



UNIVERSITÄT
LEIPZIG

Faculty of Social Sciences and Philosophy

Course Outline

Transitional Justice Theory and Practice

Winter Term 2024/2025



<i>Time & Date</i>	Thursday, 09.00 – 11.00
<i>Venue</i>	NSG S 401
<i>Lecturer</i>	Dr. Julia Leib Heisenberg Chair for International Relations and Transnational Politics Room H3 0.14 (GWZ) julia.leib@uni-leipzig.de
<i>Office Hours</i>	Wednesday, 16.00 – 18.00 (in person or via Zoom // for details see Moodle)

COURSE DESCRIPTION

Recognizing and addressing past injustices has become a central feature of contemporary international conflict resolution measures, particularly in countries that have overcome intrastate conflicts and authoritarian rule. Over the past decades, transitional justice (TJ) has emerged as an interdisciplinary field of research and practice that aims to understand and implement a complex set of measures and objectives: from strengthening democratic and peacebuilding processes to national reconciliation.

From an interdisciplinary perspective, in this seminar we will:

- (1) Analyze international, national and local transitional justice actors and approaches.
- (2) Analyze different TJ mechanisms such as judicial prosecution, truth commissions, compensation programs, and collective memory.
- (3) Engage with normative and political debates raised by transitional justice processes.
- (4) Evaluate the effects and effectiveness of transitional justice measures.
- (5) Examine several cases in which TJ measures have been implemented to address past atrocities.
- (6) Discuss policy and practice issues related to transitional justice.

Focusing on both general theoretical issues and specific case studies, we consider a variety of questions related to transitional justice: What are the social and political legacies of experiences of violence and autocratic rule? What are the best ways to deal with the long-term consequences of violence? What impact does transitional justice have on democratization and reconciliation? What role does truth-telling play in the reconstruction of societies? Do societies have to choose between truth and justice? What role should traditional justice mechanisms play in transitional justice processes? What are the advantages and disadvantages of international versus national approaches?

COURSE OBJECTIVES AND LEARNING OUTCOMES

The most important goal of the course is to impart to students a solid understanding of transitional justice theory and practices.

Additionally, upon completion of this course, students should also be able to:

- o Assess the complexity of the legacies of conflict and human rights violations and efforts to address them from a variety of disciplinary perspectives.
- o Critically analyze the goals and measures in the field of transitional justice, including trials, truth commissions, reparations and memorials.
- o Engage with normative and empirical debates in the field of transitional justice, drawing on evidence from historical and contemporary cases.
- o Develop persuasive oral and written arguments in relation to transitional justice.
- o Think critically and creatively about measures to address past human rights violations and identify their underlying positive and controversial aspects.

PERFORMANCE REQUIREMENTS

Language requirements:

The language of instruction is English.

Active and regular participation:

This course is designed for students in the political science master's program who have already taken courses in the field of international relations and are interested in international conflict resolution and dealing with the past. For each week, there are 1-2 texts listed as required reading and a selection of further reading. The required reading serves as preparation for each session and must be read by all participants. In the seminar, we reconstruct the statements of the texts together using various forms of work. The required reading is based primarily on English-language academic texts, so the ability to read and discuss English texts is a prerequisite for participation in the seminar. For course credit, reading of the core literature and active participation in discussions and group work are expected.

In preparation for the final assignments, students should either give an individual presentation (max. 10 minutes) or work in groups to design and conduct a seminar session. To make the teaching experience more engaging, the seminar sessions 10-13 will be designed creatively and interactively, whereby the sessions should address the specified compulsory reading and include small group activities.

Group presentations:

One week prior to the session, the members of the group must meet with the instructor for an office hour meeting to discuss plans for the session design. During this meeting, the group should provide a detailed overview of the objectives and structure of the session, present a timetable and discuss the planned activities.

Individual presentations:

Individual presentations deal with the additional literature and should be a maximum of 10 minutes.

For their final examination, students in the module Conflict Studies can choose between minor (30%) and major (70%) assignments for their portfolio.

Minor Assignment (30%):

For the minor assignment, you need to write a **thesis paper** of 1.500 words on the transitional justice process in the conflict of your presentation or in any other conflict you want to choose. Please discuss the background of the conflict, applied TJ mechanisms and provide your own assessment. The thesis paper can be written either in English or German (though English is preferred) and is **due on March 15, 2025**.

Major Assignment (70%):

For the major assignment, you need to write a **policy paper** of 3.500 words in which you discuss and diagnose a current conflict, provide a choice of transitional justice options and argue for the solution that will address the issue of reconciliation in the best way. Your policy paper should be written from the viewpoint of an officer working for the International Center for Transitional Justice (ICTJ) and provide the government and respective conflict parties with policy options for the country's actions in the selected conflict. The policy paper can be written either in English or German (though English is preferred) and is **due on March 15, 2025**.

Please upload either of your final assignments as a pdf file (file name: TJ2024_NameFirstName) in the designated Moodle folder. A print version is not required.

Degree Programs

- MA Politikwissenschaft (Conflict Studies)

ORGANIZATIONAL MATTERS

General Information:

I will routinely check all submitted papers for plagiarism (i.e., without a specific case of suspicion). If it becomes obvious that you have not cited all the sources you have used (i.e., quoted verbatim or paraphrased) at the respective place of use as well as in the bibliography, you will have to reckon with comprehensive sanctions.

Course Organization:

The individual sessions will take place on **Thursday, 9 - 11 am** (contact time). Each seminar session has to be prepared by reading the provided **core literature** (not only cross-reading!) provided in the Moodle course. The active (group)working methods in each session aim at the active participation and commitment of all participants. This is intended to provide an alternative to (often tedious) session routines, which consist of a long presentation and leave (too) little room for discussion. **Questions** about preparation and literature can be asked at any time in the Moodle forum and will be answered either there or in the next session. All course materials will be made available in the Moodle course.

Moodle:

The course uses the learning platform Moodle for didactic purposes as well as for internal communication. All students must register for the course in Moodle. You can access Moodle with your university email account and the corresponding password. After logging in, search for this course using the course title, and register for our seminar. This will give you access to the seminar schedule, required reading, and other important information for the seminar progress. You must be enrolled there by **October 31, 2024**. After that date, the enrollment option for the course will be deactivated.

Office Hours:

I am offering regular office hours in this semester to discuss in-depth questions about course content or your seminar performance, or of course for any other questions and concerns. Office hours will be held on Wednesday from 16.00 – 18.00 in my office or via Zoom and you can sign up for an appointment on Moodle.

General Literature Recommendations:

A political science program thrives on the engagement with literature. Beyond the preparation of the individual sessions, I therefore strongly recommend engaging with further literature on transitional justice in self-study. In the following you will find a short, but by no means complete bibliography of important introductory books for independent study.

Ruti Teitel. 2002. *Transitional Justice*, Oxford University Press.

Leigh Payne, Tricia Olsen, and Andrew G. Reiter. 2010. *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy*, Washington: US Institute for Peace.

Jon Elster. 2004. *Closing the Books: Transitional Justice in Historical Perspective*, Cambridge University Press.

Kathryn Sikkink. 2011. *The Justice Cascade: How Human Rights Prosecutions are Changing World Politics*, WW Norton.

Olivera Simic (ed.). 2020. *An Introduction to transitional justice*. 2nd edition, London: Routledge.

Hugo van der Merwe, Victoria Baxter, and Audrey R. Chapman (eds.). 2009. *Assessing the Impact of Transitional Justice: Challenge for Empirical Research*, Washington: USIP.

Joanna R. Quinn. 2009. *Reconciliation(s): Transitional Justice in Post-Conflict Societies*, Montreal: McGill-Queens University Press.

Alexander Laban Hinton (ed.). 2010. *Transitional Justice: Global Mechanisms and Local Realities after Genocide and Mass Violence*, New Brunswick: Rutgers University Press.

Chandra Lekha Sriram and Suren Pillay. 2009. *Peace Versus Justice? The Dilemma of Transitional Justice in Africa*, Durban: University of KwaZulu Natal Press.

Alexandra Barahona De Brito, Carmen González-Enriquez and Paloma Aguilar (eds.). 2001. *The Politics of Memory: Transitional Justice in Democratizing Societies*, Oxford: Oxford University Press.

Academic Journals:

- *Journal of Transitional Justice*
- *Journal of Peace Research*
- *Journal of Conflict Resolution*
- *Conflict Management and Peace Science*
- *Zeitschrift für Friedens- und Konfliktforschung*
- *International Studies Quarterly*

SYLLABUS

Transitional Justice Theory and Practice

Winter Term 2024/2025

Overview

PART I: FOUNDATIONS, CONCEPTS AND ACTORS OF TRANSITIONAL JUSTICE

1. 17.10.24 Introduction
2. 24.10.24 What is transitional justice? Origin and concepts
3. 31.10.24 – *No session* –
4. 07.11.24 International institutions and actors in the field of transitional justice

PART II: TRANSITIONAL JUSTICE APPROACHES AND MECHANISMS

5. 14.11.24 Prosecution and amnesty
6. 21.11.24 Truth commissions (online session)
7. 28.11.24 Reparations
8. 5.12.24 Rituals, memorials and remembrance work
9. 12.12.24 Local and traditional TJ approaches and the “everyday”

PART III: PRACTICES OF TRANSITIONAL JUSTICE

10. 19.12.24 Comprehensive approach in Sierra Leone
11. 09.01.25 Local and international TJ approaches in Rwanda
12. 16.01.25 Transitional Justice in Bosnia: taking stock after 30 years
13. 23.01.25 Colombia’s current transitional justice approach

PART IV: IMPLICATIONS FOR RESEARCH AND PRACTICE

14. 30.01.25 Effects and effectiveness of transitional justice
15. 06.02.25 Reconciliation revisited: the future of transitional justice

15.03.2025 Deadline minor and major assignments

PART I: THE FOUNDATIONS, CONCEPTS AND ACTORS OF TRANSITIONAL JUSTICE

Session 1: 17.10.2024

Introduction

This session introduces the students to the topic of the course, explains its structure and its objectives. Student tasks for particular weeks will be disseminated and organizational questions will be discussed.

Recommended Readings:

Olivera Simic (ed.). 2020. *An Introduction to transitional justice*. 2nd edition, London: Routledge.

Session 2: 24.10.2024

What is transitional justice? Origin and concepts

- Emergence and development of transitional justice
- Theoretical perspectives on transitional justice
- Introduction to the mechanisms of transitional justice
- Discussion of relevant contextual factors for the implementation of transitional justice

Literature:

Joanna R. Quinn. 2017. "The development of transitional justice", in C. Lawther, L. Moffett and D. Jacobs (eds.) *Research Handbook on Transitional Justice*. Cheltenham: Edward Elgar, 11-33.

AND

Rachel Kerr. 2017. "Transitional Justice in Post-Conflict Contexts: Opportunities and Challenges", in Roger Duthie and Paul Seils (eds). *Justice Mosaics: How Context Shapes Transitional Justice in Fractured Societies*. New York. International Center for Transitional Justice, 116-139.

AND

International Center for Transitional Justice, "What is Transitional Justice?"

[<https://www.ictj.org/what-transitional-justice>]

Recommended Readings:

Andrew G. Reiter. 2017. „The development of transitional justice“, in Olivera Simic (ed.) *An Introduction to Transitional Justice*. New York: Routledge, 29-46.

Ruti Teitel. 2003. "Transitional Justice Genealogy," *Harvard Human Rights Journal* 16: 69-94.

Christine Bell. 2007. "Transitional Justice, Interdisciplinarity and the State of the 'Field' or 'Non-Field'", *International Journal of Transitional Justice* 3(1): 5-27.

Pablo de Greiff. 2012. "Theorizing transitional justice," in Melissa Williams, Rosemary Nagy and Jon Elster (eds.) *Transitional Justice*, New York: New York University Press, 31-77.

Jon Elster. 2007. "The structure of transitional justice" (Chapter 4), in *Closing the books: Transitional justice in historical perspective*, New York: Cambridge University Press, pp. 79-135.

Janine Natalya Clark. 2008. "The Three Rs: Retributive justice, Restorative justice, and Reconciliation." *Contemporary Justice Review* 11(4): 345-366.

Rosemary Nagy. 2008. "Transitional Justice as Global Project: Critical Reflections." *Third World Quarterly* 29(2): 278-89.

Session 3: 31.10.2024

– No session, public holiday! –

Session 4: 07.11.2024**International institutions and actors in the field of transitional justice**

- Overview of key players in the field of transitional justice
- International institutions: United Nations and the International Criminal Court
- The role of local civil society

Literature:

Please sign up on Moodle for one of the three topics, for which you then read and prepare the assigned text for the session.

Alison Davidian and Emily Kenney. 2017. “The United Nations and transitional justice”, in C. Lawther, L. Moffett and D. Jacobs (eds.) *Research Handbook on Transitional Justice*. Cheltenham: Edward Elgar, 185-201.

OR

Hugo van der Merwe and Maya Schkolne. 2017. “The role of local civil society in transitional justice”, in C. Lawther, L. Moffett and D. Jacobs (eds.) *Research Handbook on Transitional Justice*. Cheltenham: Edward Elgar, 221-243.

OR

James Gallen. 2017. “The International Criminal Court: In the interest of transitional justice?”, in C. Lawther, L. Moffett and D. Jacobs (eds.) *Research Handbook on Transitional Justice*. Cheltenham: Edward Elgar, 305-327.

Recommended Readings:

Elin Skaar and Eric Wiebelhaus-Brahm. 2013. “The Drivers of Transitional Justice: An Analytical Framework for Assessing the Role of Actors”, *Nordic Journal of Human Rights*, 31(2): 127-148.

Leena Grover. 2019. “Transitional Justice, International Law and the United Nations”, *Nordic Journal of International Law*, 88(3): 359-397.

UN Secretary-General. 2004. “The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies”, UN Doc S/2004/616 (23 August 2004).

UN Secretary-General. 2011. “The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies”, UN Doc S/2011/634 (12 October 2011).

Nicholas Waddell and Phil Clark (eds.). 2008. *Courting conflict? Justice, Peace and the ICC in Africa*. London: Royal African Society.

Kirsten Ainley. 2015. “The Responsibility to Protect and the International Criminal Court: Counteracting the Crisis,” *International Affairs*, 91(1): 37-54.

Beth A Simmons and Allison Danner. 2010. “Credible Commitments and the International Criminal Court,” *International Organization*, 64(2): 225-256.

Marlies Glasius. 2009. “What Is Global Justice and Who Decides? Civil Society and Victim Responses to the International Criminal Court’s First Investigations,” *Human Rights Quarterly*, 31(2): 496-520.

Joseph M. Isanga. 2013. “The International Criminal Court Ten Years Later: Appraisal and Prospects,” *Cardozo Journal of International and Comparative Law*, 21: 235-324.

PART II: TRANSITIONAL JUSTICE APPROACHES AND MECHANISMS**Session 5: 14.11.2024****Prosecution and amnesty**

- International war crime tribunals in historical context: Nuremberg and Tokyo
- National prosecution and universal jurisdiction
- Amnesties: the enemy of justice?
- Case studies: International Criminal Tribunal for the former Yugoslavia (ICTY), Khmer Rouge Tribunal (ECCC)

Literature:

Rachel Kerr. 2021. "International criminal justice", in Olivera Simic (ed.) *An Introduction to Transitional Justice*, 2nd edition. New York: Routledge, 49-71.

AND

Tom Hadden. 2017. "Transitional justice and amnesties", in C. Lawther, L. Moffett and D. Jacobs (eds.) *Research Handbook on Transitional Justice*. Cheltenham: Edward Elgar, 358-376.

Student Presentations:

- (1) International Criminal Tribunal for the former Yugoslavia (ICTY)
- (2) Extraordinary Chambers of the Courts of Cambodia (ECCC)

Recommended Readings:

Payam Akhavan. 2001. "Beyond impunity: Can international criminal justice prevent atrocities?" *American Journal of International Law* 95(1): 7-31.

Louise Mallinder (2007) "Can amnesties and international justice be reconciled?" *International Journal of Transitional Justice* 2(1): 208-230.

Jack Snyder and Leslie Vinjamuri. 2003. "Trials and errors: Principle and pragmatism in strategies of international justice," *International Security* 28(3): 5-44.

Victor Peskin. 2005. "Beyond victor's justice? The challenge of prosecuting the winners at the International Criminal Tribunals for the former Yugoslavia and Rwanda," *Journal of Human Rights* 4(2): 213-231.

James Meernik. 2005. "Justice and Peace? How the International Criminal Tribunal Affects Societal Peace in Bosnia", *Journal of Peace Research* 42(3): 271-289.

Risa Kitagawa and Sam R. Bell. 2022. "The Logic of Transitional Justice and State Repression: The Effects of Human Rights Prosecutions in Post-Conflict States", *Journal of Conflict Resolution*, 66(6), 1091-1118.

Laura Dickinson. 2003. "The promise of hybrid courts," *American Journal of International Law* 97(2): 295-310.

Youk Chang. 2007. "The thief of history: Cambodia and the Special Court," *International Journal of Transitional Justice* 1(1): 157-172.

Ellen Emilie Stensrud. 2009. „New Dilemmas in Transitional Justice: Lessons from the Mixed Courts in Sierra Leone and Cambodia”, *Journal of Peace Research* 46(1): 5-15.

Katie Zoglin. 2005. "The future of war crimes prosecutions in the former Yugoslavia: Accountability or junk justice?" *Human Rights Quarterly* 27(1): 41-77.

Session 6: 21.11.2024**Truth commissions (online session)**

- “Truth” as a controversial concept
- The relationship between truth and reconciliation
- Case studies: South Africa, Guatemala

Literature:

Priscilla Hayner. 2011. “Confronting past crimes: Transitional justice and the phenomenon of truth commissions” (Kapitel 2) und “Why a truth commission” (Kapitel 3), in *Unspeakable truths: Transitional justice and the challenge of truth commissions, 2nd edition*, London: Routledge, 7-26.

AND

Eric Brahm. 2007. “Uncovering the truth: Examining truth commission success and impact,” *International Studies Perspective* 8(1): 16-35.

Student Presentations:

- (1) South African Truth and Reconciliation Commission
- (2) Comisión para el Esclarecimiento Histórico (Wahrheitskommission in Guatemala)

Recommended Readings:

David Mendeloff. 2004. “Truth-seeking, truth-telling and postconflict peacebuilding: Curb the enthusiasm?” *International Studies Review* 6(3): 355-380.

Monica Patterson. 2013. “The ethical murk of using testimony in oral historical research in South Africa,” in Anna Sheftel and Stacey Zembrzycki (eds.) *Oral history off the record: Toward an ethnography of practice*, London: Palgrave, 201-218.

Fiona Ross. 2010. “An acknowledged failure: Women, voice, violence, and the South African Truth and Reconciliation Commission,” in R. Shaw and L. Waldorf (eds.) *Localizing transitional justice: Interventions and priorities after mass violence*, Stanford: Stanford UP, 69-91.

Erin Daly. 2008. “Truth Skepticism: An Inquiry into the Value of Truth in Times of Transition,” *International Journal of Transitional Justice* 2(1): 23-41.

Fiona Ross. 2003. “On having voice and being heard: Some after-effects of testifying before the South African Truth and Reconciliation Commission,” *Anthropological Theory* 3(3): 325-341.

Joanna R. Quinn. “Lessons Learned: Practical Lessons Gleaned from Inside the Truth Commissions of Guatemala and South Africa”, *Human Rights Quarterly* 25(4): 1117-1149.

Tristan Anne Borer. 2009. “Gendered war and gendered peace: Truth commissions and post-conflict gender violence: Lessons from South Africa,” *Violence Against Women* 15(10): 1169-93.

Madeleine Fullard and Nicky Rousseau. 2009. *Truth-Telling, Identities and Power in South Africa and Guatemala*. New York: International Center for Transitional Justice.

Anita Isaacs. 2010. “At War with the Past? The Politics of Truth Seeking in Guatemala”, *International Journal of Transitional Justice* 4(2): 251-274.

Session 7: 28.11.2024**Reparations**

- Controversies around financial compensations for human rights violations
- Case studies: Argentina and the Nairobi Declaration

Literature:

Sunneva Gilmore and Luke Moffett. 2021. "Finding a way to live with the past: 'self-repair', 'informal repair', and reparations in transitional justice", *Journal of Law and Society*, 48(3), 455-480.

Student Presentations:

- (1) Argentina
- (2) Nairobi Declaration on Women and Girls' Rights to a Remedy and Reparation

Recommended Readings:

Debra Satz. 2012. "Countering the wrongs of the past: The role of compensation," in Melissa Williams, Rosemary Nagy and Jon Elster (eds.) *Transitional Justice*, New York: New York University Press, 129-150.

Luke Moffett. 2017. "Transitional justice and reparations: Remedyng the past?", in C. Lawther, L. Moffett and D. Jacobs (eds.) *Research Handbook on Transitional Justice*. Cheltenham: Edward Elgar, 377-400.

Eric Belgorodski. 2024. "Situating Reparations for Ukraine within a Broader Transitional Justice Process", *International Journal of Transitional Justice*, ijte028.

María José Guembe. 2006. "Economic reparations for grave human rights violations: The Argentinian experience" in Pablo de Greiff (ed.) *The Handbook of Reparations*, Oxford: Oxford University Press, 21-54.

Nora Sveaass and Anne M. Sønneland. 2015. "Dealing with the past: Survivor's perspectives on economic reparations in Argentina", *International Perspectives in Psychology* 4(4): 223-238.

Nairobi Declaration on Women and Girls' Right to a Remedy and Reparation,
<http://www.fidh.org/en/women-s-rights/NAIROBI-DECLARATION-ON-WOMEN-S-AND>

Valérie Couillard. 2007. "The Nairobi Declaration: Redefining reparation for women victims of sexual violence," *International Journal of Transitional Justice* 1(3): 444-453.

UN Basic Principles and Guidelines on the right to a remedy and reparations for victims of gross violations of international human rights law and serious violations of international humanitarian law (2005), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx>

Session 8: 05.12.2024**Rituals, memorials and remembrance work**

- o The political and symbolic role of apologies, memorials and commemoration
- o Case studies: Bosnia and Northern Ireland

Literature:

Susanne Buckley-Zistel and Annika Björkdahl. 2021. „Memorials and transitional justice”, in Olivera Simic (ed.) *An Introduction to Transitional Justice*, 2nd edition. New York: Routledge, 269-289.

Student Presentations:

- (1) Memorialization in Northern Ireland
- (2) Memorialization and Post-Socialist Transitional Justice in Germany

Recommended Readings:

Judy Barsalou 2014. "Reflecting the Fractured Past: Memorialisation, Transitional Justice and the Role of Outsiders", in Susanne Buckley-Zistel und Stefanie Schäfer (eds.) *Memorials in Times of Transition*, Cambridge: Intersentia Uitgevers NV, 47-68.

Sara Jones. 2015. "'Simply a Little Piece of GDR History'? The Role of Memorialization in Post-Socialist Transitional Justice in Germany", *History & Memory*, 27(1), 154-181.

Deirdre Byrnes. 2017. "Remembering at the margins: trauma, memory practices and the recovery of marginalised voices at the Berlin-Hohenschönhausen memorial", *Journal of Contemporary European Studies*, 25(4), 455-469.

Ruti Teitel. 2006. "The transitional apology," in Elazar Barkan and Alexander Karn (eds.) *Taking wrongs seriously: Apologies and reconciliation*. Stanford: Stanford University Press, 101-114.

Vamik Volkan. 2006. "What some monuments tell us about mourning and forgiveness," in Elazar Barkan and Alexander Karn (eds.) *Taking wrongs seriously: Apologies and reconciliation*, Stanford: Stanford University Press, 115-131.

Patrick Pinkerton. 2012. "Resisting Memory: The Politics of Memorialisation in Post-Conflict Northern Ireland", *British Journal of Politics and International Relations* 14(1): 131-152.

Bill Rolston. 2020. "Ambushed by Memory: Post-Conflict Popular Memorialisation in Northern Ireland", *International Journal of Transitional Justice* 14(2): 320-339.

Johanna Mannergren Selimovic. 2022. "The Stuff from the Siege: Transitional Justice and the Power of Everyday Objects in Museums", *International Journal of Transitional Justice*, 16(2), 220-234.

Laia Balcells, Valeria Palanza and Elsa Voytas. 2022. "Do Transitional Justice Museums Persuade Visitors? Evidence from a Field Experiment", *The Journal of Politics*, 84(1), 496-510.

Session 9: 12.12.2024**Local and traditional TJ approaches and the “everyday”**

- How are local, national and international TJ approaches linked?
- How are traditional customs and practices adapted to address issues of justice and reconciliation?
- How does addressing “everyday” interactions reform the understanding of transitional justice?
- Case studies: Northern Uganda and Rwanda

Literature:

Rosalind Shaw and Lars Waldorf. 2010. "Introduction: Localizing Transitional Justice", in Rosalind Shaw and Lars Waldorf (eds.) *Localizing transitional justice: Interventions and priorities after mass violence*. Stanford: Stanford University Press, 3-26.

AND

Pilar Riaño Alcalá and Erin Baines. 2012. "Editorial Note (Special edition of the *International Journal of Transitional Justice* on Transitional Justice and the Everyday)," *International Journal of Transitional Justice* 6(3): 385-393.

Student Presentations:

- (1) Gacaca Trials in Ruanda
- (2) Locale approaches to reconciliation in Uganda

Recommended Readings:

Erin Baines. 2010. "Spirits and social reconstruction after mass violence: Rethinking transitional justice," *African Affairs* 109(436): 409-430.

Timothy Longman. 2008. "Justice at the grassroots? Gacaca trials in Rwanda" in Naomi Roht-Arriaza and Javier Mariecurrena (eds.) *Transitional justice in the twenty-first century: Beyond truth versus justice*. Cambridge: Cambridge University Press, 206-228.

Cyanne E. Loyle. 2018. "Transitional justice and political order in Rwanda", *Ethnic and Racial Studies* 41(4): 663-680.

James Tyner, Gabriela Brindis Alvarez and Alex Colucci. 2012. "Memory and the everyday landscape of violence in post-genocide Cambodia," *Social and Cultural Geography* 13(8): 853-871.

K. Brown. 2012. "What It Was Like to Live through a Day: Transitional Justice and the Memory of the Everyday in a Divided Society," *International Journal of Transitional Justice* 6(3): 444-466.

Sverker Finnström. 2010. "Reconciliation Grown Bitter? War, Retribution and Ritual Action in Northern Uganda," in Rosalind Shaw and Lars Waldorf (eds.) *Localizing transitional justice: Interventions and priorities after mass violence*. Stanford: Stanford University Press, 135-156.

Kasaija Phillip Apuuli. "Peace Over Justice: The Acholi Religious Leaders Peace Initiative (ARLPI) versus the International Criminal Court (ICC) in Northern Uganda", *Studies in Ethnicity and Nationalism* 11(1): 116-129.

Agnieszka Szpak. 2017. "Indigenous Mechanisms of Transitional Justice as Complementary Instruments to State Justice Systems: Cases of mato oput in Uganda, bashingantahe Councils in Burundi and Navajos' Custom of naat'aani," *Polish Political Science Yearbook* 46(2): 55-70.

PART III: PRACTICES OF TRANSITIONAL JUSTICE**Session 10: 19.12.2024 (Student-led seminar)****Comprehensive approach in Sierra Leone**

- Comprehensive TJ approach with truth commission, special tribunal and reparations
- Challenges of implementation

Literature:

Kieran Mitton. 2015. „A Pragmatic Pact: Reconciliation and Reintegration in Sierra Leone”, in Kirsten Ainley, Rebekka Friedman and Chris Mahoney (eds.). *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone*. Basingstoke: Palgrave MacMillan, 217-240.

Student Group PresentationRecommended Readings:

Rosalind Shaw. 2007. "Memory frictions: Localizing truth and reconciliation in Sierra Leone," *International Journal of Transitional Justice* 1(2): 183-207.

Kirsten Ainley, Rebekka Friedman and Chris Mahony (eds.). 2015. *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone*. London: Palgrave Macmillan.

Tim Kelsall. 2009. *Culture under Cross Examination. International Justice and the Special Court for Sierra Leone*. Cambridge: Cambridge University Press.

E. Christabel Unobe. 2022. "Justice mirage? Sierra Leone's truth and reconciliation commission and local women's experiences", *Peace and Conflict: Journal of Peace Psychology*, 28(4), 429-436.

Mohamed Gibril Sessay and Mohamed Suma. 2009. *Transitional Justice and DDR: The Case of Sierra Leone*. New York: International Center for Transitional Justice.

Gearoid Millar. 2011. "Local Evaluations of Justice through Truth Telling in Sierra Leone: Postwar Needs and Transitional Justice", *Human Rights Review* 12(4): 515-535.

Anne Menzel. 2020. "The pressures of getting it right: Expertise and victims' voices in the work of the Sierra Leone Truth and Reconciliation Commission (TRC)", *International Journal of Transitional Justice*, 14(2), 300-319.

Michelle Staggs Kelsall and Sheree Stepakoff. 2007. "'When we wanted to talk about rape': Silencing sexual violence at the Special Court for Sierra Leone," *International Journal of Transitional Justice* 1(3): 355-374.

Laura S. Martin. 2016. "Practicing Normality: An Examination of Unrecognizable Transitional Justice Mechanisms in Post-Conflict Sierra Leone", *Journal of Intervention and Statebuilding* 10(3): 400-418.

Session 11: 09.01.2025 (Student-led seminar)**Local and international TJ approaches in Rwanda**

- o Successful combination of local, national and international TJ approaches in Rwanda?
- o Use of transitional justice for political purposes

Literature:

Cianne E. Loyle. 2018. "Transitional justice and political order in Rwanda", *Ethnic and Racial Studies* 41(4): 663-680.

Student Group PresentationRecommended Readings:

J.E. Burnet. 2009. "Whose genocide? Whose truth? Representations of victim and perpetrator in Rwanda," in A.L. Hinton and K.L. O'Neill (eds.) *Genocide: Truth, Memory and Representation*, Raleigh: Duke University Press, 80-110.

Susan Thomson. 2011. "Whispering truth to power: The everyday resistance of Rwandan peasants to post-genocide reconciliation," *African Affairs* 110(440): 439-456.

Susan Thomson. 2011. "The Darker Side of Transitional Justice: The Power Dynamics Behind Rwanda's Gacaca Courts", *Africa* 81(3): 373-390.

Buckley-Zistel, Susanne. 2008. "We are pretending peace: local memory and the absence of social transformation and reconciliation in Rwanda," in Phil Clark and Zachary D. Kaufman (eds.) *After Genocide: Transitional Justice, Post Conflict Reconstruction and Reconciliation in Rwanda and Beyond*. London: Hurst Publishers, 153-171.

Gerald Gahima. 2013. "Accountability for Mass Atrocity: Challenges, Choices and Goals of Transitional Justice in Post-Genocide Rwanda", in *Transitional Justice in Rwanda: Accountability for atrocity*. Abingdon: Routledge, 53-78.

Amy Senier. 2008. "Traditional Justice as Transitional Justice: A Comparative Case Study of Rwanda and East Timor", *PRAXIS The Fletcher Journal of Human Security* 23: 67-88.

Myriam Denov and Sara Kahn. 2019. "'They Should See Us as a Symbol of Reconciliation': Youth Born of Genocidal Rape in Rwanda and the Implications for Transitional Justice", *Journal of Human Rights Practice*, 11(1), 151-170.

Mark A. Geraghty. 2020. "Gacaca, Genocide, Genocide Ideology: The Violent Aftermaths of Transitional Justice in the New Rwanda", *Comparative Studies in Society and History* 62(3): 588-618.

Session 12: 16.01.2025 (Student-led seminar)**Transitional justice in Bosnia: taking stock after 30 years**

- Coming to terms with atrocities in an ethnically diverse setting
- The limits of externally driven transitional justice processes

Literature:

Olga Martin-Ortega. 2012. "Building Peace and Delivering Justice in Bosnia and Herzegovina: The Limits of Externally Driven Processes" in Chandra Sriram, Jemima García-Godos, Johanna Herman and Olga Martin-Ortega (eds.). *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants*. London: Routledge, 139-158.

Student Group PresentationRecommended Readings:

Mina Rauschenbach, Stephan Parmentier and Maarten van Craen. 2020. "Towards social restoration in Bosnia and Herzegovina: Exploring the place of symbolic forms of transitional justice" in Julianne Funk, Nacy Good and Marie E. Berry (eds.). *Healing and Peacebuilding after War: Transforming Trauma in Bosnia and Herzegovina*. London: Routledge.

Jelena Obradovic-Wochnik. 2013. "The 'Silent Dilemma' of Transitional Justice: Silencing and Coming to Terms with the Past in Serbia", *International Journal of Transitional Justice*, 7(2), 328-347.

Annika Björkdahl and Johanna Mannergren Selimovic. 2014. "Gendered Justice Gaps in Bosnia-Herzegovina", *Human Rights Review*, 15(2), 201-218.

Melek Saral. 2023. "Transitional justice and small states: Bosnia-Herzegovina and Tunisia", *International Politics*, 60(2), 428-445.

Jared O'Neil Bell. 2019 "Reconciliation after Transitional Justice: When Prosecutions are not Enough, the Case of Bosnia and Herzegovina", *Croatian International Relations Review*, 25(84), 54-77.

Claire Garbett. 2012. "Transitional Justice and 'National Ownership': An Assessment of the Institutional Development of the War Crimes Chamber of Bosnia and Herzegovina", *Human Rights Review*, 13(1), 65-84.

Nevenka Tromp. 2020. "Misjudging the History at the ICTY: Transitional and Post-Transitional Narratives about Genocide in Bosnia and Herzegovina", *European Papers*, 5(3), 1191-1223.

Iva Vukusic. 2015. "Successes and Failures of Transitional Justice in BiH: the Case of the ICTY" in Soeren Keil and Valery Perry (eds.). *State-Building and Democratization in Bosnia and Herzegovina*. London: Routledge.

Session 13: 23.01.2025 (Student-led seminar)**Colombia's current transitional justice approach**

- Transitional justice during a conflict
- The role of ex-combatants in transitional justice processes

Literature:

Line Jespersgaard Jakobsen. 2024. "Colombia as the 'Laboratory' for Transitional Justice: Consolidation and Innovation of Global Formulas", *International Journal of Transitional Justice*, online first.

Student Group Presentation

Recommended Readings:

Jason Michael Quinn and Madhav Joshi. 2019. "Transitional Justice in the Colombian Final Accord: Text, Context, and Implementation" in James Meernik, Jacqueline H.R. Demeritt and Mauricio Uribe-López (eds.). *As War Ends: What Colombia Can Tell Us About the Sustainability of Peace and Transitional Justice*. Cambridge: Cambridge University Press, 208-230.

Enzo Nussio, Angelika Rettberg and Juan E. Ugarriza. 2015. „Victims, Nonvictims and Their Opinions on Transitional Justice: Findings from the Colombian Case”, *International Journal of Transitional Justice* 9(2): 336-354.

Peter Dixon and Pamina Firchow. 2022. "Collective Justice: Ex-Combatants and Community Reparations in Colombia", *Journal of Human Rights Practice*, 14(2), 434-453.

Elsa Voytas and Benjamin Crisman. 2023. "State violence and participation in transitional justice: Evidence from Colombia", *Journal of Peace Research*, online first.

Camilo Tamayo Gomez. 2022. "Victims' collective memory and transitional justice in post-conflict Colombia: The case of the *March of Light*", *Memory Studies*, 15(2), 376-389.

Camilo Tamayo Gomez. 2022. "Recognition as Transitional Justice 'From Below': Analysing Victims' Grassroots Activism in Postconflict Colombia", *International Journal of Transitional Justice*, 16(3), 314-330.

Gabriel Ruiz Romero. 2012. "Voices Around Us: Memory and Community Empowerment in Reconstruction Efforts in Colombia", *International Journal of Transitional Justice*, 6(3): 547-557.

Jemima García-Godos and Knut Andreas O. Lid. 2010. "Transitional Justice and Victim's Rights before the End of a Conflict: The Unusual Case of Colombia", *Journal of Latin American Studies* 42(3): 487-516.

Saskia Nauenberg Dunkell. 2021. „From global norms to national politics: decoupling transitional justice in Colombia”, *Peacebuilding*, online first.

Mijke de Waardt and Sanne Weber. 2019. "Beyond Victims' Mere Presence: An Empirical Analysis of Victim Participation in Transitional Justice in Colombia", *Journal of Human Rights Practice* 11(1): 209-228.

Rodrigo Uprimmy Yepes and Nelson Camilo Sánchez. 2017. "Transitional Justice in Conflict: Reflections on the Colombian Experience", in Roger Duthie and Paul Seils (eds). *Justice Mosaics: How Context Shapes Transitional Justice in Fractured Societies*. New York. International Center for Transitional Justice, 258-277.

PART IV: IMPLICATIONS FOR RESEARCH AND PRACTICE

Session 14: 30.01.2025

Effects and effectiveness of transitional justice

- What are the goals of transitional justice: democratization, peacebuilding, reconciliation
- Approaches to analyzing the effectiveness of transitional justice

Literature:

Please sign up on Moodle for one of the two topics, for which you then read and prepare the assigned text for the session.

Andrew G. Reiter 2021. „Measuring the success (or failure) of transitional justice“, in Olivera Simic (ed.) *An Introduction to Transitional Justice*. 2nd edition. New York: Routledge, 291-310.

OR

Cyanne E. Loyle and Christian Davenport. 2016. “Transitional Injustice: Subverting Justice in Transition and Postconflict Societies”, *Journal of Human Rights* 15(1): 126-149.

Student Presentations:

- (1) Does transitional justice lead to sustainable peace?
- (2) What effects does transitional justice have at the state level?

Recommended Readings:

Oskar Thoms, James Ron and Roland Paris. 2010. “State-level effects of transitional justice: What do we know?” *International Journal of Transitional Justice* 4(3).

Neil Kritz. 2009. “Policy implications of empirical research on transitional justice,” in Hugo van der Merwe, Victoria Baxter and A.R. Chapman (eds.) *Assessing the impact of transitional justice: Challenges for empirical research*, Washington, DC: USIP, 13-22.

Tove Grete Lie, Helga Malmin Binningsbo and Scott Gates. 2007. “Post-conflict Justice and Sustainable Peace,” *World Bank Post-conflict Transitions Working Paper* 5.

Chandra Lekha Sriram. 2017. “Beyond Transitional Justice: Peace, Governance, and Rule of Law”, *International Studies Review*, 19(1), 53-69.

Laurel Fletcher and Harvey Weinstein. 2002. “Violence and social repair: Rethinking the contribution of justice to reconciliation,” *Human Rights Quarterly* 24(3): 573-639.

Wendy Lambourne. 2009. “Transitional justice and peacebuilding after mass violence,” *International Journal of Transitional Justice* 3(1): 28-48.

Tricia Olsen, Leigh Payne and Andrew Reiter. 2010. “Coming to terms,” in *Transitional justice in balance: Comparing processes, weighing efficacy*, Washington, DC: USIP.

Matt Murphy. 2022. “How does transitional justice matter? Expanding and refining quantitative research on the effects of transitional justice policies”, *Journal of Human Rights*, 21(4), 485-499.

Session 15: 06.02.2025

Reconciliation revisited: the future of transitional justice

- The limits of transitional justice
- The future of transitional justice as a field of research and practice

Literature:

Rosemary Nagy. 2008. „Transitional Justice as Global Project: critical reflection”, *Third World Quarterly* 29(2): 275-189.

Recommended Readings:

Ellen Lutz. 2006. “Transitional justice: Lessons learned and the road ahead” in Naomi Roht-Arriaza and Javier Mariegurrena (eds.) *Transitional justice in the twenty-first century: Beyond truth versus justice*. Cambridge: Cambridge University Press, 325-341.

Victoria Sanford. 2006. “Evacuations of the heart: Reflections of truth, memory and structures of understanding,” in Asale Angel-Ajani and Victoria Sanford (eds.) *Engaged Observer*, Rutgers: Rutgers University Press, 19-41.

S. Winter. 2013. "Towards a Unified Theory of Transitional Justice," *International Journal of Transitional Justice* 7(2): 224-244.

Jennifer Llewellyn and Daniel Philpott. 2014. "Restorative justice and reconciliation: Twin frameworks for peacebuilding," in Jennifer Llewellyn and Daniel Philpott (eds.) *Restorative justice, reconciliation and peacebuilding*, Oxford: Oxford University Press, 14-36.

Weinstein, Harvey M. 2011. "Editorial Note: The Myth of Closure, the Illusion of Reconciliation: Final Thoughts on Five Years as Co-Editor-in-Chief," *International Journal of Transitional Justice* 5(1): 1-10.

15.03.2025

Deadline for the submission of your thesis paper (minor assignment) or your policy paper (major assignment). Please upload your assignment as a pdf file (file name: TJ2024_NameFirstName) to the designated folder in Moodle. A print version is not required.