



Transitional Justice and Democratic Transition in the Arab Countries: Politics, History and Memory

The 8th ACRPS Conference in Democratization Issues, Tunis, November 21 – 23, 2019

Recognizing the importance of transitional justice to the broader theme of democratic transition, the Arab Center for Research and Policy Studies will devote the 2019 annual conference on the Arab Democratic Transition to the theme of “Transitional Justice and Democratic Transition in the Arab Countries: Politics, History and Memory”. The meeting will be held in the Tunisian capital between November 21-23, 2019 and will provide participants the opportunity to explore both Arab and foreign experiences of transitional justice. The aim will be to understand the contribution, if any, which transitional justice can play not only in the resolution of conflicts, but also in the transition to democracy. Beyond hosting the conference, the Tunisian experience will be a major highlight of the meeting, with the organizers expecting to welcome a large number of Tunisian participants who can comment on the experience of their country in seeking to find a means to transitional justice.

Transitional justice, a fundamentally political process, is founded on the cooperation of politicians, human rights activists and wider civil society. In addition, traditional justice relies on assistance from non-governmental organizations and the international community. Accumulated experience over time has helped to better define the features of transitional justice: criminal prosecutions for the most serious human rights violations; fact-finding or truth-seeking processes into previous human rights violations; reparations for human rights violations in a variety of forms: individual, collective, material, and symbolic; and reform programs of institutions, including the military, police, the judiciary and intelligence agencies. Furthermore, in a number of cases, far-reaching, comprehensive reconciliation between warring parties have allowed for a democratic transition, combined with the social reconciliation which follows long years of civil strife and internal conflicts.

Arab experiences of transitional justice have been limited. These were rung in 2004 in Morocco; but the need for Arab approaches to transitional justice has increased sharply since the popular revolutions of the Arab Spring, beginning in 2011. Since that time, Tunisia has pioneered post-revolutionary transitional phases; added to this was the short-lived experience of Libya during the rule of the Libyan National Council. While a “Ministry for Transitional Justice” was formed in Yemen following the revolution there, the descent into a civil war has ended the operation of that institution and put its mission on hold. Elsewhere, in Lebanon, in Syria, in Iraq and in Algeria, in Egypt, political elites have entered into animated debates on the best legal and political

mechanisms for transitional justice in their countries with their heavy legacies of human rights violations as a result of internal conflict.

Conference Themes

The organizers invite researchers interested in applying to consider one of the following themes:

Theme One: the Theoretical Framework for Transitional Justice

Papers within this theme can address one of a number of topics, including: what are the ethical, legal and political foundations for transitional justice? What are the aims of transitional justice? What are the best mechanisms to achieve those aims? What role is there for localized factors—local history and tradition, culture and ethnic specificities—in influencing the shape and substance of transitional justice? What role can political and spiritual leaders play by endorsing transitional justice and bolstering it? Is there an ideal(ized) or “archetypal” experience of transitional justice that can be used to inform experiences in other parts of the world?

Theme Two: Transitional Justice: Collective Memory, Truth and History

Some of the most pressing questions which papers in this theme can address include: Can a recognition of the crimes and miscarriages of justice of the past, and an acknowledgement of the moral responsibility of a nation, serve as the foundation for the birth of a new, or a reformed, sense of national identity? Can a complex collective memory—understood to be not only a celebration of past glories, but also an atonement for previous sins—be used as the basis for the formation of a new, or a revitalized, national identity, which brings various national factions together? What means exist to overcome the sense of injustice which fuel the desire for vengeance and retribution? How is a nation freed from the chains of tragic memories without foregoing truth and the reality of what happened?

Theme Three: Non-Arab Experiences of Transitional Justice: Comparative Case Studies

Papers within this theme are intended to give a survey of various experiences of transitional justice from around the world and at understanding the specificities and the contexts which defined these experiences. Participants will also be invited to assess the successes, failures and outcomes of these global transitional processes. In particular, participants are invited to look into experiences of transitional justice in Latin American contexts (Argentina, Chile and Peru); in Africa (Rwanda, South Africa and Sierra Leone); and Asia (Sri Lanka, East Timor and Nepal). Within specific case studies, some of the broader questions which authors are invited to explore include: Which institutions were entrusted with the task of transitional justice, and what was their legal-constitutional status? What financial and human resources were available to these institutions? What obstacles hindered the progress of these transitional processes? The organizers will also welcome submissions which take a comparative approach to a specific question in varying settings: truth commissions and their impact on political outcomes; legal proceedings and accountability; different forms of

compensation; the reform of institutions and the concomitant institutional, legal, constitutional and cultural changes; national reconciliation and conflict resolution; the role of mediators, whether local or international; the material and other resources needed to accomplish transitional justice.

Theme Four: Arab Experiences and Cases

Papers within this category should focus on the experiences of Arab states in achieving transitional justice, and specifically on the question of why transitional justice has stalled in the Arab region. Some specific questions which authors may choose to explore include: Does transitional justice provide a way out for wider national reconciliations and the ability for Arab societies to deal with the past? Will transitional justice put an end to the widespread, decades old culture of impunity which exists in the Arab countries? Will transitional justice succeed to influence political outcomes in those countries in which the transition to democracy has thus far failed? Particular cases and examples to look into include:

- The trajectory of transitional justice in Morocco, with an exploration of the legal and political impacts of the Justice and Reconciliation Commission both nationally and internationally.
- The attempt at transitional justice in Yemen and the possibility for a post-conflict approach to transitional justice in that country; the possible repercussions for Yemen's politics.
- Human rights violations in Egypt: does transitional justice provide a path to reconciliation and a means of accepting the past, as well as a means to democracy?
- Syria, war crimes and crimes against humanity: will a desire for transitional justice put an end to the decades-old culture of impunity? How can a system for transitional justice be implemented in a setting of regional and wider global conflict given that no firm idea of what the outlines of a resolution to that conflict will be?
- Post-ISIL Iraq: Will transitional justice influence the political outcome of Iraq?
- The possibilities for transitional justice in Libya given the prevailing setting of local, parochial and tribal conflicts over power?
- Lebanon and the case of missing persons: the absence of legal or political support for a resolution to their case in the decades since the end of the Civil War.
- Algeria: the Civil War and missing persons.
- Palestine: the pitfalls of resorting to international courts to deal with Israeli infractions and crimes.
- Comparative case studies: transitional justice across several Arab countries.

Theme Five: The Tunisian Experience

Authors are invited to elaborate on the political, civil society and other actors which shaped the path of transitional justice within post-revolutionary Tunisia. What can be deduced from Tunisia's Truth and Dignity commission? How capable is the Commission in carrying out its mission? How have state institutions and the country's political and social actors expressed their support (or otherwise) for the Truth and Dignity Commission? What can be taken to be the specificities of the

Tunisian experience of transitional justice when compared to other Arab countries? What would an objective reckoning of the Tunisian experience reveal about the Truth and Dignity Commission?

Theme Six: Transitional Justice: Challenges and Obstacles

Papers included within this section include both Arab and non-Arab experiences which cover a number of broad questions: which vested interests oppose transitional justice? What methods do they have at their disposal to foil transitional justice? Are such attempts necessarily the work of the entrenched elites of outgoing regimes seeking to ensure that they are not criminalized by attempts to achieve transitional justice? What role do the states security and police apparatus, the judiciary and the military, have in such a process? How can a path of transitional justice be shaped to ensure that the resulting state is one defined by accountability and the rule of law? How can the creation of broad-based coalitions in support of transitional justice which fortifies the transition to democracy be ensured and bolstered?

Guidelines for Participation

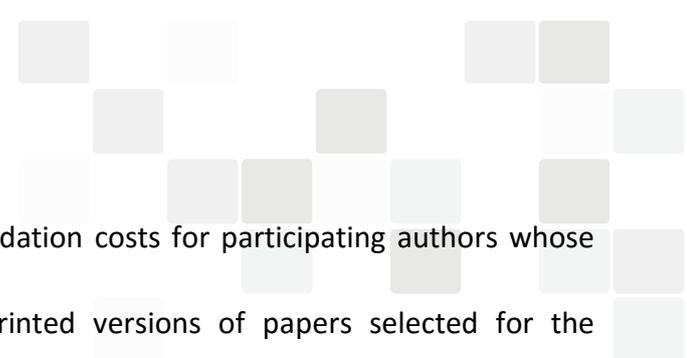
Researchers interested in taking part in the meeting should submit a brief abstract/proposal with the main outline of their proposed paper, of between 700 and 1,000 words in length. This proposal should include:

1. The main research problematic and the question to be addressed.
2. The research aims and its significance.
3. The proposed research methodology and the theoretical background of the proposed paper.
4. The proposed outline of the complete draft.
5. An initial list of references.

In addition, authors are expected to submit an up-to-date curriculum vitae with an appropriate list of previously published work relevant to the conference theme where possible.

Deadlines and Milestones

- Only original research intended specifically for this conference will be accepted. Authors must ensure that their submissions have not previously been published elsewhere or that they were used at an earlier conference.
- Research proposals are due by 1 October 2018. Submitted proposals are subject to a refereeing process.
- Complete drafts of accepted proposals of between 7,000 and 8,000 words will be accepted up to March 1, 2019. These completed drafts must follow the general guidelines for submitted research papers and conference papers, set out separately online.
- Authors are reminded that not all completed drafts will be accepted for participation in the conference, even in cases where the proposal has been accepted.
- The conference Academic Committee will accept papers submitted in Arabic, English and French.

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- The ACRPS will cover all travel and accommodation costs for participating authors whose papers are accepted.
 - The ACRPS reserves the right to publish printed versions of papers selected for the conference in book form at a later time.

All correspondence, and the submission of papers, should be addressed to the Academic Committee at:

democracyproject@dohainstitute.org