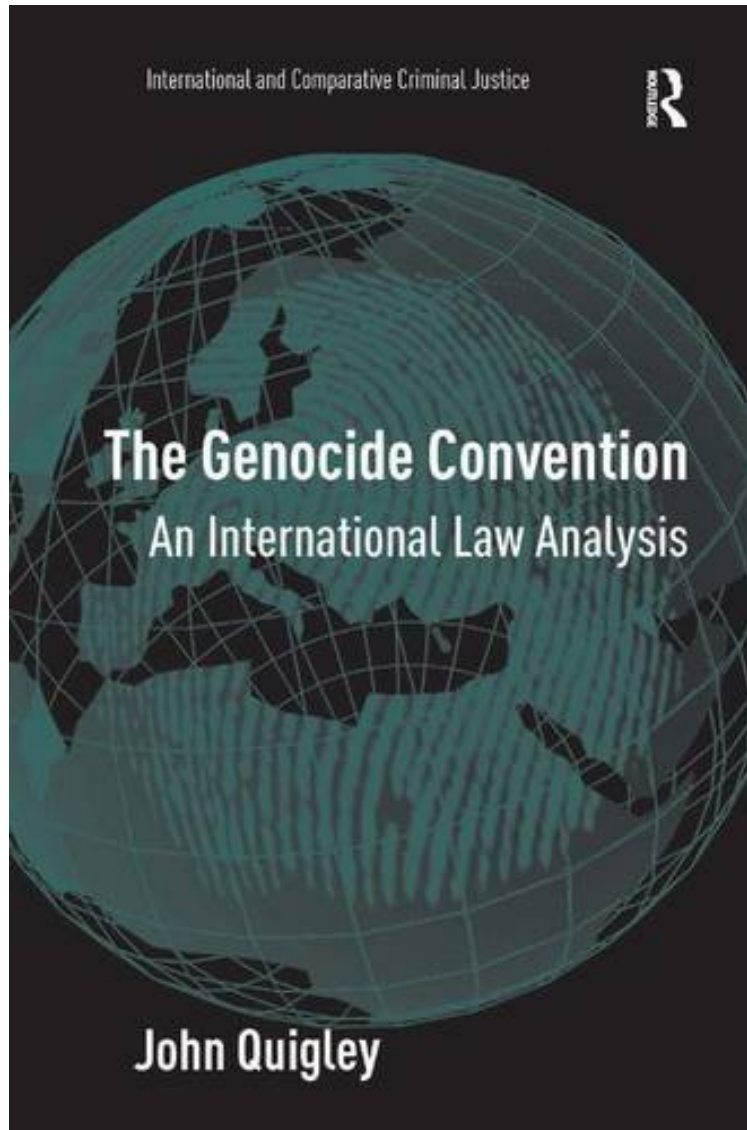


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The Genocide Convention: An International Law Analysis (International and Comparative Criminal Justice)

John Quigley

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John Quigley : The Genocide Convention: An International Law Analysis (International and Comparative Criminal Justice) before purchasing it in order to gauge whether or not it would be worth my time, and all praised The Genocide Convention: An International Law Analysis (International and Comparative Criminal Justice):

0 of 0 people found the following review helpful. New Expertise on GenocideBy Howard J. De NikeTossing around

the term "genocide" today is journalistic license. Sometimes it means simply wholesale killing regardless of ethnicity. At others, it connotes policies with disparate ethnic impact, well short of death or destruction. But genocide has an identifiable history and placement in the canons of the law. Though a loose accusation of genocide may succeed in generating much needed sympathy and international support for victims, little thought seems to be given to the lasting force of this most horrific of charges in settings where in the long run those implicated will eventually have to live together. For most of its 50-plus years of legal existence, the UN Genocide Convention stood quietly, serving mostly as a moral reference point. Since the ending of the Cold War, however, a body of decisions and precedents has rapidly emerged. The place names are familiar: Bosnia, Rwanda, Cambodia. Now, Professor Quigley's treatise is available to make sense of it all. Of particular value is the book's handling of the thorny issue regarding intent. Without the necessary specific intent "to destroy in whole or in part, a national, ethnical, racial, or religious group, as such," the crime of genocide has not been committed. In short, as reflected in the debates accompanying the adoption of the Convention, if the intent of the perpetrator underlying commission of specified prohibited acts (e.g., killing, preventing births, etc.) is, for instance, not to destroy a specified group as such, then the mental state does not meet the requirement of genocide. Much of this is familiar territory to the analysis of criminal law, and Prof. Quigley displays the dexterity of someone at ease in separating motive, purpose, and goal, from the sine qua non of the specified intent. The treatise is likewise benefited by its knowledge of the body of law generated by the new International Criminal Court. Although the United States has done just about everything in its power to avoid the court's reach (and even to undermine jurisdiction globally), its jurisprudence will become increasingly important as the permanent court takes the place of the ad hoc tribunals of the past. Finally, the author brings a unique expertise to this subject. In addition to his academic credentials, Professor Quigley draws on background as an international observer to the 1979 case against Pol Pot in Phnom Penh, and as counsel for the Bosnian plaintiffs before the International Court of Justice, as they attempted to obtain an order against Yugoslavia halting alleged genocide. The book is organized in a manner equally useful to laypersons and specialists. Despite being remarkably unburdened with legal jargon (thus making its content accessible to all), however, U.S. law libraries without a copy of this essential volume will be remiss. 1 of 1 people found the following review helpful. Indispensable survey of the case-law on genocide By Adam J. Jones John Quigley's book fills a huge gap in the genocide-studies literature. In a surprisingly accessible and engaging way, Prof. Quigley explores the application of the UN Genocide Convention in both domestic and international law. Along the way, he considers key issues like genocidal intent, designated victim groups of genocide, strategies that qualify as genocidal under international law, and the diversity of agents (not just state actors) that can commit genocide. His survey of the case-law from the Yugoslavia and Rwanda tribunals provides a fascinating overview of the way the Convention's language, complex and notoriously ambiguous as it frequently is, has gradually been defined and applied in a growing number of cases. As a genocide scholar but not a legal expert, I found this book hard to put down; I just wish I'd had it on hand when I wrote my own book on the subject ("Genocide: A Comprehensive Introduction"). It's a shame that there is no paperback edition available; but if you are interested in exploring genocide in-depth, this is a hundred dollars you will want to spend. It's an indispensable reference work that you'll find yourself pulling down from the bookshelf and consulting regularly for its insights and clarity of analysis.

The Genocide Convention explores the question of whether the law and genocide law in particular can prevent mass atrocities. The volume explains how genocide came to be accepted as a legal norm and analyzes the intent required for this categorization. The work also discusses individual suits against states for genocide and, finally, explores the utility of genocide as a legal concept.

"This thoroughly researched and eminently readable book is a must for anyone interested in the origin, meaning, or scope of genocide. Professor John Quigley, who served as an expert witness in the first-ever criminal prosecution charging genocide in Cambodia, provides a tour de force study of the Genocide Treaty, its application in various courts, and its deterrent value.' Professor Ved P. Nanda, University of Denver, USA 'With a masterful command of the authorities and the literature, in several languages, John Quigley weaves the complex fabric of the evolving law of genocide. What seemed simple only a decade ago is actually an unfolding story of great complexity, as Professor Quigley demonstrates so effectively.' Professor William A. Schabas, National University of Ireland, Galway, Ireland" About the Author Professor Quigley is President's Club Professor of Law at the Moritz College of Law, The Ohio State University, USA. He is active in international human rights work and his numerous publications include books and articles on human rights, the UN, war and peace, east European law, African law, and the Arab-Israeli conflict. Professor Quigley served as an expert witness on the law of genocide in the first criminal prosecution charging genocide as defined by the Convention on the Prevention and Punishment of the Crime of Genocide.