

# Washington University Global Studies Law Review

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VOLUME 6

NUMBER 3

2007

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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

**Philippe 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