

WAR CRIMES TRIALS AND OTHER ESSAYS



Carlos Whitlock Porter

War Crimes Trials And Other Essays

Barak Kushner, Sherzod Muminov



War Crimes Trials And Other Essays:

War Crimes Trials and Other Essays Carlos Whitlock Porter, 2018-10 Approximately 10 000 War Crimes Trials have been held since 1945 Trials of Japanese military personnel ended in 1949 yet war crimes trials of Germans and Eastern Europeans continue to date Almost invariably the charge is violation of the laws and customs of war derived in turn from international conventions signed at the Hague in 1899 and 1907 That these trials have little or no basis in law is clear from the wording of the treaties which are said to have been violated The illegalities of war crimes proceedings include the admissibility of oral and written hearsay the introduction of the concept of conspiracy into international law unknown prior to 1945 the total lack of any pre trial inquest or forensic evidence and trial before a court itself composed of actual war criminals To quote the writings of Telford Taylor The issues surrounding the war crimes trials are numerous and complex discussion and criticism of what was done should be welcomed by all who hope for a continuing development of international law but what should have been done instead is a problem generally ignored by those who condemn what was done in fact 99 The alternative is a fair trial before an impartial court under existing procedures and proper rules of evidence **War**

Crimes Trials and Other Essays Carlos Porter, 2013 Approximately 10 000 War Crimes Trials have been held since 1945 Trials of Japanese military personnel ended in 1949 yet war crimes trials of Germans and Eastern Europeans continue to date Almost invariably the charge is violation of the laws and **Australia's War Crimes Trials 1945-51** Georgina Fitzpatrick, Timothy L.H. McCormack, Narrelle Morris, 2016-08-29 This unique volume provides a detailed analysis of Australia's 300 war crimes trials of principally Japanese accused conducted in the immediate aftermath of the Second World War Part I contains contextual essays explaining why Australia established military courts to conduct these trials and thematic essays considering various legal issues in and historical perspectives on the trials Part II offers a comprehensive collection of eight location essays one each for the physical locations where the trials were held In Part III post trial issues are reviewed such as the operation of compounds for war criminals the repatriation of convicted Japanese war criminals to serve the remainder of their sentences and reflections of some of those convicted on their experience of the trials In the final essay a contemporary reflection on the fairness of the trials is provided not on the basis of a twenty first century critique of contemporary minimum standards of fair trial expected in the prosecution of war crimes but by reviewing approaches taken in the trials themselves as well as from reactions to the trials by those associated with them The essays are supported by a large collection of unique historical photographs maps and statistical materials There has been no systematic and comprehensive analysis of these trials so far which has meant that they are virtually precluded from consideration as judicial precedent This volume fills that gap and offers scholars and practitioners an important and groundbreaking resource

Nuremberg and other War Crimes Trials R. Harwood, 1978 **War Crimes and Human Rights** William Schabas, 2008 This is a collection of essays and articles on human rights law and international criminal law authored by

William Schabas one of the most prominent contemporary scholars and practitioners Particular attention is given to such topics as the limitation and abolition of the death penalty genocide and crimes against humanity the establishment and operation of the International Criminal Court and the ad hoc international criminal tribunals truth and reconciliation commissions reservations to human rights treaties and the implementation of international human rights norms in domestic law

World Wars I & II and Other Essays Debo Prasad Barooah, 1978 Articles chiefly on world politics and its impact on the Indian freedom struggle

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 addressees 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

Researching Japanese War Crimes Records: Introductory Essays, Japanese war crimes committed in Asia and the Pacific between 1931 and 1945 concerned few Americans in the decades following World War II Japan's crimes against Asian peoples had never been a major issue in the postwar United States and with the notable exceptions of former U.S. prisoners of war held by the Japanese even remembrance of Japanese wartime atrocities against Americans dimmed as years passed American attitudes about Japanese war crimes changed markedly following the 1997 publication of Iris Chang's *The Rape of Nanking* 2 Chang's moving testament to the Chinese victims of the sack of Nanjing in 1937 graphically detailed the horror and scope of the crime and indicted the Japanese government and people for their collective amnesia about the wartime army's atrocious conduct The bestselling book spurred a tremendous amount of renewed interest in Japanese wartime conduct in China Korea the Philippines Southeast Asia and the Pacific The Rape of Nanking raised many issues that demanded further explanation Why were the Japanese not punished as severely as the Nazis for their crimes Did the United States suppress evidence of the criminal responsibility of activity by the emperor to ensure a smoothly running occupation of Japan Did the U.S. government protect Japanese medical officers in exchange for data on human experimentation Chang also charged the U.S.

government with inexplicably and irresponsibly returning confiscated wartime records to Japan before microfilming them making it impossible to determine the extent of Japan's guilt. 3 Others were convinced that the U.S. government retained highly classified documents that would prove Japanese guilt beyond doubt and implicate the highest levels of Japanese government and society in the crimes. These issues led concerned parties to investigate Japanese wartime records among the holdings at the U.S. National Archives and Records Administration (NARA) in College Park, Maryland, and at other U.S. government agencies. Thorough documentation of Japanese war crimes and criminal activities among these holdings seemed unavailable, leading to speculation of an official cover-up. Suspicions that the U.S. government was deliberately concealing dark secrets were fueled when, instead of finding the records they sought, researchers encountered a card stating the records had been withdrawn for security reasons, as well as when they received a notice that requested information could not be located.

The Dismantling of Japan's Empire in East Asia Barak Kushner, Sherzod Muminov, 2016-12-08 The end of Japan's empire appeared to happen very suddenly and cleanly, but as this book shows, it was in fact very messy, with a long period of establishing or re-establishing the postwar order. Moreover, as the authors argue, empires have afterlives, which in the case of Japan's empire is not much studied. This book considers the details of deimperialization, including the repatriation of Japanese personnel, the redrawing of boundaries, issues to do with prisoners of war and war criminals, and new arrangements for democratic political institutions, for media, and for the regulation of trade. It also discusses the continuing impact of empire on the countries ruled or occupied by Japan, where, as a result of Japanese management and administration, both formal and informal patterns of behavior and attitudes were established that continued subsequently. This was true in Japan itself, where returning imperial personnel had to be absorbed, and adjustments made to imperial thinking, and in present-day East Asia, where the shadow of Japan's empire still lingers. This legacy of unresolved issues concerning the correct relationship of Japan, an important energetic outgoing nation and a potential regional hub with the rest of the region, not comfortably settled in this era, remains a fulcrum of regional dispute.

Neonationalist Mythology in Postwar Japan Nariaki Nakazato, 2016-04-27 Radhabinod Pal was an Indian jurist who achieved international fame as the judge representing India at the Tokyo War Crimes Tribunal and dissented from the majority opinion holding that all Japanese Class A war criminals were not guilty of any of the charges brought against them. In postwar Japanese politics, right-wing polemicists have repeatedly utilized his dissenting judgment in their political propaganda aimed at refuting the Tokyo trial's majority judgment and justifying Japan's aggression, gradually elevating this controversial lawyer from India to a national symbol of historical revisionism. Many questions have been raised about how to appropriately assess Pal's dissenting judgment and Pal himself. Were the arguments in Pal's judgment sound? Why did he submit such a bold dissenting opinion? What was the political context? More fundamentally, why and how did the Allies ever nominate such a lawyer as a judge for a tribunal of such great political importance? How should his dissent be situated within the context of modern Asian history and the development of

international criminal justice What social and political circumstances in Japan thrust him into such a prominent position Many of these questions remain unanswered while some have been misinterpreted This book proposes answers to many of them and presents a critique of the persistent revisionist denial of war responsibility in the Japanese postwar right wing movement

The Enigmatic Realm of **War Crimes Trials And Other Essays**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing short of extraordinary. Within the captivating pages of **War Crimes Trials And Other Essays** a literary masterpiece penned by a renowned author, readers set about a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting impact on the hearts and minds of those who partake in its reading experience.

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