



# Truth commissions in the decolonisation context: a philosophical appraisal

Sara Amighetti

**To cite this article:** Sara Amighetti (20 Oct 2025): Truth commissions in the decolonisation context: a philosophical appraisal, *Rethinking History*, DOI: [10.1080/13642529.2025.2569935](https://doi.org/10.1080/13642529.2025.2569935)

**To link to this article:** <https://doi.org/10.1080/13642529.2025.2569935>



© 2025 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.



Published online: 20 Oct 2025.



Submit your article to this journal



View related articles



View Crossmark data



Check for updates

# Truth commissions in the decolonisation context: a philosophical appraisal

Sara Amighetti 

Department of Philosophy, University of Zurich, Zurich, CH

## ABSTRACT

This paper offers a philosophical appraisal of the role truth commissions might play in addressing the legacy of colonial injustice in contexts that do not fit the paradigmatic model of transitional justice. In recent years, calls for redress in democratic settler states have prompted interest in the extension of transitional justice mechanisms beyond post-conflict or post-authoritarian societies. Yet this extension raises two important challenges. The *scope challenge* concerns whether transitional justice is conceptually suited to settings without political rupture, while the *bootstrapping challenge* questions whether institutions shaped by liberal assumptions can adequately respond to structural and ongoing forms of colonial violence. The paper analyses the normative and conceptual stakes of these challenges, drawing on recent work in political theory and the Indigenous studies. While acknowledging the limits of the transitional justice paradigm, it argues that truth commissions may still contribute to processes of historical reckoning—particularly by enabling practices of collective unlearning and public confrontation with inherited structures.

**ARTICLE HISTORY** Received 27 February 2024; Accepted 19 September 2025

**KEYWORDS** Accountability; colonial legacies; decolonisation; historical injustice; truth commissions; memory

## 1. Introduction

In this paper I look at the philosophical foundations of truth commissions (henceforth TCs) that are being promoted and employed by states to address the legacy of colonial injustice.<sup>1</sup>

While TCs have traditionally been established in the context of transitional societies, their role and justification in the context of historical injustice raise interesting questions, such as: Why are they desirable in this context? What values do they contribute to realise? What is their function in addressing the legacy of complex historical injustices like colonialism? Do

---

**CONTACT** Sara Amighetti  [sara.amighetti@philos.uzh.ch](mailto:sara.amighetti@philos.uzh.ch)  Center for Ethics - Department of Philosophy, University of Zurich, 117 Zollikerstr, Zurich, 8008, CH

© 2025 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.  
This is an Open Access article distributed under the terms of the Creative Commons Attribution License (<http://creativecommons.org/licenses/by/4.0/>), which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited. The terms on which this article has been published allow the posting of the Accepted Manuscript in a repository by the author(s) or with their consent.

they contribute to settling questions and disagreements about reparations for colonial wrongs – for example, about the bearers of reparative responsibilities? Do they fulfil an epistemic role, such as helping to gain a better understanding of the type of wrong that colonialism was? And, if this is the case, how do they achieve this, given that most of the victims and perpetrators of colonialism are dead? Alternatively, do they rather have a more forward-looking function, such as providing a toolkit for diagnosing the enduring structures of colonial injustice so that change towards greater justice is possible?

To address these questions, the paper begins by considering philosophical arguments advanced in the transitional justice (henceforth TJ) literature that justify the establishment of TCs. Such justifications help us isolate the reasons why these institutions are morally desirable in light of the objectives that characterise transitional contexts, notably: truth, accountability and change. Equipped with a map about the moral foundations of TCs in the TJ context, I then discuss two challenges that arise when TCs, and the TJ framework more in general, are invoked in established democracies to address a history of colonial wrongs.

The paper therefore contributes to clarifying the normative role that truth seeking initiatives have when they are employed to deal with the distinctive circumstances of historical injustices rather than with societies emerging from a period of repressive rule or civil conflict and attempting to democratise.

## 2. Truth commissions as institutions of transitional justice

Before I begin my discussion of TCs and dig deeper into how they have been justified as institutions of TJ, it makes sense to provide a brief characterisation of the TJ paradigm. This is for two reasons; first, as institutions of justice, TCs are tied to the realisation of justice-relevant aims. However, justice takes on different meanings in different practical contexts, so it seems important to clarify how it has been understood, namely, what its motivating concerns and the normative aims that it seeks to realise are, in *transitional* contexts. Second, and relatedly, the central questions of this paper have to do with the desirability of setting up institutions of TJ like TCs in what have been described ‘aparadigmatic contexts’ (Destrooper, Gissel, and Carlson 2023). Clarifying how such contexts are different, if they are, and how such differences matter to the justification and design of institutions requires that we begin by giving an idea of the political circumstances in which standardly, though not exclusively, TJ is at play.

Ruti Teitel offers a first informative picture by defining TJ ‘as the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor

regimes' (2003, 69). One important feature of this definition is that it understands TJ as a distinct form of justice which is triggered by specific political circumstances. This has two interesting implications from a theoretical point of view. First, it suggests that TJ cannot be readily amenable or reduced to other forms of justice, such as retributive justice or restorative justice. Early theoretical discussions in the field were concerned with the question of how to understand the very nature and aims of TJ by asking whether it ought to be seen as prioritising retributive justice or restorative justice and hence as a sub-species of either.<sup>2</sup> Although some of these disagreements persist, TJ has come to be viewed as integrating different demands of justice such that it is common to discuss it as a distinctive type of justice.

Second, the definition highlights that TJ is not only triggered by a specific set of circumstances but also that such circumstances contribute to define its core concerns and the aims that it pursues. On Teitel's picture, however, these circumstances are broadly understood as periods of political change following a past of state-sponsored wrongdoing; so, while it points at the context-dependent nature of TJ, the definition leaves open to interpretation the precise characterisation of the political circumstances in which TJ becomes relevant and applicable.

While it is important to stress these general features, especially for the argument that I will make later in this paper, I should also note that TJ has often developed in close association with specific historical contexts that have shaped contemporary understandings of its aims and of the justification of its institutions. As Teitel herself explains, TJ emerged from the creation of new justice instruments to respond to the state-sanctioned atrocities associated with WWII and the Cold War (Teitel 2003). As such, the so-called TJ paradigm is not simply the product of theorising about what would be required of justice at times of political change, it is very much the result of TJ practice in particular historical periods.<sup>3</sup>

From this perspective, the TJ model is richer than how it appears from my initial picture. First, the paradigm associates 'transition' with the moment that follows a dictatorial or authoritarian regime's fall and/or the end of a violent conflict within a polity. To understand transition in this way has some important consequences. For a start, it identifies 'transition' with a circumscribed period on a linear time-trajectory. It begins at the moment of rupture with the old regime, or the violent recent past, and its duration extends to laying the foundation for a different future. Second, the transition is not entirely open-ended, but it is characteristically directed at the reconstruction of the social and political fabric destroyed by past repressive rule and human rights violations. It therefore aims at social stability and peace, the establishment of the rule of law and the realisation of an overt regime change towards democracy. While these could be seen as long-term social and political

goals motivating the application of the TJ apparatus, it has become standard to view the TJ model as centred around a more short-term agenda that focuses on four pillars: truth-seeking, accountability, reparation, and measures of non-repetition (UN Secretary General 2004). Finally, TJ processes and institutions, such as trials, truth commissions, and reparations – are justified as appropriate for governing the transition both instrumentally, because they help steering change towards the desired political and social outcomes, and constitutively, because their own set-up enables and enacts change.<sup>4</sup> Let me illustrate this latter claim by focusing on TCs as an example.

TCs are defined as state-sponsored (and hence official), temporary bodies charged with investigating, documenting, and reporting patterns of violence and human rights abuse over a specific period of time, usually in the recent past. Their task is to provide a final report that includes recommendations on how to prevent similar abuses in the future. Standardly, it is within the mandate of TCs to collect direct testimony from victims, their family members, witnesses, and perpetrators about specific human rights abuses. This fact-finding and fact-documenting function is often considered a necessary component of TJ; if societies are to move forward, they must first need ‘to come fully to terms with their brutal pasts, they must uncover in precise detail, who did what to whom, and why, and under whose orders. They must seek [...] to uncover the truth’ (Rotberg 2000, 3).<sup>5</sup>

The detailed documentation of past human rights abuses not only contributes to create a historical record; understanding what occurred and why also contributes to establishing *accountability*. The concept of accountability plays an important role within the TJ paradigm, but it is often explicated only by recurring to the legal understanding of accountability as *legal responsibility* and, therefore, in terms of (criminal) liability or culpability. For example, establishing accountability for past human rights violations tends to coincide with trying individual perpetrators in adversarial court proceedings which are often posited as a necessary condition to break away from a culture of impunity and prevent the re-occurrence of violations by deterring other possible perpetrators.

However, the accountability sought through the operation of TCs is not entirely reducible to legal responsibility. It is a broader idea of accountability more closely connected to a notion of *answerability* that attaches to the state’s institutions or the state itself. Ronald Niezen refers to this broader idea in his discussion of Canada’s Truth and Reconciliation Commission on Indian Residential Schools: ‘the harms committed [...] were cumulatively recognized as a serious, systemic human rights violation. This calls for more than jail time for perpetrators of the worst abuses and a financial penalty for the institutions involved. It calls for the state to be more fully brought to account; it calls for the consequences of state action to be narrated and

publicly recognized; and, through such recognition, it calls for assurance that the same kind of harms will not be repeated' (2013, 2).

In other words, when considering accountability established through TCs, we should not equate it with legal responsibility and associated liabilities. The TCs are institutions of accountability in themselves since they subject the exercise of institutional power to the logic of public reasoning, to a demand for public justification. Moreover, such a demand is not only directed at the past it has an important forward-looking dimension. Through the gathering of testimonies TCs raise awareness of power abuses and make the collective examination of state institutions possible, while demanding the responsiveness of those very institutions at the same time. As Niezen suggests, this comes close to a contemporary idea of progress 'based on public scrutiny and moral accountability, in which the exposure of harms wrought by states are responded to by policy reform, apology, and public examination' (2013, 39).

Finally, TCs are often characterised as institutions that help the long-term goal of reconstructing the relational fabric of societies in the aftermath of violence, human rights abuses, and conflict.<sup>6</sup> TCs contribute to this goal through a *victim-centred approach*, which helps to restore the dignity of victims by allowing them to tell their own story in their own terms and to avoid cross-examination, and by officially acknowledging the harm they have suffered, often for the first time.<sup>7</sup> The South African Truth and Reconciliation Commission (TRC) remains a pivotal case in shaping contemporary understandings of TCs. As Priscilla Hayner (2001) stresses in *Unspeakable Truths*, the TRC actively involved victims by making them central to the process, through mechanisms such as allowing victims to participate in amnesty proceedings, where perpetrators confessed their crimes. This public testimony gave victims a voice and symbolic recognition that placed them at the heart of the process. For Hayner, the South African TRC's emphasis on public testimony, narrative truth, and symbolic acknowledgment set a precedent for more victim-centred and performative approaches to justice, where victims are not just sources of information but central participants in shaping the process of reckoning with the past.<sup>8</sup> Underpinning such approaches, one could add, is not a conception of the victim as someone who feels helpless and passive in the face of mistreatment, but it is rather the idea of *survivor*. By telling their stories, survivors do not merely seek recognition, they also take back control of what happened to them, they become re-engaged in their political and social world, they reaffirm their agency.<sup>9</sup>

My brief discussion of TCs above clarifies how they fall squarely within the TJ paradigm; their theoretical foundations are anchored in the broader normative goals that characterise the reconfiguration of a political order in the aftermath of authoritarian rule or conflict and, from an institutional point of view, they are set up in such a way as to

both contribute and enact change towards a more stable and democratic regime. What is also clear from my earlier discussion is that the TJ model is triggered by and applies to a relatively well-defined set of political circumstances, namely those that obtain at the interval between the end of one regime and the constitution of a new one. However, this, by now classic, picture of TJ is rapidly evolving under the pressure of two different but interrelated trends, which I turn to describe in the next section.

### 3. The transitional justice paradigm under pressure

On the one hand, and as already noticed, we are witnessing an expanded use of transitional justice processes and institutions beyond their paradigmatic contexts of application, for example, in established democracies. This raises legitimate questions about the appropriate understanding of ‘transition’ and more generally about the precise contours of the model’s field of application.<sup>10</sup> Call this *the scope of TJ challenge*. On the other hand, the focus on systematic patterns of human rights violations is being shifted to account for injustices of a more complex nature such as the persistence of distributive disadvantages and their clustering among certain groups within a society. The pressure to broaden the kinds of concerns that should animate the TJ model has its roots in criticisms levelled against the model itself such as those that question its adequacy to deal with the root causes of conflict and of systematic human rights violations (Gallen 2023). Call this *the bootstrapping challenge*.

Both challenges speak directly to the questions I want to address in this paper, since the adoption of TCs is increasingly invoked or concretely proposed in stable democracies to address a history of complex wrongdoing such as colonialism. For example, discussions of how white settler states such as the United States, Canada, and Australia deal with their own historical legacies of injustice are now often framed through the language and conceptual tools of TJ. Moreover, the recourse to TCs is also on the rise in these new contexts, as the various empirical contributions to this special issue attest. As we witness these practical developments, it is important that theoretical reflection contributes to tackling the challenges they raise, namely: to what extent does the context of a stable democracy influence the justification and set-up of TCs? In other words, what difference, if any, does it make whether TCs are created in a transitional society or in a stable democracy? Relatedly, to what extent does the aim of addressing (settler) colonial injustice fit with adopting a transitional justice framework and its institutions? And more generally, to what extend is it possible to analogise institutions and their justificatory arguments from the context in which they were originally developed to a different one?

I believe that the two challenges can be met, but this task requires further argumentation; in what follows, I will focus on each of the two challenges, separately, and resort to arguments made by political theorists that seek to explain what theoretical resources can be mobilised to address them.

### 3.1. *The challenge of scope*

Let's first tackle *the scope of TJ challenge* which basically casts doubts on whether the context of application of the TJ model can be extended to established democracies. The question is interesting for two reasons: first, democratic societies are usually envisioned as the end point of transition, such that it would seem to make little sense to adopt a TJ approach with respect to a society whose democratic credentials are already established. After all, we have already seen that the concerns motivating TJ have historically emerged in post-conflict or post-dictatorial societies where a moment of rupture from a past characterised by violence and human rights abuses is usually posited as the necessary starting point for the transition to a liberal and democratic order. Second, in light of the seemingly importance of the 'rupture moment' for triggering the TJ's apparatus, should we equate moments of formal regime change to those of political upheaval? In other words, what notion of transition is it at play in transitional justice?

These are legitimate and important questions, but I do not think they are particularly strong ones. They ask whether it is possible to employ TJ in contexts that do not straightforwardly align with those in which it was traditionally applied, so from a theoretical point of view, answers to such questions only require clarifying some aspects of the TJ model, which is compatible with leaving the approach ultimately untouched. That is, it is perfectly possible to claim that nothing ties the TJ framework to a narrow understanding of transition as formal regime change, such that there are no serious impediments to adopt it in the context of already established and stable democratic societies.

Two different strategies can help us see how this can be the case. One strategy is *revisionist* and it is spelled out by Steven Winter (2014). I call it revisionist because Winter focuses on re-interpreting the overall function and aims of TJ as having to do with the legitimacy of the state. Once he has shown that the value of legitimacy is the chief value pursued by TJ, Winter claims that established democracies also experience 'the radical changes in legitimisation that are characteristic of transitional politics' when they confront and seek to overcome their own history of wrongdoing (Winter 2014, 6). In particular, he argues that stable democracies with a past of settler colonialism ought to be seen as transitional, since, in the absence of redress, they lack full legitimisation.<sup>11</sup>

A second strategy is put forward by Murphy (2017) who explains the distinctiveness of TJ not with respect to its overall function and aims, but rather with respect to a set of necessary conditions which make the adoption of TJ appropriate and which she calls ‘the circumstances of transitional justice’.<sup>12</sup> Her strategy could be described as a *generalising* strategy, since it is aimed at the theoretical re-interpretation of the conditions that characterise paradigmatic contexts in which TJ has traditionally emerged, such that they can be employed to account in a broader set of empirical circumstances. According to Murphy (2017, Ch. 1), the circumstances of TJ are as follows: (i) pervasive structural inequality; (ii) normalized collective and political wrongdoing; (iii) serious existential uncertainty, and (iv) fundamental uncertainty.

The first condition highlights cases in which individuals are ‘differentially limited in the range of opportunities they can feasibly achieve’ (2017, 46) for example, in the context of employment but also, and, more fundamentally, in being recognised as full members of one’s political community and in being respected. Her second condition captures the normalisation of human rights violations as a ‘basic fact of life around which citizens must structure their conduct’. Here, Murphy stresses that the state as well as many ordinary citizens are often implicated in such violations ‘either by facilitating or failing to prevent the commission [of such violations] or by ensuring impunity for their occurrence’ (Ceva and Murphy 2022, 764). This helps explaining also the importance of the forth condition – fundamental uncertainty about authority – which problematises ‘the standing of the state to deal with past wrongs in which it is implicated’, and also to the third condition – serious existential uncertainty – which refers to ‘the fundamental ambiguity and lack of confidence in where transitional societies are heading’ (Ceva and Murphy 2022, 764).

Now, following Murphy, it becomes clear that these conditions (or a subset thereof) can be found even in stable democratic societies. For example, Page and King (2022) have convincingly argued that democracies like the United States can be characterized as transitional societies by showing that the political situation of low-income Black communities under the US imprisonment and policing regime satisfies three out of four of Murphy’s conditions for TJ.

Although I have not discussed them in detail, I believe I have shown that both these strategies work to diffuse the challenge about the scope of TJ; their differences notwithstanding, Winter and Murphy’s arguments suggest that it is not only possible but also plausible to adopt the TJ’s framework as well as its characteristic institutions in the context of stable democracies, and that this can be done without sacrificing its distinctive features; in fact, they both show how this can be done by *harnessing* such features. More complicated

questions arise, pace Winter, with the second challenge, which asks whether the TJ model is sufficiently well-equipped to be used to confront a history of complex wrongdoing like settler colonialism, that is, whether TJ can be thought of as appropriate to foster change understood as decolonisation. In the next section, I survey some of the main difficulties associated with this second challenge.

### **3.2. *The bootstrapping challenge***

Let me begin by qualifying what the bootstrapping challenge is about. Unlike the challenge about scope, which problematises the narrow understanding of transition in operation within the orthodox TJ framework, the bootstrapping challenge calls directly into question the adequacy of TJ processes and institutions not only to achieve what they are typically supposed to achieve (i.e. accountability, recognition and change) but also the appropriateness of adopting them in order to address injustices, like colonialism, whose nature seems far more complex than that of the injustice the TJ model was born to address.

Fleshed out in this way, the bootstrapping challenge comprises two different challenges. The first can be seen as an internal critique, urging us to re-think the institutional apparatus of TJ based on its effectiveness in realising the normative objectives that guide the design of such institutional apparatus in the first place. Because I take this to be a critique mostly concerned with assessing the effectiveness of TJ processes against the existing empirical evidence, I leave it to the side for now. But the second challenge problematises the very understanding of the nature of the injustices to which TJ institutions and processes should respond. Since, on a paradigmatic understanding of TJ, such injustices are associated with the use of violence for political repression and systematic human rights abuses on the part of state officials, what makes us think that the TJ model can capture the injustice of colonialism? Note that, on the reading I am proposing, the bootstrapping challenge is both a conceptual and normative challenge. It is conceptual because it requires to critically review assumptions about the nature of the injustice that the TJ framework is mobilised to address, and it is normative in that it asks us to spell out the desirability of having TJ institutions, such as TCs, to deal with that injustice.

That said, it becomes clear that the force of the bootstrapping challenge depends largely on how we conceive of the injustice of colonialism. Simplifying things a little, I want to suggest two possible approaches. On one understanding, colonialism – including settler colonialism – was unjust because it involved subjecting innocent populations to some of the worst imaginable atrocities, including murder, torture, exploitation, sexual violence, and enslavement. According to this view, the nature of the

colonial injustice is *aggregative* because it conceives of the wrongfulness of colonialism as reducible to the wrongfulness of the crimes typically committed in colonial contexts. As Laura Valentini suggests ‘the wrong of colonialism is exhausted by the “sum” of these familiar wrongs – wrongs that are not necessarily tied to colonialism, and that may also occur in noncolonial settings’ (Valentini 2015, 312).<sup>13</sup> If we understand colonialism along these lines, then I believe that the bootstrapping challenge loses much of its force. This is because many of the wrongs that explain the injustice of colonialism are sufficiently ‘familiar’, that is, sufficiently similar, to the wrongs that the TJ framework is equipped to confront.<sup>14</sup> The only possible objection here would consist in noticing that, unlike the victims of abuse and wrongdoing in transitional societies, the victims and the perpetrators of colonial injustice are presumably dead, so, they may not provide direct testimony or be held accountable through the institutions of TJ, such as TCs. While this is a serious worry, it is also one that can be overcome, for example, by arguing that the harms brought about by those past injustices are still suffered by the heirs of the original victims and by their communities.<sup>15</sup>

The bootstrapping challenge, however, becomes more pressing if the nature of colonial injustice is conceived as *structural* and, as such, not readily reducible – let alone – exhausted by aggregating ‘familiar’ crimes. Let me first explain how the structural approach understands the nature of colonialism, and then outline the limits of the TJ institutional apparatus in dealing with colonialism so understood.

Catherine Lu proposes a conception of colonialism as structural injustice (Lu 2011, 2017). For her colonial injustice comprised ‘not simply wrongful acts by state perpetrators, [it] also relied on social and political norms, institutions and structural processes that enabled and even encouraged individual or state wrongdoing, and produced and reproduced injustice’ (Lu 2017, 116). Among the norms and structural processes that characterise colonialism, she recounts the progressive narrative based on scientific racism that justified the establishment of the colonial international order in the 19<sup>th</sup> century, as well as the classic view of international relations as an anarchical state of nature, which precludes viewing it as the structurally unjust hierarchy that it is instead (for elaboration see Lu 2017, 2024).

Keeping these norms and structural processes in view is important because it allows to locate the injustice of colonialism at two different levels. One is the level of actions between individuals and groups, which Lu calls *interactional* and where ‘past perpetrators, typically conceived corporately or collectively as states, nations or peoples, committed wrongs and produced harms against past victims (also typically conceived as collectives)’ (2017, 147). This interactional level of analysis, though important, is also insufficient because (i) it risks neglecting that agential wrongdoing identified

through the interactional approach is often *structured* by the institutional, normative and material conditions that variably condition(ed) agential interaction, and, second, (ii) because it risks obscuring that colonial wrongs consist(ed) of ‘unintended, generalised, or impersonal harms or wrongs’ that result(ed) from social *structural* processes in which *many* participated and still participate (2017, 118).

To fully appreciate the difference that the structural analysis makes, consider racism as an example. While racism can be seen as resulting from the actions of racist individuals, it is more appropriately conceived as a set of norms which produce the segregation of members of racialised groups, and renders deviant the comportments and habits of these segregated persons in relation to dominant norms of respectability (Young 1990). This suggests that racist behaviour does not need racially motivated individuals to be explained, since it can occur when individuals merely comply with dominant norms of respectability, whether intentionally or simply out of habit.

Even from this brief sketch it becomes evident how Lu’s understanding of colonialism as structural injustice complicates considerably the range of possible answers to the bootstrapping challenge. As Balint, Evans, and McMillan (2014) have argued, the adoption of the structural perspective has the immediate consequence of:

- (1) emphasising that the harms of colonialism are not only to do with the systematic violations of human rights that took place in colonial settings (interactional harms) but they include systemic and widespread structures of inequality, discrimination and violence that, due to their structural nature, persist to this day;
- (2) complicating the relationship between past, present and future, since structural processes make the past present, and the future constrained by both the present and the past;
- (3) questioning notions of state’s sovereignty and of the impartiality of the law (by recognizing its discriminatory character and violence).

These implications, so the challenge goes, are conceptually at odds with prevalent understandings of TJ and of the roles with which its institutions are usually charged that it becomes unclear how they can be justified as desirable or even appropriate for addressing colonial injustice.

For the sake of clarity let me briefly summarise the tensions that lie at the heart of the challenge (see also Balint, Evans, and McMillan 2014; Lu 2017; Matsunaga 2016; Nagy 2013; Park 2020). First, TJ institutions seem well-equipped to account for interactional wrongs where it is possible to recognise an injured party and a perpetrator, but ill-equipped to identify and deal with the compounded and intersecting wrongs stemming from the operation of unjust background (i.e. structural) conditions.<sup>16</sup> Second, given the focus on

interactional wrongs, TJ's institutions tend to isolate specific events in the past that need to be addressed. This sits uncomfortably with the structural approach to colonialism which does not see all injustices as separable and successive, but as persistent over time and therefore as intertwined and co-implicated. Third, TJ's institutions are often seen as desirable because, by helping the state to come to terms with a past of wrongdoing, they contribute to its re-legitimization via redress (recall Winter's argument). Lu, however, emphasises how a state-centric focus risks underplaying the fact that colonialism (including settler colonialism) was enabled by international background conditions which also need to be confronted with, and which may require moving beyond the configuration of an international order made up of sovereign states.

Given the above, the force of the bootstrapping challenge is in full view, both conceptually and normatively. When colonialism is conceived as a structural injustice, deploying the TJ apparatus to confront it seems not only inadequate but wholly undesirable since it risks giving the illusion of redress while in fact reproducing colonial structures. Indigenous scholarship is particularly clear-eyed about such a risk and presses the challenge even more strongly. For example, Glen Coulthard (2014) argues that the 'politics of recognition', particularly when mediated by the settler state, often serves to reaffirm colonial power rather than disrupt it. From this perspective, state-led TCs may offer only a superficial form of redress, one that leaves intact the colonial relationship by repositioning the state as the arbiter of 'reconciliation'.<sup>17</sup> Coulthard's critique presses us to ask not only whether TJ can be *reformed* to address structural injustice but whether it can ever escape the logic of colonial governance when designed and administered by the state itself. Audra Simpson (Coulthard 2014) further complicates the picture by introducing the concept of 'refusal' as a political and epistemic stance. Rather than seeking recognition from the settler state, refusal insists on the assertion of Indigenous political orders that predate and exceed colonial sovereignty. In this view, TJ institutions may not be neutral or benevolent mechanisms for redress, but instruments that draw Indigenous narratives into the fold of settler governance. The challenge, then, is whether TJ can accommodate such refusal or whether their very logic precludes it.<sup>18</sup>

For some, giving into the bootstrapping challenge might indeed represent the best option. After all, if TJ is to remain a distinctive approach to justice, it must not work as a one-size-fits-all model; there needs to be limits as to where and when it makes sense to use it. However, this does not seem to be the preferred option among TJ scholars; rather than abandoning TJ, they propose alternative strategies for meeting the bootstrapping challenge and employ the TJ model to address colonialism.

One of these alternative strategies involves *complementing* TJ with the notion of transformative justice. For example, Rosemary Nagy (2013, 2022)

proposes to consider transformative justice 'largely as a complement to transitional justice' (Nagy 2022, 196) that explicitly responds to the limitations of the TJ paradigm in settler colonial contexts. While, as seen, TJ is typically short-term, state-centred, and focused on the 'four pillars' (truth, accountability, reparation, non-repetition), for her, transformative justice involves longer-term, relational, and structural change that is rooted in local agency, grassroots mobilisation, and Indigenous resurgence. It extends beyond recognition and redress to include settler decolonisation and the enactment of Indigenous self-determination. Importantly, Nagy highlights that transformative justice does not merely improve TJ, it *reorients* it around different epistemologies, political commitments, and relational goals. For instance, community-led acts of 'restorying' the past, Indigenous-led mobilisations like Idle No More, and the use of international instruments like the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) are all framed as forms of transformative justice (Nagy 2022). These efforts resist state control and foreground collective Indigenous rights, spiritual renewal, and land-based sovereignty. Nagy thus offers a robust account of justice practices that are not merely *non-state* in form, but actively *anti-colonial* in content, and therefore essential for any meaningful articulation of justice in settler colonial contexts.

In a similar spirit, Augustine Park (2020, 2023) proposes to *radicalise* the TJ framework so as to serve decolonisation purposes. Drawing on Indigenous thinkers, Park foregrounds the radicalisation of TJ through principles such as decentring the settler state, delegitimizing liberal recognition, and embracing political indeterminacy about the future (2023, 410). Against the liberal logic of reconciliation, Park emphasizes that TJ must be reoriented around refusal, resurgence, and prefiguration, i.e. the enactment, in the present, of alternative Indigenous political orders.<sup>19</sup> Park's account prioritizes local agency, participatory processes, and structural transformation over institutional reform. This entails shifting the focus from state-centred and legalistic mechanisms to grassroots, survivor-led initiatives grounded in Indigenous epistemologies and community-based practices (2023, 407–10). Importantly, Park does not reject TJ wholesale. Instead, she insists on its reconfiguration: TJ institutions like TCs can contribute to decolonisation only if they are radically reimagined, decoupled from liberal progress narratives, and embedded within Indigenous-led struggles for sovereignty and justice. This account not only aligns with but actively engages Indigenous legal and political traditions as living, prefigurative alternatives to state-centred reconciliation.

While these contributions are philosophically rich and politically urgent, I remain unconvinced that they require us to dispense with all existing TJ institutions. In particular, the case against TCs may be overstated. TCs already operate alongside a range of different mechanisms, such as criminal

trials, reparations programmes, and institutional reforms, each with different normative justifications. There is no reason, in principle, why they could not also work in concert with more radical, community-led, or non-state initiatives aimed at decolonisation. By emphasising the incompatibility between the TJ framework and the demands of decolonisation, we may risk, as it were, throwing the baby out with the bathwater.

To be clear, the structural and decolonial critiques of TJ institutions are not only powerful; they are indispensable. They show that without a radical shift in orientation TJ mechanisms may serve to obscure, rather than redress, the ongoing nature of colonial injustice. But rather than treating TCs as inherently compromised, I suggest that their distinctive features—their focus on epistemic repair, public narration, and testimonial justice—may in fact lend themselves to precisely the kind of normative work that decolonisation demands. Reform, in this case, is not a way of softening the critique, but of taking it seriously: it signals the need to harness the strengths of TCs while reimagining their structure, scope, and function. In the final section, I argue that such reform is not only possible but desirable. It offers a way to retain the epistemic and political promise of TCs while addressing the structural nature of colonial injustice head-on.

#### 4. TCs as institutions of decolonisation?

TCs are often treated as standard instruments of TJ, shaped by liberal assumptions of rupture, and reconciliation. This has led some critics to conclude that, given the structural and ongoing nature of colonial injustice, such institutions cannot meaningfully contribute to decolonisation. While these critiques are serious and compelling, I have suggested that they do not require us to discard the TJ framework wholesale nor to abandon its institutional mechanisms such as TCs. Rather than calling for a clean break, I propose that we approach TCs as reformable institutions: their existing features can be reimagined and expanded to support a process of decolonial reckoning.

One reason for this is that TCs are not primarily instruments of punishment or redistribution. Their core function is epistemic: they investigate, narrate, and publicise the truth about past wrongdoing. Unlike courts or compensation schemes, they are designed to provide public forums for storytelling, acknowledgment, and institutional critique. These functions, while sometimes constrained by narrow mandates, can be extended to illuminate the systemic and enduring dimensions of colonial injustice. In fact, one of the most promising features of TCs is their capacity to foster what Lu (2023) calls *tragic progress*: a form of progress rooted not in consensus or closure, but in the difficult and often painful work of collective self-examination.

Lu's account of tragic progress is particularly helpful here. It shifts our attention away from the idea that transitional societies must 'learn from the past' in ways that generate greater empathy, cooperation or reconciliation. Instead, she argues that progress may require *unlearning* the norms, dispositions, and interpretive frameworks that sustain unjust social structures. As she puts it, tragic progress demands that we confront the 'reference-points, psychological dispositions, habits and assumptions that condition and mediate agency in unjust social structures' (Lu 2023, 145–6). This is not a call for therapeutic healing or reconciliatory closure. It is a demand for *normative decolonisation*—a process of disrupting dominant frameworks and opening space for alternative ways of knowing, acting, and relating.

TCs, if reformed, can play a role in such disruption. Their focus on personal testimony and public narrative gives them a distinctive capacity to reveal how anonymous or impersonal structures shape everyday life.<sup>20</sup> This potential is visible even in the record of existing TCs. In his study of the Canadian TRC, Robert Niezen (2013) notes that many victim-survivors sought to move beyond narrow descriptions of abuse to speak about the background conditions of settler colonialism—its institutional foundations, ideological justifications, and persistent social effects. Niezen calls these 'while I have the microphone' moments: spontaneous departures from the commission's formal agenda, often curtailed by officials seeking to stay within the confines of a narrowly defined mandate. But such moments point precisely to the kind of epistemic agency that reformed TCs could amplify, rather than suppress. A broader mandate would show greater respect for survivors as knowers, and enable their testimony to challenge prevailing historical narratives and normative assumptions.

This view is also supported by Minow (2002), who underscores the political and moral imperative to interrupt inherited legacies of humiliation, resentment, and denial. Minow stresses that redress for historical injustice cannot be limited to forward-looking reconciliation or backward-looking blame. Instead, it must involve disrupting the recursive patterns of exclusion and silence that allow structural harm to persist across generations. Her insight complements Lu's notion of tragic progress: both insist that confronting the past is not about repair in the conventional sense but about unsettling the social and institutional conditions that naturalise inequality and harm. In this light, TCs could be reimagined as platforms for unlearning and public self-interrogation, thus contributing to decolonisation.

To be clear, none of this implies that TCs are sufficient for decolonisation, or that they should be shielded from critique. But it does mean that they need not be dismissed or that their employment to address colonial injustice is unjustified. Some of their existing features—their focus on testimony, their capacity to engage public memory, their emphasis on naming and recognising wrongs—may already point in a direction compatible with decolonial

justice, provided they are paired with reforms aimed at decentring the state, extending survivor agency, and refusing premature closure. These shifts would allow TCs to function not as instruments of liberal reconciliation, but as institutions of *tragic progress*—institutions that unsettle, disturb, and leave things open.

To conclude, this paper has explored whether truth commissions – typically understood as part of the TJ toolkit can be meaningfully repurposed to address the legacy of colonial injustice, particularly in so-called aparatidigmatic contexts. In doing so, it has engaged two key challenges: the scope challenge, which questions whether transitional justice can extend beyond paradigmatic cases of regime change or civil conflict; and the bootstrapping challenge, which raises doubts about whether institutions shaped by liberal TJ norms are appropriate for confronting the structural and enduring nature of colonialism. I have argued that while these challenges reveal important conceptual tensions, they do not preclude the possibility of reform. On the contrary, when TCs are redesigned around the goal of normative decolonisation, they may serve as institutions of epistemic repair and moral unlearning. In a world where justice is slow, difficult, and often painful—where progress is tragic rather than triumphant—TCs are institutions worth having.

## Notes

1. Because the nature of this paper is chiefly philosophical, my discussion engages with empirical studies only to illustrate or clarify the theoretical claims I make throughout. Other contributions to this special issue analyse and discuss more in depth specific instances of TCs.
2. Retributive justice and restorative justice represent two distinct paradigms of responding to wrongdoing. Retributive justice is primarily concerned with assigning blame and administering punishment proportionate to the offense, often through formal legal processes. In contrast, restorative justice views wrongdoing as a violation of people and relationships, and seeks to repair harm by engaging victims, offenders, and the broader community in dialogue. Its focus lies not in punishment, but in accountability, acknowledgment and reconciliation, sometimes through reparations and apologies. See (Allen 1999; Gutmann and Thompson 2000; Llwyd and Howse 1999) for how these discussions about the nature of TJ influenced the philosophical justifications of TCs.
3. For accounts of how the paradigm has emerged from a distinct set of historical circumstances which have influenced its point and purpose, see (Arthur 2009, 2011; Leebaw 2008).
4. Ceva and Murphy (2022) propose a framework that explains how both instrumental and constitutive normative standards are at play in TJ and its typical institutions. For the non-instrumental and expressive values of trials for TJ, see (Duff 2014; Meijers and Glasius 2016).
5. Note that the epistemic function of TCs is not necessarily in competition to the epistemic function sometimes attributed to other institutions of TJ such as

trials because litigation often fails to provide or acknowledge a complex narrative of the truth about past systematic atrocities given the emphasis of criminal proceedings on particular perpetrators and their actions, and the instrumental role victims play in them. See for e.g. (Kiss 2000; Minow 1998),.

6. While reconciliation is often associated with the work of TCs, especially in the influential case of the South African TRC, I deliberately do not treat it as one of their chief goals or justificatory grounds. There are both conceptual and practical reasons for this. Conceptually, reconciliation is a broad and morally complex ideal, which may include healing, rebuilding trust, and sometimes forgiveness, but not all of these are necessary, or even desirable, in every transitional context. Treating reconciliation as a goal of TCs risks overburdening them with expectations they cannot fulfill. As Hayner (2001) has argued, reconciliation is not an automatic or guaranteed outcome of truth-telling processes. Barkan (2000) further underscores that reconciliation is best seen as a gradual process of moral and political negotiation, where historical accountability is tied to emotional repair, rather than being a direct outcome of institutional mechanisms with limited mandates and constrained time-frames like TCs. Practically, the rhetoric of reconciliation has sometimes been instrumentalized to prioritize symbolic closure over material redress, or to pressure victims into premature forgiveness. Together, these reasons explain why more recent commissions have adopted a more modest institutional vocabulary, focusing on truth-seeking, acknowledgment, and recommendations for reform, rather than explicitly promising reconciliation. My emphasis on restorative justice, rather than reconciliation, reflects the view that TCs are better understood as processes for public accountability, victim-centered acknowledgment, and symbolic repair, which may enable reconciliation, but should not be justified and evaluated primarily by it. Thanks to an anonymous reviewer for allowing me to clarify this point.
7. Privileging personal testimony in TCs can be aptly described by what Annette Wieviorka has called the emergence of 'the era of the witness' (Wieviorka 2006). This transformation reflects a move away from viewing historians and legal experts as the sole arbiters of historical truth, toward recognising survivors as epistemically authoritative narrators. This epistemic reconfiguration, enacted also through TCs, is particularly important in decolonial contexts, where structural injustice is often lived and transmitted through personal experience, and where survivors' voices challenge the state's claim to narrate the past.
8. At the same time, Hayner also highlights the difficulties of grappling with 'unspeakable truths' in a public forum, a challenge especially relevant in postcolonial contexts where colonial violence is often denied or minimised. The South African experience thus illustrates both the power and the limits of state-led truth-telling.
9. In his study of the TRC on Indian Residential Schools, Ronald Niezen reconstructs: 'in their engagement with the process of bearing witness, in their choice of grievance and in their telling of it, [victims] were also active agents of their identities' (2013, 20).
10. To be sure, concerns about the appropriate context of TJ are not completely new. As already noted, the TJ paradigm often relies on a linear conception of historical time, one in which a rupture marks a break between a violent past and a democratic future. Yet, as Bevernage (2012) insightfully argues, this

temporal framework is strained in contexts where legacies of injustice persist and where transition is neither definitive nor temporally bound. Bevernage challenges the idea that TCs operate in a neutral historical space, and instead sees them as situated within contested narratives of time, memory, and responsibility. His work thus reinforces the plausibility of applying TJ in so-called ‘aparadigmatic’ contexts, where the experience of injustice is ongoing and the future remains deeply entangled with unresolved pasts.

11. Winter’s argument effectively works to remove the distinction between transitional and historical justice. Although, Winter says, it would be tempting to conceive of them as two different conceptions of justice, they are ultimately ‘unified by a common functionality’ (2014, 12), since they aim at realising the same value which is the legitimacy of the state. I think Winter’s approach oversimplifies the issue, and that part of this oversimplification has to do with a specific understanding of the type of injustice that settler colonialism was, as my discussion in the next section will make clear.
12. Murphy argues that transitional justice is a distinct form of justice that can be achieved (or not) in the domain to which it is specific. This explains why so much focus goes on the circumstances of TJ in her account; they help identify the domain of justice and, concomitantly, define TJ as being concerned with the ‘just pursuit of societal transformation’ (2017, 6;112).
13. For critical discussion see Renzo (2019) and van Wietmarschen (2018).
14. Note also that this understanding of the nature of the colonial injustice is the one that comes closer to vindicate Winter’s argument about the functional unity of transitional justice and historical justice.
15. For such an argument see (Tan 2007, 287) who claims that experiences of injustice produce ‘spillover unjust effects in an indirect way … by tainting present relations that make justice between the affected parties difficult to achieve’.
16. See Lu’s discussion of the military comfort system as part of the Japanese colonial injustice in Korea for the inadequacy of relying solely on the interactional understanding of injustice (Lu 2017, 114–43).
17. I use reconciliation here to stick to Coulthard’s vocabulary, but recall my earlier clarification in fn.5.
18. See also (Matsunaga 2016).
19. For a powerful account of decolonisation as grounded in resurgence rather than reform, see also Simpson (2017). Her work emphasises the importance of Indigenous practices of governance, care, and storytelling as prefigurative politics that do not seek inclusion within settler institutions, but embody alternatives to them.
20. See (Ypi 2021) for a clear example of recounting one’s personal history with a clear view of the impact that structural dynamics (at the international level) played in it.

## Acknowledgements

An earlier draft of this paper was presented at the symposium *Historical Truth and Accountability in the Post-Colonial State*, organised at the University of Ghent. I am grateful to Cira Palli-Aspero and Tine Destrooper for encouraging me to develop those early ideas further and for the intellectual exchange that has accompanied the

paper's development. More recent versions were discussed at the Political Philosophy Colloquium of the University of Zurich and at the international workshop *Grounding the Legitimacy of International Institutions in Personal and Collective Autonomy?* at the Institute for Future Studies in Stockholm. I thank both audiences for their constructive engagement. Special thanks go to Andreas Føllesdal, Tim Meijers, Jennifer Page, and Katharina Berndt Rasmussen for conversations and written comments that greatly improved the paper. I am also grateful to the two anonymous reviewers of this journal for their generous and constructive reports.

## Disclosure statement

No potential conflict of interest was reported by the author.

## Notes on contributor

**Sara Amighetti** (PhD) is a political philosopher based at the Center for Ethics of the University of Zurich. Her work focuses on social and global justice, migration ethics, and redress for historical injustice.

## ORCID

Sara Amighetti  <http://orcid.org/0000-0002-3143-6240>

## References

Allen, Jonathan. 1999. "Balancing Justice and Social Unity: Political Theory and the Idea of a Truth and Reconciliation Commission." *The University of Toronto Law Journal* 49 (3): 315–353. <https://doi.org/10.2307/826002>.

Arthur, Paige. 2009. "How "Transitions" Reshaped Human Rights: A Conceptual History of Transitional Justice." *Human Rights Quarterly* 31 (2): 321–367. <https://doi.org/10.1353/hrq.0.0069>.

Arthur, Paige. 2011. *Identities in Transition: Challenges for Transitional Justice in Divided Societies*. Cambridge University Press.

Balint, J., J. Evans, and N. McMillan. 2014. "Rethinking Transitional Justice, Redressing Indigenous Harm: A New Conceptual Approach." *The International Journal of Transitional Justice* 8 (2): 194–216. <https://doi.org/10.1093/ijtj/iju004>.

Barkan, Elazar. 2000. *Guilt of Nations: Restitution and Negotiating Historical Injustices*. New York: W. W. Norton & Co.

Bevernage, Berber. 2012. *History, Memory, and State-Sponsored Violence: Time and Justice*. Routledge.

Ceva, Emanuela, Coleen Murphy. 2022. "Interactive Justice in Transitional Justice: A Dynamic Framework." *American Journal of Political Science* 66 (3): 762–774. <https://doi.org/10.1111/ajps.12663>.

Coulthard, Glen Sean. 2014. *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. University of Minnesota Press.

Destrooper, Tine, Line Engbo Gissel, and Kerstin Bree Carlson, eds. 2023. *Transitional Justice in Aparadigmatic Contexts: Accountability, Recognition, Disruption*. Routledge.

Duff, Antony Robin. 2014. "Process, Not Punishment: The Importance of Criminal Trials for Transitional and Transnational Justice." Minnesota Legal Studies Research Paper No.14-03, January. <https://doi.org/10.2139/ssrn.2387601>.

Gallen, James. 2023. *Transitional Justice and the Historical Abuses of Church and State*. Cambridge University Press. <https://doi.org/10.1017/9781009025973>.

Gutmann, Amy, and Dennis Thompson. 2000. "The Moral Foundations of Truth Commissions." In *Truth V, Justice: The Morality of Truth Commissions*, edited by Robert I. Rotberg and Dennis Thompson (pp. 22-44). Princeton University Press.

Hayner, Priscilla B. 2001. *Unspeakable Truths: Confronting State Terror and Atrocity*. Routledge.

Kiss, Elizabeth. 2000. "Moral Ambition Within and Beyond Political Constraints: Reflections on Restorative Justice." In *Truth V, Justice: The Morality of Truth Commissions*, edited by I. Robert. Rotberg and Dennis Thompson (pp. 68-98). Princeton University Press.

Leebaw, Anne Bronwyn. 2008. "The Irreconcilable Goals of Transitional Justice." *Human Rights Quarterly* 30 (1): 95–118. <https://doi.org/10.1353/hrq.2008.0014>.

Llwellyn, Jennifer, and R. Howse. 1999. "Institutions for Restorative Justice: The South African Truth and Reconciliation Commission." *The University of Toronto Law Journal* 49 (3): 355–389. <https://doi.org/10.2307/826003>.

Lu, Catherine. 2011. "Colonialism as Structural Injustice: Historical Responsibility and Contemporary Redress." *The Journal of Political Philosophy* 19 (3): 261–281. <https://doi.org/10.1111/j.1467-9760.2011.00403.x>.

Lu, Catherine. 2017. *Justice and Reconciliation in World Politics*. Cambridge University Press.

Lu, Catherine. 2023. "Progress, Decolonization and Global Justice: A Tragic View | International Affairs | Oxford Academic." *International Affairs* 99 (1): 141–159. <https://doi.org/10.1093/ia/iaac314>.

Lu, Catherine. 2024. "Responsibility, Structural Injustice and Settler Colonialism." In *What Is Structural Injustice?*, edited by Jude Browne and Maeve McKown (pp. 107-125). Oxford University Press.

Matsunaga, Jennifer. 2016. "Two Faces of Transitional Justice: Theorizing the Incommensurability of Transitional Justice and Decolonization in Canada." *Decolonization: Indigeneity, Education & Society* 5 (1): 24–44.

Meijers, Tim, and Marlies Glasius. 2016. "Trials as Messages of Justice: What Should Be Expected of International Criminal Courts?" *Ethics & International Affairs* 30 (4): 429–447. <https://doi.org/10.1017/S089267941600040X>.

Minow, Martha. 1998. *Between Vengeance and Forgiveness: Facing History After Mass Violence and Genocide*. Beacon Press.

Minow, Martha., and Nancy L. Rosenblum, Edited by. 2002. *Breaking the Cycles of Hatred: Memory, Law, and Repair*. Princeton University Press.

Murphy, Coleen. 2017. *The Conceptual Foundations of Transitional Justice*. Cambridge University Press. <https://doi.org/10.1017/9781316084229>.

Nagy, Rosemary. 2013. "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission." *The International Journal of Transitional Justice* 7 (1): 52–73. <https://doi.org/10.1093/ijtj/ijtj034>.

Nagy, Rosemary. 2022. "Transformative Justice in a Settler Colonial Transition: Implementing the UN Declaration on the Rights of Indigenous Peoples in

Canada." *International Journal of Human Rights* 26 (2): 191–216. <https://doi.org/10.1080/13642987.2021.1910809>.

Niezen, Ronald. 2013. *Truth and Indignation: Canada's Truth and Reconciliation Commission on Indian Residential Schools*. University of Toronto Press.

Page, Jennifer M., and Desmond King. 2022. "Truth and Reparation for the U.S. Imprisonment and Policing Regime: A Transitional Justice Perspective." *Du Bois Review Social Science Research on Race* 19 (2): 209–231. <https://doi.org/10.1017/S1742058X21000357>.

Park, Augustine SJ. 2020. "Settler Colonialism, Decolonization and Radicalizing Transitional Justice." *The International Journal of Transitional Justice* 14 (2): 260–279. <https://doi.org/10.1093/ijtj/ijaa006>.

Park, Augustine SJ. 2023. "Transitional Justice and Decolonization." In *The Routledge International Handbook on Decolonizing Justice*, edited by Chris Cuneen; Antje Deckert; Amanda Porter, and Juan Tauri. and Robert Webb (pp. 402-412). Routledge.

Renzo, Massimo. 2019. "Why Colonialism Is Wrong." *Current Legal Problems* 72 (1): 347–373. <https://doi.org/10.1093/clp/cuz011>.

Rotberg, Robert I. 2000. "Truth Commissions and the Provision of Truth, Justice, and Reconciliation." In *Truth V. Justice: The Morality of Truth Commissions*, edited by I. Robert. Rotberg and Dennis Thompson (pp. 3-21). Princeton University Press.

Simpson, Leanne Betasamosake. 2017. *As We Have Always Done: Indigenous Freedom Through Radical Resistance*. University of Minnesota Press.

Tan, Kok-Chor. 2007. "Colonialism, Reparations and Global Justice." In *Reparations: Interdisciplinary Inquiries*, edited by Jon Miller and Rahul Kumar (pp. 280-306). Oxford University Press.

Teitel, Ruti G. 2003. "Transitional Justice Genealogy." *Harvard Human Rights Journal* 69 (16): 69–94. <https://doi.org/10.1093/acprof:oso/9780195394948.001.0001>.

UN Secretary General. 2004. *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies*. S/2004/616. UN Secretary-General.

Valentini, Laura. 2015. "On the Distinctive Procedural Wrong of Colonialism: On the Distinctive Procedural Wrong of Colonialism." *Philosophy and Public Affairs* 43 (4): 312–331. <https://doi.org/10.1111/papa.12057>.

Wietmarschen, Han van. 2018. "The Colonized and the Wrong of Colonialism." *Thought: A Journal of Philosophy* 7 (3): 170–178. <https://doi.org/10.1002/tht3.381>.

Wieviorka, Annette. 2006. *The Era of the Witness*. Translated by Jared Stark. Cornell University Press.

Winter, Stephen. 2014. *Transitional Justice in Established Democracies: A Political Theory*. Palgrave Macmillan.

Young, Iris Marion. 1990. *Justice and the Politics of Difference*. Princeton University Press.

Ypi, Lea. 2021. *Free: Coming of Age at the End of History*. Allen Lane.