

# **Political Trials Gordian Knots In The Law**

John Laughland

#### **Political Trials Gordian Knots In The Law:**

Political Trials Ron Christenson, 2011-12-31 Political trials take issues of responsibility conscience representation and legitimacy which are tied in tight political and legal knots and force us to face questions about our public identity our standards for public policy and our sense of history Ron Christenson explores how political trials especially those within the rule of law engage society s conflicting values and loyalties He examines numerous political trials throughout history bringing into question basic foundations of law politics and society Christenson classifies political trials according to the issues they generate in the political sphere partisan trials are spurious legal proceedings but politically expedient trials of corruption and insanity raise questions of public and personal responsibility trials of dissenters involve problems of conscience trials of nationalists highlight the nature of representation and the relationship of the part to the whole and trials of regimes engage the most fundamental concept of both law and politics legitimacy Political Trials brings these considerations to bear on some of the best known cases in history including the Gunpowder Plot the Spanish Inquisition the Dreyfus affair the Nuremburg trials trials of dissenters such as Socrates Thomas More Roger Williams and the Berrigan brothers and trials of nationalists such as Joan of Arc Gandhi Knut Hamsun and the Irish republicans Since the first edition appeared a number of notable political trials have raised critical issues for society Shocking public exposures about the Guildford 4 and Maguire 7 trials shook the British criminal justice establishment while in the United States trials concerning the beating of Rodney King led up to the O J Simpson spectacle and a host of parallel questions The trials of right wing terrorists such as Paul Hill found guilty of murdering an abortion doctor and Timothy McVeigh convicted of the Oklahoma City federal building bombing parallel the case of left wing dissenter Karl Armstrong in the 1970s Finally the South African Truth and Reconciliation Committee provides a test case of whether a nation can not only remember but grant amnesty and achieve true reconciliation In examining the dilemmas involved in these trials Christenson shows how they make a positive contribution to an open and democratic society Political Trials will be an important addition to the libraries of historians legal scholars and political scientists **Political Trials** Ron Christenson, 1986 The first version of this project was presented at the 1982 meeting of the Academy of Criminal Justice Sciences Preface **Political Trials** ,1999 Political trials take issues of responsibility conscience representation and legitimacy which are tied in tight political and legal knots and force us to face questions about our public identity our standards for public policy and our sense of history Ron Christenson explores how political trials especially those within the rule of law engage society s conflicting values and loyalties He examines numerous political trials throughout history bringing into question basic foundations of law politics and society Christenson classifies political trials according to the issues they generate in the political sphere partisan trials are spurious legal proceedings but politically expedient trials of corruption and insanity raise questions of public and personal responsibility trials of dissenters involve problems of conscience trials of nationalists highlight the nature of representation and the relationship of the part to

the whole and trials of regimes engage the most fundamental concept of both law and politics legitimacy Political Trials brings these considerations to bear on some of the best known cases in history including the Gunpowder Plot the Spanish Inquisition the Dreyfus affair the Nuremburg trials trials of dissenters such as Socrates Thomas More Roger Williams and the Berrigan brothers and trials of nationalists such as Joan of Arc Gandhi Knut Hamsun and the Irish republicans Since the first edition appeared a number of notable political trials have raised critical issues for society Shocking public exposures about the Guildford 4 and Maguire 7 trials shook the British criminal justice establishment while in the United States trials concerning the beating of Rodney King led up to the O I Simpson spectacle and a host of parallel questions The trials of right wing terrorists such as Paul Hill found guilty of murdering an abortion doctor and Timothy McVeigh convicted of the Oklahoma City federal building bombing parallel the case of left wing dissenter Karl Armstrong in the 1970s Finally the South African Truth and Reconciliation Committee provides a test case of whether a nation can not only remember but grant amnesty and achieve true reconciliation In examining the dilemmas involved in these trials Christenson shows how they make a positive contribution to an open and democratic society Political Trials will be an important addition to the libraries of historians legal scholars and political scientists Jewish Foreign Trade Officials on Trial Veronica Rozenberg, 2022-03-21 This book deals with six trials conducted by the Romanian state against Jewish key officials employed in state owned import export companies between 1950 and 1960 It begins with a presentation of the political realities of Romania following the Communist Party s rise to power in particular those regarding its relationship with Romania s Jews and Gheorghiu Dej's policy of National Communism Rozenberg describes the criminal procedure used in the staged economic trials follows and then examines this procedure based on the legal system of the period as exemplified by the six analyzed trials The Rom no export Jewish officials trial is analyzed in depth as the case study of the whole book This book concludes by bringing to light two phenomena that dissipate some mystique surrounding the events first the state s practice of using its legal system as a means of oppressing the population and second the stereotypical image of The Jew which the regime in Romania developed Despite its supposed anti religiosity it held on to centuries old prejudices against Jews as pariahs with supposed allegiance to foreign elements preferred over their surrounding society even to the point of betraying and exploiting their own country A History of Political Trials John Laughland, 2008 This is a formidable and well documented counterblast to a developing modern orthodoxy expressing a point of view that many readers will not even have suspected existed let alone read Anthony Daniels Spectator A useful and controversial contribution to the debate about victor s justice and a valuable warning that international war crimes tribunals need to operate with precision and care Jonathan Steele Guardian The rapid development of the use of international courts and tribunals to try heads of state for genocide and other crimes against humanity has been welcomed by most people because they think that the establishment of international tribunals and courts to try notorious dictators represents a triumph of law over impunity In A History of Political Trials John

Laughland takes a very different and controversial view namely that political trials are inherently against the rule of law and almost always involve the abuse of process as well as being seriously hypocritical By means of detailed consideration of the trials of figures as disparate as Charles I Louis XVI Erich Honecker and Saddam Hussein Laughland shows that the guilt of the accused has always been assumed in advance that the judges are never impartial that the process is always unfair and biased in favor of the prosecution that the defense is not permitted to use all the arguments at its disposal and that often the accusers have done exactly what they accuse the defence of having done All the trials he recounts were marked by arbitrariness and injustice often gross injustice Although the chapters are short and easy to read they are the fruit of formidable erudition and wide reading The general reader will be forced by this book to re examine the ideas on this subject and will be much less sanguine about the possibility of bringing dictators and other leaders to genuine justice John Laughland lives in Bath and is an author journalist and has been a university lecturer in France He has published The Tainted Source The Undemocratic Origins of the European Idea Time Warner Paperbacks and has written for the Spectator he Economist and The New York Times Table of Contents Introduction The Trial of Charles I and the Last Judgement The Trial of Louis XVI and the Terror War Guilt after World War I Defeat in the Dock the Riom Trial Justice as Purge Marshal Peacute tain faces his Accusers Treachery on Trial the Case of Vidkun Quisling Nuremberg Making War Illegal Creating Legitimacy the Trial of Marshal Antonescu Ethnic Cleansing and National Cleansing in Czechoslovakia 19451947 Peoplerss Justice in Liberated Hungary From Mass Execution to Amnesty and Pardon Postwar Trials in Bulgaria Finland and Greece Politics as Conspiracy the Tokyo Trials The Greek Colonels the Emperor Bokassa and the Argentine Generals Transitional Justice 19752007 Revolution Returns the Trial of Nicolae Ceausescu A State on Trial Erich Honecker in Moabit Jean Kambanda Convicted without Trial Kosovo and the New World Order the Trial of Slobodan Miloscaron evic Regime Change and the Trial of Saddam Hussein Conclusion Notes Bibliography and Further Reading Index **Popular Trials** Robert Hariman, 1990 This critical study of seven popular trials illustrates the interaction of the law and the mass media The seven are the 17th century trial of Dr Henry Sacheverell and the 20th century trials of Scopes the Chicago Seven the Catonsville Nine John Hinckley Claus von Bulow and San Diego Mayor Roger Hedgecock Annotation copyrighted by Book News Inc Portland OR

Political Trials in History Ron Christenson, Prepared in dictionary format this volume reexamines the uses of political trials Through the conduct and context of key trials throughout history the reader is made to understand an aspect of public life too easily misconstrued although never neglected the political side of litigation Most of the trials in this volume were significant enough to continue to shape our interpretation of the law long after the court made its judgment and all appeals were completed The dialogue they initiated may last for decades even for centuries Such trials provide us with an insight into the vital aspects of our public life the civilizing capacity of politics

Ottoman Rule of Law and the Modern Political

Trial Avi Rubin, 2018-11-08 In 1876 a recently dethroned sultan Abd laziz was found dead in his cham bers the veins in his

arm slashed Five years later a group of Ottoman senior officials stood a criminal trial and were found guilty for complicity in his murder Among the defendants was the world famous statesman former Grand Vizier and reformer Ahmed Midhat Pasa a political foe of the autocratic sultan Abd lhamit II who succeeded Abd laziz and ruled the empire for thirty three years The alleged murder of the former sultan and the trial that ensued were political dramas that captivated audiences both domestically and internationally The high profile personalities involved the international politics at stake and the intense newspaper coverage all rendered the trial an historic event but the question of whether the sultan was murdered or committed suicide re mains a mystery that continues to be relevant in Turkey today Drawing upon a wide range of narrative and archival sources Rubin explores the famous yet understudied trial and its representations in contemporary public discourse and subsequent historiography Through the reconstruction and analysis of various aspects of the trial Rubin identifies the emergence of a new culture of legalism that sustained the first modern political trial in the history of the Middle East Prosecuting Slobodan Milošević Nevenka Tromp, 2016-04-14 This book offers a comprehensive analysis of the trial of former Serbian leader Slobodan Milo evi at the International Criminal Tribunal for the former Yugoslavia ICTY With the premature death of Milo evi in March 2006 his trial was left unfinished Although the traditional objectives of criminal law such as retribution justice for victims and deterrence were not achieved the Milo evi trial archive is a significant historical resource for researchers from various fields This book extracts details from the collection of documentary and transcript evidence that makes up the trial record sources which would be almost impossible to extricate without an insider s guiding hand to allow readers to trace the threads of several historical narratives. The value of this methodology is particularly evident in the Milo evi case as acting as his own defence counsel he responded to and interacted with almost all witnesses and evidence presented against him By providing snapshots of the behaviour displayed by Milo evi in court while conducting his defence in combination with passages of carefully selected evidence from an immense archive familiar to few scholars this volume reveals how these trial records and trail records in general are a truly invaluable historical source The book underlines the premise that any record of a mass atrocities trial whether finished or unfinished establishes a record of past events contributes to interpretations of a historical period and influences the shaping of collective memory This book will be of much interest to students of the Former Yugoslavia war crimes international law human rights international relations and European politics Violence and the Latin American Revolutionaries Michael Radu, This volume departs both from approaches to revolution in Latin America that emphasize interests and those that emphasize socioeconomic and political injustice Rather it deals with real life flesh and bone revolutionary cadres their thoughts backgrounds mentalities and behavior Going beyond cliches about Soviet encroachment in Latin America and injustice breeds revolution the contributors address the issue of the relationship between leaders and followers in a revolutionary context seeing revolutionary leaders as the key to articulating and defining the agenda of the revolution In contrast to most theorizing

revolutionary leaders almost invariably come from the privileged even aristocratic classes. The findings raise the issue of how well these leaders actually represent the peoples for which they claim to speak They also prompt questions about the democratic nature of guerrilla organizations If the leaders are so far removed by social background and education personal experience and ideological articulation from their followers how realistic is it to see the Left as a purveyor of progress Perhaps it is more correct say the contributors to see their claims as manipulative tactics directed to resolving a struggle for power among competing elites The selection of topics ranges from the historical development of revolutionary struggles since Che Guevara Halperin and Ratliff to the more specific application and motivation behind them Ybarra Rojas and Tismaneanu Chapters deal with the attempt to define a typology of revolutionary leaders Radu and their Western supporters Hollander Some authors Payne Horowitz combine these approaches Many issues examined in this volume are new including an analysis of the gap between the internationalist outlook of the leaders and the parochial views of their followers The violent organizations of the Left in Latin America are shown to be largely the functional result of upper and middle class leaders who combine an appeal to the lumpenproletariat at home with support of alienated Westerners to pursue their own Cause Lawyering Austin Sarat, Stuart A. Scheingold, 1998 Why do some lawyers devote themsevles to a specific social movement or political cause What can we learn from such lawyers about the relationship between law and politics CAUSE LAWYERING offers an insightful portrait of lawyers who sacrifice financial advantage in the name of a more just society These telling essays show how cause lawyering is indispensable to the legitimization of professional authority

Nonviolent Action Ronald M. McCarthy, Gene Sharp, Brad Bennett, 2013-07-04 This comprehensive guide to research sources and theories about nonviolent action as a technique of struggle in social and political conficts discusses the methods and techniques used by groups in various encounters Although violence and its causes have received a great deal of attention nonviolent action has not received its due as an international phenomenon with a long history An introduction that explains the theories and research used in the study provides a practical guide to this essential bibliography of English language sources The first part of the book covers case study materials divided by region and subdivided by country Within each country materials are arranged chronologically and topically The second major part examines the methods and theory of nonviolent action principled nonviolence and several closely related areas in social science such as conflict analysis and social movements The book is indexed by author and subject The American Paradox Patrick J. Gallo,1999 Spectacles and Specters Başak Ertür,2022-11-15 WINNER SLSA SOCIO LEGAL THEORY AND HISTORY PRIZE SHORTLISTED THE HART SLSA BOOK PRIZE Spectacles and Specters draws on theories of performativity to conceptualize the entanglements of law and political violence offering a radical departure from accounts that consider political trials as instrumental in exercising or containing political violence Legal scholar Ba ak Ert r argues instead that making sense of the often incalculable interpenetrations of law politics and violence in trials requires shifting the focus away from law s instrumentality

to its performativity Ert r develops a theory of political trials by reconstructing and building on a legacy of critical thought on Nuremberg in close engagement with theories of performativity She then offers original case studies that introduce a new perspective by looking beyond the Holocaust trials to the Armenian genocide and its fragmentary legal aftermaths These cases include the 1921 trial of Soghomon Tehlirian the 2007 21 Hrant Dink Murder Trial and the 2015 case before the European Court of Human Rights concerning the denial of the Armenian genocide Enabling us to capture the various modalities in which the political emerges in through and in relation to legal forms on the stage of the trial this focus on law s performativity also allows us to account for how sovereign schemes can misfire and how trials can come to have unintended political lives and afterlives Further it reveals how law is entangled with and perpetuates certain histories of violence rather than simply ever mastering these histories or providing closure The Courtroom as a Space of Resistance Awol Allo, 2016-03-09 Fifty years before his death in 2013 Nelson Mandela stood before Justice de Wet in Pretoria s Palace of Justice and delivered one of the most spectacular and liberating statements ever made from a dock In what came to be regarded as the trial that changed South Africa Mandela summed up the spirit of the liberation struggle and the moral basis for the post Apartheid society In this blistering critique of Apartheid and its perversion of justice Mandela transforms the law into a sword and shield He invokes it while undermining it uses it while subverting it and claims it while defeating it Wise and strategic Mandela skilfully reimagines the courtroom as a site of visibility and hearing opening up a political space within the legal This volume returns to the Rivonia courtroom to engage with Mandela's masterful performance of resistance and the dramatic core of that transformative event Cutting across a wide range of critical theories and discourses contributors reflect on the personal spatial temporal performative and literary dimensions of that constitutive event By redefining the spaces institutions and discourses of law contributors present a fresh perspective that re sets the margins of what can be thought and said in the courtroom **Encyclopedia of Criminology** J. Mitchell Miller, Richard A. Wright, 2013-12-17 This three volume work offers a comprehensive review of the pivotal concepts measures theories and practices that comprise criminology and criminal justice No longer just a subtopic of sociology criminology has become an independent academic field of study that incorporates scholarship from numerous disciplines including psychology political science behavioral science law economics public health family studies social work and many others The three volume Encyclopedia of Criminology presents the latest research as well as the traditional topics which reflect the field s multidisciplinary nature in a single authoritative reference work More than 525 alphabetically arranged entries by the leading authorities in the discipline comprise this definitive international resource The pivotal concepts measures theories and practices of the field are addressed with an emphasis on comparative criminology and criminal justice While the primary focus of the work is on American criminology and contemporary criminal justice in the United States extensive global coverage of other nations justice systems is included and the increasing international nature of crime is explored thoroughly Providing the most up to

date scholarship in addition to the traditional theories on criminology the Encyclopedia of Criminology is the essential one stop reference for students and scholars alike to explore the broad expanse of this multidisciplinary field Terror in the Balance Eric A. Posner, Adrian Vermeule, 2007-01-04 In Terror in the Balance Posner and Vermeule take on civil libertarians of both the left and the right arguing that the government should be given wide latitude to adjust policy and liberties in the times of emergency They emphasize the virtues of unilateral executive actions and argue for making extensive powers available to the executive as warranted The judiciary should neither second guess security policy nor interfere on constitutional grounds In order to protect citizens government can and should use any legal instrument that is warranted under ordinary cost benefit analysis. The value gained from the increase in security will exceed the losses from the decrease in liberty At a time when the struggle against violent extremism dominates the United States agenda this important and controversial work will spark discussion in the classroom and intellectual press alike *Der Einfluss deutscher Emigranten* auf die Rechtsentwicklung in den USA und in Deutschland Marcus Lutter, Ernst Stiefel, Michael H. Hoeflich, 1993 Cultural Revolution on Trial Alexander C. Cook, 2016-11-07 Introduction Indictment Monsters Testimony Emotions Verdict Vanity Conclusion Index of Chinese terms Politically Motivated Justice Artem Galushko, 2021-03-31 The book addresses authoritarian legacies of politically motivated justice and its unwritten practices that have re emerged in the recent trials related to both political and ordinary criminal charges against prominent opposition leaders in many former Soviet republics Taking into account that in any country all trials are more or less related to politics the author differentiates between trials on political issues political trials that are not necessarily arbitrary and politicized partisan trials arbitrary trials against political opponents The monograph thus adopts a broad definition of a political trial which includes all trials that are related to politicians and political matters such as elections regime change activities of parties and other political organizations. The focus lies on a separate group of partisan trials that are politicized i e politically motivated and which are used by governments to restrain political opposition and dissent Primarily aimed at legal practitioners such as human rights lawyers prosecutors and judges as well as postgraduates researchers teaching assistants and university law professors readers can gain from the book information that is useful in assessing the interdisciplinary phenomenon of politically motivated criminal justice in transitional and authoritarian post Soviet republics Additionally the volume is indispensable to readers that are interested in Eastern European Studies Transitional Justice Law and Society Slavic Studies and Theory and History of State and Law Artem Galushko is a post doctoral researcher at the Max Planck Institute for the Study of Religious and Ethnic Diversity in Germany

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