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Crimes Against Humanity

A Normative Account

Crimes Against Humanity is the first booklength treatment of the philosophical foundations of international criminal law. Its focus is on the moral, legal, and political questions that arise when individuals who commit collective crimes, such as crimes against humanity, are held accountable by international criminal tribunals. These tribunals challenge one of the most sacred prerogatives of states – sovereignty – breaches of which can be justified only in limited circumstances, following what the author calls a “minimalist account” of the justification of international prosecution.

The book is divided into four parts. Part A provides a definition of international crime and justifies the existence of norms that can achieve a universal binding force. Part B identifies and defends several principles of international criminal law. Part C turns to institutional arrangements for prosecuting group-based crimes. Part D looks at defenses, as well as alternatives, to international criminal prosecutions, such as amnesty and truth and reconciliation programs.

Written in a clear and accessible style, *Crimes Against Humanity* will appeal to anyone with an interest in international law, political philosophy, international relations, and human rights theory.

Larry May is Professor of Philosophy at Washington University in St. Louis.

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Acknowledgments

This book has taken me a long time to write, nearly twice as long as any of my previous books. Part of the problem was that first I had to learn quite a bit of international law before I felt competent enough to provide philosophical reflections on international criminal law. As an undergraduate, I had sat in classrooms at Georgetown's School of Foreign Service, enthralled by developments in the emerging field of international law. Eventually, I put those interests aside to pursue a career teaching moral and legal philosophy. I only occasionally dabbled in international law until I found myself in a law school classroom, again as a student. This book began life as I sat in these classes realizing how much the world had changed in the twenty-five years since my undergraduate days. My long-dormant interests in international law were rekindled. I am grateful to Steve Legomsky and Peter Mutharika for igniting that spark and for putting up with that older and troublesome student who took more and more of their courses.

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This book is the first volume of a projected multi-volume work on the normative foundations of international criminal law. The next volume will concern war crimes. It is hoped that these volumes will spark the interest of both political philosophers and practitioners of international law.

