



AFRICAN TRUTH COMMISSIONS AND TRANSITIONAL JUSTICE

John Perry and
T. Debey Sayndee

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M Lipman



African Truth Commissions And Transitional Justice:

African Truth Commissions and Transitional Justice John Perry, T. Debey Sayndee, 2015-04-22 African Truth Commissions and Transitional Justice examines the functioning of truth commissions in Africa outlining the lessons learned the best practices and the successes and failures of seven African truth commissions Its introduction and conclusion then work further to place truth commissions within the growing academic field of transitional justice The first African truth commission was convened by the despot Idi Amin for reasons unrelated to the defense of human rights but despite this ambiguous beginning other African truth commissions have done important work The South African Truth and Reconciliation Commission of 1996 has become the gold standard for future truth commissions not only in Africa but throughout the world it unearthed much truth about the Apartheid era abuse of human rights and took vital first steps towards restorative justice in the Republic Each truth commission is distinctive However although much has been written about South Africa's truth commissions much less is known about the other six studied in this book and an attentive reader will notice the suggestive patterns which emerge

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Truth Commissions and Transitional Societies Eric Wiebelhaus-Brahm, 2010-01-05 This book uses a multi method approach to examine the impact of truth commissions on subsequent human rights protection and democratic practice and features cross national case studies on South Africa El Salvador Chile and Uganda

The Limits of Transition: The South African Truth and Reconciliation Commission 20 Years on Mia Swart, Karin van Marle, 2017-08-28 The South African Truth and Reconciliation Commission was a noble attempt to begin to address the continuing traumatic legacy of Apartheid This interdisciplinary collection critiques the work of the TRC 20 years since its establishment Taking the paralysing political and social crises of the mid 1990s in South Africa as starting point the book contains a collection of responses to the TRC that considers the notions of crisis judgment and social justice It asks whether the current political and social crises in South Africa are linked to the country's post apartheid transitional

mechanisms specifically the TRC The fact that the material conditions of the lives of many Apartheid victims have not improved forms a major theme of the book Collectively the book considers the unfinished business of the TRC

Pieces of the Puzzle Charles Villa-Vicencio, Erik Doxtader, 2004 Reconciliation Ubuntu Peace processes Reparation Restorative justice Amnesty Memory Testimony Transitional justice Genocide The international criminal court Truth commissions Traditional and customary law Human rights Rights and reconciliation Economic transformation National truth commissions Online resources on transitional Documentation from Truth and Reconciliation Commissions Proscovia Svärd, Bonny Ibhawoh, 2024-08-12 Documentation from Truth and Reconciliation Commissions highlights the need for post conflict societies to have access to and to use Truth Reconciliation Commissions TRCs documentation to achieve reconciliation and to work towards a democratic society Including international contributions from a range of disciplines the volume discusses the challenges that surround TRCs documentation Considering the impact of the politicization of documentation chapters also highlight the lack of political will to democratize information the lack of dissemination and the preservation infrastructures that hinder access and its effective use and re use Arguing that TRCs documentation should be used to inform policy improve governance and to promote justice healing and reconciliation the volume considers the ethical challenges involved in disseminating such information Contributing authors argue that information professionals should play a major role in the planning for the TRCs information management infrastructures if they are to facilitate access effectively manage the generated documentation deal with preservation of the compound records and promote the dissemination of the TRC findings Documentation from Truth and Reconciliation Commissions demonstrates that TRCs documentation provides validation of human rights violations and that it helps to promote an understanding of the causes of conflict As such it will be essential reading for academics and students working in Archival Studies Information Science History Transitional Justice and Peace and Conflict Studies

Truth Commissions Onur Bakiner, 2016-01-15 Onur Bakiner evaluates the success of truth commissions in promoting political judicial and social change He argues that even when commissions produce modest change as a result of political constraints they open new avenues for human rights activism and transform public discourses on memory truth justice and reconciliation Truth v. Justice Robert I. Rotberg, Dennis F. Thompson, 2010-07-01 The truth commission is an increasingly common fixture of newly democratic states with repressive or strife ridden pasts From South Africa to Haiti truth commissions are at work with varying degrees of support and success To many they are the best or only way to achieve a full accounting of crimes committed against fellow citizens and to prevent future conflict Others question whether a restorative justice that sets the guilty free that cleanses society by words alone can deter future abuses and allow victims and their families to heal Here leading philosophers lawyers social scientists and activists representing several perspectives look at the process of truth commissioning in general and in post apartheid South Africa They ask whether the truth commission as a method of seeking justice after conflict is fair moral and effective in bringing about reconciliation The

authors weigh the virtues and failings of truth commissions especially the South African Truth and Reconciliation Commission in their attempt to provide restorative rather than retributive justice They examine among other issues the use of reparations as social policy and the granting of amnesty in exchange for testimony Most of the contributors praise South Africa's decision to trade due process for the kinds of truth that permit closure But they are skeptical that such revelations produce reconciliation particularly in societies that remain divided after a compromise peace with no single victor as in El Salvador Ultimately though they find the truth commission to be a worthy if imperfect instrument for societies seeking to say never again with confidence At a time when truth commissions have been proposed for Bosnia Kosovo Cyprus East Timor Cambodia Nigeria Palestine and elsewhere the authors conclude that restorative justice provides positive gains could not be more important In addition to the editors the contributors are Amy Gutmann Rajeev Bhargava Elizabeth Kiss David A Crocker Andr  du Toit Alex Boraine Dumisa Ntsebeza Lisa Kois Ronald C Slye Kent Greenawalt Sanford Levinson Martha Minow Charles S Maier Charles Villa Vicencio and Wilhelm Verwoerd

Truth Commissions and Procedural Fairness Mark Freeman, 2006-08-14 This is the first law book devoted entirely to the subject of truth commissions The book sets forth standards of procedural fairness aimed at protecting the rights of those who come into contact with truth commissions primarily victims and their families witnesses and perpetrators The aim of the book is to provide recommended criteria of procedural fairness for five possible components of a truth commission's mandate the taking of statements the use of subpoenas the exercise of powers of search and seizure the holding of victim centered public hearings and the publication of findings of individual responsibility in a final report sometimes called the issue of naming names The book draws on the experience of past and present truth commissions analogous national and multilateral investigative bodies and international and comparative standards of procedural fairness

Truth and Transitional Justice Alice Panepinto, 2022-02-24 With a unique transitional justice perspective on the Arab Spring this book assesses the relocation of transitional justice from the international paradigm to Islamic legal systems The Arab uprisings and new and old conflicts in the Middle East North Africa and other contexts where Islam is a prominent religion have sparked an interest in localising transitional justice in the legal systems of Muslim majority communities to uncover the truth about past abuse and ensure accountability for widespread human rights violations This raises pressing questions around how the international paradigm of transitional justice and in particular its truth seeking aims might be implemented and adapted to local settings characterised by Muslim majority populations and at the same time drawing from relevant norms and principles of Islamic law This book offers a critical analysis of the relocation of transitional justice from the international paradigm to the legal systems of Muslim majority societies in light of the inherently pluralistic realities of these contexts It also investigates synergies between international law and Islamic law in furthering truth seeking the formation of collective memories and the victims right to know the truth as key aims of the international paradigm of transitional justice and broadly supported by the shari'ah This book will be a

useful reference for scholars practitioners and policymakers seeking to better understand the normative underpinnings of potential transitional truth seeking initiatives in the legal systems of Muslim majority societies At the same time it also proposes a more critical and creative way of thinking about the challenges and opportunities of localising transitional justice in contexts where the principles and ideas of Islamic law carry different meanings *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 Ruti G Teitel provides a collection of her own essays that embody her evolving reflections on the practice and discourse of transitional justice *Assessing the Long-Term Impact of Truth Commissions* Anita Ferrara, 2014-09-19 In 1990 after the end of the Pinochet regime the newly elected democratic government of Chile established a Truth and Reconciliation Commission TRC to investigate and report on some of the worst human rights violations committed under the seventeen year military dictatorship The Chilean TRC was one of the first truth commissions established in the world This book examines whether and how the work of the Chilean TRC contributed to the transition to democracy in Chile and to subsequent developments in accountability and transformation in that country The book takes a long term view on the Chilean TRC asking to what extent and how the truth commission contributed to the development of the transitional justice measures that ensued and how the relationship with those subsequent developments was established over time It argues that contrary to the views and expectations of those who considered that the Chilean TRC was of limited success that the Chilean TRC has in fact over the longer term played a key role as an enabler of justice and a means by which ethical and institutional transformation has occurred within Chile With the benefit of this historical perspective the book concludes that the impact of truth commissions in general needs to be carefully reviewed in light of the Chilean experience This book will be of great interest and use to students and scholars of conflict resolution criminal international law and comparative legal systems in Latin America [Truth Commissions and Criminal Courts](#) Alison Bisset, 2012-04-16 A multi level analysis of truth commissions and courts in the ICC era *Performing South Africa's Truth Commission* Catherine M. Cole, 2010 Spectacles of legality performance transitional justice and the law Justice in transition political trials 1956 1964 Witnessing and interpreting testimony live present public and speaking in many tongues Eyes and ears of the nation television and the implicated witness Dragons in the living room truth and reconciliation in repertoire 2006 Conclusion Afterword what truth meant to the TRC **The Politics of Human Rights** Sabine C. Carey, Mark Gibney, Steven C. Poe, 2010-10-14 Human rights is an important issue in contemporary politics and the last few decades have also seen a remarkable increase in research and teaching on the subject This book introduces students to the study of human rights and aims to build on their interest while simultaneously offering an alternative vision of the subject Many texts focus on the theoretical and legal issues surrounding

human rights This book adopts a substantially different approach which uses empirical data derived from research on human rights by political scientists to illustrate the occurrence of different types of human rights violations across the world The authors devote attention to rights as well as to responsibilities neither of which stops at one country's political borders They also explore how to deal with repression and the aftermath of human rights violations making students aware of the prospects for and realities of progress

The Palgrave Handbook of State-Sponsored History After 1945 Berber Bevernage, Nico Wouters, 2018-02-03 This handbook provides the first systematic integrated analysis of the role that states or state actors play in the construction of history and public memory after 1945 The book focuses on many different forms of state sponsored history including memory laws monuments and memorials state archives science policies history in schools truth commissions historical expert commissions the use of history in courts and tribunals etc The handbook contributes to the study of history and public memory by combining elements of state focused research in separate fields of study By looking at the state's memorialising capacities the book introduces an analytical perspective that is not often found in classical studies of the state The handbook has a broad geographical focus and analyses cases from different regions around the world The volume mainly tackles democratic contexts although dictatorial regimes are not excluded

Truth Commissions and State Building Bonny Ibhawoh, Jasper Abembia Ayelazuno, Sylvia Bawa, 2023-11-14 More than just an opportunity to uncover fact after conflict truth commissions can also offer restorative power to nations across the globe Truth Commissions and State Building presents the first comparative study of the role of its kind illuminating these possibilities Examining truth commissions as mechanisms for civic inclusion identity formation institutional reform and nation rebuilding in post conflict and post authoritarian societies the book shifts attention towards institutional innovation in African countries where approximately a third of all commissions have been established Contributors explore the mandates methods outcomes and legacies of truth commissions analyzing their place in transitional and restorative justice Rather than conceptualizing state building as incidental to their work they present it as an intrinsic central component This flagship volume authored by a stellar cast of policymakers practitioners and scholars brings multidisciplinary and cross sectoral perspectives to bear on the complex role of truth commissions in addressing transitional justice historical injustices and present day human rights violations As more countries in both the Global South and the North adopt this model to address historical and contemporary abuses the dialogue between different sectors of society modelled here will help inform this process wherever it might occur

Principles of International Criminal Law Gerhard Werle, Florian Jeßberger, 2020 Principles of International Criminal Law is one of the leading textbooks in the field of international criminal justice This fourth edition retains the detailed and systematic approach of previous editions whilst adding substantial new material on new theories laws and prosecutions

Judging State-Sponsored Violence, Imagining Political Change Bronwyn Leebaw, 2011-04-18 How should state sponsored atrocities be judged and remembered This controversial question animates contemporary debates on transitional justice and

reconciliation This book reconsiders the legacies of two institutions that transformed the theory and practice of transitional justice Whereas the Nuremberg Trials exemplified the promise of legalism and international criminal justice South Africa's Truth and Reconciliation Commission promoted restorative justice and truth commissions Leebaw argues that the two frameworks share a common problem both rely on criminal justice strategies to investigate experiences of individual victims and perpetrators which undermines their critical role as responses to systematic atrocities Drawing on the work of influential transitional justice institutions and thinkers such as Judith Shklar Hannah Arendt Jos Zalaquett and Desmond Tutu Leebaw offers a new approach to thinking about the critical role of transitional justice one that emphasizes the importance of political judgment and investigations that examine complicity in and resistance to systematic atrocities

Victim Healing and Truth Commissions Holly L. Guthrey, 2015-02-23 This book intends to contribute to the growing body of transitional justice literature by providing insight into how truth commissions may be beneficial to victims of mass violence based on data collected in Timor Leste and on the Solomon Islands Drawing on literature in the fields of victim psychology procedural justice and transitional justice this study is guided by the puzzle of why truth telling in post conflict settings has been found to be both helpful and harmful to victims of mass violence Existing studies have identified a range of positive benefits and negative consequences of truth telling for victims however the reasons why some victims experience a sense of healing while others do not after participating in post conflict truth commission processes continues to remain unclear Hence to address one piece of this complex puzzle this book seeks to begin clarifying how truth telling may be beneficial for victims by investigating the question What pathways lead from truth telling to victim healing in post conflict settings Building on the proposition that having voice a key component of procedural justice can help individuals to overcome the disempowerment and marginalisation of victimisation this book investigates voice as a causal mechanism that can create pathways toward healing within truth commission public hearings Comparative empirical studies that investigate how truth telling contributes to victim healing in post conflict settings are scarce in the field of transitional justice This book begins to fill an important gap in the existing body of literature From a practical standpoint by enhancing understanding of how truth commissions can promote healing the findings and arguments in this volume provide insight into how the design of transitional justice processes may be improved in the future to better respond to the needs of victims of mass violence

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