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Arthur Liman Summer Fellowship In Public Interest Law: Final Report

As an Arthur Liman Summer Fellow in Public Interest Law, I had the opportunity to work as a research intern at the International Center for Transitional Justice (ICTJ), in New York –an international organization that, since 2001, assists countries in matters of accountability for past massive human rights violations. To achieve its goals, and assist in the implementation of comprehensive and localized transitional justice initiatives, the ICTJ focuses on five key elements: prosecuting perpetrators, documenting and acknowledging violations, reforming abusive institutions, providing reparations to victims, and facilitating reconciliation processes. This is done through its thematic –i.e. prosecutions, reparations, security sector reform, etc.– and country programs in Africa, the Americas, Europe, and Asia.

Furthermore, the ICTJ counts with a research unit, created to coordinate and produce academic initiatives that rethink pressing issues and address important gaps in current scholarship in transitional justice. Over the years, the research unit has developed a series of very significant initiatives, which have resulted in the publication of landmark works: *The Handbook on Reparations* (Oxford University Press, 2006); *What Happened to the Women? Gender and Reparations for Human Rights Violations* (Social Science Research Council, 2006); and *Justice as Prevention: Vetting Public Employees in Transitional Societies* (Social Science Research Council, 2007). Currently, two major

projects, among others, are underway: one explores the relationship between transitional justice and development; the other intends to trace the way transitional justice interventions impact –or can be thought to impact– the contexts under which they are carried out.

While this is not a frequent activity for non-governmental organizations to undertake, I believe that an academic, normative, and theoretical reflection on the most pressing issues concerning their activities is something of great importance, not only for their own performance but also for that of practitioners and policy-makers. This has certainly been the case of the ICTJ's research unit.

As a research intern, I had the opportunity to collaborate in the preliminary research for the second of the aforementioned ongoing projects: "How Things Work". For this purpose, I conducted a survey of the main normative and theoretical approaches that account for the emergence of authoritarianism, from Theodor Adorno and Eric Fromm in the first half of the 20th Century to more contemporary approaches –i.e. Steven Levitski's competitive authoritarianism, or Peter Brooker's revision of the calculus of intervention model. The main results yielded by this research were a comprehensive and multidisciplinary bibliography on authoritarianism, and an extensive document on the most important theories that account for its emergence: "A Theoretical Survey on the Origins of Authoritarianism (and Other Kinds of Dictatorial Regimes)".

The document is structured around what could be pointed out as the main debate concerning the emergence, survival and breakdown of authoritarian regimes: the debate between institutional explanations and those that rely on more psychological approaches, focused on the persona of the authoritarian leader or his followers. Ultimately, the

theoretical debate surrounding this phenomenon hinges on a broader debate within the social sciences, which has been traditionally phrased in terms of the relationship between structure and agency. Is authoritarianism a result of the actions and choices of individuals, or is it simply the byproduct of deeper political, economical, or social structures?

This theoretical debate is relevant for the field of transitional justice insofar as explanatory accounts of the emergence of this phenomenon can also help to disentangle the way transitional justice initiatives can deactivate the legacies of authoritarian regimes. The ultimate purpose of this research project is to articulate these accounts and venture a normative answer that reversely accounts for its collapse and effective deactivation.

On the other hand, I also had the opportunity to read and comment two forthcoming articles prepared by Pablo de Greiff, director of ICTJ's research unit. The first one constitutes a very valuable attempt of theorization on the concept of transitional justice; the second, an exploratory account of the relationship between transitional justice and development.

In the end, what these articles and my research have revealed is the strong relationship between transitional justice and other fields, both within and outside the legal and social scientific fields. As a cultural critic with a legal background, this experience has been very significant for me, and has opened research avenues that will surely feed into my doctoral dissertation, in which I would like to explore failed instances of the so-called Third Wave of Democratization in Latin America, and look at the way culture and the arts have reacted to fill institutional or policy voids. Thus, a possible instance of research could be the cultural and artistic interventions in transitional contexts –i.e.

Argentina, Colombia or Peru–, to see how these can become non-institutional and non-legal means to achieve the goals pursued by transitional justice.

It has been a privilege to do my internship in an organization that works in such a relevant field, and that recognizes the value of academic research and reflection for its own and others' practical purposes. Following, my summer internship I plan to continue researching this type of topics, always from the point of view of cultural studies, and eventually pursue a career in human rights advocacy.