Rechtskulturen

Forum Transregionale Studien

Recht im Kontext

Humboldt-Universität zu Berlin

Wissenschaftskolleg zu Berlin
INSTITUTE FOR ADVANCED STUDY

Rechtskulturen Colloquium

Mon 19 Dec 2011
18:00—20:00

The Rechtskulturen Colloquium meets monthly at Humboldt University Law School for a presentation and discussion of the Fellows' research projects.

Humboldt-Universität zu Berlin,
Juristische Fakultät, Room E 25,
Unter den Linden 9,
Berlin-Mitte

Rechtskulturen —
Confrontations Beyond Comparison

www.rechtskulturen.de

Domesticating the Word

Truth, endemic silence and the *articulations* of a violent past

Alejandro Castillejo Cuéllar
(Rechtskulturen Fellow)

Comments: Paul Bornkamm (Berlin) / Christian Tomuschat (Berlin)

This text explores the role that the *articulation* of a violent past has in reinforcing not only diverse forms of historical silence but also different ways of engaging the prospect of an *imagined new society.* In this sense, the paper mainly deals with these questions in a series of transitional scenarios (South Africa, Colombia, and to a lesser extent Peru) where testimonies of war were part of larger truth-seeking processes.

"Despite their differences (historically and sociologically), there is an element that they all share, a 'pattern that connects' them. In trying to apprehend the multiple dimensions of violence, the collective languages instituted by these initiatives may fail to render intelligible the structural dimensions that are at the root of conflict itself. I call these blind spots structural or endemic silences: a violence that is rendered invisible, in spite of its 'immediacy', at the very moment of its enunciation in language. Identifying these tensions in concrete contexts is essential for grasping how individual people and broader communities interconnect with larger historical processes in order to recreate a future." (Alejandro Castillejo Cuéllar)