III. RESPONSIBILITY

Such is the Farben record which this trial has laid bare. We have seen Farben integrating itself with the Nazi tyranny, turning its technical genius to the furnishing of gasoline, rubber, explosives and other commodities vital to the reconstruction of the German war machine, and emerging in Hermann Goering's entourage at the highest level of economic planning and mobilization for war. We have seen Farben poised for the kill, and subsequently swollen by economic conquest in the helpless occupied countries. Faced with a shortage of workers, we have seen Farben turn to Goering and Himmler, and persuading these worthies to marshal the legions of concentration camp inmates as tools of the Farben war machine. We have seen these wretched workers dying by the thousands, some on the Farben construction site, many more in the Auschwitz gas chambers after Farben had drained the vitality from their miserable bodies. Viewing the case as a whole, the charges in the indictment have been proved a hundred times over, and every day of evidence in this trial has served only to make the record longer, clearer, and more terribly damning.

This is the record of I. G. Farbenindustrie Aktiengesellschaft -- a legal entity -- but the record was made by individual men. For these crimes someone is responsible. Farben was not a robot; it did not run by itself. When we use the word "Farben" we do not mean only the plants and materials and other physical properties of the corporation, nor do we mean only the legal concepts which constitute a legal entity. We mean also the individual men and women who worked in the plants and handled the materials. And we mean those fewer men who gave orders to the employees and agents of Farben and who directed, guided and controlled this vast complex of men and materials.

"Guilt is personal" we have heard defense counsel say, over and over again, throughout this long trial. With this general proposition the prosecution is in full accord, and in determining where to impose individual criminal responsibility for the Farben record we must apply principles of criminal law which are accepted in the legal systems of civilized nations generally. The requisite degree of participation,