

# 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 an 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

*Research Handbook on the Punishment of Atrocity Crimes* Róisín Mulgrew, Mikkel J. Christensen, 2024-11-08 This Research Handbook examines the punishment of atrocity crime and presents a wide ranging critique of post conviction law policy and practice With a team of expert contributing authors Róisín Mulgrew and Mikkel Jarle Christensen provide insights into the impact and implications of punishment models strategies and frameworks **Law, Politics and the Limits of**

**Prosecuting Mass Atrocity** Damien Rogers, 2017-08-30 This book offers a unique and powerful critique of the quest for international criminal justice It explores the efforts of three successive generations of international prosecutors recognising the vital roles they play in the enforcement of international criminal law By critically examining prosecutorial performance during the pre trial and trial phases the volume argues that these prosecutors are simultaneously political actors serving in the interests of economic liberalisation It also posits that international prosecutors help wage a mostly silent and largely unacknowledged politico cultural war fought for control over the institutions governing modernist international affairs As the author contends international prosecutors are thus best understood as agents not only of the law and politics but also of a war fought by proponents of various utopian projects **Victims' Rights and Advocacy at the International Criminal Court** T.

Markus Funk, 2010-04-29 *Victims Rights and Advocacy at the International Criminal Court* is the first detailed analysis of the newly recognized right of victims to participate in the trials of their accused abusers Author T Markus Funk draws on his extensive background in international criminal law and litigation to walk the reader through this unique and indeed controversial body of procedural and substantive rights for victims of atrocity crimes To set the stage for his analysis Mr Funk provides a historical account of the ICC's creation and the origins of victims rights In addition Mr Funk gives the reader

practical guidance on what it takes to litigate cases before the Court This background in turn allows the reader to work through a number of key questions How does the ICC function and how is it structured What are the legal theoretical and political pillars upon which the ICC is built What is the proper role for victims in atrocity crimes litigation How successfully has the ICC lived up to its promises to victims How does one become an ICC victim representative prosecutor or judge and what does it take to fulfill the mandate of these positions What are the costs and benefits sovereign nations must weigh before joining the ICC What institutional flaws have kept the ICC as well as other predecessor ad hoc tribunals from meeting the weighty expectations they have set for themselves and the world community In addition to addressing these key issues Mr Funk proposes concrete reforms to help the ICC fulfill its mission of effectively redressing past atrocities while preserving the rights of both victims and the accused The book also presents a detailed explanation of the ICC s rules of procedure and evidence and other practical issues impacting the Court s daily litigation practice Featuring a foreword by Paolina Massidda Principal Counsel of the Office of Public Counsel for Victims at the International Criminal Court Victims Rights and Advocacy at the International Criminal Court equips lawyers victim advocates academics government officials and other interested Court observers and decision makers with a thorough understanding of the promises and potential pitfalls of victim advocacy and indeed advocacy in general at the ICC The book therefore is an indispensable guide to anyone interested in this new important and constantly evolving juridical body

**War Crimes, Atrocity and Justice** Vikas Jha,2019 War, Conflict and Human Rights Chandra Lekha Sriram,Olga Martin-Ortega,Johanna Herman,2017-08-02 War Conflict and Human Rights is an innovative inter disciplinary textbook combining aspects of law politics and conflict analysis to examine the relationship between human rights and armed conflict This third edition has been fully revised and updated and contains a completely new chapter on business conflict and human rights Making use of both theoretical and practical approaches the authors examine the tensions and complementarities between protection of human rights and resolution of conflict the competing political demands and the challenges posed by internal armed conflict and the increasing role of nonstate actors including corporations in armed conflicts explore the scope and effects of human rights violations in contemporary armed conflicts such as in Sierra Leone Sudan South Sudan the Democratic Republic of Congo and the former Yugoslavia assess the legal and institutional accountability mechanisms developed in the wake of armed conflict to punish violations of human rights law and international humanitarian law such as the ad hoc tribunals for the former Yugoslavia and Rwanda hybrid or internationalized tribunals and the International Criminal Court discuss continuing and emergent global trends and challenges in the fields of human rights and conflict analysis This volume will be essential reading for students of war and conflict studies human rights and international humanitarian law and highly recommended for students of conflict resolution peacebuilding international security transitional justice and international relations generally Accountability for Atrocities: National and International Responses Jane Stromseth,2021-10-01 This book examines critical challenges in achieving

accountability for genocide crimes against humanity and war crimes focussing in particular on the relationship between national and international accountability mechanisms in pursuing key goals over the past decade The essays in this volume provide an in depth look at the goals and mechanisms of accountability in a variety of cases the former Yugoslavia Rwanda Sierra Leone Cambodia Argentina and El Salvador East Timor and Indonesia and Belgium s prosecution of war crimes under its universal jurisdiction law By analyzing the goals pursued in each case the relationship between domestic and international mechanisms the relative emphasis on criminal and non criminal forms of accountability and the effectiveness of the chosen approaches this volume offers important lessons for the ICC and highlights the continuing need for innovative forms of international assistance to advance specific accountability goals in particular countries Published under the Transnational Publishers imprint     **The Archival Politics of International Courts** Henry Alexander Redwood,2021-08-26 Offers the first analysis of international courts archives and of how these constitute the international community as a particular reality

**The Oxford Handbook on Atrocity Crimes** Barbora Holá,Hollie Nyseth Nzititira,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     **Unimaginable Atrocities** William Schabas,2012-02-23 As

international criminal justice has grown in prominence so have the challenges facing it This book discusses the unresolved questions and dilemmas confronted by international war crimes courts These include the controversies surrounding prosecutorial policy the tension between peace and justice and accusations of victor s justice     **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     **The Criminal Law of Genocide** Dr Paul Behrens,Professor Ralph Henham,2013-02-28 This

collection of essays presents a contextual view of genocide The authors who are academic authorities and practitioners in the field explore the legal treatment but also the social and political concepts and historical dimensions of the crime They also suggest alternative justice solutions to the phenomenon of genocide Divided into five parts the first section offers an historical perspective of genocide The second consists of case studies examining recent atrocities The third section examines differences between legal and social concepts of genocide Part four discusses the treatment of genocide in courts and tribunals throughout the world The final section covers alternatives to trial justice and questions of prevention and sentencing     **Adopted Orphans Citizenship Act and Anti-Atrocity Alien Deportation Act** United States. Congress.

House. Committee on the Judiciary. Subcommittee on Immigration and Claims,2000     **Imperial Atrocities** Michael Arnold,2022-04-14 Imperial Atrocities Skeletons in Colonial Closets does not expose the total colonial story but this eye opening book does present a selection of some of the worst excesses perpetrated by Colonials throughout the world In two cases those of Ireland and India native populations were allowed to starve Their Colonial masters did nothing to either assist

or provide food that was available Colonial empires dominated the globe for just over 200 years from about 1750 to 1960 The settings span various parts of Africa the Middle East India and Asia In these locales native peoples were starved exploited or ignored as the Empires were allowed to rule totally unchallenged Says the author I lived in West Africa for six years from 1958 to 1964 and then in Malaysia for the next sixteen years Whilst in Malaysia my job involved much travelling throughout Asia and this book is the culmination of experiences and observations during those years Everything that I have written about is documented fact

**International Criminal Tribunals and Domestic Accountability** Patryk I. Labuda, 2023-05-17 In the 1990s the promise of justice for atrocity crimes was associated with the revival of international criminal tribunals ICTs More recently however there has been a renewed emphasis on domestic accountability for international crimes across the globe In identifying a complementarity turn a paradigm shift toward domestic accountability in the field of international criminal justice this book investigates how the shadow of international criminal tribunals influences the treatment of serious crimes at the national level Drawing on research and interviews in Rwanda the Democratic Republic of Congo and Sierra Leone this book develops a tripartite framework to analyse how states and tribunals work with despite or against one another in the fight against impunity While international prosecutors and judges use the principle of complementarity to foster cooperation and decrease tension with government actors Patryk I Labuda argues that too much deference by ICTs toward states reduces the likelihood of accountability and may enable national elites to consolidate authoritarian power By interrogating how international accountability stakeholders relate to their domestic counterparts International Criminal Tribunals and Domestic Accountability advocates improvements to ICTs institutional design and more dynamic interactions with states to strengthen the enforcement of international criminal law

**Criminalizing Atrocity** Mark S. Berlin, 2020 The first book to systematically examine why countries adopt laws criminalizing genocide war crimes and crimes against humanity

**The International Criminal Court and the Responsibility to Protect** Stefano Marinelli, 2022-07-28 This book examines the parallel development and interaction between the International Criminal Court ICC and the doctrine of the Responsibility to Protect RtoP assessing this relationship over time and through case studies of Darfur Libya and Syria The similarities and connections between the doctrine and the Court have been highlighted by UN bodies the organs of the Court and scholars yet their relationship and common impact on international law have been less explored This book fills this gap in presenting an overview of how the development of RtoP and the ICC affect various branches of international law The research shows that while the doctrine and the Court experienced significant implementation problems in their first decades of life they nonetheless have the potential to contribute to the historical evolution of international law in combining their values of promoting international peace and protecting human rights This interdisciplinary study will be useful for scholars of international law and international relations It will also be beneficial to persons working for international organisations and for civil society organisations focused on the activity of the ICC and on the development of RtoP

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 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.

**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.

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## **Table of Contents War Crimes Atrocity And Justice**

1. Understanding the eBook War Crimes Atrocity And Justice
  - The Rise of Digital Reading War Crimes Atrocity And Justice
  - Advantages of eBooks Over Traditional Books
2. Identifying War Crimes Atrocity And Justice
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an War Crimes Atrocity And Justice
  - User-Friendly Interface
4. Exploring eBook Recommendations from War Crimes Atrocity And Justice
  - Personalized Recommendations
  - War Crimes Atrocity And Justice User Reviews and Ratings
  - War Crimes Atrocity And Justice and Bestseller Lists
5. Accessing War Crimes Atrocity And Justice Free and Paid eBooks
  - War Crimes Atrocity And Justice Public Domain eBooks
  - War Crimes Atrocity And Justice eBook Subscription Services
  - War Crimes Atrocity And Justice Budget-Friendly Options
6. Navigating War Crimes Atrocity And Justice eBook Formats



- ePub, PDF, MOBI, and More
- War Crimes Atrocity And Justice Compatibility with Devices
- War Crimes Atrocity And Justice Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of War Crimes Atrocity And Justice
  - Highlighting and Note-Taking War Crimes Atrocity And Justice
  - Interactive Elements War Crimes Atrocity And Justice
- 8. Staying Engaged with War Crimes Atrocity And Justice
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers War Crimes Atrocity And Justice
- 9. Balancing eBooks and Physical Books War Crimes Atrocity And Justice
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection War Crimes Atrocity And Justice
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine War Crimes Atrocity And Justice
  - Setting Reading Goals War Crimes Atrocity And Justice
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of War Crimes Atrocity And Justice
  - Fact-Checking eBook Content of War Crimes Atrocity And Justice
  - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
- 14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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