

Was the First Nuremberg Trial Justified? Was it Fair?

By Garry Victor Hill

At a first reading of these questions a positive answer to both seems so extremely obvious. However the more knowledge one gains about the indictments and the process of these trials and the facts these trials reveal (and sometimes did not reveal) the less obvious the answer becomes. It is only after careful deliberation of individual guilt and an assessment of the alternatives to the Nuremberg trials are considered that the answer turns back to “yes.” Assessing the trial’s fairness on some aspects becomes difficult, but overall the outcomes of the trials were fair. They created new precedents for concepts of guilt for wartime activities which should have come into practice much sooner.

On November 1st 1943 English Prime Minister Winston Churchill, Russian Generalissimo Stalin and American President Franklin Delano Roosevelt issued ‘A Declaration on German Atrocities’ which became known as ‘The Moscow Declaration.’ They declared that the Nazis would be tried for their crimes at the scene of their crimes and then gave the locales, which stretched from Crete to Norway.¹ By the middle of 1944 it was obvious that the European war could not last much longer and discussions began in the Allied governments’ higher levels about what to do with the leading Nazis. Britain’s Foreign Minister Anthony Eden, in the closing stages of the war, publicly told British soldiers not to take Hitler prisoner, but to shoot him on sight.² The problem of what to do with the Nazi leaders was quickly tied to hypothetical methods to be used and concepts of justice – and injustice.

¹ Churchill, Stalin and Roosevelt, ‘A Declaration on German Atrocities’ a segment of ‘The Moscow Declaration.’ November 1st 1943. Reproduced In *Trials of War Criminals Before the Nuenberg Military Tribunals Under Control Council Law 10.* (sic) *Volume III.* Washington, 1951. p. x.

https://www.loc.gov/rr/fwd/military_Law/pdf/NT_war_criminals_Vol III . pdf accessed May 13th 2018.

² Unsigned article, *Time.* April 1945. p. 5.

Should Nazis have been shot on sight? Germany did not conquer most of Europe without massive numbers of Nazi enthusiasts in uniform, but the large numbers arrested and the widespread support for plots to kill Hitler shows that German opposition to Hitler was also widespread, even at the higher levels. Not only adults were conscripted: after 1939 being in the Hitler Youth was also compulsory.³

What of the other extreme? This was to let the surviving Nazis go. This leads to a second question: then why bother to fight them? This would have made the Second World War nothing but an enforced election defeat which made Nazis realise they would have to adopt milder methods. In 1945 only a few very useful scientists such as Werner Von Braun and his team were “let go” and they wisely avoided the Third Reich as a topic.⁴ Others who wore Nazi uniforms such as Kurt Waldheim, Richard Weizsäcker, Gunter Grass, Joachim Fest, Pope Benedict and Heinz Guderian had to wait years before rising to prominence. How could the victorious Allies have let the leading Nazis go, even if they were so inclined? Even decades later such minor figures in the Nazi hierarchy as Von Braun, Weizsäcker and Waldheim caused widespread public controversy due to their post-war careers. How could any western politician who wanted a future career have allowed the top ranking surviving Nazis to survive unpunished, let alone be national leaders?

For six years most surviving Europeans had suffered depravation, misery, starvation, separation from their homes, destroyed homes, the breakup of families and communities and often physical injury. In continental Europe excluding Iberia, Sweden and Switzerland was there anyone who had not suffered in at least one of these ways? Was there any European who did not know of someone killed by the war the Nazis had deliberately started?

³ Guido Knopp, *Hitler's Hitmen*. Thrupp, 2002. p. 97.

⁴ Oriana Fallaci, *If the Sun Dies*. New York, 1966. pp. 206-217.

Apart from political pressures from the public legal and political realities emerged. WW2 was the worst crime ever committed and Hitler started it with the invasion of Poland, rejecting every attempt by Britain and France to mediate a solution to end the initial conflict by giving him what he wanted.⁵ No one knows exactly how many people were killed by the Nazis in WW2. The death toll from WW2 was difficult to calculate, but was somewhere between fifty and eighty million.⁶ In the 1940s Russia alone was believed to have lost at least twenty million dead due to Nazi policies, many of the casualties were unarmed civilians. Since the Soviet archives were opened in the 1980s the estimates go from twenty million to twenty-seven million, with 26.6 million being the most likely total.⁷ In the 1970s Nazi caused deaths were estimated by one source as about thirty-four million.⁸

Apart from the deaths the injured, disfigured, impoverished, the starving, the homeless and traumatised must have numbered many tens of millions. Material destruction came to seven and a half million buildings being totally destroyed. Once financially prosperous nations went into a depression lasting into the 1950s.

Faced with these figures who could dispute that there was a greater crime in history or that the Nazis had started it? It was no accident or fulfilling treaty obligations or a bumbling of diplomacy by people who had little if any idea of what their actions would lead to. This was what happened in WW1, but it did not happen in September 1939. The attacks on Poland, which were then followed by invasions of Denmark, Belgium, Holland, Norway, Yugoslavia, Greece and Soviet Russia, were unprovoked and premeditated. This also

⁵ William Manchester, *The Last Lion: Winston Spencer Churchill: Alone 1932-1940*. Boston, 1988. pp. 513-521.

⁶ 'World War Two Casualties' *Wikipedia*; John Keegan, *The Second World War*. Sydney, 1976. p. 590. Keegan gives the lower estimate; Research Starters: Worldwide Deaths in World War II.' *The National WWII Museum New Orleans*. <https://wwwnational2museum.org/research-starters-worldwide-deaths-world-war-2>. accessed 12TH May 2018.

⁷ World War Two Casualties' *Wikipedia*,

⁸ W. Knapp, 'Europe in Ruins.' In *History of the Twentieth Century*. (no editor credited) London, 1976. p.361.

applied to his final solution. As early as 1922 in an interview with Josef Hell, a retired major turned journalist, Hitler had stated:

"If I am ever really in power, the destruction of the Jews will be my first and most important job. As soon as I have power, I shall have gallows after gallows erected, for example, in Munich on the Marienplatz—as many of them as traffic allows. Then the Jews will be hanged one after another, and they will stay hanging until they stink. They will stay hanging as long as hygienically possible. As soon as they are untied, then the next group will follow and that will continue until the last Jew in Munich is exterminated. Exactly the same procedure will be followed in other cities until Germany is cleansed of the last Jew!" Quoted by John Toland, *Adolf Hitler*. London, 1977, p.116.

Then in 1925 in *Mein Kampf* Hitler had publicly promised racial purification for Germans. Amongst his paranoid rantings which at the time sounded like bluster, he sometimes indicated how far he would go: "The nationalisation of our (Germanic) masses will succeed only when, aside from all the positive struggle for our people, their international poisoners are exterminated."⁹ In 1935 he again referred to the final solution of the Jews and in 1939 Goebbels mentioned the extermination of the Jewish race in Europe.¹⁰ Although thousands of Jews had already been killed since Hitler came to power, the logistics and extent of Hitler's final solution of total extermination was finally planned at the Wansee conference in January 1942. The trial of Hjalmar Schacht revealed several times from his testimony and from 1930s Nazi documents that as early as 1933 he was ordered to organise the German economy for war and not for a defensive war, but a conflict designed for creating a living space for Germanic peoples, just as Hitler had promised in

⁹ Adolf Hitler, *Mein Kampf*. London, 1983. p. 307

¹⁰ Conot, p259 p. 260

Mein Kampf.¹¹ During the 1930s this is what he did and in 1937 he was thanked for making the German Army what it had become.¹² These were not men making rash decisions or faced with invidious choices: this was calculated evil. Although few amongst Nuremberg's defendants actually killed anyone personally or were present during executions, to leave the issuing of such orders, the planning and systematic extension of this war unpunished would be to make a mockery of the concept of justice. This could eventually undermine society. Nuremberg did change the concepts of war crimes guilt and legal responsibility, for before then few cases of trials for wartime behaviour off the battlefield existed. In 1918 talk of putting the Kaiser on trial had been thwarted by his gaining sanctuary in Holland and Trotsky's plan to try the Czar was prevented by the Czar's execution. Since Nuremberg several national leaders and prominent government officials have been brought to trial for crimes against humanity and few now question that legal concept.

The reason for this change is and was obvious. In 1946 how could a vandal be a criminal when the destroyers of cities were not behind bars? How could any civilian be convicted of a single murder when Rudolf Hoss or Goering could openly and calmly admit to killing millions because of their racial characteristics?¹³ Could such killers of millions go free? Albert Speer realised this problem during the trial and put it into then current German terms, asking rhetorically if Hitler's surviving deputies such as Hjalmar Schacht were acquitted "how could any ordinary soldier, let alone [German] women and children be burdened with the guilt?"¹⁴ If Hitler's deputy Rudolph Hess and Grand Admiral Raeder were acquitted of having participated in the crimes

¹¹ Major-General I.T. Nikitchenko

, 'The Unfounded Acquittal of Defendant Schacht.' 1st October 1946. *Trials of the Major War Criminals Before the International Military Tribunal 14th November 1945-1st October 1946. Volume I.* Nuremberg, 1947. pp. 342-348. https://www.loc.gov/rr/fwd/military_Law/pdf/NT_major_war_criminals.html accessed 12TH May 2018.

¹² William L. Shirer, *The Rise and Fall of the Third Reich*. pp.3 23-324. An article of January 22nd 1937 in the German army's military magazine is quoted.

¹³ Joachim C. Fest, *The Face of the Third Reich*. Hammondsworth, 1979. p. 129 pp. 417-422.

¹⁴ Albert Speer, *Inside the Third Reich: Memoirs*. New York, 1970. p. 522

against humanity– how could a German engineer or worker be held answerable?¹⁵

In terms of both logic and practicalities Speer's rhetorical question was unanswerable: ironically he had made a strong case for justifying the Nuremberg trials. He had also opened a can of worms which has never ended, for where would responsibility end? The common defendant's argument that they were just obeying orders was rejected, but this would eventually have a flow on effect applied to other armies in other wars. The way was opened for low ranking soldiers to object to orders they thought were war crimes. In the Vietnam War American soldiers sometimes invoked Nuremberg.

In 1946 in purely logical terms the whole German defence force should be tried and so should the politicians, the public servants, police and the technocrats. This would have been fair – and impossible in practical terms. Speer's and Shirach's solution was that the top people in Hitler's government should take responsibility. He believed that if the leadership accepted responsibility this would spare the German people from the hatred that already existed and that the trials exposés would increase. Speer and Von Shirach did not exclude themselves and Speer said so about himself in letters written to his wife from his cell and then both at his trial and in his 1970 memoirs *Inside the Third Reich*.¹⁶ During the trial when faced with the evidence Baldur Von Shirach also assumed personal responsibility for his anti-Semitism and for leading German youth astray, like Speer he wanted Germans to be free of the blame he had taken on himself.¹⁷ Similarly Goering in his testimony took responsibility as a leader and so that Germany could advance, but he did this without guilt. Apportioning responsibility for the war's horrors would be the second great justification for the Nuremberg trials. How to

¹⁵ *Ibid.*,

¹⁶ *Ibid.*, pp. 509-513 pp. 516-517.

¹⁷ Douglas M. Kelly, *22 Cells in Nuremberg*. New York, 1961. pp. 67-71. Shirach quoted.

apportion blame and responsibility correctly would also become amongst the most difficult questions the trials would raise.

To some extent this idea of responsibility was without precedent. The English and French had both executed royalty for treason. Desertion, espionage, aiding the enemy and sabotage of the war effort had all been consistently punished with execution in most nations and kingdoms from ancient times onward. However putting judges, police, manufacturers, industrial managers, propagandists and doctors on trial for what they did in wartime, often in their own countries, was new. This reflected not only the scale of Nazi atrocities, but the changing face of warfare as technology, the media and the nation-state became more militarised and essential to the war effort.

Some type of trial was obviously essential for the preservation of civilized values, but when this abstract ideal was turned into a reality at Nuremberg justice and injustice became entwined in the court procedure. Many positive aspects were obvious. The standard legal rights of the presumption of innocence and guilt being proved beyond a reasonable doubt were applied, as the verdict read by Sir Geoffrey Lawrence in the three cases of total acquittal shows. The concern with language and correct understanding was another example. For full comprehension of the legal process the defendants were given the right to translations. This started with the issuing of indictments and continued through the court procedures and testimony.¹⁸ The rules also gave them a standard preparatory time for their defence after getting their indictments, the right to plead, to have evidence presented, the right to a defence attorney and to consultation with them.¹⁹

The defendants were also psychologically assessed for mental stability and intelligence to see if they were fit to be tried. As could be expected from national leaders their I.Q. scores went above average, ranging from 106 to 143

¹⁸ Reproduced In *Trials of War Criminals Before the Nuenberg Military Tribunals Under Control Council Law 10. Volume III.*

¹⁹ *Ibid.*,

with all defendants striving to do their best with memory span, reaction speeds and imagination being tested to give the scores.²⁰ Hess, the most erratic and eccentric, was examined by doctors and judged sane enough to be tried – just.²¹ The same examinations revealed that he was obviously an extremely disturbed individual.²² Ley was believed to have suffered brain injuries from either alcohol or from his 1917 plane crash (or perhaps both) as he also had extreme behavioural problems, but his suicide stopped him being tried.²³ Armaments magnate Gustav Krupp von Bohlen who had suffered strokes and illness during the war and was senile by 1946 was considered mentally unfit to stand trial. Except for Hess (who was already in custody since May 1941) the prisoners were first held from April through to June 1945, at least five months before the opening trial statements started that November. The first trial would last eleven months. This was another sign that the trials were fair: unfair courts were frequently rushed with not enough time for details. Nuremberg's Trials produced over forty volumes of details as well as filmed sessions. The defendants were also allowed a concluding address of up to twenty minutes to the court in their own words.²⁴ As is standard legal practice, lighter sentences for those who pleaded guilty were given. The tribunal were not lackeys carrying out their government's policies: they frequently opposed their ruler's wishes.²⁵ The trials also allowed for specialisation; first came the leader's trials, then the medical trials began in December 1946. The trials of Germany's judges and some figures from the military high command followed,

²⁰ 'Nuremberg Trials.' *Wikipedia*; Speer, pp. 509-510.

²¹ Kelly, p. 34.

²² Kelly, p. 21 pp. 23-25; *Trials of War Criminals Before the Nuenberg (sic) Military Tribunals Under Control Council Law 10. Volume III. Report on Rudolph Hess; Rudolf Hess: Nuremberg Competency Hearing.* https://www.youtube.com/watch?v=uFkm_s-Swy8 Oct 8, 2009 - Uploaded by RobertHJacksonCenter. accessed June 14TH 2018.

²³ Kelly, p. 114.

²⁴ Dan van der Vat, *The Good Nazi: The Life and Lies of Albert Speer*. London, 1998. p. 279.

²⁵ Conot, p. 485.

lasting until 1949. This segmentation allowed for a more focused legal procedure.



Standing at the podium Robert H. Jackson, (1892-1954) chief American prosecutor during the trial and a historian concerning the trial after.

Photographer: Raymond D'Addario. Public Domain/ *Wikipedia*

The first trial charges were also segmented and focused on fitting with the careers of the accused. Military and naval men were not charged with political conspiracies unless evidence indicated that they took part. Politicians were not charged with battlefield war crimes unless they initiated them through policies or took part. Financiers were not charged with setting up death camps. There were no vague charges, or charges for being a Nazi Party Member. While three were not convicted on any charge, others were acquitted on some charges and some were only arraigned on one charge. Only six were found guilty of all four allowed charges. Those arraigned faced four possible charges.

1. Participation in a common plan or conspiracy for the accomplishment of a crime against peace
2. Planning, initiating and waging wars of aggression and other crimes against peace
3. War crimes
4. Crimes against humanity.

Only the third and fourth were in the traditional line and covered breaches of standard war practice, such as executing or torturing prisoners, invading neutral countries and inflicting punishments on civilians.

There were also many negatives which raised questions about fairness. The judges represented the four major powers which were the Nazis' enemies; Russia, France, England and the U.S.A. This violated an essential ethic of courts in virtually any society: that defendants should be tried by disinterested judges. As part of the government war machine the judges were judging military enemies. The victors were judging the vanquished. Not one of Europe's smaller nations, either neutral or Allied, was participating or even having a say in the procedure, despite immense suffering, particularly in Poland, Greece and Holland.

Both the selection and sentencing of the defendants in the first and most famous of the Nuremberg trials was also rather odd. Of the twenty-two charged, only four (Hess, Speer, Goering and Von Ribbentrop) were really from Hitler's inner circle. Many others from that inner circle were already dead as six of the top leaders, Propaganda Minister Goebbels, SS Chief Himmler, Chief of Staff General Hans Krebs, Chief of Personnel General Burgdof, Hitler's secretary and advisor Martin Bormann and Hitler himself had all committed suicide in the European war's last days. Rudolf Heydrich, chief director of the Reich main security office and a major planner of the final solution, died of wounds inflicted during an assassination attempt in 1942. President of the People's Court Roland Freisler, Hitler's leader within the

German justice system, was killed in a bombing raid in early 1945. Adolf Eichmann, Heydrich's deputy and successor in dealing with extermination, carried out much of the final solution after May 1942. He was not captured until 1961. General Kurt von Streicher, Chancellor from late 1932 until Hitler succeeded him with his connivance and SA leader Ernest Roehm had both done much to ensure Hitler's rise to power and a case could have been easily made for them on the first charge concerning conspiracy against peace, with Roehm the street fighter facing murder charges. However both men were already executed by Hitler on the night of the long knives on June 30th 1934. This was their reward for helping him gain power and then being in his way.

Amazingly several leading Nazis who did survive the war were not even tried. Generals and Field Marshals Guderian, Von Rundstedt, and Von Manstein, whose tanks and troops rampaged across much of Europe in undeclared wars against peaceful nations, were held in custody for years, but ultimately never tried, Manstein and Von Runstedt narrowly escaped being indicted in the last Nuremberg trials which focused on the high command. They were able to retire after the war to live quiet lives. Von Rundstedt was a defence witness at Nuremberg. Hitler's disaffection with them in the war's later stages may have had something to do with this. Many of the atrocities against civilians were committed by SS units not under their direct command. These followed the armies' destructive wake and were ultimately answerable to Himmler and Hitler. Even so, men of their rank could have issued orders which would have prevented much as they were highly placed in the Nazi War machine.

Nazi leaders in Italy, Marshall Kesselring and Marshall Mackensen, were tried there in 1947. With so many Italian fascists in Government in Italy after Mussolini was ousted and still in power in post-war Italy, few trials were ever held there against Italian fascists. General Franco and his underlings could have faced arraignment on all four charges for their role in Spain's Civil War, but they had won and were a government. Franco had sent the Blue Division

consisting of Spanish volunteers to fight with the Nazis against Russia, but he and his volunteering Spaniards was also never arraigned. Interestingly despite Nazi atrocities in Spain's civil war, no Nazi was ever arraigned for crimes committed there. In 1959 President Eisenhower would tour Spain, at times amiably in Franco's company. The Nazi's allies in Yugoslavia, the Ustasha who had a pattern of genocidal and ethnic atrocities equal to the worst committed by the Gestapo and the S.S. were also not tried at Nuremberg. In their country the Japanese had separate war crimes trials similar to that held at Nuremberg. Virtually ruler of Japan at that time, General Douglas MacArthur ensured that several of the major war criminals were executed.²⁶ Hitler's European collaborators and foreign Nazis were usually tried by their nations, if tried at all. Even Rudolf Höss was only a witness at Nuremberg, not a defendant. He would be tried in Poland and executed there in April 1947.

In Stanley Kramer's fictional film, *Judgement at Nuremberg* (1961) loosely based on the 1947-1948 judge's trials, the German judge's defending lawyer makes a remarkable speech. He denies that all guilt should be loaded on to Germans when those who are not Germans are not standing trial. He gives the examples of American investors making profits out of investing in Nazi companies, of foreign politicians giving the Nazis approval and the way the Pope had signed a concordant with Hitler. Good points! The first Nuremberg trial was almost exclusively concerned with German and Austrian Nazis.

Even more amazing amongst the omissions was Werner Von Braun, designer and operator of the V2 rocket systems which killed thousands of English civilians in 1944. Not only was he never charged. He would soon become an American citizen and served the American government in designing rockets and then in the space race. He and his team served America as loyally as he had served Hitler. Expediency rules?

²⁶ William Manchester, *American Caesar: Douglas MacArthur 1880-1964*. Richmond, Victoria, 1978. pp. 483-485.

The twenty-two leaders who were accused in the first Nuremberg trial were:

Hermann Wilhelm Goering: Luftwaffe commander and Hitler's deputy. Found guilty on all four counts. He committed suicide a few hours before his scheduled execution.

Rudolf Hess: Deputy Fuhrer until May 1941. Found Guilty of Charge One: Conspiracy against peace and Charge Two Crimes Against Peace. Sentenced to life imprisonment.

Joachim von Ribbentrop: Foreign Minister and SS officer. Found guilty on all four counts. Sentenced to death.

Wilhelm Keitel: Senior Wehrmacht General. In his 'Guidelines on the Conduct of Troops in Russia.' Dated May 19th 1941 he specifically orders the killing of Commissars and orders "ruthless and vigorous methods" against "Bolshevik agitators, partisans, saboteurs and Jews." As this document was created five weeks before the surprise invasion of Germany's allies Russia, this obviously proved his involvement in conspiracy against peace, waging aggressive war, crimes against humanity and war crimes. Found guilty on all four counts. Keitel was sentenced to death.

Alfred Jodl: Chief of the Army General Staff. Found guilty on all four counts. Sentenced to death.

Ernst Kaltenbrunner: highest ranking surviving SS and Gestapo Chief. As Heydrich's successor he was involved in the exterminations.²⁷ On one of his visits to a concentration camp he ordered that three prisoners be executed in front of him, each by a different method to see which was the most efficient.²⁸ In February 1945 he gave orders that police could carry out summary

²⁷ Verdict on the defendants, 1ST October 1946. Verdict given by Sir Geoffrey Lawrence; 'Ernst Kaltenbrunner.' *Wikipedia*.

²⁸ 'Ernst Kaltenbrunner.' *Wikipedia*

executions.²⁹ Found guilty of war crimes and crimes against humanity. Sentence: death.

Alfred Rosenberg: Philosopher of Nazism, organiser of massacres on the Eastern Front. Found guilty on all four counts. Sentence: death.

Arthur Seyss-Inquart: Commissioner of the Netherlands, Frank's deputy in Poland. In both countries Nazi plundering of food led to a massive number of deaths caused by famine. In both roles he was also heavily involved in deportations to the extermination centres and slave labour camps. Found guilty of Crimes against Peace, Crimes Against Humanity and War Crimes. Sentence: death.

Hans Frank: Gauleiter of Poland. Although the holocaust hit Poland hard and has gained immense attention, all of the Polish people except for the ethnic Germans there suffered greatly at the hands of the Germans in 1939–1945. Massacres, summary executions, enslavement, enforced deportations, property confiscations, obliteration of villages, and famine were Nazi policy. He had attempted suicide when jailed and expressed remorse. Found guilty of war crimes and crimes against humanity. Sentence: death.

Wilhelm Frick: Minister of the Interior. Found guilty of Crimes against Peace, Crimes against Humanity and War Crimes. Sentence: death.

Julius Streicher: Gauleiter of Franconia. Anti-Semitic propagandist. Found guilty of Crimes against Humanity by inciting to murder. Sentence: death

Hjalmar Schacht: Financier for the Weimar Republic and then for Hitler between 1933 and 1938. Acquitted.

²⁹ *Ibid.*,

Walter Funk: Financier and Schacht's successor. Found guilty of Crimes against Peace, Crimes against Humanity and War Crimes. Sentence: life imprisonment. Released in 1957 due to ill health, he died in 1960.

Gustav Krupp von Bohlen und Halbach: Armaments manufacturer 1909–1943. Although indicted he was considered too senile and ill to face a trial. He died in 1950.

Karl Dönitz: Admiral. Commander of German Naval Forces 1943–1945 and Hitler's designated successor for the last eight days of the Reich's existence. Sentence: ten years imprisonment. Found guilty of charges two and three. He died in 1980.

Erich Raeder: Admiral. Commander of German Naval Forces 1935–1943. He was found guilty of crimes against peace by preparing aggressive war against Norway, Denmark and the U.S.S.R. He passed on Hitler's orders to execute captured commandos to his subordinates and some were executed. The navy was involved in sinking neutral shipping and civilian shipping and machine gunning survivors. He was sentenced for conspiracy, waging an aggressive war and war crimes. Sentence: life imprisonment. He was released in 1955, due to ill health. He wrote his memoirs and died in 1960, aged eighty-four.

Baldur von Schirach: Leader and organiser of the Hitler Youth. He was convicted for deporting between 60,000 and 65,000 Viennese Jews when Hitler gave him the order. He was the only major defendant to change his plea. He denied knowledge of the holocaust, denouncing it from the dock. Gauleiter of Vienna. 1940–1945. Found guilty of crimes against humanity. Sentence: twenty years imprisonment. His wife, who had asked Hitler for better treatment for deported Dutch women, divorced him in 1949. He wrote memoirs after his 1966 release, lived with his son in Munich and died in 1974.

Albert Speer: Hitler's chief architect. Minister for Armaments and War Production. He was the only one to initially plead guilty. Found guilty of war crimes and crimes against humanity. Sentenced to twenty years imprisonment. After his 1966 release he returned to his stylish pre-war home and wrote bestselling books about his experiences in the Third Reich and his time of imprisonment. He died in London in September 1981 during a speaking tour.

Fritz Sauckel: Reich Regent of Thuringia. As Speer's deputy he was a slave labour organizer. Found guilty of war crimes and crimes against humanity. Sentenced to death.

Franz von Papen: Politician. German Chancellor in 1932 Deputy Chancellor to Hitler 1933-1934. While he was believed to have helped the Nazis take over Austria, insufficient evidence existed. Nazi Ambassador to Turkey. Acquitted. A rich man, he retired to his castle and wrote accounts where he was opposed to Hitler.

Constantin von Neurath: First Nazi Foreign Minister. Protector of Bohemia. Found guilty on all four counts. Sentenced to fifteen years imprisonment. He was released in 1954 on the grounds of ill-health and died at his home in 1956.

Hans Fritzsche: Propagandist. He was one of Goebel's underlings and was actually of very little importance in the Third Reich. Acquitted.

Robert Ley: Chief of the German Labour Front. He committed suicide in October 1945 before the trial began.

Martin Bormann: Hitler's chief secretary and adviser. Believed to be still alive when the trials were being planned, he was tried 'in absentia.' In 1972 scientific tests on remains found in Berlin proved that he had died very soon after Hitler and while trying to escape. In 1998 DNA tests confirmed the 1972 conclusions. Found guilty of war crimes and crimes against humanity. Sentence: death.

The Russians gave a dissenting verdict against the three acquittals.³⁰ They presented a strong case. Von Papen, Fritzsche and Schacht were later given sentences by de-Nazification courts, but they spent little time in jails.³¹ Those sentenced to death on October 1st 1946 were executed fifteen days later. Many of the first twenty-two tried included some of the most vicious individuals in modern history. As calculating and active mass murderers seven of the accused Bormann, Goering, Frank, Kaltenbrunner, Ley, Seyss-Inquart and Rosenberg certainly fit into this category.



Defendants in the dock. Nuremberg November 22nd 1945. Left to right front row: Goering, von Ribbentrop, Keitel, Rosenberg. Back row Doenitz, Raeder, von Shirach, Saukel, Jodl. Public Domain/ *Wikipedia*

³⁰ Nikitchenko, previous citation.

³¹ Shirer, p. 1356.

While the non-capital punishment sentences may seem fair much about them was odd. Seven of those given such sentences served them together at Spandau prison. The prison had sixty guards and a very large supporting staff and was designed for six hundred, yet held only a maximum of seven Nazi prisoners, all of whom came from the first trial of the leaders.³² By late 1957 only three were left. Although other Nazis were convicted after the first great trial, they were never permanently jailed there and German jails were overcrowded at this time.³³ Hess would be sentenced to life imprisonment. Hess was convicted for promulgating the 1935 Nuremberg Laws which disenfranchised Jews, forbade them to marry Germans, forbade Germans the right to marriage of those with hereditary diseases and legalised discrimination against Jews for their ownership of property and wealth and discriminated against their employment. While this was distasteful racism and was paving the way for the holocaust, the latter was not known in 1935. Hess had tried to end the war with his flight to England in May 1941 and so could hardly have been responsible for war crimes committed after this date. Hitler considered him a traitor for this trip and wanted him executed.³⁴ He held no active military command and little real political power: his position as Hitler's deputy was mainly ceremonial.³⁵ He was Hitler's yes man and probably would have done anything Hitler told him – and did so in Nuremberg in 1935. Was this enough to keep him in jail until his suicide in 1987? Several of those who played more active roles in Hitler's atrocities got lighter sentences. What also seems odd about Hess's treatment apart from the heavy sentence is that after Speer and Von Shirach, the other last inmates were released in 1966, he was kept in Spandau Prison alone for over twenty years. An old man with his own enormous prison meant to hold six hundred? Why run Spandau for one man

³² 'Spandau Prison' *Wikipedia*

³³ *Ibid.*,

³⁴ Speer, pp.390-391. Hitler quoted.

³⁵ Fest pp. 288-291.

at a massive expense? This has certainly fed the conspiracy theories and for once they may be on a right track. Why not just put Hess in a cell in an established prison? Would this option be withheld because Hess may have told secrets to other prisoners? Hess's continued solitary imprisonment makes sense if Hess knew something the Allies did not want publicly known. This could well be about his odd May 1941 flight to Scotland, a month before the Nazi invasion of Russia began.



Rudolf Hess in 1945



Walter Funk



Reich Marshall Keitel



Evidence from Himmler's files. The S.S. forcibly remove women and children from the Warsaw ghetto 1944. The guard pointing the gun was later tried and jailed at Nuremberg. This photo was evidence. All four images *Wikipedia*

As the Nazi foreign minister Ribbentrop had a key role in setting up other countries for invasions which devastated their lands, led to mass executions and deportations, to slave labour facilities and frequently to famines. Did he ever actually shoot anybody or directly organise a firing squad? Apparently not. As far as is known Hans Fritzsche had never killed anyone or directed anyone to kill. He had been a radio announcer under Goebbels working in producing grotesque and very repellent racist propaganda.³⁶

Both Speer and William L. Shirer separately wondered why Fritzsche, a minor figure working under Goebbels, had been placed there with the Third Reich's most prominent surviving leaders.³⁷ Like Hess and Shirach, these defendants had fuelled the hatred that led to the holocaust that they did not plan or even know would happen at the time they began their tirades. Others not directly involved in the killings were Fritz Von Papen, Schacht and Hitler's first foreign minister Constantine Von Neurath, who were involved in either diplomacy or finance. In 1939 Neurath ruled Bohemia harshly, crushing civil liberties. He had Bohemian anti-Nazi demonstrators jailed and nine later died in custody.³⁸ He was however not harsh enough or compliant enough for Hitler and was removed. All three men ended up being antagonistic to the Nazis.³⁹ Neurath had contact with resistance groups towards the war's end.⁴⁰ Schacht was even in a concentration camp expecting to be executed when American soldiers rescued him – and then to his amazement, arrested him as a war criminal.⁴¹ Schacht's expectation of execution was not paranoia. In 1944 Hitler had talked of executing him.⁴² Another defender in the first Nuremberg trial also involved in Hitler's rise to power who became disillusioned with him was Baldur von Shirach. By 1942 he claimed to have had "glimmerings" of what

³⁶ Douglas M. Kelly, *22 Cells in Nuremberg*. New York, 1961 pp.63-64. pp. 105-112.

³⁷ Shirer, p. 1356.

³⁸ 'Konstantine von Neurath' *Wikipedia*.

³⁹ Fest, pp. 241-242; Kelly pp. 88-90.

⁴⁰ 'Konstantine von Neurath' *Wikipedia*.

⁴¹ Shirer, p. 1355; Speer, p. 50; Kelly, p.137; Hajlmar Schacht, *Account Settled*. (London, 1949. p. 166.

⁴² Speer pp. 390-391.

was happening to the Jews and with his wife taking the lead personally appealed to Hitler to stop the deportations of Dutch women, which she had witnessed.⁴³ This led to a lessening of Shirach's power, but when Hitler insisted the Viennese Jews be deported Shirach admitted that he complied.⁴⁴ During his years in power Shirach gave anti-Semitism credibility through his charisma, enthusiasm, youthful idealism and sedulous efforts. The same characteristics were an immense aid to the Hitler Youth and the Reich in general. What he did to children's minds through the Hitler Youth indoctrination and brainwashing processes deserved exposure and punishment. The Nuremberg tribunal sentenced him to twenty years for deporting the Jews.

Doenitz and Raeder, the naval defendants, got lighter sentences than Hess and even Shirach, although the German navy had committed many atrocities. A case could be made for Doenitz, who ended the European war by unconditionally surrendering a week after succeeding Hitler. He did get half the jail time given to Raeder. Many of the naval atrocities were under Raeder's overall command as he commanded the German navies until 1943. Civilian and neutral fatalities started from the sinking of the British civilian passenger ship *Athena* in the first hours of the war. American vessels were sunk by Nazi submarines and their crews were drowned before war was declared, so why were Raeder and Doenitz not only spared, but given light sentences? The army and Luftwaffe commanders who committed similar crimes on land got the death penalty. One such was General Jodl, who issued execution orders for captured commandos and commissars.⁴⁵ However Jodl wrote a report designed to discourage Hitler from using gas and chemical warfare.⁴⁶ As Jodl had influence over Hitler he probably was a major factor in dissuading him. There were other factors. The British had more of these weapons and Germany

⁴³ Kelly, p. 69.

⁴⁴ *Ibid.*,

⁴⁵ Nuremberg Judgments Day 218. 1st October 1946. RobertHJacksonCenter U-Tube. Accessed June 17th 2018.

⁴⁶ Robert E. Conot, *Judgement at Nuremberg*. London, 1983. p. 317.

would have lost in a tit for tat battle with such weapons.⁴⁷ Speer did not believe that producing some ingredients in sufficient quantities was possible.⁴⁸ Even considering these important factors and whatever his motives, Jodl had taken part in an act which saved many Allied populations from a great horror. He had also followed Donitz's orders and surrendered Germany's remaining land forces unconditionally when many fanatics wanted to fight on in a guerrilla war.

How should he be judged? By the hundreds or more soldiers he did have executed - or the millions of civilians he probably helped to save?

The most discussed question concerning the Nuremberg trials started with the arraignments and still continues. This is the one sided nature of the trials. No atrocities committed by the Allies ever lead to arraignments or were even allowed to be discussed at Nuremberg. There were many such individual incidents. In 1981 it was revealed that Churchill, while posing as the great defender of western civilization, had wanted to use anthrax, gas and germ warfare against civilian targets.⁴⁹ He had actually used gas against the Bolshevik infantry in 1919. In 1944 eyewitness Alexander McKee entered the once beautiful Medieval city of Caen, stubbornly defended by the Germans until bombers reduced the city to rubble and killed many of the French civilian population, perhaps five thousand.⁵⁰

Although Allied bombing between 1939 and 1945 cost a conservatively estimated 600,000 German civilian deaths, no one was ever tried.⁵¹ Although the equivalent known English figures were 60,595 deaths from bombs and rockets the Luftwaffe heads were tried.⁵² This situation becomes more dubious

⁴⁷ Speer, p. 413n.

⁴⁸ Speer, p. 414.

⁴⁹ McKee, p.117.

⁵⁰ Mc Kee, pp. 16-17. McKee quotes his 1944 diary.

⁵¹ M. Frankland, 'The Bombing of Germany.' In *The History of the Twentieth Century*. p.327; Allan Michie, 'Germany was Bombed to Defeat in *Secrets and Stories of the War. Volume 2* p. 657; Keegan, p. 433; McKee, p. 12.

⁵² Keegan, p. 591 gives around 60, 000. McKee, quotes the more precise figure. p. 12.

when other aspects of the Allied bombing are considered and cannot always be explained by the necessity to win the war.

Hamburg did not have to be bombed, at least with the hideous phosphorous bombs which would slowly burn through a human body as they caused a firestorm which would suck in all the air in its large radius, burning almost everything existent in its circle. Around 48,000 civilians died this way in the famous bombing of 1943. Dresden's similar firestorm destruction was an even more salient example of Allied hypocrisy and one of the worst mass atrocities of the war. No need emerges to rely on David Irving's 1963 account of what happened in Dresden, nor those of German writers. Enough damaging information comes from the Allied side. American eyewitness Kurt Vonnegut was a prisoner of war within the city during the firestorm. Future historians Peter Phillips and Alexander McKee both served in the British Army in Europe during the war. They all tell a similar story, with McKee's book *Dresden 1945: the Devil's Tinderbox* (1982) gives the most detail. Although he writes as a historian clearly opposed to the Dresden tragedy he can hardly be biased in favour of Germany. He endured several bombing raids and rocket attacks while in Britain. One hit his house and another blew him twenty feet into the air.⁵³

This nearly defenceless city, with a population of around 600,000 was filled with hundreds of thousands of refugees; they made the minimal population at the time of its destruction as conservatively somewhere over a million.⁵⁴ The Nazis had removed its anti-aircraft guns as they were urgently needed elsewhere and they could see that Dresden had little value as a military target.⁵⁵ The rail hub, troops' huts, (filled with prisoners) an industrial area mainly concerned with producing medicine and cigarettes and a bridge were

⁵³ McKee, p. 15.

⁵⁴ *Ibid.*, p. 45.

⁵⁵ *Ibid.*, p. 80.

(and remain) the supposed justifications.⁵⁶ All could have been easily bombed without touching the city centre, which was of no little military value, but artistically was of immense value.⁵⁷ The incendiary bombs used were useless against metal railway lines and stone bridges and none of Dresden's supposedly justified military targets were actually hit or even aimed for.⁵⁸ Instead fifteen square kilometres of one of Europe's most beautiful cities, with its priceless art collection and Medieval and Renaissance architecture, was deliberately destroyed in a firestorm. How many died? Alexander McKee estimates of 35,000–45,000 dead at least – with 70,000 as quite possible while some put the death toll as high as 300,000.⁵⁹ Given that many of the target population of somewhere over a million were crammed into the city centre that higher figure is possible. As the refugees had not been counted before the attack and as most of the dead, being incinerated alive, left little trace, no accurate figure can be known. This may have happened because Churchill wanted to impress Stalin.⁶⁰ What the documents did not show and many historians still omit, is that many of the refugees and the bombing's local victims were Allied prisoners of war, French, Polish, Russian, American and British. Others were evacuated slave labourers.

Why did it happen?

Warsaw 1944, Caen, Hamburg and Dresden, Hiroshima and Nagasaki give Goering's claim that all are alike in war undeserved veracity. These examples show that *at times* the Allies could descend to a level similar to the Nazis, but they did not plan to go to war in the 1930s and even tried to avoid it. They did not kill, torture or enslave their dissidents or ethnic minorities, imprison those who disagreed with their leaders, crush democracies and trade unions, attack

⁵⁶ McKee quoting Vonnegut and a secret American February 1945 report declassified in 1978,

⁵⁷ William Manchester and Paul Reid, *The Last Lion: William Spencer Churchill Defender of the Realm 1940-1965*. New York, 2012. p. 905.

⁵⁸ McKee, pp.69-70.

⁵⁹ McKee, pp. 321-322.

⁶⁰ Peter Phillips, *The Tragedy of Nazi Germany*. New York, 1970. p. 224.

neutral nations, exterminate on racial grounds or cause deliberate famines. Although unplanned individual atrocities occurred in the Allied forces, they had no systematic pre-planned policy of conquest, mass extermination and pillage where their armies advanced.

Still the Nuremberg defendants stuck to the idea of “we are all the same.” Ribbentrop in his closing speech of August 31st 1946 did bring up the irony of being charged for wars of conquest by the British, who had conquered a fifth of the world’s surface and the Americans, who got North America by conquest; both for their self-interest.⁶¹

The Americans use of atomic bombs at Hiroshima and Nagasaki is probably the most controversial single event in warfare. It definitely ended the Pacific war and thereby saved the lives of many American and Allied soldiers, but at the cost of hundreds of thousands of dead Japanese civilians. The use of atomic bombs also unleashed a fear on the whole world that went even further than any terror the Soviets or the Nazis had unleashed, the very justified fear that humans had now taken technological warfare to the point where it could permanently destroy all life on earth. For nearly fifty years, until the end of the 1980s, the world lived in fear of a nuclear war.

Other more immediate evidence that could lead anyone to question the fairness of the first trial were obvious. The presence of Major-General I.T. Nikitchenko, as a Soviet Tribunalist was one such. He had served as a judge over the faked and bloody Moscow trials, sending innocent thousands to their deaths.⁶² As Robert Conquest writes his presence on the bench at Nuremberg looked like a mockery of the trial.⁶³ Andrey Vyshinsky, the chief prosecutor at many of the Moscow trials was also at Nuremberg. Modern legal history

⁶¹ ‘Closing Statement of the Defendants’. August 31st 1946. Day 218. Ribbentrop speaking and translated. <https://www.youtube.com/watch?v=RfRW4QH9ta8>. Mar 3, 2009 - Uploaded by RobertHJacksonCenter. Accessed June 13th 2018.

⁶² ‘The Nuremberg Trials’ *Wikipedia*; Robert Conquest, *The Great Terror: A Reassessment*. London, 1990. p. 92.

⁶³ *Ibid.*,

contains few more vicious, unscrupulous and servile individuals than Vyshinsky serving in a court. From the 1920s on he was involved in Bolshevik show trials, which were thin on evidence and thick with confessions obtained under torture and threats. He sometimes arranged for verdicts to be completed before even the arraignments were complete.⁶⁴ In the great Soviet trials of the 1930s he had been the prosecutor in what was the most unjust, bizarre and sadistic trials in modern history. It was also the largest purge; Khrushchev (who was involved in the process) estimated a toll of ten million executions and deaths amongst those imprisoned.⁶⁵ Robert Conquest estimates that at least a million were executed and two million more died in the camps and prisons with several million more surviving in the camps.⁶⁶ The most publicised of these trials, the Moscow Show Trials of 1936–1938 which relied solely on confessions gained by threats, emotional blackmail and torture, Vyshinsky actually got the defendants, formerly amongst the highest ranking officials in Soviet Russia's government, confessing to personally putting ground glass in foodstuffs, injecting plagues into soviet silkworms, horses and pigs, and flooding coalmines. Other admissions including trying to poison the novelist Maxim Gorki by putting laxatives in his champagne. Why did they do this? Because they confessed to being secret spies for Czarists, Nazis and the British.⁶⁷ The transcript shows that the defence in this trial did not present any evidence or witnesses, dispute a word Vyshinsky said or raise objections to his periodic calls to "shoot the mad dogs" or his oblique threats of force when the defendants tried to defend themselves. The presence of Vyshinsky and Nikitchenko at Nuremberg obviously raises questions about the trial's fairness. Even more problematic than these Russian individuals was the presence of a Russian delegation at all. The greatest controversy was over Russian

⁶⁴ 'Andre Vyshinsky' *Wikipedia*

⁶⁵ Conquest, p. 485.

⁶⁶ *Ibid.*, pp.485-486.

⁶⁷ *Report of the Court Proceedings in the Case of Anti-Soviet Bloc of Rights and Trotskyists. March 2nd 1938. Verbatim Report. Moscow, 1938. Pp.103-104 pp.110-126 pp.36-66 pp. 259-279.*

involvement in the tribunal and the indictments. Despite Russia's massive sufferings at the hands of the Nazis it could easily be argued that not only Vyshinsky and Nikitchenko, but the Russian government could have easily been in the defendants dock as on the judge's bench. When the trial dealt with 'Crimes Against Peace' and 'conspiracy to Wage Aggressive War' evidence concerning the August 1939 German-Russian Pact of Steel provided grounds for indicting Russia's government. The pact made the war possible as it meant Hitler could focus his war on the Western front once Poland was dispensed with. Stalin helped with that dispensing process, taking a hefty slice of Eastern Poland while the Nazis destroyed much of the Polish army in the West. The Russians went on to forcibly annexe the Baltic states, deport many thousands of Poles to Siberian concentration camps and killed over twenty thousand captured Poles; their bodies were later exhumed in the Katyn Forest.⁶⁸ The tribunal endured the testimony of Nazis admitting their roles in the Babi Yar massacres, Dachau's horrors and the 1938 crystal night insisting that the Katyn Forest massacre was not their doing but Russia's.⁶⁹ Since then several other investigations have proven that the Katyn Forest massacre of Poles who actively opposed the Nazis was a Stalinist crime as even the Russian government admitted in 1990.⁷⁰ Later Twenty-First century archaeological and forensic investigations confirmed both the 1940s and 1990 statements.⁷¹ In at least one instance Bulgarian prisoners of the Nazis who initially cheered their Russian liberators from behind barbed wire found themselves kept captive in the same camp: people who had the initiative to oppose the Nazis might also have the initiative to oppose their new rulers.⁷² In the middle of 1944, at the same time as the Nazis were forcibly deporting ethnic minorities into slave labour camps, the Russians forcibly deported nearly a quarter of a

⁶⁸ Conot, pp. 350-351 p.420; Vojtech Mastry, *Stalin and the Prospects of a Separate Peace in World War II*. 1972. p. 1375; 'Katyn Forest Massacre' *Wikipedia*

⁶⁹ Conot, pp .420-421 p .474.

⁷⁰ 'Katyn Forest Massacre.' *Wikipedia*

⁷¹ *Ibid.*,

⁷² Account of Jack Grancharoff, one of the Bulgarian survivors in conversation with the author, c. 1978.

million indigenous Tartars from their homes in the Crimea to Siberia and the Urals.⁷³ This was supposedly because nearly two thousand enlisted in a Nazi unit, although many more than that fought for soviet Russia.⁷⁴ The great Russian offensive of January 1945 which began in east Prussia rolled over civilian populations like a blitzkrieg, leaving destroyed towns, pillaged homes, extraordinarily horrific atrocities, masses of murder victims and raped women as it remorselessly advanced on Berlin and Vienna.⁷⁵ In some sections Russian commanders did try to enforce normal rules of war, but it seems with little success.⁷⁶ When the Nazi witnesses began recalling 1930s and 1940s proposals for a joint alliance between Hitler and Stalin the tribunal was staggered. They would have staggered even more if they had known then what has since become known about this: from the first few days of Operation Barbarossa in June 1941 when Germany suddenly attacked Russia, until September 1943 Stalin continually tried to make deals with Hitler and doublecross the Allies to stop Nazi attacks.⁷⁷ Hitler always refused. While the Nazis were on trial for killing millions in their concentration camps, establishing slave labour prisons, executing suspected enemies after show trials and starving millions to death by famine, the Russians had been doing these same things since 1918.

While the Nuremberg tribunal berated the defendants for conspiring to exploit a peaceful Europe for Germany's selfish benefit, Russia's government conspired to overthrow their socialist and liberal allies in Czechoslovakia's coalition government. Throughout Eastern Europe Stalin's secret police were rounding up dissidents, intellectuals, supposed spies and others considered to

⁷³ Anastasia Chandiorska, 'Deportation, Genocide and Russia's War Against Crimean Tartars.' Euromadan Press. 'Euromadanpress y.comy.deportationgenocideandrussiaswaragainstcrimeantartars.May 19th 2006. Accessed 11th June 2018.

⁷⁴ *Ibid.*,

⁷⁵ Keegan, pp. 512-514. Quoting Professor John Ericson.

⁷⁶ *Ibid.*, p. 514.

⁷⁷ Vojtech Mastry, *Stalin and the Prospects of a Separate Peace in World War II*. 1972. p. 1383.

be politically dubious. Some got show trials. These policies were part of the Stalinising process which left puppet administrations all over conquered Eastern Europe, upheld by the occupying Red Army.

Instead of the Hitler cult the Stalin cult was established. These policies and the structure that upheld them was almost a duplication of Hitler's policy after the conquests of 1939-1942. Also extremely similar was the requisition policy on Eastern Europe's materials and goods, sent back to Russia at enforced minimal prices. The differences between the Nazis and the Stalinists were that there was no extermination policy for Jews and other minority groups and there was rhetoric about not what was good for Germany, but what was good for the socialist brotherhood of man. The Russians had achieved Hitler's dream of an empire in Eastern Europe, one that existed for the benefit of their conquering state. Slightly modified after Stalin's death, it would last until 1989.

In 1945 Russia could have been indicted for conspiracy against peace and to wage aggressive war against Poland, Finland and the Baltic states in 1939 and 1940. It could have also been indicted for the same thing while sitting on judgement on Nazi Germany in the second half of the 1940s, as the Nuremberg trials continued until July 1949. Even before the first trial ended in October 1946 they conspired to overthrow governments and gave aid and encouragement to Communists in civil wars in China, Vietnam and Greece. In all three countries war crimes and crimes against humanity frequently occurred, but no charges would be laid. It would be the 1990s before government figures were successfully prosecuted for such things. In the 1940s the three other nations on the tribunal, the USA, Britain and France, were also involved in at least one of the civil wars then raging.

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Martin Bormann.

Von Ribbentrop's detention card.

DETENTION REPORT		File number
 		SEX (1) <input type="checkbox"/> M <input checked="" type="checkbox"/> F <small>Ring applicable</small>
Surname : RIBBENTROP First names : Joachim von Aliases : Riese, Johann Civil Occupation : German Government		Office use only
DATE OF BIRTH (3) 30 April 1893		Nationality : German (2)
PLACE OF BIRTH (3a) Wesel/Rhine		WEIGHT (3b) 82 Kgs
Do not write in shaded portions		HEIGHT (4) 1.78m



Reich Marshall Jodl.



Speer (left) and Hitler consider their plans for a new Nuremberg. Ironically, the old palace of justice served just fine for Speer's trial and first jailing.



Photographer: Heinrich Hoffman. Speer and Hitler in May 1943.



Baldur Von Shirach



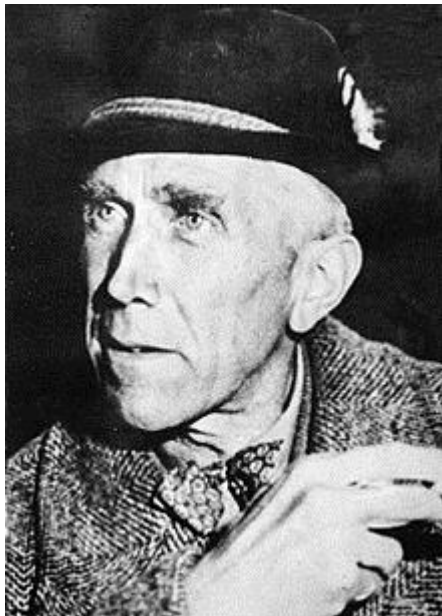
Ernest Kaltenbrunner



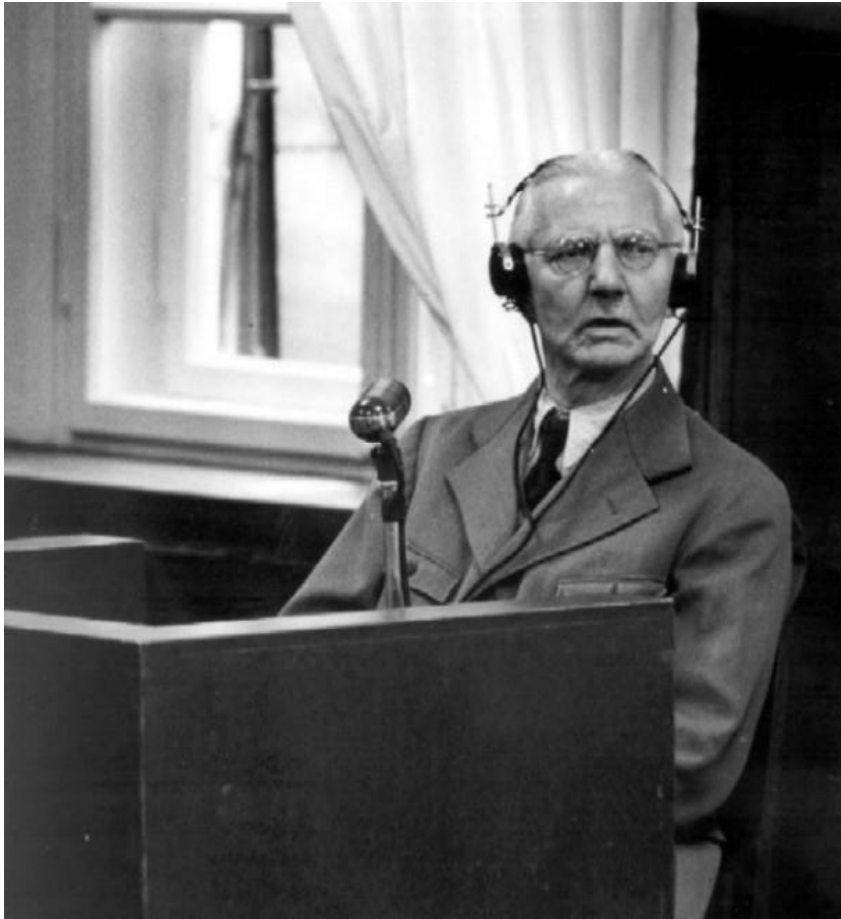
Goering



Hans Frank



Franz von Papen in old age



Hjalmar Schacht testifying for the defence at Nuremberg in 1947.

While not as compromised as the Soviets, the governments of France and England had not been angels of pure intent in their dealings with the Nazis either.

As early as the 1920s British war theorists started advocating systematic bombing of German cities to create civilian refugees who would create havoc while the bombers would demoralise the population and destroy the enemy infrastructure.⁷⁸ General Hugh Trenchard went further with this idea, planning a systematic bombing of cities one by one which would incrementally increase the refugees until the national system collapsed.⁷⁹ When the war came these ideas became more than plans. If Trenchard had

⁷⁸Alexander McKee, *Dresden 1945: The Devil's Tinderbox*. London, 1982. pp. 50-57.

⁷⁹ *Ibid.*,

been a German he could have easily been tried for conspiring against peace for his 1920s plans and crimes against humanity for his 1943–1945 activities. In the 1930s and for several subsequent decades the English and French appeasers of Hitler were generally seen as sincere if gulled people trying to avoid the horrors of another world war. This was supposedly why they gave in to Nazi demands until Hitler went a conquest too far with the remnant of Czechoslovakia in March 1939. After this they supposedly stood up to Hitler and rushed to Poland's defence. A few cynics saw this as being about power politics: they had it right. Probably the best and most detailed exposé of the English appeasers and the early opposition to them and to Hitler is William Manchester's 1989 biography *The Last Lion Winston Spencer Churchill: Alone 1932–1940*. From 1932 onwards the British government was much concerned with the rise of domestic communism and the hostility of the unemployed.⁸⁰ Many in the English ruling class saw the fanatically anti-communist Nazis as a bulwark against the spread of Communism which was inspired by, financed by and materially supported by Communist Russia. With Neville Chamberlain becoming Prime Minister in May 1937 appeasement became the dominant tendency in England's foreign policy. After the March 1939 invasion the British did try to make an anti-Nazi alliance with Russia, but Stalin was unimpressed and was soon secretly working on the Pact of Steel with Nazi Germany. Days before Hitler invaded Poland Chamberlain initially tried to broker a sell-out peace which would have allowed Hitler to regain Danzig and the corridor to that port.⁸¹ Chamberlain blaming "the stubborn Poles" for not negotiating on this, not that Hitler wanted them to as telling the English ambassador that he wanted to "annihilate Poland" made clear.⁸² It was only three days after Hitler invaded and refused to negotiate during those days and during the previous week that Chamberlain declared war on September 3rd

⁸⁰ Manchester, *Alone* pp.41-43 pp. 50-53.

⁸¹ *Ibid.*, pp. 513-516

⁸² *Ibid.*, p. 514

1939, along with France and Australia; the other British dominions following days later.

While the appeasers' complicity in fascist invasions from Ethiopia in 1935 to Slovakia 1939 are also strong cases for conspiracy to disturb the peace as in the Nuremberg indictment, Chamberlain had died in 1940 and his ambassador and key appeaser Sir Neville Henderson in 1942, but other key English appeasers were alive and never arraigned at Nuremberg or anywhere else.

The most important evidence that goes against the fairness of the trials concerns an incident outside the court rooms. Andre Vyshinsky turned up at a party during the trials and proposed a toast – to the deaths of the defendants. Carried along by a few drinks too many and the party atmosphere and perhaps not knowing who he was or what he had done, many of those present, including tribunal judges, took part in Vyshinsky's toast.⁸³ At least one of the tribunal was horrified by his actions when he woke up the next morning and vowed to be objective.

Even so, it says a good deal about the Allied Tribunal that they would associate with someone like Vyshinsky. Rebecca West, a journalist covering part of the first trial, correctly pointed out that taking part in Vyshinsky's toast would have been enough to get the trial stopped in any civilized land.⁸⁴ Yet West also wrote that despite this, ultimately the trials had to be held. She described the Germans of 1946 as awaiting the verdict as a purification, after which they might regain their strength and rebuild their world.⁸⁵ She also pointed out that the Nazis had to be tried by foreigners as they had destroyed the rule of law in Germany. Great truth exists within that idea. A generation of youth had been

⁸³ Conot, p.74.

⁸⁴ Rebecca West, 'Greenhouse With Cyclamens' | This document appears in her *A Train of Powder*. London, 1955. p. 17.

⁸⁵ *Ibid.*, p. 53.

taught by Hitler Youth leader and Nuremberg defendant Shirach to recite as a profession of faith: “What does a law mean that would hold us back?”⁸⁶

Other Nazi outlooks on justice, tolerance and democracy are revealed in the similar comments “Stick to the Fuhrer nothing else is valid”⁸⁷ and “That is moral which supports the purity of the German race; that is immoral which hinders it.”⁸⁸

Beneath his affable charm, wit, generosity, hospitality, courage and love of culture was another Goering which these quotes embody and which he revealed. His 1980s biographer R.J. Overy summed him up accurately as a political gangster and a brutal buccaneer.⁸⁹ Raymond Fest also separately made the comparison to a buccaneer when he began his section on Goering in *The Face of the Third Reich* with a quote about desiring women, gold and slaves. His greedy plundering of Europe’s art and his love of ostentatious palaces are certainly in the buccaneer mould. Goering’s ideas were simplistic and dangerous: “I am proud of not knowing what justice is” and “I do not have to exercise justice. I have only to destroy and exterminate.”⁹⁰ Here he meant exactly what he said, for this was the man who twice boasted of starting the Reichstag fire in 1933.⁹¹ He was even the court prosecutor who had a mental retard executed for committing that supposed crime, his crime⁹² In the same year as head of Prussia’s police he instructed his force to shoot anyone who demonstrated against the regime.⁹³ In the night of the long knives he had his friend Roehm murdered because “he was in my way.”⁹⁴ His Luftwaffe bombed

⁸⁶ J. Remak, *The Nazi Years: A Documentary History*. Englewood Cliffs, New Jersey. 1969. p. 69.

⁸⁷ *Ibid.*, p. 64.

⁸⁸ Remark, quoting W. Danne in 1937 p.34.

⁸⁹ Overy, p. 1.

⁹⁰ R.J. Overy, *Goering: The Iron Man*. London, 1984. pp. 12-13.

⁹¹ ‘Herman Goering’ *Wikipedia*. The first was in a letter to Rudolf Heydrich written on July 31st 1941. The second was during a luncheon with General Halder on April 20th 1942. Goering is quoted in both pieces of evidence in the section ‘Goering Quotes.’

⁹² Conot, p. 342.

⁹³ Overy, p. 25.

⁹⁴ Kelly, Quoting what Goering said to him.

London, Rotterdam and Coventry extensively, causing massive civilian fatalities and many other European cities also suffered from Luftwaffe attacks. Goering was a loud and determined critic of what he saw as the injustice of Nuremberg.

Were the trials unjust? Apart from the difficult question of mercy for Jodl and the absence of others who should have been defendants, the trials were essentially fair. The acquittal verdicts bear this out. The acquittal of Von Papen was hardly an exoneration. The tribunal described him as a bully and an intriguer, but also stated that they “had insufficient evidence beyond a reasonable doubt” to convict him as charged.⁹⁵ Amazingly Schacht was also acquitted, with the dissenting Russians presenting his statements showing that he knew in the 1930s that his funding was going to an aggressive war.⁹⁶ Fritzsche’s acquittal seemed fairer as his role was so minor that he should never have been arraigned with the main surviving leaders.

Others who did not make the decisions but carried them out got jail sentences. Funk, Hess, Von Neurath and Von Shirach were spared the death penalty as were Doenitz and Raeder. Speer was the most controversial defendant. He was the only one to plead guilty, but he insisted that he had an overall responsibility, not a specific one. Was this being foxy? He could be executed on specifics, but not on the admittance of a more vague responsibility. Many have raised the question of how somebody could forcibly employ twelve million people and know so little about their working conditions. His deputy, Fritz Sauckel, who was left to do the dirty work in details of slave labour employment, was given the death penalty. Many have also asked how could Speer who wrote the massive and detailed and aptly titled *Inside the Third Reich*, be so close to Hitler and not know of the mass exterminations. Speer

⁹⁵ Sir Geoffrey Lawrence, President of the Tribunal, giving the verdict on Von Papen. Nuremberg Trial Acquittals (1946) Sir Geoffrey Lawrence is the speaker. <https://www.youtube.com/watch?v=-YT-T9bBqH0> Sept. 25, 2014 - Uploaded by RobertHJacksonCenter U-Tube. Accessed June 2018.

⁹⁶ Nikitchenko.

would claim that Hitler rarely talked of the Jews and that two weeks before Hitler's suicide Speer ordered that Jews and political prisoners be handed over unharmed to the Allies.⁹⁷ However Hitler wrote a lot about the Jews in *Mein Kampf*, but Speer claimed to have never read it.⁹⁸ From 1920 onwards Hitler's frequent carefully rehearsed public rantings frequently included Jews and threats of violence. Similarly Von Shirach, who initially pleaded not guilty, went into tears when films were shown of piles of dead in the extermination camps and acknowledged personal guilt and like Speer, took general responsibility so that Germany could rebuild without national guilt. Even Goering in his final statement, while not expressing remorse was willing to take responsibility so that the German people would not. All three men had gone out of favour with Hitler in the war's waning days and Speer and Shirach both got twenty year sentences at Nuremberg. While not all those guilty were executed or others escaped prosecution, those who were executed were rightly judged to be guilty of what they were charged with conspiracy, crimes against humanity, crimes against peace and war crimes. They may not have personally shot people or commanded the killers directly, but their organisational roles, directives and policies made them mass murderers. Ribbentrop had called out a rhetorical question when he asked "Can you imagine me killing anyone?"⁹⁹ He looked like what he had once been, a dapper successful seller of high quality champagnes. The evidence showed the difference between appearance and reality, for while he did not look like a killer and never shot anybody he could organise foreign conquests and organise deportations of foreigners for execution or slave labour. When Ribbentrop did not read S.S. reports of the exterminations and executions Heydrich angrily ensured to his face that Ribbentrop knew what was happening to those deportees.¹⁰⁰ While Heydrich did not do this to everybody other planners were essentially in the same

⁹⁷ Speer, p. 469.

⁹⁸ *Ibid.*, p. 19 p. 122.

⁹⁹ Knopp, p. 172

¹⁰⁰ *Ibid.*, p. 207

situation, working as Ribbentrop did. As high ups in regulated organisations, they systematically worked as organisers of conquest, exploitation, misery and death on a scale which the world had never seen before. Whatever the failings of the Nuremberg trials, the defendants got more justice than they ever gave. Even a repentant Hans Frank, when probably certain that he would be executed, thanked the tribunal for its fairness; the defendant's lawyers did the same.¹⁰¹ Speer and Shirach agreed with their verdicts. Goering and Kaltenbunner did not and questioned the court's authority.¹⁰² Hess did this and then went further, saying that the court had no right to try him or to make judgements about Germany's internal matters. He even praised Hitler as the greatest German, said he had no regrets and he would do the same things again.¹⁰³

Goering went as far as to say that the tribunal accepted evidence from them if it proved their points and ignored it when it did not.¹⁰⁴ Kaltenbrunner who in 1945 had permitted the police to commit summary executions without trial or evidence, complained that his trial was a summary procedure and denied the evidence was true.¹⁰⁵ In sentencing Judge Sir Geoffrey Lawrence stated that Kaltenbrunner's signature existed on too many incriminating documents to accept his non-involvement defence and ignorance of what was happening with Gestapo prisoners.¹⁰⁶ Although he was found not guilty of one charge he was found guilty of two others and executed for them.

Justifications for the trial were obvious at the end. Speaking about himself in the third person Goering could claim that in fifty or sixty years Germans

¹⁰¹ Conot, p. 321. p. 515

¹⁰² Statement of Nuremberg Defendant Ernst Kaltenbrunner. *YouTube*. https://www.youtube.com/watch?v=YgMcJN_BeGk June 8th 2009. Uploaded by RobertHJackson Centre. accessed June 10th 2018.

¹⁰³ Statement of Defendant Rudolf Hess. August 31st 1946 You-Tube. June 8th 2009. Uploaded by RobertHJackson Centre. accessed June 16th 2009.

¹⁰⁴ Statement of Defendant Herman Goering. August 31st 1946. You-Tube June 8th 2009. Uploaded by RobertHJackson Centre. accessed June 16th 2018.

¹⁰⁵ Statement of Nuremberg Defendant Ernst Kaltenbrunner.

¹⁰⁶ *Nuremberg Day 218 Kaltenbrunner Judgement*. https://www.youtube.com/watch?v=YgMcJN_BeGk July 11th 2009. Uploaded by RobertHJackson Centre. Accessed June 10th 2018.

would think of him as a hero and have statues of him little statues perhaps, but they would be in every German home, but that did not happen.¹⁰⁷ That may well be because at Nuremberg the reality of what the Nazis did became not only obvious but undeniable from the masses of evidence. The type of evidence varied, but each type came in large, sometimes massive amounts. Films, photographs, eyewitness testimony, the Nazis' own reports, directives and even their confessions all told the same essential story of the Third Reich as a terror state. Nazi Rule was based on unprovoked war, conquest, plunder, genocide, mass murder imprisonment and slavery for those outside the master race. Within the master race rule was through massive conceit from the top down, servile obedience, belief in crankish racial theories, flattery material rewards and fear. This situation and the leader's role in maintaining it was made clear at Nuremberg. At the time in discussing the Reich leaders Rebecca West put it succinctly: "No literate person can now pretend that these men were anything but abscesses of cruelty."¹⁰⁸

Reporter Shirer and the Nuremberg psychiatrist Douglas M. Kelly separately commented on how pathetic and defeated these grey, frequently grovelling, often dishevelled and whining men looked in the dock and in their cells.¹⁰⁹ Faceless functionaries, these supposed Nazi heroes were exposed by both the trial process and their presence there as being anything but heroic.

Since then many other writers have continued with exposés which started with what was revealed at Nuremberg. Hannah Arendt who witnessed Eichmann's trial in the early 1960s then coined the memorable phrase about Eichmann; "the banality of evil."¹¹⁰ This could have as easily been applied to the Nuremberg defendants; for the trial revealed to the world that evil geniuses and extraordinarily clever or brilliant people such as Goering and

¹⁰⁷ Kelly, p. 58.

¹⁰⁸ West, p. 53.

¹⁰⁹ Shirer, pp. 1354-1356; Kelly, p. 35 pp. 84-86 p. 105 p. 105 p. 110 p. 113 pp.134-135 pp. 139-140 p. 142.

¹¹⁰ 'Hannah Arendt.' *Wikipedia*.

Jodl need not be the ones to cause catastrophe. Obviously ordinary men such as Ribbentrop, Funk, Ley, Kaltenbrunner, Shirach, Streicher or Sauckel, when given immense power over others, had that capacity. When stripped of their uniforms, titles and displays of wealth as they were in the dock at Nuremberg their banality became clear.

Three late justifications for the Nuremberg trials concern the evidence which emerged that counters Nazi apologists. The first of these ideas is that what we now call the holocaust, the deliberate and systematic extermination of the Jews, Gypsies, Quakers, homosexuals and those others who displeased the Nazis, did not happen; it was a hoax.

No defendant or witness at Nuremberg said this, no defence lawyer presented such evidence, even though evidence that this was so could have saved their lives. Several professed amazement, horror or guilt, others said everybody did things like this in war, but nobody denied it happened. No defendant or defending lawyer stated or implied the extermination was a hoax *then*. How could they? Over forty volumes of primary source evidence, as well as films and photographs and many tens of thousands of survivors proved the point.

Allegations since then that their confessions were gained under torture and that the evidence was forged lack substantiation and motivation. With Germany occupied, the Reich government destroyed and what was left of its shattered government and military forces surrendered, why bother to conduct such a massive hoax? Who would have objected to summary executions for the world's worst criminals? During their trials Goering, Hess and Streicher were publicly unrepentant and frequently cynical. Hess and Streicher seemed at times to be satirising the proceedings. Hess did this by admitting to fooling his doctors with pretended amnesia and by obviously and obviously reading fairy tales during the proceedings, Streicher's method was talking gibberish. The closing defence statements of Hess and Goering cannot be constructed as being what the Allies would want to hear from men tortured into compliance.

So how did the holocaust denial start? Probably with Heinrich Himmler. In April 1945 when he was obviously hoping for some rapprochement with the Allies, he claimed that the crematoria near the camps were for typhus victims.¹¹¹ As Reverend Clifford Ainsworth recently pointed out, if they were typhus victims why did the Nazis keep their clothes? The lice that live in clothes spread the typhus and this was common knowledge for decades before the 1940s. It would have made more sense to burn the supposedly infected clothes with the victims.¹¹² There was typhus in at least some camps and it killed, but how many? In his Nuremberg testimony of 5th April 1946, Rudolph Höss, (sometimes spelled Hoess) Auschwitz commandant for much of the war, estimated that around half a million under his care there died of disease or starvation, while two and a half million were deliberately killed on his orders.¹¹³ He also stated that until the summer of 1941 he ran Auschwitz as a strict labour camp without maltreatment; it was Himmler who said that Hitler had decided to exterminate the Jews. Himmler also stated that the task was entrusted to the S.S. and that for logistical reasons Auschwitz would be an extermination centre.¹¹⁴ This is obviously the planned genocide Hitler had been planning since 1922, not sudden acts of negligence or epidemics out of control. The proportion of those dying of disease was almost certainly higher in the prisons and the slave labour camps where people were worked to death than in extermination centres such as Auschwitz, where arrivals were usually killed soon after their arrival. For the same reason deaths from disease and starvation must have been much lower amongst those found by the extermination squads which followed the Nazi armies.

Even amongst those who did die from disease, it was the Nazis who forcibly crowded these starved, overworked people into the situation where the

¹¹¹ Peter Longerich, *Heinrich Himmler*, Oxford, 2012. p. 727. p. 730.

¹¹² Conversation with the author, Saint Peter's Cathedral. Armidale 10th June 2018.

¹¹³ 'Rudolph Hoess.' *Wikipedia*.

¹¹⁴ 'Rudolf Hoess former Auschwitz commander testifying at the Nuremberg Trial. April 15th 1946. You-Tube. RobertHJackson Centre. July 30th 2009. Accessed June 15th 2009.

epidemic would spread. This situation could not be started in ignorance of what typhus could do. In Europe typhus had a long and well known history (starting in the late fifteenth century) of being a killer disease in times of war, famine and overcrowding.¹¹⁵ Eventually systematic and successful preventative measures had been used in WW I.¹¹⁶ Some of the worst situations, those in WW1 and the Russian Civil Wars of 1918–1922 were recent and well known, so if typhus was such a killer, where is the evidence of its prevention amongst prisoners? Like the much later hoax idea and “the typhus killed them all” idea originating with later Nazi defenders, no evidence of typhus prevention or even its spread, was used when genocide was brought up at Nuremberg.

For those who wish to believe that the holocaust did not happen and was part of a massive conspiracy they have to believe the following:

Tens of thousands of people from many different cultures and different locations all over the world somehow organised themselves into tattooing numbers into their arms; all in the same way as they all claimed that this was what the S.S. did to prisoners. This hoax would have started in the 1940s and be continued for eighty years, with fresh if aged hoaxers still coming forward,

For unknown reasons leading Nazis confessed or boasted of taking part in the supposedly faked exterminations, even though this fraud would obviously get them the death penalty for something they did not do

The masses of documentation, films, photographs, interviews, court testimony, memoirs and confessions are all forgeries. Hundreds of historians working on the Nazi exterminations got it wrong or are part of the conspiracy.

Hitler’s many statements about purging Jews and other supposed undesirables, dating from 1922 onwards until the day before his death, were just rhetoric

¹¹⁵ ‘Typhus’ *Wikipedia*; Mary Dobson, *Disease: The Extraordinary Stories Behind History’s Deadliest Killers*. U.K. 2007. pp. 36-43.

¹¹⁶ Dobson, p. 42.

and must have been coincidental with two thirds of Europe's Jews just suddenly vanishing in the Reich he ruled between 1939 and 1945.

Hitler's last written words should convince even the most deluded. In his last will, signed by him and dated April 29th 1945 and witnessed by Goebbels, Bormann Burgdorf and Krebs. Hitler concluded with:

I pledge the leaders of the nation and the people to meticulous observance of racial law, and to mercilessly withstanding the poisoning of the peoples of the world by international Jewry.

Frederic Sanders 'Adolf Hitler's Last Days.' In *Secrets and Stories of the War. Volume 2.* p. 673

These words appear in both translation and a photographic reproduction of Hitler's one page will with his and the other four signatures. Nuremberg's 1946 trial proved it justified the cost, time and effort by the exposure of the planned and massive system of mass murder of those who were opposed to the Nazis or who did not fit in with their plans.

Another justification for the Nuremberg trials was that it disproved the idea that Hitler was an economic genius who saved Germany. Globally while conditions were still bad, the depression's worst was over before the Enabling Act of March 23rd 1933 (officially "The Law for Removing the Distress of People and Reich") and then the 'Law for the Reconstruction of the Reich' on January 30th 1934 changed Germany. These laws gave Hitler and his government immense power over both Germany's people and economy.¹¹⁷ As the testimony of many revealed, his was a plunder economy, heavily based in spending loans that were never repaid. Government treasuries also suffered. First he got Germany's reserves, then more national reserves by conquest, gaining those of Austria and Czechoslovakia even before WW2 began. The Nazis from their early days onward had always been financed by the

¹¹⁷ Shirer, pp. 248-250.

donations of industrialists and aristocrats, who correctly hoped that when Hitler was in power he would crush the unions.¹¹⁸



Wedding rings and spectacles taken from the dead at Auschwitz. *Wikimedia*



When the Nazis came to power they rapidly found a new source to plunder, Jews and assorted dissidents, both those who fled and had to pay a tax to do so and those who stayed. Bank accounts, art treasures, homes, cars, any property at all became confiscated, sometimes going as material rewards to followers and friends, sometimes going to the state. Hitler claimed to have got two million marks from fleeing Jews by 1938.¹¹⁹ This was not the end of his plundering. With thousands fleeing, their jobs became available, so both unemployment numbers and unemployed aid dropped. As the Nazis

¹¹⁸ *Ibid.*, p .325.

¹¹⁹ 'Walter Funk.' *Wikipedia*.

incorporated more lands into the Reich more new “enemies of the state” fled, died or suffered imprisonment and once again the plunder economy benefitted. This plundering often resembled the ways of a vulture more than a pirate: in the extermination camps teeth were removed for their gold.¹²⁰ In the camps large piles of wedding rings, jewellery, spectacles, shoes and clothes were photographed and were apparently another lucrative sideline.¹²¹ As German and then Reich industries were nationalised their assets went into the Reich, added to what had been taken from those outside the master race.

Nations found that their natural resources were also plundered and taken to Germany. Within the Reich the apparent economic miracle also relied on the cowed, nazified unions who with their leaders imprisoned, would not make trouble or press for wage rises, oppose ever increasing fees and taxes or refuse even in peacetime to make endless donations.¹²² As part of this process labour costs must have gone down with unpaid slave labour being used in many productive fields. Union funds were also probably confiscated.¹²³ The economics of euthanasia are rarely discussed, but from 1938 onwards Hitler dispensed with German civilians who were in some way unproductive, particularly the mentally retarded. This must have lowered the Reich’s medical expenditure, elfare benefits and unemployment numbers.

Without unrepaid loans, conquest, plunder, theft and repression the Reich seems to have had no real economic base for success.

The trials also revealed much about the Nazi mentality – and the human mentality. Did any amongst those charged reveal that as children they believed that they would end up being charged for mass murder and devastating Europe? Speer was telling the truth when he stated that those who supported Hitler after the great depression hit would never have done so if Hitler had

¹²⁰ Kelly, p. 140.

¹²¹ ‘Walter Funk.’ *Wikipedia*.

¹²² Shirer, pp. 252-254 p. 329.

¹²³ *Ibid.*, p .254.



Photographer: Raymond D'Addario. Nuremberg defendants 1945.

Public Domain/ *Wikipedia*



Goering under cross examination

announced that he would burn synagogues, kill Jews and political opponents and get Germany into a war.¹²⁴ Speer also stated that, like himself, many owned, but few read *Mein Kampf*, an opinion eyewitness William Shirer also expressed. Both Speer and Shirer wrote that they wished more people had read that book because Hitler quite clearly revealed what he intended to do.

The authoritarian, violent and extreme nationalist mentality revealed in *Mein Kampf* appealed to the military mentality. A common pattern amongst the Nazi leaders was to come from nationalistic or militaristic families or to have military service when young.¹²⁵ Those around Hitler provide an example of how people can be lured or manoeuvred into evil because from a young age onwards they believe that they serve their nation, organisation or ethnic group and therefore are inherently superior. Therefore other lesser nations, peoples and individuals should exist (or stop existing) for their benefit. Their belief in Hitler as an ethnic and national messiah was also revealed as a folly, as many admitted during or after Germany's post-war trials. By revealing Hitler's destructive intentions, his ugly personality and his foolishness the trial process was justified. When examined and compared with others the whole concept of such messiahs becomes dangerous and obedience to them seems degrading. The trials revealed where the dangers within hierarchical organisations and in the concept of obedience could lead. The trials were not the only revelation of what the Nazis were really like, hundreds of histories, memoirs, articles, confessions and documentaries would follow; but the trials were the bedrock for this culture of exposure. Taken together and when compared with the similar disillusionment that came from the exposure of communism, they produced a well justified scepticism about political leaders and promised utopias that characterised the twentieth century.

¹²⁴ Speer, pp. 19-20.

¹²⁵ The *Wikipedia* entries for all twenty-two of the main defendants and also for Rudolph Hoss and Karl Brandt show this tendency.

Whatever injustices happened during the Nuremberg trials, they marked a revelation of what the Nazis had been – and like Hiroshima and Nagasaki show what supposedly civilized humans are capable of. This lesson alone justifies the trials.

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