

CLOSING *THE BOOKS*

Transitional Justice
in Historical Perspective

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Closing The Books Transitional Justice In Historical Perspective

SJ Ball



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Closing the Books Jon Elster, 2004-09-06 An analysis of transitional justice retribution and reparation after a change of political regime from Athens in the fifth century BC to the present Part I The Universe of Transitional Justice describes more than thirty transitions some of them in considerable detail others more succinctly Part II The Analytics of Transitional Justice proposes a framework for explaining the variations among the cases why after some transitions wrongdoers from the previous regime are punished severely and in other cases mildly or not at all and victims sometimes compensated generously and sometimes poorly or not at all After surveying a broad range of justifications and excuses for wrongdoings and criteria for selecting and indemnifying victims the 2004 book concludes with a discussion of three general explanatory factors economic and political constraints the retributive emotions and the play of party politics

Research Handbook on Transitional Justice Cheryl Lawther, Luke Moffett, Dov Jacobs, 2017-06-30 Providing detailed and comprehensive coverage of the transitional justice field this Research Handbook brings together leading scholars and practitioners to explore how societies deal with mass atrocities after periods of dictatorship or conflict Situating the development of transitional justice in its historical context social and political context it analyses the legal instruments that have emerged

Assessing the Impact of Transitional Justice Hugo Van der Merwe, Victoria Baxter, Audrey R. Chapman, 2009 In Assessing the Impact of Transitional Justice fourteen leading researchers study seventy countries that have suffered from autocratic rule genocide and protracted internal conflict

Regime Consolidation and Transitional Justice Anja Mihr, 2018-01-18 Regime Consolidation and Transitional Justice explores the effect of transitional justice measures on regime consolidation or the means by which a new political system is established in a post transition context Focusing on the long term impact of transitional justice mechanisms in three countries over several decades the gradual process by which these political systems have been legitimatised is revealed Through case studies of East and West Germany after World War II Spain after the end of the Franco dictatorship in 1975 and Turkey s long journey to achieving democratic reform Regime Consolidation and Transitional Justice shows how transitional justice and regime consolidation are intertwined The interdisciplinary study which will be of interest to scholars of criminal law human rights law political science democracy autocracies and transformation theories demonstrates importantly that the political systems in question are not always more democratic than their predecessors and do not always enhance democracy post regime consolidation

Truth Recovery and Transitional Justice Iosif Kovras, 2014-05-16 This book investigates why some societies defer transitional justice issues after successful democratic consolidation Despite democratisation the exhumation of mass graves containing the victims from the violence in Cyprus 1963 1974 and the Spanish civil war 1936 1939 was delayed until the early 2000s when both countries suddenly decided to revisit the past Although this contradicts the actions of other countries such as South Africa Bosnia and Guatemala where truth recovery for disappeared missing persons was a central element of the transition to peace and democracy Cyprus and

Spain are not alone this is an increasing trend among countries trying to come to terms with past violence Truth Recovery and Transitional Justice considers the case studies of Spain and Cyprus and explores three interrelated issues First the book examines which factors can explain prolonged silence on the issue of missing persons in transitional settings It then goes on to explore the transformation of victims groups from opponents of truth recovery to vocal pro reconciliation pressure groups and examines the circumstances in which it is better to tie victims rights to an overall political settlement Finally the author goes on to compare Spain and Cyprus with Greece a country that remains resistant to post transitional justice norms This book will be of interest to students of transitional justice human rights peace and conflict studies and security studies in general

Transitional Justice in Established Democracies S. Winter, 2014-03-21 Truth commissions apologies and reparations are just some of the transitional justice mechanisms embraced by established democracies This groundbreaking exploration of political theory explains how these forms of state redress repair the damage state wrongdoing inflicts upon political legitimacy

Transitional Justice Theories Susanne Buckley-Zistel, Teresa Koloma Beck, Christian Braun, Friederike Mieth, 2013-10-30 Transitional Justice Theories is the first volume to approach the politically sensitive subject of post conflict or post authoritarian justice from a theoretical perspective It combines contributions from distinguished scholars and practitioners as well as from emerging academics from different disciplines and provides an overview of conceptual approaches to the field The volume seeks to refine our understanding of transitional justice by exploring often unarticulated assumptions that guide discourse and practice To this end it offers a wide selection of approaches from various theoretical traditions ranging from normative theory to critical theory In their individual chapters the authors explore the concept of transitional justice itself and its foundations such as reconciliation memory and truth as well as intersections such as reparations peace building and norm compliance This book will be of particular interest for scholars and students of law peace and conflict studies and human rights studies Even though highly theoretical the chapters provide an easy read for a wide audience including readers not familiar with theoretical investigations

Transitional Justice in South Asia Tazreena Sajjad, 2013-08-21 Offering a comparative case study of transitional justice processes in Afghanistan and Nepal this book critically evaluates the way the local is consulted in post conflict efforts toward peace and reconciliation It argues that there is a tendency in transitional justice efforts to contain the discussion of the local within religious and cultural parameters thus engaging only with a static local as interpreted by certain local stakeholders Based on data collected through interviews and participant observation carried out in the civil societies of the respective countries this book brings attention to a dynamic local where societal norms evolve and realities on the ground are shaped by shifting power dynamics local hierarchies and inequalities between actors It suggests that the local must be understood as an inter subjective concept the meaning of which is not only an evolving and moving target but also dependent on who is consulted to interpret it to external actors This timely book engages with the divergent range of civil society voices and offers ways to move forward by

including their concerns in the efforts to help impoverished war torn societies transition from a state of war to the conditions of peace , *Transitions* Austin Sarat,2012-06 *Transitions Legal Change Legal Meanings* illustrates the various intersections crises and shifts that continually occur within the law and how these moments of change interact with and comment on contemporary society Together the essays in this volume investigate the transformation of US law during moments of political change and explore what we can learn about law by examining its role and its use in times of transition Whether by an abrupt shift in regime or an orderly progression from one government to the next political change often calls into question the stability and versatility of the law making it appear temporarily absent or in suspension What challenges to the law arise at these times To what extent do transitional periods foster ingenuity and resourcefulness and how might they precipitate crises in legal authority What do moments of legal change mean for law itself and how legal institutions bring about and respond to times of transition in legal arrangements *Transitions* begins the scholarly exploration of these questions that have largely been neglected Contributors Akhil Reed Amar William L Andreen Jack M Beermann Heather Elliott Joshua Alexander Geltzer David Gray Paul Horwitz Daniel H Joyner Nina Mendelson Meredith Render Austin Sarat Ruti Teitel Lindsey Ohlsson Worth

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