



The Nuremberg Fallacy

Eugene Davidson

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The Nuremberg Fallacy:

The Nuremberg Fallacy Eugene Davidson, 1998 Available for the first time in paperback The Nuremberg Fallacy examines the inherent shortcomings of the Nuremberg rules of war and the War Crimes Tribunal's impossible expectations In 1946 the Tribunal declared all aggressive war war crimes and crimes against humanity illegal Yet the period since World War II has witnessed an unprecedented number of armed conflicts In light of recent crises including those in Rwanda Bosnia and Serbia and the Middle East it is clear that the issues explored in The Nuremberg Fallacy are as relevant today as they were at the time of the book's first publication a quarter century ago In this volume Eugene Davidson continues his investigations begun in The Trial of the Germans University of Missouri Press which studied the Nuremberg trials themselves by focusing on five major conflicts since the end of World War II the Suez crisis of 1956 Algeria's war of independence Israel's recurring and ongoing battles with its Arab neighbors complicated and worsened by intervention of the superpowers the wars in Southeast Asia and the Soviet Union's suppression of Czechoslovakia and other border states of Eastern Europe By exploring the roots and ramifications of these five conflicts Davidson is able to chart the crosscurrents between large and small states between individual nations and the United Nations between the rules of Nuremberg and the significantly older rules of self interest The result is a thoughtful and thought provoking study of the dynamics of war and peace in the post Nuremberg world The rules of war proclaimed at Nuremberg observing the flag of truce prohibiting attacks on surrendered enemies treating prisoners of war and civilian populations humanely have become virtually irrelevant in modern guerrilla warfare If anything Davidson suggests conditions have actually become worse than they were before the Nuremberg War Crimes Tribunal The continuing importance and relevance of The Nuremberg Fallacy is best summarized in the final sentences of Davidson's text The survival of a nation cannot be successfully entrusted to simplistic formulae or to principles that reflect unworkable doctrines No computers have been programmed for the wisdom that remains essential for survival People still have to provide that from their own inner and outer resources no matter how far the weapons may seem to have outdistanced them

War in International Society Lacy Pejcinovic, 2013-04-12 Is war an institution of international society and how is it constituted as such across the evolution of international society This book is an inquiry into the purpose of war as a social institution as originally put forward by Hedley Bull It offers a comprehensive examination of what is entailed in thinking of war as a social institution and as a mechanism for order Since the terrorist attacks of 9/11 the subject of war has become increasingly relevant with questions about who can wage war against whom the way war is fought and the reasons that lead us to war exposing fundamental inadequacies in our theorisation of war War has long been considered in the discipline of International Relations in the context of the problem of order However the inclusion of war as an institution is problematic for many How can we understand an idea and practice so often associated with coercion destruction and disorder as contributing to order and coexistence This study contends that an understanding of the core elements that

establish the character of war as an institution of modern international society will give us important insights into the purpose if any of war in contemporary international relations This ground breaking book will be of strong interest to students and scholars of international relations international relations theory the English school security studies and warfare

Criminal Responsibility for the Crime of Aggression Patrycja Grzebyk, 2013-10-01 Since the Nuremberg trial the crime of aggression has been considered one of the gravest international crimes However since the 1940s no defendants have been charged with this crime with some states actively opposing the notion of punishing aggression The option of trying an individual for aggression is expressly included in the statute of the International Criminal Court In 2010 the Assembly of States Parties adopted a definition of the crime of aggression and conditions of the exercise of jurisdiction over this crime by the Court The Assembly also agreed that the decision on including the crime of aggression within the Court's jurisdiction would be made in 2017 at the earliest It is still internationally debatable whether the criminalisation of aggression is an outcome to strive for or whether its abandonment is more preferable In *Criminal Responsibility for the Crime of Aggression* Patrycja Grzebyk explores the scope of criminal responsibility of individuals for crimes of aggression and asks why those responsible for aggression are not brought to justice The book first works to identify the legal norms that define and delegitimise aggression before moving to determine the basis and scope for the criminalisation of aggression The book then goes on to identify the key risks and difficulties inherent in trials for aggression Following a string of awards in Poland including the Manfred Lachs Prize for the best first book on public international law this cutting investigation of aggression is now deservedly made available to the wider world In its extensive analysis of international trials on aggression and its synthesis of legal political and historical rhetoric this book offers broad and striking insight into the criminal responsibility of individuals on a world stage

Democracy, Nazi Trials, and Transitional Justice in Germany, 1945-1950 Devin O. Pendas, 2020-09-24 Post war Germany has been seen as a model of transitional justice in action where the prosecution of Nazis most prominently in the Nuremberg Trials helped promote a transition to democracy However this view forgets that Nazis were also prosecuted in what became East Germany and the story in West Germany is more complicated than has been assumed Revising received understanding of how transitional justice works Devin O Pendas examines Nazi trials between 1945 and 1950 to challenge assumptions about the political outcomes of prosecuting mass atrocities In East Germany where there were more trials and stricter sentences and where they grasped a broad German complicity in Nazi crimes the trials also helped to consolidate the emerging Stalinist dictatorship by legitimating a new police state Meanwhile opponents of Nazi prosecutions in West Germany embraced the language of fairness and due process which helped de-radicalise the West German judiciary and promote democracy

Law Among Nations Gerhard von Glahn, James Larry Taulbee, 2015-07-14 Offering a more accessible alternative to casebooks and historical commentaries *Law Among Nations* explains issues of international law by tracing the field's development and stressing key principles and processes This comprehensive text

eliminates the need for multiple books by combining discussions of theory and state practice with excerpts from landmark cases. Renowned for its rigorous approach and clear explanations, *Law Among Nations* remains the gold standard for undergraduate introductions to international law.

Learning Goals: Trace the development of International Law through key principles and processes. Illustrate important issues and theories using excerpts from landmark cases.

Use of Force • War and Neutrality Peace Treaties (N-Z) Rudolf Bernhardt, 2014-05-12. *Encyclopedia of Public International Law* 4. Use of Force War and Neutrality Peace Treaties. N-Z focuses on hostile inter State relations and associated questions as well as the use of force, war, neutrality and peace treaties. The publication first elaborates on warships, wars of national liberation, war materials, laws of war, war correspondent, war and environment, Versailles Peace Treaty 1919, use of force, United Nations peacekeeping system, United Nations forces and unfriendly act. The text then ponders on trading with the enemy, suspension of hostilities, surrender, submarine warfare, sequestration, self preservation, self defense, sea warfare, safety zones, safe conduct and safe passage, resistance, movements, requisitions and reparations after World War II. The book examines relief actions, recognition of insurgency and belligerency, prisoners of war, threat to peace, peace treaties, means to safeguard peace, pacifism, occupation after armistice, nuclear tests, non aggression pacts and neutrality in air warfare, land warfare and sea warfare. The text is a vital source of information for researchers interested in the use of force, war and neutrality peace treaties.

The Yale Law Journal, 1975 **The Nuremberg Fallacy** Eugene Davidson, 1973 **Encyclopedia of Public International Law**, 1981 The Holocaust: Readings and Interpretations Joseph Mitchell, Helen Buss Mitchell, 2001. The Holocaust Readings and Interpretations raises important questions related to the study of the Holocaust and offers potential answers to these questions through interpretive essays from the field's leading scholars, many with differing opinions and points of view. The book emphasizes the complexity of the subject while it seeks to provide an understanding of an historical event that for many people still defies comprehension. Although the attempted annihilation of European Jews by Hitler's Third Reich occurred between 1933 and 1945, the roots of antisemitism are at least two millennia old. Each of the book's nine chapters raises relevant questions regarding the Holocaust, its historical context, the factors which made it possible, its victims and perpetrators, responses to it by individuals, groups and nations, issues of gender and the philosophical and theological implications. The concluding section of the book explores the latest scholarship in the field through analysis and evaluation of the topics which attract historians today.

The Tokyo War Crimes Trial International Military Tribunal for the Far East, 1981 International Affairs, 1975 **Philosophical Problems in the Law**, 2000. This excellent collection of topically organized articles with chapter introductions, cases for further reflection and end of chapter glossaries provides an accessible yet philosophically honest and balanced introduction to the philosophy of law.

The Six Legal Dimensions of the Vietnam War Richard A. Falk, 1968 The Tokyo International Military Tribunal Neil Boister, Robert Cryer, 2008. 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 **Manas** ,1966 **Bowditch Review** ,1967

The Trial of Adolf Eichmann Adolf Eichmann,Israel. Miśrad ha-mishpaṭim,1992 Presents the full record of the trial s 121 sessions from 11 April to 15 December 1961 Vol V also contains the proceedings of the appeal in the Israel Supreme Court in 1962 which upheld the verdict of the Jerusalem District Court Vol VI contains an annotated list of exhibits submitted at the trial a glossary of terms and a full index to the five volumes of the proceedings **War Crimes Law** Gerry J. Simpson,2004

Program Organization of American Historians. Meeting,1999

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