The President on May 2, 1945, announced the appointment of Associate Justice Robert H. Jackson of the United States Supreme Court as Representative of the United States and its Chief of Counsel in the preparation and prosecution of charges against the European Axis war criminals. (1) By this action, the President acted to implement the policy of punishing war criminals to which this government had been committed from the earliest days of the war. In August, 1943, President Roosevelt in a statement following a communication from the governments of occupied European countries calling attention to Axis crimes against civilian populations in those countries, sounded a warning to the Axis that "the time will come when they shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts." (2) He followed this on October 7, 1943, with a statement declaring it to be "the intention of this Government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals" and said that with a view to establishing the responsibility of the guilty individuals through the collection and assessment of all available evidence, this government was prepared to cooperate with the British and other governments in establishing a United Nations Commission for the Investigation of War Crimes. (3) As a result such a Commission was organized and on October 20, 1943, it held its first meeting in London. At the same time the Foreign Ministers of the United States, Great Britain, and Russia were meeting at Moscow and the subject of war crimes and punishment of war criminals was discussed there. A declaration, signed and issued on November 1st by
Premier Stalin, Prime Minister Churchill and President Roosevelt at the close of that conference, asserted that at the time of the granting of any assistance to any government set up in Germany, the German officers and men and members of the Nazi party responsible for atrocities would be returned to the countries in which the crimes were committed in order that they might be punished "according to the laws of these liberated countries and of the free governments which would be created therein."

The statement said however, that the declaration was "without prejudice to the case of major criminals, whose offenses have no particular geographical localization and who would be punished by joint decisions of the governments of the Allies." The President, in his statement announcing the appointment of Justice Jackson (1) cited this joint statement and pointed out that it was primarily for the trial and prosecution of the major criminals that Jackson was being appointed.

Immediately after the appointment, Judge Samuel I. Rosenman went to San Francisco as the personal representative of the President, to present to representatives of Great Britain, Russia and France, gathered there for the United Nations Conference, proposals of the United States concerning the prosecution and trial of the Axis war criminals. His purpose was to arrange for the organization of an international military tribunal and for the adoption of a procedure for the trials. It was not contemplated that this tribunal would be concerned with those criminals guilty of specific atrocities in any of the occupied countries but rather with those major criminals referred to in the Roosevelt-Churchill-Stalin declaration of November 1, 1943, whose offenses had no particular geographical localization.

Justice Jackson began the organization of his staff and on May 16th announced the appointment of Major General William J. Donovan, Director
of the Office of Strategic Services, Sidney Alderman, General Solicitor for the Southern Railway and Assistant Attorney General Francis W. Hasel to assist him. Material compiled by various government units, including the War Crimes Office, established by the State, War and Navy Departments, the Office of the Judge Advocate General of the Army, Department of Justice units including the Federal Bureau of Investigation, the legal staff of the State Department and others was made available to him and his staff.

He went to Europe and conferred with General Eisenhower and others and on June 7th submitted a preliminary report to the President on the progress of his work. (6)

The International Military Tribunal was formally established on August 6, 1945, under an agreement signed at London by representatives of the United States, Great Britain, Russia and France. A charter was adopted, setting up the court, establishing jurisdiction and procedures for trying and punishing the war criminals and authorizing the Commission to prepare an indictment and present evidence. The Governments of nineteen (19) other United Nations later expressed their adherence to the agreement.

The tribunal consisted of four members, each with an alternate, representing the four major powers, the United States, Great Britain, Russia and France, who sat as judges during the trial. The President, by executive order (5) on September 21, 1945, appointed Francis Biddle as the United States member and John J. Parker as alternate.

The trials were conducted at Nuremberg, Germany, beginning November 20, 1945. On September 30th and October 1st, 1946, the Tribunal handed down the verdicts. Nine of the twenty-two defendants were found guilty on one or more of the counts and three were acquitted. Twelve were sentenced to be hanged, three to imprisonment for life, and four others to long terms of imprisonment.
Justice Jackson submitted his report to the President on October 7, 1945, and at that time resigned his commission as the United States Representative and Chief of Counsel, for the United States. (6)

Mr. Middle submitted a report to the President on November 9, and at the same time tendered his resignation as the United States member of the International Tribunal. (7)

Provision previously had been made, through an executive order of the President, (8) for the prosecution before United States military or occupational tribunals of other war criminals than those tried at Nuremberg and for transferring the duties of the Chief Counsel, upon his retirement from the office, to a Chief of Counsel for War Crimes to be appointed by the United States Military Governor for Germany. With the resignation of Justice Jackson, Brigadier General Tailford Taylor was appointed.

Subsequently various military tribunals were set up in the United States occupation zone in Germany and from time to time the President, by executive order, designated various American lawyers and judges as members of these tribunals.
NOTES:

(1) See text of statement by the President, May 2, 1942, and executive order 9027 of the same date, copies of which are in this record.


(3) See Roosevelt statement, October 7, 1942, item 102, Page 130, 1942 Vol. Roosevelt papers.

(4a) See item 122, Page 169, 1942 Vol. Roosevelt papers.

(4b) See copy in this record.

(5) See copy in this record of executive order 9126 concerning these appointments.

(6) See copies of letter and reply in this record. Original letter is in the White House central files. The records of Justice Jackson as U.S. Chief of Counsel in the prosecution of the Axis criminals are in the National Archives.

(7) See copy of letter and President's reply in this record. Original letter is in the White House central files.

(8) See copy of executive order 9619, January 17, 1946, in this record.
As my request, Mr. Justice Robert H. Jackson, in addition to his duties as Justice of the Supreme Court, has accepted designation as Chief of Counsel for the United States in preparing and presenting the charges of atrocities and war crimes against such of the leaders of the European Axis powers, and their principal agents and accessories, as the United Nations may agree with any of the United Nations to bring to trial before an International military tribunal.

Pursuant to the Moscow Declaration of November 1, 1945, all war criminals, against whom there is sufficient proof of personal participation in specific atrocities, are to be returned to the countries where their crimes were committed, to be judged and punished by those countries themselves. These cases are not involved in this assignment.

They are left, however, the cases of other war criminals—particularly those war criminals and their principal agents and accessories, whose offenses have no particular geographical localization.

I hope and expect that no International military tribunal will soon be organized to try this second category of war criminals. It will be Justice Jackson's responsibility to represent the United States in preparing and presenting the case against these criminals before such military tribunals.

Justice Jackson has assembled a staff from within the War, Navy, and other Departments concerned, which has already begun work, so that there will be no delay on the part of the United States. It is desirable that preparation begin at once, even though the details of the military court are not yet determined.

I have just signed an Executive Order designating Justice Jackson to this post. He and his staff will examine the evidence already gathered and being gathered by the United Nations War Crimes Commission in London and by the various allied courts and other agencies; he will arrange for assembling the necessary additional evidence; and he will begin preparation for the trial.

It is our objective to establish as soon as possible an International military tribunal, and to provide a trial procedure which will be expeditious in nature so that it will permit no evasion or delay—no one whom in keeping with our tradition of justice towards those accused of crime. Steps to carry this are actively under way.

Arguments in the Supreme Court for the current term will conclude this week, and the Court has ordered adjournment on May 25th. It is hoped that the trials of these war crimes cases will have been completed next October when the Court reconvenes.
The President today sent the following letter to Supreme Court Justice Robert H. Jackson, accepting his resignation as Representative of the United States and Chief of Counsel, International Military Tribunal:

"Dear Mr. Justice Jackson:

I have read and studied deeply the report which you submitted under date of October seventh last concerning the prosecution of major Nazi war criminals at Nuremberg. No litigation approaching this, the first international criminal case in history, ever was attempted.

For my part I have no hesitancy in declaring that the historic precedent set at Nuremberg abundantly justifies the expenditure of effort, prestige though it was. This precedent became basis in the international law of the future. The principles established and the results achieved place International Law on the side of peace as against destructive warfare.

I am convinced that the verdict for which you worked will receive the acclaim of civilized people everywhere and will stand in history as a beacon to warn international brigands of the fate that awaits them.

Although your own part in the dispensing of international justice is at an end there remains, as you emphasize, the task of meting out justice to the German militarists, industrialists, politicians, diplomats and police officials whose guilt does not differ from the guilt of the criminals who have already been dealt with except that these remaining malefactors played their insidious roles at lower levels. I note with you any concern the method through which these remaining criminals are to be brought to justice. The recommendations which you make in that regard, coming as they do out of your experience at Nuremberg, will be given careful consideration.

In accepting, effective as of this day, your resignation as representative of the President, and Chief of Counsel, for the United States, I can but tender you my heartfelt thanks and the thanks of the Nation for the great service which you have rendered.

Very sincerely yours,

HARRY S. TRUMAN"

(See Note #6)
June 7, 1945

The President has received the following report from Mr. Justice Rehnery of the United States in the prosecution of Nazi war criminals:

My Dear Mr. President:

I have the honor to report accomplishments during the past week on which I was engaged as Chief of Counsel for the United States in prosecuting the principal Nazi war criminals. In brief, I have personally supervised the pursuit of several defendants, and engaged in conferences with the various agencies involved in securing their extradition. In doing so, I have consulted with the governments of the United States, the United Nations, and the British, and have arranged for the extradition of several defendants.

The responsibilities I have assumed are as follows:

1. The first class consists of offenses against military personnel of the United States. These offenses are usually tried by military courts and are not covered by the present report.

2. The second class consists of offenses against non-military personnel of the United States. These offenses are usually tried by civil courts and are not covered by the present report.

3. The third class consists of offenses against military personnel of other countries. These offenses are usually tried by international tribunals and are not covered by the present report.

I have arranged for the extradition of several defendants and have supervised the pursuit of others. In doing so, I have consulted with the governments of the United States, the United Nations, and the British, and have arranged for the extradition of several defendants.

Yours truly,

[Signature]

My Dear Mr. President:

I have the honor to report the progress of our efforts in the prosecution of Nazi war criminals. In brief, I have personally supervised the pursuit of several defendants, and engaged in conferences with the various agencies involved in securing their extradition. In doing so, I have consulted with the governments of the United States, the United Nations, and the British, and have arranged for the extradition of several defendants.

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Yours truly,

[Signature]
The United Nations War Crimes Commission is especially concerned with cases of this kind. It represents many of the United Nations, with the exception of Russia. It has been usefully engaged as a body with which all the United Nations have ceased their arguments and evidence. Lord Wright, representing Australia, is the Chairman of this Commission, and Lieutenant Colonel Joseph T. Higson is the United States Representative.

In London, I conferred with Lord Wright and Colonel Higson in an effort to coordinate our work with that of the Commission whenever there might be danger of conflict or duplication. There was no difficulty in arriving at an understanding for mutual exchange of information. We undertook to respond to requests for any evidence in our possession against those listed with the Commission as criminals and to cooperate with each of the United Nations in efforts to bring this class of criminals to justice.

Requests for the surrender of persons held by American forces may present diplomatic or political problems which are not my responsibility. But as far as my work is concerned, I asked the Commission, as well as the appropriate American authorities, that there was no objection to the surrender of any person except to apply that we would act as a defendant or as a witness in the major cases.

In a third class of cases, each country, of course, is free to prosecute those charged in its own tribunal and under its own laws against those listed with the Commission as criminals and to cooperate with each of the United Nations in efforts to bring this class of offenders to justice.

The consequences of these arrangements is that preparations for the prosecution of major war criminals will not impede prosecution of other offenders. In these latter cases, however, the number of those offenders is likely to exceed greatly the number of prosecutions, because witnesses are rarely able satisfactorily to identify particular offenders to enforce those acts that have been committed. This difficulty of adequately identifying individual perpetrators of atrocities makes it the more important that we proceed against the top officials and organizations responsible for originating the criminal policies, for only by so doing can there be just retribution for many of the most brutal acts.

II.

Over a month ago the United States proposed to the United Kingdom, Soviet Russia and France a specific plan, in writing, that these four powers join in a protocol establishing an International Military Tribunal, defining the jurisdiction and powers of the tribunal, listing the categories of acts designated to be crimes, and describing those individuals and organizations to be placed on trial. Negotiation of such an agreement between the four powers is not yet completed.

In view of the immensity of our task, it did not seem wise to await consummation of international arrangements before proceeding with preparation of the case. Accordingly, I went to Paris, to American Headquarters at Frankfort and in Strasbourg, and to London, for the purpose of assembling, organizing, and distributing personnel from the existing services and agencies and getting the different organizations coordinated and at work on the evidence. I uniformly set with eager cooperation.

This study and treatment of war criminals and suspects opposed to require immediate attention. I asked the War Department to study those prisoners who are suspected war criminals the privileges which would appear to their rank if they were mere prisoners of war, to assemble them at convenient and secure locations for interrogation by our staff, to keep them in the close confinement ordinarily given suspected criminals. The War Department have been subjected to severe criticism from the press for these measures, for which it is fair that I should acknowledge responsibility. The most elementary considerations for ensuring a fair trial and for the safety of our men suggest the importance of permitting these prisoners to be interrogated impartially by us to use the facilities of the press to convey information to each other and to criminals not apprehended. Our choice is between treating them as honorable prisoners of war with the privileges of their rank, or to placify them as war criminals. In which case they should be treated in such manner. I have assurance from the War Department that these likely to be accused as war criminals will be kept in close confinement and strict control.
Since a considerable part of our evidence has been assembled in London, I went there on May 29 with General Eisenhower to confer with the United Nations War Crimes Commission and with officials of the British Government responsible for the prosecution of war criminals. We had expected conferences with the newly appointed Attorney General, the Legal Adviser, the Foreign Secretary, the Treasury Solicitor, and others. On May 29, Prime Minister Churchill announced in the House of Commons that Attorney General Sir David Maxwell Frye had been appointed to represent the United Kingdom in the prosecution. Following this announcement, members of my staff and I held extended conferences with the Attorney General and his staff.

The essence of these conferences is that the British are taking steps parallel to our own to clear the military and localized issues from the immediate steps to the establishment of a complete and comprehensive system for investigating and prosecuting war criminals. We expect to make provision for others of the United Nations to become adherents to the agreement.

III.

The time, I think, has come when it is appropriate to outline the basic features of the plan of prosecution on which we are tentatively proceeding in preparing the case of the United States.

1. The American case is being prepared on the assumption that an inexcusable responsibility rests upon this country to conduct an inquiry, preferably in association with others, but alone if necessary, into the culpability of those whom there is probable cause to accuse of atrocities and other crimes. We have many such cases in our possession. We shall do with them. We could, of course, act then at large without a hearing. But it has cost tens of thousands of American lives to beat out that those men. From them without a trial we would seek the death and long olens of the living. On the other hand, we could execute or otherwise punish them without a hearing. But under no circumstances can or will we consent to our children's children being punished without definite findings of guilt, fairly arrived at, which were repeatedly given, and which would not rest so as the American conscience, or as possible to our children's children with pride. The only other course is to determine the innocence or guilt of the defendant after a hearing as unprecedented as the times and here we deal with will permit, and upon a record that will leave our reasons and motives clear.

2. Those hearings, however, must not be regarded in the same light as a trial under our system, where defense is a matter of constitutional right. Pre-hearings for the accused, of course, required to make sure that we punish only the right men and for the right reasons. The procedure of these hearings, as properly, is destructive of any idea of Constitutional right. Our system of justice in the United States is, in any event, inconsistent with the position we take toward our own officials, who are frequently brought to court at the will of citizens who allege their rights to have been violated. We do not accept the premise that legal responsibility should be in the land where power is the greatest. We stand in the principle of responsible government ascribed once three centuries ago to King James by Lord Chief Justice Coke, who proclaimed that even a King is still "under God and the law."

With the doctrine of immunity of a land of state usually to important, that officers from an official capacities protect one who shares that. It will be noticed that the continuation of the directive comes to the extent to which we are responsible, society as society organized cannot tolerate as broad an area of official irresponsibility. There is an obvious a sphere in which the defense of obedience is superior.
it is our proposal to determine their declared and secret objectives, methods of commission, structure, names of responsibility, and means of effectuating their actions. In this trial, important representative members will be allowed to defend their organizations as well as themselves. The last practicable notion will be given, that named organizations and actions are subject to emotional appeal and plea for justice. If in the mainland, an organization is found to be criminal, the second stage will be to identify and try before regular military tribunals. Individual members not already committed in the principal cases. Findings in the main trial that an organization is criminal in nature will be conclusive in any subsequent proceedings against individual members. The individual member will thereafter be allowed to plead only personal defense or extenuating circumstances, such as that he acted under orders, and as to those defenses he should have the burden of proof. There is nothing novel in the idea that one can rely a part of or all his defense if he fails to prove it in an appointed form as an earlier time. In United States war-time legislation, this principle has not been utilized and execution must be consistent with our concept of due process of law.

b. Our case against the major defendants is concerned with the suoi master plans, not with individual conduct or activities which composed independently of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan. The prosecution of our case must be factually authentic and scientific, not in order to secure the demonstration of activities which were not the result of any central plan.
process of domination by law means those who are the future victims of attack.

Before stating these offenses in legal terms and concepts, let us recall what it was that constituted the irrefutable evidence of the

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particularity of a state or the state of aggression. They were the acts of certain groups of people who had conspired to form a new society. They were the acts of certain groups of people who had conspired to form a new society. They were the acts of certain groups of people who had conspired to form a new society. They were the acts of certain groups of people who had conspired to form a new society.
(a) Atrocities and offenses against persons or property constituting violations of international law, including the laws, rules, and customs of land and sea warfare. The rules of warfare are well established and generally accepted by the nations. Some offenses of such conduct as killing of the wounded, refusal of quarter, ill treatment of prisoners of war, firing on undefended civilians, plundering of wells and stores, pillage and wanton destruction, and ill treatment of inhabitants in occupied territory.

(b) Atrocities and offenses, including atrocities and persecutions on racial or religious grounds, committed since 1933. This is only to recognize the principles of criminal law as they are generally observed in civilized states. These principles have been established as a part of international law at least since 1907. The Fourth Hague Convention provided that inhabitants and belligerents shall remain under the protection and the rule of "the principles of the law of nations, as they result from the usage established among civilized peoples, from the laws of humanity and the dictates of the public conscience."

(c) Uselessness of other countries and initiation of wars of aggression in violation of international law or treaties.

The persons to be reached by these charges will be determined by the rule of liability, common to all legal systems, that all who participate in the formulation or execution of a criminal plan involving multiple crimes are liable for each of the offenses committed and responsible for the acts of each other. All are liable who have ratified, promulgated, or sanctioned the commission of such acts, or who have taken what the Nuremberg Declaration describes as "an active part" thereof.

IV.

The legal position which the United States will maintain, being thus based on the common sense of justice, is relatively simple and non-technical. We must not permit it to be complicated or obscured by sterile legalisms developed in the age of innovation to make war respectable.

(a) What appears to be one of good will and common sense is the crime which comprehends all lesser crimes, the crime of waging unjustifiable war. War normally is a calculated series of killings, of destructions of property, of oppressions. Such acts insurrectionally could be original except that international law puts a mantle of protection around acts which otherwise would be crimes, when committed in pursuance of legitimate war aims. In this they are distinguished from the same acts in pursuance of piracy or brigandage which have been condemned unpalatably whenever not by whatever the guilty was sought. But international law as taught in the literature and the early part of the United States generally defined that non-aggressing was not illegal and is no crime at all, immunized by a standard morality, its attitude was that "both parties to every war are regarded as being in an identical legal position, and consequently as being possessed of equal rights."

This, however, was a departure from the doctrine taught by doctrine, the theory of international law, that there is a distinction between the Just and the unjust war—the war of defense and the war of aggression. International law is more than a scholarly collection of abstract and immutable principles. It is an organic growth of treaties or agreements between nations and of accepted customs. But every custom has its origin in some single act, and every agreement has to be legitimated by the action of some state. Unless we are prepared to abandon every principle of growth for international law, we cannot deny that our own law has the right to institute customs and to conclude agreements that will themselves become sources of a new and strengthened international law. International law is not a science of development by legislation, for there is no continuous sitting in international legislature. Innovations and restatements in international law are brought about by the action of governments designed to seek a change in circumstances. It grows, as did the common law, through doctrines raised from time to time in reaction against principles to use situations. Even if we are disturbed by the lack of precedent for the twenty we propose to contest, after the shock of civilization of the last thirty years, however, a variant version to the written and unwritten doctrines of international law took shape. By the idea the State case to power is thoroughly established that launching an aggressive war on the institution of war by terrorism was illegal not for the defense of legitimate supplies was an improper ability to those who engaged in such an enterprise. It is high time that we act on the jurisprudence that aggressive wars were illegal and criminal.
The pertinent principle of the principle of unjustified war is imbedded in many stages. One of the most significant is the Brussels-Solemn Pact of 1925, by which the states, their allies, and enemies, in accordance with customary and practical rules of all the nations of the world, recognized war as an instrument of national policy, and themselves to such that they would maintain only by peaceful means, and condemned recourse to such actions as international law. Unless this Pact, as it has become, remains unequivocally the basis of peaceful relations, it is no longer to be the source of peace, justice, and mutual rights. It is no longer to be the guarantee around which the states, the conduct, and the rights of nations revolve. It is an illegal thing. Why, then, if such a people, any legal process, and even a legal profession the least of remedying many of its crimes and treatments?

This Pact constitutes only one in a series of acts which have reversed the viewpoint that all war is illegal and have brought international law into harmony with the common sense of mankind, that international law is a rule. Without attempting an exhaustive analysis, we may name the Vienna Protocol of 1924 for the Peace of Settlement of International Disputes, signed by the representatives of forty-eight governments, which declared that "a war of aggression constitutes an international crime." The League of Nations, in 1919, adopted a resolution condemning "war of aggression constitutes an international crime against the human spirit."

The United States is vitally interested in recognizing the principle that no nation can recover war as a basis of political action. It is rooted in the Brussels-Solemn Pact and makes it the cornerstone of our national policy. We neglected our own and our war making in alliance and its violations of that principle. Never before have we been so fast to war. An attack on the foundations of international relations must be regarded as involving less than a crime against the international community, which may properly vindicate the integrity of its fundamental concepts by punishing aggressors. We therefore propose to always that a war of aggression is a crime, and that orders international law has established the definition of those who invite or wage it are engaged in legitimate business. Thus may the forms of the law be utilized on the side of peace.

Any legal position asserted on behalf of the United States will have considerable significance in the future evolution of international law. In actuality these progress toward an effective means of law in the international community is slow in its development. We have more recently recognized the need of the United Nations, the League of Nations, and the role of the world community. The effectiveness of international law and the laws of nations can be measured by the extent to which nations will comply with the recommendations of this body. The United Nations has established the definition of those who invite or wage war for illegitimate purposes. The United Nations has established the definition of those who invite or wage war for illegitimate purposes. The United Nations has established the definition of those who invite or wage war for illegitimate purposes. The United Nations has established the definition of those who invite or wage war for illegitimate purposes.

I have left until last the first question which you and the American people are asking when can this trial start and how long will it take? I should be glad to answer if the answer were within my control. But it would be foolishly to once again which beyond the power of other governments which are agencies. Inability to fix definite dates, however, would not amount to failure to show my attitude toward the time and duration of the trial.

I know that the public has a deep sense of urgency about these trials. Because in a sense of urgency, I have persisted with the apprehensions of the American people in the great majority of the American people. Whatever our determination to work, we must, however, recognize that we are working under those conditions in which we are. I have in mind of various difficulties to be overcome in prosecution of the cases. It is an indication of the great work which until the surrender of Germany the primary objective of the military intelligence services was naturally to gather all information and gather the information that we could to prepare a legal case for trial. We must now sift and compress within
a veritable scope voluminous evidence relating to a multitude of crimes committed in several countries and participated in by thousands of actors over a decade of time. The preparation must cover military, naval, diplomatic, political, and commercial aggregations. The evidence is scattered among various agencies and in the hands of several courts. The captured documentary evidence—literally tons of records, reports—is largely in foreign languages. Every document and the trial itself must be reduced into several languages. An immense amount of work is necessary to bring this evidence together physically, to select what is useful, to integrate it into one case, to overlook no relevant detail, and at the same time and at all costs to avoid becoming lost in a wilderness of litigation. Some sacrifice of perfection to speed the work must be made, of course, arguing overides every personal annoyance and comfort for all of us who are engaged in this work.

Beyond this I will not go in prohecy. The task of making this record complete and accurate, while memories are fresh, while witnesses are living, and while a tribunal is available, is too important to the future opinion of the world to be undertaken before the case can be sufficiently prepared to make a credible presentation. Intelligent, informed, and sober opinion will not be satisfied with less.

The trial must not be shortened in duration by anything that is obstructive or dilatory, but we must see that it is fair and deliberate and not discredited in times to come by any such spirit. Those who have regard for the good name of the United States as a symbol of justice under law would not have me proceed otherwise.

May I add that your personal encouragement and support have been a source of strength and inspiration to every member of my staff, as well as to me, as we go forward with a task so immense that it can never be done completely or perfectly, but which we hope to do acceptably.

Respectfully yours,

(signed) Robert R. Jackson.
ROBERT R. JACKSON.
The records of Robert H. Jackson as U.S. Chief of Counsel in the prosecution of the Axis criminals, 1945-48, in the National Archives. When he retired as Chief of Counsel the functions of his office devolved upon the Office of Military Government of the United States, which named Brig. Gen. Telford Taylor as the second prosecutor.

The Int'l Military Tribunal was established to try the major European war criminals whose acts were not confined to any particular country. Established by the London agreement of Aug. 8, 1945, signed by representatives of the U.S., Great Britain, Russia and France, a charter was adopted setting up the court, establishing jurisdiction and procedures to try and publish and authorizing the commission to prepare an indictment and present evidence. Later the governments of 19 of the United Nations expressed their adherence.

On Oct. 18, 1945, the tribunal met at Berlin and returned indictments against 25 German leaders and many organizations.

The trial began Nov. 20, 1945 at Nuremberg before a court of four, one each of the establishing powers. The proceedings lasted until October 1, 1948 when sentence was pronounced.
EXECUTIVE ORDER

ENHANCED: "EXECUTIVE ORDER NO. 9447 OF MAY 2, 1945, ENTITLED "PREPARING FOR REPRESENTATION OF THE UNITED STATES IN PROSECUTION AND PROSECUTING CRIMES OF AGGRIEVEMENT AND WAR CRIMES AGAINST THE LEADERS OF THE EUROPEAN AXES POWERS AND THEIR PRINCIPAL AIDES AND ACCOMPLISH""

By virtue of the authority vested in me as President and Commander in Chief of the Army and Navy, under the Constitution and statutes of the United States, it is ordered as follows:

1. In addition to the authority vested in the Representative of the United States and its Chief of Counsel by Paragraph 1 of Executive Order No. 9447 of May 2, 1945, to prepare and prosecute charges of atrocities and war crimes against such of the leaders of the European Axis powers and their accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal, such Representative and Chief of Counsel shall have the authority to proceed before United States military or occupation tribunals, in proper cases, against other Axis adherents, including but not limited to cases against persons or organizations condemned criminal by the said international military tribunal.

2. The present Representative and Chief of Counsel is authorized to designate a Deputy Chief of Counsel, to whom he may assign responsibility for organizing and planning the prosecution of charges of atrocities and war crimes, other than those now being prosecuted as Case No. 1 in the international military tribunal, and, as he may be directed by the Chief of Counsel, for conducting the prosecution of such charges of atrocities and war crimes.

3. Upon vacating office by the present Representative and Chief of Counsel, the functions, duties, and powers of the Representative of the United States and its Chief of Counsel, as specified in the said Executive Order No. 9447 of May 2, 1945, as amended by this order, shall be vested in a Chief of Counsel for War Crimes to be appointed by the United States Military Governor for Germany or his successor.

4. The said Executive Order No. 9447 of May 2, 1945, is amended accordingly.

HARRY S. TRUMAN

THE WHITE HOUSE,

January 16, 1946.
EXECUTIVE ORDER

5057

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PROVIDING FOR REPRESENTATION OF THE UNITED STATES IN PROSECUTING
AND CONDUCTING CRIMINAL ACTIONS AGAINST
THE LEADERS OF THE EUROPEAN AXIS POWERS AND THEIR PRINCIPAL
AIDES AND AIDEHOODS

By virtue of the authority vested in me as President and
as Commander in Chief of the Army and Navy, under the Constitution
and statutes of the United States, it is ordered as follows:

1. Associate Justice Robert H. Jackson is hereby design-
ated to act as the Representative of the United States and as the
Chief of Counsel in preparing and prosecuting charges of atrocities
and war crimes against such of the leaders of the European Axis
powers and their principal agents and auxiliaries as the United
States may agree with any of the United Nations to bring to trial
before an international military tribunal. He shall serve without
additional compensation but shall receive such allowances for expenses
as may be authorized by the President.

2. The Representative named herein is authorized to
select and recommend to the President or to the head of any execu-
tive department, independent establishment, or other federal agency
necessary personnel to assist in the performance of his duties here-
under. The head of each executive department, independent estab-
ishment, and other federal agency is hereby authorized to assist
the Representative named herein in the performance of his duties
hereunder and to employ such personnel and make such expenditures,
within the limits of appropriations now or hereafter available for
the purpose, as the Representative named herein may deem necessary
to accomplish the purposes of this order, and may make available,
assist, or detail for duty with the Representative named herein such
members of the armed forces and other personnel as may be requested
for such purposes.

3. The Representative named herein is authorized to
cooperate with, and receive the assistance of, any foreign Government
in the event deemed necessary by him to accomplish the purposes
of this order.

HARRY S. TRUMAN

SHE WANTS 1.

THE WHITE HOUSE,

May 16, 1945.