle at the Institute of Pathology of the University Hospital Charité. In August 1933 he was arrested by the Gestapo, and kept in custody for three days. Two weeks later he left Berlin for Paris. Rössle wrote about him: “Among the assistants he was known as an outspoken and at the same time very open and careless opponent to National Socialism. This went so far that he had to take refuge [...]. He was able to avoid persecution by escaping to Belgium.”⁴⁸

4.2 The Belgian period: 1933-1942

In 1932 the Belgian physician and neuropathologist Ludo van Bogaert had published some papers which were noticed by HJS at the time he was working with Rössle in Berlin. He wrote to LvB and shortly after asked to work with him in Antwerp because he felt disquieted by the Nazi regime which was taking power in Germany.^{14(p30)} He was recommended by Spielmeyer and by Rössle.

From 1924, LvB conducted his anatomical pathological research in a small cellar at the Stuienberg hospital in Antwerp. In 1927, the Bunge Institute was created, and, in April 1931, the construction of a building was started in which not only a hospital but also several laboratories were planned, including a laboratory for anatomical pathology. LvB realised that because of his hospital duties and his practice, he needed a physician to take care of this laboratory. In October 1933, although LvB had not yet signed a formal engagement, HJS came to Antwerp with a visa valid for 15 days. His arrest in August and subsequent interrogations by the Gestapo had hastened his departure from Germany. With the help of LvB and

Dr Van der Stricht, director of the Bunge Institute, he obtained a work permit and the authorisation to stay in Belgium for another six months. It was only in November 1934 that he was registered in the municipal population register. See Appendix IV for more details concerning the administrative obstacles he had to overcome.

4.2.1 The pre-war years: October 1933-May 1940

HJS was charged to carry out the elaboration of the new laboratory of neuropathology, which was inaugurated on 1 February 1934. “Thanks to his tenacity and well-developed sense of organisation the laboratory was already in use for scientific purposes when the building of the Institute was far from finished.”^{14(p31)} LvB wrote about him: “He was a remarkable neuropathologist”^{14(p34)}; “free from any obligation, delivered from his terror of the Nazis, he worked strenuously and started studying our collection of tumours”^{14(p31)}; “The presence of a pathologist of the value of Dr Scherer in the laboratory for anatomical pathology gave a new impulse to our activities.”^{14(p50)} On the other hand, on 26 June 1934, Spielmeyer wrote to LvB: “Recently, colleague Scherer wrote me that he feels particularly good at your [Institute] and that he is happy to be able to deal with such a rich, varied, clinically well examined material.”⁶² Therefore, there can be no doubt that at the beginning both men had a good understanding.

Unfortunately, this good relationship deteriorated in 1935 after the publication of the paper “Akute amaurotische Epilepsie beim Macacus Rhesus. Eine anatomisch-klinische Studie” (Acute amaurotic epilepsy in Macacus Rhesus. An anatomical-clinical study).⁶³ This paper was received for publication by Spielmeyer on 12 January 1935. In a letter, dated 15 January 1935, Spielmeyer wrote to LvB:

[...] I am very grateful that you want to publish these very important studies in my journal. Today, to my great regret, I must be very thrifty, as you will see from the enclosed guidelines for acceptance of works in *Zeitschrift für die gesamte Neurologie und Psychiatrie*. Please, show colleague Scherer these instructions, which by the general constraint of frugality are imposed upon us, especially from outside (meetings of librarians, etc with publishers, especially with the publishing company Springer in Chicago). Colleague Scherer will remember earlier discussions with me, concerning the illustrations in his works, where many times I tried to reduce the

number of images. Today, however, it is certainly necessary, and no compromise can be found for this. I appeal to colleague Scherer to keep this in mind for the future, since the situation of our German scientific journals is tremendously worsened and just now we are fighting for the survival of our journal. I thoroughly examined the work on the strange illness of *Macacus* and read it with great interest. When I allow myself to formulate a judgement on it, I consider it very valuable. Therefore, although we have a so-called limited illustration allowance, I accept most of the figures. I have deleted the photographs that can be left out without damaging the comprehensibility. These are figures 1, 2, 13a, 13b, and 22. I hope that colleague Scherer will not be too angry about this editorial reduction, but unfortunately it is not possible otherwise, and I hope that the publisher Springer, with respect to the so-called illustration allowance, will not require the elimination of another series of figures. If that would be the case, I will once more send this work to colleague Scherer, so that he can decide which of the other illustrations are most suitable to be eliminated.⁶⁴

This letter clearly shows that Spielmeyer received a work by HJS which had been sent to him by LvB. Nevertheless, this paper was published as a collaborative paper, with LvB as first author. LvB had, in a very opportunistic way, taken advantage of Spielmeyer's death on 6 February 1935.

In his selective memoirs, LvB wrote that: "When we published our first paper concerning the apes, I felt that Scherer had some reticence, that he wanted to publish on his own."^{14(p43)} However, it was LvB who, in May 1935, a few months after submitting their collaborative publication, published as sole author the paper "L'épilepsie amaurotique aiguë du singe (notes préliminaires)" (Acute amaurotic epilepsy in monkeys [preliminary notes]).⁶⁵

HJS's idea of "intellectual property" is clearly illustrated by his letter (24 August 1939) to Innes (Institute of Animal Pathology, University of Cambridge, UK) in which he wrote:

From my personal point of view, your idea of collaboration regarding the dog brains is, of course, an excellent one, and I accept it in principle with warm thanks. It remains well understood that this work remains essentially your own work, and that I am giving only a final more accessory help; it is

evident that, collecting this enormous material and having made already the highly important statements you communicated me in your letter, the most important part of the whole work is already done by you.⁶⁶

It is noticeable that for all the collaborative publications of HJS and LvB,^{63,67-72} the latter always appears as first author. An allusion to this is made in the book by De Busscher and Scherer *Les gliomes de l'encéphale. Étude anatomo-clinique* (Gliomas of the brain. Anatomic-clinical study), where one can read:

The professor of a clinic or the physician in a hospital has no time: he has to publish much "to keep his rank," but his practice absorbs him. If he can allow himself a head of clinic or full-time assistants, he keeps them under his dependency, and, if they produce a work as original as their working conditions allow them, at the time of the publication he hastens to put his name before theirs.^{73(p17)}

In 1935, HJS started to publish the series of his outstanding papers on gliomas in *Virchows Archiv für pathologische Anatomie und Physiologie und für klinische Medizin*.⁷⁴⁻⁷⁶ The same year, LvB received a letter from the Belgian embassy in Berlin, informing him that HJS was no longer allowed to submit papers to German journals because of his severe critical comments on the Nazi regime, which the German censor had discovered in the correspondence he continued to have with his friends in Germany.^{14(p35)} Therefore, his paper "Gliomstudien IV. Über das verschiedene Verhalten der Gliome gegenüber den Ganglienzellen" (Glioma studies IV. About the different behaviour of gliomas towards ganglion cells), submitted to *Virchows Archiv* and mentioned in another publication,⁷⁷ was never published, and HJS continued in 1936 to publish this series in French in the *Bulletin de l'Association française pour l'Étude du Cancer*.⁷⁸⁻⁸⁰ This interdiction is also mentioned by Max Bielschowsky, who on 19 July 1935 wrote in a letter to LvB: "In Germany, we now have a Reichsschrifttumskammer [Reich Literature Chamber] whose maxims and principles Mr. Scherer will explain to you."⁸¹ Nevertheless, in 1936, LvB still tried to publish in *Virchows Archiv* a work with HJS and Epstein as co-authors.

Indeed, on 7 May 1936, Scholz wrote:

[...] Concerning the planned publication of your work with Mr. Scherer, I don't believe that it will be possible for him to appear as a co-author. Nevertheless, I will therefore make contact with



Figure 1. Marie José Donders and Hans Joachim Scherer, victims of their personal misfortunes and the unfavourable political juncture they were confronted with.

Dr Springer, and inform you as soon as I have an answer. I don't need to tell you that I would particularly regret, if the publication of this work would therefore not be possible in our journal⁸²;

and on 11 May 1936:

Today, Dr Ferdinand Springer has answered my request concerning your planned publication together with Dr Scherer and I communicate to you word for word the connected passage of his letter: "Professor van Bogaert writes a letter to the publishing house, in which he refers to the situation, stresses his own alliance with German science, and at the same time declares that he is ready to be answerable in the future, for the conduct of Dr Scherer; particularly, he will guarantee that

the common published work cannot lead to any censure. When I receive such a letter, I will contact the concerned authorities. I hope that then it will be possible to make this publication feasible."⁸³

On 19 May 1936 Epstein wrote to LvB:

The question now is how we will publish in *Virch. Arch.* without offending Mr Scherer, whose name unfortunately cannot be mentioned in the title. Maybe you, dear Professor, would have the kindness to discuss this with Mr Scherer, since indeed in this respect I do not have any pretension and will completely follow your wishes.⁸⁴

This work was finally published in 1937 in French,⁷⁰ thanks to the generosity of the Board of Trustees of the Bunge Institute.^{10(p7)}

In May 1936, HJS married Marie-José Donders (MJD) who, since 20 March 1934, had been working as a technician, and shortly afterwards became the photographer of the Bunge Institute (Figure 1). At the beginning of 1936, the material conditions of the research laboratories became worrisome, and after her marriage she continued to work as a volunteer photomicrographer.

Meanwhile, HJS had made the acquaintance of Jacques De Busscher^{85(p346-351)} and Frederic Thomas^{85(p290-295)} of the State University of Ghent, both of whom, recognising the excellence of HJS in the pathology of tumours and in neuropathology in general, brought him precious medico-legal (Thomas) and neurosurgical (De Busscher) material.^{14(p54)} Very soon, the good relationship between these three men became a long-lasting friendship. During the summer of 1938, De Busscher and HJS decided to “prepare a series of monographs on gliomas which would ‘overshadow’ the then classical monographs of Cushing and Bailey”; LvB was informed about this project by Norbert Goormaghtig,^{85(p159-165)} head of pathology at the University of Ghent, whom he met quite often.^{14(p56)}

At the beginning of 1938, HJS complained that his pay was not sufficient. LvB answered him that he should understand that it was difficult to give a German emigrant the same material conditions as the Belgian universities gave their senior researchers.^{14(p54)} It is not known what HJS’s salary was in 1938, but after his arrival in Belgium he received every month from his parents the sum of 1500 Belgian francs to provide for his living costs. In June 1934 LvB wrote:

Dr Hans Joachim Scherer left Germany not as an Israelite, nor as a political undesirable, but because due to the political situation [in Germany] his personal sensitivity had turned for the worse and therefore any scientific work became impracticable for him. [...] Since the money he received from his parents was not sufficient for his subsistence and his needs, the Bunge Institute granted him a monthly gratuity of about 1200 Belgian Francs. He doesn’t practise as a physician and he will not have any paid laboratory activity. We grant him this modest reward only for the research work he performs under my supervision.²⁴

Apparently, HJS was not paid in conformity with the Belgian law which, since 1925, stipulated that all employees of the private sector had to join a pension scheme for employees. The employers’ and employees’ contributions had to be paid by the employer to the

organisation of the employee’s choice. The discord between LvB and HJS increased, and on 14 June 1938, he joined the Caisse Nationale des Pensions pour Employés (National Pension Fund for Employees), forcing the Bunge Institute to pay for his future pension.⁸⁶ It is highly probable that he was informed about the Belgian social law regulations by De Busscher and/or Thomas, because shortly afterwards, on 5 August 1938, LvB asked the Board of Directors to remind HJS of his personal authority and to restrain all the work for De Busscher and Thomas in the laboratory for anatomical pathology.^{14(p101)} HJS, stimulated by De Busscher and Thomas, applied in September or October 1938 for employment as scientific assistant to Prof. Jules Vernieuwe^{85(p138-143)} at the University of Ghent.^{14(p55)} This was a first step to liberate himself from the domineering van Bogaert. Moreover, after their last collaborative publication,⁷² he no longer showed the text of his scientific papers before they had been accepted for publication; this greatly angered LvB.

The tyrannical behaviour of van Bogaert is revealed several times in his selective memoirs, where he wrote: “I had made Dr Scherer head of the department of anatomical pathology, indicating specifically that I kept senior management at this laboratory”^{14(p53)}; “I then forbade him from publishing animal neuropathology observations which had not been seen by me and without my permission”^{14(p57)}; “I informed Scherer that I no longer accepted that a single work would leave my laboratory if I would not have read and approved it”^{14(p66)}; “I summoned Scherer and told him that I didn’t allow this communication, neither any other, to leave my service or to be published in Belgium, without my approval.”^{14(p67)}

Since HJS had left Germany because he wanted to escape Nazi censorship, it is understandable that he completely disregarded LvB’s injunctions. Moreover, one should not forget that when, at the age of 27, he started working at the Bunge Institute, he had already published 14 scientific papers,⁸⁷⁻¹⁰⁰ and had another three papers ready, which were accepted for publication in *Virchows Archiv* in January 1934.¹⁰¹⁻¹⁰³ For 15 of these papers, he was the sole author. LvB never gained a firm hold over him.

The appointment of HJS at the University of Ghent was delayed for several months because Alfred Schoep,^{104(p118-122)} the university administrator, was strongly opposed to the designation of a German.¹⁰⁵ Therefore, in February 1939, he requested release from his German citizenship.²⁵ Thanks to the insistence of

Vernieuwe, he was appointed part time scientific assistant in the department of otorhinolaryngology in Ghent on 12 April 1939.¹⁰⁶ Appendix V gives more details about the obstacles HJS still had to overcome to keep this job in Ghent.¹⁰⁵

LvB must have worried about HJS's leaving the Bunge Institute, since he needed him not only for neuropathological but also for general pathological work. Therefore, on 1 January 1939, HJS was promoted to head of the department of anatomical pathology.^{14(p53)} When, a few months later, he was appointed in Ghent, and his activity was split between Antwerp and Ghent, LvB was compelled to consent to this for the highest benefit of HJS's scientific research, but at the cost of a deterioration of van Bogaert's.^{14(p55)}

In June 1939, HJS was offered by Dr Charles Aring the post of neuropathologist at the University of Cincinnati (Ohio, USA). He was enthusiastic about this opportunity but could not obtain an immigration visa for the USA. The consulate in Antwerp decided that, although he was born in Bromberg (which at the time of his birth was a German town) and in the possession of a valid German passport, he should be considered Polish, since Bromberg had been renamed Bydgoszcz after it became Polish territory with the treaty of Versailles. Therefore, HJS was subject to a quota visa. In spite of letters from Aring and Dr Robert Lambert, associate medical director of the Rockefeller Foundation, the US consul general in Antwerp did not change his decision (Steiner, private communication). In his selective memoirs, LvB alludes to this by writing: "on the other hand he secretly entered into contact —without success besides— with certain American circles."^{14(p55)} Steiner suspected but could not present evidence that LvB was behind this, because the Bunge Institute still needed HJS. It is worth to note that, thanks to Eugene de Savitsch, who spent some time at the Bunge Institute, LvB was invited for lunch at the American embassy.^{14(p131)} Moreover, LvB had contacts with William Christian Bullitt, who was Ambassador Extraordinary and Plenipotentiary in France from 1936 to 1940.^{14(p132)} On the other hand, one should not forget that "some of the US authorities behaved abominably in their own way during those years, with Assistant Secretary of State Breckinridge Long making sure that the US consulates and embassies would make visas to the US as difficult to get as possible."¹⁰⁷

In the spring of 1939, HJS was invited to give a lecture in London and to participate at the Third International Cancer Congress in Atlantic City, USA. On 24 August 1939, he wrote to Innes: "I hope the international trouble will not disturb our good intentions. Since yesterday, I am even somewhat hesitating whether I will finally go to the States or not."⁶⁶ His hesitation was also related to the fact that his wife (MJD), was heavily pregnant and that in the past she already had several miscarriages. Probably convinced by MJD, who attached a great importance to his research, he left a few days later from Rotterdam and entered the USA on a travelling visa. During his trip to the USA, Britain and France declared war on Germany because of the invasion of Poland. On his way back to Belgium, he made a stopover in England, and because of his German nationality he was kept in custody. When, on 12 October, he arrived home more than two weeks later than foreseen, he was informed that three days earlier MJD had given birth to a daughter, who had survived only a few hours.¹⁰⁸

HJS's application to obtain Belgian nationality was advocated by LvB who wrote on 1 December 1939:

Dr Scherer has largely contributed to the organisation of our department, where he not only ensured the technical working, but where he personally trained a number of national and foreign researchers, giving efficacious and personal help to all the works which were published by our different collaborators in this department. I consider that his scientific activity, the orientation and support he gave to our trainees, and the valuable help he has been for me all the time, have largely contributed to the outstanding scientific renown of our institution and the Belgian neuropathological sciences. Therefore, considering the remarkable services he has rendered to our country, I think that Dr Scherer is entitled to very special considerations for his naturalisation. This would definitively fix, in the framework of our scientific institutions, somebody with initiative and working capacity, of whom foreign and Belgian scholars have, from their side, several times pointed out all his value.¹⁰⁹

Likewise, W.H. Tuck and M.K. Shaler, vice-presidents in Belgium of the Belgian American Educational Foundation, supported HJS's application by writing:

During an activity of six years, Dr Scherer has created a Centre for Neuropathology, visited by American Fellows of our Foundation. The reports given by them show how highly they esteem Dr Scherer's

teaching of a subject that is badly represented in most countries. The quality of these courses has contributed much to make the Bunge Institute a centre of attraction to foreign researchers, eager to acquire knowledge of neuropathology. Therefore, we are of the opinion that it is beyond doubt that Dr Scherer has rendered and still can render service to the Belgian science: his thus justified naturalisation will establish definitively the attachment to our Institutions of a personality with great value who, considered by us on an equal footing with the Belgian workers, has already obtained a subsidy of our Foundation.¹¹⁰

Moreover, HJS was backed by René Lefebvre, Director of the Military Hospital in Antwerp, who stated in a handwritten declaration that:

It is perfectly true that since the beginning of 1935, the hospital has had recourse to the good offices of Mr. Scherer H.J. every time when a delicate autopsy or difficult anatomico-pathological examinations had to be made. The work of the concerned person has always been carried out free of charge and with an extreme obligingness. The hospital has called on him for help because of his exceptional competence in this subject, which was unanimously recognised in Antwerp.¹¹¹

On 22 December 1939, HJS's application was the object of a judicial announcement in Antwerp. The naturalisation procedure could not be concluded because of the invasion of Belgium by the German army on 10 May 1940.²⁹

4.2.2 The war years: May 1940-January 1942

After Germany invaded Poland, the presence of many foreigners, mostly political refugees from Germany, Austria and the territories occupied by Nazi Germany created an anxiety psychosis for a "fifth column" in Belgium. On 8 May 1940, the Minister of Justice issued a decree allowing the internment of all citizens of countries which should not respect Belgium's neutrality. The next day, all municipalities received posters announcing that all male foreigners between 16 and 59 years old had to present themselves to the local government offices; they should take food for 48 hours as well as blankets, and were not allowed to leave these offices. The posters also ordered that everybody should communicate to the police or military authorities the names of citizens and foreigners to whom these measures applied. These posters had to be displayed as soon as the hostilities

started. From 10 to 15 May, between 10 000 and 12 000 arrests took place, including around 3000 in Antwerp. One of these was HJS, although, according to De Busscher, he had previously offered his services by letter to lieutenant general A. De Clercq, Inspector General of the Health Service of the Belgian Army.¹¹²

The German army advanced so fast that those arrested were mostly evacuated by train and handed over to the French authorities. The travelling conditions were dreadful. The prisoners were pressed together, sometimes 50 or more, in closed wagons, without sanitation, without food or water. They were taken to a transit camp in Orléans, about 450 km from Brussels. The journey took between four and seven days, and several people died before they arrived. The French decided to lodge these prisoners in camps they had created for the Spanish Republicans who fled Spain at the end of the Spanish Civil War. HJS ended up in Saint-Cyprien.

On 2 July 1940, a message arrived at Saint-Cyprien announcing that the Aryan prisoners were allowed to return to Belgium. A first convoy left on 3 July and arrived in Brussels on 10 July. This was the first group of prisoners who came back to Belgium. It is almost certain that HJS travelled with this convoy, since he went to the German consulate in Antwerp on 12 July.²⁶ His wife was not at home. Before Antwerp was captured by the Germans, she had fled to France together with Frederic Thomas' mother, hoping to obtain HJS's release. They stayed in Béziers, about 115 km to the north of Saint-Cyprien, and were back in Antwerp in August.

When the hostilities started on 10 May 1940, LvB joined the Neuropsychiatric Centre of the Belgian army, which soon retreated to Montpellier in the south of France. Contrary to what he said later,^{1(p21)} he was never imprisoned. On 13 August 1940, he was back in Antwerp. In his memoirs, he wrote: "When I returned to the Institute, I was struck with astonishment to find Scherer at his place in the laboratory."^{14(p63)} This is in contradiction with what he told Zülch in 1950, viz. that HJS was sitting behind van Bogaert's desk.⁶ Three days later, he received at his private home an unexpected visit by Spatz and Lindenburg, both belonging to the service of neurology and pathology of the Luftwaffe. Later, he received Spatz several times at the Bunge Institute, where they openly spoke with each other. During one of these meetings, Spatz asked LvB what nationality HJS had at that moment.^{14(p65)}

In November 1940, LvB once more ordered HJS that not a single work would leave the laboratory without having been read and approved by him. After all the previous interdictions he had uttered, he must have known that, once more, HJS would not comply with this requirement. At about the same time, at the occasion of a sick call at the house of Mrs..., LvB met a German, a prominent intelligence officer, who was introduced to him as the future son-in-law. They had a long talk during which LvB said that “his head of the laboratory was a German who came to work with him in 1933.” The officer answered “Yes, I know, it is Scherer.” During another visit to the same house, he met the German colonel Marquardt, and asked him “how the future son-in-law of Mrs... knew the name of Scherer, and how it was possible that a one-time anti-Nazi, who had held his German nationality, was not bothered under existing circumstances.”^{14(p66)}

On 7 January 1941, the Faculty of Medicine of the University of Ghent unanimously endorsed the prolongation by one year of HJS’s position as scientific assistant to Vernieuwe.¹⁰⁵ HJS had requested this extension shortly after LvB forbade him in November 1940 from publishing without his authorisation.

On 25 January 1941, HJS read a paper to a meeting of the Société Belge de Neurologie,¹¹³ which impressed the audience with its quality. LvB did not attend the assembly although, as a member of the society, he must have been informed a long time before about this lecture. He summoned HJS and told him that he did not want this lecture to be published in Belgium. According to LvB, HJS answered him with impertinence: “You seem not to have understood, Sir, that in the current circumstances our relationship has changed.” LvB retorted “that for him nothing had changed and that he gave him three days to leave definitively his [LvB’s] laboratory [...], that he didn’t want to prejudice his [HJS’s] scientific carrier but that he no longer wanted to see him.”^{14(p67)} By way of precaution, he asked Mrs... to inform her German future son-in-law and colonel Marquardt.^{14(p67)} He was completely disapproved by Van der Stricht and Victor Bracht, respectively Director and Chairman of the Board of Trustees of the Bunge Institute, who found the circumstances inopportune. LvB agreed with them.^{14(p68)} This explains why HJS never received his dismissal. Nevertheless, he took LvB’s words literally and continued his work at the University of Ghent where Thomas put his well-equipped laboratory at his disposal.

Over the next three months, a long and circumstantial exchange of letters between HJS and the Bunge Institute took place, in which he asked for the photomicrographs of the gliomas he had studied, which he needed for the monograph he wanted to publish with De Busscher. The refusal of LvB to hand over this scientific material obliged HJS on 28 April 1941 to start a writ of summons against the Bunge Institute. He made three claims: (i) he requested about 200 photomicrographs and a specimen of the cuttings of the gliomas he had studied, if necessary against payment of the costs; (ii) he requested that by injunction the Bunge Institute would be restrained from communicating to a third party his descriptions and other written documents, unless it were specified that this was his work; (iii) he requested that the Bunge Institute be ordered to pay 1 franc as symbolic damages and to meet the costs of the lawsuit.¹¹⁴

Meanwhile, LvB had informed Spatz about HJS’s departure and the circumstances under which this had happened. Spatz answered that he understood very well LvB’s conduct and assured him that whenever some complication might occur because of this departure, he should be urgently warned. He gave a telephone number where LvB could always reach him if he was not travelling.^{14(p69)}

According to LvB, he was summoned on 4 June 1941, to the Geheime Feldpolizei (Secret Field Police). A complaint had been lodged against him for *Deutschfeindlichkeit* (hostility against Germans). Two days later, two non-commissioned officers came to his home with the order to search his house. They carefully executed this order but the only relevant objects they found were letters he had exchanged with Spielmeyer, Scholz, Economo, Rössle, and Pette. They took with them three suitcases filled with papers which had to be examined by specialised censors who knew the scientific terms. They left very politely, apologising for having been obliged to execute these orders!^{14(p70)}

On 20 June 1941, LvB was summoned to the Gestapo, where he had a long talk in French with the head of the department of investigation, Niedzelsky, who asked how he came to know HJS. LvB wrote:

Fortunately, my file on Spielmeyer contained a set of letters from Scherer from 1932, in which he complained about the Nazi regime, asking me urgently for a post. There were a part of my answers and also my correspondence with the

Belgian embassy in Berlin, when German journals were forbidden from accepting work by Scherer. Moreover, there were some letters from Rössle concerning the problems he had with Roback and Scherer because of their political convictions. I told Niedzelsky the complete story of the arrival of Scherer to me, and my astonishment to see him in liberty. He didn't react but merely told me that if I still would have any annoyance I should directly call upon his help.^{14(p70)}

On 5 November 1941 the judgement was pronounced; HJS lost his case and had to pay the costs.¹¹⁴ Four days later, on 9 November 1941, he appealed against this judgement.¹¹⁵ Shortly after lodging this appeal, and after repeated interrogations by the Gestapo,¹¹⁶ he was ordered to go back to Germany (see appendix V for more details).

Before leaving Belgium, on 15 January 1942, HJS wrote to the Rector of the University of Ghent that he supposed that his compulsory absence would only be temporary and that he would communicate him the duration of this absence as soon as he would know it.¹¹⁷ Unfortunately, he was never able to come back to the country he had chosen as his second homeland.

On 4 June 1946, the lawsuit in appeal was suspended,¹¹⁵ i.e. no judgement was pronounced, because of HJS's death on 16 April 1945.

5. The German period 1942-1945

HJS, accompanied by his wife and daughter (born in May 1941), left Belgium for Magdeburg, where his parents were living and where his father had since 1925 been the principal physician of the Lostau sanatorium until, for unknown reasons, he was replaced in 1935.¹¹⁸ He continued to work as a lung specialist⁵⁹ until his death in March 1942. During his stay in Magdeburg, HJS was invited by Viktor von Weizsäcker to come to Breslau and work there at the Neurological Research Institute of the University.³⁶ Von Weizsäcker was still looking for someone to take care of the anatomy department, when he was informed by a "leading anatomy authority" about Scherer's return. Knowing the political problems the latter had had in the past, von Weizsäcker contacted the Oberfeldkommandantur (German Commanding Officer) in Ghent, who answered that they and the Security Police of Antwerp did not object against the employment of Scherer. Without being requested, the Gestapo of Breslau informed von Weizsäcker that they had cross-examined HJS for several hours, after which

they did not object against his employment. Likewise, the chairman of the Reichsärztekammer (Reich Physicians' Chamber) in Silesia, Gauamtsleiter Dr Peschke, notified von Weizsäcker, also without request, that he did not intend to raise objections to Scherer working at the Institute.^{40(p511),119}

The Breslau period is difficult to describe because of a lack of written documents due to the destruction of the town during its siege by the Soviet Army. However, there can be no doubt that HJS must have had a very good relationship with von Weizsäcker, as follows from the latter's writings:

I don't have to tell you that Dr Scherer as a scientist and as a human being has been for me one of the few rejoicing and fruitful experiences during the Breslau years. I am happy that after his forced return, and in spite of all antagonism, I was able to offer him a job that could satisfy him. [...] I especially appreciate that he succeeded to finish and publish his work concerning *Vergleichende Neurologie* [comparative neurology]. It is an achievement which nobody before him has undertaken and which, except for him, nobody would have been able to solve in such a successful way³⁴⁶;

I keep a great veneration for your deceased husband and will do whatever I can to help you and your children.¹²⁰;

Dr Scherer was not only one of our most outstanding scholars but also an incorruptible personality.³⁵

Both men met for the last time on 22 January 1945.^{121(p175)}

In 1944, Scherer's monograph on the comparative neuropathology of mammals could be printed because the publishing house Georg Thieme had at its disposal the necessary paper from an old stock, and Dr Bruno Hauff, head of this company, had been convinced by von Weizsäcker and Hallervorden of the great scientific importance of this work¹²²; no political influence played a role.¹²³

On 1 May 1942, Max de Crinis wrote to Heinrich Gottron, Dean of the Medical Faculty of Breslau University, that the political past of Scherer was not beyond reproach and therefore his employment in Breslau had irritated several authorities. He asked Gottron to justify this employment. Gottron's answer was forwarded by de Crinis to SS Standardtenführer Dr Ehlich, Sicherheitshauptamt (Security Main Office), Berlin SW with the request to

communicate his opinion concerning the Scherer case. Unfortunately, Ehlich's reply is not known.^{40(p512)}

In the summer of 1942, HJS must have felt some threat since on 2 August, he wrote his testament in which he expresses his will not only in the event of his death, but also if he and his wife were to die at the same time.¹²⁴ Considering that, in 1942, Breslau was a relatively safe place which was beyond the range of the Allied air forces, this seems to indicate that he must have felt some danger not related to the military war actions. We do not know whether the timing has something to do with the beginning of the *Medizinbuch* (medical book) of Loben, in which the deaths of murdered children were recorded, and which started in August 1942.¹²⁵

It is a fact that Hans Joachim Scherer signed more than 200 neuroanatomical autopsy reports of children killed at the Loben Psychiatric Clinic for Youth and whose brains were examined in Breslau. Nevertheless, there is no evidence that gives anyone the right to say that Scherer ordered that these children be killed or that he participated in these killings. It is certain that he did not initiate this murderous programme in Loben. Indeed, Benzenhöfer^{121(p155)} mentions the case of a mentally disabled child who died on 7 January 1942, when HJS was in Belgium and still hoped that the Rector of the University of Ghent might succeed in obtaining the repeal of the order by which he had to return to Germany. Moreover, one should not forget that it was, and still is, an absolute tradition that brain material received at neuropathological laboratories, is scientifically studied and classified. HJS, who was a hard worker and regularly published the results of his research work (57 scientific papers and four books¹²⁶ over 15 very difficult years) never wrote a paper based on the results of these post mortem examinations.

In the second half of January 1945, HJS, his wife, and their three children (the youngest one year old and the oldest less than four years) had to flee from Breslau because of the approach of the Soviet troops. They could only take the utmost necessities. All his research material and notes remained packed in seven large steel boxes in the Institute in Breslau.¹²⁷ It is not known what happened to these, nor their personal belongings. As the battle for Breslau was fierce, everything probably was destroyed. The city was bombed to ruin and entire districts of the city were set on fire.

From Breslau they travelled to Langenbielau (now Bielawa, Poland, 50° 41' N, 16° 37' E; i.e. south west from Breslau/Wrocław, about 65 km by road) where they stayed at a hotel; from then on, HJS received his instructions from the local Reichsärztekammer. When in March 1945 he was ordered to accompany ill and wounded civilians who had to be evacuated by train to Bavaria, he took his family with him. The journey took several days through Czechoslovakia. Once in Bavaria, he looked for and found a relatively safe place to lodge his family: it was an isolated farm called "Bühlhof" in the Bavarian Forest (49° 03' 31" N, 12° 46' 46" E), which was far from any important town or industry, and therefore the risk of bombing was very small. Then he went to Munich to report to the Ärztekammer Bayern (Physicians' Chamber of Bavaria). In Munich he could obtain a job at the "Deutsche Forschungsanstalt für Psychiatrie" (German Psychiatric Research Institute).

The last days of HJS are well documented: on Tuesday 10 April, Jahnel, who had visited the Bunge Institute in 1936, gave him a request for a travel permit: "Dr Scherer intends to make important research at our institute and therefore has to discuss this with the Director of the institute Prof. Scholz, who moved to Pittenhart. We entreat you to issue him the travel permit to Pittenhart over Endorf."¹²⁸ He must not have been able to see Scholz.³⁰ Therefore, the next day, on Thursday 12 April, Spatz appointed him as assistant for neuropathology at the "Deutsche Forschungsanstalt für Psychiatrie."¹²⁹ Spatz wanted him to try to save the pathological collections when the Allied Forces occupied Germany. Spatz knew that HJS never had been a member of the Nazi party, that before the war he visited the USA, that he had been in contact with several British and American scientists, and that he fluently spoke and wrote English and French.

Simultaneously, Spatz gave HJS an intercession for the issue of a travel permit:

By this Mr Dr med Hans-Joachim Scherer of the neurological research institute in Breslau is supported for a journey from Munich over Landshut/Straubing to Rattenberg district Bogen and back. [This journey] is important for the war and [will take place] in the period 12.4.1945-20.4.1945. This journey is urgently necessary in the interest of the country.¹³⁰

It is worth noting that the "important for the war" and "in the interest of the country" should be taken with a

grain of salt, knowing that HJS's wife and children were living at that moment at Bühlhof, Post Rattenberg über Straubing! Spatz just allowed HJS to spend a few days with his family.

HJS submitted this document the same day, on 12 April, at the railways authority, as can be seen on the document in the right corner, blue stamp. Nevertheless, he must not have travelled before Friday 13 April, since otherwise his family would not have had the original document of his appointment dated on April 13, and issued by the Reichsärztekammer Bavaria section¹³¹; he must have had this letter with him when he visited them at Bühlhof. After having spent the weekend there, he travelled back to Munich on Monday 16 April. In the early afternoon, he was the victim of the last air raid on the railway station of Landshut.^{132,133} His body was found in a shelter trench in the Bozenerstrasse,¹³⁴ and buried on 19 April 1945 at the main municipal cemetery of Landshut. It was only in September 1945 that his wife was informed about his untimely death,^{135,136} and at the end of October a mourning card was printed.

6. The post-war years

One year after HJS's death, his widow and the three children were still at Bühlhof. It was only in April 1946 that they were transferred to the Displaced Persons Camp 563 in Wiesbaden. From there they moved to the Displaced Persons Camp at Brand. They had to wait until 24 June 1946 before the required document for repatriation was signed by the Belgian State Security. Finally, they were back in Antwerp on 12 September 1946. Soon after their return, as if their ordeal had not been painful enough, adding insult to injury, rumour had it that, in the last years of his life, Hans Joachim Scherer had become a Nazi, because his highly appreciated book¹³⁷ on the comparative neuropathology of mammals had been published under the Nazi regime.

7. Discussion

The "selective memoirs" is a text of 137 pages, a carbon copy of which is kept at the Born-Bunge Institute. It is not known what happened to the original typewritten text, nor when or for what purpose LvB wrote these recollections. These memoirs are very instructive not only because of their tenor, but also because of their deliberate omissions, contradictions, distortions, touching up, and embellishment of the past.

An example of contradiction is found on page 61, where LvB writes that he never learned what HJS had done from the beginning of May until the end of June 1940, whereas on page 63 he writes that HJS told him that he had been interned in a camp in the south of France, that he had been released without any problem, and that he had been able to return to Belgium without difficulty.

An example of embellishment of LvB's acts is found on page 67, where he writes that on the same day that he started his conflict with HJS, he told him that he also dismissed MJD, but that he would pay her a full year of salary. At the time he wrote this text, he had probably already forgotten that, since 1936, MJD had been working as the unpaid photomicrographer of the Bunge Institute.

An example of distortion of the past is found on page 69 where LvB writes: "Meanwhile Scherer had instituted legal proceedings against the Bunge Institute and particularly against me, for 'defamation and theft of scientific property.' This lawsuit lasted two and a half years." The judgement of this lawsuit is kept in the State Archives of Belgium, Beveren depot. In this document is written that the legal proceedings were against the "Institut Bunge d'Études Chirurgicales et Médicales"; the name Ludo van Bogaert and the word "defamation" never appear. If LvB had the perception that these proceedings were directed against him particularly, it is obvious that he himself had refused to hand over to HJS scientific material on about 200 gliomas. Since 1938, LvB was aware that HJS had planned a monograph on gliomas in collaboration with De Busscher and that he needed this material. By refusing to give him this material, LvB probably still hoped between 1 February 1941 (date of departure of HJS) and 28 April 1941 (date of lodgement of HJS's complaint) that HJS would come back to the Bunge Institute. When HJS instituted legal proceedings LvB certainly realised that this return was no longer possible. This explains why he wrote to Ostertag "Scherer left the Institute in April 1941."¹³⁸ By acting in this way, the valuable collection of gliomas remained at the Bunge Institute but was no longer used. LvB wrote: "The work on the pathology of gliomas is closed."^{12(p18)}

It is worth noting that LvB did not give any correct details about the lawsuit. This is certainly a deliberate omission. Zülch, whom he told the fabricated usurpation story in 1950, and with whom he had a long-lasting correspondence, wrote in 1986 to Dieter Janz: "I never

heard, and van Bogaert never told me, that it came to a lawsuit, as Lowenthal writes.” Zülch referred to the letter written by Lowenthal on 6 June 1986 in response to a series of questions concerning HJS put forward to LvB by Janz. In this letter, which Lowenthal sent with the agreement of LvB, is written:

As I already told you, Dr van Bogaert only knows that Scherer arrived as an anti-Nazi in Antwerp. Later he managed, in a way unknown to us, to have no problems with the German occupation authorities. He would have denounced Dr van Bogaert, who in this way got involved in a lawsuit. It seems that it concerned scientific priorities.

Once more, LvB did not give trustworthy information concerning this lawsuit, neither does he mention the forced return of HJS to Germany.

The animosity between LvB and HJS was mainly based on authorship of papers and research. When in September 1942, i.e. 20 months after HJS had left the Bunge Institute, LvB received from De Busscher the monograph *Les Gliomes de l'Encéphale. Etude anatomo-clinique publiée avec le concours de la Fondation Universitaire de Belgique. Tome I* (Gliomas of the Brain. Anatomic-clinical study published with the support of the University Foundation of Belgium. Volume I), he must have been flabbergasted when he discovered that HJS and De Busscher had been able to publish this work without the scientific material he had refused to hand over. On page 78 of his “selective memoirs,” he writes: “I choked with anger when I discovered that during the German occupation the University Foundation had allowed the publication of a book in which the preface was injurious for the neurologists of all countries except Germany, and particularly for our country.” The reason LvB gave for his rage is bogus, since in the introduction to their book the authors also praise the American, the English, and the Dutch schools, and criticise the German one. Indeed, in 1945, Alfred Meyer^{49(p105)} published a book review in which he wrote:

In the introduction to the book the authors give an interesting comparative analysis of the trends and facilities for neurological research in various countries. The high esteem for neurological institutions in this country is certainly gratifying to the British reader, and this, combined with a rather outspoken criticism of recent German publications, testifies to the courage of the Belgian authors,

who published this volume during the time of the German occupation of their country.¹³⁹

It is true, however, that the authors are pitiless towards the French school to which LvB belonged, and there can be no doubt that several times in their critical analyses, the authors made a pointed allusion to LvB.

It is remarkable that LvB had justified his irritation concerning HJS's lecture to the Société Belge de Neurologie on 25 January 1941, in a similar way as he did 20 months later for the monograph on gliomas. Indeed, on page 67, he writes:

In January 1941, Scherer read a paper to the Société Belge de Neurologie, which I had not been able to read and which was a vehement charge against the Anglo-Saxon conceptions of tumours. It made sensation because of its quality but also because of its aggressiveness. Many among those who were present wondered if this so acrid criticism, particularly of the Americans, was related to the circumstances – in other words, if I had authorised such a publication to please the Germans! I summoned Scherer and told him that I didn't want this communication, nor any other, to leave my service and be published in Belgium, without my approval. I forbade him from publishing the text of the lecture he had given the preceding Saturday.

Since HJS was able to publish the text of his lecture in a Dutch journal,¹¹³ it is obvious that in this case too, LvB gave a fake reason for his anger.

Ludo van Bogaert was an envious man. Therefore, it is not astonishing that certain parts of his “selective memoirs” show that over the course of time, he started to see HJS as a serious rival who became a threat to his position as foremost neuropathologist in Belgium. On page 55 he writes:

Since the beginning of 1939, his [HJS] activities were, with my consent, split between Ghent and Antwerp, for the highest benefit of his scientific activity but with a decline of ours. [...] It became more and more difficult to publish his too frequent papers in the French journals. [...] At the Société de Neurologie, at each lecture of Scherer, Thomas and De Busscher congratulated him in a loud voice, considering everything he presented as admirable. De Busscher even went so far during a lunch at the Belgian Education[al] Foundation where M. Hallam Tuck [Vice President of the Belgian American Educational Foundation and member of the Board

of Trustees of the Bunge Institute] was present, to urge on him not only the necessity of increasing the salary of Scherer, but, because of his exceptional value, to put him at the head of my own department!

After HJS left the Bunge Institute, LvB certainly must have considered that this threat became serious. Indeed, during his work at the Institute, HJS had shown that he was a hardworking and well-organised researcher who was able to publish his scientific results very fast. His name was already known not only in Belgium but also abroad. At the University of Ghent, where he had the well-equipped laboratory of Thomas at his disposal, he could devote his full time to research. Moreover, in Ghent, he enjoyed the full support of Jules Vernieuwe, Jacques De Busscher, and Frederic Thomas. LvB, on the other hand, had to take care of his practice and was confronted daily with the financial difficulties of the Bunge Institute. On page 57, he writes: “My duties at [the] Stuivenberg [hospital] on one side, and at the Institute Bunge on the other, the worries to keep this institution alive evidently made my attendance at the laboratory very irregular.” Although the previous sentence refers to the period 1938-1939, other passages in the selective memoirs show that during the war, LvB’s concern about the finances and the survival of the Bunge Institute only increased.

In his selective memoirs LvB accuses HJS, without giving any evidence, of having denounced him for “hostility against the Germans [*Deutschfeindlichkeit*].”^{14(p70,105)} This, however, is highly improbable since the late neuropsychiatrist Dr Charles Andersen, since 1934 a good friend of HJS and an active resister during the war years, signed a declaration in 1950 in which he stated: “Since the beginning of the war he [HJS] kept away as much as possible from the occupying authorities.”¹⁴⁰ It is remarkable that LvB did not give any information about his interrogation on 4 June 1941 by the *Geheime Feldpolizei*, whereas he gave full details about the search of his house two days later, and about his conversation with the Gestapo officer Niedzelsky on 20 June 1941. Obviously, all these details must explain how these documents, kept by LvB and prejudicial to HJS, came into the hands of the Gestapo. Moreover, if a serious accusation had been brought against LvB, it is astonishing that he was summoned first, i.e. he was informed about this denunciation before the search of his house took place. The German police used to start with the house search, so the suspect did not have the opportunity to destroy or to clear out documents and indications that

could be dangerous for him. The apologies of the two non-commissioned officers after they accomplished their mission also suggest that it was a staged house search. Likewise, the fact that the *Geheime Feldpolizei*, which belonged to the German army, started this inquiry, suggests that this semblance of a denunciation against LvB was organised by a higher military officer who, at least at the beginning, wished to keep control over it. The inquiry was transferred to the Gestapo only after prejudicial documents against HJS were found.

LvB informed three German superior officers of the “problems” he had because of HJS: the future son-in-law of Mrs..., colonel Marquardt, and Hugo Spatz. He met the first two by chance during a visit to one of his patients; with Spatz, whom he had known for a long time, he had a friendly relationship. Moreover, during the first years of the war, Spatz visited LvB several times at the Bunge Institute where they had “very open conversations.”^{14(p65)} At that time, Spatz was “principal pathologist for Belgium and the north of France.”^{14(p71)} When Miss Snieders, a technician of the Institute Bunge who had joined the Resistance, was arrested, Spatz was very helpful. In his memoirs, LvB notes:

The food in the prison was very bad, I obtained from Spatz the authorisation for some parcels with food to be brought to her. Thanks to the influence of Spatz, which was very great, and the trust of Vossius [principal physician of the prison], I was myself allowed to bring her a parcel each week.^{14(p71)}

After eight months, thanks to the personal intercession of Spatz, I obtained Snieders’ release on bail for health reasons. Nevertheless, she was once more arrested and taken to the prison of St Gilles in Brussels[...]. She was not transferred to Germany thanks to another intervention by Spatz, and I was once more authorised to bring her parcels with food to Brussels.^{14(p72)}

Considering that LvB called upon Spatz’s help when Snieders was arrested, he certainly did the same when HJS started a writ of summons against the Bunge Institute. Therefore, Spatz probably organised the staged house search at LvB’s home. There can be no doubt that LvB also informed Spatz about the appeal HJS introduced in November 1941 against the first judgement in the lawsuit which opposed him against the Bunge Institute. Therefore, it is highly probable that Spatz was involved in the forced return of HJS to Germany, all the more so because he had asked LvB for information concerning

“the real situation of Scherer as far as his nationality was concerned.”^{14(p65)} If HJS, who was neither workless, nor a political agitator, nor a member of the Resistance, had had Belgian nationality in December 1941, he could not have been ordered back to Germany. It is only the Decree of 6 October 1942 that allowed for non-workless Belgians to be sent to workplaces in Germany.^{141,142}

Less than five weeks after he had lodged his appeal, HJS received the order from the German occupation authorities in Belgium to go back to Germany. The official reason communicated to the rector of the University of Ghent was: “because his Kräfte [talents] were needed elsewhere.” Later, Viktor von Weizsäcker was told that HJS was forced to return because of “a lack of physicians” in Germany. The decision to send HJS back to Germany must have been made in a hurry, because instead of requiring him to go immediately to a place where his competence was needed or where there was a lack of physicians, he was ordered to go to Magdeburg, where he stayed a few weeks with his parents, until he was invited by von Weizsäcker. The fact that the Breslau authorities, without having been requested, informed von Weizsäcker that Scherer could be employed suggests that “somebody” wanted to persuade von Weizsäcker to employ HJS. It is highly probable that this “somebody” was the “leading anatomy authority” who informed von Weizsäcker that HJS was available.

Scherer started working in Breslau in March 1942. Six months earlier, in September 1941, a Psychiatric Clinic for Youth was created in Loben on the initiative of Elisabeth Hecker, who wanted to study, based on neuropathological examinations, the distinguishing characteristics between hereditary and acquired mental deficiency. Considering Spatz’s curriculum vitae, there can be no doubt that he was aware of Hecker’s project.

From all that precedes, we infer that Spatz masterfully orchestrated Scherer’s move to Breslau. Not only did he help his good friend Ludo van Bogaert, but he also provided the Neurological Research Institute in Breslau with a qualified neuropathologist so that Hecker could perform her study. In January 1942, HJS must not have been aware of this plot, since he informed the rector of the university that his compulsory absence would be temporary. It is hard to believe that LvB was not aware of what happened to HJS and his family. He certainly must have been informed, if not by Spatz, then at least by Anna Donders, Scherer’s sister-in-law, who worked

under the name “Sister Lutgarde” at the Stuivenberg Hospital, where throughout the war years she helped van Bogaert to supply the laboratory at the Bunge Institute with rare and costly products.^{14(p72)} It is striking, however, that van Bogaert does not mention anything about HJS’s forced return and subsequent death; this subject seems to have been taboo.

Epilogue

It is frightening to notice how easily some can call somebody a “Nazi” without any preliminary investigation and without almost any knowledge of the life of the person. They thoughtlessly take their opinions for facts, and publish them as such. In doing so they undeniably not only show their ignorance, but they also are guilty of slander. Their behaviour is regrettable, especially if the victim of such obloquy can no longer defend himself. Moreover, they make the word “Nazi” a cliché, which certainly should be avoided.

The case of Hans Joachim Scherer clearly is an example of such denigration. Shortly after his death, Scherer was maliciously called a “Nazi” because he had been able in Nazi Germany to publish his highly appreciated book concerning the comparative neuropathology of mammals. A few years later, a fabricated story was spread in which Scherer was accused of having tried to avail himself of the German occupation of Belgium, to take over the direction of the small private Institution in Antwerp where he had been welcomed after leaving Germany in 1933. In this story it is imputed to Scherer that he said to his so-called benefactor “jetzt sind wir Deutsche hier die Herren” (“now we Germans are the masters here”), thus insinuating that he had become an adherent to the Nazi ideology of “Herrenvolk” and “Herrenrasse” (master race). Gossip about this lie persisted for many years, and was finally published by a scholar, although a critical analysis shows that the story does not hold water. All these vilifications led to a very negative image of Scherer.

When it became known that as a neuropathologist in Breslau, Scherer had examined the brains of children who were killed in Loben (Lubliniec), he was considered an aggressor and voluntary accomplice in the murderous euthanasia programme of the Nazis. Some alleged, without any evidence, that he must have been informed about the origin of the material he studied. Others asserted that, even if he had not been informed about

the euthanasia in Loben, he certainly must have known what was going on there because of the large number of examinations he had to accomplish. Hence, he was considered as an associate in crime or a person who knowingly assisted in committing a crime.

Nobody ever asked the following questions: What possible options did Scherer have? Did he have a realistic alternative? What would have been the consequences if he had refused to make these examinations? Would this have stopped the euthanasia programme in Loben? What would or could have been the consequences of this refusal for Scherer, for his wife and his children, and for his close family? All these questions deserve to be considered and should be looked into before judging Scherer's acts. Who will not recognise the equity of self-preservation?

This work is an appeal to all those who think they can judge and condemn someone else. Before passing a judgement on someone, ask yourself: "What would have been my behaviour under the same circumstances?" Moreover, I ask them not to forget that "every accusation ought to be formulated with all possible definiteness or it is not an accusation but idle disparagement, unworthy of decent people" (Chekhov), and finally, to keep in mind, before uttering any judgement, that "slander is the most redoubtable of all persecutions" (Robespierre, 1792).

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Conflicts of interest

The authors have no conflicts of interest to declare.

Supporting Information

Appendices I to V may be found in the online version of this article at the publisher's website: <https://nah.sen.es/en/>

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