

DISCUSSION LINES ON GENDER AND TRANSITIONAL JUSTICE: AN INTRODUCTORY ESSAY REFLECTING ON THE ICTJ BELLAGIO WORKSHOP ON GENDER AND TRANSITIONAL JUSTICE*

VASUKI NESIAH**

Feminist interventions have challenged the field of transitional justice, developed approaches, and formulated critiques that have revisited many foundational assumptions regarding the human rights canon and the role of legal processes, truth commissions, and other institutions in advancing justice struggles. In some areas feminist interventions in practice and scholarship had gained wider recognition and influenced developments in the field. However, in many other areas, feminist interventions have remained on the margins, with little discussion occurring even among feminists. It was in this context that the ICTJ¹ gender program sought to convene a seminar that would take stock of feminist approaches in the field of transitional justice thus far while also providing a forum for considering

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** Vasuki Nesiah is a Senior Associate with the International Center for Transitional Justice (ICTJ) and an adjunct associate professor at Columbia University where she teaches in the Human Rights Program of the School of Public and International Affairs (SIPA).

¹ The International Center for Transitional Justice (ICTJ) works with communities pursuing accountability for past mass atrocities or human rights abuses. The Center works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

how feminist critical inquiry may continue to transform the intellectual boundaries and settled practices of the field. It was also a seminar for debating differences among feminists regarding political priorities and strategies. The discussion was structured around the four commissioned pre-circulated papers on ideas of “victimization,” “truth,” “justice,” and “political violence” that are published in this volume. Each of the paper presentations and subsequent discussions addressed the conceptual assumptions behind transitional justice approaches in countries as diverse as India, Australia, South Africa, and Northern Ireland, foregrounding critical debates about what is at stake in transitional justice for feminists, and considering what “engendering” transitional justice actually means.

Creating and fostering a space for constructive debate and engendering a critically reflective practice presented provocative challenges in both the planning process and the unfolding of the seminar itself. We questioned whether to engage with the canon by structuring discussion against the received precepts of ‘transitional justice’, or to use a different starting point that would not re-inscribe the field’s constitutive assumptions in contesting them. For instance, practitioners and scholars may often refer to the “pillars” of transitional justice: prosecutions, truth commissions (TRCs), reparations, institutional reform, and reconciliation initiatives. These are the established institutional avenues that structure and shape the conceptual imagination of the field, and ground its normative vision through institutions and practices. In organizing this seminar, however, we chose not to structure the discussion around these pillars, in hopes of launching a discussion that would allow us to revisit the boundaries of transitional justice.

Similar questions arose in shaping the participant mix. Considering that there are those who are “true believers” in the promise of international law, and others who are skeptics or agnostics who see transitional justice as merely a strategy towards certain political goals, we sought to cultivate a productive conversation between those who have been immersed in transitional justice institutions and others who have stood outside it as critics. Thus, the seminar gathered together people who were located differently across the field. Some were pivotal figures in different parts of the globe in longstanding efforts to push the boundaries of transitional justice through feminist interventions, while others had done little or no work in transitional justice but had done interesting critical work in the broader field of human rights and humanitarian law.

Finally, the participant mix was an effort to bring together different kinds of activists, some of whom were primarily scholars and others who were primarily practitioners. This cross-fertilization was both challenging

and productive because often academics and practitioners are engaged in parallel, non-intersecting conversations, and this workshop intended to provide them with an opportunity to interact. There were some participants who straddle the worlds of academia and practice, but many in the room had previously been only in separate worlds, shaped by different imperatives and even different visions of what was at stake in transitional justice. Perhaps even more so than in other areas of human rights practice, the field of transitional justice has been insulated from critical legal studies, post-colonial studies, and other efforts to problematize the emancipatory potential of transitional justice institutions and the monopoly that human rights discourse has claimed over struggles for justice. Often transitional justice practitioners find themselves working in contexts of extreme violence and mass crimes where there is an urgent imperative to respond, to identify “perpetrators” and to advocate for “victims.” This imperative to action may not always permit institutional space to engage with efforts that may complicate a political and legal mapping premised on sharp distinctions between “perpetrators” and “victims” and between episodes of heinous crimes and a “post-conflict” peace. At the same time, practitioners also engender critical approaches that can remain elusive to the academic because practitioners are immersed in complex, challenging daily circumstances, often directly confront the limitations and biases of the field, agonize over the need to balance competing priorities, and have to develop innovative approaches to established practices. Few academics have a window into this world and there are a limited number of contexts where genuine cross-fertilization is possible. This workshop sought to engender such a space.

Workshop discussion was stimulating and challenging and brought out the rich diversity of thought within feminism and the complex range of perspectives among participants. The rest of this introductory essay to the edited papers that follow highlights discussion themes that emerged in the course of the workshop, including official truth, women’s testimony, sexual violence, engaging with courts, “victim” identity, transitional justice and nation building, transitional justice and liberal orthodoxies, and the relationship between theory and practice.

I. OFFICIAL TRUTH

For many the notion of “Truth” has Orwellian dimensions that haunt official “truth-seeking” commissions. For others, “truth seeking” is in fact a counter-Orwellian project that seeks to unpack national myths and give space to marginalized voices—to institutionally embody the argument for viewing the past as a contested terrain regarding multiple partial truths.

In the seminar, these discussions were motivated by a focus on how women's voices were recorded and assimilated into official processes. Were these processes an opportunity for "voice" on the national stage, or were they alienating and exploitative of those "voices"?

Equally, there was discussion about whether these "official" truths artificially constructed walls between the "pre-independence" and "post-independence" periods of recently colonized states. The mandates of most truth commission processes focused on the post-colonial period. However, explaining human rights accountability in terms that were confined to the post-colonial era also legitimized the idea that this was about national history and post-colonial history, rather than being about an internationalized history, a history with continuities and discontinuities with colonialism. Here discussion also turned to contexts such as Rwanda and the DRC. Limiting the retrospective reach of transitional justice to post-colonial time frames is quite problematic in screening out the continued scars of colonial rule and the enduring responsibilities of colonial powers.

There was also discussion about whether truth commission reports enter the terrain of historical interpretation. One participant noted that a Commissioner in Chile writing the report about reparations for torture victims decided that it was not the task of truth commissions to write history, saying that their report would merely record the results of their investigation and was an enterprise in clarifying facts rather than in interpreting them. In not entering the realm of historical interpretation, the report avoided the political minefields associated with having to defend a particular interpretation of history. Another participant responded that irrespective of explicit intent, such reports do in fact tell a story about history, and in deciding which facts are relevant we are also interpreting history. The illusion that one can "describe" and "investigate" facts without entering the realm of political and historical interpretation is misleading. The ostensible retreat into "mere" facts may only further mythologize the report's history in seeking to insulate its historical claims from critique. Explicitly acknowledging the interpretive politics is important so that these political positions can be scrutinized, publicly debated, and held accountable. Others participants also gave positive examples of reports that do address historical context explicitly—for instance, the work of the Coalition for Women's Human Rights in Conflict Zones.

There was discussion about the truth that is "revealed" through truth commission processes—what are the concrete processes of recording testimony and coding them into the information protocols of truth commissions? In discussing statement-taking in relation to the Timor commission process, one participant addressed the multiple layers of

translation that had to take place, raising questions about whether the final restatement of this in the report accurately captured a woman's voice and the "truth" she wanted to convey. Moreover, participants questioned whether this is "truth" for victims or for the privileged. There was reference to the research and analysis in South Africa and Peru, where it emerged that it was the privileged who were the recipients of TRCs' unmasking of unknown or denied truths; for victims these were not new truths but the truths that now received the imprimatur of official acknowledgment. In fact, for "victims," this may be a retraumatization process at one level, and if it does not also lead to reparations or justice, it may be a politically exploitative process as well. Invoking the experience of countries like South Africa, there was discussion about the role of truth commission reports in mobilizing victims' voices in legitimizing the "post-transition" state's preferred narrative about the past.

II. WOMEN'S TESTIMONY

The iconic trope through which women have entered the transitional justice frame has been through testimonials—as witnesses to atrocities and violations inflicted on their own bodies or on those of their husbands, sons and fathers, and also as witnesses who testify to individual violations or systemic patterns of violations emanating from oppressive structures. It was not surprising, then, that practices of soliciting, submitting, and reporting of women's testimony in pursuit of transitional justice goals was a recurrent theme in workshop discussions. For instance, there was a discussion of the women's testimonial traditions in Latin America, a precursor to formal transitional justice mechanisms, which were later incorporated within these mechanisms as formally recognized avenues for truth telling to the nation on a state sanctioned platform. This led to robust discussion about whether the legitimacy or truth value of "survivor" testimonials should be measured in terms of forensic veracity of factual details or in terms of whether they spoke to a larger truth about the situation, about whether testimonials can be taken to be representative of the human rights violations and oppression suffered by a group or whether, according to testimonials, that "representative" function was itself a form of violent abstraction from the realities of the context, and about whether testimony can capture brutal bodily harm and suffering or whether suffering is always distorted in the retelling.

We also discussed the relationship between testimony and healing, exploring the fact that, when testimonials are incorporated into a truth commission process, one of the rationales offered for public hearings is that speaking out provides a cathartic effect for the community at large, and for

victims in particular. This rationale was reiterated by some participants who said that not having an “outlet” could mean continued unabated trauma from the violation. One participant who had worked with the Special Court in Sierra Leone said that she had observed a significant difference in morale and dignity between participants who had a transitional justice outlet and those who did not, noting that those who had access to the court spoke in a more empowered voice. Others cautioned that the impact of testimony on the testifiers cannot be generalized. For instance, it was pointed out that the effect on the testifier, and any merits or demerits claimed for the opportunity to testify, cannot be delinked from the conditions of testimony and the way that testimony was going to be “used” or “mobilized” for different agendas. A participant invoked the South African experience, where some victims did not come forward with their stories because of concerns that their stories would be appropriated, exploited, or reproduced by the TRC and the media in ways that did not respect their ownership of their own experiences. Relatedly, a participant spoke of the Peruvian truth commission’s gender hearings, where some sense of who had the power to use testimony may have been reflected in the imbalances of translation. For instance, Andean peasant women’s quecha testimony was translated into Spanish, but Spanish language testimony was not then translated into Quechua.

The discussion complicated and challenged easy assumptions about the link between testimony and healing in speaking of patterns of retraumatization and revictimization in the retelling, in particular the “retelling” in fora that are over-judicialized and/or unfriendly to victims in other ways. There was some discussion about how courts were even weaker than truth commission-type mechanisms on this score, and how much work needs to be done to make them more hospitable processes for victim participation.

The Tokyo-based Women’s International War Crime Tribunal on WWII comfort women was invoked as an example of a more successful forum for testimony—success that was attributed to the fact that victim support and advocacy preceded the tribunals, and eventually helped bring them about. Thus, the tribunals themselves were a ground-up effort located in social movements that provided a much more sustainable community of support than the session or two of psychosocial counseling that TRCs sometimes provide.

III. SEXUAL VIOLENCE

Another important point of discussion focused on the political and legal dilemmas surrounding issues of sexual violence. There was a

recapitulation of some of the gains on this front over the last decade in the ad-hoc tribunals, as well as a discussion of potential setbacks in the jurisprudence of the ICTR. The challenges taken up by women's groups have included training and advocacy efforts to ensure that prosecutors issue indictments on rape and sexual violence charges, that judges rule on the classification of rape and other sexual violence as war crimes and crimes against humanity, that there are changes in rules of procedure governing the relevant evidence to prove such crimes, that there be prosecution of those with command responsibility for those crimes, and that there be provisions for women's groups to submit amicus briefs, prepare witnesses, and generally support the prosecution of those crimes. Participants who had been involved in these efforts over the last decade and a half also spoke about the building of transnational linkages between diverse women's groups in a variety of locations.

There was broad strategy discussion on the decision to prioritize sexual violence in international justice struggles—should, or can, one do a cost-benefit analysis about whether sexual violence was the critical question to pursue? Are we able to say that international legal developments have succeeded in addressing impunity for those crimes in significant ways? Have these developments produced a deterrent effect? Alternatively, should we see these developments as incremental, but critical, steps in a long term struggle towards achieving deterrence in the future? Important questions were raised about whether the focus on sexual violence crowded out other kinds of priorities of equal significance to the field of women's human rights, such as gendered aspects of displacement, access to health care, etc. One participant recalled that, in the wake of performances of the *Vagina Monologues* in Afghanistan, one Afghan woman told her that her vagina is concerned with socioeconomic issues regarding food security. Did the crowding out of other women's issues (such as socioeconomic priorities) for an almost singular focus on sexual violence reflect the fact that women from the "third world" are not the prime architects of the priorities and approaches of the international women's movement, particularly in the terrain of international law and transitional justice?

Equally critical, some also pointed out that the great harm attributed to sexual violence may accentuate the sense of injury imposed on victims, even by their advocates. One participant cited a study of victim impact statements, suggesting that this tendency resulted in victims experiencing a heightened sense of their injury and an increased chance of emotional devastation. Thus, such an emphasis on sexual violence disincentivized those who showed more resilience in the face of such abuse. This included those who were more "liberal" about sexuality, such that sexual sanctity or

inviolability was not seen as core to their personhood. There may be a subtle moralism about sexuality that was advanced through some of the work that gave particular significance to sexual violence in relation to other kinds of injury. Relatedly, there were questions about whether the focus on sexual violence feeds into a regressive sex panic that is then used to regulate and further criminalize women's sexuality—with particular consequences for women who were involved in sex work in conflict contexts. Did the preoccupation with sexual violence to the exclusion of other issues accompany, and even engender, a preoccupation with “legitimate” and “illegitimate” sex, policing the borders of the “decent” and the “deviant,” only to then reinscribe heteronormative models and approaches?

Others argued that strategic priorities should be based on analysis of the historical context, asserting that, while perhaps it was important to focus on these issues in the nineties, when developments in international criminal law provided an opening for making sexual violence crimes justiciable, perhaps the current moment similarly requires that we build on these achievements and broaden the agenda to address other kinds of human rights harms that affect women. Moreover, even when it may seem that the battles of the nineties have been won—as one participant said, “the next step is always fighting for the last”—victories remain hard fought and fragile, requiring vigilance for consolidation. These debates continued and spilled over into the corridor discussions between sessions and have continued after the conference.

IV. ENGAGING WITH COURTS

In considering the contrast between working within courts and engaging with them from the outside, there was much discussion on the rewards and dilemmas of criminal justice struggles. The discussion included a broader philosophical debate on the role of trials for mass atrocities as historical narratives and as nation building foundations for creating “new” societies post-transition. Much of the discussion on trials was focused, however, on the concrete dilemmas that are confronted in day-to-day practice. We considered how courts have handled issues regarding gender and “culture” in developing and implementing their mandates. We discussed the pros and cons of the Special Court in Sierra Leone prosecuting sexual slavery through forced marriage charges given that arranged marriages are the norm in that country. On the one hand extensive consultations indicated that victims wanted the issue prosecuted and perpetrators held accountable, on the other hand there were continued political and legal strategic dilemmas regarding the language of the charge,

i.e., in choosing whether to frame the crime as forced marriage or as “slavery,” which would come under the broader category of “other inhuman acts.” It was noted that in addressing gendered human rights violations, prosecutors must be conscious of the “culture” defense and the fraught politics surrounding the misleading dichotomy between women’s rights and “culture.” In the context of these dilemmas, one participant worried that perhaps the issue lies with the limitations of international law, in that it often fails to address the complexity of women’s experiences.

The workshop also addressed the role of international justice institutions, such as the International Criminal Tribunal for Rwanda (ICTR), in the context of global North-South dynamics. Participants noted that the issue is of particular concern given that the transitional justice field and the human rights field at large are adversely impacted by the international role of the United States, its position vis-à-vis the International Criminal Court, the legitimacy (or lack thereof) of the Iraqi tribunal, and so on. It was stressed that the extent to which the transitional justice field can simultaneously address the impunity of national actors and transnational actors is critical to the future legitimacy of the field in the global South. This discussion raised concerns about the problematic gulf between institutions, such as the ICTR, and the agenda and priorities of local women, which led to a broader conversation about transnational organizing on gender issues and the important but difficult terrain of building those transnational solidarities in ways that were genuine partnerships, rather than North to South transmissions. For instance, in looking at how legal interventions could be part of a broader struggle that links justice processes to the concerns of women on the ground, one participant described the efforts of the Women’s Initiative for Justice around the work of the ICC in Uganda. Given the complex and difficult debate around the ICC in Uganda, the Women’s Initiative sought to develop its own position through a consultative process, surveying local perceptions regarding priorities for justice, international interventions, and the peace process.

A parallel discussion took place on these issues at a more micro level, focusing on how women’s needs and interests are represented in the courtroom. We evaluated the challenges of engaging with courtroom processes, which provide narrow avenues for women’s voices as witnesses to particular events, and often exclude testimony about the broader historical or social contexts that many women feel are critical to their experiences. This was also a discussion about how the transitional justice field can do more to address the continuities between extraordinary violence and ordinary violence by shaping how “global” transitional justice

discourse links up with “local” justice discourse, ultimately aspiring to become more responsive to local justice struggles.

V. VICTIM IDENTITY

Underlying much of the discussion was the question of how victims are defined, and how that identity and experience feeds into different political agendas. Many participants addressed this issue in ways that contested traditional notions of victimization that are grounded in passivity and the denial of agency. Some participants spoke about how victimization can itself be generative of agency, where the memory of political violence becomes the anchor of political identity and a catalyst to solidarity and activism. There was extensive discussion on the problematic nature of the “passivity” model of victim identity and the ubiquitous equation of female identity with victimization, where to be a woman is to be a victim. In particular, there was reference to how international law or transitional justice institutions may themselves operate on the basis of that model in problematic ways. In contrast, participants sought to develop more complex understandings of victimization by considering how those classified as “victims” may occupy multiple subject positions.

Relatedly, focusing particularly on a case study from the gender hearings in the Timor Leste truth commission process, there was discussion of whether a story of a woman’s rape can be recounted without reducing her to her injury. The discussion kept returning to the complexities of writing about injury in final reports, given the multiple ends to which such reports are directed, and the particular challenge of conveying the enormity of the injury on the one hand, while including the multiple aspects of the victims’ experience on the other. A participant who had worked on statement-taking in the Timor commission spoke about her continued frustration with work that entailed distilling rich, nuanced experiences into check-off boxes for different types of injury.

VI. TRANSITIONAL JUSTICE AND NATION BUILDING

There was much discussion of the role of transitional justice mechanisms in nation building, and the frequent use of such mechanisms by states to legitimize themselves. Examples included the new black elite in post-1994 South Africa seeking to legitimize its power in the face of exacerbated socioeconomic disparities, the racist Australian state seeking to legitimize its colonial legacy vis-à-vis the aboriginal community, and the United States-led transitional justice process in Iraq seeking to legitimize regime change and its occupation. We considered the varying gains and

losses born of centralizing social conflicts within particular national identities, and whether transitional justice processes are constructive conflict management tools or simply mechanisms for evading the justice claims of marginalized groups. Ruti Teitel's description of transitional justice processes seeking to achieve "bounded closure" recurred as a reference point for interventions by a few different participants.² Who gains and who loses when social conflicts are at the core of national identity, and the existing social fabrics are channeled into reports and judicial pronouncements? In aiming for "bounded closure," are transitional justice processes constructive conflict management exercises or are they mechanisms for evading justice claims by marginalized groups? Many participants pointed to contexts as diverse as the Fred Korematsu case in the United States, the truth commission in South Africa, and the study of the removal of children in Australia to point to the use of a transitional justice processes by social elites to consolidate their position. Relatedly, invoking examples such as the State of Israel's approach to the Eichman trial, some argued strongly that when transitional justice processes are mobilized for nation building, the struggle for justice will be fundamentally compromised.

VII. TRANSITIONAL JUSTICE AND LIBERAL ORTHODOXIES

Not unrelated to the preceding topic, another point of debate was the relationship between transitional justice and liberalism, focusing in particular on the legal and political norms surrounding the rule of law, due process, majority rule, electoral democracy, and other normative liberal practices. Some participants argued that liberalism provides the foundation for the possibility of critique, so that criticism of liberal orthodoxies is misplaced. Others argued that the issue should not be framed in terms of whether one is for or against liberalism, and that this simplifies and misdirects the potential of the discussion. Ruling liberalism off-limits because it is seen as core to democratic space then functions to truncate that space. Rather, we need to conduct a discussion in terms of a historically-grounded analysis of particular social conflicts and the ways in which the rule of law or liberal norms are used to empower some groups and disempower others. In this context, many expressed concern with how the transitional justice field is often blind to abuses in liberal democracies and other states where the rule of law is seen to be consolidated. One participant pointed to the issues of the Roma within the EU, another looked to the history of Black struggles for justice in the US, and yet another participant

² See RUTI G. TEITEL, *TRANSITIONAL JUSTICE* (2000).

invoked the situation of women's rights to property and the such even in post-1994 South Africa. Many cited the regime change efforts in the international plane. All of these instances were mentioned as examples of situations in which the language of "liberal progress," "rule of law," "pluralism," and "democracy" is invoked to justify injustices; the point was not to reject or disengage from these, but rather to interrogate the terms through which engagement proceeds.

Looked at in this way, we may be in a better position to develop a critical practice that recognizes how regressive policies can be couched in liberalism's orthodoxies—for instance, regime change may be justified in the name of democracy and liberal values such as secularism; the denial of redistributive measures such as affirmative action may be justified in terms of formal justice and equality before the law (notwithstanding substantive injustice and entrenched inequalities); and reparations for slavery may be defeated on the basis of statute of limitations norms notwithstanding continued injustices.

This insight of course echoed, and in some cases explicitly relied, on broader work in feminist theory over several decades that has exposed the mirage of formal equality in the public sphere and in the context of continued injustice in the private sphere—injustices sustained not by formal law, but by informal ideology and social practice. In many fields feminism and democratic theory addressing women has gone beyond basic liberal orthodoxies, yet in the transitional justice field these simplistic vocabularies continue to dominate in many contexts. In this vein, one participant offered an extensive analysis of the use of liberal orthodoxies to legitimize anti-minority efforts in India, noting the promotion of the Uniform Civil Code, which applied uniformly to all communities in India—a law that is advanced by the Hindu majoritarian political party in the name of liberalism in a context where minority communities had been seeking a system of legal pluralism. Another participant analyzed the use of formalistic argument about the rule of law to legitimize racial injustice in the United States. These were, in effect, cautionary tales about couching transitional justice in simplistic liberal orthodoxies and the need to develop more sophisticated political analyses regarding social conflict and more complex approaches and vocabularies for justice struggles. Interestingly, another participant showed how these oppositions were turned on their head in the transitional justice debates in Colombia, where it was the left that called for legal accountability and the need for formal justice processes and the conservatives who claimed that it was all about politics and asserted the need for a more complex vision of political aims that also included peace and social integration. All of these examples spoke of the need to develop

more nuanced and historically-grounded approaches to transitional justice and feminism, rather than simply falling back on liberal vocabularies regarding law's redemptive promise, or default "leftist" arguments that the return to law is always regressive. This underscored a central tenet of the workshop about the importance of developing space for critical, self-reflective approaches to transitional justice at the level of theory and practice.

VIII. CONCLUSION: THEORY AND PRACTICE

On the last day of the conference, the morning session flowed into a broader discussion about the relationship between theory and practice. This was an issue that we flagged at the beginning of the conference in outlining the structure of the meeting in an effort to make this event a space permitting discussion between academics and practitioners—this is not an unfamiliar encounter within feminist circles where many academics are activists and vice versa, but academia-practitioner spaces are more rare in transitional justice. The theory-practice discussion has both challenges and opportunities that were already the subject of corridor discussions during the course of the workshop, so we decided to modify the agenda slightly and create some formal time to explicitly address those challenges and opportunities. Moreover, this relationship is particularly important for us as we move from this workshop to the rest of the ICTJ gender program's work, in seeking to combine reflective practice, engaged research, and reasoned analysis.

This conversation considered the challenges of enabling dialogue across different professional and disciplinary vocabularies, taking into consideration the fact that in some contexts different vocabularies were disorienting in ways that inhibited exchange, while in others they expanded our vision and suggested new approaches to problems. The discussion on theory and practice also entailed a discussion of the boundaries of transitional justice, evaluating whether we ought to have a predefined, theoretical definition of transitional justice against which we judge different practices, or allow the legitimacy of different interventions, such as, for instance, theater and other performative interventions on collective memory or oral history projects under the rubric of transitional justice. Similarly, we wondered whether *a priori* normative definitions of transitional justice's goals and limits is possible or desirable, or if we should think instead of transitional justice's goals and limits as shaped dialectically in historically-grounded exchanges between theory and practice, and between local justice priorities and transnational norms and approaches.

The discussion about definitions of transitional justice and its limits also related to a discussion about the role of critique, which addressed the relationship between the importance of self-reflective assessment to advance the field on the one hand, and the equally important need to consolidate fragile gains on the other. Some saw academics as more likely to have a “critical” orientation and practitioners as more likely to have a “consolidation” orientation, but most participants did not find that mapping very compelling. Academics and practitioners fell on both sides of this line, and indeed in most contexts it was important to travel on both paths simultaneously. One participant noted that sustaining space for self-reflective evaluation was particularly difficult given that transitional justice is a field that sees enormous brutality. Both practitioners and academics who are immersed in the field, may therefore carry a trauma that limits the ability to carve out space for critical self-reflection—particularly among those who feel that they are living and working in a context where transitional justice practice is the only lifeline of humanity in a brutalized space.

Given that we function in contexts that are constrained and that our engagements are invariably politically compromised, participants noted that transitional justice practice is often more pragmatic than pure. While the rhetoric of human rights suggests the purity of human rights interventions, the reality is that our interventions are never clean. If transitional justice discourse suggests a false dawn of unsoiled positions, if our practice is blind to our compromises, then transitional justice may engender more harm than good. In contrast, to the extent that critical self-reflection in both academic spaces and in the “field” can expose our constraints and compromises, it better positions us to strategize and calculate the costs and benefits of different interventions. Insofar as the workshop was continually concerned with women in the transitional justice context, feminism seemed to provide a critical political consciousness that informed our conversations about both theory and practice. If this critical orientation was a source of commonality, there was also a widespread diversity in the feminist traditions that were in the room. The richness of our discussion emerged from the diversity of ideological traditions represented and methodological approaches adopted, and as there were twenty-five participants, we found that we had at least twenty-six opinions on every topic.