

Nazis during World War II. The term "holocaust" also means sacrifice by burning.

**Master Race** -- In Nazi racial theory, a term used to describe a "superior" or "Aryan" race. Used to justify the oppression or extermination of "inferior" or "slave" races.

**NSDAP** -- Nationalsozialistische deutsche Arbeiterpartei, or National Socialist German Worker's Party. AKA the Nazi Party.

**SA** -- Storm Section or Storm Troopers (Sturmabteilung), the paramilitary branch of the Nazi Party.

**SS** -- Protective Force (Schutzstaffel), an elite Nazi paramilitary group originally founded as Hitler's bodyguard; instrumental during the war in carrying out the Holocaust and other atrocities.

**Third Reich** -- The term used to describe Hitler's regime (1933-1945). The First Reich, or Empire, was that of the medieval German emperors, and the Second Reich was the German Empire of the late 19th -century that ended with World War I.

**Versailles, Treaty of** -- The agreement between the Allied Powers and Germany concluded at the end of WWI. The treaty deprived Germany of territory, limited the size of its army to 100,000 and exacted heavy war reparations.

**Zyklon B** -- Originally a pesticide, a gas used in concentration camps to kill Jews and other victims of the Nazis.

#### Laws, Cases, and Legal Terms

**Crimes Against Humanity** -- One of the three charges developed by the Allies as a basis for prosecuting Nazi officials (others: "Crimes Against Peace" and "War Crimes"). Crimes against humanity were defined to include murder, enslavement, deportation, and extermination. Together, the three classes of crimes form the basis for a new interpretation of international law.

**ex post facto** -- From the Latin, "from a thing done afterward," a legal term describing a law that forbids an act after it is committed. Critics of the Nuremberg trial argued that the "crimes" with which the defendants were charged were only defined as crimes after they were committed and that therefore the trial was invalid.

**in absentia** -- From the Latin, "in absence," in the context of Nuremberg or any other trial it means trying the case of a defendant who is not present. At Nuremberg, Martin Bormann was tried in absentia.

**International Law** -- The body of law that governs the relations among countries. The concept has developed gradually since the Middle Ages but came into prominence after World War I, when attempts were made to prevent future wars by establishing international organizations such as the League of Nations. It was only in the wake of the Nazi atrocities that the idea of an "international crime" in violation of "international law" took root.

**Nuremberg Laws** -- A series of anti-Semitic laws passed by the Nazis in 1935. Two laws passed on Sept. 15 were the "Reich Citizenship Law," which made Jews second-class citizens, and the "Law for the Protection of German Blood and German Honor," which prohibited marriage or sexual relations between Jews and German non-Jews.

#### Things to Think About

• The individuals who established the Nuremberg tribunal contended that a body of international criminal law supersedes the laws of individual countries. Others, however, were skeptical and countered that the trials were an example of "victor's justice," in which the Allies took revenge on the Nazis. Do you think that individuals are bound to laws that are higher than those of their country? Do you believe that it is realistic to expect a soldier or government official to disobey an order that that person

perceives to be wrong or illegal?

• Today a small but vocal minority of persons known as "Holocaust deniers" maintain that the Nazis never carried out a systematic extermination of the Jews. How does the evidence of the Nuremberg Trials demonstrate otherwise?

• Some critics of the Nuremberg Trials argue that the "war crimes" were ex post facto (see Laws, Cases, and Legal Terms). Do you agree? Do you think that a commonly understood standard of decent behavior already existed that clearly recognized the Nazi actions as illegal? Do you think that the perpetrators of the Nazi atrocities knew that their actions were criminal?

#### Internet Resources

<http://www.law.umkc.edu/faculty/projects/ftrials/nuremberg/nuremberg.htm> -- >From the University of Missouri at Kansas City's Web site, "Famous American Trials," a thorough examination of the Nuremberg trials.

<http://www.courtvtv.com/casefiles/nuremberg/index.html> -- From Court TV, an excellent site entitled "A Look Back at Nuremberg." Contains comprehensive transcripts of the trials.

<http://www.mtsu.edu/~baustin/trials3.html> -- From Middle Tennessee State University, a site entitled "The Nuremberg Trials: The Defendants and Verdicts."

<http://www.lib.uconn.edu/DoddCenter/ASC/Nuremberg/> -- A rich site from the University of Connecticut on various aspects of the Nuremberg trials.

<http://fcit.coedu.usf.edu/holocaust/resource/gallery/n1945.htm> -- A page on the trials from a useful site called "A Teacher's Guide to the Holocaust."

<http://www.holocaust-history.org/works/imt/01/htm/t003.htm> -- A comprehensive collection of texts relating to the trials.

<http://www.yale.edu/lawweb/avalon/imt/imt.htm> -- From Yale Law School, a collection of documents on the Nuremberg trials. Users can search the trial proceedings for specific information.

#### Other Resources

*For students:*

**Bachrach, Susan D.** *Tell Them We Remember: The Story of the Holocaust.* Little, Brown, 1994.

**Freeman, Charles.** *Rise of the Nazis.* Raintree Steck-Vaughn, 1998.

**Leapman, Michael.** *Witnesses to War: 8 True-Life Stories of Nazi Persecution.* Viking Children's Books, 1998.

*For adults:*

**Davidson, Eugene, ed.** *The Trial of the Germans : An Account of the Twenty-Two Defendants Before the International Military Tribunal at Nuremberg.* Univ. of Missouri Press, 1997.

**Harris, Whitney R. et al.** *Tyranny on Trial : The Trial of the Major German War Criminals at the End of the World War II at Nuremberg Germany 1945-1946.* Southern Methodist Univ. Press, 1999.

**Marrus, Michael R.** *The Nuremberg War Crimes Trial 1945-46: A Documentary History.* Bedford Books, 1997.

**Persico, Joseph E.** *Nuremberg : Infamy on Trial.* Viking, 1994.

**Rice Jr., Earle.** *The Nuremberg Trials.* Lucent Books, 1997.

**Sprecher, Drexel A.** *Inside the Nuremberg Trial : A Prosecutor's Comprehensive Account.* University Press of America, 1999.

**Taylor, Telford.** *The Anatomy of the Nuremberg Trials.* Knopf, 1992.

*The highly praised film, "Judgement at Nuremberg", starring Spencer Tracy, Burt Lancaster, Judy Garland, and many others, appeared in 1961. "Nuremberg: Tyranny on Trial" is a television documentary that aired in 1995. "Nuremberg," a TV miniseries broadcast in 2000, stars Alec Baldwin as Justice Robert H. Jackson.*

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## LANDMARK WAR CRIMES TRIALS

As devastating as wars have been over the course of centuries, some actions have been so heinous that even the reality of war cannot excuse them. Such actions have often called for the pursuit of justice across existing national boundaries.

LANDMARK WAR CRIMES TRIALS examines four such trials and describes the notorious events leading up to them as well as the testimony which brought these war criminals to final justice.

## THE NUREMBERG TRIAL

Of all the war crimes committed in history, those perpetrated under Hitler's Third Reich were the most devastating, both in terms of cost and of lives lost. These deeds were so terrible that when World War II ended, the victorious Allies had to develop an entirely new body of law--international criminal law--to deal with them. When members of the top Nazi hierarchy were finally brought to justice in the bombed-out city of Nuremberg, the entire world finally was able to see the extent of the Nazi horror.



# Timeline

## The Nazis and Their Crimes

World War II was the bloodiest conflict in history. After it ended in 1945, much of Europe was in ruins, the atomic bomb had been dropped on Japan, and some 50,000,000 people, about 30,000,000 of them civilians, had lost their lives.

The most notoriously horrific aspect of the Nazis' waging of the war was undoubtedly the Holocaust, in which they systematically attempted to kill every Jew in Europe. They nearly succeeded. Europe's Jews numbered about 8,000,000 before the war; barely 2,000,000 were alive after it ended. In a string of ghastly extermination camps, the Jews were methodically gassed and their bodies cremated. The Nazis also slaughtered other groups, including Gypsies, Slavs, homosexuals, and political dissidents, and they organized a vast slave labor system to support their war effort. Under horrible conditions, millions of people were forced to toil to near exhaustion; and many lost their lives to illness or malnutrition.

After the war, the victorious Allied powers were determined to bring the authors of these crimes to justice. They established the basis of their procedure with the signing of what was called the London Agreement, which was signed in London on August 8, 1945, by representatives of the United States, Great Britain, France, and the Soviet Union. The London Agreement set up an International Military Tribunal to try war criminals that consisted of two judges from each of the four nations. It established three areas in which the charges against the Nazi defendants would fall. They were "Crimes Against Peace," (crimes that had to do with planning, initiating, and waging aggressive war); "War Crimes," (violations of what were considered the commonly agreed-upon laws and customs of war); and "Crimes Against Humanity," (such as murder, enslavement, deportation, and the extermination of racial, ethnic, and religious groups).

## Important People

**Amen, John** —Member of the U.S. prosecution team at Nuremberg; he cross-examines Ernst Kaltenbrunner.

**Bormann, Martin** — Hitler's private secretary and one of the most powerful figures in the Nazi hierarchy. He escapes capture at the war's end and is tried and sentenced to death in absentia. In 1973 a W. German court certifies that a skeleton found at a Berlin construction site is his.

**Calvoressi, Peter** —Advisor to the U.S. prosecution team.

**Champetier de Ribes, A.** —Head of French prosecution team.

**Dodd, Thomas** — Member of the U.S. prosecution team; one of the questioners of Walther Funk.

**Dönitz, Karl** — Commander-in-Chief of the German Navy in World War II and briefly Hitler's successor; sentenced to 10 years in prison.

**Donovan, James** — Member of the U.S. prosecution team: he introduces the concentration camp film.

**Funk, Walther** — Germany's minister of economics and head of the national bank. Sentenced to life imprisonment.

**Goebbels, Paul Joseph** — Nazi minister of public enlightenment and propaganda. He commits suicide on May 1, 1945.

**Göring, Hermann** — Head of the German Air Force, president of the Council of Economic Warfare, Marshal of the Reich, and widely considered the second man in the Nazi hierarchy. He commits suicide two hours before his scheduled execution.

**Herzog, Jacques** — Member of the French prosecution team; one of the questioners of Fritz Sauckel.

**Hess, Rudolf** — An early member of the Nazi party; deputy Führer and Reich minister for party affairs. Sentenced to life imprisonment, he remains in Berlin's Spandau Prison until his suicide at age 93 in 1987.

## Events of the Trial

**February 1945** —At a meeting at Yalta in the Soviet Union, Franklin Roosevelt, Winston Churchill, and Josef Stalin hold their first discussion about what do about Nazi war criminals.

**May 2, 1945** — President Harry Truman issues Executive Order 9547, which provides for prosecution of Nazi war criminals. He appoints United States Supreme Court Justice Robert H. Jackson, chief U.S. counsel for the prosecution of Nazi war criminals.

**August 8, 1945** Representatives of the United States, Great Britain, France, and the Soviet Union sign the London Agreement.

**October 14, 1945** — Election of Britain's Sir Geoffrey Lawrence as president of the International Military Tribunal (IMT).

**October 25, 1945** — Robert Ley, former chief of the German Labor Front, commits suicide.

**November 20, 1945** —The world's first international trial for crimes against peace and humanity begins in Nuremberg, Germany.

**January 28, 1946** — French journalist Marie Claude Vaillant-Coururier testifies about the events at Auschwitz.

**March 6, 1946** —The prosecution rests. Two days later the defense begins its case.

**August 30, 1946** — Testimony is completed.

**August 31, 1946** —The defendants make their final statements.

**October 1, 1946** —The verdicts in the first Nuremberg trial are handed down.

**October 16, 1946** — Ten of those convicted at the first Nuremberg trial are hanged. One of the most notorious defendants, Hermann Göring, has committed suicide the day before.

**October 25, 1946** — The U.S. Military Government for Germany establishes Military Tribunal I, which will try 23 Nazi physicians in the next of what will total 12 Nuremberg trials.

## Other Events

**1919** —Treaty of Versailles, which ends World War I, is signed. Some think it is too harsh on Germany. The Nazis' pledge to overthrow its provisions is a major source of their appeal.

**August 27, 1928** —The Kellogg-Briand pact, which renounces war as an instrument of national policy, is signed by the United States, France, Great Britain, Japan, Italy, Belgium, Poland, and Czechoslovakia.

Nuremberg prosecutors will appeal to this law as justification for the condemnation of the Nazis on trial.

**1935** —The "Nuremberg Laws" are enacted in Germany (see Laws, Cases, and Legal Terms).

**May 10, 1944** — Rudolf Hess parachutes into Scotland.

**July 20, 1944** — An unsuccessful assassination attempt is made on Hitler. The Nuremberg prosecution will use films of the subsequent trial of the plotters to expose the injustice of Nazi courts.

**May 3, 1946** —The trial of major Japanese war criminals begins in Tokyo.

**Himmler, Heinrich** —Head of the Nazi SS and the Gestapo; minister of interior and head of the concentration camp system. He commits suicide two days after his capture on May 21, 1945.

**Hitler, Adolf** — Leader (Führer) of Germany from 1933 to 1945. Committed suicide on April 30, 1945.

**Hoess, Rudolf** —Commandant of the Auschwitz extermination camp. His testimony of the number killed is read at the trial.

**Jackson, Robert H.** —U.S. Supreme Court justice who takes a leave of absence to serve as the chief U.S. prosecutor. His book, *The Nürnberg [Nuremberg] Case*, is published in 1947.

**Kaltenbrunner, Ernst** — Leader of the Austrian branch of the SS and parts of the Gestapo; sentenced to death.

**Kranzbuehler, Otto** —A young naval officer who defends Dönitz; he is considered the best defense lawyer at the trial.

**Krupp, Gustav** —Head of Germany's largest steelmaking firm, which is a heavy user of slave labor. Illness and senility prevented him from being tried. Dies in 1950.

**Lawrence, Sir Geoffrey** —From Britain, the presiding judge.

**Ley, Robert** — Hitler's labor boss. His suicide in his cell one month before the trial begins causes a tightening of security.

**Maxwell-Fyfe, David** —Former British attorney general; member of the British prosecution team.

**Nikitchenko, Ion** —The Soviet judge at the Nuremberg trial.

**Nimitz, Chester** —Commander of the U.S. Pacific fleet in World War II. His written testimony that enemy survivors were not always rescued works in Dönitz's favor.

**Sauckel, Fritz** —Head of the Nazi slave-labor effort; sentenced to death.

**Schacht, Hjalmar** —German financier who heads the Reichsbank from 1933 to 1939. Arrested by the Nazis in 1944 on suspicion of abetting the plot against Hitler. Found not guilty at Nuremberg.

**Shawcross, Sir Hartley** — British Attorney General and leader of Britain's prosecution team.

**Smirnov, L. N.** —Member of the Soviet prosecution team.

**Speer, Albert** —Hitler's favorite architect; as Minister of Armaments during World War II a major user of slave labor. He shocks the tribunal by assuming responsibility and denouncing Hitler, which probably saves him from the gallows. Sentenced to 20 years.

**Vaillant-Coururier, Marie-Claude** — A photojournalist sent to Auschwitz by the Nazis; she testifies about camp conditions.

**von Richtofen, Baron Manfred** — The "Red Baron" of World War I aviation fame. Göring serves with distinction with his flying aces, who are known as "Richtofen's Circus."

## Vocabulary

**concentration camp** —A place of detention or punishment or, under the Nazis, extermination. Types of concentration camps were used by the Spanish in Cuba and by the British during the South African Boer War, but the term has come to be associated almost exclusively with the penal settlements used by the Nazis.

**Führer** —"Leader"; the title assumed by Hitler to describe his position as head of the German Reich and armed forces.

**genocide** —The systematic destruction of a racial, political, or cultural group. The term was invented in 1944 to describe the Nazi extermination of the Jews.

**Gestapo** —From "Geheime Staatspolizei," or secret state police. The Nazi organization charged with apprehending persons suspected of disloyalty.

**Holocaust** —The term applied to the murder of 6,000,000 Jews by the