

HOLOCAUST RESTITUTION

Perspectives on the Litigation and Its Legacy

Robert Barkin · Michael Berenson · Lee Boyd · Thomas Burgerhoff · Monica S. Degen · Stuart E. Eizenstat · Eric Freedman and Richard Winsberg · So Franklin · Peter Hayes · Kai Hering · Jerome Kahn · Lawrence T. Hill and Linda Kaniel · Edward R. Korman · Orit Graf Landshtadt · David A. Lesh and Mitchell A. Korts · Kenneth Lassing and Tsiporine Azari · Ben Neubauer · Dean C. Phillips · Ronni Rabin and Caryn Becker · Sharon Samuels · E. Randal Schwenberg · William J. Shaw · Howard R. Spangler · Deborah Symon · Robert A. Swob · Gideon Taylor · Luther Wessner · Marjorie S. Weiss · Roger W. Wiener · Sidney Zisladoff · Aris Zuckerman

EDITED BY Michael Bazyler and Roger P. Alford

Perspectives On Holocaust Restitution

Roger Chapman



Perspectives On Holocaust Restitution:

Holocaust Restitution Michael J. Bazyler, Roger P. Alford, 2007-06 Bazyler and Alford have produced an essential tool for understanding the righteous struggle to win restitution for Holocaust victims and their heirs Richard Z Chesnoff author of *Pack of Thieves How Hitler Europe Plundered the Jews Committed The Greatest Theft In History* This excellent volume makes a significant contribution both to legal studies and to the history of the Holocaust The editors deserve special praise for including chapters by Holocaust survivors assuring that their often forgotten voices are not lost within the great debate about Holocaust restitution Marilyn J Harran Stern Chair in Holocaust History Chapman University An invaluable text for students and scholars as well as a fascinating read for all those concerned with Holocaust and genocide issues in all disciplines and on behalf of all victims Israel W Charny President International Association of Genocide Scholars This unique collection is important in bringing together the perspectives of legal practitioners activists archivists and historians negotiators and survivors It is remarkably comprehensive The editors have not shied away from controversy David Cesarani Research Professor in History Royal Holloway University of London If there is a final frontier in understanding the Holocaust it is the assessment of international litigation compensation and reparations claims This extraordinary group of contributions thoughtfully reflects on the Holocaust past and present as well as what many would call imperfect justice Stephen Feinstein Professor of History and Director Center for Holocaust and Genocide Studies University of Minnesota This collection of essays on Holocaust restitution litigation provides a wonderful overview

Stolen Nation Lena El-Malak, 2024-11-28 While Palestinians continue to face the threat of expulsion from their homes identifying legal mechanisms that can be used to assert Palestinian s property rights is needed more than ever This book provides a legal analysis of the right to reparation of Palestinian refugees under international law for the destruction and expropriation of their property during the Nakba Discussing the legal landscape related to property ownership prior to the creation of the State of Israel and the legal basis for the right to reparation under international law Lena El Malak advocates for a law based approach to enforce this right and the form it should take The book demonstrates how the legal rights of Palestinian refugees specifically as related to their properties have been marginalized and excluded from the political discourse of the peace process Here the legal rights of Palestinian refugees are demonstrated challenges for invoking these rights in international and domestic courts are determined and forms of restitution and compensation outlined This study offers a timely contribution to provide a comprehensive legal as opposed to a political economic or historical analysis of the right to reparation of Palestinian refugees for their property losses Additionally the book seeks to demonstrate the importance of adopting a legal framework in any future negotiation for a peaceful resolution to this long standing struggles for liberation

Perspectives, 2005 *The Politics of Reparations and Apologies* Stephanie Wolfe, 2013-11-21 *The Politics of Reparations and Apologies* examines the evolution and dynamics of reparation politics and justice The volume introduces the key concepts theories and terms

associated with social movements and in particular the redress and reparation movement RRM Drawing from RRM that have their foundation in World War II the German genocides the United States internments and the Japanese comfort women system the volume explores each case study's relative success or failure in achieving its goals and argues that there are overarching trends that can explain success and failure more generally in the RRM movement Using the backdrop of international criminal law and normative concepts of reparations the volume establishes and analyzes the roles of reparations and apologies in obtaining transitional justice In each case study there is a detailed rundown of the political actions that were attempted to obtain redress and reparation for the victims of how successful the attempts were and of the crucial factors which influenced the relative success or failure Crucially the volume offers a comparative framework of the actions that contribute to a successful outcome for transitional justice With the increasing normative expectation of justice in post conflict situations this volume is a valuable resource for researchers in international affairs human rights political science and conflict studies

Reparations in Domestic and International Mass Claims Processes Jason S. Palmer, 2023-09-06 Mass claims have historically allowed victims of wrongdoing on an extensive scale to be compensated for losses suffered This insightful book surveys and evaluates both domestic and international mass claims processes delineating their successes and failures in providing this compensation

Historical Justice in International Perspective Manfred Berg, Bernd Schaefer, Bernd Schäfer, 2009 This book makes a valuable contribution to debates on redress for historical injustices by offering case studies from nine countries on five continents The contributors examine the problems of material restitution criminal justice apologies recognition memory and reconciliation in national contexts as well as from a comparative perspective Among the topics discussed are the claims for reparations for slavery in the United States West German restitution for the Holocaust the South African Truth and Reconciliation Commission the efforts to prosecute the perpetrators of the Khmer Rouge's mass murders in Cambodia and the struggles of the indigenous people of Australia and New Zealand The book highlights the diversity of the ways societies have tried to right past wrongs as the demand for historical justice has become universal

The Exercise of Public Authority by International Institutions Armin Bogdandy, Rüdiger Wolfrum, Jochen Bernstorff, Philipp Dann, Matthias Goldmann, 2010-02-11 The concept of global governance which first emerged in the social sciences has triggered different responses in the discipline of law This volume contains our proposal It approaches global governance from a public law perspective which is centered around the concept of international public authority and relies on international institutional law for the legal conceptualization of global governance phenomena This proposal results from a larger project which started in 2007 The project is a collaborative effort of the directors of the Max Planck Institute for Comparative Public Law and International Law research fellows and friends of the Institute as well as eminent members of the Law Faculty of the University of Heidelberg Most of the materials contained in this volume were first published in the November 2008 issue of the German Law Journal <http://www.germanlawjournal.com> We would like to

express our sincere gratitude to the journal's editors in chief Professors Russell Miller Washington and Lee University School of Law and Peer Zumbansen Osgoode Hall Law School York University Toronto for the opportunity to publish our papers as a special issue of their journal The 2008-2009 University of Idaho College of Law German Law Journal student editors deserve special recognition for their hard and diligent work during the publication process At the Institute Eva Richter Michael Riegner and the editorial staff of this publication series were instrumental in bringing this publication to fruition

Postgenocide Klejda Mulaj, 2021 This edited volume studies the after effects of genocide exploring the ways in which societies are shaped by a history of such extreme violence Contributions from a variety of perspectives including law political science sociology and ethnography explore previously overlooked themes and cases to reassess existing assumptions in the field

French Crime Fiction, 1945-2005 Margaret-Anne Hutton, 2016-04-22 In the first major study of representations of World War II in French crime fiction Margaret Anne Hutton draws on a corpus of over a hundred and fifty texts spanning more than sixty years Included are well known writers male and female such as Aubert Simenon Boileau Narcejak Vargas Daeninckx and Jonquet as well as a broad range of lesser known authors Hutton's introduction situates her study within the larger framework of literary representations of World War II setting the stage for her discussions of genre the problem of defining crimes and criminals in the context of the war the epistemological issues that arise in the relationship between World War II historiography and the crime novel and the temporal textures linking past crimes to the present Filling a gap in the fields of crime fiction and fictional representations of the War Hutton's book calls into question the way both crime fiction and the French theatre of World War II have been conceptualized and codified

Handbook on the Law of Cultural Heritage and International Trade James A R Nafziger, Robert Kirkwood Paterson, 2014-04-25 This Handbook offers a collection of original writings by leading scholars and practitioners in the exciting rapidly developing field of cultural heritage law The detailed essays are the product of a multi year project of the Committee on Cultural H

International Organizations and the Fight for Accountability Carla Ferstman, 2017-08-11 International organizations have increasingly taken on state or quasi state like functions in order to exercise control over individuals and societies most pressingly in contexts of conflict and transition Their engagement in peace operations has progressively widened with mandates now regularly including the protection of civilian populations and in several new operations containing peace enforcement responsibilities with active combat duties This increases the risk that their conduct may infringe human rights and international humanitarian law This book explores the ways in which the principles of accountability and reparation apply to international organizations When considering whether international organizations are obliged to afford reparation and to whom it is owed as well as what it entails we are confronted with the challenge of understanding how the law of responsibility intersects with specialized regimes of human rights and international humanitarian law particularly in its application to individuals The justifications for organizational immunities and other limits on international organizations responsibilities were conceived to ensure IOs

independence from state influences and their capacity to engage in often difficult circumstances Many if not all of these rationales remain relevant today yet disciplinary oversight and judicial structures that exist in state administrations to promote accountability and forestall abuses have only partially been put into place for international organizations At the same time individuals affected by their conduct have had no or only cursory recourse to domestic regional and international courts and they have not been able to rely on their states of nationality to pursue claims on their behalf

Jewish and Israeli Law - An Introduction Shimon Shetreet, Walter Homolka, 2021-08-02 This book instructively introduces the reader to the basics of Jewish law It gives a detailed cutting edge analysis of contemporary public and private law in the State of Israel as well as Israel's legal culture its system of government and the roles of its democratic institutions the executive parliament and judiciary The book examines issues of Holocaust law and religion constitutionalization and equality

After Evil Robert Meister, 2011 The way in which mainstream human rights discourse speaks of such evils as the Holocaust slavery or apartheid puts them solidly in the past Its elaborate techniques of transitional justice encourage future generations to move forward by creating a false assumption of closure enabling those who are guilty to elude responsibility This approach to history common to late twentieth century humanitarianism doesn't presuppose that evil ends when justice begins Rather it assumes that a time before justice is the moment to put evil in the past Merging examples from literature and history Robert Meister confronts the problem of closure and the resolution of historical injustice He boldly challenges the empty moral logic of never again or the theoretical reduction of evil to a cycle of violence and counterviolence broken only once evil is remembered for what it was Meister criticizes such methods for their deferral of justice and susceptibility to exploitation and elaborates the flawed moral logic of never again in relation to Auschwitz and its evolution into a twenty first century doctrine of the Responsibility to Protect

Countering Contemporary Antisemitism in Britain Sarah K. Cardaun, 2015-08-31 In *Countering Contemporary Antisemitism in Britain* Sarah Cardaun presents a thorough scholarly analysis of responses to present day antisemitism in the UK Examining discourses and practical measures adopted by the British government parliamentary groups and non governmental organisations the book provides a comprehensive overview of different approaches to addressing anti Jewish prejudice in Britain It offers a critical perspective on universalistic interpretations which have traditionally characterised responses towards it in various fields such as Holocaust remembrance and education Against this background the study highlights the importance of organisations with a more specific focus on counteracting hostility towards Jews and the role civil society can play in the fight against the new antisemitism Overall this book makes a significant contribution to the academic debate on contemporary antisemitism and to the vital but neglected question of how today's resurgent anti Jewish prejudice may be tackled in practice

Reparations for Victims of Genocide, War Crimes and Crimes against Humanity Carla Ferstman, Mariana Goetz, 2020-02-17 *Reparations for Victims of Genocide War Crimes and Crimes Against Humanity* Systems in Place and Systems in the Making provides a rich tapestry of practice in the

complex and evolving field of reparations which cuts across law politics psychology and victimology among other disciplines Ferstman and Goetz bring their long experiences with international organizations and civil society groups to bear This second edition which comes a decade after the first contains updated information and many new chapters and reflections from key experts It considers the challenges for victims to pursue reparations looking from multiple angles at the Holocaust restitution movement and more recent cases in Europe Asia Africa and the Americas It also highlights the evolving practice of international courts and tribunals First published in a hardbound edition this second fully revised and updated edition is now available in paperback

Museum Worthy Elizabeth Campbell,2024 Museum Worthy examines the history behind works of art that were looted in western Europe by the Nazis during the Second World War and never returned to their rightful owners instead claimed by postwar governments of France Belgium and the Netherlands for display in museums embassies ministries and other public buildings

Culture Wars Roger Chapman,2010 Although openness and inclusion are cornerstones of life in the United States intolerance and reactionary politics are also very real As the nation prepares to elect a new president The Culture Wars addresses the key defining issues of contemporar

The Grey Zone Mark Lattimer,Philippe Sands,2018-07-26 The high civilian death toll in modern protracted conflicts such as those in Syria or Iraq indicate the limits of international law in offering protections to civilians at risk A recent conference of states convened by the International Committee of the Red Cross referred to an institutional vacuum in the area of international humanitarian law implementation Yet both international humanitarian law and the law of human rights establish a series of rights intended to protect civilians But which law or laws apply in a particular situation and what are the obstacles to their implementation How can the law offer greater protections to civilians caught up in new methods of warfare such as drone strikes or targeted by new forms of military organisation such as transnational armed groups Can the implementation gap be filled by the growing use of human rights courts to remedy violations of the laws of armed conflict or are new instruments or mechanisms of civilian legal protection needed This volume brings together contributions from leading academic authorities and legal practitioners on the situation of civilians in the grey zone between human rights and the laws of war The chapters in Part 1 address key contested or boundary issues in defining the rights of civilians or non combatants in today s conflicts Those in Part 2 examine remedies and current mechanisms for redress both at the international and national level and those in Part 3 assess prospects for the development of new mechanisms for addressing violations As military intervention to protect civilians remains contested this volume looks at the potential for developing alternative approaches to the protection of civilians and their rights

Redefining Reparations Lorena De Vita,Constantin Goschler,2025-03-24 This edited volume offers a new interpretation of the historically momentous 1952 Wassenaar negotiations between representatives of the Federal Republic of Germany Israel and the Jewish Claims Conference to negotiate reparations compensation and restitution in the aftermath of the Holocaust Wassenaar 1952 marked the first time that reparations were the subject of negotiations

between representatives of victims and perpetrators following mass human rights violations and genocide The reparations program that Germany established after the Holocaust eventually became a point of reference for many calling for reparations to deal with the aftermath of other atrocities from colonialism to slavery in contexts as diverse as Namibia the United States and beyond Combining perspectives from history anthropology international relations and transitional justice this volume reassesses the course and global legacy of these negotiations The book s holistic and nuanced intervention in the study of the politics of repair makes it essential reading for students of history law transitional justice and political science interested in the complex topic of reparations *Compensation in Practice* Constantin Goschler, 2017-09-01 Founded in 2000 the German Foundation Remembrance Responsibility and Future is one of the largest transitional justice initiatives in history in cooperation with its international partner organizations it has to date paid over 4 billion euros to nearly 1.7 million survivors of forced labour during the Nazi Era This volume provides an unparalleled look at the Foundation s creation operations and prospects after nearly two decades of existence with valuable insights not just for historians but for a range of scholars professionals and others involved in human rights and reconciliation efforts

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