

CARLOS SANTIAGO NINO

RADICAL EVIL ON TRIAL



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Carlos Santiago Nino



Radical Evil On Trial:

Radical Evil on Trial Carlos Santiago Nino, 1996-01-01 Does an emergent democracy have an obligation to prosecute its former dictators for crimes against humanity for what Arendt and Kant called radical evil What impact will such prosecutions have on the future of democracy In this book Carlos Santiago Nino offers a provocative first hand analysis of developments in Argentina during the 1980s when a brutal military dictatorship gave way to a democratic government Nino played a key role in guiding the transition to democracy and in shaping the human rights policies of President Raúl Alfonsín after the fall of the military junta in 1983 The centerpiece of Alfonsín's human rights program was the trial held in a federal court in Buenos Aires in 1985 which resulted in the convictions of five of the leading members of the junta that ruled the country from 1976 to 1983 Placing the Argentine experience in the context of the war crimes trials at Nuremberg Tokyo and elsewhere Nino examines the broader questions raised by human rights trials He considers their political repercussions and their potential for strengthening the new democratic government He explains why prosecutions for human rights violations should be grounded on a theory of the criminal law that emphasizes the preventive rather than retributive functions of punishment Nino rejects the obligation to punish perpetrators of radical evil and argues instead for a more forward looking duty to safeguard democracy This he believes is what ultimately justified the Argentine trials and should be the focus of any international action

The Disappeared Sam Ferguson, 2023-07 The Disappeared tells the extraordinary saga of Argentina's attempt to right the wrongs of an unspeakably dark past Using a recent human rights trial as his lens Sam Ferguson addresses two central questions of our age How is mass atrocity possible and What should be done in its wake From 1976 to 1983 thousands of people were the victims of state terrorism during Argentina's so called Dirty War Ferguson recounts a twenty two month trial of the most notorious perpetrators of this atrocity who ran a secret prison from the Naval Mechanics School in Buenos Aires The navy executed as many as five thousand political subversives most of whom were sedated and thrown alive out of airplanes into the South Atlantic The victims of these secret death flights and others who went missing during the regime are known as los desaparecidos the disappeared Ferguson explores Argentina's novel response to mass atrocity the country's remarkable and controversial decisions in 2003 to repeal a series of amnesty laws passed in the 1980s and to prosecute anew the perpetrators of the Dirty War a generation after the collapse of the country's last dictatorship As of 2022 more than one thousand aging military officers have been indicted for their involvement in the Dirty War and hundreds of trials have commenced in the country's civilian courts Among the many facets of the book Ferguson takes an in depth look at allegations that Father Jorge Mario Bergoglio now Pope Francis was involved in the disappearance of two Jesuit priests under his supervision in 1976 Bergoglio was called to testify in a closed chambers session Ferguson reviewed those secret proceedings and uses them as a springboard to explore the Argentine Catholic Church and its broader role in the Dirty War The lingering but acute trauma of the victims who testified at the trial underscores the moral urgency of accountability

When a state strips its citizens of all their rights the only response that approximates reparation is to restore the rule of law and punish the perpetrators Yet the trial also revealed the limits of using criminal law to respond to mass atrocity Justice demands a laser like focus on evidence relevant to a crime but atrocity begs for social understanding Can the law ever bring full justice

History, Memory, and State-Sponsored Violence Berber Bevernage, 2013-02-14 Modern historiography embraces the notion that time is irreversible implying that the past should be imagined as something absent or distant Victims of historical injustice however in contrast often claim that the past got stuck in the present and that it retains a haunting presence History Memory and State Sponsored Violence is centered around the provocative thesis that the way one deals with historical injustice and the ethics of history is strongly dependent on the way one conceives of historical time that the concept of time traditionally used by historians is structurally more compatible with the perpetrators than the victims point of view Demonstrating that the claim of victims about the continuing presence of the past should be taken seriously instead of being treated as merely metaphorical Berber Bevernage argues that a genuine understanding of the irrevocable past demands a radical break with modern historical discourse and the concept of time By embedding a profound philosophical reflection on the themes of historical time and historical discourse in a concrete series of case studies this project transcends the traditional divide between empirical historiography on the one hand and the so called theoretical approaches to history on the other It also breaks with the conventional analytical philosophy of history that has been dominant during the last decades raising a series of long neglected big questions about the historical condition questions about historical time the unity of history and the ontological status of present and past programmatically pleading for a new historical ethics

Atrocities on Trial Patricia Heberer, J_rgen MatthÜus, 2008-04-01 These essays are organised into four sections dealing with the history of war crime trials from Weimar Germany to just after World War II the sometimes diverging Allied attempts to come to terms with the Nazi concentration camp system the ability of postwar societies to confront war crimes of the past and the legacy of war crime trials

Rwanda's Gamble Peter E. Harrell, 2003 Gacaca is an innovative form of justice that the Rwandan government will use to try the more than 100 000 participants in the 1994 genocide Instead of putting suspects before the statutory law courts that existed prior to 1994 the government is establishing 11 000 popularly elected tribunals and charging them with the task of investigating and trying crimes that occurred within their territorial jurisdiction Officials hope that this will help clear the backlog of cases while giving suspects most of whom have spent nearly a decade in prison without a trial a chance finally to have their cases heard This book provides a detailed explanation of how the system will work from the selection and training of the judges to the basics of courtroom procedure It also places gacaca in the context of rapidly emerging restorative theories of justice and argues for gacaca s appropriateness in the Rwandan context Based on interviews training manuals documents never before published in the United States and extensive travels throughout Rwanda this book is an invaluable introductory guide to gacaca and explains why similar forms

of justice should be experimented with elsewhere

The Psychology of Genocide, Massacres, and Extreme Violence

Donald G. Dutton, 2007-05-30 Chronicling horrific events that brought the 20th century to witness the largest number of systematic slaughters of human beings in any century across history this work goes beyond historic details and examines contemporary psychological means that leaders use to convince individuals to commit horrific acts in the name of a political or military cause Massacres in Nanking Rwanda El Salvador Vietnam and other countries are reviewed in chilling detail But the core issue is what psychological forces are behind large scale killing what psychology can be used to indoctrinate normal people with a Groupthink that moves individuals to mass murder brutally and without regret even when the victims are innocent children Dutton shows us how individuals are convinced to commit such sadistic acts often preceded by torture after being indoctrinated with beliefs that the target victims are unjust inhuman or viral like a virus that must be destroyed or it will destroy society

Responsibility on Trial

Liana Georgieva Minkova, 2023-02-16 Establishing individual criminal responsibility for mass atrocities is the foundational principle of international criminal justice but this process is highly complex and is accompanied by political and legal dilemmas about its operation The book examines the drafting interpretation and application of the rules for assessing individual criminal responsibility as those rules emerge from the intense contestations among judges lawyers and academics within the legal field Focusing on the International Criminal Court ICC the book provides a rich analysis of the international debates around questions of criminal responsibility by interrogating formal legal documents and legal scholarship alongside more candid accounts interviews memoirs minutes These debates are of key importance for international criminal law and global justice because how criminal responsibility laws are construed in practice determines which conduct merits punishment and ultimately demarcates the boundaries of what are considered the gravest acts that shock humanity

Politics and the Past

John Torpey, 2004-09-01 Politics and the Past offers an original multidisciplinary exploration of the growing public controversy over reparations for historical injustices Demonstrating that reparations politics has become one of the most important features of international politics in recent years the authors analyze why this is the case and show that reparations politics can be expected to be a major aspect of international affairs in coming years In addition to broad theoretical and philosophical reflection the book includes discussions of the politics of reparations in specific countries and regions including the United States France Latin America Japan Canada and Rwanda The volume presents a nuanced historically grounded and critical perspective on the many campaigns for reparations currently afoot in a variety of contexts around the world All readers working or teaching in the fields of transitional justice the politics of memory and social movements will find this book a rich and provocative contribution to this complex debate

The Cultural Revolution on Trial

Alexander C. Cook, 2016-11-07 The trial of Cultural Revolution leaders including Mao's widow and her Gang of Four was the signal event in China's post Mao transition In its wake Chinese socialism emerged from the rubble of the Cultural Revolution to create the China that we know today

This spectacular show trial was a curious example of transitional justice marking a break from the trauma of the past a shift to the present era of reform and a blueprint for building a better future In this groundbreaking reconstruction of the most famous trial in Chinese history Alex Cook shows how the event laid the cornerstone for a new model of socialist justice at the same time a comparison of official political and legal sources with works of popular literature reveals the conflicted cultural dimensions of this justice The result Cook argues saved Chinese socialism as ruling ideology but at the cost of its revolutionary soul

Eichmann Trial Reconsidered Rebecca Wittmann, 2021-10-25 The Eichmann Trial Reconsidered explores the legacy and consequences of the trial of Adolf Eichmann

Radical Evil On Trial Book Review: Unveiling the Magic of Language

In a digital era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its ability to stir emotions, provoke thought, and instigate transformation is truly remarkable. This extraordinary book, aptly titled "**Radical Evil On Trial**," compiled by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound impact on our existence. Throughout this critique, we will delve to the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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