

Transitions, Truth-Telling and Teaching History

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Abstract

Teaching recent history is extremely difficult in the aftermath of terrible injustices. Atrocities seem to require not only a retelling in history classes but also an interpretation of what justice after atrocity may look like. Scholars in the field of transitional justice have drawn on different conceptions of justice for victims, including procedural, distributive and restorative conceptions of justice. This critical literature review seeks to understand what relationship there might be between history teaching and the variations of transitional justice which incorporate different conceptions of justice. After establishing what is meant by ‘procedural’, ‘distributive’ and ‘restorative’, transitional justice as a broad concept is outlined in the first section. The second section compares and contrasts the variations of transitional justice. These two sections lay the groundwork for exploring how history teaching interacts with these variations in the third section. I first put forward a strong claim about this relationship, stating that only officially endorsed transitional justice concepts will determine how history is taught in schools. This envisages that ideas of justice will filter down from transitional justice mechanisms such as truth commissions into the discourse used by history teachers in the classroom. I find the strong claim to be too simplistic and therefore, I suggest a weak claim instead to describe the relationship between history teaching and transitional justice. This weak claim states that the shared task of transitional justice and history teaching to narrate the past, gives rise to similar concerns and challenges for both fields. The review concludes with a suggestion that the fields of history teaching and transitional justice could cooperate for a fuller understanding of the ways in which the past is leveraged for different purposes.

Keywords: history teaching, education, transitional justice, conflict, truth commissions

Introduction

“These are difficult stories. Yet they are important for people to know,” writes Evelyn Amory speaking about her time in the Lord’s Resistance Army (2015, p. xxv). What people could *do* with these difficult stories to make things right is the subject of ‘transitional justice’. How to make things right after terrible events is also a question implicit within the teaching of

history. This critical review seeks to understand what relationship there might be between history teaching and the variations of transitional justice reflected in transitional justice literature.

Exploring this relationship adds an important dimension to the discussion on how history teaching may shape students' political understandings (Cole, 2007, p. 115). These educational processes exert an invisibilised power and therefore research can act as a valuable vehicle for overseeing this power, making it visible. This kind of overseeing is more meaningful when history teaching can be located within the context of wider political processes in society, such as a process of 'transition.'

Section 1: The Emergence of 'Transitional Justice'

1.1 Three Formulations of Justice

Transitional justice is not a core *addition* to the vast philosophical canon on justice. Rather, different ideas of justice within the canon are *available to* scholars and practitioners of transitional justice. Three particular formulations of justice are reflected as distinct organising principles within transitional justice literature, as will be discussed in Section 2. These are procedural justice; distributive justice; and restorative justice.

Procedural justice theory takes the crux of justice to be the *processes* for resolving conflicts, which emphasises the way decisions are made rather than what outcomes are derived for different people (Lind & Tyler, 1988, p. 5). In other words, theorists identify what an ideal arrangement of rules and institutions would be for arriving at decisions (Sen, 2011, pp. 7-8). Key to this formulation is John Rawls' 'veil of ignorance', a thought experiment to facilitate fair procedures by making identities held by decision-makers irrelevant to decisions made (2009). Following Rawls, an ideal democracy would ensure that no group is formally excluded from political office and that equal liberties and opportunities are upheld for all (2009, p. xv, 242). Cementing these formal equalities will then remove unfair advantages and allow all members of society to legitimately pursue prosperity through competitive market arrangements (Rawls, 2009, p. xv, 242; Sen, 2011, p. 64).

By contrast, distributive justice is not focused on the ways in which decisions are made but rather on the particular outcomes of decisions. Distributive justice is concerned with "how a society or group should allocate its scarce resources or product among individuals with

competing needs or claims” (Roemer, 1998, p. 1). Amartya Sen highlights how resources, not merely formal opportunities, are required in order for people “to do what they would like with their own lives” (2011, p. 64). Sen notes that Rawls’ ideas would not ensure that different groups of people have what they needed in order to exercise choices about their lives (2011, p. 261). “Different people, for reasons of personal characteristics, or the influences of physical and social environments (...) can have widely varying opportunities to convert general resources (like income and wealth) into capabilities – what they can or cannot actually do” (2011, p. 261). Therefore, a just distribution would encompass what is made available to people socially, culturally and economically with the ultimate vision of a just society as one wherein all people can participate equally in social life.

Restorative justice places affect and relationships at the centre of justice, as opposed to rules or resources. Howard Zehr defines restorative justice as “a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible” (2002, p. 37). The previous formulations of justice are responses to *that which is unfair or unequal*, objective conditions that are abstracted somewhat from the people experiencing them. However, the restorative formulation is a response to *harms as they are felt*; it does not abstract away from people’s experiences of injustice or victimisation but instead makes surfacing these central to the attainment of justice (Zehr, 2002). Restorative justice therefore locates its goals within the subjectivities of the persons involved, aiming to attend to their psychological needs (Zehr, 2002).

1.2 What does the Concept of Transitional Justice Encompass?

Through the 1980s and early 1990s, repressive military regimes in Latin America were in the process of collapsing while the Soviet Union was losing its control over much of its satellite states in Central and Eastern Europe (Balasco, 2013, p. 200). Although possibilities in these places were opening up for a different society than what had been, these possibilities were inflected with a series of dilemmas: simultaneously navigating, on the one hand, oncoming political changes and, on the other, the wounds repression had left in its wake. A number of policymakers, lawyers, academics, human rights activists and legal scholars took up these core challenges in a succession of interrelated conferences in the eighties and nineties which coalesced into the field of transitional justice (Arthur, 2009, p. 325). The term was significantly

popularised by Neil Kritz's 1995 four-volume compilation, *Transitional Justice: How Emerging Democracies Reckon with Former Regimes* (Arthur, 2009, p. 330). For Kritz, 'transitions' occurred when undemocratic states democratised, but because it has historically been a matter of heated debate across political lines of what constitutes the democratic and the undemocratic,¹ this is insufficient to understand the conceptual boundaries of transitional justice.

In order to illuminate the shape of transitional justice's conceptual boundaries there must be an understanding of what is common across transitional justice literature about its aims, foci and strategies that distinguishes it from comparable fields. A central commonality is the concern with the unjust functioning of a political regime. Transitional justice scholars may describe this quality in different terminology, referring to "repressive predecessor regimes" (Teitel, 2003, p. 69), "former regimes" (Kritz in Arthur, 2009, p. 331), "past violations" (Balasco, 2013, p. 200), "abuses" (Vinjamuri & Snyder, 2004, p. 352) and "perpetrators" (Vinjamuri & Snyder, 2004, p. 347). Transitional justice does not take this unjust functioning as only an object to passively describe, but rather as something which demands an active response *from* the field of transitional justice.

The specifics of what constitutes an appropriate response to unjust functioning are contested within the literature, but different transitional justice scholars agree that the field responds with both a reference to the past and to the future. This distinguishes transitional justice from the field of development:

Buckley-Zistel contends that transitional justice and development share the goal of enhancing the well-being of society, but while the former 'does this by looking backwards at past human rights abuses, as well as forwards to a more stable society, development does this primarily with a view to the future' (Balasco, 2013, p. 210).

The idea of a regard for both the past and the future is developed in the remainder of this section.

Transitional justice cannot be conflated with responses to regimes which take place *whilst* that regime functions in precisely the same unjust way, such as for example the response of a military invasion or a liberation movement. Transitional justice has to concern a period where something in this functioning has given way. The form of this varies across context and across

¹ Contrast the competing claims described by Schumpeter: "there cannot be true democracy except in socialism" (2013, 284) and "modern democracy is a product of the capitalist process" (2013, 297).

writers as they refer to the absence of the previous system (the “*former regime*”) (Balasco, 2013, p. 212), the establishment of a new system (the “*successor regime*”) (Teitel, 2003, p. 75), or the reconstruction of the system (the “*process of institutional reform*”) (Vinjamuri & Snyder, 2004, p. 357). Commonly, they merely state that relevant harms (not necessarily the only harms) of the system are located in the past (“*past human rights abuses*” (Balasco, 2013, p. 210), “*past perpetrators*” (Vinjamuri & Snyder, 2004, p. 349), “*past abuses*” (Teitel, 2003, 78), “*past conflict*” (Teitel, 2003, p. 87), “*past harms*” (Teitel, 2003, p. 80), “*past suffering and wrongdoing*” (Teitel, 2003, p. 85).

Additionally, transitional justice has to be self-conscious about how responses to such regimes may have unintended effects in the future, especially regarding how immediate justice measures may threaten peace or democracy by causing (further) instability or conflict (Arthur, 2009, p. 358). The field aims not only to respond to *a specific instance of injustice* but to incorporate a much grander demand for *a more just future* (Arthur, 2009, p. 358). Therefore transitional justice mechanisms are often adjudicated not only in consideration of the particular past abuses in isolation but also in consideration of the longer-term consequences of those mechanisms, such as reprisal attacks or the political disaffection of certain groups.

In conclusion, a broad understanding of transitional justice encompasses a wide range of contexts, but what these contexts hold in common is a past unjust functioning of a political regime. Scholars therefore apply transitional justice to the context of dictatorship, genocide, civil war, repression, systemic human rights abuses, economic marginalisation and inter-state warfare.

Section 2: Contentions in Transitional Justice

Having attended to the convergences within transitional justice literature, it becomes possible to portray its major divergences. In order to determine systemic disagreements from idiosyncratic instances of dissent, this section will focus on widely cited authors of intellectual histories of transitional justice including those written by Ruti Teitel, Paige Arthur, Louise Arbour, Lauren Balasco as well as Leslie Vinjamuri and Jack Snyder. Structuring these divergences requires returning to the different formulations of justice from Section 1, because at the core of the disagreements in the literature are different ideas of justice.

2.1 Transitional Justice through a Procedural Justice Lens

A central difficulty within procedural justice is how to ensure everyone follows the prescribed procedures and arrangements (Rawls, 2009, p. 211). Rawls sees the remedy for this challenge as an authoritative system of penalties, that is, an impartial legal process (2009, p. 211). Procedural justice therefore has a close relationship with notions of legality and retribution.

Through this lens of procedural justice, the unjust functioning of a regime is interpreted as evidence that someone must be held to account through a legal process which is what Leslie Vinjamuri and Jack Snyder refer to as the legalist approach to transitional justice (2004). Using this approach, Ruti Teitel defines transitional justice as “the conception of justice associated with periods of political change, characterised by legal responses to confront the wrongdoings of repressive predecessor regimes” (2003, p. 69). These legal responses take the form of tribunals, epitomised by the International Criminal Court. Legal responses to transgressions can however be extremely resource-intensive and therefore this approach often concentrates only on a certain set of injustices (those categorised as war crimes, crimes against humanity, genocide, and torture) and on a certain set of individuals (political elites).

The focus on a small number of elites is also due to how this approach understands the unjust functioning of a regime as a problem residing with certain individuals (or a problem individual). Paige Arthur explains this as a matter of trends within academia: “Beginning in the early 1970s, structural explanations for social and political development (such as modernization theory) were criticized in favour of models that stressed agency and choice - particularly among political elites” (2009, p. 338). It is also assumed that future injustices are prevented by focusing on specific individuals. “Legalists believed that individual war crime trials would defuse intergroup conflict and deter future cycles of violence by removing blame from ethnic groups and placing it on individual leaders who could be removed from positions of power” (Vinjamuri & Snyder, 2004, p. 348). These ideas supported an unwavering attention to individual accountability.

The individualist focus also foreshadows the outcome this type of transitional justice is striving for: liberal democracy. While other types of transitional justice may share a normative purpose in ‘promoting democracy’, through the lens of procedural justice this idea of democracy is also inflected with “the advancement of liberal political aims” (Teitel, 2003, p. 89). Success

for transitional justice is then defined as legal-institutional reform culminating in elections and party politics, not necessarily in socioeconomic transformation (Arthur, 2009, p. 347).²

2.2 Transitional Justice through a Distributive Justice Lens

A distributive justice lens shifts the focus from international criminal law towards how goods have been allocated in society. Rama Mani has used this lens to argue that addressing inequalities and deprivation is more important to victims than retribution (2008, p. 255, pp. 264-265). Similarly, Wendy Lambourne describes how in transitional contexts the resentment between groups may intensify further if there is no acknowledgement of the material losses disproportionately suffered by certain groups as a result of past abuses (2009, p. 43). She demonstrates this with reference to the difficulties faced in many transitional societies by the forcibly displaced, by amputees and by those who lost their livelihoods as a result of the regime's injustice (2009, p. 43).

Rectifying this requires "a proper analysis of the social, cultural and political conditions that underlie unequal distributions in the first place" (Novelli, Cardozo & Smith, 2015, p. 10). This lens therefore pushes scholars to look at older, structural injustices which are largely ignored by legalists (Arbour, 2007, p. 3). Mani describes these structural injustices as "practices of discrimination, exclusion and marginalization targeting certain groups or communities identified along the lines of ethnicity, race, class, caste, gender, religion or other perceived differences" (2008, p. 254). Although scholars may variously cast distributive justice in terms of substantive socio-economic rights (Arbour, 2007, p. 7), social justice (Mani, 2008, p. 255) or combating oppression (Mani, 2008, p. 265) all these terms speak to matters of marginalisation.

Advocates of this approach envisage transitional justice responses with a greater emphasis on reparations programs, on post-conflict economic reconstruction packages and on longer-term socio-economic policies (Arbour, 2007, p. 20). Crafting these requires systematising knowledge about structural injustices, and therefore Louise Arbour emphasises that truth

² Balasco cites Lundy and McGovern to put this point in more geopolitical terms: "transition, as normally conceived in this body of literature, is limited to a western, liberal conception of justice based on the tenets of democracy. They further argue that 'the assumption that "transition" implies a move away from dictatorship and to democracy ignores the problem that human rights abuses may continue to take place in circumstances where, in theory at least, the norms of liberal democratic accountability prevail'" (Lundy & McGovern in Balasco, 2013, p. 201).

commissions³ should collate a broad historical analysis that forms the basis on which to redistribute goods in society (2007, p. 14).

In contrast to the individualist packaging of the procedural lens, distributive justice chiefly operates at the level of groups (Arbour, 2007, p. 3). Arbour asserts “an approach solely focused on individual victims of such crimes would offer inadequate support for many other people who had been (...) affected by political violence and were marginalized and excluded” (2007, p. 19). This wider effort can include education reform as reparation in order to redress inequalities in access to education preceding the conflict and resulting from the conflict (Arbour, 2007, pp. 17-18). Scholars within this approach argue that their greater emphasis on *redress* differentiates their own project from that of traditional development actors and policymakers (Arbour, 2007, p. 20).⁴

This type of transitional justice employs a different hypothesis of what causes the recurrence of injustice to that of procedural justice. Distributive justice advocates believe that in order to prevent recurrence it is more important to eradicate systematic discrimination and inequality than to establish individual accountability (Arbour, 2007, p. 8). Deprivation, unemployment, loss of land and lack of access to education and housing are interpreted as the underlying causes of conflict and are given greater weight than the agency of individual political elites (Mani, 2008, p. 253, 259). This in turn creates a different understanding of the role of transitional justice, which is to attack the inequalities that are the source of grievances (Arbour, 2007, p. 8).

2.3 Transitional Justice through a Restorative Justice Lens

While victims are positioned as beneficiaries within distributive justice approaches to transitional justice, they are not necessarily positioned as participants in constructing that justice. Without their participation there is a threat that the psychological needs of victims will remain

³ Truth commissions are official bodies, generally authorised by governments, which document and report on a set of past injustices which occurred within a specified timeframe (Teitel, 2003, p. 78).

⁴ Mani goes further to distance the distributive justice project from development by claiming that traditional development actors’ “overriding priority is rapid economic growth and integration into global markets, which tends to have aggravating consequences for the most vulnerable and worst-off in society, who often belong to the very groups that suffered the brunt of war” (2008, p. 264).

unspoken and unmet. Meeting these psychological needs is the primary concern of transitional justice through a restorative lens.

This approach theorises an “intimate connection between cognition and emotion in appraising political situations and deciding how to act” (Vinjamuri & Snyder, 2004, p. 358). In other words, emotions have powerful political consequences. Regimes become persecutory, particularly through ethnonational politics, because they are enacting the emotions of resentful groups and therefore pre-emptively speaking through these emotions is crucial to deter future injustices (Vinjamuri & Snyder, 2004, pp. 357-358). “Eliminating the conditions that breed atrocities depends on achieving an emotional catharsis in the community of victims and an acceptance of blame by the perpetrators” (Vinjamuri & Snyder, 2004, p. 357).

Instead of aiming, in the first instance, to address resentments through a distribution of goods, this approach seeks to create a more direct “release valve for resentments” (Vinjamuri & Snyder, 2004, p. 358). This release valve often takes the form of truth commissions (Teitel, 2003, p. 78). Within this approach, truth commissions are thought to be fora where victims can tell their stories and have their experiences officially acknowledged and vindicated (Vinjamuri & Snyder, 2004, p. 357). They are presented as therapeutic spaces capable of effecting psychological compensation (Vinjamuri & Snyder, 2004, p. 357). They can also be a signal of willingness to forgive and reconcile, a call for “a new relationship between former enemies” with the ultimate aim of redefining socio-political identities into a cohesive nation state (Teitel, 2003, p. 77; Vinjamuri & Snyder, 2004, p. 358).

The restorative justice lens can operate either at the level of individuals (direct victims and perpetrators) or at the group level because it essentially has a relational focus without prescribing the units of that relationship. Teitel argues that restorative justice grapples with both “dialogue between victims and their perpetrators” as well as questions of “how to heal an entire society” (2003, p. 77, 80). An example of this multidimensionality is the South African Truth and Reconciliation commission where the dialogue centred on individual victims and perpetrators, but these hearings were broadcast to the nation for the purpose of engaging the wider social groups to which these victims and perpetrators belonged (Minow, 1998, p. 326).

2.4 Procedural Justice Dominance in the Field

Procedural justice has been the most successful in characterising mainstream transitional justice (Sharp, 2014, p. 159). Like saying ‘Hoover’ for ‘vacuum cleaner’, the particular form has become interchangeable with the broader category. The procedural justice approach and its teleology towards liberal market democracy have been propagated by US-driven globalised justice institutions (Sriram, 2007, pp. 585-586). The approach is highlighted in powerful realms which frame the work of actors all over the world, such as within United Nations Secretary-General Boutros Boutros-Ghali’s 1992 report, *An Agenda for Peace* (Sharp, 2014, p. 153). This conception of justice has become a useful instrument to naturalise the post-Cold War triumphalism which relegates distributive justice to a failed historical project, the out-dated runner-up to a winning formula of liberal market democracy that has heralded ‘the end of history’ (Fukuyama, 2006; Sharp, 2014, p. 156).

To justify downgrading distributive justice during transitions, proponents of procedural justice claim that bringing perpetrators to account and satisfying an abstract moral need (and a presumed popular need) for vengeance will clear the way for development (Arbour, 2007, p. 10). This top-down prioritisation of retribution also subsumes restorative justice processes because it positions trials and punishments as adequate mechanisms for satisfying the emotional needs of victims (Kritz, 1995, p. 185).

However, the dominance of procedural justice has not been uncritically accepted in all quarters. Postcolonialists have slated the large, expensive justice ventures in the Global South which valorise the Global North as heroes or rescuers and which whitewash their complicity in creating the deep structural pressures that precipitate violence (De Vos, Kendall, & Stahn, 2015, p. 50; Mutua, 2001, p. 204). Moreover, they question the relegation of distributive justice because they see development in the Global North not as a predictable function of liberal market democracies which can be painlessly recreated in the Global South, but as a continuing dividend of asset-stripping the Global South (Young, 2016, pp. 50-56). Following this logic, Mahmood Mamdani argues that an exclusive focus on procedural justice merely delays the question of distributive justice (in Hamilton, 2001).

In addition to this geopolitical critique are the concerns of people who have themselves been directly disappointed by these institutions of ‘big justice.’ Many women activists and marginalised groups in particular have rejected this model because it does not speak to their local

or psychological needs (Lambourne, 2016). This model of justice which prioritises punishment of elites does not reflect their primary concerns which are around their families, their children's education, the crimes committed against their own families, endemic sexual violence in the community, enduring the on-going effects of poverty and the lack of infrastructure in the transitional environment (Lambourne, 2016). The inability of this model to recognise community-level atrocity means that for many survivors it is not fit for purpose.

Section 3: Transitional Justice and History Teaching

The previous section explained three different approaches to transitional justice and concluded with a description of the discontentment with mainstream, procedurally-focused transitional justice. This variance in what transitional justice could be to different people is problematic for teachers who have the responsibility of narrating periods of transition to students. If justice (or the lack thereof) is part of that narrative, there is a question of *which* justice teachers would emphasize. Therefore the following section seeks to explore the relationship between transitional justice concepts and history teaching. This exploration begins with a fundamental challenge of understanding this relationship: the lack of explicit articulation between transitional justice and (history) education.

All three approaches that have been outlined in the preceding section make reference to needing to uncover 'the truth' of past injustices. A motif across transitional justice literature is that the exposure of the truth, whether through trials and/or truth commissions, helps prevent future political violence and other injustices (Arthur, 2009, p. 356; Vinjamuri & Snyder, 2004, p. 348, 357; Teitel, 2003, p. 78).⁵ However there is frequently no vision at all for how 'truth' is disseminated because of the assumption that a trial or truth commission in and of itself is sufficient to ensure that the facts of past injustice are uncovered, disseminated, publically recognised and that these facts 'set the historical record straight' (Arthur, 2009, p. 535; Teitel, 2003, p. 77; Vinjamuri & Snyder, 2004, pp. 348-349, 357, 355). These mechanisms are insufficient to influence a popular understanding of past injustices in that trials are often conducted at a distance from the wider public sphere, while commissions' reports are often long and dense (Cole, 2007, p. 122). There is therefore a continuous need to recreate spaces of

⁵ However there are dissenting transitional justice scholars who argue that truth-telling carries too high a risk of compromising immediate stability (Balasco, 2013, p. 203).

deliberating about the past and its meanings, especially for young people and other audiences who did not access the discussions prompted by transitional justice mechanisms during those mechanisms' public life.

Yet transitional justice literature does not investigate the relationship between transitional justice and the institutions which continue the work of truth-telling in the long-term, such as history education. According to Elizabeth Cole, "education, while often invoked when the topic of 'never again' is raised, has been largely absent from the transitional justice discourse. Neither the larger education system nor the teaching of history – both what is taught and how – has been considered" (2007, p. 115). Despite this lack of consideration, schools and history teaching are inevitably sites where truth-telling about past injustice is continued. While works produced by professional historians are also vehicles of truth telling, these lack the reach of schooling which is "where history becomes more concrete and relevant to non-elites" (Cole, 2007, p. 120). Schools are where many young people first and foremost experience the (in)justice of their wider society and may also develop their political understandings (Cole, 2007, pp. 120-121, 126). The messages they receive at school are thought of as authoritative with history textbooks presenting an official version of the past (Cole, 2007, pp. 120-121, 123). Not only does history education construct an official past, but it also constructs a promised future that is in the making (Cole, 2007, p. 123), which is of direct relevance to the discussion in Section 2 about what constitutes a just future. This is the invisibilised power of educational processes referred to in the Introduction.

As both transitional justice and history teaching are such crucial arenas for 'dealing with the past', a relationship between them must exist even if such a relationship is not explicitly recognised in the transitional justice literature. To explore what this relationship may be, I first invent a strong claim about this relationship, that is, a claim which poses a proposition as certain and requires robust evidence to justify the proposition.

I propose the strong claim that a direct relationship exists where the nationally dominant concept of transitional justice *determines* the discourse of history teaching. This seems plausible, in that, trials and commissions create an official historical record imbued with their own version of justice and thereafter that historical record over-determines the contents of what is taught in

history. Thus these authoritative narratives from transitional justice mechanisms prescribe what are appropriate ways of thinking about justice in schools.

This claim can be illustrated with examples from each transitional justice approach. The major response to the Rwandan genocide was the United Nations International Criminal Tribunal for Rwanda, embodying an emphasis on procedural justice. This emphasis on procedural justice is reflected in the discourse of history teaching in post-genocide Rwanda which does not elaborate on issues of ethnic identity (Paulson, 2011, p. 3), issues which are largely irrelevant to realizing procedural justice. However, having the language to speak of social divisions such as ethnicity is a necessity for realising distributive and restorative justice. Conversely, as 1930s China was attempting to transition out of an unjust imperialist regime, it displayed a preference for distributive justice (Zarrow, 2015). During this time the discourse of history teaching and textbooks espoused not only an anti-colonial nationalism but also stressed the importance of “the satisfaction of people’s economic needs”, land distribution and limits on capital (Zarrow, 2015, p. 115, 118-119). More recently, South Africa adopted a restorative justice model creating one of the most well-known truth commissions in the field of transitional justice (Teitel, 2003, p. 78). Motifs of restorative justice echo across South Africa’s history teaching discourse with official policy documents stating that “more than any other discipline, good History put to good use taught by imaginative teachers can promote reconciliation” (Brookbanks, 2014, p. 92).⁶ These examples could supply reason to believe that transitional justice concepts flow directly from initial transitional justice mechanisms into how history is taught in schools.

However there are several problems with the direct relationship, the straightforward causal sequence, proposed in the strong claim. Firstly, the similarities it identifies between national transitional justice responses and history teaching discourse may be a case of correlation, not causation, as similar macro-political forces could be acting separately on the two spheres. That is, the same evidence from Rwandan, Chinese and South African history teaching could be interpreted as confirmation that the same formulations of justice which are available to transitional justice are *also available to* history teaching, and not necessarily that the former *determines* the latter. If, for example, there was a similarity in the use of restorative discourse in

⁶ The document in question is the text that underpinned education reform in post-apartheid South Africa, “The Manifesto On Values, Education and Democracy.” See Brookbanks (2014).

history education and transitional justice mechanisms this may be due to the influence of restorative justice on *both* spheres and not due to transitional justice influencing history teaching.

Secondly, the idea that a particular interpretation of justice is transplanted from initial transitional justice mechanisms into the education field, ignores the possibly divergent influence of multiple actors. These actors have the power to separately influence the discourses of history education in ways that may not accord with official, national transitional justice discourses. These actors include the international entrepreneurs of Education For All, Universal Primary Education and Millennium/Sustainable Development Goals who frame education policy and programs in terms of economic productivity and efficiency (Novelli, Cardozo & Smith, 2015, p. 7). Novelli, Cardozo and Smith argue that this framing has been to the exclusion of highlighting restorative goals (such as reconciliation and social cohesion) as well as distributive goals (such as the rectification of inequalities) within post-conflict education systems (2015, p. 7). Therefore even in a society where transitional justice mechanisms have emphasised the need for material redress and eradicating systemic discrimination, history education can conceivably be geared by international actors towards less radical or emotive targets such as enhancing problem-solving skills and employability.

Even if education policy reflects ideas of justice that *do* align with the ideas of justice embedded in national transitional justice mechanisms, particular schools and teachers can still resist what is prescribed as just in dominant transitional justice discourse or by international actors. These latter actors can create prescriptions and educational materials but they cannot comprehensively monitor how such topics are discussed within schools. As Julia Paulson intimates, while researchers “have focused on the kinds of narratives that are ‘making it’ into educational materials – it is equally important to understand if, how and to what effect these materials are being used in classrooms” (2011, p. 4). A study of teachers in Porto Alegre, Brazil, demonstrated that teachers would use learning materials and historical narratives which accorded to their own political allegiances, rather than merely repeating what was officially prescribed (Myers, 2007, p. 10). There are therefore actors at multiple levels influencing how ideas of justice for the past are imparted in the classroom, ideas which may be different from those marketed by a country’s dominant transitional justice mechanism.

Taking into account these criticisms, it may be more feasible to make a weak claim about the relationship between transitional justice and history teaching. This weaker claim poses a more indirect, indeterminate relationship and requires less evidence to justify it. The weak claim I invent here is that, as transitional justice concepts and history teaching are both choreographing a sensitive process of truth telling after past injustices, they therefore share a similar set of concerns. Two of these concerns will be explored here.

As discussed in Section 1 all three transitional justice concepts are concerned with ‘how to treat an unjust past in a way that allows for a more just future?’ Similarly, Cole (2007) argues in relation to school history that “understandings of history are crucial to a society’s ability to reckon with the difficult past for the sake of a more just future” (p. 123). What is at issue then for both transitional justice and history teaching is the question of ‘what must *follow* acknowledgement of the past to cement a better future?’ History teaching cannot leave abuses merely drifting in the narrative, ‘hanging in the air’, with no comment on how such abuses have been or should be approached. An emotive textbook chapter demands a concluding paragraph that alludes to some form of resolution of abuses, direction away from abuses or a hint of what a just future would look like.

Similar strategies to those of the different transitional justice approaches are available to history teaching to navigate this question.⁷ The International Holocaust Remembrance Alliance produced a 2010 paper which suggested that teachers should reassure students that the world has become safer since the Holocaust due to the development of international criminal law (p. 18). Teachers are to discuss how “numerous completed cases demonstrate to the international community that even highest-ranking political and military leaders can, irrespective of their possible immunity, be charged for the most serious crimes” (2010, p. 18). The punishment of political elites is positioned in this text as the central means of creating closure for victims and encouraging reconciliation between groups (2010, p. 18).

In comparison to this procedural justice approach to the concern, teachers can also adopt a distributive justice approach. Activist teachers in Porto Alegre infuse their history teaching with discussions of how unequal social-class relations in the present day must be confronted

⁷ Although only procedural and distributive strategies are discussed here, see Bekerman and Zembylas (2011) for an exploration of restorative justice approaches to teaching history after atrocity.

(Myers, 2007, p. 20). They used Marxist, feminist and anti-racist historical analyses to explain what changes society still needed to undergo in order for different groups to participate equally with others (Myers, 2007, pp. 11-12). One teacher illustrates how teaching about the Landless People's Movement in Brazil is a distributive issue of both the past and of the present: "It is already a debate, a big debate, concerning Brazil. This theme of private property, which is a historical theme, has to do with power, with political power in Brazil, like the great landowners. These landowners are in conflict with a great portion of the peasant population" (Myers, 2007, p. 11). This approach urges new generations to demand greater equality and suggests to them what a direction towards justice would look like.

The second shared concern between transitional justice and history teaching is that it is too often the case that the way the past is treated serves to entrench existing power structures and does not give voice to marginalized groups. The critique explored in reference to transitional justice in the conclusion of Section 2 is mirrored in critiques of history teaching. Cole suggests that it is dangerous for history to be "limiting the point of view presented to that of traditional power holders" (2007, p. 119) but this is not uncommon. Due to the institutional and financial alliances between the discipline of history and state authorities, national histories are often political instruments, "master narratives about the past started to be put together to justify the present social organization" (Association for Historical Dialogue and Research, 2015, p. 7). This is borne out in research reflecting history education's role in justifying the existence of the nation state, in demonizing marginalized ethnicities (Bekerman & Zembylas, 2001, p. 84, 125) and in justifying the role of women in society (Association for Historical Dialogue and Research, 2015).

Where this shared concern between transitional justice and history teaching becomes most apparent is in how both implicitly make statements as to whose truth counts and whose truth is silenced. Transitional justice mechanisms construct official victims who are incorporated into those mechanisms and erase other victims who are not. History teaching that is prescribed by the state also carries the imprimatur of the state and therefore also constructs legitimate, official victims of injustice and does not recognise injustices beyond those boundaries. This is illustrated in Bekerman and Zembylas' (2001) observation of the contrasts between the treatment of the tragedies of the Jewish community and the treatment of the tragedies of the Palestinian

community in a bilingual school in Israel. They found that while “Jewish students seem to attach themselves to a narrative that presents the Holocaust and the mourning of its victims as *unique*” and are supported in that narrative in the classroom, Palestinians students engaging with “the present-day suffering and mourning of the Palestinian community” could not receive the same support for their narrative (pp. 157-160). A series of choices in the school environment had highlighted some victims as more deserving than others with the effect of reinforcing the hegemonic narrative of the state.

The weak claim is therefore useful in highlighting how both transitional justice and history teaching are enmeshed in the complexities of looking to the past for the sake of the future and how both are challenged to do this in a way that secures a more just future for all, not only for those who already hold power in society.

Conclusion

Just as there are dilemmas for transitional justice in piecing together the implications of atrocities, so too are there dilemmas for those teaching about atrocity. The problems of teaching history invite transitional justice scholars and practitioners to extend their thinking to consider the intergenerational life span of truth-telling mechanisms. History teaching should be recognised as a crucial element of truth-telling by transitional justice scholars and, if appropriate, be afforded institutional support by transitional justice practitioners. Equally, those interested in how to teach painful histories can make use of the contestations between variations of transitional justice for the purpose of reflection. In particular, these contestations helpfully tease out beliefs about how a just society might look and through what mechanisms that justice could be realized. Such debates can deepen classroom discussion and directly engage young people in the on-going political reconstruction of their wider community. Further research considering the linkages between these fields should explore the conceptions of justice reflected in official prescriptions for history education, discourses of justice employed in the classroom by history teachers and students’ experiences of these class discussions. Research of this kind could foster a holistic understanding of how the past can be used to promote a collective imagining of how to create a just society for all or be used to conserve power and erase the disempowered. This project however demands that both fields expand their idea of the system of memory they are engaging in.

References

- Amony, E. (2015). *I Am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*, Wisconsin: University of Wisconsin Press.
- Arbour, L. (2007). Economic and Social Justice for Societies in Transition. *New York University Journal of International Law and Politics*, 40(1), 1-27. Retrieved from <http://nyujilp.org/wp-content/uploads/2013/02/40.1-Arbour.pdf>:
- Arthur, P. (2009). How Transitions Reshaped Human Rights: A Conceptual History of Transitional Justice. *Human Rights Quarterly*, 31, 321-367. doi: 10.1353/hrq.0.0069.
- Balasco, L. M. (2013). The Transitions of Transitional Justice: Mapping the Waves From Promise to Practice. *Journal of Human Rights*, 12(2), 198-216. doi: 10.1080/14754835.2013.784858
- Bekerman, Z., & Zembylas, M. (2011). *Teaching Contested Narratives: Identity, Memory and Reconciliation in Peace Education and Beyond*. Cambridge: Cambridge University Press.
- Brookbanks, G. (2014). Inspiring History learners: Getting the recipe right in the History classroom, *Yesterday and Today*, 12(1), 90-104. Retrieved from <http://www.scielo.org.za/pdf/yt/n12/06.pdf>
- Cole, E. (2007). Transitional Justice and the Reform of History Education, *International Journal of Transitional Justice*, 1(1), 115-137. doi: 10.1093/ijtj/ijm003
- De Vos, C., Kendall, S., & Stahn, C. (2015). *Contested Justice: The Politics and Practice of International Criminal Court Interventions*, Cambridge: Cambridge University Press.
- Fukuyama, F. (2006). *The End of History and the Last Man*, New York: Simon and Schuster.
- Hamilton, C. (2001). *Beyond Racism: Race and Inequality in Brazil, South Africa, and the United States*, London: Lynne Rienner Publishers.
- Kritz, N. (1995). *Transitional Justice: How Emerging Democracies Reckon with Former Regimes, Volume 1*, Washington D.C: US Institute of Peace Press.
- Lambourne, W. (2009). Transitional Justice and Peacebuilding after Mass Violence. *International Journal of Transitional Justice*, 3(1), 28-48. doi: 10.1093/ijtj/ijn037

- Lambourne, W. (2016), Engendering Transitional Justice: a Transformative Approach to Building Peace and Attaining Human Rights for Women, *Human Rights Review*, 17(1), 71-93. doi: 10.1007/s12142-015-0376-0
- Lind, E. A., & Tyler, T. R. (1988). *The Social Psychology of Procedural Justice*. New York: Springer Science & Business Media, p. 5.
- Mani, R. (2008). Dilemmas of Expanding Transitional Justice, or Forging the Nexus between Transitional Justice and Development. *International Journal of Transitional Justice*, 2(3), 253–265. doi: 10.1093/ijtj/ijn030
- Myers, J. (2007). Citizenship Education Practices of Politically Active Teachers in Porto Alegre, Brazil and Toronto, Canada. *Comparative Education Review*, 51(1), 1-24. doi: 10.1086/508641
- Minow, M. (1998). Between Vengeance and Forgiveness: South Africa's Truth and Reconciliation Commission, *Negotiation Journal*, 14(4), 319–355. doi: 10.1111/j.1571-9979.1998.tb00170.x
- Mutua, M. (2001). Savages, Victims, and Saviors: The Metaphor of Human Rights, *Harvard International Law Journal*. 42(1), 201-245. Retrieved from <http://heinonline.org/HOL/Page?handle=hein.journals/hilj42&div=13&id=&page=&collection=journals>
- Novelli, M., Cardozo, M., & Smith, A. (2015 January). *A theoretical framework for analysing the contribution of education to sustainable peacebuilding: 4Rs in conflict affected contexts*. Retrieved from <http://learningforpeace.unicef.org/wpcontent/uploads/2015/05/Theoretical-Framework-Jan15.pdf>
- Paulson, J. (2011) Conflict, Education and Curriculum, *Conflict and Education*, 1(1), 1-5. Retrieved from <http://conflictandeducation.org/wp-content/uploads/2011/03/1-1-Paulson.pdf>
- Rawls, J. (2009). *A Theory of Justice*. Cambridge MA: Harvard University Press.
- Roemer, J. E. (1998). *Theories of Distributive Justice*. Cambridge MA: Harvard University Press.
- Sen, A. (2011). *The Idea of Justice*. Cambridge MA: Harvard University Press.
- Schumpeter, J. A. (2013). *Capitalism, Socialism and Democracy*. Retrieved from <https://books.google.co.uk/books?id=ytrqJswoRCoC&printsec=frontcover#v=onepag>

e&q&f=false

- Sharp, D. (2014). Emancipating Transitional Justice from the Bonds of the Paradigmatic Transition. *International Journal of Transitional Justice*. 9 (1), 1-20. doi: 10.1093/ijtj/iju021
- Sriram, C. (2007). Justice as Peace? Liberal Peacebuilding and Strategies of Transitional Justice. *Global Society*, 21(4), 579-591. doi: 10.1080/13600820701562843
- Teitel, R. G. (2003). Transitional Justice Genealogy. *Harvard Human Rights Journal*, 16, 69-94. Retrieved from <http://www.qub.ac.uk/home/Research/GRI/mitchellinstitute/FileStore/Fileupload,697310,en.pdf>
- Vinjamuri, L., & Snyder, J. (2004). Advocacy and Scholarship in the Study of International War Crime Tribunals and Transitional Justice. *Annual Review of Political Science*, 7(1), 345-362. doi: 10.1146/annurev.polisci.7.012003.104755
- Young, R. (2016). *Postcolonialism: An Historical Introduction*, Chichester: John Wiley & Sons.
- Zarrow, P. (2015). *Educating China: Knowledge, Society and Textbooks in a Modernizing World, 1902-1937*, Cambridge: Cambridge University Press.
- Zehr, H. (2002). *The Little Book of Restorative Justice: A bestselling book by one of the founders of the movement*, Intercourse, PA: Good Books.
- Zembylas, M., & Ferreira, A. (2009). Identity formation and affective spaces in conflict-ridden societies: inventing heterotopic possibilities. *Journal of Peace Education*, 6(1), 1-18. doi: 10.1080/17400200802658381