

# Nuremberg Trials

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Description Nuremberg, Germany was the site of the trials of major German war criminals after World War II by the International Military Tribunal (IMT). The Charter of the IMT was formally enacted by the main Allied Governments — the United States, France, the United Kingdom, and the Soviet Union. The Charter recognized the principle of individual responsibility for three crimes: crimes against peace, war crimes, and crimes against humanity. All of the judges and prosecutors were appointed by the Allies. These included Justice Robert Jackson of the U.S. Supreme Court, who served as Chief Prosecutor at Nuremberg.

Practical considerations limited the number of defendants who could be tried. Also, several top Nazi officials had not survived the war, including Adolph Hitler who had committed suicide. The final list of twenty-two defendants included those remaining amongst the most senior ranks of the Nazi apparatus. These included Herman Goering, Chief of the Air Force, President of the Reichstag, and Director of the Four-Year Plan to eliminate Jews from political life in Germany and for the destruction and takeover of Jewish businesses and property. Other particularly notable defendants included Rudolph Hess, Deputy to the Fuhrer and Nazi Party Leader, and Joachim von Ribbentrop, the Foreign Minister. Twenty-one of twenty-two defendants were found guilty. Goering was sentenced to death by hanging, but committed suicide in his cell. Ten others, including von Ribbentrop, were put to death by hanging. The rest, including Hess, were sentenced to terms of imprisonment ranging from ten years to life.

The IMT's Charter and judgments were adopted as the Nuremberg Principles by the United Nations International Law Commission. These re-affirmed the principle of individual criminal responsibility under international law (Principle I). International law must be adhered to notwithstanding any conflicting national law (Principle II), whether or not the individual is a government or military official (Principle III), and irrespective of whether the individual acts pursuant to superior orders, provided a "moral choice" was available to that person (Principle IV). In 1948, a separate tribunal was established in Tokyo, Japan for war criminals in the Far East, but its legacy is less pronounced as it succeeded the Nuremberg proceedings and essentially followed those earlier judicial pronouncements.

The Nuremberg proceedings significantly altered the contours of international law and had significant implications for the autonomy and well-being of individuals. They catalyzed the emergence and evolution of

international human rights law and international humanitarian law protections, and the related ideas of human security and global citizenship which enshrine the common bonds uniting all of humanity. Conversely, collective autonomy in the form of state sovereignty was circumscribed, such that atrocities committed against a state's own citizens became a proper subject of global concern. A permanent international criminal tribunal was contemplated after Nuremberg, but the Cold War stymied such efforts until the final establishment of the International Criminal Court in 1998.

Suggested  
Reading:

**Avalon Project at Yale Law School website.** *The Nuremberg War Crimes Trials*, [www.yale.edu/lawweb/avalon/imt/imt.htm](http://www.yale.edu/lawweb/avalon/imt/imt.htm) (accessed 2 March 2005).

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