

CARLOS SANTIAGO NINO

RADICAL
EVIL
ON
TRIAL



Radical Evil On Trial

Aryeh Neier



Radical Evil On Trial:

Radical Evil on Trial Carlos Santiago Nino, 1996-01-01 Does an emergent democracy have an obligation to prosecute its former dictators for crimes against humanity for what Arendt and Kant called radical evil What impact will such prosecutions have on the future of democracy In this book Carlos Santiago Nino offers a provocative first hand analysis of developments in Argentina during the 1980s when a brutal military dictatorship gave way to a democratic government Nino played a key role in guiding the transition to democracy and in shaping the human rights policies of President Raúl Alfonsín after the fall of the military junta in 1983 The centerpiece of Alfonsín's human rights program was the trial held in a federal court in Buenos Aires in 1985 which resulted in the convictions of five of the leading members of the junta that ruled the country from 1976 to 1983 Placing the Argentine experience in the context of the war crimes trials at Nuremberg Tokyo and elsewhere Nino examines the broader questions raised by human rights trials He considers their political repercussions and their potential for strengthening the new democratic government He explains why prosecutions for human rights violations should be grounded on a theory of the criminal law that emphasizes the preventive rather than retributive functions of punishment Nino rejects the obligation to punish perpetrators of radical evil and argues instead for a more forward looking duty to safeguard democracy This he believes is what ultimately justified the Argentine trials and should be the focus of any international action

The Disappeared Sam Ferguson, 2023-07 The Disappeared tells the extraordinary saga of Argentina's attempt to right the wrongs of an unspeakably dark past Using a recent human rights trial as his lens Sam Ferguson addresses two central questions of our age How is mass atrocity possible and What should be done in its wake From 1976 to 1983 thousands of people were the victims of state terrorism during Argentina's so called Dirty War Ferguson recounts a twenty two month trial of the most notorious perpetrators of this atrocity who ran a secret prison from the Naval Mechanics School in Buenos Aires The navy executed as many as five thousand political subversives most of whom were sedated and thrown alive out of airplanes into the South Atlantic The victims of these secret death flights and others who went missing during the regime are known as los desaparecidos the disappeared Ferguson explores Argentina's novel response to mass atrocity the country's remarkable and controversial decisions in 2003 to repeal a series of amnesty laws passed in the 1980s and to prosecute anew the perpetrators of the Dirty War a generation after the collapse of the country's last dictatorship As of 2022 more than one thousand aging military officers have been indicted for their involvement in the Dirty War and hundreds of trials have commenced in the country's civilian courts Among the many facets of the book Ferguson takes an in depth look at allegations that Father Jorge Mario Bergoglio now Pope Francis was involved in the disappearance of two Jesuit priests under his supervision in 1976 Bergoglio was called to testify in a closed chambers session Ferguson reviewed those secret proceedings and uses them as a springboard to explore the Argentine Catholic Church and its broader role in the Dirty War The lingering but acute trauma of the victims who testified at the trial underscores the moral urgency of accountability

When a state strips its citizens of all their rights the only response that approximates reparation is to restore the rule of law and punish the perpetrators Yet the trial also revealed the limits of using criminal law to respond to mass atrocity Justice demands a laser like focus on evidence relevant to a crime but atrocity begs for social understanding Can the law ever bring full justice

History, Memory, and State-Sponsored Violence Berber Bevernage, 2012-11-27 Modern historiography embraces the notion that time is irreversible implying that the past should be imagined as something absent or distant Victims of historical injustice however in contrast often claim that the past got stuck in the present and that it retains a haunting presence History Memory and State Sponsored Violence is centered around the provocative thesis that the way one deals with historical injustice and the ethics of history is strongly dependent on the way one conceives of historical time that the concept of time traditionally used by historians is structurally more compatible with the perpetrators than the victims point of view Demonstrating that the claim of victims about the continuing presence of the past should be taken seriously instead of being treated as merely metaphorical Berber Bevernage argues that a genuine understanding of the irrevocable past demands a radical break with modern historical discourse and the concept of time By embedding a profound philosophical reflection on the themes of historical time and historical discourse in a concrete series of case studies this project transcends the traditional divide between empirical historiography on the one hand and the so called theoretical approaches to history on the other It also breaks with the conventional analytical philosophy of history that has been dominant during the last decades raising a series of long neglected big questions about the historical condition questions about historical time the unity of history and the ontological status of present and past programmatically pleading for a new historical ethics

Shifting Paradigms of Evil in Philosophy İmge Oranlı, 2025-09-29 This book develops an interdisciplinary framework rooted in philosophy for addressing the political evils experienced around the world Drawing on resources mainly from philosophy and historical studies it argues for the relationality and continuity between political evils using the Armenian Genocide and the Shoah as main examples The book begins by unpacking a series of limiting assumptions that define the philosophical study of evil These assumptions crystallize in the idea that evil is an inscrutable phenomenon what the author calls the paradigm of evil s inscrutability Tracing this paradigm through the legacies of five key philosophers Plato Augustine Kant Arendt and Levinas the author shows that by the time we arrive at 20th century the framing of political evils like the Shoah as inscrutable and exceptional is profoundly constraining it erases Shoah s continuity and connection with other atrocities including the 1915 Armenian Genocide The book next turns to practices and ideologies that connect the Armenian Genocide to the Shoah to propose an alternative paradigm for thinking about evil a paradigm of the continuity of evils Offering this paradigm to readers in philosophy and adjacent disciplines the author explores the relationality between the Armenian Genocide and the Shoah but also between Turkish genocide denialism and a contemporary case of racist evildoing against Armenians in Turkey shifting the discussion of political evil in a direction that

aims to turn overlooked evils around the world into objects of philosophical thinking Shifting Paradigms of Evil in Philosophy will appeal to researchers and graduate students working in Continental philosophy social and political philosophy history of philosophy ethics political theory genocide studies and Holocaust studies The Eichmann Trial Reconsidered Rebecca Wittmann,2021-10-01 The Eichmann Trial Reconsidered brings together leading authorities in a transnational international and supranational study of Adolf Eichmann who was captured by the Israelis in Argentina and tried in Jerusalem in 1961 The essays in this important new collection span the disciplines of history film studies political science sociology psychology and law Contributing scholars adopt a wide historical lens pushing outwards in time and space to examine the historical and legal influence that Adolf Eichmann and his trial held for Israel West Germany and the Middle East In addition to taking up the question of what drove Eichmann contributors explore the motivation of prosecutors lawyers diplomats and neighbouring countries before during and after the trial ended The Eichmann Trial Reconsidered puts Eichmann at the centre of an exploration of German versus Israeli jurisprudence national Israeli identities and politics and the conflict between German Israeli and Arab states **The Frankfurt Auschwitz Trial, 1963-1965** Devin O. Pendas,2006 Drawing on a wide range of archival sources this book provides a comprehensive history of the Frankfurt Auschwitz trial **Reconciliation in Cambodia** Suzannah Linton,2004 *The Psychology of Genocide, Massacres, and Extreme Violence* Donald G. Dutton,2007-05-30 Understanding what makes individuals commit atrocities says Dutton may help world powers predict and prevent such slaughters in the future BOOK JACKET **Instructor's Edition for Mitchell's Roots of Wisdom** Helen Buss Mitchell,2004-02 **Bond Law Review** ,2001 Americas (English Ed.) ,1999 In the Wake of the Eichmann Trial Council of Jews from Germany,1964 **Transition? To Rule of Law?** Csaba Varga,2008 The 1980 Kwangju Uprising After 20 Years Juna Byun,Linda S. Lewis,2000 *Roots of Wisdom* Helen Buss Mitchell,1999 The book s ten chapters are organized topically beginning with metaphysics moving to epistemology and then to axiology At the same time they are organized chronologically and each balances discussion of Western indigenous Asian and African views with those of women philosophers 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 *Michigan Law Review*, 1998 Accountability for Crimes of the Past and the Challenges of Criminal Procecutions Dadimos Haile, 2000 **War Crimes** Aryeh Neier, 1998 In the five decades after the Nuremberg trials not one single international trial for war criminals took place until 1993 In that year a court was finally set up at the urging of Aryeh Neier and other high profile activists to judge and sentence war criminals from the former Yugoslavia In War Crimes Neier argues for the creation of a permanent tribunal at the U N and shows how the continuing absence of such a tribunal is the result of paranoia on the part of governments worldwide He addresses conflicts in Rwanda the former Yugoslavia South Africa Cambodia and the occupied territories of Israel This is a powerful and sure to be controversial book *Bolshevism in Art, and Other Expository Writings* Christopher Middleton, 1978

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