

Nuremberg Trials

Towards the end of World War II, as the Allied Powers began to realize that victory was imminent, there was disagreement on the question of what to do with the defeated Nazi leaders. While Allied leaders such as Soviet leader Joseph Stalin and English Prime Minister Winston Churchill wanted summary executions without trials for high ranking Nazi military officials, the U.S. was strongly committed to the idea of an international war crimes trial. While the victors ultimately agreed to such an approach, many questions still remained: Who would be put on trial? Who would judge those defendants, and according to which laws? And what role would Jews and other Nazi-targeted groups play in the trials?

U.S. Chief Prosecutor, Robert Jackson, said of the Nuremberg trials, "That four great nations, flushed with victory and stung with injury, stay the hand of vengeance and voluntarily submit their captive enemies to the judgment of the law is one of the most significant tributes that Power has ever paid to Reason." This was the first time human beings were charged with "crimes against humanity," a term coined during the Armenian Genocide.

In this activity, you will learn about the Nuremberg Trials, and then read statements and testimonies from prosecutors and defendants. Finally, you will make forum post reflecting on a particular statement or testimony.



The defendants at Nuremberg. Front row, from left to right: Hermann Göring, Rudolf Hess, Joachim von Ribbentrop, Wilhelm Keitel, Ernst Kaltenbrunner, Alfred Rosenberg, Hans Frank, Wilhelm Frick, Julius Streicher, Walther Funk, Hjalmar Schacht. Back row from left to right: Karl

Dönitz, Erich Raeder, Baldur von Schirach, Fritz Sauckel, Alfred Jodl, Franz von Papen, Arthur Seyss-Inquart, Albert Speer, Konstantin van Neurath, Hans Fritzsche.

Nuremberg Trials Fact Sheet

Purpose

After World War II, when the horrors of the Nazi Holocaust became known to the world, dozens of Nazi officials were tried for their crimes. The first Nuremberg trial began on November 20, 1945. The trials were set up by an International Military Tribunal (IMT), created by Britain, France, the United States, and the former Soviet Union.

After the first set of trials ended, the United States held twelve others at Nuremberg. In all, between 1945 and 1950, the fate of 199 individuals was decided in these thirteen separate trials. These trials were authorized by multinational agreements and based on international law. Among those brought to trial were:

- 26 military leaders, including five field marshals;
- 56 high-ranking SS and other police officers, including leaders in the *Einsatzgruppen* and key officials in Heinrich Himmler's central office which supervised the concentration camps and the extermination program
- 14 officials of other SS organizations that engaged in racial persecution.

Process

Each of the four nations prosecuting at Nuremberg (the United States, Great Britain, France, and the former Soviet Union) had a judge and its own prosecutorial team. The United States presented Count 1 (Conspiracy to Wage Aggressive War), the British presented Count 2 (Crimes Against Peace), and the French and Soviets jointly presented Counts 3 and 4 (War Crimes and Crimes Against Humanity respectively). Each defendant chose a lawyer to represent him during the course of the trials. The head prosecutor for the United States was Robert Jackson, who was also the Chief Justice of the United States Supreme Court. Sir Hartley Shawcross led the British prosecution while François de Menthon spearheaded the French team.

Throughout the trials immediately after the war, the prosecution used the Nazis' own records as evidence. These documents were so detailed, that Holocaust survivors were rarely asked to testify.* Focusing on the words of the perpetrators allows us to think about why they acted as they did. It also raises the question of how they persuaded others to participate. Using Nazi documents as evidence had important consequences. One was the focus on conspiracy and crimes of aggression. Both were easier to prove from such evidence than "war crimes" or "crimes against humanity."

*It was not until the trial of Adolf Eichmann in 1961 that victims of the Holocaust were encouraged to tell their stories.

Defendants

There were a total of 24 men indicted. Two of them never stood trial. Robert Ley, the head of the Nazi labor movement, committed suicide before the trial began. And the court ruled that Gustav Krupp, an industrialist, was too ill to be tried. Many other top Nazi leaders, including Hitler and Goebbels, killed themselves in the final days of the war. Of the 22 men actually brought to trial, 21 were present (Martin Bormann fled before he could be brought in and was tried despite not being present). They were:

Martin Bormann: Secretary to Hitler, Head of the Nazi Party Chancellery

Karl Doenitz: Commander-in-Chief of the German Navy

Hans Frank: Governor-general of occupied Poland

Wilhelm Frick: Minister of the Interior

Hans Fritzsche: Head of the Wireless News Service (radio produced by the Reich)

Walther Funk: Minister of Economics

Hermann Goering: Second-in-command to Hitler, Luftwaffe (Air Force) Chief, President of Reichstag

Rudolf Hess: Deputy to Hitler, Nazi Party Leader

Alfred Jodl: Chief of Operations for the German High Command (Army)

Ernst Kaltenbrunner: Chief of Security Police, Chief of RSHA (an organization containing, among other things, the Austrian branches of the SS and the Gestapo)

Wilhelm Keitel: Chief of Staff of the German High Command

Erich Raeder: Commander-in-Chief of the German Navy (before Doenitz)

Alfred Rosenberg: Minister of the Eastern Occupied Territories, Chief Nazi Philosopher

Fritz Sauckel: Head of Slave Labor Recruitment

Hjalmar Schacht: Minister of Economics (pre-war), President of Reichsbank

Arthur Seyss-Inquart: Chancellor of Austria, Reich Commissioner of the Netherlands

Albert Speer: Minister of Armaments and Munitions, Hitler's architect and friend.

Julius Streicher: Editor of Der Sturmer (anti-Semitic publication)
Konstantin von Neurath: Minister of Foreign Affairs, Reich Protector for Bohemia and Moravia

Franz von Papen: Chancellor of Reich before Hitler, Vice Chancellor under Hitler, Ambassador to Turkey

Joachim von Ribbentrop: Foreign Minister, Ambassador to England

Baldur von Schirach: Head of the Hitler Youth

Counts

There were four charges against the defendants. The first was Conspiracy to Wage Aggressive War. The second charge was Crimes Against Peace, including the violation of treaties (i.e. Versailles, Kellogg-Briand Pact) and other agreements. The third count was War Crimes, such as the use of slave labor and the unfair treatment of prisoners of war. The fourth count was Crimes Against Humanity, which involved the events in concentration and death camps, as well as any other vicious attacks on civilians. Of the 22 defendants, all 22 were tried on Count 1, 16 were tried on Count 2, 18 were tried on Count 3, and 18 were tried on Count 4.

Convictions

Nineteen of the 22 defendants were convicted on at least one charge. Of the 19 defendants who were convicted, two were convicted on just one count, six were convicted on two counts, four were convicted on three counts, and six more were convicted on all four counts.

On Count 1 (Conspiracy to Wage Aggressive War), eight of the defendants were found guilty. On Count 2 (Crimes Against Peace), 12 defendants were convicted. On both the third Charge (War Crimes) and the fourth charge (Crimes Against Humanity), 16 defendants were convicted.

Sentencing

Three of the defendants were acquitted and released. Of the nineteen that were convicted, 12 (11 of whom were present) were sentenced to death by hanging. The other seven defendants were given prison sentences ranging from ten years to life in prison. Hermann Goering committed suicide the day before his execution by ingesting a cyanide pill.

Reparations

After the war, the Allies had to deal not only with questions of guilt and innocence but also with questions of restitution. What claims did the victims have on the perpetrators? On Germany itself?

More Information

Although this fact sheet gives a basic overview of the Nuremberg Trials, it is by no means a comprehensive document. We highly recommend that you take some time to go deeper and learn more. The following websites are excellent starting points for such an exploration.

- [The Avalon Project at Yale Law School: The Nuremberg War Crimes Trials](#) is a comprehensive collection of transcripts and documentation from the trials.
- [The University of Missouri-Kansas City School of Law](#) website on the Nuremberg Trials. This site provides information about the indictments, verdicts, and sentences of the major defendants at the Nuremberg Tribunal.
- [The Harvard Law School Library's Nuremberg Trials Project](#) has approximately one million pages of documents relating to the trial of military and political leaders of Nazi Germany before the International Military Tribunal (IMT) and to the twelve trials of other accused war criminals before the United States Nuremberg Military Tribunals (NMT). Currently, the site has documents from and relating to the Medical Case, which was Case 1 of the NMT trials. The Medical Case (U.S.A. v. Karl Brandt et al., also known as the Doctors' Trial) was held in 1946-1947 and involved 23 defendants accused of organizing and participating in war crimes and crimes against humanity in the form of harmful or fatal medical experiments and other medical procedures inflicted on both civilians and prisoners of war. Over time, the project will be digitizing and uploading other documentation from other Nuremberg trials.