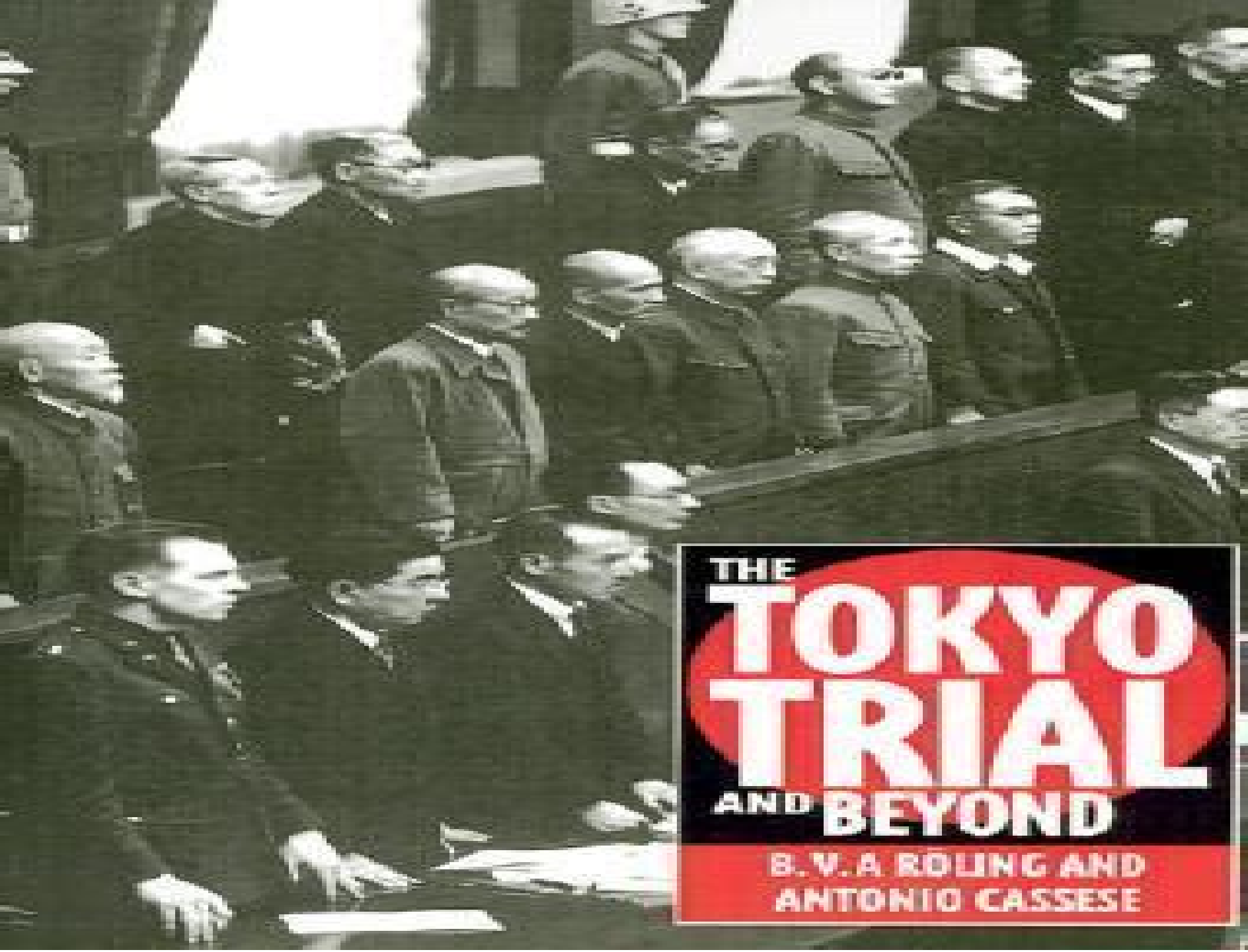




THE
**TOKYO
TRIAL**
AND BEYOND

B. V. A. ROLING AND
ANTONIO CASSESE

The Tokyo Trial And Beyond Reflections Of A Peacemonger

Bob Tadashi Wakabayashi



The Tokyo Trial And Beyond Reflections Of A Peacemonger:

The Tokyo Trial and Beyond Antonio Cassese, B. V. A. Roling, 1994-12-05 This book provides a unique insider's view of the International Military Tribunal at the end of the Second World War and reflects on the nature and limits of international law in peacekeeping

The Tokyo Trial and Beyond Bernard Victor Aloysius Röling, 1993-01 This book is an outstanding account of the International Military Tribunal that took place in Tokyo at the end of World War II. As in the Nuremberg Trial, the leaders of Japan were accused of crimes against peace and crimes against humanity as well as war crimes.

Interpreting the Tokyo War Crimes Trial Kayoko Takeda, 2010 In order to ensure its absolute authority, the Tokyo War Crimes Tribunal (1946-1948), the Japanese counterpart of the Nuremberg Trial, adopted a three-tier structure for its interpreting. Japanese nationals interpreted the proceedings, second-generation Japanese Americans monitored the interpreting, and Caucasian U.S. military officers arbitrated the disputes. The first extensive study on the subject in English, this book explores the historical and political contexts of the trial as well as the social and cultural backgrounds of the linguists. Through trial transcripts in English and Japanese archival documents and recordings and interviews with those who were involved in the interpreting, in addition to a detailed account of the interpreting, the book examines the reasons for the three-tier system, how the interpreting procedures were established over the course of the trial, and the unique difficulties faced by the Japanese American monitors. This original case study of the Tokyo War Crimes Tribunal illuminates how complex issues such as trust, power, control, and race affect interpreting at international tribunals in times of conflict. Published in English.

The Tokyo Trial Jeanie Maxine Welch, 2001-11-30 Overshadowed for many years by the Nuremberg trials, the Tokyo Trial, one of the major events in the aftermath of World War II, has elicited renewed interest since the 50th anniversary of the war's end. Revelations of previously hidden war crimes, including comfort women and biological warfare, and the establishment of international courts to try Yugoslav and Rwandan war criminals have added to the interest. This bibliography addresses the renewed interest in the Tokyo Trial, providing over 700 citations to official publications, scholarly monographs, and journal articles, contemporaneous accounts, manuscript collections, and Web sites. Also included are sources on the trial's influence on international law and military law and unresolved issues being debated to this day. Defining war crimes after the fact, practicing victor's justice to punish enemies, holding military commanders accountable for their troops' actions—these were issues confronted in the Tokyo Trial and other Asia-Pacific war crimes trials. They are still being investigated, researched, and debated today. This bibliography helps to illuminate these issues from different perspectives, providing a variety of ways to locate relevant English language sources. The volume also includes citations to contemporary issues stemming from the Asia-Pacific war crimes trials, comfort women, biological warfare, and unresolved issues of reparations and official apologies. The book is a useful guide to sources on all aspects of the Tokyo Trial.

The Tokyo Trial, Justice, and the Postwar International Order Aleksandra Babovic, 2019-01-04 Fully utilizing the latest archival material, this book provides a

comprehensive multi dimensional and nuanced understanding of the Tokyo Tribunal by delving into the temporal aspects that extended the relevance and reverberations of the Tribunal beyond its end in 1948 With this as a backdrop this book contributes to the study of Japanese postwar diplomacy It shows the Tokyo Tribunal is still very much an experiment in progress and how the process itself has helped Japan to quickly shed its imperial past and remain ambiguous as to its war responsibilities From a wider vantage point this book augments the existing scholarship of international criminal law and justice offering a clear framework as to the limits of what international criminal tribunals can accomplish and offers a must read for academics and students as well as for practitioners journalists and policymakers interested in international criminal law and US Japanese diplomatic history Beyond Victor's Justice? The Tokyo War Crimes Trial Revisited Yuki

Tanaka,Timothy L.H. McCormack,Gerry Simpson,2011-06-09 The aim of this new collection of essays is to engage in analysis beyond the familiar victor s justice critiques The editors have drawn on authors from across the world including Australia Japan China France Korea New Zealand and the United Kingdom with expertise in the fields of international humanitarian law international criminal law Japanese studies modern Japanese history and the use of nuclear chemical and biological weapons The diverse backgrounds of the individual authors allow the editors to present essays which provide detailed and original analyses of the Tokyo Trial from legal philosophical and historical perspectives Several of the essays in the collection are based on the authors extensive archival research in Japan Australia the United States and New Zealand providing rich insights into Japanese societal attitudes towards the Trial biological experimentation by the Japanese Army in China as well as the trial of Korean prison guards and prosecutions for rape and sexual assault in the post war period Some of the essays deal with particular participants in the Trial examining the role of individual judges and the selection of defendants and the decision not to prosecute the Emperor Other essays analyse the Trial from a legal perspective and address its impact on concepts such as command responsibility conspiracy and war crimes The majority of the essays seek to identify and address some of the forgotten crimes in the Tokyo Trial These include crimes committed in China and Korea particularly the activities of the infamous Unit 731 crimes committed against comfort women and crimes associated with the atomic bombings of Hiroshima and Nagasaki the conventional firebombing of other Japanese cities and the illicit drug trade in China Finally the collection includes a number of essays which consider the importance of studying the Tokyo Trial and its contemporary relevance These issues include an examination of the way in which academics have written the Trial over the last 60 years and an analysis of some of the lessons that can be drawn for international trials in the future The Tokyo Tribunal:

Perspectives on Law, History and Memory Marina Aksenova,Diane Marie Amann,David Cohen,Robert Cribb,David M. Crowe,Donald M. Ferencz,Narrelle Morris,Diane Orentlicher,Kuniko Ozaki,Christoph Safferling,Franziska Seraphim,Gerry Simpson,Kayoko Takeda,Yuma Totani,Beatrice Trefalt,Sandra Wilson,2020-10-27 The International Military Tribunal for the Far East IMTFE held in Tokyo from May 1946 to November 1948 was a landmark event in the development of modern

international criminal law The trial in Tokyo was a complex undertaking and international effort to hold individuals accountable for core international crimes and delivering justice The Tribunal consisted of 11 judges and respective national prosecution teams from 11 countries and a mixed Japanese American team of defence lawyers The IMTFE indicted 28 Japanese defendants amongst them former prime ministers cabinet ministers military leaders and diplomats based on a 55 count indictment pertaining to crimes against peace war crimes and crimes against humanity The judgment was not unanimous with one majority judgment two concurring opinions and three dissenting opinions The trial and the outcome were the subject of significant controversy and the Tribunal's files were subsequently shelved in the archives While its counterpart in Europe the International Military Tribunal IMT at Nuremberg has been at the centre of public and scholarly interest the Tokyo Tribunal has more recently gained international scholarly attention This volume combines perspectives from law history and the social sciences to discuss the legal historical political and cultural significance of the Tokyo Tribunal The collection is based on an international conference marking the 70th anniversary of the judgment of the IMTFE which was held in Nuremberg in 2018 The volume features reflections by eminent scholars and experts on the establishment and functioning of the Tribunal procedural and substantive issues as well as receptions and repercussions of the trial **Justice**

Framed Marcos Zunino, 2019-03-14 Why are certain responses to past human rights violations considered instances of transitional justice while others are disregarded This study interrogates the history of the discourse and practice of the field to answer that question Zunino argues that a number of characteristics inherited as transitional justice emerged as a discourse in the 1980s and 1990s have shaped which practices of the present and the past are now regarded as valid responses to past human rights violations He traces these influential characteristics from Argentina's transition to democracy in 1983 the end of communism in Eastern Europe the development of international criminal justice and the South African truth commission of 1995 Through an analysis of the post World War II period the decolonisation process and the Cold War Zunino identifies a series of episodes and mechanisms omitted from the history of transitional justice because they did not conform to its accepted characteristics **Atrocities, Massacres, and War Crimes** Alexander Mikaberidze, 2013-06-25

Both concise and wide ranging this encyclopedia covers massacres atrocities war crimes and genocides including acts of inhumanity on all continents and serves as a reminder that lest we forget history will repeat itself The 400 plus entries in **Atrocities Massacres and War Crimes An Encyclopedia** provide accessible and concise information on the difficult subject of abject human violence committed on all continents The entries in this two volume work describe atrocities massacres and war crimes committed in the 20th century thereby documenting how human beings have repeatedly proven their capability to commit horrific acts of inhumanity even in relatively recent times and within the modern era The encyclopedia covers countries treaties and terms profiles individuals who had been formally indicted for war crimes as well as those who have committed mass atrocities and gone unpunished and addresses human rights violations crimes against humanity and crimes

against peace **The Nanking Atrocity, 1937-1938** Bob Tadashi Wakabayashi, 2007-12-15 Events in Nanking during 1937-38 are the subject of a ferocious historiographical debate between Chinese and Japanese points of view. This volume seeks to debunk the myths promoted by scholars on both sides of the argument and present a revisionist view of the atrocity that complicates the picture.

The Nanking Atrocity, 1937-38 Bob Tadashi Wakabayashi, 2007 Events in Nanking during 1937-38 are the subject of a ferocious historiographical debate between Chinese and Japanese points of view. This volume seeks to debunk the myths promoted by scholars on both sides of the argument and present a revisionist view of the atrocity that complicates the picture.

Doing Justice to History Barrie Sander, 2021 This book examines how historical narratives of mass atrocities are constructed and contested within international criminal courts. In particular, it looks into the important question of what tends to be foregrounded and what tends to be excluded in these narratives.

Criminal Responsibility for the Crime of Aggression Patrycja Grzebyk, 2013-10-01 Since the Nuremberg trial, the crime of aggression has been considered one of the gravest international crimes. However, since the 1940s, no defendants have been charged with this crime, with some states actively opposing the notion of punishing aggression. The option of trying an individual for aggression is expressly included in the statute of the International Criminal Court. In 2010, the Assembly of States Parties adopted a definition of the crime of aggression and conditions of the exercise of jurisdiction over this crime by the Court. The Assembly also agreed that the decision on including the crime of aggression within the Court's jurisdiction would be made in 2017 at the earliest. It is still internationally debatable whether the criminalisation of aggression is an outcome to strive for or whether its abandonment is more preferable.

In *Criminal Responsibility for the Crime of Aggression*, Patrycja Grzebyk explores the scope of criminal responsibility of individuals for crimes of aggression and asks why those responsible for aggression are not brought to justice. The book first works to identify the legal norms that define and delegitimise aggression, before moving to determine the basis and scope for the criminalisation of aggression. The book then goes on to identify the key risks and difficulties inherent in trials for aggression. Following a string of awards in Poland, including the Manfred Lachs Prize for the best first book on public international law, this cutting investigation of aggression is now deservedly made available to the wider world. In its extensive analysis of international trials on aggression and its synthesis of legal, political, and historical rhetoric, this book offers broad and striking insight into the criminal responsibility of individuals on a world stage.

Punishing Atrocities Through a Fair Trial Jonathan Hafetz, 2018-04-19 *Punishing Atrocities through a Fair Trial* examines the tension between punishing mass atrocity and ensuring a fair trial for defendants.

International Criminal Procedure Göran Sluiter, Håkan Friman, Suzannah Linton, Sergey Vasiliev, Salvatore Zappalà, 2013-03-21 *International Criminal Procedure: Principles and Rules* is a comprehensive study of international criminal proceedings written by over forty leading experts in the field. The book offers a systematic overview and detailed comparison of the standards governing the conduct of proceedings in all major international and internationalized criminal courts from the Nuremberg and Tokyo

Tribunals to the recently established Cambodian Extraordinary Chambers and the Special Tribunal for Lebanon Based on a major research project the study covers all procedural phases from the initiation of investigation to the appeals process It pays special attention to the crosscutting themes which shape the contemporary discourse on international criminal justice including the law of evidence the defence issues the procedural role of victims and negotiated dismissal of international crime cases The book not only takes stock of the procedural legacy of the UN ad hoc Tribunals for the former Yugoslavia and Rwanda and the International Criminal Court but also reflects on the future directions of international criminal procedure Investigating the tribunals procedural law and practice through the prism of human rights law domestic legal traditions and tribunals special objectives the expert group puts forth proposals on how the challenges facing international criminal jurisdictions can best be met International Criminal Procedure will be an indispensable work for practitioners involved in the adjudication of serious crimes on both national and international level as well as international law students and academics

International Prosecutors Luc Reydam, Jan Wouters, Cedric Ryngaert, 2012-05-31 This volume examines the prosecution as an institution and a function in a dozen international and hybrid criminal tribunals from Nuremberg to the International Criminal Court It is the result of a sustained collaborative effort among some twenty scholars and former tribunal staffers The starting point is that the prosecution shapes a tribunal's practice and legacy more than any other organ and that a systematic examination of international prosecutors is therefore warranted The chapters are organized chronologically according to the successive phases of the life of the institution and the various stages of the trials The analysis includes each institution's establishment mandate and jurisdiction as well as the prosecutorial framework and strategy the prosecutor's external relations and the completion of the institution's work The book also considers the prosecutors independence and impartiality and their accountability for their decisions The volume thus provides a comprehensive picture of the mandate organization and operation of the prosecution in international criminal trials As the first comprehensive study of an international legal actor whose decisions have widespread political repercussions this book will be essential reading for all with an interest in international criminal justice

Individual Criminal Responsibility for the Financing of Entities involved in Core Crimes Laura Ausserladscheider Jonas, 2021-12-28 War crimes crimes against humanity genocide and the crime of aggression so called core crimes often could not be committed without financial assistance This book examines the basis for individual criminal liability under international law for persons who finance core crimes Despite the need for clear rules neither international courts nor scholars agree upon whether or not or under what circumstances such liability exists To determine the minimum standard of liability this work analyses the legal rules relating to complicity both under international criminal law and domestically in twenty selected jurisdictions in Africa Asia Europe Latin America North America and Oceania The aim of these analyses is to determine whether there are general principles of law recognised by the community of States regarding the minimum standard of liability for aiders and abettors This book

proposes a comparative framework for assessing legal rules relating to complicity and it advances a normative claim as to how legal rules should be structured concerning the criminal responsibility of individuals who finance the commission of core crimes. The analysis of the applicable international law and the comparative analysis of national jurisdictions lead to the conclusion that currently the minimum standard of knowledge for aiding and abetting is active knowledge. However, the author argues that this standard should be revised to include wilful blindness. Regarding the intent requirement, the analyses find that *dolus eventualis* is included in the definition of intent.

Military Trials of War Criminals in the Netherlands East Indies 1946-1949 Frederic L. Borch, 2017. This book provides the first English language examination and analysis of the records of the Dutch war crimes tribunals from 1946-1949 which prosecuted more than 1000 Japanese soldiers and civilians for war crimes committed during the occupation of the Netherlands East Indies during World War II.

Transnational Encounters between Germany and Japan Joanne Miyang Cho, Lee Roberts, Christian W. Spang, 2016-04-30. Showcasing moments of convergence between the German and Japanese cultures towards common points of interest over the last one hundred fifty years, the chapters in this book cover such topics as culture, diplomacy, geography, history, law, literature, philosophy, politics, and sports. From the creation of two similar modern nation states to the aggressive struggle for national supremacy and subsequent total defeat in 1945, the necessity of coping with their earlier militarism and parallel economic miracles in the postwar era, Germans and Japanese look back on a remarkably similar past.

The Execution of Illegal Orders and International Criminal Responsibility Hiromi Sato, 2011-02-16. The legal consequence of the superior orders defense has long been debated as one of the major problems in international criminal law. Several controversial issues such as the immunity of the state, the absolute character of military discipline, and immunity on the grounds of mistake of law and or coercion have been complexly interwoven in the debates. *The Execution of Illegal Orders and International Criminal Responsibility* provides a comprehensive portrait of the relevant debates at the international level up to the present, analyzes the conflicting views, and shows the significance of the development of international rules for the superior orders defense, as well as the implication of the fact that issues concerning some detailed or related rules have been left unresolved. This study presents to present a new standpoint not only on dealing with the problem of the superior orders defense but also on reconsidering the international stipulation of rulemaking with regard to criminal matters.

The Tokyo Trial And Beyond Reflections Of A Peacemonger Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has been apparent than ever. Its power to stir emotions, provoke thought, and instigate transformation is really remarkable. This extraordinary book, aptly titled "**The Tokyo Trial And Beyond Reflections Of A Peacemonger**," compiled by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound effect on our existence. Throughout this critique, we will delve to the book's central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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