

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

GERHARD ANDERS

Department of Social & Cultural Anthropology
University of Zurich

INTRODUCTION

Africa has become a veritable laboratory of international criminal justice. The International Criminal Tribunal for Rwanda (ICTR) was established in 1994 to try the perpetrators of the Rwandan genocide and will soon finish its work. The Special Court for Sierra Leone was set up in 2002 as a new ‘hybrid’ international tribunal, combining national and international elements, to hold those accountable who ‘bear greatest responsibility’ for war crimes committed during Sierra Leone’s civil war. The establishment of the International Criminal Court (ICC) in 2002 as the first permanent international criminal tribunal has further institutionalised the criminalisation of specific modes of African politics and warfare. So far the ICC has concentrated on investigations in Africa and has conducted criminal investigations in Uganda, Congo-Kinshasa, the Central African Republic, Sudan and most recently Kenya. As a consequence, international criminal law has become a major influence on current African political debates and many an African politician can fear an indictment by the ICC.¹

It is yet unclear how African politicians and warlords will respond to this development, and opinions are divided between those who argue that criminal investigations thwart peace negotiations and those who hold the view that criminal justice will contribute to more sustainable peace and the rule of law in Africa. This case study from Sierra Leone investigates the various attempts of the leaders of the armed factions to convert their military strength into political office and material security after the end of the civil war. The establishment of the Special Court for Sierra Leone in 2002 added a new element to the region’s political topography, and the indictments against 12 leaders of the various armed factions and Charles Taylor, the Liberian president at the time, effectively thwarted the attempts of these men to convert their wartime exploits into political or economic capital during the transition from civil war to post-conflict order.

This paper investigates in detail the attempts of the leaders of the armed factions to find a place in Sierra Leone’s social and political order during the aftermath of the civil war. It clearly shows that national political actors continue to pose a most serious threat to former military big men’s attempts to convert their military strength into political office, social status and material security. The second part of the paper describes the trials of the two most important accused who stood trial before the Special Court for Sierra Leone: Sam Hinga Norman, former leader of the pro-government

¹ On the debate about transitional justice in Uganda, see Allen (2006). On the Special Court for Sierra Leone, see Kelsall (2009). On the ICC, see Clarke (2009). For general studies on the politics of international criminal justice, see Bass (2000), Clark & Kaufman (2009), Chuter (2003), Dembour & Kelly (2007), Peskin (2008) and Simpson (2007).

militia Civil Defence Forces (CDF) and cabinet minister between 1996 and 2003, and Charles Taylor, former rebel leader and Liberian president between 1997 and 2003.

FINDING A PLACE: THE AFTERMATH OF THE CIVIL WAR, 1999-2003

The main argument of this paper is that international criminal justice is a new influence on the transition from civil war to post-conflict order in Africa. Attempts to convert military strength into political authority and social status may fail due to the intervention of an international criminal tribunal. But international tribunals are of course by no means the only possible threat to the attempts of leaders of armed factions to find a place in post-conflict society, as the history of the Sierra Leonean conflict and its aftermath aptly illustrate.

The time between the signing of the Lomé peace agreement in June 1999 and the end of the civil war officially declared by President Kabbah in January 2002 was a highly volatile and sometimes violent transition period. During this time the leaders of the armed factions and tens of thousands of combatants tried to find a place for themselves in the post-conflict order. Some of the more educated RUF leaders, the ‘political wing’ (TRC 2004: 335), and the RUF leader Foday Sankoh joined the government headed by President Kabbah to form a government of national unity, one of the central provisions of the Lomé Agreement. By contrast, the RUF field commanders who controlled large swathes of the north and east of the country were reluctant to disarm the forces under their command because they feared losing the leverage it afforded them. At this point, their relationship with the political leadership in Freetown was strained and communications were poor. The political leaders around Foday Sankoh, in turn, had an interest in keeping the armed cadres as an alternative option and political leverage.

The reluctance of the RUF leadership to disarm led to several attacks on UN peacekeepers in the beginning of May 2000, and within a week more than 500 UN peacekeepers had been taken hostage. President Kabbah and Vice-President Berewa considered the attacks on the peacekeepers and a violent incident during a protest march in Freetown on 8 May 2000 violations of the Lomé Peace Agreement. As a consequence, they ordered the arrest of 180 suspected members of the RUF. The TRC report criticises Kabbah’s government for using the violent incident as a pretext to end the RUF’s participation in the government. The RUF ministers had already been arrested before the demonstration, on 7 May 2000, effectively dissolving the government of national unity even before the shooting on 8 May 2000. Members of the West Side Boys participated in these arrests, which neutralised the RUF leadership (Utas & Jörgel 2008: 502-503). Foday Sankoh was arrested on 17 May 2000 after having been in hiding for nine days. He had escaped during the shoot-out at his residence on 8 May 2000 during which 22 demonstrators and 15 people in Sankoh’s residence were killed (TRC 2004: 331- 447).

This turn of events effectively thwarted the attempts by some elements of the RUF leadership to convert their wartime exploits into political office. Most of the field commanders under the leadership of Issa Sesay, the RUF’s interim leader since May 2000, eventually agreed to resume disarmament after an agreement was signed between the government and the RUF in May 2001 (TRC 2004: 461). After the disarmament exercise had been completed in early 2002, many former commanders were able to

benefit for the moment from the disarmament, demobilisation and reintegration programme, including the Special Court's indictees Issa Sesay, Morris Kallon and Augustine Gbao. At the time of their arrest in March 2003, Sesay and Kallon were in the process of setting up fishery projects as part of community development initiatives whilst Gbao was running an agricultural development project in his home village in Kenema district.² Apparently, Sesay was also in negotiations with the Special Representative of the UN Secretary General Adeniji for a scholarship abroad before he was arrested at the Special Court's behest.³ In Sierra Leone, various leaders of armed factions have used this strategy to go abroad. For instance, the leaders of the National Provisional Ruling Council (NPRC) received scholarships to study in Britain and the US. For example, Valentine Strasser, the former head of state, studied at the University of Warwick and former NPRC strongman SAJ Musa received a UN grant to study at Birmingham University. Compared to the more ambitious attempt to convert the RUF's military strength into government positions after the Lomé Agreement, these efforts to carve out a niche for themselves in the post-conflict order are much more modest. Nevertheless, if they had succeeded in setting up their economic enterprises they would have turned from rebel commanders into respected members of the community with a relatively secure livelihood – not a small achievement in a society characterised by abject poverty and few economic opportunities.

The main objective of the renegade soldiers who had toppled the democratically elected government in May 1997 and formed the Armed Forces Revolutionary Council (AFRC) under the leadership of Major Johnny Paul Koroma was to be reinstated into the Sierra Leone Army (SLA). This was the main motive behind their attack on Freetown in January 1999⁴ and continued to be their primary objective after the Lomé Agreement (TRC 2004: 387). The AFRC had not been part of the negotiations in Lomé, and the leaders of the AFRC felt left out and marginalised. As a result, neither Johnny Paul Koroma nor any other AFRC commanders (except for Idrissa Hassan Kamara, aka Leatherboot, who had joined the RUF and formed part of the RUF delegation to Lomé) had been rewarded with positions in the government of national unity agreed upon in Lomé (TRC 2004: 342). Yet at a previous point, President Kabbah had appointed Johnny Paul Koroma Chairman of the Commission for the Consolidation of Peace (CCP), the body charged with overseeing the agreement's implementation, in a bid to 'engage Koroma in the peace process in the interests of national reconciliation' (TRC Report 2004: 343-4).

Many former AFRC fighters succeeded in filtering back into the SLA, which was being trained by the British, but many others including former commanders were less lucky and were still trying to join the army. The largest organised group of former soldiers were the West Side Boys in the Okra Hills east of Freetown. They consisted of former AFRC combatants who had established a base there after their attack on Freetown was repulsed by Nigerian troops in January 1999.⁵ The West Side Boys,

² News reports of 12 March 2003, www.sierra-leone.org/archives/slnews0303.html, accessed on 2 August 2010.

³ Interview with David Crane, 11 June 2008

⁴ Trial Chamber Judgement 20 June 2007 Prosecutor v. Brima, Kamara and Kanu, SCSL-04-16-T-613: 72.

⁵ Trial Chamber Judgement 20 June 2007 Prosecutor v. Brima, Kamara and Kanu, SCSL-04-16-T-613: 79.

under the leadership of Special Court indictee Bazzy Kamara and Hassan Bangura, aka Bombblast, professed allegiance to Johnny Paul Koroma and after Koroma was appointed Chairman of the CCP many of them joined him in Freetown where they acted as his bodyguards. In May 2000, this group acted as an auxiliary force to government troops fighting when the RUF advanced on Freetown after the violent incident at Sankoh's residence (TRC 2004: 384-389, 428, 459, Utas & Jörgel 2008: 503).

By attaching themselves to their patron Johnny Paul Koroma and assisting the government against the RUF, the West Side Boys wanted to show their loyalty to Kabbah's government. As a reward for their support they hoped to be reintegrated into the SLA (TRC 2004: 330-331). Koroma's and the West Side Boys' realignment in relation to the government paved the way for the leaders of the West Side Boys to rejoin the army or find employment as Koroma's bodyguards, as Utas and Jörgel (2008: 504) point out. A remnant group stayed in the Okra Hills and abducted a group of British soldiers in late August 2000. This group was largely destroyed during a British commando raid to free the hostages. At least 25 fighters were killed and 18 others, including their leader Foday Kallay, were arrested.⁶

Koroma had been instrumental in neutralising the RUF as a political force during the events in the beginning of May 2000 and emerged as a key player in the period between 2000 and 2003. In August 2000 he officially disbanded the AFRC and formed a political party, the Peace and Liberation Party (PLP). He was elected as a Member of Parliament for Wilberforce in Freetown, an area where many soldiers live, in the general elections of May 2002. In January 2003 some of his followers, including Alex Tamba Brima and Santigie Bobor Kanu, who were later indicted by the Special Court for war crimes, were arrested after a failed attack on an armoury in Freetown. Koroma was able to escape. He allegedly fled to Liberia where he was killed on orders of Charles Taylor, according to several prosecution witnesses in the trial against Charles Taylor. Taylor's defence lawyers have challenged this story and presented evidence contradicting the prosecution witnesses.⁷

Koroma's escape came just weeks before his indictment by the Special Court, and in spite of the rumours of his death he is still considered to be at large. There are many rumours about the reasons for the attack on the armoury and Koroma's subsequent escape, but in any case it seems he might have anticipated his indictment by the Special Court. As the leader of the AFRC he was one of the principal suspects and among the first nine persons indicted by the court on 7 March 2003 (the other eight were Foday Sankoh, Charles Taylor, Sam Bockarie, Alex Tamba Brima, Bazzy Kamara, Issa Sesay, Morris Kallon and Sam Hinga Norman).

By contrast, the leader of the Civil Defence Force (CDF), Sam Hinga Norman, then Minister of Internal Affairs, was very surprised when he was arrested on 10 March 2003 as he never expected to be indicted.⁸ The CDF was a pro-government militia that had fought against the rebels of the RUF and the renegade soldiers of the AFRC (Hoffman 2007) The militia was committed to re-establishing the democratically

⁶ Telegraph 17 September 2000, www.telegraph.co.uk/news/worldnews/europe/1355809/Fire-fight-in-the-Occra-Hills.html

⁷ Special Court for Sierra Leone, Defense Motion for Disclosure of Exculpatory Information relating to DCT-032, 24 September 2010.

⁸ Interview with David Crane in Utrecht, 11 June 2008.

elected government of President Kabbah. *CDF* was actually an umbrella term for several ethnic militias that had emerged during the early and mid 1990s to defend local communities from attacks by the RUF rebels and marauding government soldiers. The CDF leadership was heavily intertwined with the traditional chiefdom political structures, as Hoffman (2007) shows. The CDF mainly consisted of the Mende militias known as *kamajors*, an anglicised form of the Mende word for traditional hunter (Hoffman 2007: 642). After the Mende-dominated Sierra Leone People Party (SLPP) won the general elections in 1996, Norman emerged as leader of the *kamajors* and was appointed deputy Minister of Defence. In 2002 the SLPP won the general elections by an overwhelming majority of 70% and Norman was appointed Minister of Internal Affairs. According to some observers, Norman claimed a leadership role in the SLPP and was perceived by President Kabbah, a Northerner in a party dominated by Mende from the southeast, as a threat to his interests (Abraham 2003). His arrest in March 2003 effectively thwarted Norman's efforts to play a leading role in national politics as the following part will show in more detail.

Between 1997 and 2000 the CDF had fought against the RUF and AFRC and sometimes served as an auxiliary force for the West African peacekeeping force ECOMOG. After disarmament in 2002, many of its commanders set up development projects and NGOs or joined local politics as SLPP functionaries. Others sought office in the chiefdom administrations with which the *kamajors* and the other ethnic militias had been in close contact during the war. Hoffman notes in this respect that "rural Mende notables with no direct military role or official rank exerted a great deal of influence over the *kamajors* and the CDF" (2007: 660). Moinina Fofana, former 'Director of War' of the CDF and the second accused in the trial against CDF leaders, for example, was appointed Chiefdom Speaker, i.e. head of the Paramount Chief's administration, in his native chiefdom. His attempt to convert his high position in the CDF into political office, however, was thwarted by the prosecutors of the Special Court for Sierra Leone who ordered his arrest in June 2003. Allieu Kondewa, former *kamajor* 'High Priest' and third accused in the CDF trial, had returned to his home area where he operated as a herbalist in his native district before his arrest in June 2003.

Summarising the experiences of the various armed factions in the civil war in Sierra Leone, it is clear that the majority of their leaders and commanders strove to convert their military strength into political office or social status after disarmament. Some even succeeded, such as the former AFRC commander Idriss Kamara, aka Leatherboot, who had joined the RUF and served as minister in the short-lived government of unity. He was released soon after his arrest and in 2007 joined the leader of the All People Congress (APC), Ernest Bai Koroma, as head of security during the turbulent election campaign. After Koroma won the elections he appointed Kamara head of the presidential guard. Kamara was by no means the only ex-combatant who joined politicians in the run-up to the 2007 elections, as Christensen & Utas show (2008). Hassan Bangura, aka Bombblast, the former commander of the West Side Boys, joined the so-called task force of the SLPP (Christensen & Utas 2008: 12).

The attempts by the RUF political wing to convert the military exploits of the RUF in the government of national unity were not stopped by an outside intervention but rather by President Kabbah, Sam Hinga Norman and Johnny Paul Koroma, who used the violent incidents of May 2000 to remove the members of the RUF from the

political stage (TRC Report 2004: 448-453, Utas & Jörgel 2008: 502-505). The Special Court's establishment was a direct consequence of the developments in May 2000. In June 2000, the government of Sierra Leone sent a letter to the UN Secretary General requesting a special tribunal to try Foday Sankoh and other senior members of the RUF "for crimes against the people of Sierra Leone and for taking of UN peacekeepers as hostages" (UN 2000 Letter dated 9 August 2000 from the Permanent Representative of Sierra Leone to the UN addressed to the President of the Security Council S/2000/786: Annex). In August 2000 the UN Security Council passed Resolution 1315 authorising the establishment of the Special Court for Sierra Leone.

The events between 1999 and 2003 show that only a few big men were blocked from trying to find a place in post-conflict Sierra Leone through indictment by the Special Court for Sierra Leone. The reason for this is the limited mandate of the court, which is set up to hold accountable those "bearing greatest responsibility" for war crimes and crimes against humanity committed between 30 November 1996 and 2002 in Sierra Leone. As a consequence, only individuals with command authority faced prosecution before the Special Court. From the very beginning the court was designed to try only a relatively number of individuals. The number of individuals indicted was never intended to exceed 20 and amidst intense speculation David Crane, the court's first Chief Prosecutor, issued nine indictments in March 2003, about six months after his arrival in Freetown. In the following months only four further indictments followed, bringing the total number of indictments to 13. In 2003 two indictments were withdrawn: that against Foday Sankoh after his death in custody on 29 July 2003 and that against Sam Bockarie after his death had been confirmed in May 2003. The trial against Sam Hinga Norman, Fofana and Kondewa, the alleged leaders of the CDF, commenced in June 2004 and the trial against the three RUF leaders Sesay, Kallon and Gbao in July 2004. The trial against three leaders of the AFRC commenced a year later due to financial constraints.

By contrast, the overwhelming majority of combatants benefited from a general amnesty agreed upon in the Lomé Accord. Article IX of the agreement granted "absolute and free pardon and reprieve to all combatants and collaborators in respect of anything done by them in pursuit of their objectives", up to the time of the signing of the agreement. This clause had been a key demand by the RUF delegation during the negotiations in Lomé as they feared prosecution for the crimes they had committed. After the violent events in May 2000, however, the SLPP government led by President Kabbah changed its position on the amnesty and sent a letter requesting the UN's support for a special court "to try and bring to credible justice those members of the Revolutionary United Front (RUF) and their accomplices responsible for committing crimes against the people of Sierra Leone and for the taking of United Nations peacekeepers as hostages" because the RUF had "since reneged on that Agreement". The UN Security Council responded with Resolution 1315, instructing the Secretary General to negotiate an agreement with the government of Sierra Leone to set up the Special Court. Resolution 1315 took notice of a disclaimer added by the Special Representative of the Secretary-General to his signature on the Lomé Agreement that the amnesty provision would not apply to "international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law" (Report of the Secretary-General on the establishment of a Special Court for Sierra

Leone S/2000/915: 5). Subsequently, this provision was included in the Special Court's statute (Art. X) and confirmed by the court's appeals chamber in a decision on defence submissions challenging the court's jurisdiction (SCSL Appeals Chamber Decision on Challenge to Jurisdiction: Lomé Accord Amnesty, 13 March 2004).

The persons indicted by the Special Court for war crimes and crimes against humanity were not the only former combatants who were arrested and prosecuted. Between 2000 and 2003 the Sierra Leone authorities arrested hundreds of members of the RUF, the AFRC and the West Side Boys. In May 2000, the national authorities arrested several hundred members of the RUF under emergency legislation (Amnesty International 2001). In March 2002, the public prosecutor's office charged Sankoh and 60 RUF members with the murder of the protesters who were killed during the violent incident on 8 May 2000 at Sankoh's compound in Freetown whilst the other detainees were released. Members of the West Side Boys and the AFRC were also arrested between 2000 and 2003. In September 2000, a group of West Side Boys was arrested in the wake of a British commando raid to free British soldiers who had been taken hostage. Thirty-eight of them were charged with murder, conspiracy to murder and aggravated robbery. Following the attempted attack on an armoury near Freetown in January 2003 about 80 persons, mainly former members of the AFRC and West Side Boys, were arrested. Among them were Alex Tamba Brima, Bazzy Kamara and Santigie Borbor Kanu, former members of the West Side Boys and the AFRC, who were transferred to the Special Court after they had been indicted for war crimes. The public prosecutor charged 17 of them with treason (Amnesty International 2004). In December 2004, the High Court found 11 of them guilty, passing ten death sentences and one of ten years' imprisonment. In December 2008 the Court of Appeals overturned the convictions and acquitted the accused who had been found guilty by the High Court because of lack of evidence. In March 2006 the trials against 57 former members of the RUF and 31 former members of the West Side Boys were finally concluded. The High Court acquitted 42 accused and found 26 guilty, passing prison sentences of up to ten years. In the trial against the West Side Boys, 25 accused were acquitted and six sentenced to life imprisonment (Amnesty International 2007). The manner in which the government handled the detentions and trials provoked protests from Amnesty International and other human rights groups (Amnesty International 2003). It also contributed to a widespread sense of being treated unfairly prevalent among the former members of the RUF, AFRC and West Side Boys.

The experience of former leaders of armed factions who attempted to find a place in Sierra Leone's post-conflict society between 1999 and 2003 has been mixed. Part of the leadership of the RUF and the AFRC was caught up in the arrests of hundreds of members of the RUF and AFRC by the national authorities. Many were held for years without being charged and without access to legal representation. The trials against the members of the RUF, AFRC and West Side Boys were characterised by massive violations of fair trial rights and dragged on for more than four years. However, the leadership of the RUF and AFRC was only marginally affected by these arrests, which were carried out in a chaotic and unfocused manner. Most of the people detained were members of the rank and file, with the notable exceptions of Foday Sankoh, former RUF ministers Mike Lamin and Idriss Kamara, aka Leatherboot, former RUF spokesman Gibril Massaquoi and senior RUF commander Isaac Mongor. Unlike

the ordinary combatants Lamin, Kamara and Massaquoi were soon released from prison. Mongor was released in 2004. Massaquoi and Mongor chose a different strategy to use their pasts to their advantage and appeared as witnesses for the prosecution in trials before the Special Court.⁹ In 2003, the Special Court indicted a number of persons who had been comparatively successful in converting their military strength into political influence. Sam Hinga Norman was most successful. He had been Deputy Defence Minister between 1996 and 2002 and was appointed Minister of the Interior in 2002. Johnny Paul Koroma had also been fairly successful. In a surprising move by Kabbah, he had been appointed Chairman of the Commission for the Consolidation of Peace and emerged as a key figure in securing Kabbah's success during the violent phase in May 2000. Then he launched a political career, setting up the PLP and winning a seat in parliament in the 2002 elections by drawing on the strong support he enjoyed from the army. In Norman's case the indictment of the Special Court was directly responsible for the end of his political career. Koroma, on the other hand, was wanted by the national authorities in connection with the failed attack on the armoury in Wellington. The indictment by the Special Court only sealed the end of his political ambitions in Sierra Leone.

In contrast, the former leaders of the RUF had already been marginalised following the events in May 2000. Sankoh was already facing trial in the High Court but Sesay, Kallon and Gbao had avoided the wave of arrests by the national authorities in 2000. They had given up on acquiring political authority and had their sights set on a much more realistic and modest objective. Like tens of thousands of former combatants they participated in the disarmament, demobilisation and reintegration process, but it would be wrong to underestimate their achievement. Unlike thousands of their former followers they were in charge of development projects and were important big men in the communities where they ran the projects financed by the DDR programme. Becoming a respected community leader with a regular income is not a small achievement in Sierra Leone, where the overwhelming majority of the population lives in abject poverty. Their indictments by the Special Court, however, thwarted their attempts to become big men in their communities. The same applies to Fofana, who was appointed chiefdom speaker, and Kondewa, who continued to practise as a healer. With regard to the three former leaders of the AFRC who stood trial before the Special Court, it is more difficult to assess their ambitions but it seems that they had hoped for the protection of their patron Johnny Paul Koroma in their attempts to find a place in the new political order.

NORMAN AND TAYLOR – AFRICAN BIG MEN IN THE DOCK

⁹ Mongor and Massaquoi benefited from a generous witness protection programme. The court's Witness and Victim Service had spent US \$4800 over the period of a year to support Mongor and his family. The court paid for Mongor's rent, food, medical and childcare expenses, mobile telephones, top-up cards for the mobile phones and travels within Sierra Leone. During cross-examination Mongor claimed that these payments only covered expenses he would have paid out of his own pocket (transcripts Taylor trial 7 April 2008). It is unlikely, however, that Mongor would have been in a position to spend US \$4800 a year. For anyone familiar with the situation in Sierra Leone, a total payment of US \$4800 over a year suggests a much more luxurious lifestyle than that enjoyed by the overwhelming majority of the population. The court's support was doubtless a highly attractive offer for Mongor, who had spent four years in Pademba Road Central Prison without being charged.

In Freetown the court heard three trials, all of which are now concluded. Except for Norman, who died in custody, and Taylor, who is still standing trial at the time of writing, all accused were found guilty and are serving their prison sentences in Rwanda. The trial against the three remaining leaders of the RUF began in July 2004. The prosecution concluded its case in August 2006 and the defence at the end of June 2008. On 25 February the trial chamber found Sesay and Kallon guilty on 16 counts and Gbao on 14 counts. Sesay was sentenced to 52 years, Kallon to 40 years and Gbao to 25 years. In a decision delivered on 26 October, the Appeals Chamber upheld these convictions. The trial against three leaders of the AFRC, Alex Tamba Brima (first accused), Brima Bazzy Kamara (second accused) and Santigie Borbor Kanu (third accused) started in March 2005. The prosecution concluded its case in November 2005 after calling 59 witnesses. The defence opened its case in June 2006 and concluded its case end of October 2006 after calling 87 witnesses. The trial chamber delivered the judgement on 20 June 2007 and convicted the accused on 11 counts. Brima was sentenced to 50 years, Kamara to 45 years and Kanu to 50 years. The convictions were upheld by the court's appeals chamber. The trial against three CDF leaders, Sam Hinga Norman (first accused), Moinina Fofana (second accused) and Allieu Kondewa (third accused) began in June 2004. The prosecution concluded its case in July 2005 after calling 75 witnesses. The defence called 44 witnesses and concluded its case in October 2006. The first accused died while undergoing medical treatment in Dakar, Senegal, on 22 February 2007. On 2 August 2007 the trial chamber found the remaining two accused guilty on four counts and sentenced them to six and eight years including time served. The appeals chamber overturned these convictions and sentenced Fofana to 15 years and Kondewa to 20 years.

This part concentrates on Sam Hinga Norman and Charles Taylor, the two most senior big men who stood trial before the Special Court. They were most successful in converting military strength into political influence. Prior to Taylor's arrest, Norman was the most senior big man so to speak, charged with war crimes, before the Special Court. He was much older than the other accused and had already achieved a social position commanding considerable respect. Sam Hinga Norman was born in 1940 and belonged to the lower echelons of the Mende political elite in the system of indirect rule established by the British colonial power after declaring southeast Sierra Leone a protectorate in 1896. After independence in 1961 the Mende-speaking areas in southeast Sierra Leone aligned themselves with the SLPP, the ruling party until 1967. Norman joined the army in 1959 and served until 1972, ascending to the rank of captain. In 1966 he obtained a diploma from an officers' school in Britain. In 1967 he held the rank of lieutenant and served as aide-de-camp to the Governor General. In this capacity he was involved in a coup led by the Force Commander, also a Mende. He was arrested after a counter-coup in 1968, tried for treason and imprisoned until 1972. After his release he went to Liberia where he remained in exile until the political climate changed. In 1989 Norman returned to Sierra Leone and was appointed Chiefdom Speaker of Valunia Chiefdom. In 1994 he became Regent Chief in Jamaia Bongor chiefdom in eastern Sierra Leone.¹⁰ When the attacks of the RUF intensified during the early 1990s Norman

¹⁰ A Regent Chief acts as Paramount Chief after the death of a Paramount Chief until a new Paramount Chief takes office.

became involved in organising the *kamajor* self-defence groups, soon adopting a leadership role due to his skills as chieftom politician and military officer.

The 1996 elections were won by the SLPP and the new president, Kabbah, appointed Norman Deputy Minister of Defence and in this capacity Norman continued to direct the CDF forces against the RUF and later the AFRC. After the end of the war Kabbah was re-elected president and appointed Norman Minister of the Interior. At the time Norman was a national icon, considered by many to be a hero who defended the country against the RUF and the AFRC. It was generally believed that Norman, who had a strained relationship with President Kabbah, had set his sights on the presidency but his political career ended abruptly when the prosecutor of the Special Court ordered his arrest.

Charles Taylor, former warlord and president of Liberia between 1997 and 2003, is the most prominent accused facing trial before the Special Court. He has an elite social background and enjoyed tertiary education in the US. His family is descended from the Americo-Liberians, freed slaves from the US who settled on the coast of Liberia in the 19th century. At first it appeared that Taylor had successfully converted his military strength into political authority when he was elected president in the 1997 elections, but he soon came under growing international and domestic pressure. International pressure on Taylor had been building up since 1999 (Utas 2003: 251-258). The US and Britain accused him of supporting the rebels in Sierra Leone, exchanging arms for diamonds (Smillie, Gberie & Hazleton 2000), and of ties with criminal gangs and terrorist networks. By June 2003 two rebel groups, Liberians United for Reconciliation for Democracy (LURD) and Movement for Democracy in Liberia (MODEL), had pushed back Taylor's forces and laid siege to Monrovia where Taylor was holed up. When the prosecutor of the Special Court, David Crane, unsealed the indictment against Taylor in June 2003 while Taylor was attending a peace conference in Accra, the pressure on him increased. According to representatives of ECOWAS, this move derailed the peace process in Liberia and prolonged the fighting and suffering of the civilian population. Taylor finally stepped down in August 2003 and left the country for Nigeria, where he had been offered asylum.

It is important to note that he was not indicted for war crimes committed in Liberia but for war crimes committed in Sierra Leone by the rebels of the RUF and the AFRC, whom he was accused of supporting – especially by the US and Britain.¹¹ Taylor went into exile in Nigeria but in March 2006 the pressure on Obasanjo had become too great and he finally declared that Taylor would be extradited. Taylor tried to leave Nigeria but was arrested on the Nigerian-Cameroonian border.¹² At first he was detained in Freetown, but due to security concerns was moved to the Netherlands in June 2006 where the trial was to be heard. Taylor still commanded considerable respect in Liberia and Sierra Leone, and it was feared that a trial in Freetown could affect the stability of Liberia and Sierra Leone. Like Norman, Taylor is a big man who had

¹¹ The US and Britain had been promoting sanctions against Liberia since 1999 accusing him of ties to Gaddafi, terrorist networks and criminal gangs. He allegedly supported the RUF and AFRC in neighbouring Sierra Leone to gain control over the diamond-mining areas in the East. This is also at the heart of the indictment against Taylor.

¹² According to the prosecution, Taylor tried to escape when he was arrested at a border post in Northern Nigeria. Taylor disputed this in his testimony on 10 November 2009, claiming he had merely wanted to visit his 'friend' Idriss Deby, president of Chad.

already successfully converted his military strength into political office but his violent past became a liability when the prosecutor of the Special Court charged him with war crimes and crimes against humanity.

Norman was among the first indictees to be arrested in March 2003 during Operation Justice and the trial against him and two other senior members of the CDF, Moinina Fofana and Allieu Kondewa, commenced in June 2004. The prosecution concluded its case in July 2005 and the defence its case in October 2006. After Norman's death on 22 February 2007 all legal proceedings against him were terminated. On 2 August 2007 the trial chamber found the remaining two accused guilty on four counts and sentenced them to six and eight years including time served. The appeals chamber overturned these convictions and sentenced Fofana to 15 years and Kondewa to 20 years. They are currently serving their sentences at a detention facility in Rwanda.

Taylor's trial commenced in June 2004 in The Hague but was delayed after he dismissed the lawyer representing him because of the inadequate resources made available for his defence. A new defence team with much more substantial financial resources was subsequently appointed by the court's registrar and the trial recommenced in January 2008. The prosecution called 91 witnesses, including 31 insider witnesses, and concluded its case in February 2009. The defence case started in July 2009 and called Taylor as first witness. Taylor spent more than five months on the witness stand. After he concluded his testimony in February 2010 the defence called 20 witnesses and closed its case in September 2010.

Initially, both Norman and Taylor followed the standard response of all accused in political trials since Charles I: They pleaded not guilty and refused to recognise the court's authority to put them on trial. This is a common strategy of accused persons and was attempted to varying degrees by all accused before the Special Court. However, drawing on their elite background and their skills as senior big men, Norman and Taylor mounted the most sustained attacks on the court's legitimacy.

Norman had denied the court's jurisdiction since his arrest in March 2003 and had even briefly held a hunger strike in a publicity stunt in May 2003. At the beginning of the first two trials in 2004, Norman was the most prominent accused in the court's custody. For many Sierra Leoneans he was a national hero rather than a war criminal, and his arrest provoked many critical comments across the country. To general surprise, Norman dismissed his defence team at the opening of the trial on 3 June 2004 and demanded to represent himself. The bench granted Norman the right to self-representation and appointed stand-by counsel to assist him in his defence. But a few weeks into the trial Norman decided to boycott the proceedings because he argued that his fair trial rights were being violated when witnesses were allowed to testify anonymously, shielded from the public. In response, the judges revoked Norman's right to self-representation and appointed a lawyer to represent him.

After the prosecutors had read their opening statement, charging him with eight counts of war crimes and crimes against humanity, Norman decided to make his defence statement. This was highly unusual because the defence would normally make its statement after the end of the prosecution's case and before calling witnesses to testify in defence of the accused. In his brief opening statement on 15 June 2004, which lasted barely ten minutes, he presented himself as an honourable and loyal warrior who speaks the truth and does not need to rely on lawyers' tricks. Norman argued that "there

is or are no charge or charges legally placed before this chamber against me”, because according to him the Special Court was unconstitutional and lacked jurisdiction. The public gallery was packed with his supporters, who responded to this statement with cheers. The judges warned them that “this is not a political forum” and adjourned for 30 minutes. After this interruption the trial resumed. During the first weeks the public gallery was packed with his supporters. Throughout his trial Norman tried to exercise his influence¹³, but popular support quickly waned after the initial flurry of excitement. The trial was a tedious and protracted affair and had not been concluded when Norman died while undergoing surgery at a military hospital in Senegal in February 2007 (SCSL 2007).

During the first weeks of the trial Norman was defiant. He continued to deny the court’s legitimacy but also participated in cross-examining prosecution witnesses. To this end the court provided him with extra resources, including a computer and a printer.¹⁴ During the cross-examination of witnesses he knew personally, he tried to insert the patron-client relationship that once existed between them into the courtroom. For example, on 15 June 2004 he cross-examined the first prosecution witness who testified under protective measures. Norman addressed the witness by his Mende nickname which indicated the witness’s lower social rank, and reminded him that “you and I know each other very well”. When asked by Norman whether he was good or bad, the witness conceded that “when you were chief you didn’t do bad”.¹⁵ He followed the same tactic during the cross-examination of another witness whom he addressed as his son. This witness had belonged to a group of children freed from the RUF. Norman had paid his school fees and went to great lengths to try to invoke the personal relationship that existed between them in the courtroom but the judges soon interrupted him.¹⁶ In this context, it is noteworthy that Norman conducted his defence in English, a clear marker of his high social status as a person who ‘knows book’, the vernacular for an educated person. These attempts at instantiating his position as big man or ‘papay’ in the courtroom were thwarted by the judges, who repeatedly interrupted him and ordered him to limit himself to questions directly related to the charges in the indictment. By September 2004 Norman was so frustrated that he refused to participate further in courtroom proceedings and left his defence to his lawyers.

¹³ During his trial Norman made three attempts to intervene directly in national politics. In October 2003 the TRC filed a request with the Special Court to take a public statement from Sam Hinga Norman. As it turned out, Norman had asked the TRC to make a public statement to bring his side of the story to a wider audience. The court’s registrar refused, citing concerns that Norman might incriminate himself in a public statement. This led to a heated exchange between the court and the TRC. Eventually the registrar offered to allow the members of the commission to visit Norman at the court’s detention centre and take a statement there, but this was found inadequate by the TRC (Nesbitt 2007). In 2005 Norman wanted to participate in elections for SLPP leadership but again his request was denied, and in 2006 he reportedly left the SLPP and joined another party. But whilst the first intervention in 2005 stirred the national political landscape the second intervention was barely noticed. By the end of 2006 Norman’s trial did not generate much interest in Sierra Leone and even in the south and east of the country he was no longer a force to be reckoned with.

¹⁴ Decision on Request by Samuel Hinga Norman for Additional Resources to Prepare his Defence, 23 June 2004

¹⁵ Transcripts CDF trial 15 June 2004.

¹⁶ Transcripts CDF trial 15 June 2004.

In January 2006 Norman returned to the courtroom in a last attempt to get his perspective across. He took the witness stand as first defence witness and testified for several days. In his testimony he presented himself as loyal soldier who only sought to re-establish the elected government and said he did not have a hidden, criminal agenda. During his testimony, the public gallery was almost filled to capacity for the first time since the beginning of the trial in June 2004. Most of the onlookers were Norman's followers who had come to support their former leader. General interest was much lower than in 2004, however, and most people in Freetown did not seem to take much interest in the trial. It was clear that Norman's appeal to the general public was on the wane due to his detention and inability to intervene in national politics.

The same can be observed with regard to Charles Taylor, who epitomises the African big man in the dock. Many analysts considered Taylor to be the personification of a new generation of African political entrepreneurs who straddled the spheres of the formal and informal, the legitimate and the criminal, to create a 'shadow state' (Reno 1999). Taylor's arrest in March 2006 marked his complete removal from Liberia's political landscape. As a consequence, his influence in Liberia has been steadily declining since his arrest but he still commands considerable respect, as I learned during fieldwork in 2008 and 2009. Both his advocates and opponents agree that he would be a formidable contender for the presidency if he were to return to Liberia.

Taylor also challenged the Special Court's jurisdiction, arguing that he had enjoyed immunity of head of state when the indictment against him was unsealed in June 2003. His lawyer filed an appeal in September 2003, but on 31 May 2004 the appeals chamber ruled that immunity was not a bar to prosecution when the indictment was unsealed and that he could therefore be tried for war crimes and crimes against humanity. Although the appeals chamber rejected his motion, Taylor has been more successful in dealing with the legal challenge than Norman was. Norman had been out of his depth after his arrest and clearly underestimated the magnitude of the trial against him. He did not anticipate the sheer length of the trial and his defence had run out of steam just three months after it had begun, by the end of September 2004, when he decided to boycott the courtroom proceedings. Norman had been taken by complete surprise as he was arrested on the day his indictment was unsealed and could not plan ahead for his defence before his arrest. By contrast, Taylor had three years to observe proceedings before the Special Court. Consequently, he was in a position to assess the scale of the trials and to be prepared.

Taylor proved much more apt than Norman at achieving his aims. During his initial appearance on 3 April 2006 he was declared indigent, which meant that the court would pay for his defence. Taylor's lawyer at the time, Karim Khan, had complained of insufficient resources for the defence team but his demands were rejected by the court's registrar. After months of haggling that culminated in his boycott of the opening of the trial and the dismissal of Karim Khan at a dramatic hearing on 4 June 2007, the court grudgingly gave in to his demands for more experienced defence counsel and allocated US \$ 100,000 per month to his defence team.¹⁷ The new lawyer, Courtenay Griffiths, was an experienced criminal lawyer and Queen's Counsel from Britain, and was aided

¹⁷ A considerable increase compared to the US \$25,000 paid per month to the other defence teams in Freetown, who all considered this amount to be insufficient (personal communication with members of defence teams).

by two co-counsels, three assistants and three investigators. The trial chamber granted the new defence team extra time to prepare its case and the trial started in January 2008. Between January 2008 and February 2009 the prosecution called 91 witnesses, including about 30 insiders who testified about the alleged links between Taylor and the rebels in Sierra Leone.

The defence case started in July 2009 and Taylor was called as the first defence witness. He testified for 12 weeks and finished his testimony in November 2009. Cross-examination lasted eight weeks and was concluded on 5 February 2010.¹⁸ Then followed a few days of re-examination by Taylor's defence counsel. Including cross-examination and re-examination, Taylor spent a total of more than five months on the witness stand, an unprecedented feat in the history of international criminal justice.

Taylor started his testimony with a flat denial of the charges and instead accused the prosecution of conducting a campaign of "disinformation, misinformation, lies, rumours".¹⁹ With a booming voice, resembling a preacher, he denied being a rapist, murderer or terrorist. He visibly enjoyed the opportunity to tell his side of the story after more than three years in detention and having listened to 91 prosecution witnesses who spread a "whole pack of lies", as he charged on 15 July 2009. Even here, in the sterile courtroom on the outskirts of The Hague, it was possible to observe the *modus operandi* of a charismatic African big man. Upon taking the witness stand he immediately set out to forge personal relationships with all participants in a courtroom drama with himself as central character. With a keen eye for hierarchies he addressed the judges by name, adopting a deferential and respectful demeanour towards them, often stating that he merely wanted to 'help' them find the truth. In contrast, towards the prosecutors conducting the cross-examination Taylor adopted an arrogant attitude, accusing them of misleading the judges and refusing to take orders from them. Nothing escaped his attention and he was always abreast of developments in and outside the courtroom. For example, on the day Chief Prosecutor Stephen Rapp was confirmed as the new US Ambassador-at-Large for War Crimes Taylor congratulated him on his new appointment.

During the 12 weeks of his testimony, Taylor told an alternative story in which he appeared as the victim of an Anglo-American conspiracy. According to Taylor, the Special Court's chief prosecutors, all of whom happen to be American or British nationals,²⁰ acted as proxies on orders from the US government to permanently remove him from the Liberian political arena and install Ellen Johnson-Sirleaf as president in his stead. He presented himself as a trained economist who had only the best intentions for his country. Taylor praised Gaddafi as a fellow Pan-Africanist and in his narrative it

¹⁸ Interrupted by a recess of one month between 11 December and 10 January 2010.

¹⁹ Transcripts Taylor trial 14 July 2009.

²⁰ David Crane, a former Pentagon lawyer, served as the court's first Chief Prosecutor between 2002 and 2005. Sir Desmond de Silva, a British barrister, who had served as the court's Deputy Prosecutor, succeeded Crane. He was succeeded in December 2006 by Stephen Rapp, an American lawyer and former US Attorney in Iowa who had served as prosecutor at the ICTR. In September 2009 Rapp was appointed US Ambassador-at-Large for War Crimes and was succeeded by Brenda Hollis, a former US Air Force lawyer who had served as trial attorney in the Tadic trial heard before the International Criminal Tribunal for the Former Yugoslavia and as expert for the Special Court's Office of the Prosecutor.

was only Pan-Africanism that had brought him to Libya where his group had received training.

He dwelt at length on his presidency between 1997 and 2003, presenting himself as regional peace broker who had nothing to gain by supporting rebels in neighbouring Sierra Leone and who was simply too busy “running a government”.²¹ Courtenay Griffiths quoted extensively from speeches and communiqués to show that Taylor was a legitimate head of state elected in free and fair elections who respected the rule of law. When testifying about the first years of his presidency, Taylor was visibly proud to have rubbed shoulders with world leaders. At times he would create the atmosphere of an intimate gathering where a former head of state granted his listeners a glimpse into the internal workings of international diplomacy usually veiled from the public’s gaze.

During his weeks on the witness stand, Taylor dissected the testimony of key linkage witnesses who had testified against him during the previous year. In a highly sophisticated duet with his lawyer he succeeded extremely well in showing inconsistencies and gaps in the testimony of these witnesses, leaving very little of the sweeping indictment intact. In general, he was highly adept at getting and holding the attention of those present in the courtroom – the judges, lawyers and court staff as well as the occasional journalist or observer in the public gallery. Everything in his performance was deployed for maximal effect, including his impeccable double-breasted suits and the flowing traditional African gowns he sported during the last days of his testimony in February 2010.

In painting the image of a statesman, highly educated and striving for the economic development of his country, Taylor tried to show that he was not very different from politicians in the West even though he operated in a different political and cultural environment in which dependency and the colonial legacy loomed large. He framed Liberia in terms of the patrimonial logic of the postcolonial era when he referred to Liberia “as America’s little farm, its little brother in Africa”, which had been neglected by the US.²² He often referred to other African heads of states as ‘brothers’ and to prosecution witnesses as uneducated ‘boys’ who were too low in social status to have interacted with him. Acting as a somewhat paternalistic cultural expert, Taylor explained this to the bench in terms of the African custom of referring to each other in terms of fictive kinship. He also invoked this patrimonial logic when explaining the phenomenon of child soldiers. He argued that orphans and displaced children attached themselves to commanders and armed factions, who looked after their wellbeing but did not use them as soldiers.

According to an often-cited truism, everyone is equal before the law regardless of status or wealth, but it is equally true that social status, education and eloquence make a great difference in courtroom performance. Norman quickly had to admit defeat after he had decided to represent himself. He had simply underestimated the scale of the trial against him and was not able to engage the court with a challenge that matched the prosecution. By contrast, Taylor used the pressure created by the dismissal of his lawyer to get a new defence team with considerably more resources at its disposal. Norman failed to insert his status as big man into the courtroom and because of his lack of legal expertise the judges took the opportunity to discipline him, asserting their authority

²¹ Transcripts Taylor trial 27 July 2009.

²² Transcripts Taylor trial 14 July 2009.

instead. His strategy of invoking social hierarchies would have worked in the setting of a Sierra Leonean court but he failed to lift it to the international stage. Taylor, on the other hand, left the defence to his lawyers and opted strategically to testify in his own defence. Drawing on his skills as an orator, he succeeded in telling his side of the story to the judges and audiences in the West and Africa. Whether this will be enough to convince the judges of his innocence, however, is a different issue and remains to be seen. The judgement in the trial against Taylor is expected early next year.

CONCLUSIONS

International criminal justice constitutes just one in a whole range of influences shaping the political arena during the aftermath of civil war in Africa, as the experience of former senior members of the various armed factions in Sierra Leone clearly shows. Only a tiny fraction of former commanders and leaders were indicted by the Special Court for Sierra Leone due to the court's limited mandate to try only those 'bearing greatest responsibility' for war crimes and crimes against humanity. Their attempts to convert their military exploits into political office and material security in the post-conflict political and social order were effectively thwarted by the indictments against them. During the turbulent reconfiguration of the country's political arena, triggered by the violent incidents in 2000, the former leaders of the RUF and the AFRC were politically marginalised and several of them were arrested by the national authorities. Hundreds of members of the RUF, the AFRC and the West Side Boys were detained. Some died in custody, while many spent years in prison without being charged. Most prisoners were eventually released without being charged but more than a hundred faced trial before the national courts, and 32 were convicted on charges including murder, conspiracy to murder and treason. Only six former leaders of the RUF and the AFRC stood trial before the Special Court. None of the top suspects stood trial. Sankoh died in custody before the beginning of his trial. Sam 'Mosquito' Bockarie and Major Johnny Paul Koroma were able to evade arrest. The six remaining leaders of the RUF and AFRC who stood trial were not considered to be the main perpetrators by the public in Sierra Leone. Nevertheless, all six were found guilty of war crimes and crimes against humanity, and were sentenced to long prison terms of up to 52 years.

Whilst the former leaders of the AFRC and Sankoh had been arrested by the national authorities before they were transferred to the custody of the Special Court, neither the three former leaders of the RUF nor the CDF leaders faced prosecution by the national authorities at the time of their arrest. It appears that all of them were surprised when they were arrested at the Special Court's behest. Especially Norman, then Minister of the Interior, widely hailed as the defender of the democratically elected government, did not expect to find himself the accused in a war crimes trial. Until Taylor's arrest in March 2006, Norman was the accused with the highest profile. During his trial he tried to defend himself by drawing on the cultural capital of a Sierra Leonean big man, but he was not able to either mount a serious defence or use the stage provided by the trial to his advantage. Taylor fared much better and was able to do serious damage to the prosecution's case, especially during his testimony as first defence witness. Of course, it is difficult to assess whether they would have been successful in converting their military exploits into political authority if they had not been indicted by the Special Court's prosecutor. At least with regard to Norman, it seems highly likely

that he would have continued to play an important role in the national political arena if he had not been indicted.

It is more difficult to assess the influence of the indictment against Charles Taylor. Taylor left the country in August 2003, two months after David Crane had unsealed the indictment against him. It is hotly debated whether the indictment further isolated Taylor and thus contributed to his departure or actually thwarted the peace negotiations in Accra and thus prolonged the bloody battle for Monrovia. In any case, the indictment and the subsequent diplomatic pressure on the Nigerian government to surrender Taylor prevented him from returning to Liberia as he had promised on the day of his departure when he announced “God willing, I will be back”.²³ Future African political and military leaders will find it more difficult to keep promises like this once they are indicted by the ICC, although President Bashir is able to travel widely, benefitting from the growing African opposition to the ICC. The case of the Special Court also underlines the continued importance of the national political arena in spite of the expansion of international criminal justice. Most former members of the RUF and AFRC had already been neutralised by domestic political opponents before the creation of the international criminal tribunal, and it is hard to believe that Taylor would have agreed to leave Liberia if he had not been besieged by rebel groups.

REFERENCES

- Abraham, A. 2003. ‘Sierra Leone: Post-conflict transition or business as usual?’, in *News from the Nordic Africa Institute* No. 3 October 2003.
- Allen, T. 2006. *Trial justice: the international criminal court and the Lord’s Resistance Army*. London: Zed Books.
- Amnesty International US. 2001. Annual Report: Sierra Leone.
- Amnesty International US. 2003. Annual Report: Sierra Leone.
- Amnesty International US. 2004. Annual Report: Sierra Leone.
- Amnesty International US. 2007. Annual Report: Sierra Leone.
- Bass, G. 2000. *Stay the hand of vengeance: the politics of war crimes tribunals*. Princeton: Princeton University Press.
- Bayart, J.-F. 1993. *The state in Africa: The politics of the belly*. London: Longman.
- Christensen, M. & M. Utas. 2008. ‘Mercenaries of democracy: The ‘politricks’ of remobilized combatants in the 2007 General Elections, Sierra Leone’, *African Affairs*: 1-25
- Chuter, D. 2003. *War crimes: confronting atrocity in the modern world*. Boulder: Lynne Rienner.
- Clark, P. & Z.D. Kaufman, eds. 2009. *After genocide: Transitional justice, Post-conflict reconstruction and reconciliation in Rwanda and beyond*. London: Hurst.
- Clarke, K.M. 2009. *Fictions of Justice: The international criminal court and the challenges of legal pluralism in sub-Saharan Africa*. Cambridge: Cambridge University Press.
- Crane, D. 2005. ‘Dancing with the devil: prosecuting West Africa’s warlords’, *Case*

²³ Time Magazine 11 August 2003 Charles Taylor leaves Liberia. <http://www.time.com/time/world/article/0,8599,474987,00.html>, accessed 8 December 2010.

- Western Reserve Journal of International Law* 37(1).
- Dembour, M.B. & T. Kelly, eds. 2007. *Paths to international justice: Social and legal perspectives*. Cambridge: Cambridge University Press.
- Ellis, S. 2007. *The mask of anarchy: the destruction of Liberia and the religious dimension of an African civil war*. 2nd ed. London: Hurst.
- Ferme, M. 2001. *The underneath of things: violence, history, and the everyday in Sierra Leone*. Berkeley: University of California Press.
- Fanthorpe, R. 2001. 'Neither citizen nor subject? "Lumpen" agency and the legacy of native administration in Sierra Leone', *African Affairs* 100: 363-386.
- Gberie, L. 2005. *A dirty war in West Africa: the RUF and the destruction of Sierra Leone*. Bloomington: Indiana University Press.
- Hofman, D. 2007. 'The meaning of a militia: Understanding the Civil Defence Forces of Sierra Leone', *African Affairs* 106: 639-662.
- Keen, D. 2005. *Conflict and collusion in Sierra Leone*. Oxford: James Currey.
- Kelsall, T. 2009. *Culture under cross-examination: international justice and the Special Court for Sierra Leone*. Cambridge: Cambridge University Press.
- Nesbitt, M. 2007 'Lessons from the Sam Hinga Norman decision of the Special Court for Sierra Leone: how trials and truth commissions can co-exist', *German Law Journal* 8, 10: 977-1014.
- Peskin, V. 2008. *International justice in Rwanda and the Balkans: Virtual trials and the struggle for state cooperation*. Cambridge: Cambridge University Press.
- Peters, K. 2005. Reintegrating young combatants in Sierra Leone: Accommodating indigenous and wartime value systems', in Abbink, J. & I. van Kessel, eds. *Vanguard or vandals: youth, politics and conflict*. Leiden: Brill, 267-296.
- Peters, K. & P. Richards. 1998. 'Why we fight: voices of under-age youth combatants in Sierra Leone', *Africa* 68,2: 183-210.
- Richards, P. 2005. 'Green Book millenarians? The Sierra Leone war within the perspective of an anthropology of religion', in N. Kastfelt, ed. *Religion and African civil wars*. London: Hurst, 119-144.
- Reno, W. 1999. *Warlord politics and African states*. Boulder: Lynne Rienner.
- Sierra Leone Truth and Reconciliation Commission. 2004. *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*. Vol. 3A. Accra: GPL Press.
- Simpson, Gerry. 2007. *Law, war and crime*. Cambridge: Polity Press.
- Smillie, I., L. Gberie & R. Hazleton. 2000. *The heart of the matter: Sierra Leone, diamonds and human security*. Ottawa: Partnership Africa Canada.
- Special Court for Sierra Leone Press Release. 2007. *Autopsy shows Sam Hinga Norman died of natural causes*, 28 March 2007.
- Utas, M. 2003. *Sweet battlefields: Youth and the Liberian civil war*. Uppsala University Dissertations in Cultural Anthropology: Uppsala.
- Utas, M. 2005. 'Agency of victims: young women in the Liberian civil war', in F. de Boeck & A. Honwana, eds. *Makers and breakers: children and youth as emerging categories in postcolonial Africa*. Oxford: James Currey, 53-80.
- Utas, M. & M. Jörgel. 2008. 'The West Side Boys: military navigation in the Sierra Leone civil war', *Journal of Modern African Studies* 46: 487-511.