FORUM: League of Nations **ISSUE:** The Question of the Nuremberg Laws and Minority Rights **CHAIRS:** Jungmin Shin, Adam Patrick Hegarty

INTRODUCTION TO THE COUNCIL:

In the aftermath of the unprecedented devastation wrought by the Great war (now commonly known as World War I), world leaders sought to establish an international organization that would prevent the recurrence of such catastrophic conflicts. This vision materialized in the form of the League of Nations, a groundbreaking initiative aimed at fostering cooperation, maintaining peace, and promoting collective security on a global scale. Born out of the Paris Peace Conference in 1919 through the "<u>Treaty of Versailles</u>", the League became a forum where member nations were highly encouraged to resolve matters through negotiation and discussion in the absence of the military. Embodied in the Covenant of the League of Nations, this ambitious experiment marked a watershed moment in the history of international relations.

The League of Nations, founded on the principle of collective security, was a product of idealism and pragmatism interwoven into the post-war geopolitical landscape. In its 26 articles, the Covenant of the League of Nations outlined a framework that envisioned nations resolving their disputes through diplomatic means, rather than resorting to military force, a large step away from the tendencies of states in the Great War. The Covenant of the League of Nations consists of 26 articles that outline the organization's principles and functions. In the first group of articles (1-16), the Covenant establishes the League's main organs—the Assembly and the Council. It outlines the responsibilities of each, with the Assembly serving as a forum for member states to discuss and coordinate on international issues, and the Council holding primary responsibility for addressing threats to peace and security. Articles 10 and 16, in particular, articulate the cornerstone concept of collective security, whereby member states commit to protecting one another against aggression and to jointly taking action against an aggressor. These articles reflect the League's commitment to preventing conflict through diplomatic means, arbitration, and collective action.

The second group of articles (17-26) focuses on specific provisions related to the economic and social aspects of international relations. Articles 17-23 address issues such as trade, labor conditions, and health. Article 23 emphasizes the League's commitment to promoting international cooperation to improve social conditions, prevent diseases, and address other humanitarian concerns. Articles 24-26 underscore the League's interest in disarmament, advocating for the reduction of national armaments to the lowest point consistent with national safety. Overall, these articles highlight the League's broader vision of creating a world order that not only prevents war but also fosters economic and social progress through international collaboration and mutual support. While the League of Nations faced challenges and ultimately

dissolved, its principles influenced the establishment of the United Nations, which sought to build upon and improve the foundation laid by the League. For further information, chairs highly encourage delegates to read the <u>original Covenant of the League of Nations</u> as well.

Despite its noble aspirations, the League of Nations faced formidable challenges from its inception. The absence of key global powers, such as the United States, and later withdrawal of member states such as the Soviet Union and Germany, diminished its effectiveness. Additionally, the League grappled with the complexities of balancing national sovereignty and collective security, leading to instances where intervention was either insufficient or contested. The League's ultimate inability to prevent the outbreak of World War II underscored its limitations and later prompted the establishment of the United Nations in 1945.

INTRODUCTION TO THE ISSUE:

It was on November 11th, 1918, along with the signing of the Armistice of Compiègne between the Allies and Germany, did World War I (WWI) – referred to by people at the time as the Great War – finally end (Finn, 2018). Emerging from defeat, Germany found itself a fractured nation. Crippled by political strife, economic turmoil, and reparations to the Reparations Commission following WWI which amounted to around 19 billion gold marks, the Weimar Republic struggled to navigate the treacherous waters of postwar reconstruction (O'Neill, 2020). Within this climate of insecurity, anxieties and resentments festered, seeking plausible targets for misfortunes. Thus, Jewish people, a visible minority, became targets for nationalist and extremist ideologies, their faith and cultural heritage used by citizens of Germany as a potent narrative of racial blame.

In 1935, at the pivotal Nuremberg Rally, this simmering animosity towards the community solidified into legislative reality with the enactment of the "Nuremberg Laws." The two most prominent were the *Law for the Protection of German Blood and German Honor*, which forbade marriage and any intimate relations between Jews and "citizens of German or related blood," effectively severing a significant sense of social integration for the Jews. The "*Reich Citizenship Law*" went further, stripping Jews of their citizenship and relegating them to the status of "subjects," devoid of fundamental rights and legal protections (Greene and Kumar, 2015).

These laws were not born in isolation. They were the culmination of a deliberate campaign of propaganda verging on misinformation, fueled by a rising tide of anti-Semitism within German society. Media outlets controlled by the Nazi regime such as "Der Stürmer," spewed negative diatribes, portraying Jews as a danger and a threat to the purity and well-being of the German nation (Zelnhefer, 2023). Ordinary citizens, grappling with the challenges of postwar life, were susceptible to these political cartoons and anti-Simetic caricatures present in the media. The promise of national renewal, of a unified "Volksgemeinschaft" purged of perceived internal enemies, was present in many German citizens at the time.

The effects of the Nuremberg Laws were swift and potent. Jewish citizens were systematically excluded from everyday life. Their businesses were shuttered, professions barred, and public spaces denied. Fear and intimidation became the norm, silencing dissent and creating a climate of compliance. The ripples of these laws spread beyond Germany, emboldening other European nations to enact discriminatory legislation against their own minorities, primarily because the laws not only targeted Jews but extended to other minority groups, such as Black people and Romani individuals ("The Nazi Persecution of Black People in Germany", 2022). The fragile web of international cooperation, woven with such hope after the cataclysm of WWI, began to fray at the edges.

Delegates of the League of Nations face a significant challenge. Not only must they discuss these laws and whether or not they disregard human rights and international treaties, but they must also engage in a critical examination of the historical and political currents that allowed them to take root and flourish to be begin with.

DEFINITION OF KEY TERMS:

Term	Definition
Law for the Protection of German Blood and German Honor (Blutschutzgesetz)	This 1935 law, enacted alongside the Reich Citizenship Law, prohibited marriage and extramarital relations between Jews and "citizens of German or related blood." It also forbade the employment of German women under 45 by Jewish families. The Nazi regime justified this law as protecting the "purity" of the German race from "racial defilement" (Greene and Kumar, 2015).
Reich Citizenship Law (Reichsbürgergesetz)	Also enacted in 1935, this law defined German citizenship based on "German or related blood," effectively renouncing citizenship for Jews and relegating them to the status of "subjects" with significantly curtailed rights. This included voting rights, property ownership, and freedom of movement (Greene and Kumar, 2015).
Gypsies/Romani	These terms refer to a diverse group of people with shared historical and cultural roots originating in India. While not explicitly targeted by the Nuremberg Laws, they faced increasing discrimination and marginalization under Nazi rule, culminating in mass deportation and extermination during the Holocaust ("The Nazi Persecution of Black People in Germany", 2022).
Volksgemeinschaft	This German term translates to "national community" and was a central theme in Nazi ideology. It envisioned a unified German nation based on shared racial and cultural identity, excluding minorities like Jews and Romani. Understanding this concept is crucial to comprehending the context in which the

	Nuremberg Laws were enacted (Steber and Gotto, 2014).
Völkerbund/League of Nations	Established in 1919 after WWI, the League aimed to promote international cooperation and prevent future conflicts. However, its lack of a robust international response to the Nuremberg Laws and Nazi Germany's treatment of international law remains a subject of examination, debate and raises questions about the effectiveness of international organizations in addressing state-sponsored incidents (Meltzer, 1947).

BACKGROUND INFORMATION & KEY ISSUES:

Violation of Minority Rights and International Treaties

Many nations at the time argued that the Nuremberg Laws constituted a blatant violation of the League of Nations Covenant, as many interpreted certain clauses to be guaranteeing equal treatment for all members and upheld respect for minority rights. These nations questioned the effectiveness of the League and its ability to enforce international obligations in the face of a powerful state violating human rights. Germany argued the laws were internal matters and within their sovereign rights while other League members condemned the laws as discriminatory and urged the League to take action against Germany (Rissele, 2017).

International Response and League of Nations' Dilemma

The League of Nations faced severe challenges in responding to the Nuremberg Laws. Condemnation alone had little effect, and imposing sanctions risked provoking a wider conflict. Additionally, internal divisions and appeasement policies further weakened the League's resolve. Among the members of the League were those that demanded stronger actions by the international body, through the expulsion of Germany, economic sanctions, and support for any possible resistance movements within Germany. However, other members urged for more caution, fearing stronger actions would provoke aggression and instead sought negotiation and conciliation with Germany (Clapham, 2021).

Impact on European Jewry and Spread of Discrimination

The Nuremberg Laws triggered widespread fear and uncertainty among Jewish communities in not only Germany, but beyond as well. The laws emboldened other European countries to enact similar discriminatory legislation, creating a domino effect. It should be noted however, that League members wondered if a response should only prioritize condemning Germany and addressing the plight of Jews within its borders or whether or not the League should also address discriminatory policies enacted by other nations (Adler, 2023).

Rise of Anti-Semitism and the Potential for Genocide

When reflecting in hindsight, it would not be a stretch to assume the Nazi ideology of racial blame and segregation, coupled with the legitimization of anti-Semitism through the Nuremberg Laws, created a climate that paved the way for the Holocaust (Adler, 2023). Using that foresight, delegates would need to determine to what extent could the League and other nations have foreseen the potential for the genocide against Jews based on the early signs of discrimination and persecution? Along with what actions could have been taken, by the League or individual nations, to prevent the escalating persecution of Jews and the eventual genocide?

TIMELINE OF MAJOR EVENTS:

Listed below are multiple pivotal moments in relation to the topic, ranging from 1933-1946, towards the end of the Nuremberg Trials (Museum of Tolerance, 2017). Delegates must note that due to the nature of the council itself, information brought up within the conference that dates to beyond 1936 will be considered invalid and inadmissible. As long as they occurred before the cut-off, delegates may also choose to reference information from events outside of what is listed:

Event & Date	Description of Event
Rising of Tensions and Animosity Towards Jews in Germany (1933)	Hitler became Chancellor, dissolving the Weimar Republic and establishing Nazi dictatorship. Jewish businesses across the country were boycotted on March 23rd , marking the escalation of anti-Semitic policies. Law for the Restoration of the Civil Service was established on April 7th , dismissing Jewish civil servants from government positions. On April 26th , the Gestapo, Nazi secret police, were also implemented, further suppressing dissent and targeting minorities. It was during this time that the first concentration camps were open for political opposition and other "undesirable" elements.
Tensions and Animosity Worsen (1934)	Night of the Long Knives eliminates internal Nazi rivals and consolidates Hitler's absolute power. Laws intensify, increasingly restricting Jewish access to professions and public services.
Introduction of the Nuremberg Laws (1935)	On September 15th , in the infamous Nuremberg Rally, the Nuremberg Laws were enacted and with them, the Law for the <i>Protection of German Blood and German</i> <i>Honor</i> and the <i>Reich Citizenship Law</i> .
Berlin Olympics (1936)	First and only Berlin Olympics under Nazi rule, presenting a propaganda image of a

	unified and powerful Germany while masking the ongoing persecution of minorities. The Party continues to push for the idea of "Volksgemeinschaft".
"Kristallnacht" (Night of Broken Glass) (1938)	On November 9th to the 10th , a state-orchestrated pogram across Germany and Austria known as the Night of Broken Glass was enacted, destroying Jewish businesses and synagogues, marking a significant escalation of violence against Jews.
The End of World War II (WWII) (1945)	Germany unconditionally surrendered on May 8th, ending WWII and Nazi rule in Europe.
The Nuremberg Trials (1946)	From November 20th, 1945 to October 1st, 1946, the International Military Tribunal in Nuremberg tried 21 major Nazi leaders for crimes against humanity, including war crimes and crimes against peace. The trials establish crucial legal precedents for international human rights law.

PAST ACTIONS:

Actions Taken Prior to the Nuremberg Laws:

Below were various actions taken by the League and other nations that, while not explicitly aiming at addressing the Nuremberg Laws directly, did play a part in shaping a landscape for minority rights and equality. Notable examples of these actions include the following:

1. General Principles in the League Covenant:

While lacking enforcement mechanisms, the League of Nations Covenant contained Articles 11 and 14, urging member states to "respect and guarantee" the "fair treatment of the minorities" within their territories and to provide "access to employment, public services, and honors." These articles, though limited, established a foundational framework for international recognition of minority rights (Preece, 1998).

2. Specific Treaty Provisions:

Treaties of the interwar period, like the 1919 Treaty of Versailles with Germany and the 1919 Treaty of Saint-Germain with Austria, incorporated specific clauses protecting minority rights in newly formed or reshaped countries. These clauses were aimed at safeguarding cultural, linguistic, and religious freedom for minority groups within these nations (Preece, 1998).

3. Periodic League Interventions:

Though sporadic, the League Council intervened in specific cases of minority rights violations. In 1923, for example, it addressed concerns about Polish treatment of Ukrainian and Belarusian minorities, recommending reforms and monitoring progress. These interventions, while individual and not always successful, showcased the potential of the League as a forum for raising awareness and urging dialogue on minority rights issues (Burley, 2019).

Actions Taken to Address the Nuremberg Laws:

Below were various actions taken by the League as well as individual nations that can be considered an attempt at addressing the ethical implications brought upon by the Nuremberg Laws:

1. International Condemnation:

In September 1935, the League of Nations condemned the discriminatory nature of the Nuremberg Laws, ultimately however, the council adopted a non-binding resolution expressing "disapprobation" (Bradsher, 2023). Beyond the League's official condemnation, several countries issued individual protests against the Nuremberg Laws. Denmark, Norway, and the Netherlands were among the first to publicly denounce the discriminatory measures. Even nations like France and Britain, which pursued cautious diplomacy, expressed private disapproval and concern, hoping to address the issue without provoking further aggression.

2. Human Rights Efforts:

Jewish communities worldwide and international organizations like the New York-based Jewish Labor Committee and the Geneva-based International Association for the Protection of Minorities strongly condemned the laws through press releases, petitions, and public campaigns. These efforts galvanized international opinion and helped document the unfolding discrimination (Jockush, 2012).

3. Internal League Division

While not necessarily a "past action" per se, it should also be noted by delegates in the council that despite the outward condemnation, the League's response was hampered by internal divisions. Some member states, like Italy and Poland, harbored their own policies that bore little to no difference to those present in the Nuremberg Laws and were reluctant to criticize Germany. As stated before, others, particularly France and Britain, prioritized appeasement and feared provoking a wider conflict (Karch, 2013). This internal discord weakened the League's capacity for a unified and effective response.

AREAS OF DEBATE:

Historically, the League's response to address the Nuremberg Laws was, while complex and multifaceted, riddled with many legal inconsistencies, political considerations, and ethical dilemmas. Delegates in the council will do well to address these issues in the hopes of achieving a better approach to resolving the conflict, particularly through focusing on the following areas of debate:

The Rejected Racial Equality Proposal and the League's Legitimacy

In 1919, during the Paris Peace Conference, a proposal known as the Racial Equality Proposal, was submitted as an amendment to the Treaty of Versailles by the Japanese delegation. Japan sought to add language about racial equality to strengthen its diplomatic standing and earn an equal seat at the table. The proposal, however, did not become part of the treaty, largely because of opposition by the United States and the dominions of the British Empire, namely Australia, Canada, and New Zealand (Thompson, 2020). This is pivotal because while not the same thing, the Treaty and the League are closely related. Signed on June 28, 1919, ending WWI, the Treaty of Versailles included the Covenant of the League of Nations, which provided for the creation of the League.

This lack of any clauses that clearly outline the equality of all races raises concerns about the League's moral and legal basis to condemn the Nuremberg Laws, which were of explicit discriminatory nature to the Jews, Romani, and other minorities in the country. Those defending the League's condemnation may argue that the principle of human rights transcends specific treaty provisions and that the Nuremberg Laws constituted a blatant violation of fundamental human dignity. They could also point to other League actions condemning discriminatory practices even without explicit clauses in treaties. Those questioning the League's authority may argue that the League's legitimacy to address internal affairs of member states was already shaky due to the absence of clear legal mandates. They could also highlight the inconsistency in rejecting the Racial Equality Proposal and then condemning similar discriminatory practices later.

Defining Citizenship and the Reich Citizenship Law:

During the interwar period between WWI and WWII, there existed no universally accepted legal framework defining citizenship or determining how a country may identify who can be considered a citizen and who won't. In fact, this lack of legal framework carries on to today, as a complex and multifaceted concept that varies from country to country and is influenced by a range of factors, including history, culture, and political systems (International Justice Resource Center, n.d.). However, the concept of citizenship law can be traced back to Roman society, which produced two basis for determining citizenship that have been used by European countries since the Middle Ages. The first basis, *lus Sanguinis* (law of the blood),

determines nationality based on the nationality of one or both parents. On the other hand, *lus Soli* (law of the soil), determines nationality based on the place of birth (Lau, 1954). This ambiguity raises questions about the League's basis for challenging the Reich Citizenship Law, which stripped Jews of German citizenship due to their heritage.

Some countries, like France, favored *lus Soli*, granting citizenship to anyone born within their borders. It could be interpreted that, through the Reich Citizenship Law, Germany was following *lus Sanguinis*, and basing their citizenship on ancestry. Those challenging the Reich Citizenship Law may argue that the law targeted a specific group based on arbitrary criteria and violated basic human rights regardless of the underlying definition of citizenship, as well as emphasizing the discriminatory intent and implications of the law, regardless of technical legal arguments. Those defending the League's inaction may argue that the League lacked legal authority to interfere in matters of internal citizenship regulations, especially given the diverse practices among member states and the absence of a common legal framework. They could also raise concerns about overstepping national sovereignty and the potential for escalating tensions.

Non-Interventionism and Domestic Affairs:

It should be noted that during the timeframe of the conference (1933-1936), and in fact, during its entire tenure, the League of Nations was not known to get itself involved in the internal affairs of its Member States (Office of the Historian, n.d.). It should also be of note that prior to 1936, Germany had not invaded any country and enforced the Nuremberg Laws on said nation and their people (Britannica, n.d.). Thus, this established practice raises questions about the League's justification for criticizing the Nuremberg Laws, which were, at the time, presented as domestic legislation. Those advocating for intervention may argue that the severity of the human rights violations and the discriminatory nature of the Nuremberg Laws transcended the boundaries of domestic affairs and warranted international intervention. They may also cite the evolving understanding of human rights and the League's growing responsibility to address such issues. However, those upholding non-intervention may defend the League's traditional approach, emphasizing the respect for national sovereignty and the potential for setting a dangerous precedent for interfering in internal matters. They may also argue that focusing on preventing international conflict remained the League's primary responsibility.

POSSIBLE SOLUTIONS:

To understand the possible approaches delegates may take during the council, as well as the solutions they may propose, it is best to understand what was done to address the issue in the past. Historically, many have deemed the League's response to the Nuremberg Laws to be inadequate, due to the council lacking the legal authority and coercive power to enforce its resolutions or pressure member states to comply with human rights principles as well as its dependence on voluntary cooperation among member states, leading to mere condemnation without action (United Nations, 2019). Despite this, it was these shortcomings that laid the groundwork for the development of stronger international human rights frameworks with more robust enforcement mechanisms, such as the Universal Declaration of Human Rights (UDHR) and the establishment of the UN, the international body that seceded the League.

In that spirit of improving on past actions, delegates can draw valuable lessons from the shortcomings of the League to craft stronger solutions for protecting minority rights and preventing similar tragedies. Here are some potential areas of focus for the council:

Strengthening Enforcement Mechanisms

1. Expanding the League's Mandate

Instead of solely relying on voluntary cooperation, delegates could propose amendments to the League Covenant establishing mandatory compliance mechanisms for human rights resolutions. This might include economic sanctions, expulsion from the League, or international tribunals for adjudicating violations.

2. Developing Enforcement Bodies

Building on the successes of post-war institutions like the United Nations Security Council (UNSC), delegates could envision a League body dedicated to enforcing human rights standards and investigating violations. This body could be granted authority to deploy peacekeeping forces or impose targeted sanctions against offending states.

3. Investing in Monitoring and Reporting

To identify potential violations early, delegates could propose initiatives for independent monitoring by human rights experts and regular reporting on the treatment of minorities in member states. This information could be used to hold governments accountable and trigger timely interventions before situations escalate.

Overcoming Appeasement

1. Prioritizing Human Rights

Delegates could propose that the League adopt a new policy explicitly prioritizing the protection of human rights as a cornerstone of international relations. This would require member states to prioritize human rights concerns over political expediency or economic interests when interacting with states violating minority rights.

2. Collective Security Measures

To counter the fear of provoking conflict, delegates could explore forming regional or collective security pacts committed to mutual defense against aggression motivated by discriminatory policies. Such pacts could deter potential aggressors and demonstrate an international commitment to upholding human rights principles.

3. Public Pressure and Boycotts

Recognizing the limitations of direct military action, delegates could propose coordinated international campaigns of public pressure, economic boycotts, and diplomatic isolation against regimes perpetrating egregious human rights abuses. This strategy would leverage collective moral authority and economic power to exert pressure for change.

Addressing Internal Divisions

1. Promoting Shared Values

Delegates could strive to foster a stronger sense of shared values and principles within the League, emphasizing the indivisibility of human rights and the inherent dignity of all people. This shared commitment could overcome ideological or political differences and encourage unity in upholding human rights principles.

2. Mediation and Dialogue

Recognizing the complex political realities within nations, delegates could propose facilitating internal dialogue and mediation processes within states facing tensions between majority and minority groups. This could prevent escalation and help find peaceful solutions to address grievances and ensure minority rights protection.

3. Capacity Building and Support

To address internal divisions within the League, delegates could propose initiatives to build the capacity of member states to uphold human rights standards within their own borders. This might involve offering technical assistance, legal expertise, or training programs for government officials and law enforcement agencies to ensure fair and equal treatment of all citizens.

BLOC POSITIONS:

Below is a list of possible standpoints and positions delegates within the council may choose as a basis for forming their bloc positions. What is listed below is not a blueprint for the precise number or reasoning behind the eventual blocs, but rather a suggestion offering various vantage points and guiding principles for delegates to consider. The standpoints below are potentially not mutually exclusive; delegates may weave elements from multiple stances or choose to form a bloc using a basis outside of what is listed:

The Appeasement Advocates Bloc

Consisting of delegates representing nations that condemn the discriminatory nature of the laws in principle but prioritize non-confrontational approaches, these nations would advocate for private diplomacy and negotiation with Germany to seek modifications or repeals of the laws and oppose measures like economic sanctions or expulsion from the League, fearing economic repercussions and further isolation of Germany. This bloc's goals would be to maintain peace and stability in Europe through diplomatic dialogue and economic cooperation, avoid provoking any actions from Germany that could escalate into a wider conflict, and protect national interests and economic ties with Germany.

The Collective Action Alliance Bloc

Consisting of delegates representing nations that publicly denounce the laws as blatant violations of the League Covenant and international human rights principles, these nations would urge immediate repeal of the laws and advocate for legal safeguards for minority rights within Germany and support stronger enforcement mechanisms within the League to address future human rights violations by any member state. This bloc's goals would be to uphold the League's Covenant and defend the principle of minority rights, send a strong message of condemnation against discriminatory policies and human rights violations, and implement collective action, including economic sanctions or even expulsion from the League, to pressure Germany to change its course.

QUESTIONS A RESOLUTION MUST ANSWER (QARMAs):

- 1. Considering the clauses present in the Covenant of the League of Nations, as well as the Treaty of Versailles, what is the League's moral and legal legitimacy in condemning the Nuremberg Laws?
- 2. How can the council approach the legal ambiguity surrounding citizenship and the League's challenge to the Reich Citizenship Law?
- 3. How can the resolution produced navigate the balance between condemning human rights violations and respecting national sovereignty?
- 4. How can the League adapt its legal framework and responses to address emerging human rights challenges not explicitly covered in the Covenant?
- 5. How can the council propose strategies for strengthening the League's authority to address future human rights violations in similar situations?
- 6. What is the specific criteria that determines whether or not the League should or shouldn't intervene in domestic affairs?

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