

Brants, Chrisje; Hol, Antoine; Siegel, Dina: *Transitional Justice. Images and Memories*. Farnham: Ashgate 2013. ISBN: 978-1-4094-3885-4; XV, 265 S.

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The junction of transitional justice and collective memory has enabled a paradigm shift in post-conflict studies, blending legal studies with disciplines like literature, cultural history, sociology, political sciences, or philosophy – emerging into a new field of inquiry in its own right. A departure from the legal focus on war crime trials after the Second World War encapsulated in questions of victors' justice and defendants' rights, toward the process of dealing with the past triggered by truth commissions, memory of trials and memorializations, created a new perspective of post-conflict justice as a cultural phenomenon.¹ Multidisciplinarity, which characterizes the scholarly work in the field, is aptly captured in the collected volume „Transitional Justice. Images and Memories“, pointing out to the diverse paths of memory creation. The book is divided into four main parts: „Hidden Histories“, „Processes and Rituals“, „Contradictory Perceptions of Conflict and Justice“, and „Discourse and Artistic Expression“, each depicting an important aspect of memory work – the dialectic of forgetting and remembering, the tensions between official and vernacular terrains of memory, the memory of trials and the role of artistic discourse in the creation of collective memory.

The volume opens with Gülhan Demirci's article „The Question of Turkey: Contested, Forgotten and Remembered Memories“, discussing the almost hundred years long attempt to acknowledge (or forget) the Armenian genocide. It reverses the „question of Armenia“ (as this „issue“ is called in Turkey) into „the question of Turkey“, pointing out to the ever growing importance of dealing with the past in a new global era, and to the phenomenon of „guilt of nations“, which seems to dominate in moral requests towards states.² The paradigm shift which enabled this trend could be traced to the adoption of

the Human Rights declaration by the United Nations in 1948, and Jay Winter's article in this volume ascribes the foundations of international humanitarian law to the dedication and idealism of the generation born in the 1880s (p. 65). Working with the biography of René Cassin, a symbol of stoic identity built around personal war memory³, Winter depicts Cassin as an emblem of the human rights movement or rather the new human rights paradigm, created from the enthusiasm and idealism of those who aimed to establish „a tribunal of human conscience“ where „victims will finally be heard“ (p. 66).

Official memory creation, as the one presented in a text about Staro Sajmište lager in Belgrade, and vernacular terrain of memory, in the article on Londres 38, detention and torture center in Santiago de Chile, are perfect examples of power dynamics behind the memorialization efforts. While the latter text reveals the success of grassroots initiatives, based on „mourning and resistance“ to establish a memorial, the former depicts the process of forgetting and confusion about the meaning and importance of Staro Sajmište in Serbia. The site's fading into oblivion is seen as a consequence of specific urban planning and heroic Yugoslav narrative after the war, further exacerbated in nationalist mobilization during the 1990s, which blurred the role of collaborators and civilian victims even further. Srdjan Radović rightly points out a complete confusion about the values and the past, which was translated into the indifference of official circles and the wider public vis-à-vis the importance of the site, and the memorialization which should „symbolically acknowledge the victims“ (p. 101).

Two other articles portray transitional justice institutions. Sanja Kutnjak Ivković and

¹ Lawrence Douglas, *The Memory of Judgment. Making Law and History in the Trials of the Holocaust*, New Haven 2001; Mark Osiel, *Mass Atrocity, Collective Memory, and the Law*, New Brunswick 1997; Shoshana Felman, *The Juridical Unconscious. Trials and Traumas in the Twentieth Century*, Cambridge 2002.

² Bruce Mazlish, *The Idea of Humanity in a Global Era*, New York 2009; Elazar Barkan, *The Guilt of Nations. Restitution and Negotiating Historical Injustices*, Baltimore 2001.

³ Jay M. Winter, *Remembering War. The Great War between Memory and History in the Twentieth Century*, New Haven 2006.

John Hagan analyze Bosnian victims' perceptions of ICTY justice (International Criminal Tribunal for the former Yugoslavia) and their preferences for the main actor of justice, concluding that ethnicity does matter in how victims perceive justice but also that the ICTY was preferred by a vast majority of the victims. Considering the very few empirical studies on victims in former Yugoslavia⁴ one could ask whether the authors might have offered a more detailed analysis of victims' cognitive or emotional responses to ICTY justice. In their article „Communicating the ICC: Imagery and Image-Building in Uganda“ Chrisje Brants, Kees Brants and Lauren Gould explore the portrayal of the ICC (International Criminal Court) in Ugandan and western media, looking for presentations of the ICC's „corporate identity“ (p. 145). Taking into account the literature on ICTY and ICTR (International Criminal Tribunal for Rwanda), where the question of outreach and perception of trials and the Tribunal itself has already been addressed in several studies, one can note repetitive weaknesses: dependence on the state authorities to capture fugitives⁵, domestic skepticism toward justice and political use of the trials⁶, questions of selectivity and local vs. cosmopolitan justice.⁷ Besides the similarities in the imagery of institutions, it is surprising to run into the pre-Saidian stereotypes of „West and the rest“ in the scholarly discourse, like the depiction of journalists in Uganda who do not even draw distinctions between „Court, Prosecution or Outreach“ as opposed to western journalists who are „international criminal justice experts“ (p. 152). Interestingly enough, this difference does not seem to transfer into the quality of reports, since „the picture emerging from the media is mixed“ and „there is little difference between the Ugandan and western newspapers“ (p. 157).

Finally, several articles address artistic discourse, most notably the text by Dina Siegel which pictures the rich and neatly layered perceptions of the musical heritage of one of the world's most notorious anti-Semites, Richard Wagner. The debate about Wagner as an anti-Semite, whose music was politically banned in Israel, changed later into a debate about Wagner as a symbol of German nation-

alism (p. 217). As the Israeli Chamber Orchestra's performance of Wagner at the Bayreuth Festival in 2011 indicates, today we applaud when perpetrators' and victims' communities manage to embrace otherness in the promising image of common humanity.

A similar confident and competent analysis characterizes the other articles in the book, as the one on images of child soldiers or perpetrators, another on the role of ritual in shifting collective dispositions, one on the artistic presentation of Rwandan genocide in western films and another on the Indian / Pakistani partition in literature. The book can be recommended as a collection of well researched topics, whose authors used different methodological approaches, sources, and perspectives showing the complexity of memory production. As it avoids isolating one state or region, the book offers valuable insights into global processes of transitional justice, memorializations and memory works.

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⁴Nicola Henry, *The Impossibility of Bearing Witness. Wartime Rape and the Promise of Justice*, in: *Violence Against Women* 16 (2010), pp. 1098–1119; Eric Stover, *The Witnesses. War Crimes and the Promise of Justice in the Hague*, Philadelphia 2005.

⁵Rachel Clare Kerr, *The International Criminal Tribunal for the Former Yugoslavia. An Exercise in Law, Politics and Diplomacy*, Oxford 2004; Victor Peskin, *International Justice in Rwanda and the Balkans. Virtual Trials and the Struggle for State Cooperation*, Cambridge 2008.

⁶Amer Džihana / Zala Volčić (eds), *Media and National Ideologies. Analysis of Reporting on War Crime Trials in the Former Yugoslavia*, Sarajevo 2011.

⁷Olivera Simic, *Bringing Justice Home. Bosnians, War Criminals and the Interaction between the Cosmopolitan and the Local*, in: *German Law Journal* 12 (2011), pp. 1388–1407.