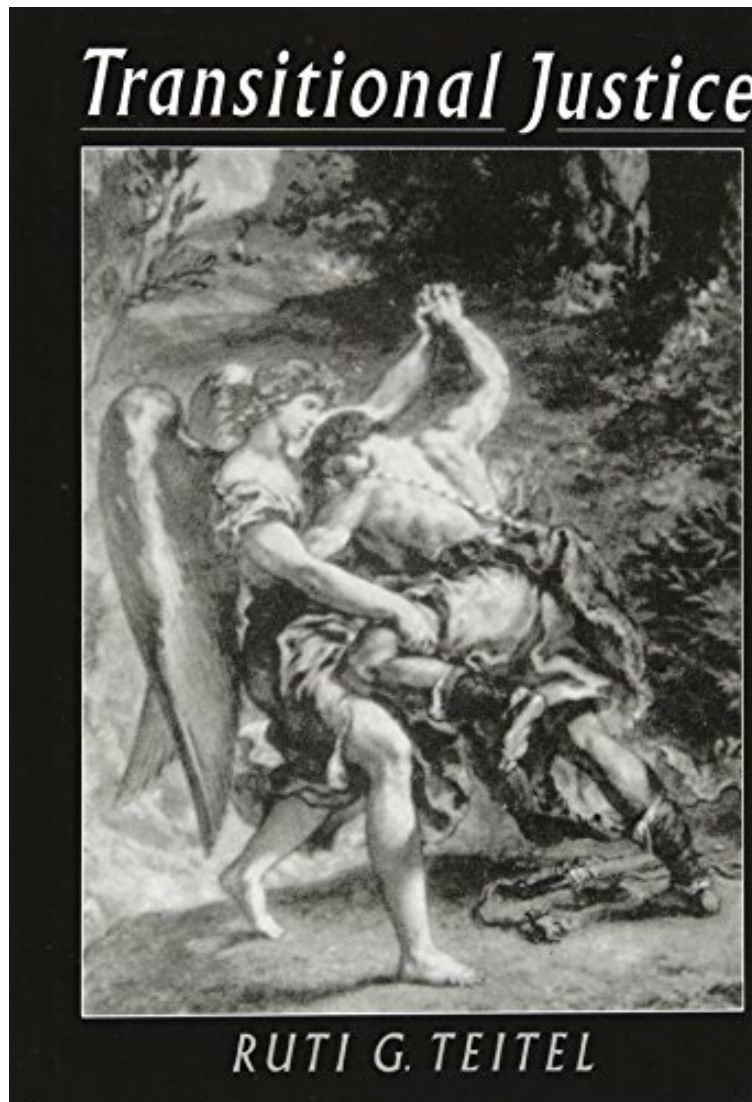


Transitional Justice

Ruti G. Teitel

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analysis of one of the fundamental issues for political science of our times -- how the emerging democracies in Eastern Europe and elsewhere should deal with the legal systems inherited from their authoritarian pasts. As Teitel cogently observes, implicated in this large issue are a variety of extremely interesting and difficult questions. Should the past system be repudiated altogether? Should the leaders from the authoritarian period be punished? If so, how? Under what principles of law would punishment be justified, given that the leaders were, in general, acting legally according to the legal systems in effect at the time? This book is the first systematic treatment of these issues. In fact, Teitel may be the first scholar to identify the major problem and to place it in a systematic intellectual context. She brings an exceptional breadth of knowledge to bear on the problem, ranging across history and, in contemporary culture, across the globe (Latin America, Africa, and Europe). A superb accomplishment, and must reading for anyone interested in the role of law in contemporary world politics.

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.

"This book is also virtuous. It provides a solid basis for future explorations of regime transitions and the varieties of justice during transitions." --*American Political Science* "A valuable contribution to the growing body of scholarly literature." --Aryeh Neier, *New York of Books* "Impressive....Teitel goes through the complex issues raised during transitional periods in an ambitious attempt to construct the language of a new jurisprudence. What is novel about Teitel's approach is the attempt to provide an overarching approach to understanding issues that arise in and out of transitional justice....[The book] is filled with fresh ideas and interesting, provoking perspectives....Essential reading for all those facing the complexities of transition in practice." --*Times Higher Education Supplement* About the Author Ruti Teitel is at New York Law School.