



The Minerva Center
for Human Rights
Buchmann Faculty of Law
Tel Aviv University



מרכז מינרבה לזכויות האדם
The Minerva Center for Human Rights
مركز مينيرفا لحقوق الإنسان



THE HEBREW
UNIVERSITY
OF JERUSALEM

Conference Call for Papers

Transitional Justice and the Crisis of Democracy

Jerusalem & Tel-Aviv, June 29-30, 2020

Introduction:

The Minerva Center for Human Rights at the Hebrew University of Jerusalem and Tel-Aviv University is organizing an international conference on the relationship between transitional justice and the current crisis of democracy. The conference will take place on June 29-30, 2020, in Jerusalem and Tel-Aviv.

This call for papers invites proposals for presentation of a paper at the conference. Authors of selected proposals may be offered full or partial flight and accommodation expenses.

Submission deadline: February 15, 2020

Background:

The field of transitional justice, as it has developed since the late 1980s, has largely been based on particular understandings of the relationship between democracy, the rule of law, accountability and truth, according to which law was to simultaneously serve functions of justice, truth-telling and establishing solid democratic foundations. These perceptions of the role of law in transition from authoritarian regimes to democracy have been translated into various institutional innovations and legal reforms such as truth commissions, public apologies, hybrid courts, international and universal criminal jurisdiction, reparations and restitution.

In a seeming reversal of the movement of transitions to democracy, in recent years we are witnessing a worldwide phenomenon of democratic decline in both new and established democracies, in which the transition away from democracy is facilitated by legal tools and the rejection of the authority of science and objective facts. This crisis has brought about a stream of theoretical explanations captured by labels such as “populism”, “abusive constitutionalism”, “constitutional backsliding”, “authoritarian legalism”, “post-truth age”, “backlash”, etc.

Despite the centrality of law and truth in both the literature on transitional justice and on democratic decline, until now there has been no attempt to bring together these bodies of thinking, and to explore how they can inform each other. This conference aims to start an interdisciplinary scholarly conversation on the relationship between transitional justice and the current crisis of democracy. During the conference, key questions on the interaction between these two concepts will be investigated: How may “transitions”, “truth” and “democracy” be conceptualized in conjunction with each other in these times? What can current transitions away from democracy teach us about the working assumptions and theoretical foundations of transitional justice scholarship? If the tools of transitional justice are turned against democracy and political liberalism, what does this tell us about the faults of the transitional justice discourse? What light can the scholarship of transitional justice, long occupied with the question of law’s relationship to democracy, shed on the current crisis? What role can trials of mass violence and other mechanisms, which inter alia seek to establish facts and tell the truth, play in the post-truth era? What is the role

of civil society in processes of transition? How can we understand the relationship between the rise of transitional justice and the decline of democracy?

In particular, the conference seeks to ask whether the critiques that have been voiced relating to transitional justice are relevant to the literature on democratic decline and whether the analysis of democratic crisis are useful to reevaluate and expand current understandings of transitional justice. What is the relationship between the marginalization of the economy and economic actors in the field of transitional justice and a phenomenon such as Brexit? What is the relationship between the dominance of human rights in transitional justice and the rise of populism and ethnic nationalism? Where does feminism fit in each body of literature, and what is its relation to the hegemony of neo-liberalism? Should the literature on democratic decline be submitted to the same postcolonial critique that was levelled against the field of transitional justice?

Bringing together lawyers, historians, political theorists and social scientists specializing in transitional justice and democratic decline, this conference aims to explore the multiple meeting points of the two fields in order to promote new understandings in both; thus, aiming to shed new light on the current crisis of democracy while promoting new theoretical and practical insights in the field of transitional justice.

The conference organizers invite proposals to present a paper dealing with one or more of the above issues, or other relevant and contemporary issues relating to the topic of the conference.

Speakers already confirmed include: Rajagopal Balakrishnan, MIT; Samuel Issacharoff, NYU; Ruti Teitel, New York Law School; Leslie Vinjamuri, Chatham House and SOAS; Rawia Aburabia, Van Leer Jerusalem Institute; Bashir Bashir, Open University of Israel; Aeyal Gross, Tel-Aviv University; Tamar Hostovsky Brandes, Ono Academic College; Hassan Jabareen, Adalah; Yaniv Roznai, IDC Herzliya; Avi Rubin, Ben-Gurion University.

Submissions:

Researchers interested in addressing these issues are invited to respond to this call for papers with a proposal of up to 750 words for an article and presentation, along with a brief CV. Proposals should be submitted via: <http://gss.huji.ac.il>, no later than **February 15, 2020**.

Note that in order to apply, applicants must first create an account on the application platform website. Once the account has been created, the "TJ and Crisis of Democracy Conference" can be found under "General Applications".

For questions regarding the application process, contact: mchr@savion.huji.ac.il

Applicants should expect notification of the committee's decision by early March 2020. Written drafts of approx. 10-25 pages, based on the selected proposals, will be expected by June 10, 2020.

Publication:

The *Israel Law Review* (a Cambridge University Press publication) has expressed interest in publishing selected full length papers based on conference presentations, subject to its standard review and editing procedures.

Conference Committee:

Leora Bilsky, Tel-Aviv University, co-chair; Tomer Broude, Hebrew University of Jerusalem, co-chair; Or Avi-Guy, Hebrew University of Jerusalem; Jeremie Bracka, Hebrew University of Jerusalem; Natalie Davidson, Tel-Aviv University; Danny Evron, Hebrew University of Jerusalem; Rachel Klagsbrun, Tel-Aviv University; Limor Yehuda, Tel-Aviv University