

# Jus Post Bellum And Transitional Justice Asil Studies In International Legal Theory

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## **Jus Post Bellum And Transitional**

**JUS POST BELLUM AND TRANSITIONAL JUSTICE** This collection brings together jus post bellum and transitional justice theorists to explore the legal and moral questions that arise at the end of war and in the transition to less oppressive regimes. Transitional justice and jus post bellum share in common many concepts that are explored in this volume.

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## **Jus Post Bellum and Transitional Justice (ASIL Studies in ...**

Just war theory outlines normative parameters for the establishment of peace after conflict (jus post bellum). This collection of essays analyses their use and relevance in contemporary international law and policy, examining the origins, contents and prospects of a framework governing transitions from conflict to peace from an inter-disciplinary perspective.

## **Jus Post Bellum: Towards a Law of Transition From Conflict ...**

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## **Jus Post Bellum and Transitional Justice eBook by ...**

1 The jus post bellum can be defined as 'the body of laws, norms, and principles that apply during the transition from conflict to peace', see Easterday, J., 'Peace Agreements as a Framework for Jus Post Bellum', in Stahn, C., Easterday, J. and Iverson, J., (eds.), *Jus Post Bellum - Mapping the Normative Foundations* (2014), 379-415 CrossRef | Google Scholar.

## **The jus post bellum as 'integrity' - Transitional criminal ...**

post-conflict law - the jus post bellum - insofar as these deal with transitional criminal justice. These principles are then relied upon to resolve a specific issue facing the ICC. It is not altogether clear what the Rome Statute requires from societies that are attempting to transition from non-international armed conflict to peace.

## **jus post bellum as integrity'-Transitional criminal ...**

While there is an acknowledged overlap of transitional justice and jus post bellum, there has been

no real attention to delineating a clear relationship between the two or addressing the significant differences regarding aims, scope and audience. These differences must be acknowledged and a clear relationship between the two fields needs to be demarcated for both intellectual clarity and practical reasons.

## **Defining a relationship between transitional justice and ...**

Jus post bellum is then considered as a “regulatory framework which contains substantive legal rules governing transitions from conflict to peace, as well as rules on the interplay of these substantive rules in case of conflict.”<sup>19</sup> That category of legal rules would then be the third of three distinct and relatively independent frameworks applicable to armed conflicts, together with jus ad bellum and jus in bello.<sup>20</sup> Jus (p.127) post bellum then needs to be seen as an objective set of ...

## **Concept of Jus Post Bellum in International Law: A ...**

The “afterward” is the focus of just post bellum, justice after war. Because it can be difficult to determine when exactly a war has ended, we’ll consider the post (after) in jus post bellum to refer to the termination phase of conflict, the drawing-down of the war and the beginning of a the phase of a just peace.

## **A brief introduction to the just war tradition: Jus post ...**

5 Jus post bellum as Transitional Justice The increasingly pervasive involvement of courts and tribunals in matters of post- conflict justice demands a conception of proportionality that is not simply political but also jurisprudential. This is far from being limited to criminal trials.

## **Rethinking Jus Post Bellum in an Age of Global ...**

The most useful definition of the term jus post bellum is the body of legal and ethical norms that apply to the the transition from armed conflict to a just and sustainable peace. Jus post bellum must be understood in the context of its sister terms, jus ad bellum and jus in bello.

## **Jus Post Bellum Symposium: Contrasting Transitional ...**

“The concept of jus post bellum is an old idea that is rooted in classical writings (e.g., Alberico Gentili, Francisco Suarez, Immanuel Kant) and just war theory. It is typically associated with the idea of ‘justice after war’ and the vindication of ‘rights’ and ‘duties’ after conflict.

## **What’s Jus Post Bellum for? The Function of Jus Post ...**

Jus post bellum and transitional justice / Mark Freeman and Dražan Djukić; The future of jus post bellum / Carsten Stahn. Summary Warfare is usually theorised in the categories of jus ad bellum (justification for recourse to force) and jus in bello (rules applicable in armed conflict). The challenge of establishing fair and sustainable peace after conflict (jus post bellum) has received less attention in existing law and practice, although it has an established tradition in just war theory.

## **Jus post bellum : towards a law of transition from ...**

Here the approach has been to try to locate an articulation of jus post bellum as an obligation of repair and reconstruction that would extend the just war tradition, as typified by the work of Walzer, Orend, and May.<sup>1</sup> The second discipline has been that of international law and engagement with jus post bellum as a legal project that attempts to define and articulate a better international legal regulation of post-conflict landscapes.

## **Of Jus Post Bellum and Lex Pacificatoria: What’s in a Name ...**

Towards an Alternative Paradigm: Jus Post Bellum as Transitional Justice In the current context, one can see that justice considerations enter the picture from the outset, taking into account that humanitarian considerations have been invoked as a justification for war itself.

## **Jus Post Bellum Symposium: Towards an Alternative Paradigm ...**

Moreover, it identifies some of the features and challenges of a framework governing transitions from conflict to peace, such as the treatment of sovereignty, accountability and local ownership, the relationship of jus post bellum to jus ad bellum and jus in bello and the role of human rights law and transitional justice.

## **Jus Post Bellum: Towards a Law of Transition From Conflict ...**

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The successful transition from armed conflict to peace is one of the greatest challenges of contemporary warfare. The laws and principles governing transitions from conflict to peace (jus post bellum) have only recently gained attention in legal scholarship.

### **Jus Post Bellum: Mapping the Normative Foundations - CORE**

Jus Post Bellum Mapping the Normative Foundations Edited by Carsten Stahn, Jennifer S. Easterday, and Jens Iverson. An open access title available under the terms of a CC BY-NC-ND 4.0 license; Provides a comprehensive analysis of the laws and norms that apply to the process of ending war and building peace

### **Jus Post Bellum - Carsten Stahn; Jennifer S. Easterday ...**

J.S. Eskauriatza, 'The Jus Post Bellum as 'Integrity' - Transitional Criminal Justice, the ICC, and the Colombian Amnesty Law', Leiden Journal of International Law (December 2019/March 2020).

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