



The Nuremberg Fallacy

Eugene Davidson

The Nuremberg Fallacy

Wayne Morrison



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

The Nuremberg Fallacy Eugene Davidson, 1973 Prisoners of War Arnold Krammer, 2007-11-30
America's current War on Terror is causing a readjustment of centuries of POW policies Prisoners of war are once again in the news as America and Western Europe grapple with a new faceless enemy and the rules of war and the torture of POWs are open to reconsideration Until very recently there has been astonishingly little written on the subject of prisoners of war Yet to understand the present it is critical to look back over history To that end Arnold Krammer examines the fate of war prisoners from Biblical and Medieval times through the halting evolution of international law to the current reshuffling of the rules The issue of prisoners of war is of more immediate concern now than ever before and an examination of the history of their treatment and current status may well influence foreign policy The fate of war prisoners through history has been cruel and haphazard The lives of captives hung by a thread Execution enslavement torture or being held for ransom were equally

likely International agreements developed haltingly through the 19th and 20th centuries to culminate in the Geneva Accords of 1929 America's current War on Terror is causing a readjustment of centuries of POW policies Prisoners of war are once again in the news as America and Western Europe grapple with a new faceless enemy and the rules of war and the torture of POWs are open to reconsideration Until very recently there has been astonishingly little written on the subject of prisoners of war Yet to understand the present it is critical to look back over history To that end Arnold Krammer examines the fate of war prisoners from Biblical and Medieval times through the halting evolution of international law to the current reshuffling of the rules Since biblical times war captives have been considered property and counted as booty to be enslaved or killed Americans were interested in generals and weapons and battles but not the fate of prisoners of war The Second World War when 90 000 Americans fell into enemy hands began to change that Concern for our POWs in Germany and Japan and close contact with enemy camps in America began to change our attitudes However it was the Vietnam War media driven and polarizing that caused the American public to truly reevaluate the plight of its sons and brothers heroic and clearly loyal as they fell into the hands of an inscrutable and apparently unyielding distant enemy More recently during the first Gulf War of 1991 and the current War on Terrorism the issue of prisoners of war has moved to center stage involving the clash of ideologies politics and expediency Since 9 11 the rights and safety of prisoners of war caught up in the War on Terror have been debated in Congress and adjudicated on by former Attorney General Alberto Gonzales whose conclusions were protested by numerous organizations The issue of prisoners of war is of more immediate concern now than ever before and an examination of the history of their treatment and current status may well influence foreign policy Sovereignty and its Discontents William Rasch, 2012-09-10 This book argues for the centrality of conflict in any notion of the political In contrast to many of the attempts to re think the political in the wake of the collapse of traditional leftist projects it also argues for the logical and or ontological primacy of violence over peace The notion of the political expounded here is explicitly realist and anti utopian in large part because the author finds the consequences of attempting to think the good life to be far more damaging than thinking the tolerable life The political is not thought of as a means to implement the good life rather the political exists because the good life does not Indeed if one sees globalization with its emphasis on efficiency and economy as a threat to the autonomy of the political then one ought to be wary of political ideologies that reduce the political to species of moral or legal discourse As laudable as the aims of human rights activists or political theorists like Rawls and Habermas may be the consequences of their thought and actions further reduce the scope and possibility of political activity by in effect criminalizing political opposition Once universal norms are instantiated political opposition becomes impossible A fully legalized moralized and pacified universe is a thoroughly depoliticized one as well Academics and advanced students researching and working in the areas of political theory legal theory and international relations will find this book of great interest **Genocide** Leo Kuper, 1981-01-01 Describes the political situations which have resulted in genocide shows how

technological developments have made massacres more feasible and discusses the influence of larger nations in fomenting conflict

Military Law Review ,2001 *Harry S. Truman* Robert H. Ferrell,2013-07-22 Few U S presidents have captured the imagination of the American people as has Harry S Truman the man from Missouri In this major new biography Robert H Ferrell widely regarded as an authority on the thirty third president challenges the popular characterization of Truman as a man who rarely sought the offices he received revealing instead a man who with modesty commitment to service and basic honesty moved with method and system toward the presidency Truman was ambitious in the best sense of the word His powerful commitment to service was accompanied by a remarkable shrewdness and an exceptional ability to judge people He regarded himself as a consummate politician a designation of which he was proud While in Washington he never succumbed to the Potomac fever that swelled the heads of so many officials in that city A scrupulously honest man Truman exhibited only one lapse when at the beginning of 1941 he padded his Senate payroll by adding his wife and later his sister From his early years on the family farm through his pivotal decision to use the atomic bomb in World War II Truman s life was filled with fascinating events Ferrell s exhaustive research offers new perspectives on many key episodes in Truman s career including his first Senate term and the circumstances surrounding the Truman Doctrine and the Marshall Plan In addition Ferrell taps many little known sources to relate the intriguing story of the machinations by which Truman gained the vice presidential nomination in 1944 a position which put him a heartbeat away from the presidency No other historian has ever demonstrated such command over the vast amounts of material that Robert Ferrell brings to bear on the unforgettable story of Truman s life Based upon years of research in the Truman Library and the study of many never before used primary sources Harry S Truman is destined to become the authoritative account of the nation s favorite president Revisiting the Vietnam War and International Law Stefan Andersson,2017-12-28 This collection of scholarly and critical essays about the legal aspects of the Vietnam War explores various crimes committed by the United States against North Vietnam war of aggression war crimes in bombing civilian targets such as schools and hospitals and using napalm cluster bombs and Agent Orange crimes against humanity in moving large parts of the population to so called strategic hamlets and alleged genocide and ecocide International lawyer Richard Falk who observed these acts personally in North Vietnam in 1968 uses international law to show how they came about This book brings together essays that he has written on the Vietnam War and on its relationship to international law American foreign policy and the global world order Falk argues that only a stronger adherence to international law can save the world from such future tragedies and create a sustainable world order *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 ^AGlobal Community Yearbook of International Law and Jurisprudence 2020* Giuliana Ziccardi

Capaldo,2022-01-07 The 2020 edition of The Global Community Yearbook of International Law and Jurisprudence constitutes the only thorough annual survey of major developments in international courts General Editor Giuliana Ziccardi Capaldo selects excerpts from important court opinions supported by contributors who provide expert guidance on those cases The topical organization and subject index make the thorough comprehensive content easy to navigate Democracy, Nazi Trials and Transitional Justice in Germany, 1945-1950 Devin O. Pendas,2020-09-24 Revising our understanding about how transitional justice works this study analyses and compares Nazi trials in post war East and West Germany from 1945 to 1950 to challenge assumptions about the political outcomes of prosecuting mass atrocities **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 Group Psychology Of The Japanese in Wartime Toshio Iritani,2013-12-19 First published in 1991 This book

attempts to clarify the psychology and status of the Japanese people during the period from 1931 when Japan s military expansion started to 1945 when Japan experienced a catastrophic defeat in the Pacific War This period is one of the most turbulent in the nation s history it saw the rise of fascism and militarism which led to confrontation and conflict with countries which stood for democracy liberty and freedom **Criminology, Civilisation and the New World Order** Wayne Morrison,2013-10-18 Expertly authored by the co editor of the best selling text Cultural Criminology Unleashed this book re examines criminology in a global context Wide ranging and up to date it covers the topics of colonialism and post colonialism genocide state control the impact of September 11th and the post 9 11 world Exploring the relationship between a modern

discipline and modernity it reworks the history and composition of criminology in light of September 11th and the prevalence of genocide in modernity Analyzing statistics anthropology and the everyday assumptions of criminology's history this text addresses the political and scholarly grip on the territorial state and the absence of a global criminology Rejecting the prevalent belief that September 11th and the responses it evoked were exceptions that either destroyed or revealed the absence of global legal order the author argues that in fact they confirm the nature of the world order of modernity A compelling and topical volume this is a must read for anyone interested or studying in the areas of criminology and criminal justice

Debating Targeted Killing Tamar Meisels, Jeremy Waldron, 2020-05-14 Known terrorists are often targeted for death by the governments of Israel and the United States Several thousand have been killed by drones or by operatives on the ground in the last twenty years Is this form of killing justified when hundreds or thousands of lives are possibly at risk at the hands of a known terrorist Is there anything about it that should disturb us Ethically sound and practical answers to these questions are more difficult to come by than it might seem Renowned political theorists Jeremy Waldron and Tamar Meisels here defend two competing positions on the legitimacy of targeted killing as used in counterterrorism strategy in this riveting and essential for and against book The volume begins with a joint introduction briefly setting out the terms of discussion and presenting a short historical overview of the practice what targeted killing is and how it has been used in which conflicts and by whom It then hones in on killings themselves and the element of targeting The authors tackle difficult and infinitely complex subjects for example the similarities and differences between targeted killing of terrorists and ordinary killings in combat and they ask whether targeted killing can be regarded as a law enforcement strategy or as a hybrid between combat and law enforcement They compare the practice of targeted killing with assassination and the use of death squads And they consider the likelihood that targeted killing has been or will be abused against insurgents criminals or political opponents Meisels analyzes the assassination by Israeli operatives of nuclear scientists working for regimes hostile to Israel Meisels and Waldron carefully consider whether this sort of killing can ever be justified in terms of the danger it in theory averts The conclusions drawn are at once as surprising as they are insightful cautioning us against a world in which targeted killing is the norm as it proliferates rapidly This is essential reading not only for students of political and war theory and military personnel but for anyone interested in or concerned by the future of targeted killing

War Crimes Tribunals and Transitional Justice Madoka Futamura, 2007-10-11 This volume critically re-examines the validity of the Nuremberg legacy as the universal model by analyzing the Tokyo Trial the other International Military Tribunal established after the Second World War and its impact on post-war Japan

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

Emerging Military Technologies Bernhard Koch, Richard Schoonhoven, 2022-04-19 The speed of technological change is demonstrated not least by the new military technologies that are in use or are currently being developed For example the use of remote controlled and semi autonomous weapons systems has long been standard in the armed forces and advances in artificial intelligence mean that more decision making can be expected to be transferred to the machines used by the military But not everything that is technologically possible is ethically justifiable This volume which brings together contributions to an annual conference of the European Chapter of the International Society for Military Ethics attempts to address the ethical and legal problems posed by emerging military technologies In a number of exciting essays internationally renowned researchers present their insights

War Crimes David Chuter, 2003 A nuanced discussion of why war crimes occur what can be done to bring the perpetrators to justice and the prospects of preventing such atrocities in the future

Slovakia 1944. The Forgotten Uprising Major Sean M. Judge, 2014-08-15 The Slovak National Uprising of 1944 is ignored and or treated as a non event in the Western historiography of World War II The political climate during World War II and the Cold War that followed obscured and distorted the history and understanding of this revolt The raising of the Iron Curtain in the 1990s removed the veil of secrecy from much of Eastern Europe s wartime history and Western historians are exploring the new resources available but coverage of Slovakia s story and uprising remains very limited This work aims to fill some of the void Fully understanding the uprising requires an analysis of a number of different viewpoints in order to avoid capture by the political views of the parties involved the Slovaks the Germans or the Soviets Each group had different plans and goals the Slovaks found themselves precariously between the Allies and Germany the Germans fought to maintain their strategic position in central Europe while the Soviets hoped to expand their influence through eastern and central Europe Each group naturally interpreted events differently and acted accordingly Ultimately the Germans crushed the Slovak rebellion Events surrounding the uprising remain cloudy to this day The Slovaks won only short term political gains but their Jewish and ethnic German populations paid a heavy price The Germans won their last significant victory in the war and maintained their presence in Slovak territory until the very end The Soviet Union suffered significant casualties but

saw Communist influence increase in the region Recriminations swirl around the lack of Allied support and the duplicity of Stalin Western historians have excluded coverage of the uprising in part to avoid embarrassment Significantly the Slovaks remain at odds among themselves about the importance and the meaning of the uprising

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