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Paper 2

Sociology 376

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The Judgment at Nuremberg had historical impacts on international law as it related to the prosecution of heinous war criminals. The atrocities committed by the Nazi Party were unique in that while they were about as inhumane as anything that has occurred since the dawn of mankind, they were not actually illegal under the laws of the Nazi regime. These trials brought into question the idea of a universal morality, and for the first time in history, the leaders of a nation were prosecuted for jeopardizing the peaceful coexistence of mankind (Tomuschat, 2006). While the word “peaceful,” is certainly somewhat of a misnomer considering war in its very essence is the antithesis of peace, the Nuremberg trials dealt with actions so evil that even in war had no place. The International Military Tribunal (IMT) established decisions that would set precedent for future cases of crimes against humanity. A changed idea of national sovereignty, the establishment of an international morale, and individual criminal responsibility are some of the developments from the Nuremberg Trials that display the effectiveness of international law.

Prior to Nuremberg, State sovereignty had been the foundation of international law (Tomuschat, 2006). Domestic law was a previously untouchable aspect of the international legal order. The scope of international law allowed for protection within a nation's territories. A State's laws were a “protective umbrella,” (Tomuschat, 2006) for the perpetrators of morally reprehensible actions. Dr. Wieck in *The Judgment at Nuremberg* (1961), was called to the stand to explain how justice had changed since the rise to power of the Third Reich. He stated, “The result was to hand over the administration of justice into the hands of the dictatorship, (*The*

*Judgment At Nuremberg*, 1961, 33:25). This is an example of the “protective umbrella.” The defendants depicted in the film (besides Janning), would argue that their participation in subservience to their superiors and adherence to their nations laws could acquit them of responsibility. The Judgment at Nuremberg did not recognize a nation's laws nor one’s patriotism as a rationale for participating in crimes against humanity.

Through the Nuremberg Trials, a common moral ground was established to be acknowledged by all of the leading States (Tomuschat, 2006). The IMT was able to reflect the values of the leading States in their decisions, creating essentially the “provisions of a criminal code (Tomuschat, 2006).” Protecting human rights for the sake of mankind is a simple way to summarize the moral value system that was used to guide decisions on crimes against humanity. Individuals can now be prosecuted for violating these general principles of civility. The defense lawyer in the film stated that, “All of Germany is on trial!” (*The Judgment of Nuremberg*, 1961). This is notably not the case, in that when a dictatorial regime cannot be stopped by its people, the responsible leaders must be put on trial (Tomuschat, 2006). This is an advancement in the International Legal process because for the first time, aim was taken at individual accountability, rather than at an entire state via the use of sanctions for example.

The Judgment at Nuremberg empowered the IMT to punish in a way that had not before occurred in history. The previous proceedings of international law simply did not prepare the world to handle extent of the crimes committed by the Nazi regime. Had Germany’s sovereignty been a valid defense, there likely would not have been justice delivered to the perpetrators of some of humanity's most sinister offenses. The establishment and use of a general law of morality established a precedent for future crimes against humanity. Individuals can be prosecuted and sentenced in a way that may serve as a deterrent now that the scope of

international law includes personal accountability. The legal “tool kit,” (Tomuschat, 2006), established in the Judgment at Nuremberg was the first of its kind, and has improved the competence of international law such that it may prevent an atrocity of this nature from ever occurring again.

## References

Kramer, S. (Director). (1961) *Judgment at Nuremberg* [Film]. Roxlom Films Inc.

Tomuschat, C. (2006). The legacy of Nuremberg.