



Journal of Human Rights, 15:126–149, 2016
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ISSN: 1475-4835 print / 1475-4843 online
DOI: 10.1080/14754835.2015.1052897



Transitional Injustice: Subverting Justice in Transition and Postconflict Societies

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Diverse in many respects, one unifying element of research on transitional justice (TJ) concerns the fact that predicted outcomes of these processes are normatively appealing; specifically, advocates argue TJ promotes truth and reconciliation, prevents armed conflict and increases democratization. This perspective further assumes that justice efforts are implemented with these goals in mind. We argue that it is possible for governments to implement TJ without maintaining an interest in truth, peace, or democracy but rather with the intention of promoting denial and forgetting, perpetuating violence, and legitimating authoritarianism—a process we call transitional injustice. In this article, we provide indicators by which scholars and policy makers can determine if transitional injustice is taking place. To further our argument, we conduct a detailed examination of Rwandan politics following the violence of 1994 and demonstrate the ways in which the Rwandan state has been able to use justice processes towards alternative ends.

Over the last 20 years, a popular, political, and scholarly interest in what is commonly referred to as transitional justice (TJ) has essentially exploded, becoming one of the more important topics in comparative politics and international relations. Defined as those efforts undertaken after political violence has ended and/or a political transition has taken place in order to reckon with events that occurred in the previous period, relevant activities include human rights trials, truth commissions, reparations programs, amnesty, and lustration. By and large, the body of work on transitional justice has been broadly con-

