

Bibliography

BOOKS

- Appleman, John Alan, *Military Tribunals and International Crimes* (Bobbs-Merrill Company, 1954)
- Barton, Charles K.B., *Getting Even: Revenge as a Form of Justice* (Open Court, 1999)
- Bassiouni, M. Cherif, *Crimes Against Humanity in International Criminal Law* (Springer, 2nd rev. edn, 1999)
- *The Legislative History of the International Criminal Court: Introduction, Analysis, and Integrated Text* (Transnational Publishers, 2005)
- Benvenisti, Eyal, *The International Law of Occupation* (Princeton University Press, 2004)
- Bird, Kai, *The Chairman: John J. McCloy and the Making of the American Establishment* (Simon & Schuster, 1992)
- Bloxham, Donald, *Genocide on Trial* (Oxford University Press, 2001)
- Boister, Neil & Cryer, Robert, *The Tokyo International Military Tribunal: A Reappraisal* (Oxford University Press, 2008)
- Bower, Tom, *Blind Eye to Murder* (William Collins & Sons Co., 1981)
- Buscher, Frank M., *The U.S. War Crimes Trial Program in Germany, 1946–1955* (Greenwood Press, 1989)
- Cryer, Robert, et al., *An Introduction to International Criminal Law and Procedure* (Cambridge University Press, 2nd edn, 2010)
- Dinstein, Yoram, *War, Aggression, and Self-defense* (Cambridge University Press, 2001)
- Drumbl, Mark A., *Atrocity, Punishment, and International Law* (Cambridge University Press, 2007)
- Dubois, Josiah, *The Devil's Chemists: 24 Conspirators of the International Farben Cartel Who Manufacture Wars* (Beacon Press, 1952)
- *Generals in Grey Suits* (Bodley Head, 1953)
- Earl, Hilary, *The Nuremberg SS-Einsatzgruppen Trial, 1945–1958* (Cambridge University Press, 2010)
- Frei, Norbert, *Adenauer's Germany and the Nazi Past* (Columbia University Press, Joel Golb trans., 2002)
- Freyhofer, Horst H., *The Nuremberg Medical Trial: The Holocaust and the Origin of the Nuremberg Medical Code* (Peter Lang, 2004)
- Gross, Leo, *Selected Essays on International Law and Organization* (Transnational Publishers, 1993)
- Haensel, Carl, *Das Organisationsverbrechen: Nürnberger Betrachtungen zum Kontrollratsgesetz nr. 10* (Biederstein Verlag, 1947)
- Hagan, John, *Justice in the Balkans* (University of Chicago Press, 2003)
- Hébert, Valerie, *Hitler's Generals on Trial* (University Press of Kansas, 2010)
- Jeffreys, Diarmuid, *Hell's Cartel: IG Farben and the Making of Hitler's War Machine* (Metropolitan Books, 2008)
- Jescheck, Hans-Heinrich, *Die Verantwortlichkeit der Staatsorgane nach Völkerstrafrecht* (Röhrscheid, 1952)
- Lael, Richard L., *The Yamashita Precedent: War Crimes and Command Responsibility* (Senior Books, 1982)

- Maguire, Peter, *Law and War: An American Story* (Columbia University Press, 2001)
- Mendelsohn, John, *Trial by Document: The Use of Seized Records in the United States Proceedings at Nurnberg* (Garland Publishing, 1988)
- Merritt, Anna J. & Merritt, Richard L., *Public Opinion in Occupied Germany: The OMGUS Surveys, 1945–49* (University of Illinois Press, 1980)
- Persico, Joseph E., *Nuremberg: Infamy on Trial* (Penguin, 2000)
- Pictet, Jean S., *Commentary on the Geneva Convention Relative to the Protection of Civilian Persons in Time of War* (International Committee of the Red Cross, 1958)
- *Commentary on the Geneva Convention Relative to the Protection of Prisoners of War* (International Committee of the Red Cross, 1960)
- Salter, Michael, *Nazi War Crimes, U.S. Intelligence and Selective Prosecution at Nuremberg* (Cavendish, 2007)
- Sandoz, Yves, et al., *Commentary on the Additional Protocols* (International Committee of the Red Cross, 1987)
- Schabas, William, *The International Criminal Court: A Commentary on the Rome Statute* (Oxford University Press, 2010)
- Schwartz, Thomas Alan, *America's Germany: John J. McCloy and the Federal Republic of Germany* (Harvard University Press, 1991)
- Sellars, Kirsten, *The Rise and Rise of Human Rights* (Sutton Publishing, 2002)
- Silverglate, Jesse Joseph, *The Role of the Conspiracy Doctrine in the Nuremberg War Crimes Trials* (University Microfilm Library Services, 1969)
- Solis, Gary D., *The Law of Armed Conflict* (Cambridge University Press, 2010)
- Stave, Bruce M., et al., *Witnesses to Nuremberg: An Oral History of American Participants at the War Crimes Trials* (Prentice-Hall International, 1998)
- Szanajda, Andrew, *The Restoration of Justice in Postwar Hesse, 1945–1949* (Lexington Books, 2007)
- Taylor, Telford, *The Anatomy of the Nuremberg Trials: A Personal Memoir* (Little, Brown & Co., 1992)
- *Final Report to the Secretary of the Army on the Nuernberg War Crimes Trials Under Control Council Law No. 10* (William S. Hein & Co., 1949)
- Turley, Mark, *From Nuremberg to Nineveh* (Vandal Publications, 2008)
- United Nations War Crimes Commission, *History of the United Nations War Crimes Commission and the Development of the Laws of War* (William S. Hein & Co., 1948)
- Von Knieriem, August, *The Nuremberg Trials* (Regnery, 1959)
- Weingartner, James J., *Crossroads of Death: The Story of the Malmedy Massacre and Trial* (University of California Press, 1979)
- Wilkins, William John, *The Sword and the Gavel* (The Writing Works, 1981)
- Woetzel, Robert K., *The Nuremberg Trials in International Law* (Stevens & Sons, Ltd., 1962)

ARTICLES

- Albrecht, A.R., "War Reprisals in the War Crimes Trials and in the Geneva Conventions of 1949," 47 *Am. J. Int'l L.* 590 (1953)
- April, Nathan, "An Inquiry into the Juridical Basis for the Nuernberg War Crimes Trial," 30 *Minn. L. Rev.* 311 (1945–46)
- Amann, Diane Marie, "Portraits of Women at Nuremberg," in *Proceedings of the Third Int'l Humanitarian L. Dialogs* 31 (Elizabeth Andersen & David M. Crane eds, 2010)

- Arens, Richard, "Nuremberg and Group Prosecution," 1951 *Wash. U. L. Q.* 329
- Askin, Kelly D., "Prosecuting Wartime Rape and Other Gender-Related Crimes Under International Law: Extraordinary Advances, Enduring Obstacles," 21 *Berkeley J. Int'l L.* 288 (2003)
- Barrett, John Q., "Henry T. King, Jr., at Case, and on the Nuremberg Case," 60 *Case W. Res. L. Rev.* 1 (2010)
- Bass, Gary Jonathan, "War Crimes and the Limits of Legalism," 97 *Mich. L. Rev.* 2103 (1999)
- Baxter, Richard R., "So-Called "Unprivileged Belligerency: Spies, Guerillas, and Saboteurs," 28 *Brit. Y.B. Int'l L.* 323 (1951)
- Bendersky, Joseph W., "The Expendable Kronjurist: Carl Schmitt and National Socialism, 1933–1936," 14 *J. Contemp. Hist.* 309 (1979)
- "Carl Schmitt's Path to Nuremberg: A Sixty-Year Reassessment," 139 *Telos* 6 (2007)
- Bing Bing, Jia, "The Doctrine of Command Responsibility Revisited," 3 *Chinese J. Int'l L.* 1 (2004)
- Bohlander, Michael, "International Criminal Tribunals and Their Power to Punish Contempt and False Testimony," 12 *Crim. L. Forum* 91 (2001)
- Brand, G., "The War Crimes Trials and the Laws of War," 26 *Brit. Y.B. Int'l L.* 414 (1949)
- Bush, Jonathan A., "The Prehistory of Corporations and Conspiracy in International Criminal Law: What Nuremberg Really Said," 109 *Colum. L. Rev.* 1094 (2009)
- "Soldiers Find Wars: A Life of Telford Taylor," 37 *Colum. J. Transnat'l L.* 675 (1999)
- Carnegie, A.R., "Jurisdiction Over Violations of the Laws and Customs of War," 39 *Brit. Y.B. Int'l L.* 402 (1963)
- Carter, Edward F., "The Nurnberg Trials: A Turning Point in the Enforcement of International Law," 28 *Neb. L. Rev.* 370 (1949)
- Clark, Roger S., "Crimes Against Humanity," in *The Nuremberg Trial and International Law* 177 (Kluwer Academic Publishers, G. Ginsburgs & V. N. Kudriavtsev eds., 1990)
- Clapham, Andrew, "The Question of Jurisdiction Under International Criminal Law Over Legal Persons," in *Liability of Multinational Corporations under International Law* 139 (Kluwer Academic Publishers, Menno T. Kamminga & Saman Zia-Zarifi eds, 2000)
- Cogan, Jacob Katz, "International Criminal Courts and Fair Trials: Difficulties and Prospects," 27 *Yale J. Int'l L.* 111 (2002)
- Colby, Elbridge, "Occupation Under the Laws of War," 25 *Colum. L. Rev.* 904 (1925)
- "War Crimes," 23 *Mich. L. Rev.* 482 (1924–25)
- Cowles, Willard B., "Trials of War Criminals (Non-Nuremberg)," 42 *Am. J. Int'l L.* 299 (1948)
- "Universality of Jurisdiction Over War Crimes," 33 *Cal. L. Rev.* 177 (1945)
- Cryer, Robert, "General Principles of Liability in International Criminal Law," in *The Permanent International Criminal Court: Legal and Policy Issues* 242 (Oxford University Press, McGoldrick et al. eds, 2004)
- Damaška, Mirjan, "Free Proof and Its Detractors," 43 *Am. J. Comp. L.* 343 (1995)
- Danner, Allison M., "Constructing a Hierarchy of Crimes in International Criminal Law Sentencing," 87 *Va. L. Rev.* 415 (2001)
- "The Nuremberg Industrialist Prosecutions and Aggressive War," 46 *Va. J. Int'l L.* 651 (2006)
- Dautricort, Joseph Y., "Crimes Against Humanity: European Views on Its Conception and Future," 40 *J. Crim. L. & Criminology* 170 (1949–50)
- Dillon, J.V., "The Genesis of the 1949 Convention Relative to the Treatment of Prisoners of War," 5 *Miami L.Q.* 40 (1950–51)

- Doman, Nicholas R., "The Nuremberg Trials Revisited," 47 *A.B.A. J.* 261 (1961)
- Dörmann, Knut, "Preparatory Commission for the International Criminal Court: The Elements of War Crimes," 82 *Int'l Rev. Red Cross* 461 (2001)
- Douglas, Lawrence, "History and Memory in the Courtroom: Reflections on Perpetrator Trials," in *The Nuremberg Trials: International Criminal Law Since 1945*, 96 (K.G. Sauer Verlag, Herbert R. Reginbogin & Cristoph J. Safferling eds, 2006)
- Douglass, John J., "High Command Case: A Study in Staff and Command Responsibility," 6 *Int'l Lawyer* 686 (1972)
- Downey, William Gerald, Jr., "The Law of War and Military Necessity," 47 *Am. J. Int'l L.* 251 (1953)
- Freeman, Alwyn V., "War Crimes by Enemy Nationals Administering Justice in Occupied Territory," 41 *Am. J. Int'l L.* 579 (1947)
- Fried, John H.E., "Transfer of Civilian Manpower From Occupied Territory," 40 *Am. J. Int'l L.* 303 (1946)
- Friedmann, W., "The Legal and Constitutional Position of Germany Under Allied Military Government," 3 *Res Judicatae* 133 (1947)
- Glaser, Stefan, "The Charter of the Nuremberg Tribunal and New Principles of International Law," in *Perspectives on the Nuremberg Trial* 55 (Oxford University Press, Guénaël Mettraux ed., 2008)
- Glueck, Sheldon, "By What Tribunal Shall War Offenders Be Tried?," 56 *Harv. L. Rev.* 1059 (1943)
- Goetz, Cecelia, "Impressions of Telford Taylor at Nuremberg," 37 *Colum. J. Transnat'l L.* 669 (1999)
- Gross, Leo, "The Criminality of Aggressive War," 41 *Am. Pol. Sci. Rev.* 205 (1947)
- Hale, Winfield B., "Nuremberg War Crimes Tribunals," 21 *Tenn. L. Rev.* 8 (1949–51)
- Harvard Research, "Jurisdiction with Respect to Crime," 29 *Am. J. Int'l L. Supp.* 439 (1935)
- Hebert, Paul M., "The Nurnberg Subsequent Trials," 16 *Ins. Counsel J.* 226 (1949)
- Heller, Kevin Jon, "Retreat from Nuremberg: The Leadership Requirement in the Crime of Aggression," 18 *Eur. J. Int'l L.* 477 (2007)
- "Situational Gravity Under the Rome Statute," in *Future Perspectives on International Criminal Justice* 227 (T.M.C Asser Press, Carsten Stahn & Larissa van den Herik eds, 2010)
- Jessberger, Florian & Geneuss, Julian, "On the Application of a Theory of Indirect Perpetration in *Al Bashir*: German Doctrine at the Hague?," 6 *J. Int'l Crim. Just.* 853 (2008)
- Jochnick, Chris & Normand, Roger, "The Legitimation of Violence: A Critical History of the Laws of War," 35 *Harv. Int'l L. J.* 49 (1994)
- Kelsen, Hans, "The Legal Status of Germany According to the Declaration of Berlin," 39 *Am. J. Int'l L.* 518 (1945)
- "Will the Judgment in the Nuremberg Trial Constitute a Precedent in International Law?," in *Perspectives on the Nuremberg Trial* 274 (Oxford University Press, Guénaël Mettraux ed., 2008)
- Kopelmans, L., "The Problem of Aggression and the Prevention of War," 31 *Am. J. Int'l L.* 244 (1937)
- Kranzbuehler, Otto, "Nuremberg Eighteen Years Afterwards," 14 *Depaul L. Rev.* 333 (1964–65)
- Kress, Claus, "Erdemović," in *Oxford Companion to International Criminal Justice* 661 (Oxford University Press, Antonio Cassese ed., 2009)
- Kunz, Josef L., "The Laws of War," 50 *Am. J. Int'l L.* 313 (1956)

- Latenser, Hans, "Looking Back at the Nuremberg Trials with Special Consideration of the Processes Against Military Leaders," in *Perspectives on the Nuremberg Trial* 473 (Oxford University Press, Guénaël Mettraux ed., 2008)
- Lauterpacht, Hersch, "The Law of Nations and the Punishment of War Crimes," 21 *Brit. Y.B. Int'l L.* 58 (1944)
- "The Problem of the Revision of the Law of War," 29 *Brit. Y.B. Int'l L.* 360 (1952)
- "The Limits of the Operation of the Law of War," 30 *Brit. Y.B. Int'l L.* 206 (1953)
- Lawrence, Jessica C. & Heller, Kevin Jon, "The First Ecocentric Environmental War Crime: The Limits of Article 8(2)(b)(iv) of the Rome Statute," 20 *Geo. Int'l Env. L. Rev.* 61 (2007)
- Lippman, Matthew, "The Other Nuremberg: American Prosecutions of Nazi War Criminals in Occupied Germany," 3 *Ind. Int'l & Comp. L. Rev.* 1 (1992)
- Llewellyn, Karl N., "Remarks on the Theory of Appellate Decision and the Rules or Canons About How Statutes are to be Construed," 3 *Vand. L. Rev.* 395 (1950)
- Lozier, Marion E., "Nuremberg: A Reappraisal," 1 & 2 *Colum J. Transnat'l L.* 64 (1961–63)
- Marrus, Michael R., "The Nuremberg Doctors' Trial in Historical Context," 73 *Bull. Hist. Med.* 106 (1999)
- Morgenstern, Felice, "Validity of the Acts of the Belligerent Occupant," 28 *Brit. Y.B. Int'l L.* 291 (1951)
- Morris, James, "Major War Crimes Trials in Nurnberg," 25 *N.D. B. Br.* 97 (1949)
- Murphy, Peter, "No Free Lunch, No Free Proof," 8 *J. Int'l Crim. Just.* 539 (2010)
- Musmanno, Michael A., "Are Subordinate Officials Penally Responsible for Obeying Superior Orders Which Direct the Commission of a Crime?," 67 *Dick. L. Rev.* 221 (1962–63)
- Nurick, Lester, "The Distinction Between Combatant and Noncombatant in the Law of War," 39 *Am. J. Int'l L.* 680 (1945)
- Nurick, Lester & Barrett, Roger W., "Legality of Guerrilla Forces Under the Laws of War," 40 *Am. J. Int'l L.* 563 (1946)
- Ohlin, Jens D., "The Co-Perpetrator Model of Joint Criminal Enterprise," 14 *Annotated Leading Cases of the Int'l Crim. Tribs.* 739 (2008)
- Perlman, Philip B., "The Genocide Convention," 30 *Neb. L. Rev.* 1 (1950–51)
- Philips, C.P., "Air Warfare and Law: An Analysis of the Legal Doctrines, Practices and Policies," 21 *Geo. Wash. L. Rev.* 311 (1953)
- Ramasastry, Anita, "Corporate Complicity: From Nuremberg to Rangoon," 20 *Berkeley J. Int'l L.* 91 (2002)
- Rheinstein, Max, "The Legal Status of Occupied Germany," 47 *Mich. L. Rev.* 23 (1948)
- Roberts, Adam, "Land Warfare: From Hague to Nuremberg," in *The Laws of War* 116 (Yale University Press, Michael Howard et al. eds, 1994)
- Robinson, Darryl, "The Identity Crisis of International Criminal Law," 21 *Leiden J. Int'l L.* 925 (2008)
- Rogers, A.P.V., "War Crimes Trials Under the Royal Warrant: British Practice 1945–49," 39 *I.C.L.Q.* 780 (1990)
- Sack, Alexander N., "War Criminals and the Defense of Act of State In International Law," 5 *Law. Guild Rev.* 288 (1945)
- Schabas, William A., "Sentencing by International Tribunals: A Human Rights Approach," 7 *Duke J. of Comp. & Int'l L.* 461 (1997)
- "State Policy as an Element of International Crimes," 98 *J. Crim. L. & Criminology* 953 (2008)
- Schick, F.B., "Crimes Against Peace," 38 *J. Crim. L. & Criminology* 445 (1947–48)

- "The Nuremberg Trial and the International Law of the Future," 41 *Am. J. Int'l L.* 770 (1947)
- "International Criminal Law—Facts and Illusions," 11 *Mod. L. Rev.* 290 (1948)
- Schmidt, Ulf, "'The Scars of Ravensbrück': Medical Experiments and British War Crimes Policy, 1945–1950," 23 *German Hist.* 20 (2005)
- Schwartz, Thomas Alan, "John J. McCloy and the Landsberg Cases," in *American Policy and the Reconstruction of West Germany* 433 (German Historical Institute, Hartmut Lehmann ed., 1993)
- Schwarzenberger, Georg, "The Judgment of Nuremberg," in *Perspectives on the Nuremberg Trial* 473 (Oxford University Press, Guénaël Mettraux ed., 2008)
- Spicka, Mark E., "The Devil's Chemists on Trial," 61 *The Historian* 865 (1999)
- Sprecher, Drexel A., "The Central Role of Telford Taylor as U.S. Chief of Counsel in The Subsequent Proceedings," 37 *Colum. J. Transnat'l L.* 673 (1999)
- Taylor, Telford, "Arms and the Germans," *Harper's* 23 (Mar. 1950)
- "The Nazis Go Free," *The Nation* 170 (24 Feb. 1951)
- "The Krupp Trial: Fact v. Fiction," 53 *Colum. L. Rev.* 197 (1953)
- "The Nuremberg Trials," in *Perspectives on the Nuremberg Trial* 372 (Oxford University Press, Guénaël Mettraux ed., 2008)
- Von Laun, Kurt, "The Legal Status of Germany," 45 *Am. J. Int'l L.* 267 (1951)
- Wagner, Wienczyslaw J., "Conspiracy in Civil Law Countries," 42 *J. Crim. L. Criminology & Police Sci.* 171 (1951)
- Weindling, Paul, "From International to Zonal Trials: The Origins of the Nuremberg Medical Trial," 14 *Holocaust & Genocide Studies* 367 (2000)
- Wolfe, Robert, "Flaws in the Nuremberg Legacy: An Impediment to International War Crimes Tribunal's Prosecution of Crimes Against Humanity," 12 *Holocaust & Genocide Studies* 434 (1998)
- Wright, Lord, "The Killing of Hostages as a War Crime," 25 *Brit. Y.B. Int'l L.* 296 (1948)
- Wright Quincy, "The Concept of Aggression in International Law," 29 *Am. J. Int'l L.* 373 (1935)
- "The Outlawry of War," 19 *Am. J. Int'l L.* 76 (1925)
- "The Outlawry of War and the Law of War," 47 *Am. J. Int'l L.* 365 (1953)
- "The Prevention of Aggression," 50 *Am. J. Int'l L.* 514 (1956)
- "The Law of the Nuremberg Trial," in *Perspectives on the Nuremberg Trial* 320 (Guénaël Mettraux ed., 2008)
- Yee, Sienho, "The Tu Quoque Argument as a Defence to International Crimes, Prosecution or Punishment," 3 *Chinese J. Int'l L.* 87 (2004)
- Zeck, William Allen, "Nuremberg: Proceedings Subsequent to Goering et al.," 26 *N.C. L. Rev.* 350 (1948)
- Zuppi, Alberto L., "Slave Labor in Nuremberg's I.G. Farben Case: The Lonely Voice of Paul M. Hebert," 66 *La. L. Rev.* 495 (2006)