

GLOBALIZING TRANSITIONAL JUSTICE

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ESSAYS



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Stacey Philbrick Yadav



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Globalizing Transitional Justice Ruti G. Teitel, 2014-04-02 Among the most prominent and significant political and legal developments since the end of the Cold War is the proliferation of mechanisms for addressing the complex challenges of transition from authoritarian rule to human rights based democratic constitutionalism particularly with regards to the demands for accountability in relation to conflicts and abuses of the past Whether one thinks of the Middle East South Africa the Balkans Latin America or Cambodia an extraordinary amount of knowledge has been gained and processes instituted through transitional justice No longer a byproduct or afterthought transitional justice is unquestionably the driver of political change In *Globalizing Transitional Justice* Ruti G Teitel provides a collection of her own essays that embody her evolving reflections on the practice and discourse of transitional justice since her book *Transitional Justice* published back in 2000 In this new book Teitel focuses on the ways in which transitional justice concepts have found legal expression especially through human rights law and jurisprudence and international criminal law These essays shed light on some of the difficult choices encountered in the design of transitional justice criminal trials vs amnesties or truth commissions domestic or international processes peace and reconciliation vs accountability and punishment Transitional justice is considered not only in relation to political events and legal developments but also in relation to the broader social and cultural tendencies of our times

Rethinking Reconciliation and Transitional Justice After Conflict James Hughes, Denisa Kostovicova, 2020-04-24 The concepts of reconciliation and transitional justice are inextricably linked in a new body of normative meta theory underpinned by claims related to their effects in managing the transformation of deeply divided societies to a more stable and more democratic basis This edited volume is dedicated to a critical re examination of the key premises on which the debates in this field pivot The contributions problematise core concepts such as victimhood accountability justice and reconciliation itself and provide a comparative perspective on the ethnic ideological racial and structural divisions to understand their rootedness in local contexts and to evaluate how they shape and constrain moving beyond conflict With its systematic empirical analysis of a geographic and historic range of conflicts involving ethnic and racial groups the volume furthers our grasp of contradictions often involved in transitional justice scholarship and practice and how they may undermine the very goals of peace stability and reconciliation that they seek to promote This book was originally published as a special issue of *Ethnic and Racial Studies*

Transitional Justice between Consolidated Democracies Maira

Cardillo, 2025-01-13 This theoretical study examines the Korean comfort women dispute and its impact on diplomatic relations between Japan and the Republic of Korea to explore how the pool of transitional justice can be exploited for diplomatic reconciliation

Transitional Justice in Nepal Yvette Selim, 2018-06-27 The conflict in Nepal 1996 2006 resulted in an estimated 15 000 deaths 1 300 disappearances along with other serious human rights and humanitarian law violations Demands for peace democracy accountability and development have abounded in the post conflict context Although the

conflict catalysed major changes in the social and political landscape in Nepal the transitional justice TJ process has remained deeply contentious and fragmented This book provides an in depth analysis of transitional justice process in Nepal Drawing on interviews with a diverse range of stakeholders including victims ex combatants community members human rights advocates journalists and representatives from diplomatic missions international organisations and the donor community it reveals the differing viewpoints knowledge attitudes and preferences about TJ and other post conflict issues in Nepal The author develops an actor typology and an action spectrum which can be used in Nepal and other post conflict contexts The actor typology identifies four main groups of TJ actors experts brokers implementers and victims and highlights who is making claims and on behalf of whom The action spectrum based on contentious politics literature and resistance literature demonstrates the strategies actors use to shape the TJ process This book argues that the potential of TJ lies in these dynamics of contention It is by letting these dynamics play out that different conceptualisations of TJ can arise While doing so may lead to practical challenges and produce situations that are normatively undesirable for some actors particularly when certain political parties and national actors seem to hijack TJ remaining steadfast to the dominant TJ paradigm is also undesirable As the first book to provide a single case study on TJ in Nepal it makes theoretical and empirical contributions to TJ research in Nepal and the Asia Pacific more broadly the politics versus justice binary and the concept of victimhood among others It will be of interest to a wide range of scholars in the study of transitional justice peace and conflict studies human rights sociology political science criminology law anthropology and South Asian Studies as well as policy makers and NGOs Research Handbook on Post-Conflict State Building Paul R. Williams, Milena Sterio, 2020-08-28

As a conflict ends and the parties begin working towards a durable peace practitioners and peacebuilders are faced with the thrilling possibilities and challenges of building new or reformed political security judicial social and economic structures This Handbook analyzes these elements of post conflict state building through the lens of international law which provides a framework through which the authors contextualize and examine the many facets of state building in relation to the legal norms processes and procedures that guide such efforts across the globe The volume aims to provide not only an introduction to and explanation of prominent topics in state building but also a perceptive analysis that augments ongoing conversations among researchers lawyers and advocates engaged in the field **Yemen in the Shadow of Transition** Stacey Philbrick Yadav, 2022-10-31 Responding to a diplomatic stalemate and a catastrophic humanitarian crisis Yemen's civil actors work every day to build peace in fragmented local communities across the country This book shows how their efforts relate to longstanding justice demands in Yemeni society and details three decades of alternating elite indifference toward or strategic engagement with questions of justice Exploring the transformative impact of the 2011 uprising and Yemenis substantive wrestling with questions of justice in the years that followed leading Yemen scholar Stacey Philbrick Yadav shows how the transitional process was ultimately overtaken by war and explains why features of the transitional framework

nevertheless remain a central reference point for civil actors engaged in peacebuilding today In the absence of a negotiated settlement everyday peacebuilding has become a new site for justice work as an arena in which civil actors enjoy agency and social recognition Drawing on seventeen years of field research and interviews with civil actors Yadav positions Yemen s non combatants not or not only as victims of conflict but as political agents imagining and enacting the justice they wish to see

Just Security in an Undergoverned World William Durch,Joris Larik,Richard Ponzio,2018-01-19 Just Security in an Undergoverned World examines how humankind can manage global problems to achieve both security and justice in an age of antithesis Global connectivity is increasing visibly and invisibly in trade finance culture and information helping to spur economic growth technological advance and greater understanding and freedom but global disconnects are growing as well Ubiquitous electronics rely on high value minerals scraped from the earth by miners kept poor by corruption and war People abandon burning states for the often indifferent welcome of wealthier lands whose people in turn draw into themselves Humanity s very success underwritten in large part by lighting up gigatons of long buried carbon for 200 years now threatens humanity s future The global governance institutions established after World War II to manage global threats especially the twin scourges of war and poverty have expanded in reach and impact while paradoxically losing the political support of some of their wealthiest and most powerful members Their problems mimic those of their members in struggling to adapt to new problems and maintain trust in norms and public bodies This volume argues however that a properly mandated managed and modernized global architecture offers unparalleled potential to midwife solutions to intractable issues from violent conflict and climate change to poverty and pandemic disease that transcend borders and the capacities of individual actors It offers just security as a new framework for charting innovating solutions and strategies for effective and essential global governance *The Conceptual Foundations of Transitional Justice* Colleen Murphy,2017-04-19 This accessible book analyses transitional justice and discusses how it differs from retributive corrective and distributive justice

Justice Framed Marcos Zunino,2019-03-14 A new perspective on the history of transitional justice and why the discourse prioritises particular responses to human rights violations **Legalized Identities** Lucas Lixinski,2021-04-08 Cultural heritage is a feature of transitioning societies from museums commemorating the end of a dictatorship to adding places like the Auschwitz Birkenau concentration camp to the World Heritage List These processes are governed by specific laws and yet transitional justice discourses tend to ignore law s role assuming that memory in transition emerges organically This book debunks this assumption showing how cultural heritage law is integral to what memory and cultural identity is possible in transition Lixinski attempts to reengage with the original promise of transitional justice to pragmatically advance societies towards a future where atrocities will no longer happen The promise in the UNESCO Constitution of lasting peace through cultural understanding is possible through focusing on the intersection of cultural heritage law and transitional justice as Lixinski shows in this ground breaking book

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