

Edited by
JON ELSTER

**RETRIBUTION
AND REPARATION
in the
TRANSITION TO
DEMOCRACY**

CAMBRIDGE

Retribution And Reparation In The Transition To Democracy

Elisabeth Bunselmeyer



Retribution And Reparation In The Transition To Democracy:

Retribution and Reparation in the Transition to Democracy Jon Elster, 2006-05-08 The contributions in this volume offer a comprehensive analysis of transitional justice from 1945 to the present They focus on retribution against the leaders and agents of the autocratic regime preceding the democratic transition and on reparation to its victims Part I contains general theoretical discussions of retribution and reparation The essays in Part II survey transitional justice in the wake of World War II covering Austria Belgium Denmark France Germany Hungary the Netherlands and Norway In Part III the contributors discuss more recent transitions in Argentina Chile Eastern Europe the former German Democratic Republic and South Africa including a chapter on the reparation of injustice in some of these transitions The editor provides a general introduction brief introductions to each part and a conclusion that looks beyond regime transitions to broader issues of rectifying historical injustice

Comparing Transitions to Democracy. Law and Justice in South America and Europe Cristiano Paixão, Massimo Meccarelli, 2021-08-18 This present book examines some of the key features of the interplay between legal history authoritarian rule and political transitions in Brazil and other countries from the end of 20th Century until today This book casts light on these aspects of the role of law and legal actors institutions In the context of transition from authoritarian rule to democratic state Brazil has produced a significant literature on the challenges and shortcomings of the transition but little attention has been given to the role of law and legal actors institutions Different approaches focus on the legal mechanisms discourses and practices used by the military regime and by the players involved in the political transition process in Brazil A comparative perspective that takes into account different political transitions and their legal consequences in Europe and Latin America complements the analysis Part 1 4 essays discusses some of the central issues of political transition and legal history in contemporary Brazil focusing on the time of the transition and its effects on transitional justice with different perspectives from racial and gender issues to constitutional reform and police repression Part 2 3 essays brings the comparative studies on South American experiences Part 3 4 essays analyses different cases of transition to democracy in Chile Portugal Spain and Italy Part 4 3 essays proposes a historiographical and methodological approach considering the politics of time involved in the interplay between political transitions and legal history

Repressie zonder maat of einde? Koen Aerts, 2018-04-17 De bestraffing van de collaboratie na de Tweede Wereldoorlog is een van de meest omstreden episodes uit het Belgische verleden CVP senator Raymond Derine sprak over een Repressie zonder maat of einde 1978 en reflecteerde daarmee de in Vlaanderen dominante perceptie van een anti Vlaamse wraakoefening Alleen amnestie kon die schande uitwissen In Onverwerkt verleden 1991 weerlegden Luc Huyse en Steven Dhondt alvast de idee van een anti Vlaamse operatie Dit boek ontmaskert een tweede Vlaamse mythe de repressie kende immers wel degelijk maat en België toonde zich daarbij als een rechtsstaat Deze studie biedt een historisch verantwoorde analyse van de wijze waarop er werd afgerekend met de vrienden van de vijand Koen Aerts draagt met gestaafde feiten en valide argumenten bij tot een beter

begrip van een gevoelig Vlaams verleden Wie in de toekomst nog wil meepraten over de repressie kan niet om dit boek heen
 Bruno De Wever Universiteit Gent Dit onderzoek is een mijlpaal in de historiografie over een van de moeilijkste materies in
 de Belgische geschiedenis Herman Van Goethem Universiteit Antwerpen *The Politics of Acknowledgement* Joanna R.
 Quinn, 2011-01-01 Human rights violations leave deep scars on people societies and nations Since the early 1990s
 international rights groups have argued that resolving the violence of the past through instruments of transitional justice
 such as truth commissions is a necessary condition for a peaceful future But how can nations ensure that these tribunals are
 the best path to reconciliation The Politics of Acknowledgement develops a theoretical framework of acknowledgement with
 which to evaluate truth commissions Rather than applying this framework to successful tribunals Joanna Quinn uses it to
 analyze the difficulties encountered and the ultimate failure of two poorly understood truth commissions in Uganda and Haiti
 The failure of these commissions reveals that if reconciliation is to be achieved acknowledgement of past violence and harm
 by both victims and perpetrators must come before goals such as forgiveness social trust civic engagement and social
 cohesion *De eindafrekening* Sam Bourne, 2011-03-04 Sam Bourne De eindafrekening Dertien miljoen daders De grootste
 misdaad uit de menselijke geschiedenis Tom Byrne is een gedisillusioneerde advocaat die werkt voor de hoogste bidder Hem
 wordt gevraagd een blunder voor de VN in de doofpot te stoppen een routineklus lijkt het maar al snel wordt hij achtervolgd
 en met de dood bedreigd Hij is midden in iets groots beland maar wat Byrne ontdekt een schokkend feit er zijn dertien
 miljoen oorlogsmisdadigers bekend uit de Tweede Wereldoorlog Elf van hen hebben de doodstraf gekregen driehonderd zijn
 gevangen De rest heeft zijn straf weten te ontlopen Nog veel schokkender echter is Toms ontdekking van een geheime
 broederschap die al in de oorlog is opgericht en die nu probeert dit onrecht alsnog ongedaan te maken **The Politics of
 Reparations and Apologies** Stephanie Wolfe, 2013-11-21 The Politics of Reparations and Apologies examines the evolution
 and dynamics of reparation politics and justice The volume introduces the key concepts theories and terms associated with
 social movements and in particular the redress and reparation movement RRM Drawing from RRM that have their
 foundation in World War II the German genocides the United States internments and the Japanese comfort women system
 the volume explores each case study s relative success or failure in achieving its goals and argues that there are overarching
 trends that can explain success and failure more generally in the RRM movement Using the backdrop of international
 criminal law and normative concepts of reparations the volume establishes and analyzes the roles of reparations and
 apologies in obtaining transitional justice In each case study there is a detailed rundown of the political actions that were
 attempted to obtain redress and reparation for the victims of how successful the attempts were and of the crucial factors
 which influenced the relative success or failure Crucially the volume offers a comparative framework of the actions that
 contribute to a successful outcome for transitional justice With the increasing normative expectation of justice in post conflict
 situations this volume is a valuable resource for researchers in international affairs human rights political science and

conflict studies **Just and Unjust Peace** Daniel Philpott, 2015 In the wake of massive injustice how can justice be achieved and peace restored Is it possible to find a universal standard that will work for people of diverse and often conflicting religious cultural and philosophical backgrounds **The Transformation of Property Regimes and Transitional Justice in Central Eastern Europe** Liviu Damşa, 2017-01-03 This volume examines the property transformations in post communist Central Eastern Europe CEE and focuses on the role of restitution and privatisation in such transformations It argues that the theorisation of restitution in post communist CEE is incomplete in the transitional justice scholarship and in the literature on correction of historical wrongs The book also argues that for a more complete theorisation of post communist restitution the transformations of property in post communist societies ought to be studied in a more holistic way The main legal vehicles used for such transformations privatisation and restitution should not be studied separately and in abstract but in their reciprocal relationship and in connection to the dimension of justice which each could achieve Finally the book integrates privatisation in a theory of post communist transformation of property Truth, Reparations and Social Cohesion Elisabeth Bunselmeyer, 2020-02-25 This book addresses the effectiveness of transitional justice mechanisms for repairing social cohesion Truth commissions and reparation programs are implemented worldwide to enhance social cohesion peace and democracy in post conflict settings Most claims about transitional justice measures are however normatively and not empirically based The book questions whether attention from a truth and reconciliation commission can truly change the lives of the violence affected people and whether monetary compensations or communal projects in form of milk cows can ever truly repair the harm suffered The within country comparative case study analyzes the effects of the commission and reparation program in Peru It studies the post conflict situation and the development of social cohesion in communities affected by the internal armed conflict Using detailed empirical data this analysis reveals why the reparation of social cohesion in Peru was an impossible task Contributing to a broader understanding of the impact of nationally applied transitional justice instruments in local settings the book further offers a new framework for analyzing social cohesion as one of the aims of transitional justice processes Offering a detailed account of transitional justice processes and social cohesion on the micro level as well as an important analysis of their relationship this innovative monograph will be invaluable for transitional justice scholars and students as well as for international political and societal actors who are involved in transitional justice measures *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

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