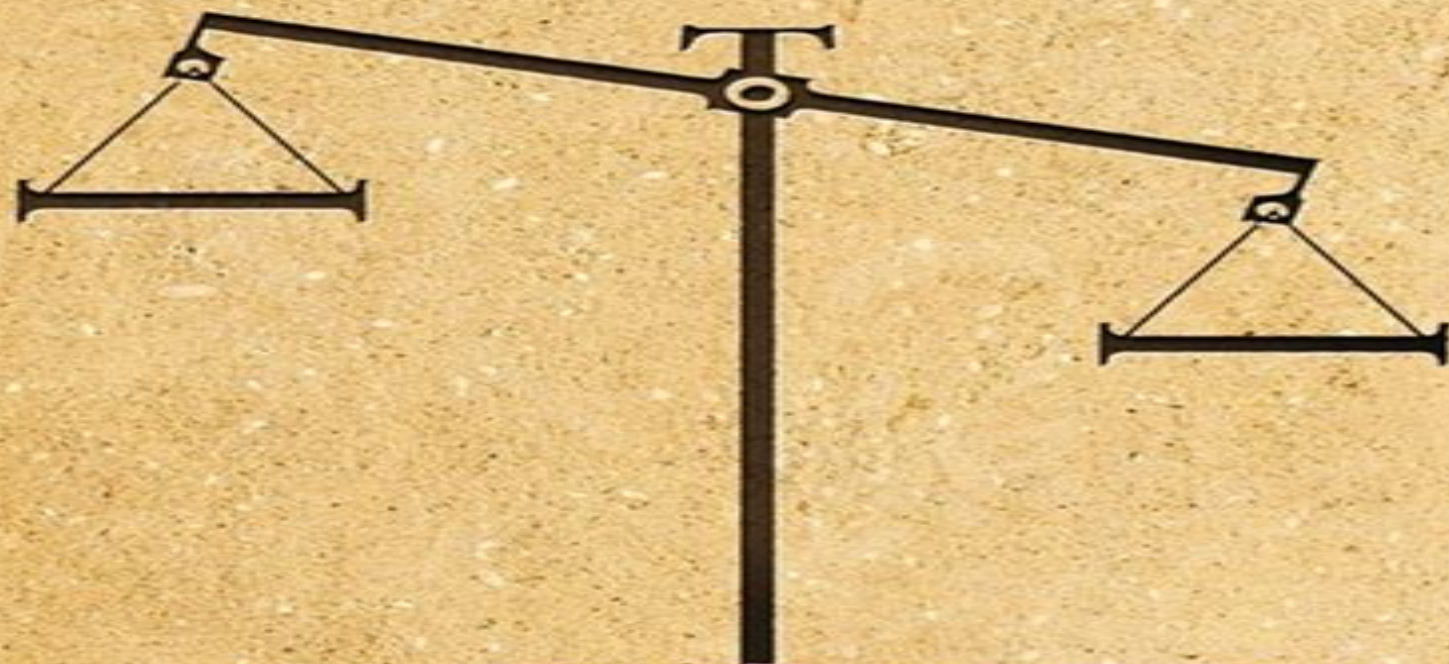




VICTORS' JUSTICE

FROM NUREMBERG
TO BAGHDAD

DANILO ZOLO

Victors Justice From Nuremberg To Baghdad

Amitav Acharya



Victors Justice From Nuremberg To Baghdad:

Victors' Justice Danilo Zolo, 2020-01-28 *Victors Justice* is a potent and articulate polemic against the manipulation of international penal law by the West combining historical detail juridical precision and philosophical analysis Zolo's key thesis is that contemporary international law functions as a two track system a made to measure law for the hegemon and their allies on the one hand and a punitive regime for the losers and the disadvantaged on the other Though it constantly advertised its impartiality and universalism international law served to bolster and legitimize ever since the Tokyo and Nuremberg trials a fundamentally unilateral and unequal international order

Transitional Justice in Italy and the Crimes of Fascism and Nazism Paolo Caroli, 2022-06-09 This book presents a comprehensive analysis of the Italian experience of transitional justice examining how the crimes of Fascism and World War II have been dealt with from a comparative perspective Applying an interdisciplinary and comparative methodology the book offers a detailed reconstruction of the prosecution of the crimes of Fascism and the Italian Social Republic as well as crimes committed by Nazi soldiers against Italian civilians and those of the Italian army against foreign populations It also explores the legal qualification and prosecution of the actions of the Resistance Particular focus is given to the Togliatti amnesty the major turning point through comparisons to the wider European post WWII transitional scenario and other relevant transitional amnesties allowing consideration of the intense debate on the legitimacy of amnesties under international law The book evaluates the Italian experience and provides an ideal framework to assess the complexity of the interdependencies between time historical memory and the use of criminal law In a historical moment marked by the resurgence of racism neo Fascism falsifications of the past as well as the desire to amend the faults of the past the Italian unfinished experience of dealing with the Fascist era can help move the discussion forward The book will be an essential reading for students researchers and academics in International Criminal Law Transitional Justice History Memory Studies and Political Science

A Liberal Peace? Susanna Campbell, David Chandler, Meera Sabaratnam, 2011-11-10 Moving beyond the binary argument between those who buy into the aims of creating liberal democratic states grounded in free markets and rule of law and those who critique and oppose them this timely and much needed critical volume takes a fresh look at the liberal peace debate In doing so it examines the validity of this critique in contemporary peacebuilding and statebuilding practice through a multitude of case studies from Afghanistan to Somalia Sri Lanka to Kosovo Going further it investigates the underlying theoretical assumptions of liberal peacebuilding and statebuilding as well as providing new theoretical propositions for understanding current interventions Written by some of the most prominent scholars in the field alongside several new scholars making cutting edge contributions this is an essential contribution to a rapidly growing interdisciplinary area of study

Cold War Ruins Lisa Yoneyama, 2016-09-15 In *Cold War Ruins* Lisa Yoneyama argues that the efforts intensifying since the 1990s to bring justice to the victims of Japanese military and colonial violence have generated what she calls a transborder redress

culture A product of failed post World War II transitional justice that left many colonial legacies intact this culture both contests and reiterates the complex transwar and transpacific entanglements that have sustained the Cold War unredressability and illegibility of certain violences By linking justice to the effects of American geopolitical hegemony and by deploying a conjunctive cultural critique of comfort women redress efforts state sponsored apologies and amnesties Asian American involvement in redress cases the ongoing effects of the U S occupation of Japan and Okinawa Japanese atrocities in China and battles over WWII memories Yoneyama helps illuminate how redress culture across Asia and the Pacific has the potential to bring powerful new and challenging perspectives on American exceptionalism militarized security justice sovereignty forgiveness and decolonization [A Criminology of War?](#) Ross McGarry, Sandra Walklate, 2021-01-20 In recent years the academic study of war has gained renewed popularity in criminology This book illustrates its long standing engagement with this social phenomenon within the discipline Foregrounding established criminological work addressing war and connecting it to a wide range of extant sociological literature the authors present and further develop theoretical and conceptual ways of thinking critically about war Providing a critique of mainstream criminology the authors question whether a criminology of war is possible and if so how this seemingly new horizon of the discipline might be usefully informed by sociology **Humanitarianism, War, and Politics** Peter J. Hoffman, Thomas G. Weiss, 2017-06-27 What is humanitarianism This authoritative book provides a comprehensive analysis of the original idea and its evolution exploring its triangulation with war and politics Peter J Hoffman and Thomas G Weiss trace the origins of humanitarianism its social movement and the institutions international humanitarian law and organizations providers of assistance and protection that comprise it They consider the international humanitarian system s ability to regulate the conduct of war to improve the wellbeing of its victims and to prosecute war criminals Probing the profound changes in the culture and capacities that underpin the sector and alter the meaning of humanitarianism they assess the reinventions that constitute revolutions in humanitarian affairs The book begins with traditions and perspectives ranging from classic international relations approaches to Critical Humanitarian Studies and reviews seminal wartime emergencies and the creation and development of humanitarian agencies in the late nineteenth and twentieth centuries The authors then examine the rise of new humanitarianisms after the Cold War s end and contemporary cases after 9 11 The authors continue by unpacking the most recent revolutions the International Criminal Court and the Responsibility to Protect as well as such core challenges as displacement camps infectious diseases eco refugees and marketization They conclude by evaluating the contemporary system and the prospects for further transformations identifying scholarly puzzles and the acute operational problems faced by practitioners [Doing Justice to History](#) Barrie Sander, 2021-03-09 As communities struggle to make sense of mass atrocities expectations have increasingly been placed on international criminal courts to render authoritative historical accounts of episodes of mass violence Taking these expectations as its point of departure this book seeks to understand

international criminal courts through the prism of their historical function The book critically examines how such courts confront the past by constructing historical narratives concerning both the culpability of the accused on trial and the broader mass atrocity contexts in which they are alleged to have participated The book argues that international criminal courts are host to struggles for historical justice discursive contests between different actors vying for judicial acknowledgement of their interpretations of the past By examining these struggles within different institutional settings the book uncovers the legitimating qualities of international criminal judgments In particular it illuminates what tends to be foregrounded and included within as well as marginalised and excluded from the narratives of international criminal courts in practice What emerges from this account is a sense of the significance of thinking about the emancipatory limits and possibilities of international criminal courts in terms of the historical narratives that are constructed and contested within and beyond the courtroom

Wars, Laws, Rights and the Making of Global Insecurities Damien Rogers, 2022-04-07 This book offers a unique and timely political analysis of war international law and human rights and the important interconnections among them It questions why war features as a foundational problem in contemporary world affairs and explores how international law is used to manage this and other types of political violence Challenging conventional thinking that understands war as a problem to be solved and law as an antidote to organized but unruly violence this book situates the promotion and protection of human rights within the wider context of the modernist project particularly during the epoch of the Anthropocene Taking a critical perspective that draws on concepts found in the work of Michel Foucault Pierre Bourdieu and Bruno Latour this book casts new light on the ways in which the politics of war law and rights produces profound insecurities for the human species as well as for other life forms and life systems on this planet

Landmark Cases in Public International Law Eirik Bjorge, Cameron Miles, 2017-12-28 The past two hundred years have seen the transformation of public international law from a rule based extrusion of diplomacy into a fully fledged legal system Landmark Cases in Public International Law examines decisions that have contributed to the development of international law into an integrated whole whilst also creating specialised sub systems that stand alone as units of analysis The significance of these decisions is not taken for granted with contributors critically interrogating the cases to determine if their reputation as landmarks is deserved Emphasis is also placed on seeing each case as a diplomatic artefact highlighting that international law while unquestionably a legal system remains reliant on the practice and consent of states as the prime movers of development The cases selected cover a broad range of subject areas including state immunity human rights the environment trade and investment international organisations international courts and tribunals the laws of war international crimes and the interface between international and municipal legal systems A wide array of international and domestic courts are also considered from the International Court of Justice to the European Court of Human Rights World Trade Organization Appellate Body US Supreme Court and other adjudicative bodies The result is a three dimensional picture of international law what it was what it is and what it

might yet become **Australia, Canada, and Iraq** Ramesh Thakur, Jack Cunningham, 2015-10-03 The 2003 US led invasion of Iraq was intensely controversial Australia joined in the war while Canada refused to Australia Canada and Iraq is a collection of essays by world leaders and esteemed academics that offers a fresh review of the war and the critical Australian and Canadian decisions regarding it Concepts and Contexts of Vattel's Political and Legal Thought Peter Schröder, 2021-06-24 Explores how Vattel used the natural law tradition to frame a pragmatic and treaty oriented model of the law of nations Islam and International Relations D. Abdelkader, N. Adiong, R. Mauriello, 2016-04-15 This edited volume conceives of International Relations IR not as a unilateral project but more as an intellectual platform Its contributors explore Islamic contributions to this field addressing the theories and practices of the Islamic civilization and of Muslim societies with regards to international affairs and to the discipline of IR Historical Dictionary of Human Rights Jacques Fomerand, 2021-03-29 The second edition of Historical Dictionary of Human Rights explores both the theory and the practice of international human rights with a focus on the norms and institutions that make up the architecture of the global human rights regime and the tools processes and procedures through which such norms are realized and enforced Particular attention is given to the contextual political and sociological factors that shape and constrain the operation and functioning of international human rights institutions and their state and non state actors This is done through a chronology an introduction and an extensive bibliography The dictionary section has more than 1 000 cross referenced entries on terminology conventions treaties intergovernmental organizations in the United Nations and non governmental organizations as well as some of the pioneers and defenders This book is an excellent resource for students researchers and anyone wanting to know more about human rights *Genealogies of Terrorism* Verena Erlenbusch-Anderson, 2018-07-31 What is terrorism What ought we to do about it And why is it wrong We think we have clear answers to these questions But acts of violence like U S drone strikes that indiscriminately kill civilians and mass shootings that become terrorist attacks when suspects are identified as Muslim suggest that definitions of terrorism are always contested In *Genealogies of Terrorism* Verena Erlenbusch Anderson rejects attempts to define what terrorism is in favor of a historico philosophical investigation into the conditions under which uses of this contested term become meaningful The result is a powerful critique of the power relations that shape how we understand and theorize political violence Tracing discourses and practices of terrorism from the French Revolution to late imperial Russia colonized Algeria and the post 9 11 United States Erlenbusch Anderson examines what we do when we name something terrorism She offers an important corrective to attempts to develop universal definitions that assure semantic consistency and provide normative certainty showing that terrorism means many different things and serves a wide range of political purposes In the tradition of Michel Foucault's genealogies Erlenbusch Anderson excavates the history of conceptual and practical uses of terrorism and maps the historically contingent political and material conditions that shape their emergence She analyzes the power relations that make different modes of understanding

terrorism possible and reveals their complicity in justifying the exercise of sovereign power in the name of defending the nation class or humanity against the terrorist enemy Offering an engaged critique of terrorism and the mechanisms of social and political exclusion that it enables **Genealogies of Terrorism** is an empirically grounded and philosophically rigorous critical history with important political implications **Neither Settler nor Native** Mahmood Mamdani, 2020-11-30 The nation state and the colonial state have always been the same thing the ethnic and religious majorities of the former created only through the violent minoritization inherent in the latter Assessing cases from the United States to Eastern Europe Israel and Sudan Mahmood Mamdani suggests a radical solution the state without a nation **Why Govern?** Amitav Acharya, 2016-08-22 The system of international cooperation built after World War II around the UN is facing unprecedented challenges Globalization has magnified the impact of security threats human rights abuses mass atrocities climate change refugee trade and financial flows pandemics and cyberspace traffic No single nation however powerful can solve them on its own International cooperation is necessary yet difficult to build and sustain Rising powers such as China India and Brazil seek greater leadership in international institutions whose authority and legitimacy are also challenged by a growing number of civil society networks private entities and other non state actors Against this backdrop what is the future of global governance In this book a group of the leading scholars in the field provide a detailed analysis of the challenges and opportunities facing global cooperation The book offers a comprehensive and authoritative guide for scholars and practitioners interested in multilateralism and global order **Institutional Supports for the International Rule of Law** Charles Sampford, Ramesh Thakur, 2014-08-27 The rule of law is widely seen as the cornerstone of any effective polity and increasingly a vital component of the international political system If the international rule of law were to be strengthened it would greatly contribute to trade security human rights and global cooperation in a range of fields Yet in many areas the rule of law seems almost absent in international affairs This book explores the institutions that support the effectiveness of the rule of law domestically It focuses on the extent to which similar institutions already exist at international level and analyses the possibility of their further development The authors speculate on how the international rule of law might be advanced in the future thereby suggesting potential strategies for strengthening the international rule of law Adopting an interdisciplinary approach and combining the fields of international relations politics and law this book covers a range institutions including UN Security Council International Court of Justice Human rights machinery Regional human rights International Criminal Court World Trade Organization International Tribunal for the Law of the Sea UN Department of Peacekeeping Operations It will be of strong interest to students and scholars of international relations international organisations global governance international law migration law international peace and security law applied ethics political economy political science and sociology **Undoing Ties: Political Philosophy at the Waning of the State** Mariano Croce, Andrea Salvatore, 2015-05-21 Undoing Ties claims to offer an answer to the question of what happens when the ties

between traditional political institutions and citizens are being undone The basic aim of the book is to offer an introductory and accessible overview of those paradigms and theories that are specifically concerned with the irreducible plurality of life forms and seek to understand how this challenge should be faced The authors adopt an interdisciplinary approach to foreground how scholars in different areas such as political philosophy jurisprudence sociology and anthropology deal with one of the key characterizing elements of today's political scenario that is to say the reviviscence of sub state and supra state groups as crucial political actors vis vis the state

Critical Approaches to International Criminal Law Christine Schwöbel, 2014-05-09 Drawing on the critical legal tradition the collection of international scholars gathered in this volume analyse the complicities and limitations of International Criminal Law This area of law has recently experienced a significant surge in scholarship and public debate individual criminal accountability is now firmly entrenched in both international law and the international consciousness as a necessary mechanism of responsibility Critical Approaches to International Criminal Law An Introduction shifts the debate towards that which has so far been missing from the mainstream discussion the possible injustices exclusions and biases of International Criminal Law This collection of essays is the first dedicated to the topic of critical approaches to international criminal law It will be a valuable resource for scholars and students of international criminal law international law international legal theory criminal law and criminology

Hermeneutic Communism Gianni Vattimo, Santiago Zabala, 2014-08-05 Having lost much of its political clout and theoretical power communism no longer represents an appealing alternative to capitalism In its original Marxist formulation communism promised an ideal of development but only through a logic of war and while a number of reformist governments still promote this ideology their legitimacy has steadily declined since the fall of the Berlin wall Separating communism from its metaphysical foundations which include an abiding faith in the immutable laws of history and an almost holy conception of the proletariat Gianni Vattimo and Santiago Zabala recast Marx's theories at a time when capitalism's metaphysical moorings in technology empire and industrialization are buckling While Michael Hardt and Antonio Negri call for a return of the revolutionary left Vattimo and Zabala fear this would lead only to more violence and failed political policy Instead they adopt an antifoundationalist stance drawn from the hermeneutic thought of Martin Heidegger Jacques Derrida and Richard Rorty Hermeneutic communism leaves aside the ideal of development and the general call for revolution it relies on interpretation rather than truth and proves more flexible in different contexts Hermeneutic communism motivates a resistance to capitalism's inequalities yet intervenes against violence and authoritarianism by emphasizing the interpretative nature of truth Paralleling Vattimo and Zabala's well known work on the weakening of religion Hermeneutic Communism realizes the fully transformational politically effective potential of Marxist thought

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