Reporting World War II

Democracy, Memory, and Literature in Post-Fascist Italy

G. Kurt Piehler and Ingo Trauschweizer, Editors

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Introduction

G. Kurt Piehler and Ingo Trauschweizer

For Americans, wartime journalists played a pivotal role in shaping how they perceived World War II. During the war, millions read daily newspapers and regularly listened to radio news reports from Europe and the Pacific. Photojournalists such as Robert Capra, Margaret Bourke-White, and Joseph Rosenthal produced some of the most iconic images of the conflict. After 1945, a number of journalists wrote memoirs of their experiences that allowed them to discuss more openly what they had witnessed. Several wrote highly regarded histories, including Cornelius Ryan's the *Longest Day*: *June 6, 1944* (1959), William L. Shirer's *The Rise and Fall of the Third Reich* (1960), and Harrison Salisbury's *The 900 Days: The Siege of Leningrad* (1969).

The editors of this volume had planned to hold a two-day conference in April 2020 at the Intrepid Naval, Air, and Space Museum in New York City focusing on wartime reporting by American correspondents. We envisioned this conference, and the digitization of large parts of the Cornelius Ryan Collection held at Ohio University,[1] as spurring greater scholarship focusing on frontline journalism and were especially interested in contributions examining the role of women and African American reporters. Although we were forced to cancel the conference as a result of the Covid-19 pandemic, fortunately, most of those who planned to participate provided chapters for this anthology.

Ryan, of course, powerfully shaped perceptions of entire generations of readers and audiences of motion pictures based on his books. His *The Longest Day*, published in 1959, presents one of the most successful popular histories of D-Day, and became the basis of the 1962 movie of the same title. The same could be said for his late-in-life book *A Bridge Too Far* (1974), which depicts in great detail and with epic sweep the successes (at Eindhoven and Nijmegen) and the ultimate failure (at Arnhem) of Allied forces to cross the Rhine River in September 1944. By the time *A Bridge Too Far* had been made into a major motion picture (1977), Ryan had been dead for three years—he died from prostate cancer some two months after the publication

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of the book.[2] The Dublin-born Ryan was both a war reporter and a historian, though he achieved greater effect in the latter genre. He had worked as a war correspondent in London from 1941, directly observed and reported on U.S. Army Air Forces bombing missions, and ended his reporting of war in Germany among General George S. Patton's soldiers, but he had not been present in Normandy during D-Day or during Operation Market Garden at any of the key bridges.[3] His histories rested on painstaking research, primarily conducted in interviews and by questionnaires. His narratives imparted a heroic and, at Arnhem, also a tragic picture of the war that still underpins how we approach the Second World War in western Europe. Yet beneath that superstructure of strategy and operations and beyond the well-known battlefields of Normandy, Holland, or the Ardennes, many more reporters presented different pieces of a fuller picture while the fighting still raged. This book attempts to bring some of them out of the shadows.

3rd Army Press Camp—Caption 3rd Army Press Camp, Regensburg, Germany, Man 1945. Left to right front row—Mains, Reuter, Newman, INS., Tyrell, *Newsweek*, Gen. George Patton, Jr., Packard, UP, Rita Vandergrift, Lee Mc Cardell, *Baltimore Sun*. Middle Row—Griffen, *Worcester Tel. Gazette*, Wallenstein, *Kansas City Star*, Leseur, CBS, Wiant, AP, Wilkenson, *London Daily Express*, Connie Ryan, Colliers, Ball, AP. Rear Row—Lt. Col. James Quirk, Bro Third Army, Richards, UP, Foust, *Chicago Tribune*, Currivan, *New York Times*, Priestly, ACME, Wilhelm, *Newsweek*, Driscoll, *New York Herald Tribune*, Gen. Hobart Gay, Chief of Staff, 3rd Army. Cornelius Ryan Collection, Alden Library, Ohio University.

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One of the challenges and opportunities posed by writing a history of wartime reporting is the sheer abundance of sources. Hundreds of American journalists were officially accredited by the War and Navy departments to serve as war correspondents, and they produced millions of words. For some major campaigns, such as the Cross Channel invasion of France on June 6, 1944, hundreds of correspondents were accredited to cover the story, including a select few who landed on the beach with attacking forces. In other instances, only a handful of journalists or even a single reporter might be present for a crucial engagement. During the Battle of the Bulge, Fred MacKenzie of the *Buffalo Evening News* was the sole correspondent with the 101st Airborne Division when they were under siege in Bastogne by German forces in December 1944.[4]

Journalists not only left behind scores of memoirs, but many of their papers survive in research libraries and museums. Declassification of military records has meant we have a much better understanding of how public relations officers and censors sought to shape the image of the armed forces and reporting. In his seminal study of photojournalism George H. Roeder Jr. in *The Censored War: American Visual Experience during World War Two* underscored how the armed forces and civilian agencies manipulated the images Americans were able to view during the war. Not only were graphic images of combat often consigned to the unpublishable "chambers of horror" file, but also ones that showed white women and Black GIs dancing together and similar photographs that might suggest any endorsement of racial integration.[5]

Compared with other fields of scholarly inquiry related to World War II, wartime journalism has received far less attention from historians and media scholars. Except for the life and times of Edward R. Murrow, the famed CBS radio and later television journalist, even many key wartime reporters attracted few biographies.[6] For instance, many major wartime journalists, such as Herbert Mitgang, Andy Rooney, and Don Whitehead, still await a biographer. Despite his recognized importance, Ernie Pyle has garnered only one scholarly biography, James Tobin's *Ernie Pyle's War: American Eyewitnesses in World War II* (New York: Free Press, 1997). Only recently have the careers of two of the most influential Pacific War correspondents, Robert Sherrod and Richard Tregaskis, gained a biographer.[7]

Bill Mauldin's *Up Front* is part of the canonical two-volume *Reporting World War II* (New York: Library of America, 1995), and he finally garnered a well-received biography by the independent historian Todd DePastino, *Bill Mauldin: A Life Up Front* (New York: Norton, 2009). The Pritzker Military Museum and Library in Chicago organized a major exhibit on Bill

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Mauldin's wartime and postwar career and has already published a catalogue to complement it, Todd DePastino's *Drawing Fire: The Editorial Cartoons of Bill Mauldin* (Chicago: Pritzker Military Museum and Library, 2020). We sorely need a comprehensive scholarly history of the U.S. Army–sponsored *Stars and Stripes* and *Yank* magazine. Holding back scholarship is the limited accessibility of many newspapers. While microfilm and even digital editions of major national newspapers such as the *New York Times, Wall Street Journal,* and the *Washington Post* can be found in many colleges and universities, second-tier publications remain more difficult to obtain.

Scholars writing on the history of wartime reporting remain indebted to Phillip Knightley's insightful study, *The First Casualty.* His transnational history of wartime reporting begins by examining the Crimean War, the first conflict that attracted frontline correspondents, and takes the story through the fall of South Vietnam to communist forces in 1975. Knightley stresses the degree to which governments and generals use various techniques to suppress unfavorable news and seek to shape the story journalists are permitted to tell. Often getting to the battlefield is impossible for reporters with many governments limiting access to it and forcing correspondents to rely on official communiqués and press conferences. In the case of World War II, American and British correspondents bristled at the unwillingness of the Kremlin to offer regular opportunities to visit the front lines, even when the United States joined the Grand Alliance.[8]

Several contributors to this volume build on Knightley's assessment regarding the degree to which governments manipulate war reporters. Steven Casey considers the efforts of American journalists during the Phony War trying to cover the invasion of Poland and the Russo-Finnish War. The Polish military and government prohibited them from visiting the battlefields, offered briefings only in Polish, and established convoluted systems for censoring and transmitting their stories through the post office. Echoing Knightley, Casey noted that Polish restrictions made Western news outlets more dependent on German reporting to fill the void. As long as the Finns were winning in their winter war against the Soviet Union in late 1939, they permitted greater access to the front lines, but this changed as the conflict turned in the Red Army's favor. For the ambitious journalist, war reporting could be difficult and dangerous. In the case of Finland, reporters had to endure air raids in Helsinki, long train rides to the battlefield, and subzero temperatures.

The theme of censorship runs through all the essays, but also the related question of which stories journalists consider important to report on and

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which are not.[9] In Kendall Cosley's chapter focusing on bureau reporters stationed in European capitals, she describes the pressures placed on American correspondents in Germany to avoid writing stories that could lead to their expulsion from the country. Official restrictions often led to self-censorship, and many reporters took this approach in order to avoid expulsion. In the case of Germany, one result is that relatively few stories regarding the anti-Semitic policies of the regime received coverage, including Kristallnacht.

Even before the United States entered the war, many of the American correspondents were hardly neutral. Edward R. Murrow was among a host of journalists reporting from London on the Blitz in 1940 who made clear their bias in favor of Britain and cast Germany as the villain. Karen Garner's contribution to this anthology describes how Helen Kirkpatrick used her war reporting to try to prod Ireland to abandon neutrality and take up the fight against Nazi Germany.

After the United States joined the fight following the Japanese attack on Pearl Harbor, relatively few journalists questioned the wisdom of the Allied cause and often saw themselves as team players, especially when commanders such as Dwight Eisenhower took them into their confidence. In perhaps the most famous case, overseas correspondents' self-censorship is reflected when some of them learned that General George Patton had abused mentally traumatized GIs in two army hospitals. Instead of trying to break the story, they gained an audience with Eisenhower urging him to discipline Patton. Only several months later, when Washington, DC–based columnist Drew Pearson broke the story in the United States, did American war reporters publish accounts of the incident. Most American journalists covering the Army Air Force seldom sought to report on the impact of aerial bombing campaigns on Axis civilians; they largely accepted the official line that the United States engaged in precision bombing. Only as American forces started entering Germany did American journalists gain an inkling that the Allied bombing campaign had not spared civilians, and stories started appearing in American newspapers.

At the same time, many reporters refused to serve as mere ciphers for the American military. As Steven Casey observed, reporters strived to scoop their colleagues on fast-breaking news, especially in the case of the Associated Press and other wire services. Radio journalists and their bosses in the field wanted to be at the front line in order to capture the sounds of war in their broadcasts. And even supporters of the cause differed over the conduct of the war, especially during major friendly fire incidents and when it was clear that Allied strategic choices had run into problems, such as the

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stalemate at the Anzio beachhead in 1944 during the Italian campaign. Even Ernie Pyle, whose stock and trade centered on human interest stories, wrote a column critical of the American high command's dealing with a French Vichy official in North Africa in 1943, a sentiment shared by many of his colleagues.[10]

Other journalists remained fierce partisans of the country they covered in their reporting. As a freelance photojournalist, Thérèse Mabel Bonney arrived in Finland on the eve of the country's invasion by the Soviet Union. With her trip funded by a Finnish organization with connections to the military, Bonney was hardly a detached observer. After the outbreak of fighting, her photographs became a regular feature of *Life* Magazine for the duration of the conflict. Bonney left Finland for Belgium just before Germany ended the Phony War with the invasion of the Low Countries and France in May 1940. In 1942, Bonney returned to Finland, ostensibly as a photojournalist but also as an agent for the Office of Strategic Services (OSS) and the U.S. State Department, to open up an informal channel with governmental officials whom Bonney had met during her first sojourn in the country. Despite the Finns participating as an ally of Germany, the United States had not broken diplomatic relations with this country.

As Henry Oinas-Kukkonen's chapter makes clear, even when in the pay of the OSS, Bonney remained a fierce partisan of the Finnish cause. Because of her earlier contacts with Finnish leaders, Bonney gained unprecedented access to the battlefield and was granted permission to journey to the northern front and observe Finnish and German troops fighting against Soviet forces. Once back in the United States, Bonney remained an outspoken supporter of Finland and publicly called on Americans to overlook the country's alliance with Germany.

One trend that remained ubiquitous and runs through much of the frontline reporting is a focus on the human-interest story. Part of this trend reflected the fact that censorship often circumscribed what journalists could report. For instance, in the opening days of Operation Overlord, the Allied headquarters wanted to keep the extent of the landing vague in effort to convince the Germans that the major landing would still occur at Pas de Calais. It also reflected the limitations of what a single correspondent could learn from serving on the front line, given the vast expansion of the battlefield that stretched often for hundreds of miles. Reporters based at major army headquarters often had a much better overall view of the course of the fighting, albeit filtered through the prism of the official communiqués, press conferences, interviews with officers, and unsubstantiated rumors that circulated.

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The widespread use of the human-interest genre spoke to the desire of the American public to know what their sons and daughters, husbands and wives, and neighbors were experiencing.[11] Ernie Pyle gained enormous fame and recognition for his columns that often focused on the mundane and the weighty. Although he did report on aviators and spent some time on naval vessels, his focus remained the infantry and an effort to interpret their travails. His anointing of Omar Bradley as the "GI General" proved pivotal in shaping this leader's image with his public relations officers seeking to burnish it, even though Bradley also had rather tense relationships with reporters, including, as Alexander Lovelace shows, those working for *Stars and Stripes*.

The human-interest story would not be confined to American newspapers and magazines. Victoria Sotvedt provides a comparative analysis of how American and Canadian journalists covered the role of reconnaissance units from their respective countries and often took this angle in their reporting. In one story, Sotvedt notes on the level of detail that Gerald Clark, a reporter for a major Montreal paper, provides when covering a

Ernie Pyle, war correspondent, interviewing Joe J. Ray S1/C and Charles W. Page S1/C on board the USS I (CV-10), February 5, 1945. Taken from https://unwritten-record.blogs.archives.gov/2018/04/18/spotlight-remembering-ernie-pyle/.

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reconnaissance unit's role in the attack on the city of Caen in July 1944. Despite being a paper for one of Canada's largest cities, the *Standard* published the names and addresses of the four men photographed in the armored car that Clark rode into battle. As Sotvedt notes, this level of micro-reporting replaced much of what this reporter could not pass through the censor regarding the effort to take the city.

Knightley's classic work on war reporting largely ignores the experiences of reporters of color. His bias reflects the fact that the overwhelming majority of American correspondents were white and seldom wrote stories related to the service of African Americans, as Steve Casey has observed.[12] Even the pathbreaking decision by Eisenhower to temporarily integrate some infantry units during the Battle of the Bulge garnered little attention. An even cursory reading of the Black press during the war offers a different view of the war, with much of the coverage noting the failure of the United States to live up to the ideals of the Four Freedoms and promoting the call for the Double V against the forces of fascism abroad and racism at home. Black newspapers had to walk a fine line in their reporting with FBI director J. Edgar Hoover closely monitoring their content and eager to bring sedition charges for undermining the war effort.[13]

Larry Greene and Alan Delozier consider the contributions of two African American reporters: Roi Ottley, who reported for the white-owned liberal newspaper *PM*, and Ollie Stewart who wrote for the *Baltimore Afro-American* and for the Afro-American newspaper chain. Like white journalists, Black reporters faced the same restrictions regarding censorship and a dependence on the armed forces for feeding and sheltering them when overseas. But the Black press faced the intense scrutiny from the FBI for sedition in response to any reporting that suggested any sympathy for the Japanese and the the racial dimensions of the Pacific War.

The human-interest stories written by both Ottley and Stewart applauding the achievements of individual Black GIs and units bore similarity to those offered by white correspondents. But in the context of the massive institutional racism that African American soldiers endured, these stories had a subversive quality. Moreover, often upbeat stories of Black reporters were juxtaposed with stories written by home-front journalists documenting continued discrimination in the armed forces and industry.

Carolyn Edy, who has written widely on the experiences of women journalists, has observed that official policies remained in flux during the war. Even when regulations circumscribed access of women journalists to the front lines, individual commanders could take a more permissive attitude.[14] In her contribution to this volume she offers a collective biography

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of three women journalists in the European Theater and notes that they were not above ignoring or skirting the rules to get a good story. For instance, one correspondent while receiving treatment in an army hospital managed to transfer to one that was going to treat the casualties of the Battle for Aachen, allowing this intrepid reporter a chance to cover the first German city coming under American attack by ground forces.

One of the distinctive contributions of this volume is that it offers insights into journalism practiced by correspondents serving in the American armed forces. To bolster morale, the War Department–sponsored *Stars and Stripes* was written and edited by enlisted men and women. Although editorial control of the monthly magazine *Yank* remained safely in the hands of the military hierarchy, official policies mandated that enlisted men and non-commissioned men would be in charge of *Stars and Stripes*. Staffed by veteran journalists and those new to the trade, this paper enjoyed an avid readership among average GIs in the European and North African Theaters.[15]

Alexander Lovelace's chapter shows that Patton was not the only commander critical of *Stars and Stripes*. Omar Bradley, despite his reputation as a GIs' general, bristled at the positive reporting of *Stars and Stripes* regarding the role of British General Bernard Montgomery as he assumed command of two of Bradley's armies during the Battle of the Bulge. Montgomery, seldom one to hold his tongue, at this turn of events offered such corrosive comments about American commanders' conduct of the war that Eisenhower threatened to remove him. Lovelace provides convincing evidence that Bradley launched a campaign to rein in *Stars and Stripes* and may have played a part in encouraging Patton to attack the paper and the editorial cartoons of Bill Mauldin.

The animosity of General George Patton toward *Stars and Stripes* has been well documented. Patton threatened to ban the paper in his army and threatened the unkempt and irreverent Mauldin with arrest if he came within jurisdiction of his command. In response to this controversy, Eisenhower's aide Henry Butcher, brokered a meeting between Mauldin and Patton. Eisenhower also affirmed his support of *Stars and Stripes* and ordered that no subordinate commander should interfere with the editorial independence of this paper without explicit authorization. Bradley lost the battle to rein in the *Stars and Stripes* and after the war largely covered up his efforts.

The line between journalism, public relations, and propaganda can be a tenuous one. As Phillip Knightley notes, Joseph Goebbels, Germany's propaganda minister, drafted all correspondents into the military and explicitly

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tasked them with serving the needs of the military and the state. When Germany was winning, this journalism, while selective in what was reported, still often conveyed more factual news than highly censored reports emanating from the British and French military during the battle for France in 1940. Germany was not alone in inducting journalists into the military. Douglass Daniel's chapter examines how the U.S. Marine Corps recruited journalists and tasked them with serving as correspondents. Trained to fight as Marines, these correspondents were assigned to individual units and submitted their copy to a central newsroom established in Washington, DC, for censorship and editing. Newspapers and magazines, often without attribution, used stories generated by these uniformed correspondents. Like German war reporting, official Marine correspondents' reporting remained selective, often falling back to "Joe Blow" stories celebrating the achievements and valor of average Marines.

An oft-repeated adage has declared that journalists write the first version of history. James Sandy's chapter examines why journalists provided disproportionate coverage of the exploits of British Commandos and American Rangers, especially after the fall of France and before major land campaigns could be launched by the Western Allies against Germany. As Sandy observes, senior American commanders remained skeptical of the utility of devoting resources to Ranger units and their military exploits, which while remarkable often only had a minimal impact on the course of the war. But the wartime reporting, Sandy concedes, did serve an important purpose in bolstering British and American morale until the tide of war began to turn in favor of the Allies. After the D-Day invasion of Normandy interest in the special forces operations trailed off.

Official censorship ended with V-J Day, although military commanders could still restrict access to areas under military control. For instance, journalists were initially barred from Hiroshima, and military authorities initially denied the existence of radiation sickness. But ultimately, journalists were able to visit the city, and John Hersey wrote one of the most significant and highly regarded accounts of war reporting dealing with the impact of the atomic bombing on the citizens of Hiroshima.[16]

Nathaniel Moir's examination of journalistic coverage of the Nuremberg War Crimes trials also suggests the limits of journalists in writing the first version of history. Initially, the Nuremberg trials garnered a huge bevy of American journalists, including such luminaries as Ernest Hemingway. But as the cases dragged on, the ranks thinned out, with many reporters and their readers losing interest as the court considered the mountains of

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documentary evidence. In the end, crucial aspects of the trials were unreported, and many stories ended up in the back pages of most newspapers.

This volume is certainly not the last word in wartime reporting. The editors of this volume will judge this work a success if it encourages renewed interest in frontline reporting.

Notes

1. Cornelius Ryan Collection of World War II Papers, https://www.ohio.edu/library/collections/archives-special-collections/manuscripts/cornelius-ryan.

2. Michael Shapiro, "The Reporter Whom Time Forgot: How Cornelius Ryan's *The Longest Day* Changed Journalism," *Columbia Journalism Review* 49, no. 1 (2010): 50–54.

3. Ryan lacks a full-blown biography of his own. For a brief overview see https://www.ohio.edu/library/collections/archives-special-collections/manuscripts/cornelius-ryan/biography.

4. Steven Casey, *The War Beat, Europe: The American Media at War against Nazi Germany* (New York: Oxford University Press, 2017), 307–308.

5. George H. Roeder Jr. *The Censored War: American Visual Experience during World War Two* (New Haven, CT: Yale University Press, 1993).

6. Lynne Olson, *Citizens of London: The Americans Who Stood with Britain in Its Darkest, Finest Hour* (New York: Random House, 2010); Philip Seib, *Broadcasts from the Blitz: How Edward R. Murrow Helped Lead America into War* (Washington, DC: Potomac Books, 2006); Joseph E. Persico, *Edward R. Murrow: An American Original* (New York: Da Capo Press, 1997); A. M. Sperber, *Murrow: His Life and Times* (New York: Freundlich Books, 1986); and Alexander Kendrick, *Prime Time: Life of Edward R. Murrow* (Boston: Little, Brown, 1969).

7. Ray E. Boomhower, *Dispatches from the Pacific: The World War II Reporting of Robert L, Sherrod* (Bloomington: Indiana University Press, 2017), and Ray E. Boomhower, *Richard Tregaskis, Reporting under Fire from Guadalcanal to Vietnam* (Albuquerque, NM: High Road Books, 2021).

8. Phillip Knightley, *The First Casualty: From the Crimea to Vietnam: The War Correspondent as Hero, Propagandist, and Myth Maker* (New York: Harcourt, Brace, Jovanovich, 1975). More recent works include Ray Moseley, *Reporting War: How Foreign Correspondents Risked Capture, Torture and Death to Cover World War II* (New Haven, CT: Yale University Press, 2017), which examines the careers of American, Australian, and British correspondents; and Steven Casey, *The War Beat, Pacific: The American Media at War Against Japan* (New York: Oxford University Press, 2021) studies the coverage of the Pacific War. Frederick Voss's exhibition catalogue, *Reporting the War: The Journalistic Coverage of World War II* (Washington, DC: Smithsonian Press for the National

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Portrait Gallery, 1994) still remains a standard text for those seeking an overview of American wartime journalism.

9. The standard study of the agency charged with press censorship and public propaganda efforts remains Allan M. Winkler, *The Politics of Propaganda: The Office of War Information, 1942–1945* (New Haven, CT: Yale University Press, 1978). The theme of censorship and self-censorship is examined by Michael S. Sweeney, *The Military and the Press: An Uneasy Truce* (Evanston, IL.: Northwestern University Press, 2006), and *Secrets of Victory*: *The Office of Censorship and the American Press and Radio in World War II* (Chapel Hill: University of North Carolina Press, 2001).

10. Casey, *The War Beat, Europe*.

11. For one example of reporting that focused on personal narratives, see William M. McBride, Carl Ek, and, Rodney L. Odell, *Anybody Here from Jersey? The Collected Stories of the Herald-News War Correspondents* (Passaic, NJ: Herald-News, 1945).

12. Casey, *The War Beat*, *Europe*, 314–317.

13. For an overview of the Black press in World War II, see Paul Alkebulans, *The African American Press in World War II: Toward Victory at Home and Abro*ad (Lanham, MD: Lexington Books, 2014). *Roi Ottley's World War II: The Lost Diary of an African American Journalist*, edited by Mark A. Huddle (Lawrence: University Press of Kansas, 2011), is an essential source for understanding the experiences of Black reporters.

14. Carolyn M. Edy, *The Woman War Correspondent, the U.S. Military, and the Press, 1846–1947* (Lanham, MD: Lexington Books, 2017); Carolyn M. Edy, "Trust but Verify: Myths and Misinformation in the History of Women War Correspondents," *American Journalism* 36 (Spring 2019): 242–251; and Carolyn M. Edy, "War Correspondents, Women's Interests and World War II," in *Journalism's Ethical Progression: A Twentieth-Century Journey*, ed. Gwyneth Mellinger and John Ferré (Lanham, MD: Lexington Books, 2019), 115–138. For a collective biography of six highly regarded women correspondents, see Judith Mackrell, *The Correspondents: Six Women Writers on the Front Lines of World War II* (New York: Doubleday, 2021). See also Lilya Wagner, *Women War Correspondents of World War II* (New York: Greenwood, 1989), and Nancy Caldwell Sorel, *The Women Who Wrote the War* (New York: Arcade, 1999).

15. An overview of *Stars and Stripes* is offered by Cindy Elmore, "A Unique American Newspaper's Historical Struggle against Military Interference and Control," *Media History* 16, no. 3 (2010): 301–317. Alfred Cornebise, *The Stars and Stripes: Doughboy Journalism in World War I* (Westport, CT: Greenwood, 1984) is an excellent study of the World War I incarnation of this newspaper that would be revived in 1942. Thoroughly researched, but narrow in scope, is Alfred Cornebise, *The Shanghai Stars and Stripes: Witness to the Transition to Peace, 1945–4*6 (Jefferson, NC: McFarland, 2010). In 2019, Adam Matthew issued the digital publication *Service Newspapers of World War II* that provides full texts of

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both Allied and Axis soldiers' newspapers and magazines, including the London edition of *Stars and Stripes*. This publication, by making these service newspapers more easily accessible and key word searchable, should spur interest in soldiers' reporting.

16. John Hersey, *Hiroshima* (New York: Knopf, 1946). For a biography of Hersey, see Jeremy Treglown, *Mr. Straight Arrow: The Career of John Hersey, Author of Hiroshima* (New York: Farrar, Straus and Giroux, 2019).

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11

After the Shooting Stopped
Justice and Journalism at Nuremberg

Nathaniel L. Moir

On Tuesday, August 14, 1945, the rural farming community of Grant County, Minnesota, in the west central part of the state, gathered to celebrate the end of World War II. After the destruction of Hiroshima and Nagasaki on August 6 and August 9, Japan's formal surrender would soon occur onboard the USS *Missouri* in Tokyo Bay on September 2. Amid the sobering power of atomic weapons, a mix of resolve, relief, and mourning settled like the grain dust produced from the local wheat harvest ongoing in the surrounding fields. Among this farming community, where most of its inhabitants possessed Scandinavian and German heritage, the local paper, the *Grant County Herald,* summarized the local mood about the resolution of World War II, proclaiming: "End of War Announced: Community Receives News in a Calm and Sane Manner."[1]

The article's author explained:

> There was unbounded joy in the hearts of everyone but, with few exceptions, it was not permitted to become exuberant as people solemnly reflected on the fact that there is still much work to be done, that there are still many months and years of occupation and reconstruction of the conquered nations, still many months and years before our boys and girls can return to the comforts of their homes and the peace which they fought for and for which many of them gave their lives.[2]

Americans across the United States likely shared such conflicting perspectives. Such feelings were undoubtedly far more pronounced in Europe and Japan where, instead of grain dust, atomic fallout continued to settle. Amid such destruction, and with simultaneous efforts to rebuild Europe physically and economically, reestablishing justice through the prosecution of war crimes in Germany and Japan began.

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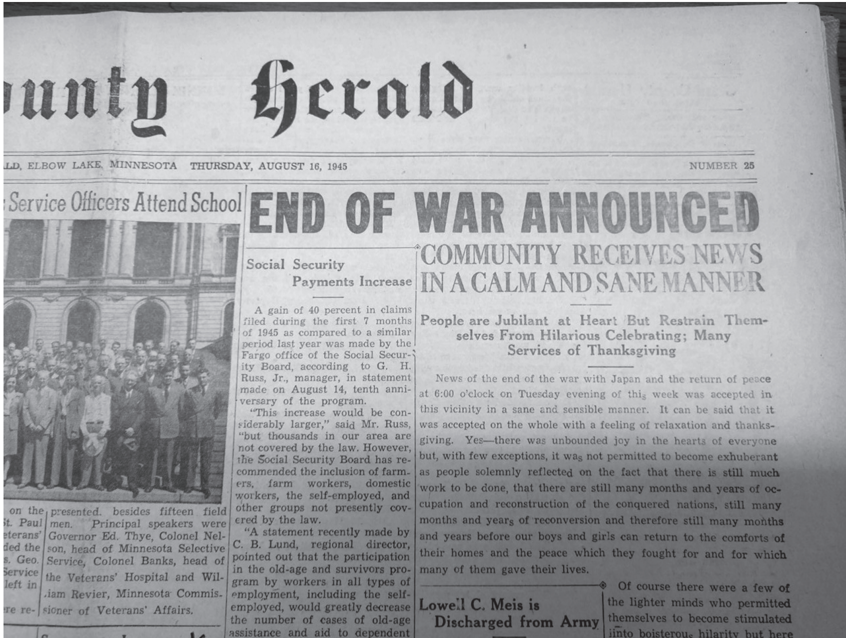

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LD, ELBOW LAKE, MINNESOTA THURSDAY, AUGUST 16, 1945 NUMBER 25

END OF WAR ANNOUNCED

Service Officers Attend School

on the St. Paul eterans' ded the s. Geo. Service left in re re- presented. besides fifteen field men. Principal speakers were Governor Ed. Thye, Colonel Nelson, head of Minnesota Selective Service, Colonel Banks, head of the Veterans' Hospital and William Revier, Minnesota Commissioner of Veterans' Affairs.

Social Security Payments Increase

A gain of 40 percent in claims filed during the first 7 months of 1945 as compared to a similar period last year was made by the Fargo office of the Social Security Board, according to G. H. Russ, Jr., manager, in statement made on August 14, tenth anniversary of the program.

"This increase would be considerably larger," said Mr. Russ, "but thousands in our area are not covered by the law. However, the Social Security Board has recommended the inclusion of farmers, farm workers, domestic workers, the self-employed, and other groups not presently covered by the law.

"A statement recently made by C. B. Lund, regional director, pointed out that the participation in the old-age and survivors program by workers in all types of employment, including the self-employed, would greatly decrease the number of cases of old-age assistance and aid to dependent

COMMUNITY RECEIVES NEWS IN A CALM AND SANE MANNER

People are Jubilant at Heart But Restrain Themselves From Hilarious Celebrating; Many Services of Thanksgiving

News of the end of the war with Japan and the return of peace at 6:00 o'clock on Tuesday evening of this week was accepted in this vicinity in a sane and sensible manner. It can be said that it was accepted on the whole with a feeling of relaxation and thanksgiving. Yes—there was unbounded joy in the hearts of everyone but, with few exceptions, it was not permitted to become exhuberant as people solemnly reflected on the fact that there is still much work to be done, that there are still many months and years of occupation and reconstruction of the conquered nations, still many months and years of reconversion and therefore still many months and years before our boys and girls can return to the comforts of their homes and the peace which they fought for and for which many of them gave their lives.

Of course there were a few of the lighter minds who permitted themselves to become stimulated into boisterous hilarity but here

Lowell C. Meis is Discharged from Army

Grant County Herald (Elbow Lake, Minnesota), August 16, 1945, vol. 67, no. 25.

The Nuremberg Tribunals, like the Tokyo Trials, were landmarks in International Justice regarding war and in documenting genocide and countless atrocities against millions of humans worldwide.[3] Reflecting on the opening statements of the Nuremberg Trial in 2021, seventy-five years after they were given, it is easy to forget the challenges reporters and reading audiences had in assessing changes to international law. Journalists covering the tribunals and describing its goals had not only the challenges of legal debates to navigate. Critically, the tribunals were momentous because of the evidence documenting the Holocaust that the tribunals made public. The legal proceedings revealed the extent of suffering and atrocity inflicted during the war and this, to be sure, further complicated how to cover the Tribunals. In writing about Treblinka, for example, Soviet journalist Vasily Grossman reflected in the Soviet Paper, Кра́сная звезда́, Krasnaya Zvezda (*The Red Star*):

> It is infinitely hard even to read this. The reader must believe me, it is as hard to write it. Someone might ask: "Why write about this, why remember all that?" It is the writer's duty to tell this terrible truth, and it is the civilian duty of the reader to learn it. Everyone who would turn away, who would

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> shut his eyes and walk past would insult the memory of the dead. Everyone who does not know the truth about this would never be able to understand with what sort of enemy, with what sort of monster, our Red Army started on its own mortal combat.[4]

As Antony Beevor noted, Grossman's report "The Hell of Treblinka" was published in November 1944 after Soviet troops from the 1st Belorussian Front reached Majdanek and then Treblinka in late July 1944. Published initially in Знамя, Znamya (*Banner*) the report was used during the Nuremberg Trials to document how over 800,000 victims died in Treblinka.[5] Developing and conducting the trials and reporting on them was one way to answer Grossman's many questions about the war and to understand its consequences. Journalists reporting from Nuremberg, then, had two challenges: describing the complex legal proceedings themselves and learning about and describing unknown details to reading audiences that made the trials necessary.

This chapter focuses on justice and journalism in Nuremberg. The first part describes the tribunals' origins, the prosecution of war crimes, and legal arguments used against Nazi defendants. Although debates and reporting on the prosecution of war crimes in Tokyo overlapped with those prosecuted during the Nuremberg Tribunals, this chapter focuses on the Nuremberg Tribunals and reporting primarily by Western journalists.[6] The latter part of the chapter focuses on the day-to-day effort involved in reporting on the Nuremberg Tribunals. It describes how reporters, translators, and members of the prosecution staff interacted and how reporters lived and worked while covering the proceedings. To understand their task, however, it is critical to describe the substance of the tribunals because the evidence presented was complicated and voluminous, and much of it was read aloud before entering the court record.

The English transcript of the proceedings, for example, exceeded 17,000 pages, and the prosecution examined over 100,000 captured German documents. According to U.S. Chief Prosecutor Robert H. Jackson, "10,000 were selected for intensive examination as having probable evidentiary value," and this meant that much of this evidence was brought up on a daily basis before the court, journalists, and other attendees.[7] In addition to the challenges of translation and the intense competition for an elusive scoop, prosecutors and journalists faced long tedious days working to find a cohesive thread for short articles that might appeal to editors and readers in their home countries. Making sense of the trials and assessing their significance

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while the trials were in progress was, therefore, a formidable challenge. Maintaining readers' interest, whether in Grant County, Minnesota, the Soviet Union, or elsewhere, was another difficulty as life moved on.

The tribunals were established while fighting in Europe and Asia began to recede. Between April and June 1945, the San Francisco Conference set the postwar order in motion, and over 2,500 radio broadcasters and press journalists reported on the formation of the United Nations Charter.[8] A cascade of prior diplomacy in Europe and Asia provided a basis for the conference and the UN Charter. Proposals for the UN Charter began with the 1941 Declaration of St. James Palace, the Atlantic Charter, the 1943 Moscow and Tehran Conferences, and especially with the 1944–1945 meetings at Dumbarton Oaks and Yalta.[9] Together, these numerous meetings led to the signing of the United Nations (UN) Charter on June 26, 1945, and the formation of the UN on October 24, 1945.[10] During the formation of the UN Charter, one of four separate commissions drafted the International Court of Justice statute as the principal judicial organization for the United Nations.

In the numerous meetings leading to the UN Charter, the Moscow Conference of 1943 was particularly important to the formation of the later Nuremberg Trials. At this conference in the Soviet capital, a European Advisory Commission authorized by the "Moscow Declaration's Statement on Atrocities" began work on another charter used to prosecute crimes perpetrated by the European Axis Powers during World War II. Henry Stimson, the U.S. Secretary of War, and Murray Bernays, a lawyer who worked for the War Department's Special Projects branch, led efforts to create a trial proposal that President Roosevelt would eventually support for prosecuting war crimes in Europe. All of these initiatives contributed elements that proved critical to the development of the Nuremberg Charter, framed the tribunals' proceedings, and, subsequently, involved great effort in retrieving Nazi-produced documentation of atrocities across Europe and western Asia.[11]

The Nuremberg Charter was drafted by former U.S. Attorney General Robert H. Jackson, then serving as an associate justice on the U.S. Supreme Court, French judge Robert Falco, and Soviet Advocate General Iona T. Nikitchenko.[12] After the Moscow Conference, Jackson, Falco, and Nikitchenko convened in London to issue the charter as a decree on August 8, 1945, under the authority of the European Advisory Commission.[13] For a time it was referred to as the "London Charter" but soon officially became known as the Nuremberg Charter because Nuremberg, regarded as the birthplace of National Socialism in Germany, was chosen for the tribunals' location. It is

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notable that the Nuremberg/London Charter also served as a model for the Tokyo Charter that was used in prosecuting war crimes committed by those in the Imperial Japanese military.[14] The Nuremberg Charter described the trial proceeding and was formally titled "The Charter of the International Military Tribunal—Annex to the Agreement for the prosecution and punishment of the major war criminals of the European Axis."[15] It was an intricate but short twelve-page document with thirty legal articles signed by the United States, the Soviet Union, France, and the United Kingdom.

These four countries were responsible for each providing two judges to the tribunal, one of whom was a primary judge while the alternate assisted and served as the primary judge, as necessary. By late December 1945, nineteen other countries signed and adhered to the charter's framework, but they did not provide judges.[16] During the International Military Tribunal (IMT), Robert H. Jackson served as the chief prosecutor, Falco served as the alternate for the French judge Donnedieu de Vabres, and Nikitchenko served as the primary Russian judge. In addition, British judge Geoffrey Lawrence was chosen as the chief judge presiding over the IMT while the U.S. Army managed all accommodations, transportation, communications, and security during the tribunals because they were held within the U.S. assigned zone of control in Germany. To provide perspective on the overwhelming U.S. presence at the court, compared to other countries, the U.S. legal delegation alone included over 2,000 employees, and this staff was ten times larger than the British delegation.[17]

The International Military Tribunal, commonly known simply as the Nuremberg Tribunal, began on November 20, 1945, and lasted until October 1, 1946. The distinction is important because journalists focused on the first trial, technically the International Military Tribunal (IMT), which prosecuted twenty-four major war criminals and seven Nazi organizations.[18] Individual defendants included Hermann Göring, Rudolf Hess, Alfred Jodl, Ernst Kaltenbrunner, and other key Nazi leaders. The Sicherheitsdienst des Reichsführer (SD), Schutzstaffel (SS), Sturmabteilung (SA), Reich Cabinet, and other organizations were also prosecuted. The IMT adjourned on September 1, 1945; guilty defendants were sentenced on September 30 and October 1; and ten individuals were executed by hanging on October 16, 1946.[19] After this more well known trial, a second series of trials began which were called the Nuremberg Military Tribunal (NMT). A U.S. military court, with U.S. Army Brigadier General Telford Taylor serving as chief prosecutor, led the NMT. During these proceedings, beginning in December 1946 and adjourning in October 1948, the NMT prosecuted collective groups that supported

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the Third Reich through twelve separate sub-tribunals. These different proceedings were then categorized into sectors, such as the "Doctors' Trial," the "Judges' Trial," and the "Industrialists," which included I. G. Farben and the Krupp Corporation.

The Nuremberg Tribunals—In History and Reporting

Despite the destruction of Nuremberg, during which over 20,000 Germans were killed through Allied aerial bombardment, the Nuremberg Palace survived. For this practical reason, along with the symbolism associated with holding the tribunals in the city previously known for the Nuremberg Rallies and the home of National Socialism, the palace was a logical location for lengthy legal proceedings. By the autumn of 1945, the palace's courtrooms and other facilities were renovated to make room for journalists, the prosecution's research staff, prison guards, and numerous other staff and personnel needed to conduct the trials.[20]

A prison complex attached to the palace was another critical factor in selecting Nuremberg, as was its location within the American-controlled zone of occupied Germany. While Nuremberg bars and restaurants benefited from the economic infusion associated with the tribunals, the area was also dangerous. The ruined section of Nuremberg's old city soon became off-limits to Americans at night after numerous robberies and other violent attacks occurred.[21] Even though the war was over, the war's remnants were everywhere, and groups of German POWs, whose wartime status was still under examination, worked in and around the Nuremberg Palace. Journalists, because they did not reside where the proceedings were held, navigated this environment daily.

In the Nuremberg Palace in late 1945, according to Joseph Persico, "POWs were still sweeping up shavings and sawdust and the hallways gave off a bracing smell of fresh paint as the correspondents filed into the press gallery." He added that the journalists

> had a choice position, just behind the prosecutors' tables, with the dock to their left and the judges to their right. Among them were Janet Flanner and Rebecca West, covering for *The New Yorker*, the novelist John Dos Passos for *Life* Magazine, Marguerite Higgins for the New York *Herald Tribune*, and (Howard K.) Smith and (William) Shirer for CBS. Correspondents from twenty-three nations crowded into 250 plush maroon tip-up seats that Dan Kiley had confiscated from a German theater. In a balcony above them, visitors filed into 150 similar seats.[22]

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Ernest Hemingway, Martha Gellhorn, and John Steinbeck also reported from Nuremberg.[23] Louis Lochner, a graduate of the University of Wisconsin and an American journalist who was the son of German immigrants, covered the trials. Lochner had a significant vantage on the rise and fall of Nazi Germany because he directly reported from the Third Reich before the December 1941 declaration of war between the United States and Germany. With that declaration, the Nazis imprisoned Lochner. In early 1942, and after five months in prison in Bad Nauheim, he was released in a prisoner exchange and returned to the United States where he became a vocal critic of Nazi Germany.[24] Many other lesser-known figures also had a role in presenting the Nuremberg Palace as a focal point for the tribunals. Dan Kiley, a U.S. Army captain, was responsible for restoring the Palace of Justice for the war-crimes trial and, apparently, was skilled in managing the army's public affairs. The young officer—Persico described him as "elfin-like"—also possessed extensive knowledge of psychological operations. He accumulated these skills through his work for the Office of Strategic Services (OSS) Presentations Branch, for which he assisted in building "mockups of clandestine targets," among other tasks.[25]

In addition to journalists already noted, Walter Cronkite, Ed Murrow, and Hanson Baldwin also reported on the event. However, other young journalists, such as a host of *Stars and Stripes* reporters, Norbert Ehrenfreund and Arthur Noyes, also reported from Nuremberg. Among individuals working for the War Crimes Commission, an important journalist of the Vietnam War—Bernard Fall—would emerge from war-torn Europe as, first, a French resistance fighter and, second, as an employee for the War Crimes Commission. Shortly after the establishment of the War Crimes Commission, Fall served as translator and later as a research analyst for the prosecution staff. This cumulative experience significantly influenced his later scholarship when he became well known as an expert on Indochina during France's war in Indochina and during the early stages of American involvement in Vietnam.

Collectively, journalists reporting on the Nuremberg Tribunals sought to explain to readers around the globe the complicated legal workings of the trials and their potential consequences related to the rule of law in war. Weeks after Robert H. Jackson's dramatic opening statement, interest in the proceedings among reporters diminished in proportion with that of their readers in their respective countries. Persico noted, "The Press bar was crowded, noisy, and smoke-filled. Still, the crush of reporters had thinned considerably since the trial's opening. The papers back home were no longer giving heavy daily play to a trial that, no matter how sensational the

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evidence, had already gone on for six weeks."[26] There were simple reasons for why some readers began to lose interest, despite the consequential proceedings.

The tribunals raised numerous substantive and complex legal questions for general readers, and the prosecution's charges against Nazi defendants were controversial. During the IMT, indictments against the defendants included four preliminary charges: conspiracy to wage war, waging aggressive war, war crimes, and crimes against humanity.[27] The legal precedents for the tribunals were many and difficult to follow, Even today, the large body of legal history associated with the tribunals persists as a vast area for legal as well as historical research. Among critical legal topics related to international law of war after World War II, the Lieber Code of 1863, also known as General Orders Number 100, was created to protect prisoners and govern conduct by combatants toward civilians.[28] The Geneva Conventions of 1864 and 1897, the Hague Conventions of 1899 and 1907, and the Kellogg-Briand Pact in 1928 also contributed to the tribunal's precedents.[29]

According to Telford Taylor, the 1899 Hague Convention was considered a breakthrough in international law because it clearly described war crimes. Taylor noted, "The convention leaned heavily on the Lieber Code and dealt chiefly with prisoners of war and the relations between occupation soldiers and noncombatant civilian inhabitants."[30] There were, therefore, many legal problems the defendants and their lawyers raised concerning the indictments against them. These included the legality of "Victor's Justice," the creation of *ex post facto* law (establishing laws judging crimes after the commission of alleged crimes), the questionable determination of individual liability for "acts of State," and the problem of lack of appeal after sentencing. These mattered for reporters because the information formed a basis for their articles. Aside from those readers interested in legal aspects of international law, it is not surprising that reporters' attention focused on the rare dramatic moments in which more notorious Nazi leaders, especially Hermann Göring, spoke or argued with the Allied judges or the prosecution.

Another fundamental problem also included the defendants' charges of *Tu quoque* (a Latin legal term meaning "You also"). Using it, the defendants argued that all parties in war committed similar acts. The Allied firebombing of Dresden, Hamburg, and elsewhere, along with the Katyn Massacre perpetrated by the Russians, complicated the tribunals' legal standing. These arguments led many defendants to claim that they were the victims of victor's justice. Despite the atrocities they committed, relying on such legal arguments was a wedge defendants pushed as far as possible. Pointing out legal challenges, such as *Tu quoque* and *ex post facto* to the prosecution's

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arguments, were controversial for Nazi leaders to claim. Other issues with the trials included immense financial costs and, finally, the anticipated lengthy period required to collect evidence and conduct the trials.[31] *Ex post facto* justice and lack of appeal—cited in the Nuremberg Charter's Article 26 which specified: "Judgment of the Trial as to guilt or innocence shall be final and not subject to review"—were especially problematic.[32] To be sure, these were not the kind of problems newspaper readers in the United States were likely eager to contemplate with their morning coffee or breakfast.

Journalists reporting on these developments, therefore, had the task of describing international law developed through the Nuremberg Charter as it was implemented. Despite the serious and legitimate legal controversies associated with the indictments, the basis for the charges was beyond doubt as document after document revealing the Holocaust and countless atrocities were read and entered into the courts' records. According to Walter Cronkite, the tribunal's legacy was critical and clear to reporters at the time: "Although Justice Jackson put it somewhat more obliquely in many of his eloquent statements, I always believed the trial was justified by the necessity of establishing judicial precedent even before the establishment of the international law that it was meant to support."[33] Cronkite was astute in his observation, but these were also seriously complex matters to convey to readers through short newspaper articles. Even for the best of reporters and writers, long-form essays still could not provide enough room to dilute the complexity and consequential nature of the tribunals.[34]

Ex post facto law was a major problem and especially complex to argue in prosecuting Nazi leaders. As a concept, it was a law that retroactively changed the legal consequences of actions committed before the enactment of the law. As used in Nuremberg, it was controversial because the U.S. Constitution stated in Article I, Section 9, Clause 3 that "No Bill of Attainder or ex post facto Law shall be passed," and U.S. federal and state governments were—and remain—prohibited from enacting such laws.[35] Undoubtedly, many newspaper readers possibly lost patience with reporters who were forced to point out legal conventions and virtues, such as defendant's rights, that extended to Nazis they perceived as guilty. General Iona Nikitchenko, who developed the Nuremberg Charter in London with Jackson and then served as the Soviet Union's judge during the IMT, advocated that the tribunal's task was "only to determine the measure of guilt for each particular person and to mete out the necessary punishments—the sentences."[36]

Many Americans, especially those related to the Nazis' victims or whose family members had died in fighting the German army across Europe and Africa, likely shared Nikitchenko's view. Nikitchenko, along with Andrei

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Vyshinsky, the state prosecutor during Stalin's "show trials" between 1936 and 1938, certainly possessed different understandings of legal nuances between the common law of the British and U.S. systems and civil law used by the Soviets and the French.[37] American and Soviet differences existed across a range of legal concepts that likely accentuated political divisions; for example, even the idea of indictment for crimes differed. According to contemporary historian Francine Hirsch, for Jackson, an indictment was an accusation that did not include the evidence with it. In contrast, in Soviet law, the "indictment included all the evidence supporting the charges and could run thousands of pages long."[38] Perhaps understandably, the Soviets were far more interested in punishing Nazis and avenging the deaths of millions of their citizens than they were in advancing a supranational moral order codified through the Nuremberg Principles and Charter. According to journalist Norbert Ehrenfreund, it was only because of Jackson's demands for a fair trial, one that would uphold the principles of international justice based on natural law, that a legitimate court process even went forward.[39]

In reporting on the legal, ethical, and complex bureaucratic challenges the tribunals presented, how did journalists cover the Nuremberg Tribunals on a day-to-day basis? The prosecution and its research staff sought to make reporters' tasks more manageable, so numerous guides were created, printed, and distributed to journalists. These guides included information on legal concepts, such as *ex post facto* and charges of *tu quoque*. In addition, guides also provided practical information with courtroom charts identifying defendants and their assigned seating, charts with German military and gauleiter rank insignia, the prosecution teams, presiding judges, simple biographical information about participants, and copies of indictments against defendants.[40] Staff, journalists, and visitors all relied on an IBM translation system that provided testimony in German, French, Russian, and English via headphones. Using switch boxes installed on tables and chairs throughout the courtroom, journalists could toggle preferred languages as they worked.[41] Translated transcripts were also developed for staff, and journalists could request these to clarify details when time permitted as they submitted their articles.

In addition to translation services, journalists received other kinds of technical support. Gordon Dean, Robert Jackson's press relations coordinator, was responsible for showing reporters a system that the prosecution devised in which a series of buzzers would signal that consequential information or evidence was soon to be announced. According to Joseph Persico, "One buzz," Dean noted, "signaled something useful coming up in the courtroom. Two buzzes meant something important. Three buzzes meant something

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Trial Headquarters. Bernard B. Fall Papers, John F. Kennedy Presidential Library, Boston, Massachusetts, Nuremburg Photo Album, Series 2.03, Box W-01.

sensational. They would be able to hear the buzzer virtually anywhere in the building. Loudspeakers had also been positioned around the courthouse so that they could hear the proceedings even if they were not in the courtroom."[42] Dean was also responsible for providing journalists with controlled access to the prison where they could briefly observe defendants' living conditions.

While journalists spent most of their time in either the Nuremberg Palace's Courtroom 600 or in press offices organized for them, they lived near the Nuremberg Palace for months, so an assortment of living arrangements existed. The primary "Press Camp" was located outside Nuremberg in nearby Stein Castle, but many reporters opted for lodging in Nuremberg, near the palace. The facilities at Stein Castle, owned by the pencil manufacturer Faber-Castell, were a source of complaint among journalists. However, accommodations at Stein Castle were certainly far more hospitable than the living conditions in bombed-out former homes which most Germans managed in the city.[43]

Newspaper photos gave Americans an idea of the difficult circumstances in which children and others lived. Later depictions, such as those provided

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The Press Room at the Nuremberg War Crimes Trial. Alexander, Charles Office of the United States Chief of Counsel, Harry S. Truman Library & Museum. Accession Number: 72-862.

in the film *Judgment at Nuremberg*, reinforced the overwhelming destruction of the city.[44] Despite complaints from some privileged few, life at the relatively posh Faber-Castell "Press Camp" revealed a stark discrepancy between those who were surviving in cold cellars without adequate food and water throughout Nuremberg and those who were busy playing ping-pong after work and had plenty to eat and drink. At Stein Castle, numerous facilities and abundant food and alcohol were accessible for Americans to the point that the wife of American prosecutor, General Telford Taylor, remarked that Stein Castle reminded her of the "colonial lifestyle of the foreign residents of Shanghai."[45]

In the city itself, the Grand Hotel offered journalists a much different world from the somber trials held in the nearby Palace of Justice. The "Marble Room," a restaurant in the Grand Hotel, was particularly popular and catered to senior officials and VIPs.[46] Other dance halls, snack bars, laundry facilities, and a library provided diversions and other resources in the hotel and nearby. At the hotel and in the palace, postal services, printing facilities, and well-equipped and managed communication facilities for transmitting stories via radio and telegram assisted reporters.[47] These and other daily requirements, such as dining facilities, mirrored those at peace-time military

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installations that served armed forces personnel. Unsurprisingly, bars were popular for solitary drinkers and for hosting social events where journalists and others deliberated reporting, personal news, and developments affecting the changing international political context. For some, such social interaction undoubtedly provided a reprieve, whether alcohol was consumed or not, from the day-to-day cascade of information journalists consumed. Within the confines of the palace itself, a Court House PX provided yet another place to access Western-supplied food and beverages in a city where chocolate and other goods were difficult to find.

On the one hand, a bombardment of evidence—inflicted daily during the tribunal proceedings—was often gruesome and pervasively depressing. On the other hand, arguments concerning the legal aspects of the trials were often mind-numbing but also consequential. According to Walter Cronkite, "There were many nights at the press camp bar in Nuremberg and later when I argued for the legitimacy of the Nuremberg Trial, defending it against those who contended that it was built on the sand of *ex post facto* justice, on the basis of law that did not exist when the crimes were committed."[48] He added, "There were international treaties that Nazi Germany clearly violated: the Kellogg-Briand Pact of 1928, which outlawed aggressive war, and

Court House PX/Canteen. Bernard B. Fall Papers, John F. Kennedy Presidential Library, Boston, Massachusetts, Nuremburg Photo Album, Series 2.03, Box W-01.

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the Geneva Convention of 1897 and the Hague Convention of 1899, which defined the treatment of civilians and prisoners of war."[49] These were, to be sure, serious deliberations to engage in over a stein of beer. Throughout the court proceedings, discussions and debates certainly existed—if Cronkite's observations serve as a social barometer—as well-known journalists and writers, such as Cronkite, Steinbeck, and others, learned more about the extent of the Holocaust and other atrocities.

In reporting on the trials, numerous less-known journalists worked for a range of newspapers, and notable among those papers was *Stars and Stripes*. Alan Dreyfus, a reporter who worked in Boston and Chicago before the war, was the paper's lead reporter, but a large and often-changing team of younger reporters also contributed to reporting. For example, *Stars and Stripes* reporter Arthur Noyes worked for the *Chicago Tribune* before joining the army in 1942, which later ordered his transfer to the *Stars and Stripes* staff facilities in Altdorf, Germany. Noyes reported on the IMT and worked at numerous bureaus across Europe before returning to the United States and joining the *New York Daily News* and the *Saturday Evening Post* in early 1952.[50] Another junior journalist, Norbert Ehrenfreund, epitomized the quality of individuals working for the paper. During the war, Ehrenfreund served as a forward observer with the 607th Field Artillery Battalion attached to the U.S. Third Army, led by General George Patton.[51]

Before the war, Ehrenfreund studied at the University of Missouri's School of Journalism, and after the shooting stopped in 1945, he joined *Stars and Stripes* to work as a staff reporter. An American Jew of Czech ancestry, Ehrenfreund's grandfather had been murdered at Treblinka. In his memoir on Nuremberg, Ehrenfreund did not refer to Vasily Grossman's report on Treblinka. However, the young journalist undoubtedly wrestled with an effort to balance professional objectivity in his reporting while also managing personal feelings about the horrors his grandfather suffered. Ehrenfreund, deeply influenced by his experiences at Nuremberg as indicated in his analysis of the IMT, later became a judge in California's Superior Court, where he served for thirty years.

The *Stars and Stripes* was a critical newspaper in postwar Europe and was established in Paris during World War I. Its World War II version began as a weekly publication on April 28, 1942, and was initially based in Northern Ireland.[52] In 1945, the first edition of *Stars and Stripes* printed in occupied Germany was a four-page paper printed in Pfungstadt, a small village south of Frankfurt where the *Frankfurter Zeitung* was previously printed during the war.[53] By May 8, 1945, the *Stars and Stripes'* circulation was already over 245,000 four-page copies. Later that summer, *Stars and Stripes*' operations

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expanded, and the paper's staff commandeered a printing facility in Altdorf, a small town near Nuremberg.

The Altdorf facility formerly produced the radical anti-Semitic publication *Der Stürmer*. Created and led by Julius Streicher, *Der Stürmer* published such egregious propaganda—including the 1938 book *Der Giftpilz* for children—that Streicher was considered an embarrassment and even removed as a Gauleiter of Franconia for slandering Hermann Göring.[54] When *Stars and Stripes* took over *Der Stürmer*'s facility, Streicher was a defendant at the First Tribunal in Nuremberg. He was later convicted in early October, and hanged in the Nuremberg Palace Gymnasium on October 26, 1946.[55]

Notably, Western journalists and authorities were ironically both supported and challenged by Soviet journalists and leaders. In *Soviet Judgment at Nuremberg*, perhaps the most comprehensive account of the Soviet Union's inclusion as a nation prosecuting Nazis for war crimes, Francine Hirsch provides ample evidence regarding the Soviet's complex role during the tribunal. In the case of reporting on Göring, for example, Hirsch notes:

> In general, the Western and Soviet journalists took markedly different approaches to Göring's defense. One *New York Times* correspondent noted that many Western journalists, having extensively covered the prosecution's case, now felt obliged to "publish Göring's eulogies of Hitler and his defense of Nazism." The Soviet press was careful not to give the Nazi leader a platform. On one of the most dramatic "Göring days," *Pravda* succinctly noted that Göring had offered the usual "fascist propaganda."[56]

Andrei Vyshinsky, the state prosecutor of Joseph Stalin's Moscow Trials, was the lead Soviet prosecutor at Nuremberg. Vyshinsky wrote extensively for *Pravda*, and, according to Hirsch, "Vyshinsky was doing all he could, in his own way, to bring down the former Nazi leaders . . . as part of an overall effort to fully educate the Soviet people about the depravity of the 'fascist beasts.'"[57] The Katyn Massacre, the Molotov-Ribbentrop Pact, and numerous other factors powerfully complicated the Soviets' role at Nuremberg and the ways in which Soviet reporters covered the trials.

In general terms, two themes consistently surface in reporting on the Nuremberg Tribunals. The first is a palatable sense of shock at the extent and depravity of the Holocaust and Nazi-inflicted war crimes. Even experienced and often jaded journalists registered an incredulity over how the Nazis and German army conducted unimaginable atrocities through the Holocaust and throughout so much of Europe in a perfunctory and entirely bureaucratic manner. The second theme that surfaces concerns how

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journalists engaged with the amount of evidence they encountered, of which they saw and heard only a small percentage. On a daily basis, the proceedings consisted of a seemingly endless river of evidence and then debate over that documentary evidence.[58]

Regarding the first theme, William Shirer and Cronkite reflected on what they perceived as an entire lack of remorse among the Nazi defendants. Cronkite recounted how Rudolf Höss, the Auschwitz camp commandant, "unemotionally described in excruciating detail the operation of his gas chambers," while Shirer recalled in 1961, "I remember one of the judges at the Nuremberg Trials interrupting Otto Ohlendorf, who led one of the special S.S. groups in Russia. Ohlendorf, like so many S.S. thugs, was a university-trained intellectual. Before the war, he had been a professor in a German university."[59] Shirer concluded that an "anti-Semitic madness" was a disease that Hitler "had imparted to—or shared with—many of his German followers." In his account, Shirer did not so much reflect on the Nuremberg Tribunals as register profound shock at the immensity of Hitler's plans. The sheer scale of atrocity—which Shirer, Cronkite, and the rest of the world learned through their reporting at the Nuremberg Tribunals—is among the many key legacies from the tribunals.

The massive documentary evidence scholars continue to examine is another legacy. To be sure, the existing secondary literature investigating the court records and the tribunals is voluminous and continues to grow.[60] However, the amount of material journalists, such as William Shirer and others, researched for their assessments of the rise and fall of the Third Reich are staggering to consider, mainly because the Nazis destroyed so much evidence before retreating and before Allied forces could recover surviving documents. In the trials against Alfried Krupp and the Krupp Corporation, for example, no less than six train cars full of documents were processed to document the abuse of slave labor at over 138 camps the Krupp Corporation operated. The documentation collected for the Krupp Trial provided undeniable proof that the Krupp family and corporation colluded with and depended on the Nazi S.S. to obtain laborers from Auschwitz and from across Eastern Europe—including primarily women—as German forces advanced east during Operation Barbarossa.[61]

The Krupp foundation, currently positioned as a philanthropic organization based in Germany, provides no information about the Krupp family's critical support personally provided to Adolf Hitler.[62] Harold James's history of the Krupp Corporation—funded by the Krupp Foundation, which also owns the copyright for James's book on the subject—fails to note that the only Krupp defendant that James does not write about is Friedrich von

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Bülow. In James's work, Von Bülow remains entirely unaccounted for despite evidence presented at Nuremberg that Von Bülow was a critical link between Krupp and Nazi leadership because of his role as head of the Krupp's plant police (*Werkschutz*).[63] Similarly, prewar agreements between the Nazi Party and the Krupp armaments industry, as embodied in the under-analyzed agreement *Lex Krupp*, further demonstrated connections between the Krupp family and Nazi leadership well before 1939. As a member of the Nazi *Spende* and through the *Lex Krupp*—the formal agreement Hitler provided to the Krupp family to monopolize the armaments industry in the service of National Socialism—the Krupp trials during the Nuremberg Military Tribunals proved Alfried Krupp's guilt as a war criminal.[64]

The downside to the tribunals' reliance on documentary evidence, instead of the more limited witness testimony, was the aforementioned tedious nature of the trials. Except for dramatic events, such as the testimony and cross-examination of Hermann Göring by Robert Jackson between March 13 and March 20, 1946, reporters understandably found little to parallel the dramatic action from previous years reporting on combat. In the months after Robert H. Jackson's opening and riveting statement, many prominent journalists moved on to other stories in postwar Europe. When highlights were anticipated, such as the Göring-Jackson exchange, journalists would return to file stories and then travel to other locations. Understandably, many reporters returned for the closing arguments, the sentencing of defendants in October 1946, and the subsequent execution of ten guilty leaders.[65]

These executions were tightly controlled, and Kingsbury Smith, a correspondent for the International News Service, was one of eight journalists chosen to witness them. No reporters were allowed to photograph any part of the executions and a Signal Corps soldier from the Third Army served as the event's official photographer.[66] Smith recounted that his instructions were to be present at the prison visitors' room at 8 pm. His and other reporters' primary role was to confirm the Nazis' deaths to the palace pressroom, at which point journalists would then distribute news of the executions to readers worldwide. As Joseph Persico recounted, "When word raced through the pressroom that *Dana*, the Germany agency, had broken a story that all the war criminals had been executed, the pressure became unbearable. . . . The piece by the New York *Herald Tribune's* correspondent produced an early-edition headline: 11 Nazi Chiefs Hanged in Nuremberg Prison: Goering and Henchmen Pay for War Crimes."[67] However, this headline was inaccurate because reporters had not yet learned that Göring committed suicide taking cyanide the night before his execution.

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As to reporting covering the second series of trials, the NMT, articles and reports diminished quickly with every passing day. In one case, Norbert Ehrenfreund recounted a day when he was the only journalist in attendance during the cross-examination of former Reich Chancellor Fritz von Papen. As a result, the young reporter explained: "Stories coming out of the Nuremberg Courtroom began to retreat to the back pages of all the newspapers."[68] Among those journalists still in Nuremberg as the trials concluded, operations and reporting shifted to the ongoing postwar occupation of a divided Germany. News organizations, especially *Stars and Stripes,* continued production, but they assumed a schedule of routine day-to-day coverage that would only regain urgency with the outbreak of the Korean War. However, young researchers and budding journalists associated with *Stars and Stripes* would soon emerge to mark future war reporting and scholarship.

The aforementioned former translator and War Crimes Commission researcher Bernard Fall, for example, worked with *Stars and Stripes* in the newspaper's Munich office as an assistant district manager in 1950.[69] Fall, arguably the most important journalist reporting on developments in Indochina from 1953 until his death at the age of forty in 1967, had gained his position at *Stars and Stripes* after several months working as a tracing officer in the Munich region for the United Nations Tracing Service between 1949 and 1950 before working for *Stars and Stripes* from 1950 to 1951.[70] During the tribunals, Fall worked as a translator and then as a research analyst investigating the Krupp Corporation, which exploited primarily women for slave labor.

Notably, the earliest scholarship Fall produced had nothing to do with Southeast Asia but, instead, centered on developments in Germany leading to World War II and on his work researching the Krupp Corporation during the Nuremberg Trials. After emigrating to the United States as a Fulbright Scholar in 1952, his first significant personal scholarship was his master's thesis "The Keystone of the Arch: A Study of German Illegal Rearmament, 1919–1936," which examined the dismantling of the Treaty of Versailles and the simultaneous undermining of the Weimar Republic.[71] Like Ehrenfreund and others, Fall's transition to journalism and scholarship was directly influenced by his wartime and post-wartime experiences gained at Nuremberg.

Conclusion

The large number of reporters initially covering the Nuremberg Tribunals reflected a sincere and widespread burst of international interest. Critical

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events, such as Hermann Göring's testimony and Robert Jackson's examination of Göring on March 13, 1946, were anticipated to such a degree that journalists referred to this confrontation as a "prize fight."[72] In many respects, interest and analysis of Göring indicated great curiosity in the motivations that drove the highest living Nazi leader. In one case, *New Yorker* reporter Janet Flanner remarked of Göring that she had observed "one of the best brains of the period of history when good brains are rare," but that Göring possessed "a brain without a conscience."[73] However, dramatic and exciting days of testimony were also increasingly rare. The decreasing numbers of journalists reporting on the tribunals reflected dwindling public interest as years and the many stages of the Nuremberg Tribunals unfolded.

In recent years, however, there has been renewed interest in the trials and how international justice and the rule of law are used and misused in conflicts. The issue of international justice related to wars in Iraq and Afghanistan, as found in Samuel Moyn's scholarship, but also reflected in articles posted by *New York Times* reporters C. J. Chivers, Lauren Katzenberg, and others, are an essential legacy of the Nuremberg Tribunals. Much as Chivers, Katzenberg, and scholars such as Moyn reflect an understanding of rule of law related to war today, journalists reporting on events in Nuremberg reflected their views and even broader public perspectives on international law. A key difference between then and now, however, was the critical introduction of international justice in prosecuting war crimes that made reporting on events after World War II an arduous but important—even critical—task that is better understood with the many benefits of hindsight.

In 2021–2022, with the 75th anniversary of the International Military Tribunals in Germany and the International Military Tribunal for the Far East in Japan, new archival research continues to illuminate international justice concerning war crimes committed during World War II. Reporters' articles, which detailed the tribunals' proceedings, continue to enrich and humanize historical accounts and legal analyses of complex proceedings related to the deadliest war in human history. The documentary evidence collected across Europe and western Asia and presented in Nuremberg continues to matter to contemporary researchers. At the time, reporters covering the trials helped international audiences understand the proceedings in the late 1940s. However, their articles continue to provide contemporary historians and readers with an extensive range of insights into how perceptions of international justice have changed.

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Reporters' articles, like other records, allow contemporary readers to assess changes through time and anticipate changes or challenges to international law meant to regulate, or ideally at least mitigate, future wars. In addition to recent scholarship on international justice, especially on the "Tokyo Trials" and the Soviet Union's role in the Nuremberg Tribunals, ongoing scholarship certainly indicates a vibrant and growing field of study.[74] What reporters wrote in covering those trials form a vital complement to the trials' proceedings and deepen our understanding of World War II. Much may be said of how the Nuremberg Trials—and the ways reporters covered them—inform our understanding of other conflicts and the potential prosecution of war crimes when they occur.

Through what became known as the "Nuremberg Legacy," the tribunals remain therefore relevant in contemporary international justice and in debates concerning human rights. Legal and moral questions concerning war raised at Nuremberg reappeared, especially during the Vietnam War, but the Nuremberg legacy still influences debates today. While war continues with little enforceable and legally grounded punishment of the type Robert H. Jackson called for in the Palace of Justice, reporters' efforts during the Nuremberg Tribunals helped bring a broader consciousness to the possibility that war criminals could, and were, held to account and could be punished. Reporters in the late 1940s likely recognized limitations regarding how far justice could be carried and how it was circumscribed by popular interest that waned as proceedings continued.

While the Nuremberg Tribunals did emerge as a cornerstone of international justice for subsequent conflict, it is unlikely that global power will yield sovereignty to internationally sanctioned punishment that is enforceable by a supranational organization, such as the UN or other international governing organizations. The United States has yet to ratify international agreements, such as the United Nations Convention on the Law of the Sea, let alone fully support the International Court of Justice.[75] However, Robert H. Jackson and Telford Taylor believed that all countries, including the United States, should be held accountable according to principles established at Nuremberg. For reporters simply reporting on events related to World War II, these were challenging subjects to cram into scoops that might appeal to newspaper readers.

Along with the legacy of the tribunals' records, journalists often added a human context to how events at Nuremberg proceeded, how justice was pursued, and how punishments were inflicted for war crimes. While the tribunals provided authority for the legal protection of human rights

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established in the United Nations Declaration of Universal Human Rights in 1948—a critical document in human history—journalists described these changes in prosecuting war crimes in ways American readers might better understand. After the shooting stopped with the end of World War II, this was worth reporting then much as it is worth remembering today.

Notes

1. *Grant County Herald* (Elbow Lake, Minnesota) 67, no. 25 (August 16, 1945), Grant County Historical Society, Elbow Lake, Minnesota. Except for figure 11.1 and where otherwise referenced, all other photographs in this chapter are from the Bernard B. Fall Papers, Series 2.3, Box W-01, John F. Kennedy Library, Boston, Massachusetts.

2. Ibid.

3. The International Military Tribunal for the Far East, commonly regarded as the Tokyo trial, began on April 29, 1946, and adjourned on November 12, 1948. For a detailed study see Yuma Totani, *The Tokyo War Crimes Trial: The Pursuit of Justice in the Wake of World War II*, Harvard East Asian Monographs, Book 299 (Cambridge, MA: Harvard University Press, 2008).

4. Vasily Grossman, *A Writer at War: Vasily Grossman with the Red Army*, ed. and trans. Antony Beevor and Luba Vinogradova (New York: Pantheon Books, 2005), 301.

5. Ibid. Beevor's comprehensive analysis of this report, with Grossman's entire report, is located in Chapter 24, "Treblinka," 280–306.

6. For analysis on the International Military Tribunal of the Far East (IMTFE), see Totani, *Tokyo War Crimes Trial.*

7. "Justice Jackson's Final Report to the President concerning the Nurnberg [*sic*] War Crimes Trial," 20 Temp. L.Q. 338 (1946) (Final Report to the President, Oct. 7, 1946). Available at https://www.roberthjackson.org/speech-and-writing/justice-jacksons-final-report/ (accessed April 14, 2021).

8. History of the United Nations, *1945: The San Francisco Conference* https://www.un.org/en/about-us/un-charter (accessed 19 October 2022).

9. The Declaration of the United Nations is not to be confused with the formation of the United Nations as an organization. For more on the Declaration of the United Nations, see The Avalon Project, Yale Law School, at https://avalon.law.yale.edu/20th_century/decade03.asp (accessed May 4, 2021).

10. Ibid.

11. See Norbert Ehrenfreund, *The Nuremberg Legacy: How the Nazi War Crimes Trials Changed the Course of History* (New York: Palgrave Macmillan, 2007), 7–9.

12. Jackson, from Jamestown, New York, was the only Supreme Court Justice to not earn a JD degree. Although he attended classes at Albany Law

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School, he passed the New York state bar exam after further independent study but did not complete the JD degree. For more on Jackson's appointments, see Peter Irons, *A People's History of the Supreme Court: The Men and Women Whose Cases and Decisions Have Shaped Our Constitution* (New York: Penguin, 1999), 343.

13. For a detailed accounting of these developments, see Telford Taylor, *The Anatomy of the Nuremberg Trials: A Personal Memoir* (New York: Alfred A. Knopf, 1992), 78–83.

14. For Telford Taylor's account of the London conference leading to this charter, see ibid., 95–104.

15. Charter of the International Military Tribunal: Agreement for the Prosecution and Punishment of the Major War Criminals of the European Access, Document Number 251. United Nations- Treaty Series, 1951. Available in Appendix A of Taylor, *Anatomy of the Nuremberg Trials.*

16. Ibid., 280.

17. See Markus Urban, *The Nuremberg Trials*, trans. John Jenkins (Nürnberg: Geschichte für Alle e.V.—Institut für Regionalgeschichte, 2012), 33–35.

18. For information on Jackson and Nuremberg, see William R. Castro, *Advising the President: Attorney General Robert H. Jackson and Franklin D. Roosevelt* (Lawrence: University Press of Kansas, 2018). The Robert H. Jackson Center in Jamestown, New York, provides a wealth of information on Jackson and the Nuremberg Tribunals. See https://www.roberthjackson.org (accessed April 12, 2021).

19. For details on individual sentencing and executions, see Urban, *Nuremberg Trials*, 43–44, 70. The last death by hanging occurred on October 17, 1946.

20. Ehrenfreund, *Nuremberg Legacy*, 111.

21. Urban, *Nuremberg Trials*, 48.

22. Joseph E. Persico, *Nuremberg: Infamy on Trial* (New York: Penguin, 1994), 132.

23. Urban, *Nuremberg Trials*, 51.

24. For an overview on Lochner, see Meg Jones, "Our Man in Berlin," *On Wisconsin* 118, no. 2 (2017): 28–33. See also Louis P. Lochner, *Always the Unexpected* (New York: Macmillan, 1956).

25. Persico, *Nuremberg*, 132.

26. Ibid., 203.

27. For detailed descriptions of the four categories of charged crimes, see Eugene Davidson, *The Trial of the Germans: An Account of the Twenty-Two Defendants before the International Military Tribunal at Nuremberg* (New York: Macmillan, 1966), 19.

28. For a discussion of the development of international law of war and its failures, see John Fabian Witt, "The Dismal History of the Laws of War," *UC Irvine Law Review* 1, no. 3 (2012): 895–911.

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29. For a landmark study on the Kellogg-Briand Pact, see Oona A. Hathaway and Scott J. Shapiro, *The Internationalists: How a Radical Plan to Outlaw War Remade the World* (New York: Simon & Schuster, 2018).

30. See Taylor, *Anatomy of the Nuremberg Trials*, 9–11.

31. Sheldon Glueck, *War Criminals: Their Prosecution and Punishment* (New York: Alfred A. Knopf, 1944), 10, 12–17.

32. Discussion of *Ex Post Facto* justice is available in Taylor, *Anatomy of the Nuremberg Trials,* For article 26, see Taylor, page 652.

33. Walter Cronkite, *A Reporter's Life* (New York: Alfred A. Knopf, 1996), 127–128.

34. Telford Taylor provided one of the most comprehensive retrospective analyses on the tribunals by a participant. See note 13 above. Hannah Arendt's analysis, "Eichmann in Jerusalem: A Report on the Banality of Evil," is important to consider in the context of reporting on Nuremberg. For a contextual and helpful analysis of Arendt's Eichmann study, see Kathleen B. Jones, "The Trial of Hannah Arendt," *Humanities* 35, no. 2 (2014).

35. U.S. Constitution, ArtI. S9.C3.2, Ex Post Facto Laws. See Constitution Annotated, available at https://constitution.congress.gov/browse/essay/artI-S9-C3-3-5/ALDE_00013195/ (accessed 19 October 19, 2022).

36. Taylor, *Anatomy of the Nuremberg Trials*, 59. I. T. Nikitchenko was also an army advocate general in the Soviet Army and vice president of the Soviet Supreme Court.

37. Francine Hirsch, *Soviet Judgment at Nuremberg: A New History of the International Military Tribunal after World War II* (New York: Oxford University Press, 2020), 60.

38. Ibid.

39. Ehrenfreund, *The Nuremberg Legacy*.

40. Bernard Fall Papers (BBF), series 2.3, box W-3, John F. Kennedy Library (JFKL), Boston, MA.

41. For more on the IBM translating system, see Robert E. Conot, *Justice at Nuremberg* (New York: Carroll and Graf, 1984), 59–60.

42. Persico, *Nuremberg: Infamy on Trial*, 127.

43. Markus Urban describes life at Stein Castle in detail and indicates that complaints existed. See Urban, *Nuremberg Trials*, 52.

44. Stanley Kramer, *Judgment at Nuremberg* (United Artists, 1961).

45. Urban, *Nuremberg Trials*, 53.

46. Ibid., 46–47.

47. Photos of these facilities are located in Bernard B. Fall's papers, series 2.3, box W-01, BBF, JFKL.

48. Cronkite, *A Reporter's Life*, 127. The 1907 Hague Convention also served as a critical basis for the Nuremberg Charter. See International Military Tribunal (IMT), XI. Judgment, A. Opinion and Judgment of Military Tribunal III, 1338. 1340. Also see Bernard Fall, "*Trois Rapports sur l'Armament et la Cavaleria du IIIe Reich*," series 2.3, box W-03, BBF, JFKL.

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49. Cronkite, 127.

50. Ken Zumwalt, *The Stars and Stripes: World War II and the Early Years* (Austin, TX: Eakin Press, 1989), 106, 236.

51. Ehrenfreund, *The Nuremberg Legacy*, 3.

52. Zumwalt, *Stars and Stripes*, 4.

53. Ibid., 44.

54. Ibid., 29.

55. Urban, *Nuremberg Trials*, 70.

56. Hirsch, *Soviet Judgment at Nuremberg*, 254.

57. Ibid., 210.

58. For a detailed account, the Nazi armaments minister, Albert Speer's collected documents are illuminating. See "Albert Speer: Miracle Man," in Adam Tooze, *The Wages of Destruction: The Making and Breaking of the Nazi Economy* (New York: Viking, 2006), 552–589.

59. Cronkite, *A Reporter's Life*, 125–126; William L. Shirer, *The Rise and Fall of Adolf Hitler* (New York: Random House, 1961), 139–140.

60. Two useful bibliographies are located in Taylor, *Anatomy of the Nuremberg Trials*, 679–682, and Persico, *Nuremberg: Infamy on Trial*, 457–460.

61. See Benjamin B. Ferencz, *Less Than Slaves: Jewish Forced Labor and the Quest for Compensation* (Cambridge, MA: Harvard University Press, 1979). For Ferencz's discussion on the Krupp-Nazi alliance, see "Chapter 3: Accounting with Krupp." For more on Krupp-Nazi collusion, see Bernard Fall, "World War II/ Nuremberg Trial Materials," Series 2.03, Box W-02, BBF, JFKL.

62. The website for Alfried Krupp von Bohlen und Halbach-Stiftung is available at https://www.krupp-stiftung.de/ (accessed January 20, 2021).

63. See Harold James, *Krupp: A History of the Legendary German Firm* (Princeton, NJ: Princeton University Press, 2020). For evidence about the Krupp-Nazi/SS connection, see Ferencz in note 61.

64. For more information about the Krupp Tribunal, see Nuremberg Military Tribunal (NMT), XI. Judgment, A. Opinion and Judgment of Military Tribunal III. See also William Manchester, *The Arms of Krupp, 1587–1968* (Boston: Little, Brown, 1968).

65. Urban, *Nuremberg Trials*, 38–44.

66. Persico, *Nuremberg: Infamy on Trial,* 419.

67. Ibid., 428.

68. Ehrenfreund, *Nuremberg Legacy*, 35, 104–105.

69. Bernard B. Fall, CV, series 1.1, box F-1, BBF, JFKL.

70. Ibid. The UN Tracing Service is a point of origin for the International Tracing Service in Bad Arolsen. Information about this service is available through the Arolsen Archives, International Center on Nazi Persecution. See https://arolsen-archives.org/en/ (accessed April 22, 2021).

71. Bernard Fall, "The Keystone of the Arch: A Study of German Illegal Rearmament, 1919–1936," MA thesis, Maxwell School of Citizenship, Syracuse University, 1952, series 1.5, box P-2, BBF, JFKL.

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72. Ehrenfreund, *Nuremberg Legacy*, 65.

73. Janet Flanner, *New Yorker*, March 30, 1946, quoted in Ehrenfreund, 66, and Persico, 270.

74. On the Tokyo Trials, see Totani, *Tokyo War Crimes Trial*. On recent research in Soviet archives, see Hirsch, *Soviet Judgment at Nuremberg*. Elizabeth Borgwardt, currently at Washington University in St. Louis, has also written extensively on the Nuremberg Principles and Human Rights.

75. On the UN Convention on the Law of the Sea (UNCLOS), see Aditya Singh Verma, "A Case for the United States' Ratification of UNCLOS," *Diplomatist,* May 2, 2020; regarding U.S. relationship with the International Court of Justice, see Sean D. Murphy, "The United States and the International Court of Justice: Coping with Antinomies," in *The United States and International Courts and Tribunals*, ed. Cesare Romano, GWU Legal Studies Research Paper No. 291, GWU Law School Public Law Research Paper No. 291 (2008), https://ssrn.com/abstract=1000391.

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