

**The post-World War II trials and the reconstruction of European states**

Historians, sociologists, political scientists and various legal professionals have emphasized the paramount importance of Justice for the transitions from war to peace and the foundation of new regimes. During and immediately after WWII, the introduction of individual responsibility in international penal law led to a drastic blurring of limits between international and domestic law. The judicial and administrative purges conducted against collaborators with the occupier and against war criminals, together with the IMTs in the defeated states (Germany and Japan), became the main pillars of international penal and humanitarian law and led to what has often been described as a “juridification of war”. More so, the post-1945 judiciary purges could be considered as a process of a ‘judiciary reconstruction’ of Europe: taken together, they affected an unprecedented (and hitherto unmatched) number of countries and people.

Until now scholarly research on these judiciary transitions has focused, mainly, on either their effects on international Law or on their domestic, local character, largely understating their transnational dimension. However, the immediate post-war legal purges emerged as both an international and domestic question for each country and remained so down to the very end. In all cases, they were forms of retroactive justice, applied through a number of common norms suitably adapted in the various national contexts, and rendered by Extraordinary or Special Courts. In the first place, they emerged as a response to the multiple civil conflicts that burst out in the occupied territories. The criminalization of ‘*collaborators*’ and *war criminals* describes how, over and above the fair punishment of wrongdoers, the actual aim of such purges was to render official state justice as fast and efficiently as possible, in order to moderate emotions of revenge, to rehabilitate state authority and to lay the foundations of a new political order. The adventures of their implementation describe their subsequent adaptation to the camps of the Cold War that were being set up at the time.

In most cases, the internal purges settled the scores of internal conflicts (social, ethnic and political) which can be understood through the preceding thirty years of general crisis. Thus, the transnational aspect of those judicial procedures suggests an instructive viewpoint:

- (a) of the long and painful transition from multinational empires to the establishment of nation-states, especially in the Eastern/Central part of the continent;
- (b) of the judicial resolution of those conflicts and/or their accommodation into the new geographic and political divisions of the continent.

Inviting scholars who specialize in various national cases of post-war trials, the symposium seeks to combine recent research with the latest interpretations of Modern European history. In bringing together case studies from both sides of the continent, we thus seek to discern the ways in which justice had an active part in the formation of Cold War frontiers. In addition, identifying the (individual or collective) transnational actors and tracing the ways in which some shared legal norms were gradually adapted into different cultural contexts and legal traditions, will help us grasp a defining moment in the (trans-) formation of contemporary European legal culture, regarding issues such as national minorities, state boundaries, and the confines of political behavior.

These questions might form an agenda for research and/or for a larger conference on postwar transitions. The comparative study of those judicial rites of passage permits us to assess the role of justice in a broader historical perspective, reconsidering the dialectics of continuity and discontinuity as well as the impact of official political myths and narratives to the European collective memories.