

Commentary

Abortion among charges at Nuremberg Trials

By Michael L. Parkinson

In 1945, the United States and its allies occupied a defeated Nazi Germany. Although relatively short-lived, the Nazi regime had spread death and destruction on an unprecedented scale throughout Europe. How such destruction had come about and how it could be prevented in the future were unresolved questions.

Prior to the war, attempts had been made to warn of the dangers of the Nazi Party and its culture of death, but the warnings went largely unheeded.

In 1937, Pope Pius XI condemned the Nazi Party in his famous encyclical, "*Mit Brennender Sorge*." The bishop of Munster, Germany, upon discovering a secret Nazi euthanasia program, protested and prophetically warned that such policies would lead to the destruction of Germany. The Catholic scholar, Dietrich von Hildebrand, had to flee Germany because of his opposition, and the seer of Fatima, Sister Lucia, privately warned that if the sins of mankind did not cease, a second world war

would follow.

After the war, the allied powers sought ways to prevent such destructive forces from ever again being unleashed.

They developed a series of trials known as the Nuremberg Trials to establish a system of international laws holding government officials responsible for "crimes against humanity," which were defined as inhumane acts committed against any civilian population.

The trials included the well-known charge of "genocide," but lesser known charges such as "euthanasia" and "abortion" also appeared.

The hope was that the trials would reestablish the basic principle of Western civilization of the inherent sanctity of human life in all its stages. That principle had been recognized since the time of the ancient Greek and Roman civilizations, where physicians took the Hippocratic Oath prohibiting abortion and euthanasia, to the U.S. Declara-

tion of Independence, which affirmed the primary duty of government to protect the inalienable "right to life."

The particular trial containing the charge of "abortion" was known as *United States vs. Greifelt*. It prosecuted several officers of the Nazi organization

known as the "SS," which had been responsible for most of the genocide programs.

The chief prosecutor was U.S. General Telford Taylor,

who introduced as Prosecution Exhibit 468 a 1942 letter from the head of the Nazi SS, Heinrich Himmler.

The letter had struck down the abortion laws of Nazi-occupied Poland by specifically ordering that "abortions carried out on Polish women should not be illegal."

Twenty-five years before the United States Supreme Court was to strike down the abortion laws of the 50 states of the United States in *Roë vs. Wade*,

the United States itself introduced this exhibit against Nazi officers to support the specific charge in the indictment that abortions in occupied Poland had been "encouraged by the withdrawal of abortion cases from the jurisdiction of the Polish courts."

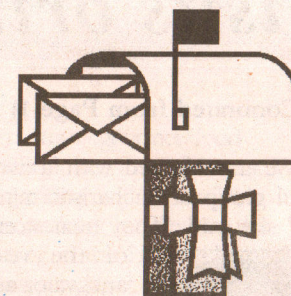
In his arguments before the court, General Taylor asserted that abortion was a "crime against humanity" and "an act of extermination."

"Protection of the law," he argued, had been "denied to the unborn children" of Poland.

At Nuremberg, the United States gave witness to its founding principles regarding the sanctity of human life.

The Church continues its mission in its own context to affirm these principles, even where the warnings of the past may again go unheeded in a world that often forgets its own history.

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