

WAR CRIMES, ATROCITY, AND JUSTICE

MICHAEL J. SHAPIRO



War Crimes Atrocity And Justice

David Chuter



War Crimes Atrocity And Justice:

War Crimes, Atrocity and Justice Michael J. Shapiro, 2014-12-08 What do we know about war crimes and justice What are the discursive practices through which the dominant images of war crimes atrocity and justice are understood In this wide ranging text Michael J Shapiro contrasts the justice related imagery of the war crimes trial for example the solitary headphone wearing defendant at the Hague listening with intent to a catalogue of charges with literary justice representations in literature film and biographical testimony raising questions about atrocities and justice that juridical proceedings exclude By engaging with the ambiguities exposed by the artistic and experiential genres reading them alongside policy and archival documentation and critical theoretical discourses Shapiro's *War Crimes Atrocity and Justice* challenges traditional notions of responsibility in juridical settings His comparative readings instead encourage a focus on the conditions of possibility for war crimes as they arise from the actions of states non state agencies and individuals involved in arms trading peace keeping sex trafficking and law enforcement and adjudication Theory springs to life as Shapiro draws on examples from legal discourse literature media film and television to build a nuanced picture of politics and the problem of justice It will be of great interest to students of film and media literature cultural studies contemporary philosophy and political science

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War Crimes, Atrocity and Justice Vikas Jha, 2019

War Crimes David Chuter, 2003 A nuanced discussion of why war crimes occur what can be done to bring the perpetrators to justice and the prospects of preventing such atrocities in the future

Unimaginable Atrocities William Schabas, 2012-02-23 As international criminal courts and tribunals have proliferated and international criminal law is increasingly seen as a key tool for bringing the world's worst perpetrators to account the controversies surrounding the international trials of war criminals have grown War crimes

tribunals have to deal with accusations of victor's justice, bad prosecutorial policy and case management and of jeopardizing fragile peace in post conflict situations. In this exceptional book, one of the leading writers in the field of international criminal law explores these controversial issues in a manner that is accessible both to lawyers and to general readers. Professor William Schabas begins by considering the discipline of international criminal law, outlining the differing approaches to the description of international crimes and examining the frequent claims relating to the retroactive application of these crimes. The book then discusses the relationship between genocide and crimes against humanity, studying the fascination with what Schabas calls the genocide mystique. International criminal tribunals have often been stigmatized as an exercise in victor's justice. This book traces how this critique developed and the difficulty it poses to the identification of situations for prosecution by the International Criminal Court. The claim that amnesty for international crimes is prohibited by international law is challenged with a more nuanced approach to the relationship between justice and peace being proposed. Throughout the book, there is a strong historical perspective with constant reference to the early experiments in international justice at Nuremberg and Tokyo. The work also analyses the growing pains of the International Criminal Court as it enters its second decade.

War Crimes, Genocide, and Justice D. Crowe, 2014-01-15 In this sweeping definitive work, historian David Crowe offers an unflinching account of the long and troubled history of genocide and war crimes. From ancient atrocities to more recent horrors, he traces their disturbing consistency but also the heroic efforts made to break seemingly intractable patterns of violence and retribution.

Standing Up for Justice Theodor Meron, 2021-03-25 This is a book about international criminal justice written by one of its foremost practitioners and academic thinkers, Judge Theodor Meron. For two decades, Judge Meron has been at the heart of the international criminal justice system, serving as President of the International Criminal Tribunal for the former Yugoslavia (ICTY), President of the International Residual Mechanism for Criminal Tribunals, and a Judge of the Appeals Chambers of the ICTY and the International Criminal Tribunal for Rwanda. Drawing on this experience and his life and career before serving as an international judge, Judge Meron reflects on some of the key questions facing the international criminal justice system. In the opening chapter, Judge Meron writes vividly about his childhood experiences in Poland during World War II, his education, career with the Israeli Foreign Ministry, and subsequent move into academia in the United States. The book continues with Meron's reflections on what it means to transform from a law professor into an international criminal judge and shifts focus to the criminal courtroom, addressing topics such as the judicial function, the rule of law, and the principle of fairness in trying atrocity crimes, genocide crimes against humanity, and war crimes. Judge Meron discusses judicial independence and impartiality in international criminal courts, shedding light on the mystery of judicial decision making and deliberations. Notably, he addresses the controversial subjects of acquittals and the early release of prisoners. Although acquittals are often seen as a failure of international justice, Judge Meron argues that legal principle must come before any extraneous purpose, however desirable that purpose may be. Finally, the book looks

ahead at the challenges facing the future of international justice and accountability and discusses the all important question does international criminal justice work *Prosecuting War Crimes and Genocide* Howard Ball,1999 Combining history politics and critical analysis he revisits the killing fields of Cambodia documents the three month Hutu machete genocide of about 800 000 Tutsi villagers in Rwanda and casts recent headlines from Kosovo in the light of these other conflicts BOOK JACKET

Military Justice in Vietnam William Thomas Allison,2007 A concise look at how military justice during the Vietnam War served the dual purpose of punishing U S soldiers crimes and infractions while also serving the important role of promoting core American values democracy and rule of law to the Vietnamese **International Criminal Justice. Cooperation and fighting of male sexual crimes** Dimitris Liakopoulos,2019-04-01 Document from the year 2019 in the subject Law European and International Law Intellectual Properties Tufts University language English abstract The focus of this book is the analysis of male sexual crimes in international criminal justice The first part of the present research work is focused on the legal analysis of the relevant articles of international criminal court s Statute regarding the obligation of cooperation between states for the punishment of serious crimes against humanity and war Judicial development starting with the ad hoc tribunals and arriving at causes at various stages of proceedings still ongoing in the International Criminal Court ICC opens doctrinal and comparative national debates especially in the case of lacking states cooperation seeking to elaborate specific topics such as the obligation of states cooperation requests for assistance during preliminary investigations during inquires and confidential information Court assistance to states parties participating in the Statute suspending the execution of a request the role of the prosecutor and the non assistance of some states impede the development and operation of international criminal justice The second part has attempted to analyze sexual crimes and especially the crime of male rape The jurisprudence of international criminal tribunals and the ICC have tried to qualify rape either as a crime of genocide in the form of serious and physical injuries even if not necessarily permanent lett b Art 6 of the Rome Statute or as a crime against humanity where there are elements of context and above all material elements that emerge from the definitions given by the ad hoc tribunals and the elements of crimes or even as a war crime in case it is implemented to that of sexual violence according to a gender specific relationship to specific Judges through the jurisprudence have included in this context any conduct of a sexual type of aggression to human dignity that does not consist in an act of penetration and that does not involve physical contact The contrasts are always open Due to the lack of dealing with a particular crime and difficult to prove it or testify before an international court The indication on the level of gravity of the crime is necessary for the relevance of sexual violence and rape as crimes against humanity that we will see in the coming years **War Crimes Justice** Sebastian Farnham, AI,2025-03-04 War Crimes Justice offers a critical examination of international efforts to prosecute war crimes genocide and crimes against humanity It explores the evolution of international criminal law tracing its roots from early conventions to the establishment of the International Criminal Court ICC while also assessing the practical

mechanisms used by international courts and tribunals Interestingly the book emphasizes that the pursuit of accountability though morally imperative is often complicated by political considerations and the limitations of international institutions The book delves into key topics such as defining war crimes under international law and analyzing the successes and failures of the ICC For example the book highlights the inherent tensions between universal justice and state sovereignty Through case studies and legal document analysis War Crimes Justice offers a balanced perspective on the challenges and opportunities in holding perpetrators accountable The narrative progresses by first defining key concepts before exploring the functioning of various international courts and tribunals It culminates in a critical assessment of the effectiveness of international criminal justice and considers the role of NGOs and civil society This approach provides readers with a comprehensive understanding of war crimes justice within the context of world history and international law

Transitional Justice and a State's Response to Mass Atrocity Jacopo Roberti di Sarsina, 2019-03-26 This book brings a new focus to the ongoing debate on holding perpetrators of massive humanitarian and human rights violations accountable in countries in transition It provides a clear cut and comprehensive legal analysis of the content and nature of a state's obligations to investigate and prosecute as enshrined in the most important humanitarian and human rights treaties it disentangles the common fallacy that these procedural obligations are naturally rooted and clearly spelled out in the general human rights treaties and it explains the flaws in an absolutist interpretation This analysis serves to understand whether such procedural obligations if narrowly construed act as impediments to countries emerging from periods of conflict or systematic repression in the face of contingent circumstances and the formidable dilemmas raised by a univocal understanding of justice as retribution Exploring the latest instances of interpretation and application via an analysis of state practice the jurisprudence of treaty bodies international courts and tribunals soft law instruments and doctrinal contributions the book also addresses the complex issue of amnesty and other transitional justice mechanisms designed to restore peace and facilitate transition traditionally included in national reconciliation programs and criticizes the contention that amnesty is always prohibited by international law It also considers these problems from the viewpoint of the International Criminal Court focusing on the cases of Uganda and Colombia after the 2016 peace agreement Lastly the volume offers a detailed analysis of techniques that may neutralize relevant obligations under international law such as denunciation derogation limitation and the public international law defenses of force majeure and necessity Drawing attention to the importance of a multidisciplinary and practical approach to these unsettling questions and endorsing a pluralistic notion of accountability the book will appeal to legal scholars and transitional justice experts as well as practitioners human rights advocates and government officials Dr Jacopo Roberti di Sarsina is an International Law Expert at the Alma Mater Studiorum University of Bologna School of Law and a dual qualified lawyer Italy and New York He completed a PhD in public international law label Doctor Europaeus at the School of International Studies University of Trento holds an LLM from NYU School of Law and read law at the University of Bologna

War Crimes Henny H. Kim, 2000 Essays discuss the nature and history of war crimes offer personal experiences and present conflicting views on how they should be prevented and punished *The Oxford Handbook on Atrocity Crimes* Barbora Holá, Hollie Nyseth Nzitaira, Hollie Nyseth Brehm, Maartje Weerdesteijn, 2022 The Oxford Handbook on Atrocity Crimes surveys and further develops the evolving field of atrocity crime studies through interdisciplinary research on war crimes crimes against humanity and genocide in one comprehensive volume encompassing contributions of leading scholars

Invisible Atrocities Randle C. DeFalco, 2022-03-17 This book assesses the role aesthetic factors play in shaping what forms of mass violence are viewed as international crimes **Atrocity, Punishment, and International Law** Mark A. Drumbl, 2007-04-30 This book argues that accountability for extraordinary atrocity crimes should not uncritically adopt the methods and assumptions of ordinary liberal criminal law Criminal punishment designed for common criminals is a response to mass atrocity and a device to promote justice in its aftermath This book comes to this conclusion after reviewing the sentencing practices of international national and local courts and tribunals that punish atrocity perpetrators Sentencing practices of these institutions fail to attain the goals that international criminal law ascribes to punishment in particular retribution and deterrence Fresh thinking is necessary to confront the collective nature of mass atrocity and the disturbing reality that individual membership in group based killings is often not maladaptive or deviant behavior but rather adaptive or conformist behavior This book turns to a modern and adventurously pluralist application of classical notions of cosmopolitanism to advance the frame of international criminal law to a broader construction of atrocity law and towards an interdisciplinary contextual and multicultural conception of justice War Crimes Law Gerry J. Simpson, 2004 The recent revival of interest in international criminal law has been stimulated by events such as the wars suffered by Sierra Leone and Cambodia and the establishment of the world's first permanent international criminal court These volumes consider war crimes law from a theoretical and historical perspective presenting the finest English language scholarship on the subject

The Scene of the Mass Crime Christian Delage, Peter Goodrich, 2013-05-07 The Scene of the Mass Crime takes up the unwritten history of the peculiar yet highly visible form of war crimes trials These trials are the first and continuing site of the interface of law history and film From Nuremberg to the contemporary trials in Cambodia film in particular has been crucial both as evidence of atrocity and as the means of publicizing the proceedings But what does film bring to justice Can law successfully address war crimes atrocities genocide What do the trials actually show What form of justice is done and how does it relate to ordinary courts and proceedings What lessons can be drawn from this history for the very topical political issue of filming civil and criminal trials This book takes up the diversity and complexity of these idiosyncratic and in strict terms generally extra legal medial situations Drawing on a fascinating diversity of public trials and filmic responses from the Trial of the Gang of Four to the Gacaca local courts of Rwanda to the filmic symbolism of 9 11 from Soviet era show trials to Nazi People's Courts leading international scholars address the theatrical political filmic and symbolic importance of

show trials in making history legitimating regimes and most surprising of all in attempting to heal trauma through law and through film These essays will be of considerable interest to those working on international criminal law transitional justice genocide studies and the relationship between law and film **War Crimes Trials and Investigations** Jonathan

Waterlow, Jacques Schuhmacher, 2018-01-31 This book represents the first multi disciplinary introduction to the study of war crimes trials and investigations It introduces readers to the numerous disciplines engaged with this complex subject including Forensic Anthropology Economics and Anthropometrics Legal History Violence Studies International Criminal Justice International Relations and Moral Philosophy The contributors are experts in their respective fields and the chapters highlight each discipline s major trends debates methods and approaches to mass atrocity genocide and crimes against humanity as well as their interactions with adjacent disciplines Case studies illustrate how the respective disciplines work in practice including examples from the Allied Hunger Blockade WWII the Guatemalan and Spanish Civil Wars the Former Yugoslavia and Uganda Including bibliographical essays to offer readers crucial orientation when approaching the specialist literature in each case this edited collection equips readers with what they need to know in order to navigate a complex and until now deeply fragmented field A diverse and interdisciplinary body of research this book will be indispensable reading for scholars of war crimes War Crimes and War Crime Trials John C. Watkins, John Paul Weber, 2006 This is both a casebook

of selected war crime decisions by various national and international tribunals in the twentieth and early twenty first centuries as well as a brief historical account of the geopolitical diplomatic and military events surrounding them The text is divided into six parts arranged in chronological order beginning with the Hague Peace Conferences of 1899 and 1907 up to the Summer 2004 decisions by the Supreme Court of the United States which dealt with transnational terrorism committed by United States citizens as well as the Guantanamo Bay Cuba detainees held under the authority of the Bush Administration War Crimes and War Crime Trials contains edited excerpts from forty four judicial opinions embellished with a congeries of international national military and political documents that add context to the case law The editors have included fairly extensive selections from some of the major materials that have surrounded subsequent war crime litigation Also included are an epilogue by Michael Ignatieff an eleven entry appendix a glossary containing over 200 words a reference section of over 1 400 citations from a wide variety of legal historical and international relations literature and a name and subject index War Crimes and War Crime Trials From Leipzig to the ICC and Beyond Cases Materials and Comments edited by John C Watkins Jr and John Paul Weber is the most complete book on the subjects to date In these challenging times it is an essential reference for all who study or are engaged in the events brought about by September 11 2001 Frank J Williams Chief Justice of the Supreme Court of Rhode Island and Member of the Military Commissions Review Panel Skillfully edited the book weaves together an eclectic tableau of primary and secondary sources drawn from major court decisions and scholarly commentary over the past century The result is a versatile stand alone text and reference that should appeal to students of

law political science criminal justice history and international relations alike CHOICE Magazine

This book delves into War Crimes Atrocity And Justice. War Crimes Atrocity And Justice is a vital topic that must be grasped by everyone, from students and scholars to the general public. The book will furnish comprehensive and in-depth insights into War Crimes Atrocity And Justice, encompassing both the fundamentals and more intricate discussions.

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- This book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of War Crimes Atrocity And Justice.

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War Crimes Atrocity And Justice Introduction

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