

Part 5: Culpability

Now that students have analyzed and learned the media and how it played a role in both The Holocaust and the Rwandan Genocide, it's important to come back to some earlier questions:

- What is hate speech?
- Can the radio/television/newspaper incite violence with hate speech?
- Just how much influence does the media have on us?
- If the media tells people to do something illegal, who is to blame? The person or the media? Why?
- **How should the perpetrators be held accountable?**

The Nuremburg Trials

The Nuremburg Trials were held between 1945 and 1949 with the intent to prosecute the prominent members of the Nazi Party during The Holocaust.

- The main trial started on October 18, 1945 where indictments were entered against 24 major war criminals and six criminal organizations – the leadership of the Nazi Party, the SS and SD, the Gestapo, the SA and the “General Staff and High Command.”
- There were 12 subsequent trials, including The Doctors’ Trial, The *Einsatzgruppen* Trial and the IG Farben Trial, indicting one of the companies which operated mainly on free slave labor from the camps.
- During the main trial, each defendant was brought up on any or all of the following charges:
 - Count 1: Participation in a common plan or conspiracy for the accomplishment of a crime against peace
 - Count 2: Planning, initiating and waging wars of aggression and other crimes against peace
 - Count 3: War crimes
 - Count 4: Crimes against humanity
- It is important for students to know that Joseph Goebbels, head of the ministry of propaganda was not tried because he committed suicide.

Have the students use the following website to analyze the defendants, their crimes, and their sentences.

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

Assign each student a defendant to study. They should write down:

1. Defendant's name
2. IQ and why that is important (Be sure to tell them that average IQ should be 100.)
3. At least one interesting quote from the defendant
4. Basic information about who the defendant was and what role they played in the Holocaust (info to the left of the picture)
5. Sentence

Come together as a group and discuss the defendants.

- What do these men have in common?
- Who seemed to get harsher sentences, i.e. death, and who got easier sentences? Why?
- Do the students think they should have been held accountable for their role in The Holocaust?
- What do they think would have happened to Joseph Goebbels had he been tried?
- What is "fair" punishment for crimes against humanity?
- *Be sure to give special attention to **Julius Streicher**, who was the founder of *Der Sturmer*, the Nazi propaganda newspaper, and **Alfred Rosenberg**, who is considered one of the main authors of the key Nazi ideological creeds *Lebenstraum*. How did they incite?

International Criminal Tribunal for Rwanda

Since the end of the genocide, several actions have begun in order to prosecute those responsible. Beginning in 1996, the government of Rwanda began trying people for war crimes. In 2001, the UN set up the International Criminal Tribunal for Rwanda, which has jurisdiction over high level members of the government and armed forces. Rwanda itself is still responsible for prosecuting lower level leaders and local people.

Again, because this is a very current event and the trials are ongoing, there is less information available in English about these trials. However, there are 3 men who were tried and convicted for dissemination of propaganda during the genocide:

Leaders of RTLM:

Ferdinand Nahimana

Jean Bosco Barayagwiza

Publisher of *Kangura*
Hassan Ngeze

Students can research these three men and answer the same questions as they did for the defendants of the Nuremburg Trial.

Once students are familiar with Nuremberg and the Rwandan War Tribunal, discuss the following questions:

- What types of things have perpetrators been tried for?
- What types of sentences did they get?
- Do you think they should have been tried?
- Did they get fair, impartial trials?
- What types of crimes against humanity do you think should be prosecuted in court?
- Who should prosecute these people? The leaders of their countries or the leaders of the world?

Final Questions

- Whose job is it to protect people? Their neighbors? Their community? Their state? Their country? The world?
- How do we prevent hate speech?
- What power do words have?
- Should people be held criminally responsible for hate speech?
- If you incite violence, are you as guilty as those actually committing the violence? Less guilty? More guilty?