



## World History

### Judgment at Nuremberg

Name: \_\_\_\_\_  
Section: \_\_\_\_\_  
Score: \_\_\_\_/5

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Directions: For each of the following members of the German High Command decide what should their punishment be for their involvement in World War II and the Holocaust and provide an explanation for why you think they deserve that.

#### Hermann Goering

Goering was perhaps the most influential person, next to Hitler, in the Nazi organization. He was one of only 12 Nazis elected to the Reichstag in 1928. He orchestrated the Reichstag fire on February 27, 1933 and, with Goebbels assistance, used the fire as a propaganda tool against the communists. In the mid-1930's Goering was in charge of the Aryanization of Jewish property, a policy which extended to Jews throughout Europe following the Anschluss.

After the events of Kristallnacht, November 8 and 9, 1938, Goering (under instructions from Hitler) called a high-level meeting of the party, on November 12, to assess the damage done during the night and place responsibility for it. Present at the meeting were Goering, Goebbels, Reinhard Heydrich, Walter Funk and other ranking Nazi officials. The intent of this meeting was two-fold: to make the Jews responsible for Kristallnacht and to use the events of the preceding days as a rationale for promulgating a series of anti-Semitic laws which would, in effect, remove Jews from the German economy. An interpretive transcript of this meeting is provided by Robert Conot, *Justice at Nuremberg*, New York: Harper and Row, 1983:164-172):

“Gentlemen! Today's meeting is of a decisive nature,” Goering announced. “I have received a letter written on the Fuehrer’s orders requesting that the Jewish question be now, once and for all, coordinated and solved one way or another.”

Kristallnacht turns out to be a crucial turning point in German policy regarding the Jews and may be considered as the actual beginning of what is now called the Holocaust. Following that meeting, a wide-ranging set of anti-Semitic laws were passed which had the clear intent, in Goering’s words, of “Aryanizing” the German economy. The path to the “Final Solution” had been chosen.

Verdict and Explanation:

#### Alfred Jodl

Alfred Jodl was Chief of the Operations Section of the Wehrmacht [the regular German Army], under the direction of Blomberg and Keitel. In that capacity, he was involved in the destruction of Czechoslovakia. During his trial, Jodl asserted that it was the Czechs who initiated it by massing troops on the German border, knowing full well that plans for the invasion of Czechoslovakia were in place at least six months prior to the invasion. He characterized the invasion of the Soviet Union as a “preventive measure” since Soviet troops were concentrated along the German border.

In regard to “crimes against humanity,” Jodl was strongly implicated in promoting forced labor -- particularly against the civilian populations of Denmark, Holland, France and Belgium.

His primary defense was the “higher authority” plea. At the end of the cross-examination, Jodl stated, “It is not the task of a soldier to be the judge of his Commander in Chief. May history or the Almighty do that.” (quoted in Taylor, 1992:439).

Verdict and Explanation:

### Baldur von Schirach

Shirach was charged on Count One and Count Four of the Indictment. On Count One, planning and preparing for aggressive war, the evidence was slight at best. As head of the Hitler Youth movement, he was accused of preparing the youth of Germany for war. While there is little question of his effectiveness in consolidating all the German youth groups under the Hitler Jugend, Shirach's counsel was successful in separating the Youth Movement from the German Wehrmacht.

On Count Four however, Schirach was in much deeper trouble. His antisemitism was not only well-known, Schirach had expressed it openly. Interestingly enough, Shirach's antisemitism was drawn primarily from Henry Ford's *The International Jew* rather than from Rosenberg and Streicher. The Tribunal produced powerful documentary evidence that he knew and approved the deportation of Jews from Vienna to the extermination camps. He also knew of the Einsatzgruppen's mobile van extermination of Jews in eastern Poland. This knowledge rendered invalid his claim that he supported the deportation of Reich Jews following Kristallnacht because he thought it was in the best interest of Jews.

#### Verdict and Explanation:

### Hans Fritzsche

It was probably Goebbels who, more than any of the witnesses or documents called in on Fritzsche's account that saved him from being convicted. As a radio broadcaster he had indeed disseminated information and propaganda that was extremely important to the Nazi organization; however, it could never be demonstrated that he was the originator of the materials. The media was under such tight control of Goebbels' Ministry of Propaganda that the only source of information available to journalists and broadcasters was the information provided them by Goebbels' office. His antisemitism seems to have been an ideology of assent rather than one which he pressed upon the German population.

#### Verdict and Explanation:

### Karl Doenitz

After Hitler's rejection of the Versailles Treaty in 1919, Karl Doenitz was made commander of the submarine unit of the German navy (Germany was forbidden submarines by the treaty). By 1940 he had risen to the rank of Vice Admiral. He was indicted under Counts One, Two and Three of the Indictment and mainly for that section of the Indictment dealing with War Crimes on the seas, particularly in connection with the charges that German U-Boats had sunk British merchant ships.

His main defense consisted of counter charges that the U.S. had also sunk Japanese merchant vessels. This was not, primarily, a "you are another" defense. Rather, his defense counsel argued for acquittal on the grounds that the German Navy and the U.S. Navy had committed identical military actions and with the same justification -- that Japanese and British merchant vessels were part of the military effort of those nations.

There was no strong evidence that Doenitz had attended planning sessions of the German War Department and only minimal evidence that he had been involved in the extermination or enslavement of civilian populations. His guilt was mainly in the area of "War Crimes."

#### Verdict and Explanation: