

TRANSITIONAL JUSTICE AND THE ARAB SPRING

EDITED BY KIRSTEN J. FISHER
AND ROBERT STEWART

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Transitional Justice And The Arab Spring

Dr Noha Aboueldahab



Transitional Justice And The Arab Spring:

Transitional Justice and the Arab Spring Kirsten Fisher, Robert Stewart, 2015-03-24 This book presents a varied and critical picture of how the Arab Spring demands a re examination and re conceptualization of issues of transitional justice It demonstrates how unique features of this wave of revolutions and popular protests that have swept the Arab world since December 2010 give rise to distinctive concerns and problems relative to transitional justice The contributors explore how these issues in turn add fresh perspective and nuance to the field more generally In so doing it explores fundamental questions of social justice reconstruction and healing in the context of the Arab Spring Including the perspectives of academics and practitioners *Transitional Justice and the Arab Spring* will be of considerable interest to those working on the politics of the Middle East normative political theory transitional justice international law international relations and human rights

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

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Transitional Justice in the Middle East and North Africa Chandra Lekha Sriram,2016 The chapters in this volume written largely by experts in the field draw upon pre and post Arab Spring use of transitional justice mechanisms in a range of countries including Algeria Egypt Tunisia Yemen Libya Morocco and Bahrain

Transitional Justice and the Arab Spring ,2012

Transitional Justice in the Middle East and North Africa Chandra Lekha Sriram,2016 The chapters in this volume written largely by experts in the field draw upon pre and post Arab Spring use of transitional justice mechanisms in a range of countries including Algeria Egypt Tunisia Yemen Libya Morocco and Bahrain

Transitional Justice in the Wake of the Arab Spring Emily Perish,2014 In this paper we provide an overview of transitional justice in Tunisia Egypt and Bahrain We begin each section with a brief overview of the violence and repression that gave rise to transitional justice demands Then we outline transitional justice processes to date offering some preliminary conclusions on their strengths and weaknesses We conclude by examining some of the factors shaping transitional justice in each country and offer some thoughts on the likely future course of transitional justice

Transitional Justice and Peacebuilding on the Ground Chandra Sriram,Jemima García-Godos,Johanna Herman,Olga Martin-Ortega,2012-12-07 This book seeks to refine our understanding of transitional justice and peacebuilding and long term security and reintegration challenges after violent conflicts As recent events following political change during the so called Arab Spring demonstrate demands for accountability often follow or attend conflict and political transition While traditionally much literature and many practitioners highlighted tensions between peacebuilding and justice recent research and practice demonstrates a turn away from the supposed peace vs justice dilemma This volume examines the complex relationship between peacebuilding and transitional justice through the lenses of the increased emphasis on victim centred approaches to justice and the widespread practices of disarmament demobilization and reintegration DDR of excombatants While recent volumes have sought to address either DDR or victim centred approaches to justice none has sought to make connections between the two much less to place them in the larger context of the increasing linkages between transitional justice and peacebuilding This book will be

of great interest to students of transitional justice peacebuilding human rights war and conflict studies security studies and IR

International Criminal Justice. Cooperation and fighting of male sexual crimes Dimitris

Liakopoulos, 2019-04-01 Document from the year 2019 in the subject Law European and International Law Intellectual Properties Tufts University language English abstract The focus of this book is the analysis of male sexual crimes in international criminal justice The first part of the present research work is focused on the legal analysis of the relevant articles of international criminal court s Statute regarding the obligation of cooperation between states for the punishment of serious crimes against humanity and war Judicial development starting with the ad hoc tribunals and arriving at causes at various stages of proceedings still ongoing in the International Criminal Court ICC opens doctrinal and comparative national debates especially in the case of lacking states cooperation seeking to elaborate specific topics such as the obligation of states cooperation requests for assistance during preliminary investigations during inquires and confidential information Court assistance to states parties participating in the Statute suspending the execution of a request the role of the prosecutor and the non assistance of some states impede the development and operation of international criminal justice The second part has attempted to analyze sexual crimes and especially the crime of male rape The jurisprudence of international criminal tribunals and the ICC have tried to qualify rape either as a crime of genocide in the form of serious and physical injuries even if not necessarily permanent lett b Art 6 of the Rome Statute or as a crime against humanity where there are elements of context and above all material elements that emerge from the definitions given by the ad hoc tribunals and the elements of crimes or even as a war crime in case it is implemented to that of sexual violence according to a gender specific relationship to species Judges through the jurisprudence have included in this context any conduct of a sexual type of aggression to human dignity that does not consist in an act of penetration and that does not involve physical contact The contrasts are always open Due to the lack of dealing with a particular crime and difficult to prove it or testify before an international court The indication on the level of gravity of the crime is necessary for the relevance of sexual violence and rape as crimes against humanity that we will see in the coming years

Perpetration Narratives in Transitional Justice Mechanisms After the Arab Spring Nada Ahmed Mostafa Kamal Ahmed, 2023 This note is part of Quality testing

Denver Journal of International Law and Policy, 2012 'Arab Spring' to Accountability Emilie Hunter, Alexandre Skander Galand, 2013-07-17

Revisiting the Arab Uprisings Stéphane Lacroix, Jean-Pierre Filiu, 2018-12-15 Since 2013 the Middle East has experienced a double trend of chaos and civil war on the one hand and the return of authoritarianism on the other That convergence has eclipsed the political transitions that occurred in the countries whose regimes were toppled in 2011 as if they were merely footnotes to a narrative that naturally led from an Arab Spring to an Arab Winter This volume aims at rehabilitating those transitions by considering them as expressions of a revolutionary moment whose outcome was never pre determined but depended on the choices of a large range of actors It brings together leading scholars of Arab politics to adopt a comparative

approach to a few crucial aspects of those transitions constitutional debates the question of transitional justice the evolution of civil military relations and the role of specific actors both domestic and international *Berkeley Journal of Middle Eastern & Islamic Law* ,2012 The Promises of Spring Maha Yahya,2013 UCLA Journal of International Law and Foreign Affairs ,2013 *West Virginia Law Review* ,2011 **Arab Spring** Eid Mohamed,Dalia Fahmy,2019-10-08 This book provides systematic integrated analyses of emergent social and cultural dynamics in the wake of the so called Arab Spring and looks closely at the narratives and experiences of a people as they confront crisis during a critical moment of transition Providing an interdisciplinary approach to interconnections across regional and communal boundaries this volume situates itself at the intersection of political science cultural studies media and film studies and Middle Eastern studies while offering some key critical revisions to dominant approaches in social and political theory Through the unique contributions of each of its authors this book will offer a much needed addition to the study of Middle East politics and the Arab Spring Moreover although its specific focus is on the Arab context its analysis will be of issues of significant relevance to a changing world order *Institutional Development and Transition* Asya El-Meehy,2013 Have Arab uprisings opened space for deeper grassroots driven decentralization reforms in the region What are the optimum designs sequencing and models of decentralization for countries in political transition While political discourse in the region uniformly emphasizes reforming State institutions decentralization reform agendas have unfolded along contrasting trajectories across Arab transition countries Both contextual and historical dynamics seem to shape visions for the orientation and pace of decentralization reforms as well as the empirical feasibility of shifting power relations among the various tiers of State administration Drawing on findings from field research and recent analyses this study argues that uprisings have created stronger momentum for revisiting the question of decentralization reforms in Libya and Yemen where the very nature of the State is being redefined compared to the cases of Egypt and Tunisia where all stakeholders agree on preserving the unitary State model In the latter cases while there is evidence that new advocacy movements focused on reforming local government structures have emerged they have thus far remained elite led Grassroots activism at local community levels has served to empower new actors who in some cases have been successful at extracting concessions from local authorities These efforts however predominantly focus on improving access to public services within the existing context of centralized State structures and seem often to have failed to gain the trust of local community members as potential partners in local governance Building on focus group discussions among working class residents in Greater Cairo and on interviews with Egyptian political elites the study highlights an emerging critical gap between youth expectations and on the other hand the envisioned plans of the political elite While youth are more likely to demand deeper reforms across all three dimensions of decentralization administrative fiscal and political political elites disagree not only on which particular dimension s of reforms should be implemented but also on the urgency of decentralization during early phases of political transformation

The latter's wide range of views reflect deep concerns over political capture by traditional elites, weakness of political parties as well as potentially detrimental impacts of reforms on State capacity and the nation State's territorial integrity. The study concludes by drawing lessons from France's successful contract-based record of decentralization and presents policy recommendations for countries that have emerged from the Arab uprisings with relatively strong centralized State structures and cohesive national identities. Publisher's description **Political Science**, 2014

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