

--not go to Afghanistan. Because we have not built the institutions of courts to settle these things, we pay the price. If you build a house made of straw, and I come and tell you, the house will burn if the lightning hits or anything make it of stone, and they say, no, no, no, it's too complicated to build, and it start to burn, I can't help them. People have to be reeducated. Until they're reeducated, they're ready to kill, and be killed, and die for their cause, whether it be religion, or nationalism, or economics, or anything else.

So if someone attacks you, you are--

Yes, self-defense is permissible. So if somebody is sending rockets into your house, you've got a right to stop them.

Sure.

I mean, stop them, for example--

That's lawful.

Yes, of course.

As you support the [BOTH TALKING] going to Afghanistan or not?

If you've got to hold the people responsible who did it, then you're just killing a lot of other innocent people. You must find out who did it and put them on trial. Don't shoot them in the back or in the head, put them on trial. Let him state his case. The world will see what his thinking is. And they will not approve of it. So the law is, again, the answer.

You can't go back and say, OK, Afghanistan did it. Crime is committed by people, not by entities. Find out who are the people responsible. In my proposal here, it's only the leaders that are accountable. The sheep who go and carry out the killings and all that-- I was a combat soldier. I know what it's like to be in war. And I was not responsible for the war. But I was asked to kill people I didn't even know. And they were trying to kill me. They didn't even know me.

But the people who let it happen-- the genocides in our time after the Holocaust as well, what you had in Rwanda and what you have elsewhere going on, this is caused by individuals making the wrong decisions, seeking power, seeking prestige, or seeking to transform the world in their image. We can't tolerate that. We must condemn it as the most supreme international crime.

And it was held to be in Nuremberg. Hitler's determination to kill all the Jews and all the Gypsies was the supreme international crime, by going to war for that purpose. That's my story. That's my song. He's sitting in the sun. Everybody's happy. Now, you've got-- now, what can you do with it as a writer? A lot of people are trying to write. I've got a half a dozen people now out with documentaries.

Right. And I gather you've got a couple of biographies coming out, right?

We have the one in French that's on my desk right now, *Les mÃ©moires de Ben*, which I wrote as a joke. When I finished that--

So this is an autobiography?

No, it-- I'll tell you how it happened. I was sitting down here. I was as busy a man as I am now. Get up early in the morning, 6 o'clock. Ah, I'll write a little funny story. Primarily, it was started by some of the Orthodox grandchildren of my brother who lives here. And they thought I was a terrible guy, and I was sacrilegious, and all that. So I wanted to show them that I know more about it than they do. So I told them a little story of the smallest synagogue in the world that nobody knows of except me. And it's true. And I told that story. And I thought it was a great little story.

Is this one of the Benny stories?

Yeah, one of the Benny stories.

Oh, this is a made-up story?

And then I went on to write the Benny stories.

No, these are all real stories.

I wrote a whole bunch of Benny stories. I finally had about 50 or 60 of them. Well, some relative, distant relative, said he's going to put it together in a book. It should be a book. Meanwhile, a guy in Paris read them. He said, this has got to be in French. So they translated it to French. The French book has been out now for several months. They got some more good reviews in, which I can't open. I'm waiting for you to open them.

There was no attachment.

There was no attachment? You sent me an attachment. I can't open it. I think it's me. I have an antisemitic computer.

That's right. Yeah, there are a lot of antisemitic computers out there.

I wish people wouldn't laugh.

It sounds so--

Even the bears will not take part.

Talking about saving the world and she's laughing.

No, yeah, that's all right.

Antisemitic computer.

Even the animals.

All right.

But I tell you what, let me backtrack a little bit. And first of all, before I forget, I'll also give you-- just so you have an idea what I've been doing.

OK.

I brought--

I got the gist of it from your letter.

Yeah, but I giving you these two, my most recent book and the one before it. I'll leave those with you.

Thank you.

People don't read the book, they look for the autograph.

Yeah, well, I'll sign them, of course.

It sounds better to say Moscow, [INAUDIBLE] Stalingrad.

Not Stalingrad.

Yeah, the Battle for Moscow, not Stalingrad. It was actually a big--

Stalingrad is what ended the war, Stalingrad.

What ended the war, but the biggest battle in terms of losses is--

They never got into Moscow.

Yeah. But right. All right.

Well, there, they captured a million German soldiers.

Good thing you wanted to do Moscow.

Yeah, yeah, yeah.

Yeah, OK, the greatest battle.

OK. Yeah, yeah.

Listen, I was at the Battle of the Bulge, the final battle of the war.

I know. I know. I read that in your-- I've read quite a few of yours already.

Benny stories.

Yeah, they're amazing.

Anyway, we won't debate whether Stalingrad or--

Yeah, well, if you have a chance, read a little bit about this there.

The greatest battle is to persuade the Pentagon that they're a bunch of maniacs. That's the greatest battle. Suicidal, murderous maniacs is what they are. And they can't accuse me of not being patriotic. I'm really very patriotic. I'm grateful to the United States for all the opportunities that it give to me. This is going to be so ingrained, I haven't heard before.

I'm eternally grateful. Yeah. He knows my story. And I got five battle stars for not getting killed in every major battle.

But you were born in this country or abroad?

I came as an infant. I said to my parents, I was nine months old, I said, let's get out of here.

Now, you were born in Romania, right?

My sister was born in the same house. She was born in Hungary. I was born in the same house, it was Romania.

Yeah, exactly. It was fighting over it.

But you are a Hungarian Jewish family, right?

I'm a Hungarian Jewish family. So we didn't speak Romanian--

Yeah, well, and the name Ferencz is.

--we spoke Hungarian and then Yiddish.

Yeah, I know. I know.

--we spoke Yiddish.

Yeah, I've spent a lot of time in that part of the world. My parents came from Poland. And I was a correspondent in Eastern Europe. So I spent a lot of time.

Well, that was it. I couldn't start school because I couldn't speak English. I started late. I spoke Yiddish.

Oh, really? When you came, were you-- the first language at home was Yiddish?

Yiddish.

Not Hungarian?

No. My mother spoke Hungarian, but my mother had a second husband because they were betrothed when they-- before they were born. And they broke that up, fortunately for all of them. And the second husband spoke Hungarian. He didn't speak Yiddish. So I learned Hungarian as well as Yiddish. However, what are you going to do with all this wisdom you're accumulating?

OK. This wisdom, well, I'm not-- to be honest, I'm not 100% sure about what I'm-- and partly, I want to seek your advice on something. Because I'm beginning to think about my next book project. And one of my ideas was to do a book on-- now that, really, the hunt for Nazis is just about over in terms of-- close to over just for the natural reasons-- to do something that's starting with Nuremberg and sort of giving stories of what was the whole hunt? What was gained? What was missed?

And I have a-- from the perspective-- some from the American perspective, the Israeli, the Nazi Hunters. Simon Wiesenthal is someone I knew pretty well in the '80s. And yet, I'm not sure yet how I would compose all this. But your story is such a perfect encapsulation of so much of this that I wanted to have a chance to.

I've said, there are these, the Benny stories. It was really a lock. I said so in the opening paragraph, I don't intend to write a biography. I never will. I said, you want a biography? Poor boy came to America, lived in poverty most of his life, got a scholarship to Harvard, got a good education, survived the war. I went from rags to riches. That's the story, goodbye. I had four kids. They gave me great pleasure and great pain.

Especially this one, right? He's not here.

No, these are girls, it's even worse. So that was the biography. There's the outline of it. From what you're trying to do is an insight into the significance of Nuremberg.

Right. And I would say, maybe--

Different points of view.

Yeah. And not just Nuremberg, but then what follows and how much of that hunt goes. Yeah.

OK. That's, I say, insight into Nuremberg. But in order to get a real meaning to it, you have to see what happened after Nuremberg. And you touch on Germany, and Israel, and so on as a source of information. Well, the world forgot the

lessons we tried to teach at Nuremberg. And the United States forgot it, which was the worst thing.

And we saw that in Vietnam. Telford Taylor, who was my boss, was very explicit. He went to Vietnam and came back, wrote a book on it, which was a very courageous thing to do during the McCarthy days. And we went back to killing as usual. And that's what we're still doing, except we have made progress in, as I said, in the closing statement for the Lubanga case-- that's the first case tried by the International Criminal Court. Remarkable.

The chief prosecutor called me. He says, Ben, we want you to close the case. The last case I had argued was in Nuremberg at the age of 27. I knocked them dead with that one, that literally convicted all 22 defendants, rested my case in two days. Eat your heart out. He wanted to know how I did that. But I come and I wrap up the first case at the age of 92.

And what happened in between? And I said something there, which I think was very I don't want to say profound, but I said, there has been a gradual awakening of the human conscience. This is what happened since the Nuremberg days. The people in power were not prepared to, and still are not prepared, the powerful ones, to accept the lessons of Nuremberg, that aggression is the supreme international crime, and that law is better than war.

They are not prepared. The United States is not prepared. You can look at our budget. We spending trillions of dollars on weapons we cannot use because it will kill everybody. We have a power now from outer space, from cyberspace to cut off the electrical grid in any city on Earth. If you cut off the electrical grid, everybody dies. It may be a matter of a week, two weeks, three weeks, maybe.

And we're spending today hundreds of millions of dollars with hair-trigger alert on nuclear weapons targeting every city in the Soviet Union, former Soviet Union, 20-minute alert. That was the case about five or six years ago. I don't know if it's changed in the meanwhile.

But I got that report from a small meeting I had together with a retired, then, head of the CIA and the Defense Secretary, McNamara. And there, we were discussing, what do you do now? And there was general agreement that the United States policy was insane. I'm quoting CIA director and head of the defense, the former secretary of defense.

So we know it's crazy. But then we come back to Eisenhower's military industrial complex. He says, beware of the military industrial complex. And on his card, [INAUDIBLE] Foundation, it quotes Eisenhower, the world can no longer rely on force. It must turn to the rule of law.

Yeah, but what would you do if during--

What are you doing now? You die.

You are. But do you go do like Eisenhower is building up the weapons, and the Soviet Union is going crazy with weapons? I mean.

Well, they're all going crazy with weapons. Military industrial complex plays a role. Fear plays a role. We frighten the people and say, they're going to be killed. You're going to have another 9/11. You can't control these people, whether they be Russians, or communists, or Arabs, or being Muslims, or whatever it is. You have to generate the fear. And that's what we do in the public. And the public goes along. And that's it. And that's why it's difficult to change.

I mean, but you need two sides for something like this.

Of course, you need two sides. So you've got to build up the side that's weak. I wrote six volumes, one volume on the first problem-- two volumes, it was-- defining international aggression. That was now gotten out of the way as a result of compiling it with another lousy definition. The second one was international criminal courts. And the third is enforcement. Those three components-- law, courts, and enforcement-- is the structure for any rational society, whether it be a town, or a village, or a country, or a world.

We are working on the laws, making reasonable progress, working on the courts, just beginning. Enforcement, we haven't started yet. So you have chaos. And it will continue. I cannot help you. I would like to help you. I tell you what you have to do. But they're not doing it.

I know how to do it. I have these six volumes, each one was two volumes, with all the documentation. Wrote that. I put them all together, then another big book-- New Legal Foundations for Global Survival. So I've been thinking about these problems very seriously. Nobody pays me. Nobody can fire me. I do it out of my impulse to do it. As you know, you don't make much money writing books. I don't. I give it all away anyway.

Well, can I backtrack a little bit?

Backtrack a bit.

How much time we have? We got to go swimming before-- and you go to the gym.

All right, yeah, how much time do you have? I don't want to--

I'm already an hour late.

Yeah, yeah. OK. OK. Well, let's go-- I want to just hit it-- because I've got a lot of wonderful stories. And your Benny stories, I've seen, and so forth. But first of all, I want to-- so at the moment, I'll sort of jump around a little bit, just to get your quick take on a few things. I mean, first of all, your initial impulse, I mean, I was particularly struck by that story where you're going to get into Mauthausen.

And the woman who says, you can't take my clothes away, give them to the prisoners. And that as a young man there, when you were looking, in essence, for justice, for this, was it-- I guess I want to say, I mean, implicit, but I want to make it explicit your emotional feeling about what you wanted to accomplish in those early days.

I don't know how to answer the question because I never stopped. Well, now let me go into that philosophy.

Yeah, yeah, no, but yeah, I mean, sort of.

This is something which grew on me as a child. I lived in a highly dense crime area. And I recognized that being a criminal and the police chasing you was not good. I wanted to be on the other side. So I was always interested-- I wasn't interested in becoming a cowboy, or a policeman, or anything else. I was always interested in preventing crime, juvenile crime. When I was younger, I worked in a reform school. I studied that in school. I wrote some papers when I was 19, 18, 19 years old on preventing juvenile crime.

Because you grew up on the?

In the Lower West Side, Hell's Kitchen.

In Hell's Kitchen, yeah.

That was the biggest crime density area in the world.

Yeah, yeah.

I saw a map of that later. And there were black spots, black, the whole thing. So I was always interested in crime prevention. But of course, when you're in a war, you don't think, this is a matter of crime prevention. You have so survival. And you kill the other guy before he kills you.

Sure.

So when I get something like I took the clothing and gave it to the inmates, and she was crying, somebody stole my clothing, treated me as a criminal.

Right, right.

So I was not inclined to feel like a criminal. She was the criminal-- not her personally. I never was filled with vengeance. I didn't want to kill her, or beat her up, or something like that. But I took her clothing. The people were naked. And I was not inclined to be called a thief. So I said, OK. I'll give it back to you. Come. And I remember the incident very well. It was the apartment house overlooking the Danube.

I think this was in Linz, I think, yeah.

And I just schlepped her down steps. We're up two flights or so. I said, come with me now. Go you asking for her.

Yeah. Did she actually-- she balked? She didn't go.

Oh, she walked, she was crying, she was crying, she didn't go.

She never went with you to the camp?

No, no, no. She went through that and I left her there. I said, OK, now you have to think. That's a gift.

Right, right.

So I was interested in crime. I didn't want to be a criminal. So I don't know how to answer your question.

Right. OK. That does it.

Was not a-- something caused by any specific event. It was a general feeling of I was meant to be a lawyer. I never wanted to be anything else. And I don't mean a tax lawyer. I mean, it was a real just society. And that's what I studied. And that's what I wrote about in the early days.

OK. And then so you go through the Nuremberg trial, have this a remarkable record, and as you say, almost by chance, you end up prosecuting the Einsatzgruppen, their folks. Then as you know, pretty soon the Cold War descends.

Right. Before you leave Nuremberg--

Sure.

--before you leave the Einsatzgruppen case-- because I think I sense what you're trying to do-- to understand what really went on and what really goes on in people's minds, you must understand the mentality of the Einsatzgruppen defendants who were selected by me on the basis of rank and education. Most of them had doctor degrees. And the classic one, which you can use, which is worth a book in itself, the mentality of Doctor General Otto Ohlendorf, father of five children and his explanation of why it was necessary to kill hundreds of thousands of Jewish children.

Was he was one of your defendants?

He was the first lead defendant. He was the lead defendant. And the only one I ever talked to personally on the--

Oh, really?

--eye-to-eye. I didn't want to talk anyone. I only talked to him after I knew he was going to hang. And I want to make him something, friendly gesture. Said, the Jews in America will suffer for this.

The Jews in what?

The Jews in America will suffer for this.

He had no regret, no remorse. He died convinced that he was right and I was wrong. So you want to write something thoughtful, take the Ohlendorf mind, which exists in all countries today, and compare it. They are not evil people in the Pentagon who say, we got to have so many weapons. We have to have new of the sneak bombers, because that's a very effective weapon. We have some collateral damage, OK. You have to kill a few people in order to catch the bad guy, who in your opinion is the bad guy before trial. The notion that everybody, including Goering is presumed innocent until tried, that was the correct principle. Put them on trial. Let him state his case. Let the public decide. That's where you come in.

Yeah. You know, I think it was Goldensohn's book, the one, the psychiatrist at Nuremberg--

Oh, yes.

--who did interviews. He actually interviewed, I think, Ohlendorf.

Well, he interviewed Ohlendorf.

Yeah. And he has a section on him, yeah.

But it was written on Goldensohn.

Yeah, whatever was it. Yeah.

But to understand the mentality of decent, intelligent people who will tolerate killing hundreds of thousands of children, one shot at a time.

Right, I know.

So it's-- to understand that mentality, if you can shed a light on that, it would be a great book.

Thank you. Well, I don't know.

That's a great book. It's hard to do. You have to talk to the people in the Pentagon who share that view, and in Moscow who share that view, and in China who share that view. The Indians don't share that view. But they will only go along. It's changed. Maybe the Chinese, China said, you do it first, then come and see me.

So getting the world to accept what I am preaching-- law not war. It's not complicated. It's common sense to anybody who's got a feeling. Why is that not accepted? That's my challenge to you. How? I'm not a publicist. I hate publicists. I hate publicity and PR people. I never give a press interview. He probably roped me in here. I said, first, tell me what you want. But if you can do that, how do you change the mentality? Education, we're trying to do that. Talk to you what he's doing, I'm chasing the ball around the world now trying to educate people.

Well, it sounds like you're doing a lot in that regard, yeah.

We're trying. It's a lot to write.

And you have the personal experience to make the case in a way that--

Right. And they can't challenge me.

--in a way that nobody else could, I mean.

That's correct. It's just by chance. I mean, they can't say I'm not patriotic. They can't say I'm against the army. They can't say I want anything. I don't-- tell you, I don't want anything. I don't want prestige. I don't want money. I don't want anything. I want to see a more peaceful world. At my age, 95, 94-- my wife lies about her age. She says she's 93. She's a few months older than me. But she can't see. And I can't hear.

You're 94 now, right?

Well, I'm going to be-- I'm going to begin my 94th year--

Yeah, so you're 93.

--in about three weeks. And I will then celebrate my 93rd. I don't celebrate any birthdays. But this would be my 93rd.

Well, mazel tov.

Except we don't know exactly when I was born.

Oh, really? Yeah.

No, no. It was either the 11th, the 13th, or the 15th. I have to get it out the way. But I accept gifts on all days, only cash, no celebrations.

OK. All right, well then let me hit those couple of other points. And then we can return to Nuremberg, all right?

That was a tough job to get into the mind of the people who do this. And you know they're decent people, educated people, father of five children, mind you.

I'm not sure that makes him a decent person by definition.

Ah, but that's what-- why is one not decent? Anyway, he quotes Goethe, he goes and listens to Wagner-- educated, and all that. And it's in all countries, in all countries. I don't say it's a German characteristic. It's not. And how do you break into that?

Right, right.

That's a challenge. Dostoevsky is, we'll go with Dostoevsky. We'll quote him.

Did you once after Nuremberg, and then pretty much the US gets out of the business of pushing for Nazi trials and so forth in a major way for quite a while during the Cold War and so forth, did you feel that was a mistake?

I was busy trying to make a living. First of all, I was busy trying to help the victims. My mind is broken up in this. And my life is broken up to capsules. First, getting educated, secondly, it's Harvard Law School scholarship on my exam on criminal law. I -- free college all the way through. I couldn't afford anything, my parents had no money. We lived in poverty.

Next step is getting the war behind me, winning the war. I help Patton out there. He was a crazy son of a bitch so he needed a little help. So we won the war. OK. Next thing is to put the criminals on trial, so let the world see why this happened, and who did it, and hold some of them accountable. I had 3,000 Einsatzgruppen members, who every day went out and shot as many Jews as they could and Gypsies as well.

I tried 22. I convicted 22. 13 were sentenced to death. Four of them were actually executed. The rest of them got out after a few years. The other 3,000, nothing ever happened to them. Every day, they committed mass murder. Where is justice? I was only symbolic. It was the beginning. That's all you can do.

So the next step was to do something for the victims. They always forget about the victims. So I set up all the organizations. I was the director general, self-appointed title, of the Jewish Restitution Successor Organization, to get back to you. You'll find all this on my web. And then I was in charge of an office we set up in Bonn for the Claims Conference to negotiate a treaty with Germany and Israel. Then I set up a legal aid society, the biggest legal aid society in the world, I'm sure, to help Nazi victims with their claims.

I'm just going to put these in the house.

No, no, they're yours.

All that took me about 10, eight, or nine years. And I the thing was launched. To do that in a country which was destitute, that had been bombed out, where the victims had nothing, absolutely nothing but a tattoo on their arm, and work out some kind of a law, complicated [GERMAN]. I had never studied German in school. I just picked it up as I went along.

And I was a key player. I don't want to suggest I did it to one individual. But I had a staff. I had a staff of excellent German lawyers, Jewish lawyers, who had fled to Israel and elsewhere. And so we built up this whole mechanism, which has now been largely forgotten, simply because we never had any PR. I said, not spending any money on publicity.

The money we knew, it goes to the victims. It's small enough. Not a penny for publicity. It was a matter of principle. Puts you out of a job right away. And after that was preventing it from happening again. That's the most important job.

But meanwhile, I came home from Europe, I couldn't afford a house. I couldn't. I got a few-- I had no money. They paid me a salary you could die if it weren't for my connection with the army being able to talk them into getting free rent, and for cheap food, and all that, I couldn't live on what I was being paid. I bought a little house. I still live in it for the last 60 years or so.

And you practice criminal law?

Oh, no, no, no. Criminal law, they say, oh-- I went to the big law firms. They said, OK. If we have to try somebody for mass murder, we'll call you. And so if they all had the same, how many clients you got to bring with you? I had no clients to bring with me.

And I was out of it. Oh, you're overqualified for this job. A great man, you're really fantastic. Well, we don't need a law clerk. Yeah. So it was not easy. OK. So I finally decided, after getting enough money to send all my kids through school, enough. I'm going to work on what I wanted to work on and preventing it from happening again. And that's what I've been doing ever since. That's already 45 years.

Right. And while you were doing that, so you must have-- obviously, you knew what was going on. You knew the lull in denazification--

Yes, I know.

--and all that. And then and then you begin to have incidents like the snatching of Eichmann. And then people like Wiesenthal, and Klarsfeld, and others trying to revive this, basically what Nuremberg did, but almost on a freelance basis. So I just wanted to get your quick take on the things that were done and not done. And were they significant? And what was significant and what wasn't?

Some of the people you mentioned-- Simon Wiesenthal, I know very well. I was a liberator of Mauthausen, where he was liberated. And so we set up a relationship right away. And he wanted money to go hunt the Nazis who'd escaped. And there were many of them who had escaped.

I thought the cause was good. I said, OK, give me a budget. I have a board of directors. I'm getting money for restitution from different sides of the sale of properties and so on. And I'll review it. If I'm in favor of it, I will submit it to the board of directors. We have all the organizations in the world on the board. And if they approve it, you're home.

He said, no, no, no, I don't want to submit it. I said, Simon, it's not my money. You want money from my pocket, I'll see if I have any, you can have it. But I cannot approve a budget for you. So I never approved the budget for him. And the result was that we were a bit estranged, although I continued to get solicitation the rest of his life and mine.

Right, right. Well, Wiesenthal was always--

He was too much of a-- too much PR for me. It was exaggerated. He took claim for Eichmann. The Israeli intelligence was already working on it. Some of the cases he was chasing, I wouldn't have tried him in the first place and so on.

You would not have? You would not have tried Eichmann?

Eichmann you could try, sure, but compared to Ohlendorf, compared to the mind Einsatzgruppen commanders who are standing there every day and shooting people in the ditch? Eichmann was in charge of shipping out the trains. He did a very good job. He tried to make some deals with the Jews for himself for his family, which he did by giving them a one free trainload of relatives to take out to the Gemeinde. I know the whole story. I know the people. Eichmann, well, you can try him. And he was a very good symbol. But he was a major in the SS. I'm trying major generals. I says, just look the rank to see who the importants were. But good. He should drop dead. It's all right.

Well, actually, nothing happened to the lower rank--

Nothing.

--soldiers?

Nothing. They had some denazification, but in effect, nothing, whitewash. And the higher ranks who we didn't try, there were plenty of higher ranks guys that got away too. We had them on a list. We didn't know where they were.

OK, wait. Andy, while you're changing the tape, you touched on something earlier. I just want to make sure you know this still--

You have to speak a little louder.

After Nuremberg, during Nuremberg, the United States government, the military commissioned a movie to be made about the trials themselves. And it was a documentary basically exposing the horrors of what the Nazis had done and justifying their prosecution at Nuremberg. After the war, that film was basically blacklisted. Well, blacklist is the wrong word-- suppressed.

Really?

It was never shown in the United States. And there's quite a little interesting story that Justice Robert Jackson was contacted by the New York City Bar Association, or State Bar, I'm not sure which one. They wanted to show movies about Nuremberg. And the only one that existed that could be shown was a Russian-made film.

And Jackson, when he heard that they were going to show the Russian one, and not the American one, wrote a letter to the bar. And apparently, it was a very intense letter, suggesting that he was very much in favor of them showing the American film. And it included some profanity.

And when the head of the Bar Association wrote back to Jackson and said, we'd like to read your letter to the bar minus the profanity, he said, I'll allow you to read the letter only if you include the profanity. He then wrote to the Secretary of the Army and said that he would like to see this film released in the United States. It never was. 60 years later, the

daughter of the American sergeant or whatever he was, corporal, I don't know what he was--

Sergeant.

--something he was making it, Budd Schulberg.

Schulberg. Oh, Schulberg, yeah.

And Sandra Schulberg, who's based in New York. Do you know Sandra?

No, no, but Budd Schulberg--

That's right.

--he was the filmmaker?

Yes, he was the filmmaker on that.

I think it was Budd Schulberg.

And his daughter, and she's got a website on it now. It's called Nuremberg, it's Lessons for Today, is being shown all over the world because what she did is she found some of the archival footage. And they reconstituted the film. But it's an interesting story that Justice Robert Jackson himself was involved in trying to get the film shown in the US. And very disappointing that he couldn't. And there's some correspondence on this. I only mention it just because the comment that you'd made.

Oh, that's fabulous. So if I just Google Nuremberg lessons for today?

It's Lessons for Today.

It's Dr. Sandra Schulberg.

And it's Sandra Schulberg. You can go find it on the website.

OK, Sandra.

And if you wanted to be in touch with her, she probably could give you some more information about it, which might be of interest to you.

Yeah, that would be.

Because it's an interesting story.

Let me just pick up on Don's point. Within the military, there was division. Telford Taylor was promoted to general. He was not a military man at all. He had done-- he had been working. He was in the army during the war, was stationed in England doing intelligence work on the German high command. He had the rank of a lieutenant colonel. He was promoted to a colonel when he came to Nuremberg. Then he was soon promoted to general when he took over from Jackson. But he was not a military man.

The military, well, the military, the guys who were in charge the military, the guys who joined the army couldn't get a job during the Depression days. They stayed in the army. And they get promoted. And they didn't understand what these Nuremberg trials were all about. They didn't like the idea, to give you an example.

You mean the professional officers?

Yeah. We prepared the green series of how many volumes are there, about 22 or 23 volumes on the subsequent Nuremberg trials. We had all the documentation, all the argumentation. It did come out in English-- green series, big, thick books of I think 15 volumes. We also had the German texts because the German documents were more important than the translation. And that was ready to go.

The army, in the form of a general in Berlin, the headquarters of the military government, said, we don't have paper for that. We can't have any paper. That just Telford Taylor trying to make a name for himself. That whole series disappeared. I don't know where it is. It may have been burned. I've searched everywhere for it and couldn't find it.

So the army's attitude was what the hell are you guys doing? Bunch of lawyers running around here getting in our way. And take those damn DPs out of here. They're all a bunch of crooks and black marketeers. They're just getting in the way. If the Russians come in, boy, we're going to come hit them and lock them all out. We don't want all these funny people running around there. That, essentially, was the military attitude.

And I had a lot of dealings with the military. I had to get-- was given the rank not sergeant of infantry during the war, but was general. And it's the civilian rank of-- they call it equivalent rank. I could tell the colonels what to do. Then that never bothered me as a sergeant I told them what to do. I wrote a Benny story about that somewhere. So the army, they don't believe much in the rule of law. They think it's a naive concept. It's not only the army, most people in the world share that view because it's been indoctrinated.

And Cicero is quoted. If you want to have peace, you must prepare for war. My answer to that is hey, Cicero, those who prepared for war got what they prepared for. You want war, go dig yourself a hole because you're going to be the next victim.

So I don't buy Cicero. Maybe in the good old days, when you had to have a sword, and you went out, and you challenged a guy, you had to have a good sword. In the nuclear age, the cyberspace age, the concept of winning a war is nonsense. I said, when I accepted the Erasmus Prize, the only victor in war is death. And that I've seen.

But do you think that if Israel would give up their nuclear weapons--

Yes.

--how long would they exist as a country?

I don't know. I don't know.

Because the Arab countries would attack them right away.

There's only one answer to that. The correct answer is nobody should have nuclear weapons. Nobody should have the kind of weapons we have. They're very dangerous, very dangerous. But if you're not prepared to give it up, somebody's going to get killed. And the one who is the weakest will get killed. Look at the map. But in the

Case of Israel, Israel is 1/600 of the territory of the world.

I know, it's nothing.

It's nothing. Do you think they would wait?

They have to wait. What, are they going to commit suicide?

No, no, no. I mean, the Arab countries, do you think they would wait for the Jews to leave Israel and keep them alive?

No, no, look--

They would attack them. And they would suffer there.

--I would say that in the case of Israel, it certainly must have some deterrent effect, although they have never said they had a nuclear weapon. But they certainly let it be known that they might. And they did. So the fear is what serves as the deterrent-- not the fear that it will be used. Because it will be used and they let loose a nuclear barrage, first of all, today, they're not going to use the nuclear weapons anymore. It's too much of a noise, too much of a fuss. It makes a big bang and so on. They're going to use cyberspace. They're going to kill everybody through cyberspace. And I'm sure the Israelis have got the best scientists there too. So we don't have the tools.

I wrote a book called A Commonsense Guide to World Peace-- a short book, maybe 100 pages, was selling hardcover for \$5-- in which I took all the prevailing disputes in the world at the time-- the Israel dispute and so on. And I suggested border changes that could be to move the population. In the world picture, it's a small problem, really, it's a few hundred thousand people one way or the other, or a few million people one way or the other-- small problem in relation to world peace. And I went into the whole Israeli problem.

My conclusion-- I haven't read the book since it was written 30 years ago, 40 years ago, but it might be worth reading. And as long as we have not built the structures of society to maintain peace-- law, courts, and enforcement-- you are standing on a two-legged stool. And it's going to fall over. If you make these two legs even weaker by attacking the courts and the enforcement, you're never going to stand. You have to take the third leg and build up all three of them if it's going to stand.

Until that happens, everybody is in danger. And there will be war because we have no way of stopping them. We have no way. Nobody's telling you, oh, ho, because I love you dearly, you're not going to be killed. You're going to be killed. I'm telling you, you're going to be killed. Some will survive. We've seen that.

But you're not going to eliminate war until you have built a structure of society which enables people to settle their disputes by peaceful means only, which is what the United Nations charter was all about. My book on global survival, Kofi Annan wrote me a nice note. And he said, that's everything that you say is what the United Nations stands for. And we got to be quite friendly after that in various places. So what do you want from me? I'm doing my best. I'm 94 years old.

I've just got to divert you for two more quick questions, because I know I don't want to hold you too long, but--

That's already. The morning swim is out. I'll go swim in the afternoon. OK.

How did you feel about the actual record of the Germans, especially the West Germans themselves, in dealing with the Nazis after the war, when they began to take responsibility for that?

Well, I know the people who ran the Zentralstelle-- that's the central office for the Nazi crime. You have to-- it's an unfair question because at the end of the war, the German people were hungry. They were cold. They were frightened. They all had lost their sons, their husbands in the war. They were not thinking philosophy--

Right, true.

--or holding anybody accountable. I never heard a German come up to me and say, I'm sorry all the time I was in Germany. It was my biggest disappointment. Nobody, including my mass murderers, ever said, I'm sorry. So that was the mentality. When did it change? It changed very slowly. Those who were responsible for the crimes, which meant those who cheered on Hitler-- I'm not talking now about the shooters, but those who were rallying behind the flag, and filling the stadium, and they're all cheering all the time, kill the Jews, they never changed.

But they were not all the German people. We had the SPD, Carlo Schmid was president of the Assembly. I knew all the top people because I was negotiating the indemnification law. Never happened in human history that a country paid its victims individually, never happened. And we went to Germany, inspired partly by Adenauer, who said, terrible crimes

have been committed in the name of the German people. We have an obligation to try to make amends. That was the key.

So we said, OK. Then comes the Jews led by terrorists saying, like hell, you're going to go talking about money for my mother and my father. You are a swine, you're betraying Jewish honor. Kill them all. And if you go and meet with them, we'll kill you too. And they tried. And to some extent, not generally known, they did. And who was the leader of the gang? Menachem Begin, winner of the Nobel Peace Prize, prime minister. I mention that to show you, it's not an easy problem. It's not good and bad people. The social democrats were very active in support of the [GERMAN] program, the whole program itself coming from a country which was destitute.

Right. How quickly did that start?

It started in 1952.

'52, yeah.

In 1952, when Germany-- the buildings were still down. They were still cleaning bricks out of the street. And to get money from under those circumstances was a pretty good trick. And you know what helped a lot? Don't quote me, John McCloy. I called him. He said, Ben, what do I do now? They got this. And so I said, we got to get money on this. How much is it going to cost us? A billion marks. I'll talk to Adenauer.

Come back. I talked to Adenauer in church this morning. He's an actual-- I'm not inventing something. And he said, they'll go for a billion.

A billion marks?

Yeah. I said, OK. We'll manage.

What was a billion marks those days?

What was it for?

No, no, what was the--

Oh, a billion marks? Oh, well, the currency kept changing.

Oh, well, yeah, we'll figure out. I know, I know.

It was a lot of money. it was a lot of money, hundreds of millions of dollars. And to recognize that West Germany will pay for the confiscations by the German Reich of Jewish stocks, and bonds, and Treasury things, which was claims against the Reich. The Reich became the owner of it. They took it away. The Reich no longer existed. And I've got to make an argument that even though the Reich no longer existed, the people-- these were the ones who had money too-- should get their money back, should get their stocks and bonds back.

And that money came from America, right?

Well, then Marshall Plan, when Adenauer said to-- when McCloy said to Adenauer, my advisors tell me you can get away with a billion marks, we'll take that into consideration. Said, we'll do it. Suddenly, the negotiators said, OK. We'll go up to a billion. And then I got hell for selling it out too cheap. They said, Ben forgot. He forgot it was supposed to be two billion. I didn't forget.

Do you think the American government would not want to do it in the open?

The Israel government? They were hiding. The Israel government was--

The American government too.

Oh, the American government? No, no, no, no, no, no, no. Oh, no, no. This has to be Germany itself is the recognition of them going back into the family of nations, not the Jew holding a gun to their head and saying, you got to do that. No, no. And the Israeli government, they said, Menachim Begin. You do it. You do it. They were throwing stones at the Knesset and so on. And they were trying to kill us when we were negotiating in The Hague in [NON-ENGLISH], which is five minutes away from the courthouse. No. And I don't know, are you familiar with all this background or you're Israeli?

No, I'm not Israeli, but I--

You know it.

I know some items.

You seem to be knowledgeable.

Christina grew up in Poland.

Where in Poland?

In Kraków.

In Kraków. I was in Kraków.

You were?

You know why I went to Kraków? I went as a guest of the Polish communist government and the Polish Red Cross as the cover. And I said, the only thing I want to see is Auschwitz because the Russians had liberated. They gave me a car and a driver, who turned out to be Jewish, to take me around for a week wherever I wanted to go.

What year was it?

And that was-- this was-- oh, god, I don't know. You'll find the Benny story.

Yeah, we'll find the story.

And the ones that I helped were the Polish Catholic women who were in Ravensbrück being used as guinea pigs. And in appreciation for that, they invited me to come as a guest. Anyway.

And yeah, I sent you an introduction to [BOTH TALKING]

OK.

Oh, wonderful. Thank you.

--as well as some attachments of some information you'll find interesting.

Oh, thanks so much.

All right. So what else do you need to know? I solved all the problems of the world and nothing else.

We all solve the world problems. OK, final question.

Well, I have a question. It's a broader question. The Germans today-- let me give you an important point.

I wish I could.

With his clothing on. Big mistake.

He wants to turn black.

He's going back to London.

I would start doing it.

Right, that's right. He wants to show he was here. Now, important point, that's the German question. What has happened to Germany? The German government gave me, of all people, their highest civilian award, the Verdienstkreuz. It looks like-- [BOTH TALKING]

This was 2010. It's also on the website.

2010? Wow, that's so recent.

But what a change. Pick me out. So that speaks for itself. And of course, the German youth is quite different. And they are in the forefront, supporting the court.

Germany is also, by the way, a very, very significant promoter of recent amendments to the Rome Statute, the International Criminal Court's government statute, which will give the court jurisdiction over the crime of aggression. Germany is expected to what they call deposit its instrument of ratification of these amendments, meaning they've been approved by their government through the legislative process, sometime in the next 90 days. They will be the first major player to do so. There are only four countries so far have ratified. They need 30 ratifications before it becomes legally effective for anybody. So Germany's ratification, I understand, and their leadership is really, really important.

In Kraków, I think I was in Hotel Moskwa. Is it still there?

These days, you don't have a Hotel Moskwa in Kraków.

That's why I'm asking.

I don't remember.

I don't remember.

It was a big hotel in the Soviet style.

Yeah, well it was a Hotel Moskwa.

Maybe you are talking about Warsaw?

Because there was a Hotel Moskwa in Warsaw, wasn't there?

Maybe. But this was in-- no, I stayed in Kraków.

Yeah, yeah, yeah. Well, this is-- remember, this is we're talking--

Salt mines and all.

--we're talking late '40s or early '50s?

It must have been, well, around-- about maybe 1950. No, it must have been after the Hague agreement. It was about '54, '55, something like that.

And OK. So I guess my final overall question would be what do you think, for instance, there is someone right now still in Israel, his name is-- what was his name-- Efraim Zuroff, who works for the Simon Wiesenthal Center there and says-- even though Wiesenthal himself eventually said, basically, the hunt for Nazis is over. It's run its course. He says, not really. Every case you still bring up, even a guard or that, still has significance. How do you feel about that?

Forget it. For Christ's sake, I threw those small fish back into the pond. I had majors and colonels who've shot thousands of people, every day, thousands of children. We got them both the whole thing. And they get some poor schmuck who hasn't harmed anybody for the last 50 years and never will.

There was a Ukrainian. OK, he said that he killed kids. It's sure a terrible thing. But if you go hunt them all down, I got a name of 3,000 I'm still looking for if you want to look. I didn't bother looking anymore. I was making a principled case. And the principle is important. But to kill some poor guy who hasn't done any harm in the meanwhile, like because he was--

Like when you're talking Demjanjuk here.

--he was Demjanjuk and terrible, but he turned out to be not so terrible. He was not at Majdanek. He was in the other camp and so on. It is a symbolic only. OK, symbols are important. We live by symbols. If you know the guy was an outrageous guy, you make a point of it. No harm done. I mean, he doesn't have my-- never win sympathy for me. But in the big picture that I'm working on, these are little insect bites. We would never have tried them in the Einsatzgruppen trial.

Yeah, true. Yeah.

Well, they are now dead now.

Well, they were killing people every day. That's what war is. You have to stop war-making. It's the biggest atrocity of all. You may quote me. War-making is the biggest atrocity of all because you cannot stop it. Rape is always a trophy of war. There's never been a war without masses of women being raped. You want to stop rape, stop war.

Yeah. All right, well, I've kept you from your swim long enough. Are you going to be back in New-- do you go back and forth to New Rochelle?

I do go back and forth around the world.

Yeah, yeah. Right, right. So you do? In the summer, you head up to head up north?

When I can. My wife is now blind. So I have to spend more time here than I would normally.

Yeah, yeah, just-- yeah, because as I said, we live in Pelham, right next door.

It's not a question of days, computers, everything is next door.

I know, I know.

I haven't got time.

Yeah, I'd love to--

I'm busy as hell. I really am.

I can see that. I can see. Right.

And I get 100 emails a day coming in.

Really?

Yeah. And every night before I go to bed, I clear my computer. And then they come back at 8 o'clock in the morning, there's 10-15 letters again.

Well, that shows how effective, though, you've been and how active you are because few--

Well, let somebody else.

But you know, it's very-- my dad was incredibly active right up-- and he died a year and a half ago at almost 99. But he was also-- he was on email all the time. And he just had people from all around the world. I know it can be much. But it's also a blessing that you have so many people.

Well, and I am doing now. Look, he's lying there like Adonis turning brown. You've got to work.

Life is good.

All right.

All right, well, thank you so much.

Then when you strain out your mind, that's when I'll know.

I'll of course let you know whatever--

It's not mandatory.

Yeah, yeah. No, no. I will certainly use this in some way. I have to figure out.

Oh, you have been recording it? That's good.

Oh, yes. No, no.

Not all of it. You didn't get some.

Oh, good. That'll be good.

No, no I've been--

You can make sure you got it right.

You speak very fast. It's difficult.

Yeah, yeah. I wanted to make sure I did.

No, I prefer it to be recorded.

Yeah, absolutely, because otherwise, it's too easy to get something wrong.

And you said so many brilliant things.

Every morning. We don't say good morning.

Yeah, yeah.

We've been married now how many years? 73 years.

73, wow.

We never had a quarrel. And she was always spoiling my kid.

What? You never had a quarrel.

We have differences of opinion, yes. She was spoiling my children. But we never shouted at each other. We never banged a table, nothing like that. And you want to know how you do that? I'll tell you the secret-- you lean over and say, yes, dear.

Oh, I need that.

I'll tell you how you do that-- you marry my mother, Saint Gertrude.

That's right.