

GLOBALIZING TRANSITIONAL JUSTICE

CONTEMPORARY
ESSAYS



RUTI G. TEITEL

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Globalizing Transitional Justice Ruti Teitel

Ruti G. Teitel



Globalizing Transitional Justice Ruti Teitel:

Globalizing Transitional Justice Ruti G. Teitel, 2014 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

Presidential Visions of Transitional Justice Ruti G. Teitel, 2025 *Presidential Visions of Transitional Justice* examines the role of the American President in carrying out transitional justice through foreign policy Professor Ruti G Teitel a leading authority in transitional justice interrogates executive practices in peace making that address former injustices committed by the United States throughout history This book covers a myriad of topics ranging from constitutionalism foreign affairs and international law

Transitional Justice and the Prosecution of Political Leaders in the Arab Region Noha Aboueldahab, 2017-10-05 The dramatic uprisings that ousted the long standing leaders of several countries in the Arab region set in motion an unprecedented period of social political and legal transformation The prosecution of political leaders took centre stage in the pursuit of transitional justice following the Arab Spring Through a comparative case study of Egypt Libya Tunisia and Yemen this book argues that transitional justice in the Arab region presents the strongest challenge yet to the transitional justice paradigm This paradigm is built on the underlying assumption that transitions constitute a shift from non liberal to liberal democratic regimes where often legal measures are taken to address atrocities committed during the prior regime The book is guided by two principal questions first what trigger and driving factors led to the decision of whether or not to prosecute former political leaders And second what shaping factors affected the content and extent of decisions regarding prosecution In answering these questions the book enhances our understanding of how transitional justice is pursued by different actors in varied contexts In doing so it challenges the predominant understanding that transitional justice uniformly occurs in liberalising contexts and calls for a re thinking of transitional justice theory and

practice Using original findings generated from almost 50 interviews across 4 countries this research builds on the growing critical literature that claims that transitional justice is an under theorised field and needs to be developed to take into account non liberal and complex transitions It will be stimulating and thought provoking reading for all those interested in transitional justice and the Arab Spring

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

United States Law and Policy on Transitional Justice Zachary Daniel Kaufman, 2016 In *United States Law and Policy on Transitional Justice Principles Politics and Pragmatics* Zachary D Kaufman explores the U S government's support for or opposition to certain transitional justice institutions By first presenting an overview of possible responses to atrocities such as war crimes tribunals and then analyzing six historical case studies Kaufman evaluates why and how the United States has pursued particular transitional justice options since World War II This book challenges the legalist paradigm which postulates that liberal states pursue war crimes tribunals because their decision makers hold a principled commitment to the rule of law Kaufman develops an alternative theory prudentialism which contends that any state liberal or illiberal may support bona fide war crimes tribunals More generally prudentialism proposes that states pursue transitional justice options not out of strict adherence to certain principles but as a result of a case specific balancing of politics pragmatics and normative beliefs Kaufman tests these two competing theories through the U S experience in six contexts Germany and Japan after World War II the 1988 bombing of Pan Am flight 103 the 1990 1991 Iraqi offenses against Kuwaitis the atrocities in the former Yugoslavia in the 1990s and the 1994 Rwandan genocide Kaufman demonstrates that political and pragmatic factors featured as or more prominently in U S transitional justice policy than did U S government officials' normative beliefs Kaufman thus concludes that at least for the United States prudentialism is superior to legalism as an explanatory theory in transitional justice policymaking

International Criminal Law in Context Philipp Kastner, 2017-10-20 *International Criminal Law in Context* provides a critical and contextual introduction to the fundamentals of international criminal law It goes beyond a doctrinal analysis focused on the practice of international tribunals to draw on a variety of perspectives capturing the complex processes of internationalisation that criminal law has experienced over the past few decades The book considers international criminal law in context and seeks to account for the political and cultural factors that have influenced and that continue to influence

this still emerging body of law Considering the substance procedures objectives justifications and impacts of international criminal law it addresses such topics as the history of international criminal law the subjects of international criminal law transitional justice and international criminal justice genocide crimes against humanity war crimes and the crime of aggression sexual and gender based crimes international and hybrid criminal tribunals sentencing under international criminal law and the role of victims in international criminal procedure The book will appeal to those who want to study international criminal law in a critical and contextualised way Presenting original research it will also be of interest to scholars and practitioners already familiar with the main legal and policy issues relating to this body of law **Human**

Rights Interdependence in National and International Politics Rami Goldstein,Nitza Nachmias,2024-06-21 This book offers a fresh approach to human rights by analyzing the role of institutional checks and balances governmentalism and system s approach intended for the prevention of human rights violations the enforcement of human rights norms and rules and important actors such as International Non Governmental Organizations INGO and domestic Non Governmental Organizations NGOs The book presents case studies that offer innovative political historical and social perspectives on how the International Human Rights Regime IHRG is practiced It critically examines the interpretation inconsistency and application of the human rights norms in the Global South and shows how the national mobilization of human rights is directly affected by the interdependence existing between the national and the transnational levels This book will be of key interest to scholars students and practitioners of human rights and more broadly of comparative politics international law global governance international and nongovernmental organizations Justice Framed Marcos Zunino,2019-03-14 Why are certain responses to past human rights violations considered instances of transitional justice while others are disregarded This study interrogates the history of the discourse and practice of the field to answer that question Zunino argues that a number of characteristics inherited as transitional justice emerged as a discourse in the 1980s and 1990s have shaped which practices of the present and the past are now regarded as valid responses to past human rights violations He traces these influential characteristics from Argentina s transition to democracy in 1983 the end of communism in Eastern Europe the development of international criminal justice and the South African truth commission of 1995 Through an analysis of the post World War II period the decolonisation process and the Cold War Zunino identifies a series of episodes and mechanisms omitted from the history of transitional justice because they did not conform to its accepted characteristics **By Peaceful**

Means Charles N. Brower,Joan E. Donoghue,Cian C. Murphy,Cymie R. Payne,Esmé R. Shirlow,2024-01-03 The history of international dispute resolution is long and complex Peaceful dispute resolution can forestall conflict promote peace and provide a framework for co operation amongst nations Nowhere is this potential more articulated than in the work of international judge arbitrator and professor David D Caron 1952 2018 In his work and his scholarship he modelled how international dispute resolution can promote stability in world affairs This collection of essays by distinguished scholars and

practitioners commemorates and expands upon Caron's work by exploring the work of international dispute resolution institutions and conventions including the Permanent Court of Arbitration the five regional courts adjudicating inter state disputes in Africa and the Singapore Convention Other essays consider sociological approaches to international dispute resolution and whether international dispute resolution can or should be apolitical The essays converse with the breadth of Caron's work his key decisions and his guidance to lawyers students judges and arbitrators By Peaceful Means is an insightful examination of how international dispute resolution seeks to avert disaster and mitigate discord and how it might continue to do so in our uncertain future The collection is an indispensable work for students scholars and practitioners of international law offering a testament to the work and accomplishments of David Caron written by friends and colleagues in dedication to his remarkable legacy

Transitional Justice Ruti G. Teitel, 2002-03-28 At the century's end societies all over the world are throwing off the yoke of authoritarian rule and beginning to build democracies At any such time of radical change the question arises should a society punish its ancien regime or let bygones be bygones Transitional Justice takes this question to a new level with an interdisciplinary approach that challenges the very terms of the contemporary debate Ruti Teitel explores the recurring dilemma of how regimes should respond to evil rule arguing against the prevailing view favoring punishment yet contending that the law nevertheless plays a profound role in periods of radical change Pursuing a comparative and historical approach she presents a compelling analysis of constitutional legislative and administrative responses to injustice following political upheaval She proposes a new normative conception of justice one that is highly politicized offering glimmerings of the rule of law that in her view have become symbols of liberal transition Its challenge to the prevailing assumptions about transitional periods makes this timely and provocative book essential reading for policymakers and scholars of revolution and new democracies

Cornell International Law Journal, 2005 Temple Law Review, 2006

New Perspectives on Liberal Peacebuilding Edward Newman, Roland Paris, Oliver P. Richmond, 2009 Africa Sierra Leone Afghanistan Bosnia Herzegovina Timor Leste Sri Lanka Palestine Israel United Nations Lebanon Cambodia Central America

Law Justice and Transformation Z. T. Boggenpoel, 2022

Ringens um Versöhnung II Urszula Pekala, 2019-05-20 Was bedeutet der in Politik und Gesellschaft vielgebrauchte Begriff der Versöhnung

The Globalization of U.S.-Latin American Relations Virginia Marie Bouvier, 2002-09-30 Annotation Analyzes the impact of globalization on U S Latin American relations

Michigan Law Review, 2000

The Unhomely Okwui Enwezor, Centro Andaluz de Arte Contemporáneo (Seville, Spain), 2006 Published in conjunction with the Second International Biennial of Contemporary Art of Seville Biacs 2 The Unhomely Phantom Scenes in Global Society functions as more than simply a catalog for the exhibition The book features essays by Judith Butler Okwui Enwezor Martin Heidegger Thomas Keenan Achilles Mbembe Retort Alberto Ruiz de Samaniego Terry Smith and Ruti Teitel as well as featuring images from the artwork of the ninety one artists featured in the biennial Focusing on the contemporary confluence of aesthetics and politics

The Unhomely Phantom Scenes in Global Society is concerned with the complexities of intimacy proximity antagonism and renews the call for neighborliness in the present condition Edited by Okwui Enwezor Artistic Director of Biacs 2 *Justice in Time* Lukas H. Meyer,2004 **Current Law Index** ,2004

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