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Another Voice: Robert Jackson's principles have guided international justice for 70 years

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Wartime rubble was still being hauled from the streets of London. And people around the globe were working feverishly to rebuild and refocus their lives following the unimaginable destruction of World War II that killed more than an estimated 60 million people worldwide. It was arguably the worst human-created disaster in recorded history.

At that time, American Robert H. Jackson, a U.S. Supreme Court justice, and other representatives from the Allied powers together worked some 70 years ago to carefully craft and develop what has become known as the London Charter. It established the laws and procedures by which the Nuremberg trials were conducted in subsequent months to prosecute key leaders of the European Axis powers.

This was to be no kangaroo court. The charter set forth principles that still stand strong today: defining war crimes, crimes against humanity and crimes against peace. The defendants were permitted to present evidence in their defense, have counsel, cross-examine witnesses and even appeal verdicts to the Allied Control Council.

Jackson, who grew up in Western New York, emphasized that the rules developed in the charter were "of general application to any nation and were not merely" developed for this one application. Following orders in committing war crimes would not be a defense. It included co-conspirator liability for each of the substantive crimes.

The London Charter led to the initial public trials of 21 Nazi officials at Nuremberg, with 18 found guilty. Later trials would determine the guilt or innocence of additional Axis officials. The trials set precedent and resulted in the seven international "Nuremberg Principles" that subsequently have been used to try those charged in more recent times with such crimes, including those in Sierra Leone, the former Yugoslavia and Rwanda.

The recent trials and the historic cases against the Nazis reveal that "mass murder and human rights abuses are generally calculated and well-planned, taking advantage of our weakness to stand up for others whom we barely know," notes Andrew Beiter, education director of the Holocaust Resource Center of Buffalo and of the Robert H. Jackson Center in Jamestown.

This, in turn, requires constant vigilance and dedication to the fundamentals of international law laid out by Jackson and others some seven decades ago. We trust that the 4-year-old federal courthouse in downtown Buffalo, dedicated to Jackson, will serve not only as a tribute to him and the concepts of justice embraced by the London Charter, but also as an ever-present symbol of the importance of conflict resolution to world peace.

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