

Mass Atrocity Ordinary Evil And Hannah Arendt Criminal Consciousness In Argentinas Dirty War

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is it possible that the soldiers of mass atrocities adolph eichmann in nazi germany and alfredo astiz in argentina s dirty war for example act under conditions that prevent them from recognizing their crimes in the aftermath of catastrophic state sponsored mass murder how are criminal courts to respond to those who either gave or carried out the military orders that seem unequivocally criminal this important book addresses hannah arendt s controversial argument that perpetrators of mass crimes are completely unaware of their wrongdoing and therefore existing criminal laws do not adequately address these defendants mark osiel applies arendt s ideas about the kind of people who implement bureaucratized large scale atrocities to argentina s dirty war of the 1970s and he also delves into the social conditions that could elicit such

reprehensible conduct he focuses on argentine navy captain astiz who led one of the most notorious abduction squads to discover how he and other junior officers could justify the murders of more than ten thousand suspected subversives osiel concludes that legal stipulations labeling certain deeds as manifestly illegal are indefensible he calls for a significant change in the laws of war to preserve both justice and the possibility of dialogue between factions in such sharply divided societies as argentina osiel s proposals have profound implications for future prosecutions of pinochet s lieutenants milosevic s henchmen the willing executioners of rwanda and east timor and other perpetrators of state endorsed murder and torture

the anthem companion to hannah arendt offers a unique collection of essays on one of the twentieth century s greatest thinkers the companion encompasses arendt s most salient arguments and major works the origins of totalitarianism the human condition eichmann in jerusalem on revolution and the life of the mind the volume also examines arendt s intellectual relationships with max weber karl mannheim and other key social scientists although written principally for students new to arendt s work the anthem companion to hannah arendt also engages the most avid arendt scholar

how should state sponsored atrocities be judged and remembered this controversial question animates contemporary debates on transitional justice and reconciliation this book reconsiders the legacies of two institutions that transformed the theory and practice of transitional justice whereas the nuremberg trials exemplified the promise of legalism and international criminal justice south africa s truth and reconciliation commission promoted restorative justice and truth commissions leebaw argues that the two frameworks share a common problem both rely on criminal justice strategies to investigate experiences of individual victims and perpetrators which undermines their critical role as responses to systematic atrocities drawing on the work of influential transitional justice institutions and thinkers such as judith shklar hannah arendt josé zalaquett and desmond tutu leebaw offers a new approach to thinking about the critical role of transitional justice one that emphasizes the importance of political judgment and investigations that examine complicity in and resistance to systematic atrocities

the tools of reason offer the best hope for the international community to confront the increasing incidents of hate throughout the world a historically informed normative examination of the elements of the crime of genocide provides an excellent case study of how the law reason s handmaiden enhances understanding and improves practical ways of dealing with global injustices how should we confront hate as political activists we could resort to fighting hate with hate as concerned citizens we could consciously ignore or actively protest hate as committed educators we could put the implements and survivors of hate on display as committed scholars

we could resuscitate the idea of evil as humanitarian jurists we could put individual hate mongers on trial part i of this book makes a case for making the maximum use of reason to deal with hate this means that we should actively debate those who promote hate further as a close look at the history of applying law to incidents of hate and violence illustrates the courtroom proves to be an excellent place to demonstrate the virtues of applying the tools of reason not to global evils but to the grave injustices of the world in part ii simon demonstrates the power of legal analysis in enhancing our understanding of genocide probably the worst injustice imaginable a close examination of each purported element of the crime of genocide redirects misguided turns taken by international jurists contrary to a more realistic perspective adopted at the nuremberg trials jurists have mistakenly modeled international criminal law on national criminal law which focuses on individual responsibility however the cases of grave injustices throughout the 20th century amply demonstrate the primary collective responsibility underlying incidences of genocide the failure to prosecute criminal organizations for genocide has and will continue to have disastrous results while the nuremberg tribunal at least disbanded the responsible nazi organizations current war crimes tribunals have allowed organizations responsible for the rwandan genocide to continue to wreak havoc throughout central africa if the international community cannot forge a common understanding of genocide then it has little hope of establishing an international legal order or a global ethics

this collection of essays will address some of the most controversial issues surrounding torture how it is used by governments legal definitions of torture the theological implications of torturing torture in declared states of emergency and why it should be prohibited

focuses on perpetrators of human rights crimes investigating confessions by human rights violators in contexts of transitional justice in south america and south africa

in this contribution to philosophical ethics claudia card revisits the theory of evil developed in her earlier book the atrocity paradigm 2002 and expands it to consider collectively perpetrated and collectively suffered atrocities redefining evil as a secular concept and focusing on the inexcusability rather than the culpability of atrocities card examines the tension between responding to evils and preserving humanitarian values this stimulating and often provocative book contends that understanding the evils in terrorism torture and genocide enables us to recognise similar evils in everyday life daily life under oppressive regimes and in racist environments violence against women including in the home violence and executions in prisons hate crimes and violence against animals card analyses torture terrorism and genocide in the light of recent atrocities considering whether there can be moral justifications for terrorism and torture and providing conceptual tools to distinguish genocide from non genocidal mass slaughter

genocide crimes against humanity and the worst war crimes are possible only when the state or other organisations mobilise and co ordinate the efforts of many people responsibility for mass atrocity is always widely shared often by thousands yet criminal law with its liberal underpinnings prefers to blame particular individuals for isolated acts is such law therefore constitutionally unable to make any sense of the most catastrophic conflagrations of our time drawing on the experience of several prosecutions this book both trenchantly diagnoses the law s limits at such times and offers a spirited defence of its moral and intellectual resources for meeting the vexing challenge of holding anyone criminally accountable for mass atrocity just as war criminals develop new methods of eluding law s historic grasp so criminal law flexibly devises novel responses to their stratagems mark osiel examines several such legal innovations in international jurisprudence and proposes still others

this edited collection draws on a range of disciplines in exploring the central place of narrative in social inquiry and understanding the ethical life it provides scholarly and practical insights into the rewards and potential pitfalls of working in and with narrative it offers readers a broad range of carefully considered examples the use of art in enhancing insight into the plights of rural communities in australia the use of illness narratives in medical education applying narratives of torture survivors and torturers in shaping humane political response and policy in the face of terrorism and the place of the music as a vehicle of story telling and moral growth this volume illuminates the explicit links between the importance of narrative that is the telling of stories to create shape and meaning in our lives and ethical engagement so critical to the achievement of a good life

the tokyo international military tribunal imt is not frequently discussed in the literature on international criminal law and it is often thought that it was little more and possibly less than a footnote to the nuremberg proceedings this work seeks to dispel this widely held belief by showing the way in which the tokyo imt was both similar and different to its nuremberg counterpart the extent to which the critiques of the tokyo imt have purchase and the tribunal s contemporary relevance the book also shows how the imt needs to be treated not just as one overarching entity but also as being made up of different sets of people who made up the prosecution the defence and the judges these disagreed with each other and at times internally over the way in which the trial should proceed and the book shows how each had an impact on the proceedings the book is a comprehensive legal analysis of the tokyo imt covering its law theory practice and the lessons it may teach to those prosecuting and defending international crimes today it also places the trial in its political and historical context the work is based in part of extensive archival research undertaken by the authors which has unearthed large quantities of documents that have previously been ignored by those who have studied the tribunal

list of members in v 1

taking a unique approach that emphasizes careful reasoning this reader is structured around 28 key arguments that have provoked heated debates on current ethical issues publisher description

is torture the inevitable reaction to terrorism

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