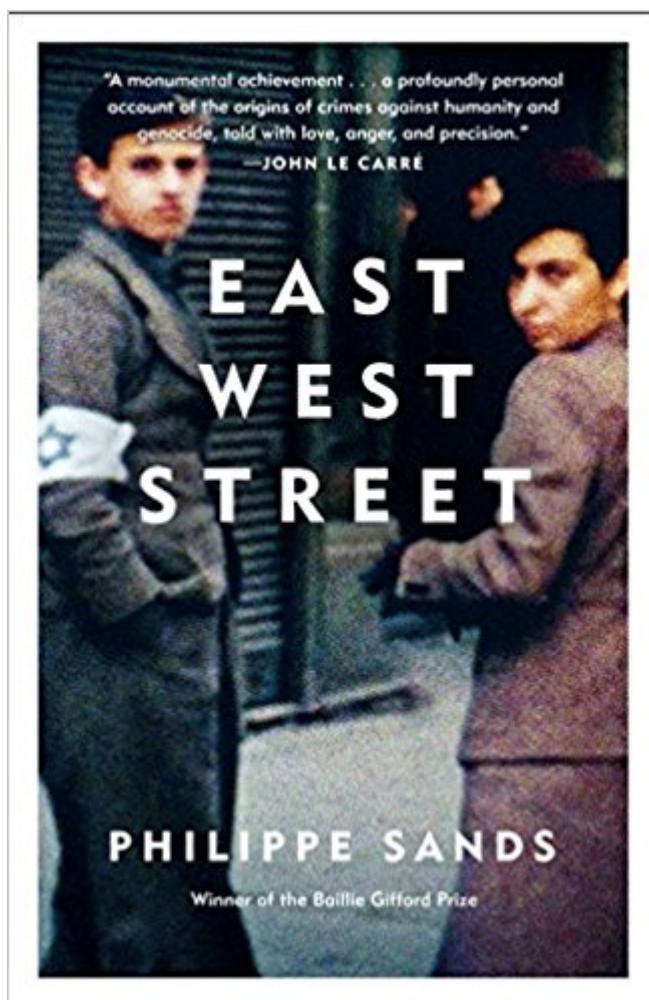


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# East West Street: On The Origins Of "Genocide" And "Crimes Against Humanity"



## Synopsis

Winner of the 2016 Baillie Gifford Prize for NonfictionA profound and profoundly important bookâ •a moving personal detective story, an uncovering of secret pasts, and a book that explores the creation and development of world-changing legal concepts that came about as a result of the unprecedented atrocities of Hitlerâ „cs Third Reich.East West Street looks at the personal and intellectual evolution of the two men who simultaneously originated the ideas of â “genocideâ • and â “crimes against humanity,â • both of whom, not knowing the other, studied at the same university with the same professors, in a city little known today that was a major cultural center of Europe, â “the little Paris of Ukraine,â • a city variously called Lemberg, LwÃƒÂw, Lvov, or Lviv. It is also a spellbinding family memoir, as the author traces the mysterious story of his grandfather, as he maneuvered through Europe in the face of Nazi atrocities.East West StreetÃ isÃ a book that changes the way we look at the world, at our understanding of history and how civilization has tried to cope with mass murder.

## Book Information

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## Customer Reviews

â “A monumental achievement . . . a profoundly personal account of the origins of crimes against humanity and genocide, told with love, anger and precision.Ã • John le CarrÃ©Ã •Sands proceeds in the manner of certain historians . . . he also works in the manner of the author of thrillers. . . . In Sandsâ „cs history, as in all great novels, we encounter characters who, though seemingly secondary, are essential to the plot . . . And all the while Sands works in the way of artists like Filippo Lippi, who painted himself into the corner of his â “Coronation of the Virginâ „c and â “The Funeral of Saint Stephen.Ã • .

... The result is a narrative, to my knowledge unprecedented. . . . We have in Sands' East West Street a machine of power and beauty that should not be ignored by anyone in the United States or elsewhere who would believe that there are irreparable crimes whose adjudication should not stop at the border. . . . Barack Obama and his successors would be well advised to move to the top of their reading lists this account of the birth, amid the darkest conceivable shadows, of an unprecedented body of rights-based law, whose application has scarcely begun.

•Bernard-Henri Lévy, *New York Times Book Review* (cover review) "Sands is a fine writer and sets his scenes so compellingly and earnestly that his enterprise succeeds. . . .

Engrossing, luminous and moving.

•Samuel Moyn, *The Wall Street Journal* "Remarkable sleuthing.

•Christopher R. Browning, *The New York Review of Books* "An intimate and important tale . . . vivid . . . engaging. . . . A kind of mystery-solving journey . . . remarkable.

•John Tirman, *The Washington Post* "A tour de force . . . penetrating. . . . A pillar of the emerging genre of third-generation investigation into the legacy of the European Jewish apocalypse . . . This is a history that is both personal and universal. . . . Equal parts legal scholarship, memoir and multitude of mysteries, told with admirable suspense and elocution. . . . Here we find both the detail of concepts and the detail of personal lives and geographies. . . . Sands acts as archivist and archaeologist, traveler and historian—but also as horrified observer.

•Sarah Wildman, *Jewish Daily Forward* "Supremely gripping. . . . Sands has produced something extraordinary. . . . Sands tells it not just as history but as a family memoir, a detective thriller and a meditation on the power of memory . . . Written with novelistic skill, its prose effortlessly poised, its tone perfectly judged, the book teems with life and high drama . . . One of the most gripping and powerful books imaginable.

•Dominic Sandbrook, *The Sunday Times* "Remarkable . . . a voyage of discovery . . . a riveting odyssey. . . . Sands elicits the most extraordinary revelations from his subjects.

•Isabel Hull, *London Review of Books* "A rare and unusual event: a book about international law that makes you want to keep reading.

•Cullen Murphy, *Vanity Fair* "Outstanding. . . . Consistently intriguing. . . . A fusion of personal and professional interest, with Sands delving into his family's cordoned-off past to unearth concealed truths and trace the circumstances that led to the birth of his chosen field of humanitarian law. . . . Powerful and poignant, but also original. . . . Ultimately, Sands' multifaceted book stands triumphantly alone. It even-handedly charts four separate lives and skillfully explores a beleaguered city with blurred borders. . . . It amplifies the roar of history, dramatizes the depravity of, and the moral struggle against, what Primo

Levi called the “infernal order” that is Nazism. . . . It is a fact-finding mission, a gripping courtroom drama, a tale, ultimately and cathartically, of good triumphing over evil. In Sands’ pages, many beautifully adorned with photos, maps, letters • evidence • we see the piece-by-piece reconstruction of a lost world, and the development of ideas that would help safeguard a new one. • Malcolm Forbes, *New Republic* “A compelling family memoir intersects with the story of the Jewish legal minds who sowed the seeds for human rights law at the Nuremberg trials . . . important and engrossing. . . . The surprise is that even when charting the complexities of law, Sands’ writing has the intrigue, verve and material density of a first-rate thriller. . . . He can magic whole histories of wartime heroism out of addresses eight decades old. Or, chasing the lead of a faded photograph, he can unearth possible alternate grandparents and illicit liaisons to be verified only by DNA tests. . . . Exceptional.” • Lisa Appignanesi, *The Guardian* “Vivid and readable. . . . East West Street weaves lives together in a kind of collective biography of a generation . . . remarkable . . . compelling . . . moving and powerful.” • Mark Mazower, *Financial Times* “A story of heroes and loss. . . . An outstanding book; a moving history [that] at times, reads like a detective story . . . Sands’ greatest achievement is the way he moves between his family story and the lives of Lauterpacht and Lemkin and how he brings their complex work to life. . . . This is the best kind of intellectual history . . . a clear, astonishing story.” • David Herman, *New Statesman* “Gripping, profound and deeply personal. . . . Excellent.” • Mark Harrison, *Holocaust Memorial Day Trust* “Remarkable . . . vivid . . . complex and gripping . . . East West Street is a fascinating and revealing book, for the things it explains: the origins of laws that changed our world, no less. Thoughtful, and compassionate, and important.” • Daniel Hahn, *The Spectator* “In East West Street, Philippe Sands brings all the power of his formidable intellect, his inquisitive spirit and his emotional imagination to bear on a complicated tangle of personal, legal and European history. In a gripping narrative that is tender yet dispassionate, intensely felt and meticulously researched, Sands uncovers the surprising affinities and divergences among the parallel lives of three men, two celebrated, one unknown, whose struggles, sorrows, accomplishments and defeats, large and small, help us to understand and, more, to feel the mittel-European civilization their lives embodied, a whole world that was destroyed and reinvented within the span of a single lifetime.” • Michael Chabon, author of *The Amazing Adventures of Kavalier & Clay* “In a triumph of astonishing research, Sands has brilliantly woven together several family stories which lead to the great denouement at the Nuremberg tribunal. No novel could

possibly match such an important work of truth.â€¢ Antony Beevor (English Military Historian)â€¢

PHILIPPE SANDSÂ is an international lawyer and a professor of law at University College London. He is the author of *Lawless World* and *Torture Team* and is a frequent commentator on CNN and the BBC World Service. Sands lectures around the world and has taught at New York University and been a visiting professor at the University of Toronto, the University of Melbourne, and the UniversitÃ© de Paris I (Sorbonne). In 2003 he was appointed a Queen's Counsel. He lives in London, England.

Philippe Sands, QC (born 17 October 1960) was a lawyer at Matrix Chambers and Professor of Laws and Director of the Centre on International Courts and Tribunals at University College London. A specialist in international law, he appeared as counsel and advocate before many international courts and tribunals. He has written this very informative book on the origins of two powerful concepts in international law, "genocide and crimes against humanity" as an intertwining of his personal family history in the city of Lviv/Lwow/Lemberg around the time of the Nazi General Gouvernement ruled by Hans Frank. The denouement of his history occurs in Nuremberg/NÃ¼rnberg at the famous trials of the leading Nazis, where both "crimes against humanity" and "genocide" first entered the judicial record. His family history wove around the lives of the creators of these concepts, Hersh Lemkin and Rafael Lauterpacht, both internationally recognized experts in international law who have still left a powerful influence. Sands provides a brief and unsatisfying personal view of their concepts at the end. This review focuses on his presentation of these two key concepts in international law, which is as tortured and intertwined as his family history. Quotations from the book are in boldface. He begins his history with Lauterpacht's first involvement with the Constitutional Court, bringing Lauterpacht into direct contact with a new idea, in Europe if not America: individuals had inalienable constitutional rights, and they could go to a court to enforce those rights. This was a different model from that which protected minority rights, as in Poland. His thesis, "to use general principles of national law to strengthen international obligations," was published in May 1927, to great scholarly acclaim. Sands was a student of Lauterpacht's and so might be expected to be biased in his favor over Lemkin, but he shows an admirable even handedness in his exposition of both

men's ideas. Rafael Lemkin presented his main ideas in a volume titled *Axis Rule in Occupied Europe*, the work adopted a different approach from Lauterpacht's, with the aim of protecting groups, for which he invented a word for a new crime, "genocide," the destruction of groups. Lauterpacht wrote a review of Lemkin's book for *The Cambridge Law Journal*, hinting that he wasn't a great supporter of Lemkin's ideas. The review was skeptical about the new term and its practical utility. The implication was clear: Lauterpacht was concerned that the protection of groups would undermine the protection of individuals. Once the Nuremberg trials began, both men became involved although they apparently never met directly there. Lauterpacht was singularly influential in getting the charges to "refer to the atrocities against individual civilians as 'Crimes Against Humanity'." A version of the formulation had been used in 1915, when the British and the Americans decried Turkish actions against Armenians, By Article 6(c) of the charter, the tribunal judges were given power to punish individuals who had committed crimes against humanity, defined to cover murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population. Lemkin's analysis of the Holocaust made him a valuable member of the American legal team. Lemkin followed the trail, the decisive steps that formed a pattern. The first step was usually the act of denationalization, making individuals stateless by severing the link of nationality between Jews and the state, so as to limit the protection of the law. This was followed by "dehumanization," removing legal rights from members of the targeted group. The two-step pattern was applied across Europe. The third step was to kill the nation "in a spiritual and cultural sense." His focus was mainly on the treatment of Jews, Poles, Slovaks and Russians, but of at least one group Lemkin made no mention. He wrote of the misdemeanors of the Germans, rather than the Nazis, making but one reference to the National Socialists, and argued that the German people had accepted freely what was planned, participating voluntarily in the measures and profiting greatly from their implementation. The desire to protect groups did not prevent him from singling out the Germans as a group. In Chapter 9 Lemkin

discarded ÅfÅçÃ â ¬Ã Å“barbaryÅfÅçÃ â ¬Ã Â• and ÅfÅçÃ â ¬Ã Å“vandalismÅfÅçÃ â ¬Ã Â• and ÅfÅçÃ â ¬Ã Å“created a new word, an amalgam of the Greek word genos (tribe or race) and the Latin word cide (killing)ÅfÅçÃ â ¬Ã Â| Genocide concerned acts ÅfÅçÃ â ¬Ã Å“directed against individuals, not in their individual capacity, but as members of national groups,ÅfÅçÃ â ¬Ã Â•... ÅfÅçÃ â ¬Ã Å“New conceptions require new terms.ÅfÅçÃ â ¬Ã Â• ÅfÅçÃ â ¬Ã Â| ÅfÅçÃ â ¬Ã Å“heÅfÅçÃ â ¬Ã â„¢d made a proposal to the Polish government in exile in London, using the Polish word ludobÅfÅ jstwo, a literal translation of the German word VÅfÅ¶kermord (murder of the peoples)ÅfÅçÃ â ¬Ã Â• Notice, please, that the phrase ÅfÅçÃ â ¬Ã Å“the peoplesÅfÅçÃ â ¬Ã Â• implies a racist view of the world that there are more than one kind of humanity, an idea implicit in the NazisÅfÅçÃ â ¬Ã â„¢ racism as well. Lemkin basically adopted the NazisÅfÅçÃ â ¬Ã â„¢ racist terminology (Voelkermord/ racial killing) and turned it against them. Lemkin fell into the simplistic conceptual error of adopting his opponentsÅfÅçÃ â ¬Ã â„¢ perspectives and in this event, continuing a ÅfÅçÃ â ¬Ã Å“tirade against Germans with the claim that the terrible acts reflected a ÅfÅçÃ â ¬Ã Å“militarism born of the innate viciousness of the German racial character.ÅfÅçÃ â ¬Ã Â•... ÅfÅçÃ â ¬Ã Å“his attack should have been on the Nazis, not the Germans. ÅfÅçÃ â ¬Ã Â| Lemkin had fallen into a trap, adopting ÅfÅçÃ â ¬Ã Å“biological thinkingÅfÅçÃ â ¬Ã Â• of the kind that led to anti-Semitism and anti-Germanism.ÅfÅçÃ â ¬Ã Â• More simply put, LemkinÅfÅçÃ â ¬Ã â„¢s perspective was racist. In this he agreed almost completely with the purely Nazi sentiment of a focus on a racial community in Hans FrankÅfÅçÃ â ¬Ã â„¢s defense statement during the trial that ÅfÅçÃ â ¬Ã Å“A thousand years will pass and still this guilt of Germany will not have been erased.ÅfÅçÃ â ¬Ã Â• Lemkin edited his book in which ÅfÅçÃ â ¬Ã Å“He also wrote a new section, to make the point that the ÅfÅçÃ â ¬Ã Å“German peopleÅfÅçÃ â ¬Ã Â• were a ÅfÅçÃ â ¬Ã Å“Kain who killed AbelÅfÅçÃ â ¬Ã Â•.ÅfÅçÃ â ¬Ã Å“Genocide having been left out of the Nuremberg Charter, Lemkin knew that the crimes listed in Article 6 still had to be elaborated into specific charges against the defendants. On October 6, the Four Powers reached agreement on an indictment that contained four counts, the last of which was crimes against humanity. Yet genocide wasnÅfÅçÃ â ¬Ã â„¢t introduced under this head, as Lemkin had hoped, but in count 3, on war crimes. ÅfÅçÃ â ¬Ã Â| Genocide was extermination of racial and religious groups, against the civilian populations of certain occupied territories in order to destroy particular races and classes of people and national, racial, or religious groups, particularly Jews, Poles, Gypsies and others. ÅfÅçÃ â ¬Ã Â| October 18, Lemkin was back in the United States, exhausted but satisfied. ÅfÅçÃ â ¬Ã Å“I went to London and succeeded in having inscribed the charge of

Genocide against the Nazi war criminals in Nuremberg. Åf Åc Å â ¬Å Å• he later wrote. Åf Åc Å â ¬Å Å“I included genocide in the indictment at the Nuremberg trials. Åf Åc Å â ¬Å Å•Åf Åc Å â ¬Å Å| Crimes against humanity and genocide were both in the trial. Åf Åc Å â ¬Å Å•Strangely, the word Åf Åc Å â ¬Å Å“genocide Åf Åc Å â ¬Å Å, ¢ after all Lemkin Åf Åc Å â ¬Å Å, ¢s efforts did not appear in the trial proceedings themselves until the Nazis themselves helped Lemkin. Åf Åc Å â ¬Å Å“Help came from an unlikely source, Alfred Rosenberg. I am no gÅf Å©nocidaire, Frank Åf Åc Å â ¬Å Å, ¢s neighbor on the defendants Åf Åc Å â ¬Å Å, ¢ front bench told the judges, speaking through his lawyer. Åf Åc Å â ¬Å Å• Given the racist views implicit in the concept of genocide, it should not have been surprising that it was the Nazis to whom its meaning appealed most directly. However, the Nazis were not the only racists at the trial, since a racist view of humanity was the prevailing common sense view of the time, (and sadly remains so today). As the lead American prosecutor pointed out Åf Åc Å â ¬Å Å“Remember Frank Åf Åc Å â ¬Å Å, ¢s words, Jackson told the judges, that Åf Åc Å â ¬Å Å“a thousand years will pass and this guilt of Germany will still not be erased. Åf Åc Å â ¬Å Å• The British prosecutor, Shawcross, used the word as well, although his main advisor, Lauterpacht, had not included it in his draft. Åf Åc Å â ¬Å Å“Shawcross used the term in a more limited sense, as he made clear. Åf Åc Å â ¬Å Å“Genocide Åf Åc Å â ¬Å Å• was an aggravated Åf Åc Å â ¬Å Å“crime against humanity, Åf Åc Å â ¬Å Å• but only if committed in connection with the war. Åf Åc Å â ¬Å Å• Also, given Lauterpacht Åf Åc Å â ¬Å Å, ¢s less racist perspective Shawcross addressed broader, less racist groups, such as the Polish intelligentsia and Åf Åc Å â ¬Å Å“Genocide Åf Åc Å â ¬Å Å• pursued Åf Åc Å â ¬Å Å“in different forms Åf Åc Å â ¬Å Å• against other groups, in Yugoslavia, in Alsace-Lorraine, in the Low Countries, even in Norway Åf Åc Å â ¬Å Å• Åf Åc Å â ¬Å Å“Crimes against humanity got a central place in the judgment and, for the first time in history, were recognized to be an established part of international law. Åf Åc Å â ¬Å Å• Yet, the final judgement did not use the word Åf Åc Å â ¬Å Å“genocide Åf Åc Å â ¬Å Å, ¢. Åf Åc Å â ¬Å Å“Several of the others were found to have committed crimes against humanity, but none were found guilty of genocide. The word was unspoken. Åf Åc Å â ¬Å Å• And yet the concept of genocide also entered international law with great force largely through the indefatigable efforts of Rafael Lemkin at the trial and beyond. Åf Åc Å â ¬Å Å“He argued against general declarations about human rights of the kind that would be raised at the first General Assembly of the United Nations, to be held later that year. How could piracy and forgery be international crimes, he asked rhetorically, but not the extermination of millions? He made a pitch for genocide to be Åf Åc Å â ¬Å Å“declared an international crime, Åf Åc Å â ¬Å Å• reminding those in the room about Axis Rule. Anyone involved

in “the criminal philosophy of genocide” should be treated as a criminal, he told those present. “Desiring to lay the path for an international bill of rights, the General Assembly affirmed that the principles of international law recognized by the Charter of the Nuremberg Tribunal – including crimes against humanity – were a part of international law. By resolution 95, the General Assembly endorsed Lauterpacht’s ideas and decided to find a place for the individual in the new international order. The General Assembly then adopted resolution 96. This went beyond what the judges at Nuremberg had decided: noting that genocide denied the “right of existence of entire human groups,” the Assembly decided to override the ruling and affirm that “genocide is a crime under international law.” Where judges feared to tread, governments legislated into existence a rule to reflect Lemkin’s work. On December 9, 1948, the General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide, the first human rights treaty of the modern era. (also institutionalizing the racist misconceptions implicit in the concept of genocide.) “No treaty on crimes against humanity has yet been adopted to parallel Lemkin’s Genocide Convention.”

Sands wraps up his commentary comparing genocide and crimes against humanity with a brief history. “Two months after agreement was reached on the ICC, in September 1998 Jean-Paul Akayesu became the first person ever to be convicted for the crime of genocide by an international court. This followed a trial held at the International Criminal Tribunal for Rwanda. A few weeks later, in November 1998, the House of Lords in London ruled that Senator Augusto Pinochet, former president of Chile, was not entitled to claim immunity from the jurisdiction of the English courts because the acts of torture for which he was said to be responsible were a crime against humanity. This was the first time any national court had ever handed down such a ruling. In May 1999, the Serbian president Slobodan Milošević became the first serving head of state to be indicted for crimes against humanity, for alleged acts in Kosovo. In November 2001, after he left office, genocide charges were added to his indictment, in relation to atrocities in Bosnia, at Srebrenica. In September 2007, the International Court of Justice in The Hague ruled that Serbia violated its obligation to Bosnia and Herzegovina by failing to prevent a genocide in Srebrenica. This was the first occasion on which any state had been condemned by an international court for violating the Genocide Convention. Two years later, in May 2012, Charles Taylor became the first head of state to be convicted of crimes against humanity. He was sentenced to fifty years in

prison. In 2015, the United Nations International Law Commission started to work actively on the subject of crimes against humanity, opening the way to a possible companion to the convention on the prevention and punishment of genocide. Sadly, it currently contains an article continuing the Genocide Convention's racist view of atrocities against racial groups. And sadly too, it ignores lgbt issues and defines gender bias as only against a man or a woman. "An informal hierarchy has emerged. In the years after the Nuremberg judgment, the word genocide gained traction in political circles and in public discussion as the "crime of crimes," elevating the protection of groups above that of individuals...a crime against humanity came to be seen as the lesser evil." Proving the crime of genocide is difficult, and in litigating cases I have seen for myself how the need to prove the intent to destroy a group in whole or in part, as the Genocide Convention requires, can have unhappy psychological consequences. It enhances the sense of solidarity among the members of the victim group while reinforcing negative feelings toward the perpetrator group. The term "genocide," with its focus on the group, tends to heighten a sense of "them" and "us," burnishes feelings of group identity, and may unwittingly give rise to the very conditions that it seeks to address: by pitting one group against another, it makes reconciliation less likely. I fear that the crime of genocide has distorted the prosecution of war crimes and crimes against humanity, because the desire to be labeled a victim of genocide brings pressure on prosecutors to indict for that crime. For some, to be labeled a victim of genocide becomes "an essential component of national identity" without contributing to the resolution of historical disputes or making mass killings less frequent. It was no surprise that an editorial in a leading newspaper, on the occasion of the centenary of Turkish atrocities against Armenians, suggested that the word

"genocide" may be unhelpful, because it "stirs up national outrage rather than the sort of ruthless examination of the record the country needs." Yet against these arguments, I am bound to accept that the sense of group identity is a fact. As long ago as 1893, the sociologist Louis Gumplowicz, in his book *La lutte des races* (The struggle between the races), noted that "the individual, when he comes into the world, is a member of a group." It seems that a basic element of human nature is that "people feel compelled to belong to groups and, having joined, consider them superior to competing groups." This poses a serious challenge for our system of international law confronted with a tangible tension: on the one

hand, people are killed because they happen to be members of a certain group; on the other, the recognition of that fact by the law tends to make more likely the possibility of conflict between groups, by reinforcing the sense of group identity. Perhaps Leopold Kohr got it right, in the strong but private letter he wrote to his friend Lemkin, that the crime of genocide will end up giving rise to the very conditions it seeks to ameliorate. Sands thus ends his narrative with a very diluted and ambiguous terminus. It seems to me that his refusal to acknowledge the fundamental error in a racist view of humanity lies at the core of his inconsistency. In the end, he has to invoke the arguments of someone outside his binary world of Lauterpacht and Lemkin to reconcile his views: Kohr, with his arguments against viewing the Germans or anyone as a

“race” shows the direction for final clarification.

Sands’ preference for a law based on individual guilt rather than group guilt can be strengthened by a recognition of the modern scientific view that all humanity shares more than 99.5% of the same genetic material, leaving no room for more than one race of humanity. This takes away the implicit racist power of the concept of genocide, with its racist notion that an entire evolutionary group could be forever wiped out in a crime of crimes against humanity. From this stance, other shortcomings of a genocidal view of groups help to eradicate the concept of genocide. The problem with protecting groups is that it opens up the punishment of groups, retaliation against collective guilt, and if that punishment is mortal, how to distinguish it from genocide itself. This is all too evident in the blame on “German” rather than Nazi ideologues that arose in Lemkin’s writings, the Nuremberg trials, and the convictions. Lemkin’s approach to genocide made the same mistake as Hitler’s and the prevalent worldview of scholars of that era: assuming the reality of unique genetic human groups. If this fiction is recognized as unreal then the focus remains on crimes against humanity and individual rights, where it belongs.

In *East West Street*, the reader actually gets treated to three stories. One is the family story of Phillippe Sands who has relatives who survived the Holocaust, thus explaining why he wrote this book and the two men who developed the terms “genocide” and “crimes against humanity”. *East West Street* is like reading a detective story of sorts because one is not exactly sure how the pieces of the three men fit together at points, but by the end they do fit. Having the patience to wait it out may be the hard part. The choppy vignette nature of some of the sections could make it difficult for certain readers to get truly invested in the story because the minute one gets engaged with one story, the story switches to

another character and the process repeats itself. I had trouble with this aspect, but that is really up to the individual reader. To the positive, he made this book quite readable and intimate, which is far from a given with lawyer types. To Genocide scholars, I think he humanized Raphael Lemkin and others and left a better understanding of the humanness behind the convention that means so much.

A Review of East West Street: On the Origins of Genocide and Crimes against Humanity by Philippe Sands

East West Street: On the Origins of Genocide and Crimes against Humanity is the latest major work by the Franco-British academic Philippe Sands. East West Street explores the origins of the legal terms “genocide” and “crimes against humanity,” and how those terms made it into the legal lexicon of international law at the close of World War II as the Allied governments grappled with the herculean task of trying to account for some of the most horrible crimes in the history of mankind.

east-west-street

Unlike other works about atrocity crimes that tend to be overly legalistic and frankly pretentious, Sands engages this topic in a fresh, and at times deeply personal way. He focuses on a series of fascinating coincidences involving four individuals whose destinies were intertwined although none of them ever realized it. First, Sands explores the careers of two prolific international law scholars who rose to fame in the 1930s and 1940s. The Austrian-Polish law scholar Hersch Lauterpacht would be responsible for operationalizing and giving legal effect to the term “crimes against humanity” during the Nuremberg war crimes trials. The Belarusian scholar Raphael Lemkin would in turn invent and insert the term “genocide” into the same war crimes tribunal. If this sounds too technical or boring for most readers, have no fear. Sands presents both concepts in the context of the crimes committed by Adolph Hitler’s personal attorney Hans Frank, also known as Nuremberg Prisoner number seven, who incidentally was the military governor of the city in which both Lauterpacht and Lemkin studied law. So that the personal nature of the Holocaust is not lost in the mire of legal and historical writing, Sands provides another twist to the story. Sands’ own grandfather was from the same city where both Lauterpacht and Lemkin studied law, and the same one that Frank would rule with an iron fist, eventually exterminating every Jew in the city including the families of Lauterpacht and Lemkin, and Philippe Sands’ own grandfather. Despite the technical nature of this book, it remains highly readable even for readers with a non-legal background. At times, sections that focused on Sands’ family slightly distracted from main effort of the book, and the work could

have been effectively separated into two separate books. Additionally, interjected throughout are tales of heroism and horror, and of incredible humanity counterbalanced by living nightmares. These sections are riveting in their own right, but do very little to illuminate the primary discussion about international criminal law, and often feel misplaced. East West Street brings up another recurring question about World War II. Why, in the twilight of 2016, do we continue to be fascinated by the Holocaust, and why do writers continue to produce works about the crimes committed by the Nazis? The atrocities committed by fascist Germany are well-documented. Almost all of the Nazi perpetrators from the Holocaust are now gone, so why write yet another book on the subject? The answer may be found in current events. On September 27, 1979, President Jimmy Carter at the presentation of the report of the President's Commission on the Holocaust said: "Out of our memory of the Holocaust we must forge an unshakable oath with all civilized people that never again will the world stand silent, never again will the world fail to act in time to prevent this terrible crime of genocide. we must harness the outrage of our own memories to stamp out oppression wherever it exists. Never again. Yet, since the Holocaust the world continues to fail to prevent genocides and other atrocity crimes including crimes against humanity. Since 1979, Serb forces have committed genocide in the former Yugoslavia, and the Rwandan civil war produced atrocities perpetrated by both sides including a genocide against the Tutsi by the Hutu majority. Horrible crimes have been committed in the Central African Republic, Sudan, South Sudan, and other places. Even as I write this, civilians are being slaughtered indiscriminately in Syria by the Asad regime, and Yezidi and Turkmen captives are experiencing nightmarish captivity by the so-called Islamic State. And yet nations fail to stop it. With East West Street, Philippe Sands reminds us, once again, why we continue to say "never again." The Holocaust is that pesky reminder to the international community that it still gets it wrong. Unlike many failed responses to atrocities today, however, Sands also reminds us that once upon a time, lawyers in the governments of the free world did more than just talk, and government agencies produced more than just carefully scripted talking points that fool no one. They took action in the most decisive way and attempted to forge a new legal order out of the furnaces of World War II by creating a system where even the highest ranking members of oppressive governments cannot escape accountability for their actions. Despite its flaws, East West Street is extraordinarily provocative of thought, and evocative of our collective consciousness. It should be read by all those interested in post-conflict studies, the history of World War II, Holocaust studies, international law, or human rights.

As with most stories about the Holocaust, it is painful to read. However, this presents an aspect of the Nuremberg trial and the paradigm of the times that is hard to recognize from our current perspective. We take the concepts of genocide and crimes against humanity as a given and a natural part of international law. It is interesting to see which countries line up for and against these concepts.

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