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Forty Years Later

The
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against
Injustice
in Our
Time

EDITED BY THOMAS COLEMAN

Nuremberg Forty Years Later

Thomas Faunce



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Crimes Against Humanity in International Criminal Law M. Cherif Bassiouni, 2023-08-28 This book *Crimes Against Humanity in International Criminal Law* by M Cherif Bassiouni provides an in depth analysis of the development and application of crimes against humanity within international law It explores the historical evolution from the Nuremberg Trials and the legislative history of international charters to modern day international criminal tribunals The author an experienced law professor and president of several human rights organizations aims to clarify the legal principles and philosophical underpinnings of international criminal law focusing on post World War II legal developments The book is intended for legal scholars practitioners and students interested in international criminal justice providing insights into the codification prosecution and future challenges of enforcing international human rights law *The Legislative History of the International Criminal Court (2 vols.)* M. Cherif Bassiouni, William A. Schabas, 2016-10-05 This unique work is an article by article drafting history of the ICC Statute containing all versions of every article in the Statute as it evolved from 1994 to 1998 It also integrates in the Statute s provisions the Elements of the Crimes and the Rules of Procedure and Evidence adopted by the Preparatory Commission 1998 2000 and the Regulations of the Court adopted by the plenary of judges A description of the ICC mechanisms and institutions precedes this article by article legislative history Other relevant documents are also included such as those concerning the privileges and immunities and financial regulations of the Court as well as its relationship with the United Nations This new edition contains the amendments adopted at the Kampala Conference amendments to the Rules of Procedure and Evidence and the Regulations of the Court and references to relevant case law covering the first decade of the Court s judicial activity It also offers an insightful first hand account of the drafting process both prior to and during the Rome Diplomatic Conference along with a detailed historical survey of the efforts to establish the ICC Government officials judges practitioners and scholars seeking to interpret and understand the ICC Statute will find this publication unmatched for completeness and ease of use *Prosecuting International Crimes* Robert Cryer, 2005-06-30 This 2005 book discusses the legitimacy of the international criminal law regime It explains the development of the system of international criminal law enforcement in historical context from antiquity through the Nuremberg and Tokyo Trials to modern day prosecutions of atrocities in the former Yugoslavia Rwanda and Sierra Leone The modern regime of prosecution of international crimes is evaluated with regard to international relations theory The book then subjects that regime to critique on the basis of legitimacy and the rule of law in particular selective enforcement not only in relation to who is prosecuted but also the definitions of crimes and principles of liability used when people are prosecuted It concludes that although selective enforcement is not as powerful as a critique of international criminal law as it was previously the creation of the International Criminal Court may also have narrowed the substantive rules of international criminal law *Military Law Review* ,1995 [International Criminal Law, Volume 3: International Enforcement](#) M. Cherif

Bassiouni, 2008-12-31 Volume 3 addresses the direct enforcement system namely international criminal tribunals how they came about and how they functioned tracing that history from the end of WWI to the ICC including the post WWII experiences They address the IMT IMTFE ICTY ICTR the mixed model tribunals and the ICC It also contains a chapter which addresses some of the problems of the direct enforcement system namely the general procedural evidentiary and sanctions parts of ICL which is largely made of what is contained in the statutes of the tribunals mentioned above as well as the jurisprudence of the established tribunals In addition this volume addresses national experiences with the enforcement of certain international crimes It is divided into 4 chapters which are titled as Chapter 1 History of International Investigations and Prosecutions International Criminal Accountability International Criminal Justice in Historical Perspective Chapter 2 International Criminal Tribunals and Mixed Model Tribunals The International Criminal Tribunal for the Former Yugoslavia The International Criminal Tribunal for Rwanda The Making of the International Criminal Court Mixed Models of International Criminal Justice Special Court for Sierra Leone Special Tribunal for Cambodia East Timor Chapter 3 National Prosecutions for International Crimes National Prosecutions for International Crimes National Prosecutions of International Crimes A Historical Overview The French Experience The Belgian Experience The Dutch Experience Indonesia The U S War Crimes Act of 1996 Enforcing ICL Violations with Civil Remedies The Case of the U S Alien Tort Claims Act Chapter 4 Contemporary Issues in International Criminal Law Doctrine and Practice Command Responsibility Joint Criminal Enterprise The Responsibility of Peacekeepers The General Part Judicial Developments *Ne bis in idem* Plea Bargains Issues Pertaining to the Evidentiary Part of International Criminal Law Penalties and Sentencing Penalties From Leipzig to Arusha Victims Rights in International Law

Introduction to International Criminal Law M. Cherif Bassiouni, 2021-10-01 Written by one of the world's pioneers and leading authorities on international criminal law this text book covers the history nature and sources of international criminal law the *ratione personae* *ratione materiae* sources of substantive international criminal law the indirect enforcement system the direct enforcement system the function of the international criminal court rules of procedure and evidence applicable to international criminal proceedings and the future of international criminal law The first textbook to address this important topic it is comprehensive easy to read and ideally suited for classroom use Published under the Transnational Publishers imprint

The Tokyo Tribunal: Perspectives on Law, History and Memory Marina Aksenova, Diane Marie Amann, David Cohen, Robert Cribb, David M. Crowe, Donald M. Ferencz, Narrelle Morris, Diane Orentlicher, Kuniko Ozaki, Christoph Safferling, Franziska Seraphim, Gerry Simpson, Kayoko Takeda, Yuma Totani, Beatrice Trefalt, Sandra Wilson, 2020-10-27 The International Military Tribunal for the Far East IMTFE held in Tokyo from May 1946 to November 1948 was a landmark event in the development of modern international criminal law The trial in Tokyo was a complex undertaking and international effort to hold individuals accountable for core international crimes and delivering justice The Tribunal consisted of 11 judges and respective national prosecution teams from 11 countries and a mixed

Japanese American team of defence lawyers The IMTFE indicted 28 Japanese defendants amongst them former prime ministers cabinet ministers military leaders and diplomats based on a 55 count indictment pertaining to crimes against peace war crimes and crimes against humanity The judgment was not unanimous with one majority judgment two concurring opinions and three dissenting opinions The trial and the outcome were the subject of significant controversy and the Tribunal's files were subsequently shelved in the archives While its counterpart in Europe the International Military Tribunal IMT at Nuremberg has been at the centre of public and scholarly interest the Tokyo Tribunal has more recently gained international scholarly attention This volume combines perspectives from law history and the social sciences to discuss the legal historical political and cultural significance of the Tokyo Tribunal The collection is based on an international conference marking the 70th anniversary of the judgment of the IMTFE which was held in Nuremberg in 2018 The volume features reflections by eminent scholars and experts on the establishment and functioning of the Tribunal procedural and substantive issues as well as receptions and repercussions of the trial

Making Modern Medical Ethics Robert Baker, 2024-02-20 The little known stories of the people responsible for what we know today as modern medical ethics In *Making Modern Medical Ethics* Robert Baker tells the counter history of the birth of bioethics bringing to the fore the stories of the dissenters and whistleblowers who challenged the establishment Drawing on his earlier work on moral revolutions and the history of medical ethics Robert Baker traces the history of modern medical ethics and its bioethical turn to the moral insurrections incited by the many unsung dissenters and whistleblowers African American civil rights leaders Jewish Americans harboring Holocaust memories feminists women and Anglo American physicians and healthcare professionals who were veterans of the World Wars the Cold War and the Vietnam War The standard narrative for bioethics typically emphasizes the morally disruptive medical technologies of the latter part of the twentieth century such as the dialysis machine the electroencephalograph and the ventilator as they created the need to reconsider traditional notions of medical ethics Baker however tells a fresh narrative one that has historically been neglected e g the story of the medical veterans who founded an international medical organization to rescue medicine and biomedical research from the scandal of Nazi medicine and also reveals the penalties that moral change agents paid e g the stubborn bureaucrat who was demoted for her insistence on requiring and enforcing research subjects informed consent Analyzing major statements of modern medical ethics from the 1946 1947 Nuremberg Doctors Trials and Nuremberg Code to A Patient's Bill of Rights *Making Modern Medical Ethics* is a winning history of just how respect and autonomy for patients and research subjects came to be codified

Crimes against Humanity M. Cherif Bassiouni, 2011-04-25 This book traces the evolution of crimes against humanity CAH and their application from the end of World War I to the present day in terms of both historic legal analysis and subject matter content The first part of the book addresses general issues pertaining to the categorization of CAH in normative jurisprudential and doctrinal terms This is followed by an analysis of the specific contents of CAH describing its historic phases going through international criminal

tribunals mixed model tribunals and the International Criminal Court The book examines the general parts and defenses of the crime along with the history and jurisprudence of both international and national prosecutions For the first time a list of all countries that have enacted national legislation specifically directed at CAH is collected along with all of the national prosecutions that have occurred under national legislation up to 2010

Pilgrims in Medicine: Conscience, Legalism and Human Rights Thomas Faunce, 2005-02-01 This arrestingly novel work develops a normative synthesis of medical humanities virtue ethics medical ethics health law and human rights It presents an ambitious complex and coherent argument for the reconceptualisation of the doctor patient relationship and its regulation utilising approaches often thought of as being separate if not opposed virtue based ethics and universal human rights The case is argued gracefully with moderation but also with respect for opposing positions The book s analysis of the foundational professional virtue of therapeutic loyalty is an original departure from the traditional discourse of patient autonomy and the ethical and legal duties of the medical practitioner The central argument is not merely presented as bookends in the introduction and conclusion It is cogently represented in each chapter and section and measured against the material considered A remarkable feature is the use of aptly selected canonical literature to inform the argument These references run from Hesse s *The Glass Bead Game* in the abstract to Joyce s *Ulysses* in the conclusion They include excerpts from and discussion about Bergman Borges Boswell Tolstoy de Beauvoir Chekhov Dostoevsky Samuel Johnson Aristotle Orwell Osler Chaucer Schweitzer Shakespeare Thorwalds Kafka and William Carlos Williams Such references are used not merely as an artistic and decorative leitmotif but become a critical narrative element and another complex and rich layer to this work The breadth and quality of the references are testimony to the author s clear understanding of the modern law and literature movement This work provides the basis of a medical school course As many medical educators as possible should also be encouraged to read this work for the insights it will give them into using their own personal life narratives and those of their patients to inform their decision making process This thesis will also be of value to the judiciary whose members are often called upon to make normatively difficult judgments about medical care and medical rules The human rights material leads to a hopeful view of an international movement toward a universal synthesis between medical ethics and human rights in all doctor patient relationships

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