

March 2016

## Editorial Note

Andrew G. Reiter

*Mount Holyoke College*, areiter@mtholyoke.edu

Eric Wiebelhaus-Brahm

*University of Arkansas at Little Rock*, ejwiebelhaus@ualr.edu

Follow this and additional works at: <https://ir.lib.uwo.ca/tjreview>

<http://dx.doi.org/10.5206/tjr.2016.1.4.1>

---

### Recommended Citation

Reiter, Andrew G. and Wiebelhaus-Brahm, Eric (2016) "Editorial Note," *Transitional Justice Review*: Vol. 1 : Iss. 4 , Article 1.

DOI: <http://dx.doi.org/10.5206/tjr.2016.1.4.1>

Available at: <https://ir.lib.uwo.ca/tjreview/vol1/iss4/1>

This Article is brought to you for free and open access by Scholarship@Western. It has been accepted for inclusion in *Transitional Justice Review* by an authorized editor of Scholarship@Western. For more information, please contact [tadam@uwo.ca](mailto:tadam@uwo.ca), [wlsadmin@uwo.ca](mailto:wlsadmin@uwo.ca).

## Editorial Note

Andrew G. Reiter, Mount Holyoke College  
areiter@mtholyoke.edu

Eric Wiebelhaus-Brahm, University of Arkansas at Little Rock  
ejwiebelhaus@ualr.edu

In 2009, the edited volume *Assessing the Impact of Transitional Justice* highlighted many of the new advances in empirical research on transitional justice and reflected on their potential policy implications.<sup>1</sup> The volume was responding to the growing emphasis on methodological questions in the transitional justice field over the previous decade. In the latter 2000s, several observers noted the mismatch between claims surrounding transitional justice and the evidence to support them.<sup>2</sup> The literature to that point had largely relied upon anecdotal evidence, focused overmuch on a handful of cases generally perceived as successful, and mostly consisted of snapshots in time.

Nonetheless, by the time *Assessing the Impact of Transitional Justice* appeared, the field was experiencing a methodological renaissance. Transitional justice scholars were collectively engaged in a massive data

---

<sup>1</sup> Hugo van der Merwe, Victoria Baxter, and Audrey R. Chapman (eds.), *Assessing the Impact of Transitional Justice: Challenges for Empirical Research* (Washington, DC: United States Institute of Peace Press, 2009).

<sup>2</sup> See, for example, Eric Brahm, "Uncovering the Truth: Examining Truth Commission Success and Impact," *International Studies Perspectives* 8:1 (2007): 16-35; David Mendeloff, "Truth-Seeking, Truth-Telling and Post-Conflict Peacebuilding: Curb the Enthusiasm?" *International Studies Review* 6:3 (2004): 355-80; David Mendeloff, "Trauma and Vengeance: Assessing the Psychological and Emotional Effects of Post-Conflict Justice," *Human Rights Quarterly* 31:3 (2009): 592-623.

collection process. Studies sought to more systematically assess previous claims across time and space, with data at the individual and societal levels. Although this trend applied to both quantitative and qualitative data, the former had largely been absent from the transitional justice literature previously, garnering it significant attention in the field.

In their 2010 article, Oskar N.T. Thoms, James Ron, and Roland Paris attempted to take stock of these new developments. After reviewing existing research on the effects of transitional justice, they concluded that strong claims were not yet supported in the field and that the findings of large, cross-national studies, in particular, were unclear and contradictory.<sup>3</sup> In the five years since, a host of new quantitative and qualitative studies based upon large datasets have influenced the field. In fact, one of the most significant developments in the transitional justice field has been the proliferation of large datasets to monitor the use of transitional justice mechanisms and to enable broader cross-national comparison. The Transitional Justice Data Base Project,<sup>4</sup> Post-Conflict Justice Dataset,<sup>5</sup> and the Transitional Justice Research Collaborative,<sup>6</sup> among others, have produced global datasets of multiple transitional justice mechanisms for scholars to analyze. Datasets on single mechanisms, such as the Amnesty Law Database<sup>7</sup> and the Chile Human Rights Observatory Case Database,<sup>8</sup>

---

<sup>3</sup> Oskar N.T. Thoms, James Ron, and Roland Paris, “State-Level Effects of Transitional Justice: What Do We Know?” *International Journal of Transitional Justice* 4:3 (2010): 329-54.

<sup>4</sup> Tricia D. Olsen, Leigh A. Payne, and Andrew G. Reiter, “Transitional Justice in the World, 1970-2007: Insights from a New Dataset,” *Journal of Peace Research* 47:6 (2010): 803-809; <http://www.tjdbproject.com/>.

<sup>5</sup> Helga Malmin Binningsbø, Cyanne E. Loyle, Scott Gates, and Jon Elster, “Armed Conflict and Post-Conflict Justice, 1946–2006: A Dataset,” *Journal of Peace Research* 49:5 (2012): 731-40; <http://www.justice-data.com/pcj-dataset/>.

<sup>6</sup> <https://transitionaljusticedata.com/>.

<sup>7</sup> Louise Mallinder, *Amnesty, Human Rights and Political Transitions: Bridging the Peace and Justice Divide* (Oxford: Hart, 2008); <http://www.incore.ulst.ac.uk/Amnesty/about.html>.

<sup>8</sup> <http://www.icsoc.cl/observatorios/observatorio-derechos-humanos/>.

### 3 Editorial Note

aim to provide scholars with richer qualitative data on individual transitional justice mechanisms.

We organized this special issue to assess where this trend has taken the field. In particular, we brought together a blend of emerging and well-established scholars and practitioners using datasets in their transitional justice research to analyze the challenges associated with collecting data (in the field, in archives, etc.), examine the role of methodology in generating knowledge within the field, explore how transitional justice mechanisms have dealt with data challenges, and introduce new ways in which datasets can yield insights for the field. Collectively, the contributors to this issue introduce innovative datasets and methodologies and offer valuable lessons for future transitional justice research and practice.

The contribution by Mina Rauschenbach, Stef Scagliola, Francisca de Jong, and Stephan Parmentier explores how oral histories can enrich the study of transitional justice. Oral histories enable individuals to provide personal accounts of their experience with and memories of violence and repression. The richer narratives characteristic of oral histories enable a deeper understanding of local differences in how war and oppression are experienced. New digital technologies facilitate the collection, dissemination, and analysis of individual stories. Because victims often lack voice, this research agenda also is normatively attractive. Focusing on oral histories surrounding the Balkan wars of the 1990s, Rauschenbach et al. demonstrate the strengths and limitations of using oral histories in transitional justice research.

Existing studies of transitional justice impact often reach conflicting conclusions because they vary as to whether they examine the micro-, meso-, or macro-level of analysis. Patrick Vinck, Phuong Pham, Peter Dixon, Bridget Marchesi, Maria Elena Vignoli, and Kathryn Sikkink address this issue in their contribution to the issue. Based on their experience working with the Colombian government and civil society organizations, they demonstrate the benefits of a multi-level, mixed-methods approach to evaluating the government's efforts to provide reparations for a half century of human rights

Transitional Justice Review, Vol.1, Iss.4, 2016, 1-6

violations committed during the country's long civil war. In the article, they (i) compare Colombia's 2011 reparations program to other reparations programs around the world; (ii) evaluate the Victims Unit set up to manage the program; and (iii) examine opinion data on Colombians' perceptions of the program. The authors show how the three levels of analysis complement one another and combine to guide recommendations for changes to the program.

The next article, by Mariam Salehi and Timothy Williams, illustrates the potential of set-theoretic approaches, specifically Qualitative Comparative Analysis (QCA), to bridge the divide between qualitative and quantitative approaches to studying transitional justice. Salehi and Williams offer a useful primer on QCA as they explore the controversy surrounding the effect of transitional justice on conflict resumption in post-conflict societies. Using the Post-Conflict Justice Dataset,<sup>9</sup> they find that the effect of various forms of transitional justice is highly contingent on the nature of the conflict and on the context in which transitional justice is pursued.

Alexandre Jaillon and Tim Rosenkranz, in their article, introduce a range of data visualization tools to the transitional justice field. As the amount of quantitative and qualitative transitional justice data proliferates and computing capacity has grown, there are more opportunities to be creative in the presentation of that data. These include GIS mapping, Google Motion Charts, and Word Trees. As Jaillon and Rosenkranz show, these tools have more than academic appeal. Data visualization tools promise to support the work of transitional justice activists and practitioners.

In the final article of the issue, David Backer and Anupma Kulkarni assess the role of survey research in the study of transitional justice. With growing frequency, academics, practitioners, and intergovernmental organizations use surveys to gauge the transitional justice demands of society and to assess public opinion of transitional justice measures. At the end of the day, transitional justice is about shaping the beliefs of individuals and seeking to address the material and psychological needs of victims and their families. As such, surveys

---

<sup>9</sup> Binningsbo et al. 2012.

## 5 Editorial Note

are important tools for assessing the effectiveness of transitional justice processes. Based in part upon their decade-long work in West Africa, Backer and Kulkarni highlight a range of methodological, practical, and ethical issues that are important for maximizing the utility of surveys in the study of transitional justice.

The issue also contains three Notes from the Field that highlight the potential and challenges of datasets to advance the missions of human rights activists, victims' groups, and intergovernmental organizations working on transitional justice on the ground.

Lorena Balardini's contribution chronicles how the Center for Legal and Social Studies (CELS) created a database of human rights trials in Argentina to maintain pressure on the government to continue the pursuit of accountability for crimes committed during the 1976-1983 military regime. While the transitional justice literature has long recognized the importance of civil society groups in naming and shaming human rights violators and pressuring governments to hold perpetrators accountable, little attention has been paid to how they influence transitional justice processes through "*the production and systematization of information*" (emphasis in the original). CELS has been pressuring for and monitoring the prosecution of perpetrators of gross human rights violations ever since the democratic transition in 1983. Balardini focuses on CELS' activity in the 21<sup>st</sup> century, what Cath Collins has labeled post-transitional justice.<sup>10</sup> During that time, CELS' data legitimated trials, established standards for the proliferating trials, and, now that trials number in the hundreds, support the actions of the state to achieve the broadest possible justice.

In their note, Glenda Mezarobba and Roberto M. Cesar Jr. examine the Brazilian Truth Commission's (CNV) data management strategies. The CNV is unique in that it was created nearly 30 years after the country's democratic transition. This reality meant that tens of millions of pages of documents unearthed by previous official and

---

<sup>10</sup> Cath Collins, *Post-Transitional Justice: Human Rights Trials in Chile and El Salvador* (Penn State University Press, 2010).

nongovernmental transitional justice initiatives were available for the CNV to analyze. The authors explain the processes the CNV used to make this large, diverse collection of materials useable for the commission's investigation. Readers will gain valuable insights into how truth commissions can effectively manage a large volume of materials in a variety of media.

Finally, Paige Arthur discusses her work constructing cross-national transitional justice indicators with UN Women. Specifically, the project involved devising measures of female participation in truth commission processes and the extent to which women and girls benefited from reparations programs in order to help monitor implementation of United Nations Security Council Resolution 1325. Arthur's work is particularly enlightening in documenting the challenges of operationalizing these measures and of working with individuals in large bureaucracies, some of whom lack in-depth knowledge of transitional justice. In particular, political demands had to be balanced against the availability and measurability of key concepts. Ultimately, Arthur's "basket" approach to measuring these important concepts provides a valuable way forward.

Overall, the special issue sheds new light on the use of data in the field of transitional justice. The methods and techniques discussed here will aid scholars and practitioners in their efforts to analyze the success of transitional justice processes and design more effective mechanisms to help societies recover from past traumas.