

Thanksgiving in Nuremberg, November 22, 1945

*John Q. Barrett**

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In the autumn of 1945, Thursday, November 22, marked the first day of evidence at Nuremberg.

The trial of accused Nazi war criminals had commenced in Nuremberg, in the Palace of Justice in the United States military occupation sector of the defeated former Germany, two days earlier. On Tuesday, November 20, the trial opened with Allied prosecutors reading the indictment against twenty-two individual defendants and six defendant Nazi organizations. Prosecutors from the U.S., the United Kingdom, the Soviet Union and the French Republic took turns reading the lengthy document to the International Military Tribunal and the 20 of 22 individual defendants who were present in court. The process was serious and, as it filled the full day, soporific—reporters and spectators who had obtained courtroom tickets with difficulty began to leave early.

On the next morning, Wednesday, November 21, each defendant stood in turn and entered a plea of not guilty. The president of the Tribunal then called on Justice Robert H. Jackson, the United States Chief of Counsel, to deliver his opening statement. “The privilege of opening the first trial in history for crimes against the peace of the world imposes grave responsibility,” Jackson began. “The wrongs which we seek to condemn and punish have been so calculated, so malignant and so devastating that civilization cannot tolerate their being ignored because it cannot survive their being repeated.”

Justice Jackson’s third sentence summarized the entire Nuremberg undertaking: “That four great nations, flushed with victory and stung with injury stay the hand of vengeance and voluntarily submit their captives to

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For a selected archive of Jackson List postings, see my homepage at www.law.stjohns.edu. To subscribe to the Jackson List, send a note to barrettj@stjohns.edu.

the judgment of the law is one of the most significant tributes that Power ever has paid to Reason.”

Jackson’s speech lasted more than four hours, filling the rest of that second trial day. The packed courtroom, including the defendants, recognized immediately that it was a masterpiece of composition, delivery and vision.

When trial commenced on Thursday morning, the IMT first ruled on pending defense motions. Defendant Julius Streicher was, the Tribunal announced, sane and fit to appear to present a defense, and defendant Martin Bormann would be tried in absentia pursuant to the London Charter of August 8, 1945.

The Tribunal then called on the United States to begin presenting evidence on Count One, which charged defendants with engaging in a common plan and conspiracy to wage aggressive war. Jackson’s Executive Trial Counsel, Colonel Robert G. Storey, explained that most of the evidence to come would be German documents captured by the U.S. and British armies. Col. Storey was followed by Associate Trial Counsel Ralph G. Albrecht, who explained the Nazi Party and government structures and offered organizational charts as evidence. Albrecht was succeeded at the podium by Major Frank B. Wallis, Assistant Trial Counsel, who began to offer evidence on the Nazi rise to power in Germany and the pre-1939 planning for aggressive war.

Those trial proceedings were not, however, the first Nuremberg courtroom event on November 22, 1945. In the United States, that day was Thanksgiving. In Nuremberg, the Allies did not take the day off to observe the American holiday, but they did quite solemnly give thanks.

At Justice Jackson’s invitation, hundreds of military and civilian Allied personnel gathered in Courtroom 600 at the start of that morning.¹ Jackson spoke briefly, explaining the American history and tradition of Thanksgiving to his British, Russian and French colleagues.

Jackson then asked a member of his staff, Captain Edmund A. Walsh, to speak. In civilian life, Capt. Walsh was Father Walsh, S.J., vice president of Georgetown University and rector of its School of Foreign

¹ See Frank S. Adams, *Americans Abroad and at Home Mark Thanksgiving Day*, N.Y. TIMES, Nov. 23, 1945, at 1, 34.

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Service. On that morning, Capt. and Fr. Walsh offered, for all present, a Thanksgiving prayer. As he spoke, most of those present, including the senior Soviet prosecutors and the not-particularly-religious Justice Jackson, folded their hands and bowed their heads.²

On Thursday, November 22, 2007, and on every Thanksgiving, I wish for all of us—religious and not, American and not—that Nuremberg spirit of gratitude, peace, justice and human alliance.

² An aerial photograph of Courtroom 600 on this occasion, showing Father Walsh at the podium and Justice Jackson seated to his left, is reproduced following this page.