



ELUSIVE JUSTICE

K. T. ROBERTS

Elusive Justice

David H. Bayley



Elusive Justice:

Strengthening Governance through Access to Justice AMITA SINGH, NASIR ASLAM ZAHID, 2008-12-04 This book tries to reunite and rebuild faith in public institutions by highlighting the availability of judicial remedies for the poor and the excluded in South Asia. The central idea of this book is the inevitable link between judicial capacity and good governance. It critically discusses the state of access to justice to the poor and addresses the problems of various structures and procedures approached by the poor to seek justice. The formal system remains locked in the whimsical fantasies of the lawyers and the state structure which aborts the rule of law for the privileged and works in open defiance of the increasing disempowerment of the poor due to an overwhelming judiciary. This book highlights the growing need for restorative justice as against retributive and thus emphasizes a more intensive action research in alternative dispute resolution systems (ADRs). This argument is further developed to assess the competence of many people's led informal institutions of judiciary such as Saalish in Bangladesh, Jirgas in Pakistan or Lok Adalats in India. The book is also radical in its approach towards the use of alternative dispute resolution systems to support marginalized communities including women in distress through mediation and arbitration which are gaining a new intellectual space in justice discourse. This book is an indispensable guide to administrators and social scientists interested in governance and legal research. It would also be useful for those working in the non-state sector of pro-poor reforms.

The Arts of Transitional Justice Peter D. Rush, Olivera Simić, 2013-09-25 The Art of Transitional Justice examines the relationship between transitional justice and the practices of art associated with it. Art which includes theater, literature, photography and film has been integral to the understanding of the issues faced in situations of transitional justice as well as other issues arising out of conflict and mass atrocity. The chapters in this volume take up this understanding and its demands of transitional justice in situations in several countries: Afghanistan, Serbia, Srebrenica, Rwanda, Northern Ireland, Cambodia as well as the experiences of resulting diasporic communities. In doing so it brings to bear the insights from scholars, civil society groups and art practitioners as well as interdisciplinary collaborations.

Global Justice and the Bulwarks of Localism: Human Rights in Context Christopher Eisgruber, 2005-09-01 The rise of international human rights during the last half of the twentieth century has transformed traditional notions of sovereignty. No longer is international law concerned almost exclusively with external relations among states and their representatives. Now it imposes substantial restrictions on the domestic affairs of states and protects ordinary persons against mistreatment by their own government. The change came about in response to the Holocaust and the century's other great tragedies. Few doubt its value. Nevertheless, power exercised in the name of human rights can be misused or abused. As human rights institutions matured and as international organizations intervened more vigorously on a global scale, human rights advocates and their critics worried about whether quests to vindicate supposedly universal human rights might sometimes impose western first world norms on cultures that did not want them. In this volume, internationally noted scholars collaborate to

address issues about human rights and local culture from philosophical legal anthropological and sociological perspectives Their essays focus on topics including self determination religion truth reconciliation commissions and sexual mores

Illiberal Transitional Justice and the Extraordinary Chambers in the Courts of Cambodia Rebecca

Gidley,2019-02-19 This book examines the creation and operation of the Extraordinary Chambers in the Courts of Cambodia ECCC which is a hybrid domestic international tribunal tasked with putting senior leaders of the Khmer Rouge on trial It argues that the ECCC should be considered an example of illiberal transitional justice where the language of procedure is strongly adhered to but political considerations often rule in reality The Cambodian government spent nearly two decades addressing the Khmer Rouge past and shaping its preferred narrative before the involvement of the United Nations It was a further six years of negotiations between the Cambodian government and the United Nations that determined the unique hybrid structure of the ECCC Over more than a decade in operation and with three people convicted the ECCC has not contributed to the positive goals expected of transitional justice mechanisms Through the Cambodian example this book challenges existing assumptions and analyses of transitional justice to create a more nuanced understanding of how and why transitional justice mechanisms are employed *Figuring Victims in International Criminal Justice* Maria

Elander,2018-06-12 Most discourses on victims in international criminal justice take the subject of victims for granted as an identity and category existing exogenously to the judicial process This book takes a different approach Through a close reading of the institutional practices of one particular court it demonstrates how court practices produce the subjectivity of the victim a subjectivity that is profoundly of law and endogenous to the enterprise of international criminal justice Furthermore by situating these figurations within the larger aspirations of the court the book shows how victims have come to constitute and represent the link between international criminal law and the enterprise of transitional justice The book takes as its primary example the Extraordinary Chambers in the Courts of Cambodia ECCC or the Khmer Rouge Tribunal as it is also called Focusing on the representation of victims in crimes against humanity victim participation and photographic images the book engages with a range of debates and scholarship in law feminist theory and cultural legal theory Furthermore by paying attention to a broader range of institutional practices *Figuring Victims* makes an innovative scholarly contribution to the debates on the roles and purposes of international criminal justice Conservation, Sustainability, and Environmental Justice in India Alok Gupta,2020-12-03

Conservation, Sustainability, and Environmental Justice in India Alok Gupta,2020-12-03 Conservation Sustainability and Environmental Justice in India highlights the environmental challenges that India faces largely due to high population and limited natural resources and discusses the gap between the intent of environmental policies and the actualization of those policies Contributors posit that the protection of the environment poses a fundamental challenge to the nation s desire to industrialize and develop more quickly arguing that the conservation of biodiversity protection of wetlands prevention of environmental pollution and promotion of ecological balance are all crucial in enabling sustainable development This book poses the question of how

large a role the judiciary system should play in the protection of the environment as a vital body that passes policies to promote conservation and sustainable development

Advocating Transitional Justice in Africa Jasmina Brankovic, Hugo van der Merwe, 2018-01-30 This edited volume examines the role of local civil society in shaping understandings and processes of transitional justice in Africa a nursery of transitional justice ideas for well over two decades It brings together practitioners and scholars with intimate knowledge of these processes to evaluate the agendas and strategies of local civil society and offers an opportunity to reflect on lessons learnt along the way The contributors focus on the evolution and effectiveness of transitional justice interventions providing a glimpse into the motivations and inner workings of major civil society actors The book presents an African perspective on transitional justice through a compilation of country specific and thematic analyses of agenda setting and lobbying efforts It offers insights into state civil society relations on the continent which shape these agendas The chapters present case studies from Southern Central East West and North Africa and a range of moments and types of transition In addition to historical perspective the chapters provide fresh and up to date analyses of ongoing transitional justice efforts that are key to defining the future of how the field is understood globally in theory and in practice Endorsements This great volume of written work Advocating Transitional Justice in Africa The Role of Civil Society does what virtually no other labor of the intellect has done heretofore Authored by movement activists and thinkers in the fields of human rights and transitional justice the volume wrestles with the complex place and roles of transitional justice in the project of societal reconstruction in Africa This volume will serve as a timely and thought provoking guide for activists thinkers and policy makers as well as students of transitional justice interested in the tension between the universal and the particular in the arduous struggle for liberation Often civil society actors in Africa have been accused of consuming the ideas of others but not producing enough of their own This volume makes clear the spuriousness of this claim and firmly plants an African flag in the field of ideas Makau Mutua [Global Justice Reform](#)

Hiram Chodosh, 2005 A rare comparative study of judicial systems throughout the world *The Local Impact of the International Criminal Court* The Local Impact of the International Criminal Court Marieke Wierda, 2023-07-20 The International Criminal Court seeks to end impunity for the world's worst crimes to contribute to their prevention But what is its impact to date This book takes an in depth look at four countries under scrutiny of the ICC Afghanistan Colombia Libya and Uganda It puts forward an analytical framework to assess the impact of the ICC on four levels on the domestic legal systems systemic effect on peace negotiations and agreements transformative effect on victims reparative effect and on the perceptions of affected populations demonstration effect It concludes that the ICC is having a normative impact on domestic legal systems and peace agreements but it has brought little reparative justice for victims and it does not necessarily correspond with how affected populations view justice priorities The book concludes that justice for the world's worst crimes has no universal formula that can easily be captured in law by one institution

Enduring Injustice Jeff

Spinner-Halev,2012-04-19 Governments today often apologize for past injustices and scholars increasingly debate the issue with many calling for apologies and reparations Others suggest that what matters is victims of injustice today not injustices in the past Spinner Halev argues that the problem facing some peoples is not only the injustice of the past but that they still suffer from injustice today They experience what he calls enduring injustices and it is likely that these will persist without action to address them The history of these injustices matters not as a way to assign responsibility or because we need to remember more but in order to understand the nature of the injustice and to help us think of possible ways to overcome it Suggesting that enduring injustices fall outside the framework of liberal theory Spinner Halev spells out the implications of his arguments for conceptions of liberal justice and progress reparations apologies state legitimacy and post nationalism

Hiding in Plain Sight Eric Stover,Victor Peskin,Alexa Koenig,2016 Hiding in Plain Sight tells the story of the global effort to apprehend the world s most wanted fugitives Beginning with the flight of tens of thousands of Nazi war criminals and their collaborators after World War II then moving on to the question of justice following the recent Balkan wars and the Rwandan genocide and ending with the establishment of the International Criminal Court and America s pursuit of suspected terrorists in the aftermath of 9 11 the book explores the range of diplomatic and military strategies both successful and unsuccessful that states and international courts have adopted to pursue and capture war crimes suspects It is a story fraught with broken promises backroom politics ethical dilemmas and daring escapades all in the name of international justice and human rights Hiding in Plain Sight is a companion book to the public television documentary Dead Reckoning Postwar Justice from World War II to The War on Terror For more information about the documentary visit [www saybrookproductions com](http://www.saybrookproductions.com) For information about the Human Rights Center visit hrc.berkeley.edu When Justice Is a Game

MaDonna Maidment,2021-01-10T00:00:00Z All too often the police do not get the right person Wrongful convictions are framed as mistakes or failures of the justice system However many of the wrongfully convicted are from among the poor and visible minority groups The law then becomes an ideological mask relieving us of the responsibility of engaging with the real issues that underscore wrongful convictions MaDonna Maidment illustrates how the desire to get a conviction and paint the police and the courts in a positive light often means that false evidence and court decisions based on prejudice and racism lead to innocent people being convicted The official version of the law says Maidment despite its claims of impartiality neutrality and objectivity is a tool of the state and its elite club members designed to maintain the illegitimate domination of society Turning back to the very sys tem that got it wrong in the first place therefore should be a non starter "No Equal Justice" Edward J. Littlejohn,Peter J. Hammer,2022-02-23 This book introduces him to a new generation of readers historians and social justice activists **Democratizing the Police Abroad** David H. Bayley,2001 *State Fragility, State*

Formation, and Human Security in Nigeria M. Okome,2013-04-17 Since the 1990s attempts at democratic transition have generated hopes for civil society as well as ambivalence about the state The interdisciplinary studies gathered here explore

this dynamic through the complex interactions of state fragility self help and self organization in Nigeria Nigeria stands as a particularly interesting case as its multifaceted associational life extends far beyond civil society organizations CSOs and non governmental organizations NGOs as this volume reveals there is a third sector of Nigerian society encompassing everything from community self help programs to ethno religious affiliations to militias Some of these formations have narrow pragmatic aims while others have an explicit socio cultural or political agenda most can be understood as compensating for the state s failure to deliver services and maintain regulatory frameworks By examining the emergence of broader forms of civil society this volume considers their successes while also assessing their costs and contradictions *Mutinies for Equality* Tanja Herklotz, Siddharth Peter de Souza, 2021-09-30 Studies transformations in law and gender in modern India proposing drivers of change are emerging from beyond traditional institutions **Hybrid Justice** John D. Ciorciari, Anne Heindel, 2020-01-14 A definitive scholarly treatment of the ECCC from legal and political perspectives E. L. Doctorow Paul Levine, 2019-10-01 During his lifetime E L Doctorow was a remarkable phenomenon among contemporary American novelists He was a serious writer who was popular a political writer who was a stylist an original writer who was highly eclectic and an historical writer who invented the past In this study originally published in 1985 Paul Levine follows Doctorow s progress as a novelist and traces the development of certain themes that recur in his work including the relationships between history and imagination between high and popular culture and between political content and radical style He also examines Doctorow s notion of the writer as witness and actor and of writing as a subversive activity two concerns which link him with important writers in Europe and Latin America The book should provide a valuable and comprehensive coverage of his work to date including the films of *Ragtime* and *The Book of Daniel* Anti-Sexual Harassment Laws in India Anukriti Dixit, 2024-12-05 Through a deep dive into specific problem representations in the policymaking on anti sexual harassment at workplaces SHW in India this book makes broader sense of gendered caste based and colonial regimes of power The author takes a poststructuralist feminist approach to illustrate how these policies disregard collective action and function as gendering and caste ing practices The book posits that India s anti SHW policies produce specific problems and subjects while neglecting certain other problem and subject formulations The author offers guidelines for how diverse subjects must be given equal epistemic credibility to make the policy milieu intersectionally equitable This book will be of interest to scholars and policymakers in the fields of Gender Studies Law Sociology and Organizational Studies Cultural Studies Michael Ryan, 2008-05-19 CULTURAL STUDIES This comprehensive anthology brings together classic and contemporary essays in the diverse field of Cultural Studies It is designed for classroom use in a variety of settings and departments from Communications and Film Studies to Literature and Anthropology With an international scope and interdisciplinary approach this book represents the diversity depth and leading scholarship of this complex field This important new anthology Provides an overview of the history of the discipline and argues for better placement of Cultural Studies within the academy Offers a range of important

perspectives on key topics including policy gender sexuality ethnicity identity visual culture and diaspora Has an advisory board composed of leading scholars and an internationally renowned general editor Cultural Studies An Anthology is an indispensable scholarly and pedagogical tool which fills a longstanding gap in the literature of the field It will be essential reading for scholars and students in Cultural Studies and the many related disciplines with which it engages

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