**Nuremberg Trials**

Held for the purpose of bringing Nazi war criminals to justice, the Nuremberg trials were a series of 13 trials carried out in Nuremberg, Germany, between 1945 and 1949. The defendants, who included Nazi Party officials and high-ranking military officers along with German industrialists, lawyers and doctors, were indicted on such charges as crimes against peace and crimes against humanity. Nazi leader Adolf Hitler (1889-1945) committed suicide and was never brought to trial. Although the legal justifications for the trials and their procedural innovations were controversial at the time, the Nuremberg trials are now regarded as a milestone toward the establishment of a permanent international court, and an important precedent for dealing with later instances of genocide and other crimes against humanity.

**The Road to the Nuremberg Trials**

In December 1942, the Allied leaders of Great Britain, the United States and the Soviet Union “issued the first joint declaration officially noting the mass murder of European Jewry and resolving to prosecute those responsible for violence against civilian populations.” [Joseph Stalin](http://www.history.com/topics/joseph-stalin) (1878-1953), the Soviet leader, initially proposed the execution of 50,000 to 100,000 German staff officers. British Prime Minister Winston Churchill (1874-1965) discussed the possibility of summary execution (execution without a trial) of high-ranking Nazis, but was persuaded by American leaders that a criminal trial would be more effective. Among other advantages, criminal proceedings would require documentation of the crimes charged against the defendants and prevent later accusations that the defendants had been condemned without evidence.

The Allies eventually established the laws and procedures for the Nuremberg trials with the London Charter of the International Military Tribunal (IMT), issued on August 8, 1945. Among other things, the charter defined three categories of crimes: **crimes against peace** (including planning, preparing, starting or waging wars of aggression or wars in violation of international agreements), **war crimes** (including violations of customs or laws of war, including improper treatment of civilians and prisoners of war) and **crimes against humanity** (including murder, enslavement or deportation of civilians or persecution on political, religious or racial grounds). It was determined that civilian officials as well as military officers could be accused of war crimes.

**The Major War Criminals’ Trial: 1945-46**

Twenty-four individuals were indicted, along with six Nazi organizations determined to be criminal (such as the “Gestapo,” or secret state police). One of the indicted men was deemed medically unfit to stand trial, while a second man killed himself before the trial began. Hitler and two of his top associates, Heinrich Himmler (1900-45) and [Joseph Goebbels](http://www.history.com/topics/world-war-ii/joseph-goebbels) (1897-45), had each committed suicide in the spring of 1945 before they could be brought to trial. The defendants were allowed to choose their own lawyers, and the most common defense strategy was that the crimes defined in the London Charter were examples of ex post facto law; that is, they were laws that criminalized actions committed before the laws were drafted. Another defense was that the trial was a form of victor’s justice–the Allies were applying a harsh standard to crimes committed by Germans and leniency to crimes committed by their own soldiers.

In the end, the international tribunal found all but three of the defendants guilty. Twelve were sentenced to death, and the rest were given prison sentences ranging from 10 years to life behind bars. Ten of the condemned were executed by hanging on October 16, 1946. Hermann Göring (1893-1946), Hitler’s designated successor and head of the “Luftwaffe” (German air force), committed suicide the night before his execution with a cyanide capsule he had hidden in a jar of skin medication.

**Subsequent Trials: 1946-49**

Following the Trial of Major War Criminals, there were 12 additional trials held at Nuremberg. These proceedings, lasting from December 1946 to April 1949, are grouped together as the Subsequent Nuremberg Proceedings. They differed from the first trial in that they were conducted before U.S. military tribunals rather than the international tribunal that decided the fate of the major Nazi leaders. The reason for the change was that growing differences among the four Allied powers had made other joint trials impossible. The subsequent trials were held in the same location at the Palace of Justice in Nuremberg.

These proceedings included the Doctors Trial (December 9, 1946-August 20, 1947), in which 23 defendants were accused of crimes against humanity, including medical experiments on prisoners of war. Other subsequent trials dealt with German industrialists accused of using slave labor and plundering occupied countries; high-ranking army officers accused of atrocities against prisoners of war; and SS officers accused of violence against concentration camp inmates. Of the 185 people indicted in the subsequent Nuremberg trials, 12 defendants received death sentences, 8 others were given life in prison and an additional 77 people received prison terms of varying lengths, according to the USHMM. Authorities later reduced a number of the sentences.

**Aftermath**

The Nuremberg trials were controversial even among those who wanted the major criminals punished. Harlan Stone (1872-1946), chief justice of the U.S. Supreme Court at the time, described the proceedings as a “sanctimonious fraud” and a “high-grade lynching party.” William O. Douglas (1898-1980), then an associate U.S. Supreme Court justice, said the Allies “substituted power for principle” at Nuremberg.

Nonetheless, most observers considered the trials a step forward for the establishment of international law. The findings at Nuremberg led directly to the United Nations Genocide Convention (1948) and Universal Declaration of Human Rights (1948), as well as the Geneva Convention on the Laws and Customs of War (1949). In addition, the International Military Tribunal supplied a useful precedent for the trials of Japanese war criminals in Tokyo (1946-48); the 1961 trial of Nazi leader Adolf Eichmann (1906-62); and the establishment of tribunals for war crimes committed in the former Yugoslavia (1993) and in Rwanda (1994).

**The Tokyo War Crimes Trials (1946-1948)**   
http://www.pbs.org/wgbh/amex/macarthur/peopleevents/images/3pixel_line.gif  
  
Occupation official turned historian Richard B. Finn notes, "World War II was the first major conflict in history in which the victors carried out trials and punishment of thousands of persons in the defeated nations for 'crimes against peace' and 'crimes against humanity,' two new and broadly defined categories of international crime." For most people, this calls to mind the trials of Nazi war criminals at Nuremberg. But an equally difficult, fascinating, and controversial set of trials occurred in Tokyo, under the watchful eye of Supreme Commander Douglas MacArthur.   
  
The Tokyo trials were not the only forum for the punishment of Japanese war criminals, merely the most visible. In fact, the Asian countries victimized by the Japanese war machine tried far more Japanese -- an estimated five thousand, executing as many as 900 and sentencing more than half to life in prison. But with Japan under the control of the Americans, the most prominent Japanese war leaders came under MacArthur's jurisdiction.   
  
The Potsdam declaration of July 1945 had called for trials and purges of those who had "deceived and misled" the Japanese people into war. That was the simple part; there was major disagreement, both among the Allies and within the U.S., about whom to try and how to try them. Despite the lack of consensus, MacArthur lost no time, ordering the arrest of thirty-nine suspects -- most of them members of General Tojo's war cabinet -- on September 11, just over a week after the surrender. Perhaps caught off guard, Tojo tried to committ suicide, but was resuscitated with the help of American doctors eager to deny him even that means of escape.   
  
On October 6 MacArthur received a directive, soon approved by the other Allied powers, granting him the authority to proceed with the major trials and giving him basic guidelines for their conduct. As they had done in Germany, the Allies set up three broad categories. "Class A" charges alleging "crimes against peace" were to be brought against Japan's top leaders who had planned and directed the war. Class B and C charges, which could be leveled at Japanese of any rank, covered "conventional war crimes" and "crimes against humanity," respectively. In early November, the supreme commander was given authority to purge other war time leaders from public life. Again, MacArthur moved quickly: by December 8 he had set up an international prosecution section under former U.S. assistant attorney general Joseph Keenan, which began gathering evidence and preparing for the high-profile Class A trials.   
  
On January 19, 1946, MacArthur announced the establishment of the International Military Tribunal for the Far East (IMFTE), and a few weeks later selected its eleven judges from names submitted to him by the governments sitting on the Allied Far Eastern Commission. He also named Keenan the chief prosecutor and Australian Sir William Webb the tribunal's president. Twenty-eight high-ranking political and military leaders were indicted on 55 counts of "crimes against peace, conventional war crimes, and crimes against humanity."   
  
The Tokyo trials began on May 3, 1946, and lasted two and a half years. Although an improvement over the hasty Manila trials, which were also organized by MacArthur and resulted in the executions of Generals Yamashita and Homma, the Tokyo trials have been criticized as another example of "victors' justice." One of the more authoratative studies condemns them strongly: "We have found its foundation in international law to be shaky. We have seen that its process was seriously flawed. We have examined the verdict's inadequacy as history."   
  
On November 4, 1948, Webb announced that all of the defendants had been found guilty. Seven were sentenced to death, sixteen to life terms, two to lesser terms, two had died during the trials and one had been found insane. After reviewing their decisions, MacArthur expressed his regrets but praised the work of the tribunal and upheld the verdicts. Although calling the duty "utterly repugnant to me," MacArthur went on to say, "No human decision is infallible but I can conceive of no judicial process where greater safeguard was made to evolve justice."   
  
On December 23, 1948, General Tojo and six others were hung at Sugamo prison. MacArthur, afraid of embarrassing and antagonizing the Japanese people, defied the wishes of President Truman and barred photography of any kind, instead bringing in four members of the Allied Council to act as official witnesses.

Name: Quang Huynh

**Nuremberg Trials**

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| 1. What was the purpose of the Nuremberg Trials? | 2. What were the defendants on trial for? |
| The purpose of the Nuremberg Trials is to bring Nazi criminals to justice. | The defendants were on trial for crimes against humanity and peace. |
| 3a. What evidence support the position that the trials were just? | 3b. What evidence demonstrates the trials were biased in favor of the victors? |
| The evidence that supported that the trials were controversial but laid the foundation with dealing with other cases of genocide and crimes against humanity. But then, the Soviet Union and United States issued a declaration that noted the mass murder of Europeans and the resolution to prosecute those who are responsible for violence against civilian populations. | The trials were biased in favor of the victors since they were able to make laws regarding the crimes and such. The proceedings would include the documentation of the crimes and the defendants can be condemned without evidence, along with other advantages too. |
| 4. What were the effects of the Nuremberg trials? | 5. List two interesting or surprising facts based on the article you read. |
| The effects of the Nuremberg trials were that the Nazi leaders were held accountable for their actions. Furthermore, there was a movement for the establishment of the International Criminal Court. | Something interesting that I found in the article that all but three of the defendants were found guilty. Then, another interesting fact that I read is that the head of the Luftwaffe had committed suicide before his execution with a cyanide capsule. |

**Tokyo Trials**

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| 1. What was the purpose of the Tokyo Trials? | 2. What were the defendants on trial for? |
| The purpose of the Tokyo Trials is to bring the people in defeated nations to justice. Japanese leaders were put on trial for their atrocities committed during World War 2. | The defendants were on trial for crimes against humanity and crimes against peace, along with war crimes. |
| 3a. What evidence support the position that the trials were just? | 3b. What evidence demonstrates the trials were biased in favor of the victors? |
| The evidence that supports the position that the trials were just since these Japanese leaders were blatantly committing war crimes. The reasoning was that the nations had to be punished for their crimes. Thus, this trial was just. | The U.S was never persecuted for their war crimes and the results were basically fixed. The trial did not meet the judicial process either. The process was very flawed. |
| 4. What were the effects of the Tokyo trials? | 5. List two interesting or surprising facts based on the article you read. |
| The Tokyo Trials would be contributed to the development of the international law. It also served as models for future trials involving war crimes and crimes against humanity. | An interesting fact that I read is that all the defendants were found guilty. Secondly, another interesting fact is that MacArthur was afraid to embarrass the Japanese. |