

Justice in Transitional Contexts

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Transitional justice broadly refers to the morality of dealing with past wrongdoing in the context of a community's transition from an extended period of civil conflict and/or repression to liberal democracy. A central assumption in the literature is that transitional justice is a *unique* kind of justice, distinct from the ordinary kinds of justice found in stable democracies. It is this presupposition that I examine in this paper. My primary objective is to identify some initial grounds for claiming that transitional justice is distinctive. My central thesis is that two distinct kinds of uncertainty - existential uncertainty and uncertainty about authority - are paradigmatically present in transitional contexts but rare in stable consolidated democracies. Existential uncertainty captures the idea that it is deeply unclear whether the transition will in fact lead to democracy. Uncertainty about authority refers to the fact that it is deeply uncertain who has the standing to decide how a community responds to past wrongdoing. After arguing for these two kinds of uncertainty, I consider their implications for what justice demands in transitions.