

Review of: Claudio Corradetti, Nir Eisikovits and Jack Volpe Rotondi, eds.,  
*Theorizing Transitional Justice*, Farnham: Ashgate, 2015.

The editors of *Theorizing Transitional Justice*, Claudio Corradetti, Nir Eisikovits and Jack Volpe Rotondi, take up the ambitious task of mapping the theoretical terrain of key problems, approaches and questions pertaining to the field of transitional justice. The background assumption of their intervention into the relevant scholarly debates is that the global project and ideology of transitional justice is currently undergoing significant changes—and is experiencing a certain crisis. The editors thus divide the development of transitional justice into three distinct phases—the most recent (presumably post-1990s) phase is characterized both by the normalization of “the exceptionality of the special tribunals of Rwanda and Yugoslavia” through the work of the International Criminal Court (p.2), and by the expansion of the scope and agenda of transitional justice to include issues of prevention and self-defence, security against terrorism, economic development, humanitarianism, and the global rule of law. The ‘crisis’ of transitional justice is then connected to questions of the transformative political potential and the limits of an approach that remains indebted to its original formulation as a nexus of “the idea of justice and the idea of change through time—transition” (p.1). This marks not only a political tension within that field, but also an epistemic and theoretical problem, which has to do, partly, with the parallel modes of non-normative and normative theorizing, conventionally employed within the field without much dialogue or points of contact between them. And it is, partly, a disciplinary problem in that research in transitional justice, as the editors correctly recognize, often requires departure from traditionally-organized academic knowledge and from monodisciplinary thinking.

Against this background, *Theorizing Transitional Justice* seeks to “bring conceptual clarity to the study and practice of transitional justice” and to address the apparent lack of theorizing in the transitional justice field by reflecting “on how the interaction between moral, political, legal and conceptual questions shape our practices after war” (p.2). However, it is questionable whether that is indeed a correct assessment of the scholarship on transitional justice produced nowadays—i.e. that there is a lack of systematic and comprehensive theoretical reflection about transitional justice.<sup>1</sup> Another question is whether *Theorizing Transitional Justice* succeeds in filling that lacuna. I suggest that epistemic challenges to the field of transitional justice are more specific (and more political) than simply lack of systematic theorizing. Rather, the crisis in my view has to do largely with the dominance of particular epistemic and theoretical approaches to transitional justice (Western, liberal, and human right oriented). There is thus a need for critical theorizing that does not just make transitional justice focus merely on non-Western responses to historical violence and injustice (which it has, arguably, done), but that invokes the non-Western experiences in ways that diversify the theoretical resources and methodological apparatus of transitional justice and that subvert its founding Western-centrism.

While the limits of this review do not permit to mention all of the many excellent contributions in the volume, “A Theory of National Reconciliation: Some Insights from Africa” by Thaddeus Metz offers a fascinating attempt to theorize national reconciliation through the prism of the sub-Saharan notions of community and solidarity. It thereby challenges some of the epistemic assumptions upon which the standard Western conceptualization of reconciliation has been based, and

problematizes the ‘application’ of that Western conceptualization to African post-conflict contexts. Drawing on Iris M. Young’s idea of structural injustice, Krista K. Thomason in “Transitional Justice as Structural Justice” challenges another figuration in liberal theory of transitional justice, namely that historical violence has an event-like structure, and that as such it *interrupts* realities of political and socio-economic life, rather than remains enmeshed within and constituted by them. Within the liberal paradigm, the work of transitional justice is seen as that of “mend[ing] a rift or heal[ing] a wound” (p.73), but it needs to be radically reconfigured so as to address structural injustice and more ‘mundane’ forms of suffering and oppression. Grace Hunt’s “Reconcilable Resentments? Jean Améry’s Critique of Forgiveness in the Aftermath of Atrocity” also challenges some of the key epistemic and political assumptions of the liberal paradigm of transitional justice in regard to its construction of the subject-position of victims as those who gain visibility through, and benefit from, reconciliatory processes. By focusing on Améry’s refusal to embrace reconciliation and to grant forgiveness to his former oppressors, Hunt sheds critical light on the power dynamics of the transitional justice processes and offers a radical reevaluation of the role of ‘negative emotions’ in historical redress.

In the introduction, Corradetti, Eisikovits and Rotondi ask about the role of interdisciplinarity in the field of transitional justice. This seems to me touches on the important question of complementing (and at times questioning and countering) the dominance of legal studies, political science and philosophy with insights from, for instance, cultural studies, literature and film studies, and anthropology in ways that facilitate non-dogmatic and dialogical exchanges across disciplines. While most of the contributors to *Theorizing Transitional Justice* come from philosophy, law and political science departments (which reinforces the view that certain disciplines are more central to transitional justice inquiry and others more peripheral), the volume also includes culturally-oriented perspectives on transitional justice. Here Sanja Bahun’s chapter, “Transitional Justice and the Arts,” stands out as an excellent elaboration of the recent emergence of visual and performative art as a venue for proposing radical ideas about justice and memory—“the works of art,” Bahun argues, “play a complex role as both a decisive contributor to and impeder of socio-political recalibration of society” (p.155).

The volume will be a valuable aid for advanced undergraduate and postgraduate students grappling with the complexities of theorizing transitional justice across a range of disciplines (though primarily in law, political science and political philosophy). The excellent essays in this volume will likely inspire more critical theorizing of/in the field of transitional justice, and hopefully contribute to its uncoupling from the liberal paradigms of political change, problematize its reliance on Western-centric epistemology, and offer alternatives to and (further) diversify its field of inquiry.

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<sup>i</sup> For example, there has been recently published a number of edited volumes aiming to produce a systematic reflection on theorizing transitional justice. This includes: Susanne Buckley-Zistel, Teresa Koloma Beck, Christian Braun, and Friederike Mieth, eds., *Transitional Justice Theories*, London: Routledge, 2013; Ruth Buchanan and Peer Zumbansen, eds., *Law in Transition: Human Rights, Development and Transitional Justice*, Oxford: Hart Publishing, 2014; Natalia Szablewska and Sascha-Dominik Bachmann, eds., *Current Issues in Transitional Justice: Towards a More Holistic Approach*, London: Springer, 2014. It seems then that it is more correct (and also more interesting) to think of Corradetti, Eisikovits and Rotondi's *Theorizing Transitional Justice* not as a singular and unique attempt at producing a comprehensive transitional justice theory, but as part of a larger academic trend within the field of transitional justice of becoming more reflective and critical in regard to its own assumptions, framings, and epistemic limits.