

Transitional Victimization -

Collaborators' Offspring as Children at Risk.

Baard Herman Borge

School of Business and Economics, UiT Norway's Arctic University, Harstad, Norway.

Using transition theory from political science, this paper analyzes how the lives of children of Norwegians punished for collaboration with the German occupant were adversely influenced by transitional justice after the return to democracy in 1945. The paper highlights how the complexity and hectic character of such regime changes are associated with a high risk for unintended social outcomes, a risk that has received little attention in the study of transition processes. Findings indicate that in order to avoid harmful consequences for children, careful and long-term thinking is essential when new democracies select a transitional justice-strategy.

Keywords: Transitional justice, transitional victimization, collaborators' children.

Introduction

While it is commonly assumed that children suffer disproportionately both during armed conflicts (Shaw 2013) and under dictatorial regimes (Mazurana and Carlson 2010) it is less obvious that a successful transition to democracy also could lead to problems for children. In the following, I draw on modern transition theory, which among other things deals with practices that address injustices prior to regime change (Hoogenboom 2014; Elster 2004a), to show how decisions taken by a new democratic government may put vulnerable children at risk. Thus, the focus is not on ex-perpetrators and their victims but on long-term effects of a post-transitional legal process as experienced by their children.

The empirical case is taken from mid-20th century Norwegian history. During Germany's occupation of Norway 1940-45 around 55 000 joined Vidkun Quisling's collaborationist movement «Nasjonal Samling» (NS). As a result, they were commonly seen as traitors and in the post-war judicial settlement collectively penalized for treachery. As will be shown, transitional justice can be carried out in a number of ways, out of which each tendentially is associated with certain unintended outcomes. In this article, I demonstrate how the children of ex-collaborators in many ways and through various phases of their lives were negatively influenced by their family background. The empirical analysis is based on quantitative data collected through a survey in 2001 among 3761 Norwegians whose parents once were penalized for treason.

Following the empirical analysis, theoretical and political inferences from the study are presented. As to transition theory, several new concepts are introduced to label certain outcomes of transitional justice-decisions. With regard to practical implications, it will be argued that harmful social effects should be considered when a new or reestablished democracy decides how to handle those who supported the authoritarian regime. How can negative consequences for children, who themselves are innocent, be avoided without renouncing the need to deal with crimes committed in the past?

Historical background

After German troops had occupied important towns and military bases in Norway on April 9, 1940, Vidkun Quisling, a former Minister of Defence and leader of the small Fascist-like NS party, appeared in a radio broadcast as self-proclaimed head of state at the head of an NS government. Although Quisling had to resign after only a week due to the establishment of the German *Reichskommissariat*, his name had already become an international synonym for traitor (Andenæs 1998). Still, Quisling and the NS succeeded in September with German support to regain power. From then on, until the liberation on 8 May, 1945, the NS against the will of the majority of the people sought to reform society as stated in the party's authoritarian ideology (Borge 1998).

After the surrender of all German military forces in Norway, the allied victors and the reinstated legitimate authorities had complete military control and could freely decide what to do with citizens suspected of unlawful collaboration (Larsen 1998a). Thus, as soon as Quisling's regime had collapsed, a comprehensive judicial process was launched. Immediately, police and members of the resistance began to arrest NS-members all over the country. In the following months, more than 29 000 were detained in prisons and makeshift camps. According to Governments instructions, only active NS-members should be detained, but official guidelines were not always followed by the resistance movement. In relative numbers more suspected collaborators were interned in Norway than in any other liberated country (Jude 2007). Regardless of the final legal outcome for the individual detainee, the arrestation and the subsequent, often long-term internment put a burden on many families.

The legal settlement ("Rettsoppgjøret") with Quisling and all the NS-members had been prepared by the government-in-exile in London, in cooperation with the lawyers of the resistance movement ("Hjemmefronten") in occupied Norway. When returning from exile, the government brought a number of legally contested provisional statutes it had passed between January 1942 and May 1945. Especially important was the National Treason Act ("Landssvikanordningen") of December 12, 1944. The act, which was imposed retroactively and applied from 9 April 1940, also implied an element of collective punishment as the formal NS-membership was treated as an objective proof of guilt. Accordingly, any person who had joined the NS, even as a passive member, would be found guilty of

treason. The London statutes also introduced a series of new punitive reactions, such as unlimited fines, the loss of normal citizens' rights and a financial compensation that should be paid by all NS-members for the entire damage caused by the German occupation (Shammas 2016; Andenæs 1998; Borge 1998).

From 1945 to 1951, a total of 49 000, mainly former members of the NS, were penalized and labeled as traitors. Overall, 25 were executed and 17 000 imprisoned. The rest received fines, often in combination with a compensation payment or other sanctions (Andenæs 1998). Many were banned from public service or from practicing in certain professions. About one-seventh of all Norwegian families were affected by the legal process as family members were among the individuals against whom investigations were underway. The massive scale of the "Rettsoppgjøret", which is historically and internationally unique, resulted from the decision to hold every single political collaborator accountable. Unlike all the other countries that had been occupied by Germany there was no concept of the fellow traveler not eligible for punishment (Borge 1998).

Along with the penalties administered by courts and police officers former 'Quislings' also were sanctioned in less formal ways. Many had difficulties finding work, getting a bank loan, buying insurance or finding appropriate housing (Larsen 1998-b). Hence, ex-collaborators and their families were often socially marginalized and suffered a difficult existence in the postwar years. "The NS-members were placed at the back of all queues", as told by a male born in 1942 with reference to the post-war life of his own father (Jacobsen 2007). To many of their fellow citizens, individuals legally branded as traitors had disqualified themselves from the national community.

Transition theory

How can transition theory help us to understand the form of Norway's post-war settlement, and its social consequences? The wave of transitions from authoritarian to democratic rule in Southern Europe in the late 1970s and ensuing examples of democratization in other parts of the world led to the formulation of transition theory and renewed political science (O'Donnell and Schmitter 1986; Huntington 1991; Linz and Stepan 1996; Elster 2004-a). However, the concepts and insights of this relatively new area of research may also be applied to analyse regime changes that took place long before the theories in question were formulated. There are many parallels between the transitions in Western Europe after WWII, such as the one in Norway, and later waves of democratization (Larsen 1998-a).

One of the core perspectives associated with transition theory is that of transitional justice, which asks if victims should be compensated, and perpetrators prosecuted, and how the two separate

processes should be conducted. Here, I will focus on issues regarding perpetrators and others who supported the old regime. If they should be sanctioned, who among them, and not in the least how many, should be punished, what penalties should be given and what are the short- and long-term social consequences of various possible conclusions? Even though these questions are both scholarly interesting and important from a societal perspective as they have potentially wide ranging social consequences, up to now they have been practically neglected by transition theory and almost never been the subject of empirical studies (Borge 2012).

Historically, new democracies have chosen a wide range of solutions to the challenges raised by transitional justice (Kirchheimer 1995; van der Merwe et al 2009). When relating to their authoritarian predecessors new power holders can choose from a menu of options out of which some can also be combined. Basically, however, the successor regime may either start a criminal procedure against perpetrators (punitive justice) or refrain from doing so. If the new political authorities did not decide to start a penal process, they may instead either prioritize compensating victims (restorative justice), opt for 'public amnesia' or declare amnesty for crimes committed under the old regime. Another alternative, which since the 1990s has become common, is to establish a truth commission with a mandate to investigate and publish what happened in the past (Larsen 1998-a). A final option is 'lustration' (purification), which means to limit the legal process to the adoption of new laws that prevent the former regime's functionaries from working within certain sectors of society (Schwartz 1995; Williams 1999).

What makes democratic successor regimes decide on different transitional justice mechanisms, and how can one account for the peculiarities of the Norwegian case? In transitional justice-theory it is generally assumed that variation between countries reflects differences in context, most notably the form of transition to democracy and the power relations after a change of regimes has taken place. Typically, a transition caused by the collapse of a non-democratic regime will be followed by criminal prosecutions, while a negotiated transition, often formalized in one or more pacts, results in a truth commission (Larsen 1998a). This tendency is closely related to the balance of power at the time of transition. The combination of a de-legitimized fallen regime and a strong new democratic government willing to prosecute crimes of the past makes a comprehensive legal process very likely (Andreassen and Skaar 1998). However, if the outgoing regime is strong and demands amnesty or legal immunity, power relations constitute a decisive limitation for transitional justice. In such cases, prosecution can lead to threats of a coup d'état and so endanger the new democracy (Andreassen and Skaar 1998; Orentlicher 1995).

In Norway, a political elite controlled both the transition and the judicial process following the breakdown of Quisling's regime. On its return from exile the government enjoyed an outstandingly high legitimacy in public opinion and was determined to punish all members of the NS. So, in May 1945 when the NS disintegrated, the balance of power was in extreme favour of the new government. The situation at the time of liberation could therefore be seen as an archetypical example of conditions that in line with transition theory typically lead to a comprehensive criminal process against adherents of the old regime.

Another circumstance that contributed to the harsh punishment was the influence of the resistance movement over the provisional treason laws passed by the exiled government; a comprehensive and detailed body of law. In effect, an agreement was formed between the two parties on how to manage the legal process (Larsen 1998-a). The nature of the pact in all likelihood was unique to Norway. Repeatedly, the Ministry of Justice in London gave in to demands from the Home Front's judicial committee for tougher and more wide-reaching penalties, not in the least economic sanctions (Borge 2012). The outcome, a large-scale process with a wide range of penalties, fits well with transitional justice-theory. As for the social consequences of transitional justice, transition theory gives us fewer clues for predictions. There has also been limited empirical research on the effects of various transitional justice decisions (van der Merwe et al 2009). I nevertheless assume that the strict and extraordinary broad penal process, which – as argued above – must be understood in connection with the form of transition to democracy, came to have a negative influence on the lives of many children of NS members.

Hypotheses

As a point of departure for the empirical analysis of the impact of the transitional process which started in Norway in 1945 and the impact many of the actions had on the children in question five hypotheses about negative consequences within the individual's private sphere will be formulated. While the first three hypotheses describe supposedly typical characteristics at the group level, the other two point out likely causes of in-group variation. For the analysis of individual data I have used theories taken from psychology (Parker 1990), sociology (Goffmann 1963) and social psychology (Aronson 1996; Phelan et al 1998; Bjerke and Svebak 1997) which will be addressed in further detail below. These kind of theories are necessary tools when studying consequences that play out in the private arena, inside the individual's close circle.

In the first and main hypothesis (H1) I assume that most of the children who grew up after 1945 have had difficulties due to their parents' background. Thus, only a minority was able to escape negative ramifications altogether. Here, an underlying assumption is that the children's family background had

a negative impact in all the three areas researched, i.e. indirect stigmatization, psychological health and paternal relations. When a child's main provider, carer and object of identification in a multitude of ways is depowered by the government, and socially stigmatized, it seems likely that the child as a result often will meet problems (Borge 2012).

The assumption of a damaged relationship with the father is based on paternal bonding theory from psychology (Aronson 1996; Parker 1990). In some cases also the mother was a member of the NS, but this part of the analysis nevertheless focused on the role of the father since he normally either was the family's only or primary NS-member. For some of the children their fathers' NS-membership resulted in painful experiences which could have caused increased ambivalence towards him. Other children may have felt ashamed for having a father branded as traitor, and for that reason became more emotionally ambivalent vis-à-vis him (Aronson 1996). To validate this part of H1, I used a standard set of questions designed by psychologists, the Parental Bonding Instrument (PBI), to measure the quality of a person's parental relations in childhood as remembered by the adult person (Parker 1990), and compared my results with equivalent data on other Norwegians of the same age cohorts whose parents were active opponents of the NS during the occupation (Major 1996).

Turning to the mental health of the now adult children of collaborators, I expect to find a significant overfrequency of stress symptoms and reduced psychological well-being compared to the general population. The reason for that supposition is twofold. First, traumatic childhood experiences of bullying or isolation often result in depressive symptoms and reduced self-esteem later in life (Olweus 1994). Second, lack of intimacy with parents as explained in the previous paragraph also may increase one's risk for depression and other mental problems (Parker 1990).

As regards exposure to acts of discrimination outside the family environment, research has shown that a personal stigma sometimes, owing to so-called associative stigmatization, is transmitted to immediate family and others who stay in contact with a branded individual (Goffmann 1963; Phelan et al 1998). The stronger the negative social branding, the higher the risk that their children also are stigmatized (Östman and Kjellin 20002). The second hypothesis (H2) posits that discrimination have been enduring, as the childrens' parents for many years were neither forgotten nor forgiven by the broader society for having stood on 'the wrong side'. Public commemorations of the occupation period consistently associated both resistance and collaboration with absolute moral values, like faithfulness and betrayal (Eriksen 1995). Probably, a patriotic black-and-white history version of the war years has been even more durable in Norway than in other German-occupied countries (Grimnes 2009). For what in 1945 still was a young nation, an omnipresent basic story of 'the War' became important for the formation of a new national identity (Borge 1998). Thus, a

distinctive memory culture helped maintain the powerful traitor stigma dealt out by the judicial settlement.

A third hypothesis (H3) posits that social mechanisms to some extent can predict if and how a child encountered negative consequences. The fourth hypothesis (H4) suggests that the negative effects declined with the year of birth. Here I assume that children whose birth year was either before or during the war have been more exposed to all the negative social ramifications I analyze than individuals born after 1945. The basis for that hypothesis is that with increasing time distance to the legal settlement the social pressure on the children's families gradually was reduced.

The fifth and final hypothesis (H5) focuses on the importance of father's activities as an NS-member for the social consequences as experienced by his children. More than half of those sanctioned for their party affiliation had been passive members who often had joined for pragmatic reasons while the rest had been more or less active collaborators. Less than 9% of all the former NS-members were found guilty of serious deeds, such as denunciation, use of violence or participation in torture (Borge 2012). On the whole, active NS-members received prison sentences while passive members were fined (Andenæs 1998). I expect that the more serious the actions of a NS-member were, the graver were the consequences for his or her children. Thus, children of active NS-members were presumably more affected than where parents' membership was passive.

Methodology

361 Norwegians born between 1926 and 1960 completed a postal survey containing both closed and open questions. One third of the respondents was born before the war, one third in the 1940s and the rest later, almost all in the 1950s. Thus, at the time of the survey (2001), participants were in their forties, fifties or sixties.

Since there exists no list of all descendants of Norwegian NS-members for reasons of data protection, a statistically representative sample from this group cannot be drawn. However, the sample is not only large enough, but also diverse enough to draw some general conclusions from the results. Insofar as it is possible to verify the diversity of the sample with regard to age, gender and geography, it appears to be satisfactory. The regional distribution of respondents closely resembled that of the old NS-members, i.e with two thirds living in the southeastern part of Norway. Among the participants, one third was recruited through an informal network called "Vennetreff" (Gathering of friends) that has existed for around 20 years. The network has no official agenda other than providing a social meeting point. The rest volunteered after learning about the research project through various news media. Self-selection bias, which often implies that individuals with strong

opinions or a personal story to tell are overrepresented, cannot be ruled out (Jacobsen 2000). However, the way in which respondents had been recruited generally had little effect on the answers they provided in the survey (Borge 2014).

Similar recruitment procedures, such as snowball- and convenience sampling, are used in the majority of social science surveys where a stigmatized group is studied (Ringdal 2001). In the survey, adults were asked to answer questions about past events, some of which occurred decades ago. Forgetfulness as well as time shift, rationalization and error memory must therefore be taken into consideration, as always in investigations where respondents subjectively recall and process their memories (Kjelstadli 1992).

Survey findings

"Is it possible for a child not to notice and to feel that he is frowned upon and treated as a member of a pariah caste?" Former NS-member, husband and father, born 1898.

Where no reference is given, the following data are taken from the survey in 2001 (Borge 2001). To try out H1 we need to examine results in all the three areas studied, i.e. discrimination, relation to the father and mental well-being. As shown in table 1 below, a majority (57%) of the respondents told that they had been bullied, while 55 % had experienced problems at school or on their way to school (Borge 2012). The described difficulties were varied and ranged from social exclusion and various forms of physical harassment to more subtle forms of discrimination, such as never being invited to the birthday parties of classmates. Almost one in three (30%) had been discriminated by school teachers after 1945 (Borge 2010; 2012).

Table 1. Discrimination because of NS-parents.

	Question	% yes-answers
1	Were you bullied because of your parents?	57,5 (N=341)
2	Did you have problems at school or on the way to school?	55,1 (N=336)
3	Were you assumed to have rightwing political views?	36,3 (N=278)
4	Were you discriminated by teachers?	30 (N=320)
5	Were you asked to renounce your parents?	23,8 (N=323)

A quarter of the respondents (23,8%) stated that they had been urged as children to belittle their own parents. Also, one-third (36,3%) was occasionally confronted with the expectation that they would have right-wing extremist or National Socialist attitudes. To sum up, the percentages in table 1 strengthen H1. 48 % of the participants believed that there were situations where they could get into problems if others learned of their family background, as described here by a female teacher born in 1942: "It would be unthinkable for me to work at school if all my colleagues and students knew" (Borge 2016).

Also as predicted in H1, survey results pointed, as shown in table 2, to often high frequencies of various self-reported psychological stress symptoms such as shame, contact problems, sleeping difficulties, anxiety and depression.

Table 2. Self-reported stress symptoms. Percent “yes”-answers.

1 Concentration difficulties	26,7 (N=322)	11 Get upset very easily	21,4 (N=304)
2 Fatigue	25,2 (N=317)	12 Can not stand movies/TV about the war	25,9 (N=316)
3 Restlessness	30,4 (N=316)	13 Afraid of being found out	46,4 (N=336)
4 Dizziness	13,2 (N=304)	14 Afraid to take an open stand	30,2 (N=328)
5 Sleep difficulties	30,7 (N=316)	15 Distrust in other people	30 (N=320)
6 Nightmares about war and evil	21,8 (N=308)	16 Nervous problems	24,2 (N=326)
7 Contact problems	29,4 (N=310)	17 Alcohol or drug problems	7,7 (N=323)
8 Sadness or depression	48,1 (N=318)	18 Feeling powerless	31 (N=306)
9 Anxiety	33,9 (N=313)	19 Feel ashamed because of NS-parents	32,5 (N=332)
10 Irritability	27,0 (N=313)	20 Feel guilty because of NS-parents	24,8 (N=326)

Nearly one in two respondents (46, 4%) had felt fear of being found out as a child of former NS-members. As to anxiety and depression, their frequency in the group studied here can be compared to similar data from a large population survey of mental health problems in Norway, even if some children of NS-parents also may have been included in that study (Mykletun et al 2009). Whereas anxiety in the national population survey was reported by 25 % and depression by 20 % of the respondents, the corresponding percentages in the survey at hand were 33,8 and 46,4 respectively. Thus, both two stress symptoms were, in accordance with H1, significantly more frequent ($p < .01$) within the group surveyed here. However, the percentage that had received treatment for such problems was not higher than among Norwegians in general (children of former NS-members included) (Borge 2012; 2016).

When the survey data on paternal bonding in childhood were compared to the only available parallel data set on other Norwegians from the same age cohorts, i.e. children of concentration camp-prisoners and members of the resistance (Major 1996), the latter group more frequently remembered their paternal relationship as close and warm. As shown in table 3, children of NS-members scored their fathers lower on the care-dimension scale and higher on the control dimension scale.

Table 3. Paternal relations within two groups.

	Children of former NS-members (N=240)	Children of former KZ-camp prisoners and members of the resistance (N=292)	
Paternal care index (mean scores)	22,20	23,68	Both differences between the two groups' mean scores were significant at the 5-percent level (t-test).
Paternal control index (mean scores)	10,68	9,99	

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Given that an optimal bond with a parent is defined as a combination of high care and low control (Parker 1990), the results indicated as assumed in H1 that the father's NS-membership in many cases harmed his childrens' emotional bond to him and made their view of him more ambivalent. An alternative explanation for that finding would be that NS-fathers often had authoritarian personality traits, but the amount of variation in respondents' PBI-scores as well as many accounts of caring fathers contradict the latter assumption. A conclusion so far is that the first hypothesis (H1) was supported by the data. Although their life stories vary, a majority of the respondents seemingly have faced problems related to their parents' NS-past.

The next hypothesis (H2), about the duration of various adverse effects, was validated by comparing different age cohorts' answers to the questions that referred to various social consequences. Here, data showed a notable difference between the three researched topics.

Table 4. Frequency of problems within four age cohorts.

		Mean score on stigma-index 1-5	Mean number of stress symptoms (0-20)	Optimal paternal bonding (%)
Birth year	1926-1935	2,64 (N=53)	4,63 (N=86)	53,1 (N=49)
	1936-1945	1,74 (N=76)	5,28 (N=122)	36,1 (N=61)
	1946-1955	1,96 (N=76)	4,75 (N=115)	29,5 (N=78)
	1956-1960	1,14 (N=22)	5,18 (N=38)	37,9 (N=29)

With regard to stigma-related problems, a 5-point index was constructed based on the questions used in table 1. As the mean scores in table 4 demonstrate, the oldest respondents had more often been discriminated than the youngest. Apparently, acts of stigmatization, often at school or on the way to and from school, occurred frequently throughout the 1950s but gradually became less common. While participants born 1926-1935 on average had experienced 2,64 of the five problems, those born after 1955 only reported a mean score of 1,14.

Stress symptoms, on the other hand, were as frequent in younger as in older age cohorts. Thus, there was no significant correlation ($r = .041$) between age in 2001 and number of self-reported stress-symptoms. The data on paternal relations revealed yet another pattern, as shown in table 4 above. Among respondents born before 1936 more than on in two (53,1 %) had had an optimal paternal bond and thus proved much more likely than all the younger cohorts to describe a close relationship with their fathers. Even those who grew up many years after the war frequently developed a more fragile bond.

In conclusion, in accordance with H2 all the three problems seemed to have persevered for many years after the war, but while concrete discrimination of the children in due course decreased, their background continued to adversely affect their mental wellbeing and emotional bond with their fathers.

Some of the variation in likelihood for different problems could, as postulated in H3, be accounted for by means of social reinforcement mechanisms. Noteworthy effects, albeit not identical ones, were found in all the three researched areas. As regards discrimination, age cohort had as already demonstrated a substantial effect on the likelihood for such problems. Susceptibility for stress symptoms was, on the other hand, linked to respondents' attitude towards their own fathers' war-time choice. Those who took a more critical view also reported significantly more stress symptoms than the others, as illustrated in table 5.

Table 5. View of fathers war-time choice and mean number of stress symptoms.

	Mean number of stress symptoms (0-20)	
Critical of father's war time choice	8,37 (N=41)	Difference significant at the 1-percent level (t-test)
Less critical of father's war time choice	4,50 (N=297)	

A possible explanation in line with social psychology is that the individual's subjective evaluation of father's NS-past often was affected by the quality of his or her paternal bond, which in its turn normally correlates with mental health. Thus, the children who liked their own father were more likely to try and understand him, and less likely to condemn him, than if the bond was weak (Bjerke and Svebak 1997).

Concerning paternal relations, the odds for a close bond with the father decreased if there had been in-family conflict about father's NS-membership but increased if he had spoken openly about his past, as shown in table 6.

Table 6.

	Optimal paternal bond (%)	
Father's NS-past lead to conflicts at home	22,2 (N=153)	Correlation significant at the 1-percent level (r = ÷ .281).
Father's NS-past did not lead to conflicts at home	52,5 (N=153)	
Father talked about his NS-past	43,4 (N=217)	Correlation significant at the 1-percent level (r = -.244).
Father did not talk about his NS-past	14,3 (N=217)	

As shown, there were many differences between the cohorts but with the exception of tangible discrimination respondents born before 1945 were generally not, as anticipated in H4, more susceptible to the various negative effects. Thus, H4 was not supported by the data.

The last hypothesis (H5) also was falsified as children of passive party members were equally ~~exposed~~susceptible to negative consequences as children of active collaborators. In none of the researched areas a significant difference was found between, on the one hand, whether fathers were sentenced to prison or not, and on the other hand stigma-related problems , number of stress-symptoms or frequency of optimal paternal bonding reported by the adult children.

Table 7.

	Mean score on stigma-index 1-5	Mean number of stress symptoms (0-20)	Optimal paternal bonding (%)
Father sentenced to prison	2,0 (N=187)	4,81 (N=284)	40,4 (N=183)
Father only fined	1,98 (N=20)	4,86 (N=37)	28,6 (N=21)

A likely interpretation is that the NS-membership alone, which had been sufficient to be penalized for treason, was also enough to be socially stigmatized. Thus, even children of mere paper members often were indirectly affected.

By and large, the findings as anticipated suggest that a large share of the children have become victims of harmful side effects of the transitional justice process after the liberation. Hence, many of the individuals in question have lived more difficult lives as a result of something they themselves were neither responsible for nor had any control over. Almost certainly, some children were hit even harder than their parents, who as adults probably were more able to cope with negative social consequences. Seen as an example of a general phenomenon whereby transitional justice affects others than those penalized for their own actions, the experiences of the NS-members' children can be termed transitional victimization.

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Kommentert [EK1]: Es bleibt bei der Behauptung??

Kommentert [EK2]: Gibt es dafür in der (Sozial-)Psychologie Belege? Sind Erwachsene per se weniger verletzlich als Kinder?

Conclusion

Case studies of regime transitions teach us that they always create winners and losers, but also that who fills the respective roles will vary, depending on the nature of the transition and the contents of pacts closed between key actors. My reason for studying the children of NS-collaborators has been that they as a group, together with children fathered by German soldiers (Mochmann and Larsen 2008), in all likelihood were among the most adversely affected by the transition in Norway. Their experiences therefore offer insight into how transitional justice under certain circumstances affects individuals not targeted.

A good illustration of long-term social outcomes of the transition is to compare how selected categories within the war generation's offspring have fared in life. On that subject previous research points to a contrast between the children studied here and the offspring of individuals who were active in the resistance movement or sent to concentration camps during the war. Unlike the children of NS-members, Norwegians whose parents had stood on the 'right side' during the years of occupation overall appeared psychologically healthy and described good parental relations. Most also reported a general content with life (Major 1996). With parents hailed and respected by society, their family background in all probability was an advantage that I with another new term will characterize as transitional empowerment. Thus, while the social status of former resisters almost certainly had beneficial effects for their children, the traitor stigma of ex-collaborators, who were subjected to what I refer to as transitional depowerment, had detrimental effects on their offspring.

This study has a series of theoretical implications. First, it shows the limitations of transition theory, which tends to overlook social repercussions of transitional justice-decisions. Originally developed in the late 1980s based on the so-called third wave transitions of that era, i.e. the (re)birth of fragile democracies through negotiated settlements with authoritarian regimes, some of the theory's underlying assumptions do not necessarily fit all transitions to democracy (Hazan 2017). For example, the magnitude of a post-transitional criminal justice process, i.e. how many should be trialed, seldom is problematized, other than the observation that in many countries, owing to the power balance or other restricting conditions, too few are punished for crimes against humanity (Elster 2004-b).

However, the strong state authority needed to prosecute all human rights violations as well as any other offence also constitutes a potential source of power abuse (Zalaquett 1995; Huyse 1995). If new democracies that are not particularly restrained by circumstances choose to punish unreasonably many or breach legal principles, a transitional justice process even may create new unfairness that can be labelled transitional injustice (Borge 2012).

Another problem inherent in standard transition theory, also linked to the scope of transitional justice-processes, is a tendency to oversimplify the concept of collaboration under the old regime. In general, the field of transitional justice is replete with categorical dichotomies, of which resistance vs. collaboration, a typical 'good-vs.-bad' dichotomy, is but one example (Turner 2013). In real cases the boundary between the two choices of action seldom is clear-cut or easy to draw. An all-inclusive form of transitional justice that targets individuals far beyond the circle of individuals who are directly responsible for human rights abuses must handle a variety of borderline cases, which makes it problematic to find the right yardstick to impose sanctions (Kirchheimer 1995; Schwartz 1995).

Finally, this case study also has implications for political practice. After the downfall of an undemocratic regime some form of punitive process may be necessary to bring persons responsible for crimes to justice. Nevertheless, the question is how unintended consequences, above all transitional victimization of children and other innocent third parties, can be avoided or at least limited even under such circumstances. Post-transition situations in their very nature are complex or even chaotic and emotions tend to run high, as often expressed by demands for revenge against individuals identified with the old regime. Still, political leaders have a responsibility to think rationally and consider likely short- and long term consequences of each transitional justice-option carefully, even though decisions of this kind always are made under uncertainty (Borge 2012).

Based on the survey, and presuming that a different kind of judicial settlement with the NS after the transition in 1945 would have led to other consequences for the children, three pieces of advice seem appropriate for future transitions to democracy. First, transitional justice ought to focus on political leaders and actual perpetrators. Mass criminal processes as well as broad uses of lustration should be avoided, since both schemes have wide ranging destructive social ramifications. Second, governments should not attempt to depower individuals affected by transitional justice since that will also adversely impacts their nearest, including children. Instead, policies should further social reintegration once sentences are served. Third, the offspring of ex-collaborators are children at risk and may therefore need protection in the form of special measures in schools and elsewhere.

On all three counts, new or reborn democracies should distance themselves from the repressive practices of authoritarian regimes in their handling of alleged internal enemies. A contemporary example is Erdogan's Turkey, where 115 000 citizens have been banned from society as traitors after a failed military coup d'état on July 15 in 2016 (Puchot 2018). As always, a government-controlled stigmatization and depowerment of targeted citizens amount to transitional injustice and leads to victimization of families and children.

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