

The Broken Promise of Justice: Political Conflicts and the Special Court for Sierra Leone in the Aftermath of the Civil War

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It is common to picture international criminal justice as external to African politics and above the national legal systems. Proponents of international criminal justice hail the international criminal tribunals as stepping-stones to global order whilst the critics see them as agents of neo-colonialism and Western hegemony. Both sides ignore that the international tribunals have become part of African political arenas where intense battles over new national beginnings are fought.

The experience in Sierra Leone during the aftermath of the civil war exemplifies this well. In the volatile period following the unravelling of the Lomé-Agreement former leaders and commanders of armed groups tried to convert their military exploits into political and economic capital but most failed. They were thwarted by their political opponents who were able to outmanoeuvre and neutralise them. The establishment of the Special Court for Sierra Leone was a direct consequence of these conflicts and added a further dimension to them. A closer look at the court's genealogy and its impact on Sierra Leone's political landscape casts doubt on the court's claim to have contributed to peace and national reconciliation by doing justice. The experience in Sierra Leone shows that the international criminal tribunals are hardly detached from African political conflicts. On the contrary, they have been swiftly integrated into national political arenas where the criminalization of specific modes of warfare has had a considerable effect.