

A Comparison of the Nuremberg and Tokyo War Crimes Trials

T.I.P for Japan

Wooster High School

The Holocaust and the Dangers of Indifference

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Purpose: This 5 day unit follows the 8 week in-depth case study of the Holocaust and examines concepts of judgment, of personal responsibility not only for atrocities committed but also for the war itself. It is followed by a unit on historical legacy and memory.

Grade Level: 11th / 12th grade

Essential questions:

1. Should those who participated in the atrocities committed during the war be punished? If so, who ought to be held accountable?
2. What is the purpose of a trial - to punish evil-doing or set precedent?
3. Are individuals responsible for their crimes if they have obeyed the laws of their nation?
4. Are there laws higher than one's nations? If so, what are they?
5. How does one determine punishment - is everyone equally responsible or are some more responsible than others?
6. Can an entire nation be guilty?
7. Are there rules for war? Who should enforce them?

Unit Activity

Day 1 Background information on Japan, the Emperor, Japan's surrender

Guest speaker: WHS "World Religions" teacher will give overview of religion in Japan, the Emperor, the role of the Emperor in Japan's surrender terms, and comparison of Japan's and Germany's surrenders.

Divide class into 3 groups and assign roles and research assignments.

Group 1 "Nuremberg Trial Experts"

Group 2 "Tokyo Trial Experts"

Group 3 "International Journalists"

The Nuremberg and Tokyo experts are to prepare an explanation and defense of respective trials and defend them as best way to obtain justice in 1945.

The journalists are to identify the challenges and criticisms of the trials.

Each group is to begin reading and research on their area of expertise.

(see reference section)

Day 2 Research Day

Research topic including - nature of atrocities committed during war by Japan and Germany, legal authority, purpose, procedures, who was in charge, prosecution and defense, judges, selection of individuals charged (and not charged), trials and verdicts, long term consequences

International journalists are to research areas of criticism of war crimes trials and develop arguments based on this information, including

- * ex post facto nature of trials
- * failure to include major German and Japanese officials and the Japanese Emperor and family in trial charges
- * charges of victor's vengeance
- * role of racism in trials
- * different surrenders accepted from Germany and Japan and its implications
- * treatment of Japanese Americans during war in America
- * American dropping of atomic bombs
- * post trial pardons
- * influence of Chinese communist and Russian threats on trial decisions

Day 3 Research / Collaboration Day

Prepare a comparison chart showing similarities between Nuremberg and Tokyo War Crimes Trials in all applicable areas (crimes and procedures)

Prepare chart showing areas of divergence and explanation/justification

Share trial information and criticisms with each other in order to prepare defenses against charges

Day 4 Presentation / Forum

In forum format, trial experts present summary and justification of war crimes trials, while journalists challenge each group on weaknesses of the trials

Day 5 Class Discussion / Barometer activity

Students respond to the following question:

"The Nuremberg and Tokyo War Crimes Trials were successful in punishing those responsible for the crimes of World War II" by organizing themselves along a line across the classroom, with one end representing absolute agreement and the opposite end representing absolute disagreement. Students will sit where they have placed themselves and contribute to a class discussion explaining why they are sitting where they are. Teacher guides students in discussion of essential questions when possible. A consideration of the definition of justice is also important. Class ends with students repositioning themselves on the answer line to represent their final answer to the initial question.

Assessment: Students will write an essay answering the following, clearly stating their position, and supporting their answer with at least 3 well developed supports. Definitions of terms used is important as is proper grammar, spelling and sentence and paragraph structure.

Was justice achieved at the Nuremberg and Tokyo War Crimes Trials?

Resources: the following resources will be provided in the classroom, in addition to access to a mobile computer lab for additional research and access to school library.

Student resource book: Facing History and Ourselves: Holocaust and Human Behavior. Margot Stern Strom, ed., Facing History and Ourselves National Foundation, Inc. 1994. Chapter 9, Readings #2, 3, 4, 7, 10, 16,
The Making of Modern Japan. 2nd edition. Kenneth Pyle. Heath & Co. 1996.
Judgment at Tokyo, the Japanese War Crimes Trials. Tim Maga. University Press of Kentucky. 2001.
Nuremberg Trials. Films Incorporated. from Lending Library of Facing History and Ourselves online campus.

copies of the following articles downloaded and printed from the cited sources:

The Nuremberg Trials: IMT Charter, Indictments, Verdicts and Sentencing of Major War Figures.

<http://www.law.umkc.edu/faculty/projects/ftrials/nuremberg/>

Japan and World War II: The Legacy Six Decades Later. Wilson, O'Bryan, Kasza. Japan Digest. September 2005.

<http://www.indiana.edu/~japan/Digest/legacy.htm>

Basic Facts on the Nanjing Massacre and the Tokyo War Crimes Trial.

<http://www.cnd.org/njmassacre/nj.html>

Japanese War Crime Trials. The International Military Tribunal for the Far East meted out justice to Japanese war criminals at locations throughout Asia by Robert Barr Smith.

http://www.historynet.com/historical_conflicts/3035796.html

How the United States protected Japanese war criminals and facilitated Japan's denial of war guilt and war crimes.

<http://www.users.bigpond.com/battleforAustralia/JapWarCrimes/>

Why the US let Japanese war criminals go free

<http://www.greenleft.org.au/2002/506/27620>

The Tokyo War Crimes Trials (1946-1948).

<http://www.pbs.org/wgbh/amex/macarthur/peopleevents/pandeAMEX101.html>

The Failure of the Tokyo Trial. Wu Tianwei.

http://centurychina.com/wiihist/japdeny/tokyo_trial.html

The Tokyo War Crimes Trials. <http://www.cnd.org/mirror/nanjing/NMTT.html>