United States Law and Policy on Transitional Justice

Principles, Politics, and Pragmatics

Columbia Law School
Human Rights Institute

Tuesday September 27
12:10-1:10 PM
JGH 102B

Zachary D. Kaufman, J.D., Ph.D., Senior Fellow of the Harvard Kennedy School of Government's Carr Center for Human Rights Policy, will discuss his new book, which explores the U.S. government's support for, or opposition to, certain transitional justice institutions. Dr. Kaufman evaluates why and how the United States has pursued particular transitional justice options since World War II, and challenges the “legalist” paradigm, in favor of an alternative theory—“prudentialism”—which contends that any state may support bona fide war crimes tribunals. Dr. Kaufman tests these two competing theories through the U.S. experience in six contexts: Germany and Japan after World War II, the 1988 bombing of Pan Am flight 103, the 1990-1991 Iraqi offenses against Kuwaitis, the atrocities in the former Yugoslavia in the 1990s, and the 1994 genocide against the Tutsi in Rwanda.