



The Myth of the Modern Prometheus: A Review of Christopher Nolan's 'Oppenheimer'

- Kartikeya Anshu (V B.A.LL.B.)

Christopher Nolan's 2023 blockbuster hit *Oppenheimer* opens with the following titles over an image of what is described in its screenplay as 'the fire of a thousand suns:'

"Prometheus stole fire from the Gods and gave it to man. For this, he was chained to a rock and tortured for eternity."

From the first frame, thus, the movie makes clear that it aims to peer into the soul of a single man — the myth of the modern American Prometheus, J. Robert Oppenheimer. What's inside is the story, what's outside is ancillary. At one point in the film, Rear Admiral Lewis Strauss (played with admirable antagonistic heft by Robert Downey Jr.) remarks of Oppenheimer, "Do you know, he never said that he was sorry?" At another, nearing the end of the movie, the protagonist's long-suffering wife Kitty Oppenheimer (also played masterfully by Emily Blunt) tearfully asks her husband,

after a long and torturous political maelstrom that he subjects himself to with questionable stoicism, "Did you think that if you let them tar and unfeather you that the world would forgive you?" It is in between these two lines of dialogue that the true scope and ambition of the movie become clear. At no other point does the movie vocalise Oppenheimer's guilt, in any form or manner whatsoever, of having given the world one of the most potently dangerous weapons known to humankind, of having opened Pandora's nuclear-warhead-shaped box and freeing the evil inside onto the world of disturbing political one-upmanship — and therein lies the film's true genius. Nolan attempts to tackle the weight of having given the world the power to destroy itself, and explores how far he can go by not voicing the sentiment but portraying the life; navigating the gravity of the guilt in the silence of the unsaid, the profundity of the remorse in the language of reticent self-destruction. He crafts a dense period drama that twists in and out of its protagonist's life in a serpentine fashion, creating one of the finest troubled-genius character studies in recent memory.

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The Northern Irish High Court ruled that legislation imposing immunity for crimes committed during "The Troubles" is incompatible with the European Convention on Human Rights (ECHR). The controversial Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 sought to end prosecution for crimes committed during the 30-year period of violence in Northern Ireland. Family members of victims who were killed or severely wounded by soldiers or paramilitary groups brought the claim against the government. For more information, see [here](#).

Hungary's parliament voted to ratify Sweden's membership bid to the North Atlantic Treaty Organization (NATO), officially becoming the final NATO nation to approve of Sweden's accession. As a result, Sweden is poised to become the thirty-second NATO member state upon formal invitation of NATO Secretary-General Jens Stoltenberg. For more information, see [here](#).



Oppenheimer is adapted from Kai Bird and Martin J. Sherwin's authorised biography titled 'American Prometheus: The Triumph And Tragedy Of J. Robert Oppenheimer', and navigates three distinct portions of the man's life — three painful leitmotifs of a tragic opera — that often intermingle with each other: his troubled genius during his boy-wonder youth, his troubled genius during his maverick leadership of the Manhattan Project, and his troubled genius during his political witch-hunt. Aside from containing brilliant moments of character, all three portions feature distinct socio-political circumstances that define the life of its leading man. But it is in the second that the film finds its international law juice and pulp rolled together in one: the build-up to the Trinity Test, its execution, and its immediate aftermath.

Centred around the peak of the Second World War, the second act of *Oppenheimer* hinges on the intense nuclear arms race between the Americans and the Axis Powers, particularly Nazi Germany. The build-up to the Trinity Test vocalises the then-increasing global sentiment regarding

nuclear weaponry as war deterrence; indeed, in a pivotal moment in history — and a casual aside in the movie — the work on the atomic bomb continued even after Germany's surrender, justified by the perceived threat of Japanese aggression against the United States. In a particularly telling scene, Oppenheimer justifies the position on building the weapon by saying, "We're theorists — we can imagine a future, and our imaginings horrify us. But they won't fear it until they understand it, and they won't understand it until they've used it. When the world learns the terrible secret of Los Alamos, our work will ensure a peace mankind has never seen. A peace based on the kind of international cooperation that Roosevelt always envisaged." This policy of nuclear deterrence is further evidenced in the unchecked nuclear proliferation in the United States and the erstwhile Soviet Union in the aftermath of the war, and its opposition evidenced in the advocacy for nuclear nonproliferation, exemplified by the leading man's post-war efforts aimed at global nuclear disarmament. Scott Sagan, Professor of Political Science at Stanford University, highlighting

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The Fact-Finding Mission of the Organisation for the Prohibition of Chemical Weapons (OPCW) concluded that there were no reasonable grounds to determine that toxic chemicals were used by the Islamic State of Iraq and the Levant (ISIL) in October 2017 at Al-Yarmouk in the Syrian Arab Republic. In its report, OPCW found that there was no indication that chemicals were used as a weapon by ISIL. However, the organization noted evidence gathering has become increasingly complex, with several potential witnesses having died during the conflict or are still missing. Likewise, individuals who initially agreed to provide testimony ultimately declined to provide their account of the events to the OPCW. For more information, see here.



the broader tragedy of Oppenheimer's post-war life (airbrushed in the movie), notably emphasised his failed political efforts during the 1950s to achieve early cooperative measures which would only materialise through later arms control treaties of varying failure rates, including the Limited Test Ban Treaty of 1963, the Nuclear Non-Proliferation Treaty of 1968, and Strategic Arms Limitation Treaties of 1972 and 1979.

In the context of historical developments in nuclear nonproliferation law as well as the asides in recent warfare politics, one cannot overstate the impact of Oppenheimer's 'achievement'. As the director of the Manhattan Project, he oversaw the creation of one of the most definitive inventions of modern human history. Then, he bore witness to its only deployment in global warfare: the tragic dropping of the two atomic bombs by the United States on Hiroshima and Nagasaki. In between those two events, the coin flipped.

Nolan does something interesting here, by subverting our expectations of the horror of the event: not once does the movie *show* us what happened in

Hiroshima and Nagasaki. Indeed, the narrative builds on the assumption that the audience knows and understands the horror, and instead chooses to turn the gaze further inward. And then, it shows us his rising resistance towards nuclear warfare; it shows his reluctance to approve contemporary Edward Teller's plans for an even more destructive Hydrogen Bomb, his scruples towards increasing nuclear arsenals and rising nuclear testing programs, and his increased efforts to promote a peaceful world order — Roosevelt's 'world government' — against ever-surging threats of a global arms race and the Cold War. The movie further chooses not to subscribe to emotional heart-tugging to spread its anti-war approach. It instead takes the alternative, arguably tougher route of sensitising the audience by showing us the horrifying banality of political engagement in a tragedy so gruesome: a high-up government executive, in a meeting to settle the potential places to drop the bomb, casually decides to remove Kyoto from the list because of its cultural significance to the Japanese — and because he had been there for his honeymoon.

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Copenhagen police concluded investigations into the Nord Stream 1 and 2 pipeline explosions from 2022. Although the police concluded that there was "deliberate sabotage," they declared that there were insufficient grounds to pursue a criminal case in connection with the incidents. The police also clarified that they would not provide further comments on the investigation. Earlier in February, Swedish prosecutors also announced they dropped their investigation into the explosions, concluding that Sweden did not have jurisdiction. Germany is still conducting its own investigation. For more information, see [here](#).

US Secretary of State condemned Israel's proposed expansion of settlements in the West Bank during a press conference, marking a significant reversal in policy since former president Donald Trump's administration claimed the expansion of settlements did not violate international law. For more information, see [here](#).



The politics of the movie are multi-faceted. It devotes just as much time to the moral dubiousness of 'the bomb to end all wars' as it does to the near-casual tyranny of the Red Scare. It shows us Oppenheimer's mercurial rise, his inner conflict, his shots at redemption, and his pitiful fall from grace on account of his Communist sympathies. While there are considerable sequences that suffer from the classic 'parts-greater-than-sum' ailment that has plagued Nolan for much of his blockbuster career, as well as his now notoriously flawed scene construction that sacrifices emotional potency at the altar of 'information', the ability to at once look at the bigger picture and at the innately personal makes his writing something to marvel at. It is a tightrope walk between historical and personal narratives that together reflect the zeitgeist of a time as well as the politics of life, and the viewing experience is only buoyed by it.

On the technical front, *Oppenheimer* is undoubtedly one of the most significant cinematic achievements of 2023. The movie is aided in its telling by master industry craftsmen, including Ludwig Göransson who creates a

score that deserves every column inch of the acclaim it has received, and Jennifer Lame who edits through Nolan's complicated non-linear narrative with extraordinary expertise, utilising his famed elliptical editing style of writing to breathtaking effect. And at the center of all this, often framed in hauntingly beautiful close-ups by cinematographer Hoyte Van Hoytema who has long mastered the craft of bringing Nolan's IMAX-sized vision to an appropriately IMAX-sized screen, is Cillian Murphy, playing the troubled genius of the three portions with three-tiered dexterity. It is a performance that internalises guile and guilt all at once; a turn that makes myth out of reality and elevates an already accomplished screenplay into the stuff of legends.

In the hands of a lesser filmmaker, *Oppenheimer* is a messy cocktail of abridged chapters and seemingly disjointed life tales that amount to little more than an episodic retelling of a Wikipedia page. But in the confident hands of Christopher Nolan, arguably one of the most influential filmmakers of his generation, it becomes a many-splendoured thing. This review focuses on contextual analysis, for

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More than two-thirds of the UN Security Council demanded the Taliban rescind policies and decrees oppressing women and girls. The vote was 11-15. The UN has sought more international communication with the Taliban since their takeover of Afghanistan during a US and NATO withdrawal in 2021. The Taliban, while being the de facto rulers, have not been recognized by any other country since the takeover. The international community has predicated a relationship with the Taliban on the lifting of policies oppressive towards women and girls. For more information, see [here](#).

The Economic Community of West African States (ECOWAS) announced its decision to immediately lift sanctions imposed on Niger. This move aims to prevent the withdrawal of the junta-led nation from the bloc, considering the significant economic, financial and institutional implications for the country and the region. For more information, see [here](#).



it is there that the movie finds its grounding in one of the most significant advancements in modern international law. But the film's strength, as is characteristic of Nolan, is its emphasis on storytelling rather than an abject focus on the technicalities of the story itself. With *Oppenheimer*, Nolan once again proves his mastery in crafting compelling narratives that transcend mere historical retelling; his intellectualisation of what is at its core a pulp, near-Shakespearean drama full of messy motivations, betrayals, and fatal flaws, without trivialising the intricacies of a man's life, cements, yet again, the legacy of his filmmaking prowess. Christopher Nolan — take a bow.

Unethically Yours: Blood Diamonds and the Reality Beyond

- Anuradha Lawankar (II B.A.LL.B.)

"Let Me Tell You Something. You Sell Blood Diamonds Too."

'*Blood Diamond*' is a story set in 1999 Sierra Leone, amidst a fierce civil war that killed thousands of innocent civilians and drove many to a life of impoverishment and destitution. The movie opens with

the eerily peaceful life of the protagonist Solomon Vandy, a fisherman with a simple family and noble aspirations. But all that changes when heavily armed rebels fighting Sierra Leone's government enter the quaint village. They slaughter men, women, and children alike. Solomon's family escapes death, but are separated. He is captured and forced to mine for diamonds. His son, on the other hand, is taken away to be trained as a child soldier with the rebels and his remaining family ends up in a forsaken refugee camp.

The real story begins when Solomon discovers a pink diamond while mining which is followed by a chance encounter with Danny Archer, a Rhodesian diamond smuggler and an ex-mercenary. The movie also covers the story of an American journalist in pursuit of exposing the corporate malfeasance behind the illicit trade in diamonds. The movie presents a juxtaposition between human greed and suffering in a heart-wrenching manner.

The diamond trade within this story revealed that the sales of black market diamonds were funding terrorist militia groups

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An investigation published by Reuters revealed that a secretive committee of high-ranking officials in Ethiopia has been committing human rights violations to eliminate the Oromo Liberation Army- Oromo Liberation Front (OLF-OLA) insurgency group. Reuters interviewed over 30 sources, revealing the committee's existence for the first time on record. The committee, called Koree Nageenyaa, began working to suppress the OLF-OLA around 2019, following a wave of protests stemming from political and social tensions. For more information, see [here](#).

The United Nations Office of the High Commissioner for Human Rights (OHCHR) released a report on thousands of incidents of human rights abuses it says have occurred during the ongoing conflict in Sudan, including attacks by militias in densely populated civilian areas, mass graves and widespread sexual violence. For more information, see [here](#).



that were trying to overthrow the current government. The film also revealed that the illicit trade of goods, [smuggling](#), and forced labour during the civil unrest was funded by diamond sales overseas. Without the wealthy consumers in Western countries, the Sierra Leone civil war would not have had the [funding](#) that it did.

In January 2000, a [report](#) titled “The Heart of the Matter: Sierra Leone, Diamonds, and Human Security” accused [Liberian President](#), Charles Taylor, of masterminding one of the worst wars on the African continent, and paying for it with diamonds. The industry was characterized as an ‘industry of complicity.’ It also held the giant diamond conglomerate, [De Beers](#), as part of the problem. This underscored the reality of greed, corruption, and savagery of the illicit diamond trade.

The movie highlights the issue of ‘[Child Soldiers](#)’ in the context of the unethical diamond mining undertaken in countries that are bound by the ‘resource curse.’ The recruitment and use of children by armed forces and rebel groups remain the gravest violations against children during armed conflict. Regardless of their roles,

children are exposed to unspeakable cruelty, with serious implications for their physical and psychological well-being. Although boys continue to be targeted disproportionately, girls often face the brunt of sexual violence and slavery.

According to [Paris Principles](#) on the Involvement of Children in Armed Conflict, “A child associated with an armed force or armed group” refers to any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies or for sexual purposes. [International Humanitarian Law](#) also declares 18 as the minimum legal age for the recruitment and use of children in hostilities.

The movie also elaborates upon the reasons behind the recruitment of children as soldiers during hostilities. According to [UNICEF](#), the reasons are as follows: *First*, there has been an exponential change in the nature of armed conflicts, they are more persistent and are followed by mass violence and disorder. Since the Cold War, the world’s conflicts

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The UN High Commissioner for Human Rights published a report calling for accountability for Israel and Palestinian militant groups for numerous violations of international law over the course of the Israel-Palestine conflict and occupation. The report said that the ongoing human rights violations “cannot be permitted to continue” and called for immediate adherence to mechanisms of international law, including the International Criminal Court (ICC) and International Court of Justice (ICJ). For more information, see [here](#).

The European Court of Human Rights (ECtHR) ruled in *M.H. and S.B. v. Hungary* that Hungarian authorities violated Article 5 of the European Convention on Human Rights by arbitrarily detaining two minors who crossed the Hungarian border in 2016. Hungarian authorities detained the minors for about three and two months, respectively. For more information, see [here](#).



have become more internalised, i.e. between armed civilians or ethnic factions. This blurs the line between a civilian and a combatant, in addition, they are no longer confined to a definite battlefield. *Second*, the shortage of manpower due to increasing casualties can easily be solved by recruiting children. *Third*, the technological advancements and emergence of small arms trade, especially lightweight, easy-to-carry weapons are relatively affordable and easy to obtain. *Last*, children are impressionable and easy to maintain financially.

An in-depth exploration of the treatment of child soldiers by international criminal tribunals underscores the historical oversights of early courts, such as the Nuremberg Tribunal, the International Criminal Tribunal for the Former Yugoslavia, and the International Criminal Tribunal for Rwanda. These tribunals, established in the mid-20th century, notably failed to address the complex issue of the criminal culpability of children participating in armed conflicts.

A pivotal turning point occurred during the Sierra Leone Civil War when the Special Court for Sierra

Leone (SCSL) was established. This tribunal marked a significant departure from its predecessors by legally empowering the prosecution of individuals aged 15 to 18 for war crimes. Despite this groundbreaking legal framework, the SCSL, in practice, chose not to prosecute anyone below the age of 18, recognizing the unique challenges and circumstances faced by child soldiers.

Subsequently, the International Criminal Court (ICC), established under the Rome Statute, entered the scene. While the Rome Statute explicitly excludes individuals under 18 from the ICC's jurisdiction, it also demonstrates a nuanced perspective by leaving the decision to prosecute children within the discretion of individual states. Notably, the ICC has prosecuted adults for exploiting child soldiers, reflecting a dual commitment to addressing the criminal responsibility of those who exploit children while acknowledging the complexity of holding child soldiers themselves accountable within the international legal framework.

'Blood Diamond' exemplifies the atrocities and The real-life crises that led to the establishment of the Kimberly Process to streamline

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A statement released by the Office of the UN High Commissioner for Human Rights on behalf of UN rights experts warns countries against the "transfer of [any] weapons or ammunition to Israel" as this could violate international humanitarian law if these weapons are used contrary to the Geneva Conventions, referring to Israel's alleged failure to adhere to international law in Gaza. For more information, see [here](#).

Albania's Parliament approved a deal with Italy to hold migrants rescued from international waters at Italian-run processing centers. Amnesty International previously condemned the plan to create migrant detention centers under Italian jurisdiction in Albania, calling the deal "unworkable, harmful and unlawful." For more information, see [here](#).



the issues stemming from illicit trade. However, children bear the major brunt of the conflict and continue struggling even years after rehabilitation.

"Sometimes I wonder, will God ever forgive us for what we've done to each other? Then I look around and I realize, God left this place a long time ago."

Nanjing! Nanjing!: The City of Life and Death

- Sana Kulkarni (III B.A.LL.B.)

"As the Nobel laureate Elie Wiesel warned years ago, to forget a holocaust is to kill twice," quotes Ms. Iris Chang, the author whose book inspired the making of a movie on the Nanjing massacre. *City of Life and Death* (2009) is a Chinese drama film that deals with the massacre by the Japanese army during the 2nd Sino-Japanese War (1937) and the Nanjing Battle. The film is a reverberant melancholic retelling of the many Chinese people who were killed and tortured during the Nanjing massacre. Directed and written by Lu Chuan, along the lines of the book, "The Rape of Nanjing" in which Ms. Chang recounted the stories of survivors.

With minimal background for the massacre, which occurred a year after the 2nd Sino-Japanese War, the film opens with Japanese troops tearing the wall that surrounds Nanjing.

Also called the forgotten holocaust during the Second World War, the Nanjing massacre encompassed the Japanese army engaging in various war crimes. The Jewish Holocaust had left a strong impression on the international community, regarding the law and punishments. Terms such as 'genocide' and 'crimes against humanity' were not used until the Nuremberg Trials that were held after World War II. Today 'genocide' is considered the 'Crime of Crimes' and under Article 6 of the Rome Statute, qualifies as a Crime against Humanity. The Nanjing Massacre was one of the crimes that the International Military Tribunal for the Far East (IMTFE) examined while trying the Japanese wartime leaders. The "Rape of Nanking" has now not only become a disputed reminder of Chinese identity but also a point of disagreement among the Japanese over their history as a colonial power.

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The United Nations Security Council imposed sanctions on six individuals affiliated with various armed factions in the eastern region of the Democratic Republic of Congo (DRC). Sanctioned individuals were allegedly involved in obstructing disarmament and repatriation efforts, committing human rights violations such as murder and sexual violence, recruiting child soldiers, orchestrating or carrying out attacks on civilians, and facilitating destabilizing activities through the illicit trade of natural resources. For more information, see [here](#).

The US vetoed a draft UN Security Council resolution put forth by Algeria calling for an immediate ceasefire in the ongoing Israel-Hamas War. Although the resolution garnered a 13-1 vote, with the UK abstaining, it failed to pass as the US is a permanent member of the Security Council with veto power. For more information, see [here](#).



With a clear narrative motive, the film has two distinct narratives: the Chinese attempting escape to no avail and the Japanese soldiers who do not allow them to surrender peacefully, setting the film in contradictions of the desperations and the exploitations. Among the men and women who navigate this chaotic environment is Miss Jiang, a teacher, who struggles to protect the people who try to find refuge in the chaos. Another pivotal character is John Rabe, a German Nazi based on the real-life individual who protected thousands and who on returning to Germany afterwards, sent a report about the massacre to Hitler. An increasingly horrified witness, Kadokawa, also plays a memorable part. After World War II ended, the silence surrounding Nanjing was maintained due to the Cold War. The refusal to acknowledge the massacre officially by the Japanese, while the Chinese did not press charges, in order to maintain relations with Japan, was a double tragedy for the massacre's victims. "City of Life and Death" negligibly addressed the politics of this silence, but the director's efforts to humanize the Japanese is by itself a political stance. His intention is not to portray the Japanese as villains of

the past, but only to prove that their brutality was devastatingly human even as the soldiers ordered to "kill all, loot all, and burn all."

"Almost all people have this potential for evil, which would be unleashed only under certain dangerous social circumstances."

— Iris Chang

Mrs Chatterjee v/s Norway - Unveiling the Shady Truth of Prosperous Scandinavia

- Saurabh Patil (V B.A.LL.B.)

"Mrs Chatterjee v/s Norway," released in 2023, was directed by Ashima Chibber and starred Rani Mukherjee as the lead. It is based on real-life incidents of Sagarika Chakraborty. It is an adaptation of her book titled "Journey of a Mother," which sheds the limelight on the discriminatory and inhumane child welfare systems in prosperous Scandinavia.

Norway is primarily known for securing the highest score on the Happiness and Prosperity Index, its high cost of living and standard of life, as well as the Infamous Barnevernet (Norwegian Child

News at a Glance

Representatives for Palestine called for the International Court of Justice (ICJ) to order a halt to Israel's occupation of Palestinian territory and declare that states have obligations to refrain from supporting the occupation as hearings commenced Monday in a case brought by the UN General Assembly. The UNGA requested an advisory opinion from the court in January 2023 on the legal consequences for Israel and other states regarding the occupation itself and Israel's administration of the occupied territory. For more information, see [here](#).

The European Commission opened formal proceedings against TikTok for potential breaches of the Digital Services Act (DSA), a European regulation created to protect online services users. For more information, see [here](#).



Welfare System). Barnevernet is accused of unfair treatment of immigrant families because of cultural differences in raising a child. Till 2021, around 6 out of 10 children in foster care had a migrant background despite migrants making up only 16% of Norway's population.

Norway's child welfare agency took away Mrs Chakraborty's two-year-old son and five-month-old daughter by deeming her unfit to raise a child as per Norwegian standards and values. The couple was accused of sharing a bed with their children, hand-feeding their kids — which the Norwegian authorities regarded as force-feeding — and applying corporal punishment (Sagarika allegedly hit the children once).

The Barnevernet is a government-funded department that caters to a multi-billion dollar industry involving lawyers, caretakers from a foster home, medical professionals, and foster parents who are paid generously to take care of the abducted/rescued children by the Norwegian government.

As the movie progresses, the makers try to create a

melodramatic effect to showcase how Sagarika was willing to do everything to get her child back alone since her husband was only concerned about his citizenship application. Mental harassment by her husband and family, blaming her for everything that happened instead of actively trying to get custody of the child, later reveals the biases of the Norwegian judiciary.

This whole situation took a massive turn when Sagarika reached out to Sushma Swaraj who was the Foreign Minister of India at the time, and involved the Indian government, who then harshly criticised Norway's child welfare schemes, and led to a diplomatic disputation between India and Norway.

The legal dispute between Sagarika and her children over sole custody started again in India. She went on to claim that she was falsely accused by her husband and in-laws of having a mental illness and being unfit to take care of her children. The Calcutta High Court granted the mother custody of her kids in January 2013.

Norway has adopted a Scandinavian Socialism model.

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Leading technology corporations such as Adobe, Amazon, Google, IBM, Meta, Microsoft, OpenAI and TikTok convened at the Munich Security Conference on Friday to announce a voluntary commitment aimed at safeguarding democratic elections from the disruptive potential of artificial intelligence tools. The initiative introduces a framework designed to address the challenge posed by AI-generated deepfakes that could deceive voters. For more information, see [here](#).



Although a free market capitalist country, its economy is fully open and trades globally like most countries in the world. However, their welfare schemes, both monetarily and socially, are considered the most generous and best in the world. Their Sovereign Wealth Fund is the largest in the world, and it has recorded a \$213 billion profit. In 2023-24, the combined assets of these funds exceeded \$7.2 trillion. Generously enough to provide social security to a mere population of 5.5 million

Contradictory to this, their child welfare system is infamous for separating children from their immigrant parents. A massive pool of professionals associated with Barnevernet get monetary benefits issued by the Norwegian government per child, from counselling, medicare, and legal expenses, to perks for foster parents and full funding till their education is complete.

Till 2024, the European Court of Human Rights (ECtHR) has ruled on 21 applications against Norway concerning children taken into public care. Barnevernet has come under increased scrutiny since 2018, when the Parliamentary Assembly of the Council of Europe

established a fact-finding commission chaired by the Parliamentary Assembly's Committee on Social Affairs, Health, and Sustainable Development. This was due to controversy fueled by a 2019 decision by the Grand Chamber of the European Court of Human Rights. This resulted in the report titled, "Striking a Balance Between the Best Interest of the Child and the Need to Keep Families Together," leading to the formation of a balancing act.

However, the recently passed new Norwegian Child Welfare Act, which came into force in January 2023, aligns better with Norway's international human rights obligations compared to the previous Act. The previous child-centric law undermined the established approach between the state and families. The notion that children's rights should be preserved even in difficult instances, such as child protection, when the state must prioritise the kid's interests over the parents' autonomy and self-determination, is both demanding and conflict-inducing.

Upcoming Activities

International Law Breakfast Briefings

The University of Copenhagen – Faculty of Law is starting a new season of its hybrid International Law Breakfast Briefing series. The spring program features seven sessions on various topics and provides an opportunity for researchers, practitioners and students to discuss contemporary issues of international law. Participants can either join in person or remotely. For more information, see [here](#).

Public International Law Lecture Series: Litigation as Statecraft

The next lecture in the Public International Law Lecture Series will take place on 11 March (on Zoom). It will be given by Prof Douglas Guilfoyle and is on 'Litigation as Statecraft: Small State and the Law of the Sea.' For more information, see [here](#).



The Boy in the Striped Pajamas

- Aafreen Ali (III B.A.LL.B.)

The movie begins with a scene in a city where everyone is going about their day: kids are playing, people are eating at restaurants, some are taking strolls, and house staff are cleaning and arranging utensils. But what catches one's eye are the Nazi flags all around. It follows the story of an 8-year-old boy, Bruno, the child of a Nazi commander. This boy is oblivious to his surroundings. Unbeknownst to him, his father is directly involved in the injustices around him.

Transferred to the countryside, his family stays close to a concentration camp, and Bruno is not allowed to go outside the house. He thought the concentration camp, visible from his window, was a farm and wanted to make friends with the other children there. To satisfy his burning curiosity, Bruno escapes the confines of his house to explore the camp. He meets Schmuël at the fenced border, who is the same age as Bruno, and befriends him. Bruno begins to regularly bring around food for Schmuël and play games with him. However, he never questions why Schmuël and others were confined behind the

electric fence and subjected to restrictions, unlike himself. He does note, though, that everyone at the camp was identified by numbers instead of their given names, and was reprimanded by Schmuël for thinking it was a game.

His family and teacher are shown to continuously teach him and his sister that Jews are the vermin of society and must be kept away. In a scene, a Jewish servant spilt wine on the dining table. The soldier sitting there drags the servant outside and beats him up. The servant was never seen again. When Bruno asks his sister why their father did nothing to stop it, she replies, "What did you expect him to do? The Jew deserved it."

This particular incident is fictional. However, the Nazis passed discriminatory legislations against the Jews. In the year 1933, Jews were removed from government services, doctors were suspended from practising, there was a limit on the enrollment of students into schools and universities, citizenship gained by naturalization was revoked, and these limitations grew till 1939. The purpose was to disable the Jews from gaining social status as well as earning a livelihood. Gradually,

Upcoming Activities

International Conference on Jurisdiction at Sea and the Protection of Human Rights

This Conference will take place at the University of Milano-Bicocca on 7 March 2024 and will be available through streaming. Experts in international law, human rights law, and the law of the sea will discuss the concept of "jurisdiction" as it has been developed and interpreted in these three fields, and how these concepts could be adapted to address the protection of human rights at sea. For more information, see [here](#).

Joining in Wars: Chatham House

This discussion explores when the provision of military assistance can make an actor party to an armed conflict, and the political and legal implications of this status. This event will be hosted on 6 March 2024 – 5:00pm to 6:30pm GMT at Chatham House and online. To register, email [here](#).



they removed Jews from posts in the army, and various professions such as tax consultancy, teaching, law, etc.

Bruno eventually enters the concentration camp, wearing clothes similar to Schmuels to search for Schmuels missing father. Soon after, they enter one of the shelters, are taken into the gas chamber, and locked in it without any warning. The ending of the movie emphasises Bruno's ironic death by being put into the gas chamber despite being the Aryan child of a high-ranking Nazi commander.

The idea of ethnic cleansing for the sole reason that certain people belong to a particular community raised serious concerns in the international arena. These were tackled from the perspective of human rights. The opinion that genocide is unlawful and accountability of individuals committing genocide must be ensured was internationally agreed upon. The international community believed that the horrors of the holocaust must be prevented from happening again at any cost. This was the basis behind the formation of new organisations, conventions and

treaties.

Additionally, we see that the Nuremberg trials commenced on 18 October 1945 to punish the offenders of the genocide. Charges were brought against 24 individuals and 6 Nazi-aligned organisations persecuting Jews were declared criminal. There were several indictments lodged by representatives from the governments of the Allied powers on four counts:

1. Common plan or conspiracy;
2. Crimes against peace;
3. War crimes; and
4. Crimes against humanity.

The International Military Tribunal that heard and gave a decision in this trial did a fair duty of providing justice. It sentenced most of the offenders to death by hanging, while others were sentenced to imprisonment ranging from 10 years to life. However, some were acquitted.

The Court declared, "The fact that the defendant acted pursuant to an order of his Government or a superior shall not free him from responsibility, but may be considered in mitigation of punishment. It is not the existence of the order, but whether the moral

Upcoming Activities

Call for Submissions: Rosalyn Higgins Prize

The Rosalyn Higgins Prize is an annual prize which awards EUR 1,000 of Brill book vouchers and a one-year LPICT subscription to the author of the best article on the law and practice of the International Court of Justice, either focusing solely on the ICJ or with the ICJ as one of the dispute settlement mechanisms under consideration. The winning article will also be published in LPICT and made freely available online for ninety days to maximize its dissemination. For more information, see [here](#).



choice was in fact possible." Even though it was not the duty of the subordinates to save the Jews from being killed, they had a moral duty as fellow members of humankind to save them from being subjected to cruelty and killed brutally.

The Convention on the Prevention and Punishment of the Crime Genocide came into being on 9 December 1948 criminalising genocide and related crimes. States are brought to trial before the International Court of Justice (ICJ) for violations of the convention. Additionally, the Rome Statute provides for the trial of individuals committing the crime of genocide before the International Criminal Court (ICC).

The disastrous consequences and trauma of the Holocaust faced by the victims left much to be desired in terms of justice. 'The Boy in the Striped Pyjamas,' on the same note, shocks the watcher to their core at the dehumanisation of the Jews. In hopes of avoiding a sequel to this reality, the implementation of the Genocide Convention was prioritised and brought to action.

Upcoming Activities

The Maastricht Centre for Human Rights: Rethinking Human Rights Treaty Withdrawals

The Maastricht Centre for Human Rights is hosting a hybrid session as part of its Pick Our Brain Series on 14 March from 13:30 to 15:00, where Başak Çalı and Larry Helfer will discuss 'Rethinking Human Rights Treaty Withdrawals.' For more information, see [here](#).

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