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Another Interdisciplinary Collaboration— this time with a Professor of German!

By Antoinette Sedillo Lopez

**Best Practices for Legal Education
November 8, 2009**

The University of New Mexico International Studies Institute has a relationship with the German government in which the Institute runs a summer program at a castle near Dusseldorf known as Schloss-Dyck. In summer 2010, I am going to have the privilege of teaching in the program with a Jason Wilby, a UNM visiting Professor of German. We put a joint proposal together. He will teach about the culture, political environment and constitutional framework right after the Weimar Republic was created as a result of WWI. I will teach about the Nuremberg trials, with a particular focus on the trial of the prosecutors and judges. The courses will be open to undergraduates and graduate students (who will have to write a research paper in addition to meeting the requirements for the course). And, as always, I learn a great deal from my colleagues on main campus. They seem comfortable with outcome-based evaluation.

As we develop our evaluation mechanisms and criteria, I will share them with the BP Blog! Here are the course descriptions if you are interested.

Theme for the 2010 Schloss Dyck Program:

Title: The Ministry of Illusion: From Weimar to Nuremberg

This summer session will be held at the picaresque Schloss Dyck. It will allow you to learn about the period before WWII and the Nuremberg trials and their legacy. During the first half of the program we will visit both Berlin and the historic city of Weimar, including a trip to the Buchenwald concentration camp. While in Berlin, you will explore the German Kinemathek (museum of film) and several historical sites in the city. During the second half of the program you will have the opportunity to visit Nuremberg, the site of huge Nazi rallies and also the location of the Palace of Justice where the historic Nuremberg trials were held. The International Military Trials conducted in Nuremberg marked the first time that individuals were tried and convicted for crimes against humanity. The trials leave a legacy on bioethics, international criminal law and procedure and international institutions.

Course Descriptions:

First two weeks

Myths, Dreams, Illusions: Ideology and the Cultural Reproduction of Reality, (GRMN 336, GRMN 550, COMPL 336, ENGL 336)

Professor Jason Wilby (jwilby@unm.edu)

Why did the Weimar Republic, Germany's first attempt at democracy, end so tragically? How were the National Socialists able to construct an image of national unity and wholeness so convincing that they were able to systematically deconstruct the Weimar constitution? What were the immediate reactions after WWII as this illusion disintegrated and how can we explain them?

In the course we will address these questions by analyzing a range of fictional and non-fictional texts, movies and other cultural documents. There are three sequential parts: 1) the historical development and constitution of the Weimar Republic, 2) the Nazi use of visual rhetoric (film) and culturally established aesthetic models to politically deconstruct the Weimar democracy by undermining its legal foundations, and 3) first attempts to construct a useable history out of the traumatic break at the end of WWII.

Specifically, the place and power of visual rhetoric, especially film, in the construction of the national community, and its ability to tap into cultural memory and draw from it to construct reality form the theoretical center of this course. For example, in his 1979 novel *Running Dog*, Don DeLillo attributes to film and visual rhetoric a special place in the construction of reality during the Nazi period and suggests that while the medium was new to the period it had the ability to tap into the past and use that past to create the present and a future: "Those Nazis had a thing for movies. They put everything on film...Film was essential to the Nazi era. Myth, dreams, memory".

While the immediate reasons for the Nazi political victory in Germany stem from the social, economical and political turmoil in which Germany found itself during the Weimar period, the seductive power of the Nazi ideological message and its ability to systematically destroy the first German democratic state owes its power to the ways in which the Nazi aesthetic tapped into and continued aesthetic traditions from the birth of German national(-ist) discourses in the eighteenth and nineteenth centuries and presented them in a new medium. The deep-rooted nature of these aesthetic discourses on German national identity also helps explain the reactions of intense denial after the Nazi illusion of national unity disappeared in 1945.

Two field trips, one to the German Kinemathek in Berlin (along with other excursions in Berlin), and another to Weimar (to visit the Buchenwald Memorial and the city itself) will add to the depth and breadth of the students' immersion in and understanding of these aspects of the development of modern German culture and society.

Second two weeks

The Nuremberg Trials (LAW 593)

Professor Antoinette Sedillo Lopez (lopez@law.unm.edu)

What is the appropriate response to mass murder, terrorism and other atrocities perpetrated by the National Socialists? After WWII, the Allied victors framed their response to the Nazi atrocities through the International Military Tribunal and U.S. Military trials. Subjecting the war criminals to public trials was an important step in internationalism and also a triumph for the rule of law and international norms. Chief prosecutor, Justice Jackson stated in his opening statement:

That four great nations, flushed with victory and stung with injury, stay the hand of vengeance and voluntarily submit their captive enemies to the judgment of the law is one of the most significant tributes that Power has ever paid to Reason.

He also suggested that one objective of the Nuremberg trials was to create a record for history. Indeed, the trials left a larger legacy than the historical record. The trials influenced modern international institutions, international criminal law and procedure and bioethics.

The Major War Crimes trial involved the most important leaders of the Third Reich and was handled by the International Military Tribunal of the Allied Forces. The twelve subsequent trials were U.S. Military tribunals involving secondary leaders of the Third Reich and includes the well known trial of the doctors who performed unethical experiments on prisoners. The third of these trials concerned Justice Ministry officials, judges and prosecutors. These defendants were tried for their complicity in undermining the legal foundations of the rule of law and for their role in unjustly causing the deaths, sterilizations and property loss of thousands of individuals. This trial examines the aftermath of the events studied in *Myths, Dreams, Illusions: Ideology and the Cultural Reproduction of Reality* through a legal lens.

The trial of the lower level participants of the Nazi legal system raises important questions of responsibility of state officials who enforce morally reprehensible laws. Why was the Nazi vision of unity so attractive that it apparently overwhelmed the convicted defendants' ethical and moral values? Or, were there other explanations for the defendants' complicity in the Nazi regime? Do the trials stand up to current standards of fair process? What insights do they suggest for modern international cooperation?

This course will 1) provide an overview of the legal authority used to create the thirteen trials and an overview of the trials, 2) explore the social and cultural context for the trials, and; 3) examine the third trial proceedings in some depth. Students will have the opportunity to immerse themselves in the history, rhetoric and social and political context of the trials. A field trip to Nuremberg will allow students to see where important Nazi rallies were held as well as the Palace of Justice, the location of all thirteen trials..