

Victor's Justice Vs. Morality

The Hitchens Conundrum

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Theme: [Crimes against Humanity](#), [Law and Justice](#)

Did Hitler's crimes justify the Allies' terror-bombing of Germany? Indeed they did, answers Christopher Hitchens in his Newsweek response to my new book, "Churchill, Hitler and the Unnecessary War":

"The stark evidence of the Final Solution has ever since been enough to dispel most doubts about, say, the wisdom or morality of carpet-bombing German cities."

Atheist, Trotskyite and newborn neocon, Hitchens embraces the morality of 'lex talionis' - an eye for an eye. If Germans murdered women and children, the British were morally justified in killing German women and children.

According to British historians, however, Churchill ordered the initial bombing of German cities on his first day in office, the very first day of the Battle of France, on May 10, 1940.

After the fall of France, Churchill wrote Lord Beaverbrook, minister of air production: "When I look round to see how we can win the war, I see that there is only one sure path ... an absolutely devastating, exterminating attack by very heavy bombers from this country upon the Nazi homeland."

"Exterminating attack," said Churchill. By late 1940, writes historian Paul Johnson, "British bombers were being used on a great and increasing scale to kill and frighten the German civilian population in their homes."

"The adoption of terror bombing was a measure of Britain's desperation," writes Johnson. "So far as air strategy was concerned," adds British historian A.J.P. Taylor, "the British outdid German frightfulness first in theory, later in practice, and a nation which claimed to be fighting for a moral cause gloried in the extent of its immoral acts."

The chronology is crucial to Hitchens' case.

Late 1940 was a full year before the mass deportations from the Polish ghettos to Treblinka and Sobibor began. Churchill had ordered the indiscriminate bombing of German cities and civilians before the Nazis had begun to execute the Final Solution.

By Hitchens' morality and logic, Germans at Nuremberg might have asserted a right to kill women and children because that is what the British were doing to their women and children.

After the fire-bombing of Dresden in 1945, Churchill memoed his air chiefs: "It seems to me

that the moment has come when the question of bombing of German cities simply for the sake of increasing the terror, though under other pretexts, should be reviewed.”

Churchill concedes here what the British had been about in Dresden.

Under Christian and ‘just war’ theory, the deliberate killing of civilians in wartime is forbidden. Nazis were hanged for such war crimes.

Did the Allies commit acts of war for which we hanged Germans?

When we recall that Josef Stalin’s judges sat beside American and British judges at Nuremberg, and one of the prosecutors there was Andrei Vishinsky, chief prosecutor in Stalin’s show trials, the answer has to be yes.

While Adolf Hitler and the Nazis were surely guilty of waging aggressive war in September 1939, Stalin and his comrades had joined the Nazis in the rape of Poland, and had raped Finland, Estonia, Lithuania and Latvia, as well. Scores of thousands of civilians in the three Baltic countries were murdered.

Yet, at Nuremberg, Soviets sat in judgment of their Nazi accomplices, and had the temerity to accuse the Nazis of the Katyn Forest massacre of the Polish officer corps that the Soviets themselves had committed.

Americans fought alongside British soldiers in a just and moral war from 1941 to 1945. But we had as allies a Bolshevik monster whose hands dripped with the blood of millions of innocents murdered in peacetime. And to have Stalin’s judges sit beside Americans at Nuremberg gave those trials an aspect of hypocrisy that can never be erased.

At Nuremberg, Adm. Erich Raeder was sentenced to prison for life for the invasion of neutral Norway. Yet Raeder’s ships arrived 24 hours before British ships and marines of an operation championed by Winston Churchill.

The British had planned to violate Norwegian neutrality first and seize Norwegian ports to deny Germany access to the Swedish iron ore being transshipped through them. For succeeding where Churchill failed, Raeder was condemned as a war criminal and sent to prison.

The London Charter of the International Military Tribunal decided that at Nuremberg only the crimes of Axis powers would be prosecuted and that among those crimes would be a newly invented “crimes against humanity.” This decree was issued Aug. 8, 1945, 48 hours after we dropped the first atom bomb on Hiroshima and 24 hours before we dropped the second on Nagasaki.

We and the British judiciously decided not to prosecute the Nazis for the bombing of London and Coventry.

It was an understandable decision, and one that surely Gen. Curtis LeMay concurred in, as LeMay had boasted at war’s end, “We scorched and boiled and baked to death more people in Tokyo that night of March 9-10 than went up in vapor in Hiroshima and Nagasaki combined.”

After the war, a lone Senate voice arose to decry what was taking place at Nuremberg as

“victor’s justice.” Ten years later, a young colleague would declare the late Robert A. Taft “A Profile in Courage” for having spoken up against ex post facto justice. The young senator was John F. Kennedy.

Patrick J. Buchanan is the author of Churchill, Hitler and The Unnecessary War: How Britain Lost Its Empire and the West Lost the World

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