January 2007

Judgment at Nuremberg: A Three-day Conference on the Trial of the Major German War Criminals at Nuremberg 1945-1946

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JUDGMENT

AT

NUREMBERG

A THREE-DAY CONFERENCE ON THE TRIAL OF THE MAJOR GERMAN WAR CRIMINALS AT NUREMBERG 1945–1946

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PRESENTED BY

WASHINGTON UNIVERSITY LAW
WHITNEY R. HARRIS INSTITUTE
FOR GLOBAL LEGAL STUDIES

Washington University
DEPARTMENT OF PHILOSOPHY

Washington University
SCHOOL OF LAW
IN COLLABORATION WITH

ROBERT H. JACKSON CENTER
AMERICAN BAR ASSOCIATION: SECTION OF INT’L. LAW
AMERICAN SOCIETY OF INTERNATIONAL LAW
SYMPOSIUM

Friday, 29 September 2006
Anheuser-Busch Hall—Room 310
ANALYSIS OF THE MAJOR CRIMES DECLARED AND ENFORCED BY THE INTERNATIONAL MILITARY TRIBUNAL AT NUREMBERG

**8:30 Opening**
John Haley, Director, Whitney R. Harris Institute for Global Legal Studies, Washington University, School of Law

**Welcome**
Mark Rollins, Chair—Washington University, Department of Philosophy
Kent Syverud, Dean—Washington University, School of Law

**Remarks**
Larry May, Washington University, Department of Philosophy
Leila Sadat, Washington University, School of Law

**9:00–9:45 Opening Address**

**Introduction:** Leila Sadat

**Address**
M. Cherif Bassiouni, DePaul University College of Law
*The Legal/Moral Legacy of Nuremberg & its Impact on International Criminal Justice*

**9:45–10:00 Break**

**10:00–11:45 Crimes Against Humanity, Including Genocide**

**Chair:** Leila Sadat

**Panel**
Patricia Wald, Former Chief Judge, U.S. Court of Appeals; Former Judge, ICTY
David Luban, Georgetown University, Law & Philosophy
Diane Orentlicher, American University, Washington College of Law
Steven Ratner, University of Michigan Law School

**Comments/Questions**

**12–1:30 Lunch & Address—Whittemore House** [Reservation required]

**Introduction:** Larry May
Address
Thomas Franck, New York University School of Law
Individual Criminal Liability and Collective Civil Responsibility: Do They Reinforce or Contradict Each Other?

1:30–3:00 Offenses Against the Laws and Customs of War
Chair: Stephen Legomsky, Washington University, School of Law
Panel
David Rodin, Oxford University, Philosophy
Nancy Sherman, Georgetown University, Philosophy & Law
Patricia Viseur-Sellers, Prosecutor ICTY/ICTR

3:00–3:15 Break

3:15–5:00 The Crime of Aggressive War
Chair: Larry May
Panel
Roger S. Clark, Rutgers University School of Law
Mark Drumbl, Washington & Lee University School of Law
Michael Walzer, Institute of Advanced Studies, Princeton
Comments/Questions

6:30 Dinner and Address—Whittemore House [Reservation required]

Conference Contemplations
Larry May and Leila Sadat

COMMEMORATION
Saturday, 30 September 2006
Anheuser-Busch Hall—Room 310

THE SIXTIETH ANNIVERSARY OF THE JUDGMENT OF THE INTERNATIONAL MILITARY TRIBUNAL AT NUREMBERG

8:30 a.m. Presiding: John Haley

8:35–10:15 The Prosecution of War Criminals at Nuremberg
Chair: Greg L. Peterson, Robert H. Jackson Center
Panel
John Q. Barrett, St. John’s University
The Crucial Role of Justice Robert H. Jackson
Whitney R. Harris, Nuremberg Prosecutor
The Evidence at Nuremberg
Henry King, Nuremberg Prosecutor
The Nuremberg Precedent

10:15–10:30 Break

10:30–11:45 Prosecuting International Crimes after Nuremberg
Chair: Larry May
Panel
David Crane, Syracuse University College of Law
Nuremberg to West Africa-The Jackson Legacy in Jeopardy-International
Criminal Justice at a Crossroads
Michael Scharf, Case Western Reserve University
Order in the Courtroom: From Goering to Saddam, the Challenges
of Trying a Tyrant

11:45–12 Comments/Questions

12–1:30 Lunch Address—W. L. Hadley Griffin Student Commons
[Reservation required]

Introduction: John Haley
Address
Richard Goldstone, Constitutional Court of South Africa
After Impunity

1:40–3:00 The International Criminal Court in the Twenty-First
Century
Chair: Leila Sadat
Panel
David Scheffer, Northwestern University
Creating an International Criminal Court
Hans Peter Kaul, International Criminal Court
The International Criminal Court—Current Challenges and Perspectives
William Pace, Coalition for the International Criminal Court
The ICC and the Vision of a “Never Again” Court—Are the New
Century’s Disastrous Failures of International Political Policy
Threatening the New ICC?
3:00–3:15 Break

3:15–4:45 A World of Peace Under the Rule of Law

The View from Europe
Christoph Safferling, Erlangen University, Whitney R. Harris International Law Scholar of the Robert H. Jackson Center

The View from America
Ben Ferencz, Nuremberg Prosecutor

Closing Remarks
Whitney R. Harris

4:45–5:00 Comments/Questions

6:00 Dinner and Speaker Session—Knight Center [Reservation required]
6–6:30 Social Hour, 6:30–7:15 Supper

7:15 Master of Ceremonies: John Haley, Director, Harris Institute

Welcome: Mark S. Wrighton, Chancellor, Washington University

Introduction: Leila Sadat, Washington University, School of Law

Philipppe Kirsch
President—International Criminal Court
Applying the Principles of Nuremberg in the International Criminal Court

2006 World Peace Through Law Award
by Whitney Harris

Introduction: Larry May, Washington University, Department of Philosophy

Christopher Dodd
United States Senator—Connecticut
Nuremberg: Past, Present and Future

Award Presentation
Nuremberg—City of Peace and Human Rights
Whitney Harris  
City of St. Louis—Mayor Francis Slay  
City of Nuremberg—Represented by Hans Hesselmann, Head of Human Rights Office

Closing Remarks:  
Mark Rollins, Washington University, Department of Philosophy  
Kent Syverud, Washington University, School of Law

DOCUMENTARIES  
Sunday, 1 October 2006  
Anheuser-Busch Hall—Room 309—9 a.m.

Beginning at 9 a.m. on Sunday, 1 October 2006, Whitney Harris and John Haley will have a presentation and commentary in Anheuser-Busch Hall, showing motion pictures and photographic displays of Nazi Germany, some of which were introduced in evidence at the Nuremberg Trial.

THE NUREMBERG TRIALS:  
THE THIRD REICH’S INHUMANITY TO MAN ON TRIAL  
(USSR DOCUMENTARY 1949)  
AND  
NUREMBERG (U.S. ARMY DOCUMENTARY 1949)

8:30–9:00  
Photographic display available in 309 and 312. Please feel free to browse.

9:00–10:00  
The first movie, *The Nuremberg Trials: the Third Reich's Inhumanity to Man on Trial*, is a dark film that graphically illustrates in stark images and uncompromising narrative the terrible cost of the wars of conquest and genocide waged by Nazi Germany. Sections on concentration camp horrors may be distressing to some viewers. Russian, original dubbed English version, released immediately after the conclusion of the 1946 trials in black and white, 57 minutes. This film is a rare video recording.

10:00–10:30  
*Looking Back:* Whitney R. Harris
10:30–11:46

The second movie, *Nuremberg*, originally released as a motion picture in 1949, was produced by the Documentary Film Unit, Information Services, OMGUS, published in Washington, D.C., by the Department of the Army, and distributed by the National Audiovisual Center. This film is in black and white and is 76 minutes long. It is a documentary record of the trials of the Nazi leaders at Nuremberg, Germany. *Nuremberg* includes scenes from films made by the Nazis which were presented as the documentary evidence of the atrocities committed at concentration camps.

11 September 2006