

1951

## Crimes Against International Law

Paul Binzak

Follow this and additional works at: <https://scholarship.law.marquette.edu/mulr>



Part of the [Law Commons](#)

---

### Repository Citation

Paul Binzak, *Crimes Against International Law*, 35 Marq. L. Rev. 96 (1951).

Available at: <https://scholarship.law.marquette.edu/mulr/vol35/iss1/19>

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized editor of Marquette Law Scholarly Commons. For more information, please contact [elana.olson@marquette.edu](mailto:elana.olson@marquette.edu).

soon be demanding a prediction by management, of employment for the ensuing year. The employee would then, according to the author, be able to budget and plan the economic aspect of his existence. There are comments about Part III by Lloyd K. Garrison and John Gerdes.

Part IV is entitled Management and Government: The Balancing Sovereignties. The author is Saul K. Padover. The conclusion of this article is stated before the arguments set forth to prove it, and the conclusion briefly stated is: big business and government can exist side by side without one gaining domination over the other. In proving his contention the author traces the history of the government of the United States from James Madison through the New Deal, and offers suggestions as to how to accomplish what he calls the "Balancing Sovereignties." Comments to Part IV are submitted by Chester T. Lane and Miguel A. de Capriles.

ROBERT C. KOCH

---

*Crimes Against International Law.* By Joseph Berry Keenan and Brendan Francis Brown. Public Affairs Press, Washington, D. C., 1950. Pp. 226. \$3.50.

In this work, the authors have undertaken to explain the judicial purpose, the legal rationalization, and the sociological consequences of the war crime trials following the second world war. In effect, the authors have attempted to state the position of the United States and have done this by a recounting, together with an historical analysis, of the arguments used by the prosecution and the defense in the Tokyo war crime trial. In the final analysis the Prosecution contended for a moral notion of law while the defense chose the position that law is the command of some political sovereign and exists apart from the moral and social orders. Around this fundamental cleavage centers most of the arguments used. Out of this has come a body of rules which can serve as precedence for future crimes against international law. The writers point out, at least impliedly, why the Nurenburg and Tokyo war crime trials cannot be relied upon to justify the actions of any nation which does not espouse the Christian-Judaic absolutes of good and evil which served as the basis for the decisions in the last war crime trials. The import seems to be that Russia, with its own theory of semantics, could not rely on these trials, whether they be the prosecution or the defendant.

The authors of this book were both present at the Tokyo war crime trial. Mr. Keenan served as Chief Counsel for the United States and Mr. Brown served as the Juridical Consultant at the trial. Mr. Brown is also the Dean of the Law School of the Catholic University of America.

Far from being a history and explanation of any particular school of Jurisprudence, *Crimes Against International Law* is an exposition of the present day International Law. To the international and constitutional lawyer, the punishment of those accused was of relatively slight importance and is not dealt with at length in this book. The trial was of prime importance in its manner of providing the proper notions of international law, and these are discussed fully. This book contains the 'rules of international law,' the reasons supporting these rules, and includes the arguments advanced in opposition to these rules.

To the international and constitutional lawyer and those interested in these fields the book will serve as an orderly, logical appraisal of the development of international law together with its application in the trials of the most recent war criminals.

If this book points out the necessity of a restraining force on those executing and enforcing national policies and what that scope is, as determined by the international tribunals following the second world war, the authors have accomplished their purpose. This is for each reader to determine.

PAUL BINZAK

---

*Corporate Meetings, Minutes, and Resolutions*, Third Edition. By L. Doris and E. J. Friedman. Prentice-Hall, New York, 1951. Pp. lxxiii, 1114. \$12.50.

The authors have prepared this work for those who are responsible for preparing the minutes and resolutions of corporations. Precedents are presented that are adaptable to the needs of the average business corporation. Several forms of each are given so that different statutory regulations may be followed. Excerpts from the minutes of hundreds of corporations were used.

Officers should keep an accurate account of the proceedings at corporate meetings and action taken at these meetings should be recorded. This book thoroughly discusses corporate meetings and gives the why and how of the meetings, including voting, proxies, and voting trusts.

Minutes should always be kept of meetings of stockholders, directors, and committees, not only because the duty is imposed, but because it is expedient to do so. Accurate minutes avoid future misunderstandings, serve as a guide, and are particularly useful in litigation.

General management of the corporation is an important part of this work. Places and powers in corporate affairs are handled as are appointments and execution of corporate instruments. Stock and dividend problems arise in every corporation and the authors have attempted to clarify those problems and make their solution simpler.

This work contains precedents and a commentary on the legal prin-