

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CONTESTED JUSTICE

The International Criminal Court emerged in the early twenty-first century as an ambitious and permanent institution with a mandate to address mass atrocity crimes such as genocide and crimes against humanity. Although designed to exercise jurisdiction only in instances where states do not pursue these crimes themselves (and are unwilling or unable to do so), the Court's interventions, particularly in African states, have raised questions about the social value of its work as well as its political dimensions and effects. Bringing together scholars and practitioners who work closely on the ICC, this collection offers a diverse account of its interventions: from investigations to trials and from the Court's Hague-based centre to the networks of actors who sustain its activities. Exploring connections with transitional justice and international relations, and drawing upon critical insights from the interpretive social sciences, it offers a novel perspective on the ICC's work in practice.

CHRISTIAN DE VOS is an advocacy officer with the Open Society Justice Initiative.

SARA KENDALL is a lecturer in international law at the University of Kent, Canterbury. She also co-directs Kent Law School's Centre for Critical International Law.

CARSTEN STAHN is Chair of International Criminal Law and Global Justice at Leiden University and Programme Director of the Grotius Centre for International Studies, The Hague.

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal
Court Interventions

Edited by Christian De Vos , Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos , Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CONTESTED JUSTICE

The Politics and Practice of International Criminal
Court Interventions

Edited by

CHRISTIAN DE VOS, SARA KENDALL
AND CARSTEN STAHN



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107076532

© Cambridge University Press 2015

This work is in copyright. It is subject to statutory exceptions and to the provisions of relevant licensing agreements; with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part of this work may take place without the written permission of Cambridge University Press.

An online version of this work is published at

[<http://dx.doi.org/10.1017/CBO9781139924528>] under a Creative

Commons Open Access license CC-BY-NC 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given and any changes made are indicated. To view a copy of this license, visit <https://creativecommons.org/licenses/by-nc/4.0>.

All versions of this work may contain content reproduced under license from third parties. Permission to reproduce this third-party content must be obtained from these third-parties directly.

When citing this work, please include a reference to the DOI 10.1017/CBO9781139924528

First published 2015

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

Contested justice : the politics and practice of the International Criminal Court interventions / edited by Christian De Vos, Sara Kendall, Carsten Stahn.

pages cm

Includes papers presented at a conference 'Post-Conflict Justice and Local Ownership' at The Hague in May 2011. – Acknowledgments.

ISBN 978-1-107-07653-2 (hardback)

1. International Criminal Court. 2. International criminal courts. 3. Criminal justice, Administration of. I. Vos, Christian M. de, editor. II. Kendall, Sara, editor. III. Stahn, Carsten, 1971– editor.

KZ7312.C658 2015

345'.01–dc23

2015026746

ISBN 978-1-107-07653-2 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CONTENTS

<i>List of contributors</i>	page viii
<i>Foreword by Ruti G. Teitel</i>	xv
<i>Acknowledgements</i>	xviii
<i>Citing this work</i>	xx

Introduction 1

CHRISTIAN M. DE VOS, SARA KENDALL
AND CARSTEN STAHNPART I **Law's shape and place** 21

- 1 In whose name? The ICC and the search for constituency 23
FRÉDÉRIC MÉGRET
- 2 Justice civilisatrice? The ICC, post-colonial theory, and faces of 'the local' 46
CARSTEN STAHN
- 3 The global as local: the limits and possibilities of integrating international and transitional justice 85
DAVID S. KOLLER
- 4 Bespoke transitional justice at the International Criminal Court 106
JAYA RAMJI-NOGALES
- 5 A synthesis of community-based justice and complementarity 122
MICHAEL A. NEWTON

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

vi

CONTENTS

- PART II Reception and contestation 145**
- 6 In the shadow of Kwoyelo's trial: the ICC and complementarity in Uganda 147
STEPHEN OOLA
- 7 A story of missed opportunities: the role of the International Criminal Court in the Democratic Republic of Congo 171
PASCAL KALUME KAMBALE
- 8 The justice vanguard: the role of civil society in seeking accountability for Kenya's post-election violence 198
NJONJO MUE AND JUDY GITAU
- 9 'They told us we would be part of history': reflections on the civil society intermediary experience in the Great Lakes region 219
DÉIRDRE CLANCY
- PART III Practices of inclusion and exclusion 249**
- 10 Challenges and limitations of outreach: from the ICTY to the ICC 251
MATIAS HELLMAN
- 11 'We ask for justice, you give us law': the rule of law, economic markets and the reconfiguration of victimhood 272
KAMARI MAXINE CLARKE
- 12 Refracted justice: the imagined victim and the International Criminal Court 302
LAUREL E. FLETCHER
- 13 Reparations and the politics of recognition 326
PETER J. DIXON
- 14 Beyond the restorative turn: the limits of legal humanitarianism 352
SARA KENDALL

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CONTENTS

vii

PART IV Politics and legal pluralism 377

- 15 All roads lead to Rome: implementation and domestic politics
in Kenya and Uganda 379

CHRISTIAN M. DE VOS

- 16 Applying and ‘misapplying’ the Rome Statute in
the Democratic Republic of Congo 408

PATRYK I. LABUDA

- 17 Beyond the ‘shadow’ of the ICC: struggles over control
of the conflict narrative in Colombia 432

JENNIFER EASTERDAY

- 18 Between justice and politics: the ICC’s intervention in
Libya 456

MARK KERSTEN

- 19 Peace making, justice and the ICC 479

JUAN E. MÉNDEZ AND JEREMY KELLEY

Index 496

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CONTRIBUTORS

DÉIRDRE CLANCY serves as the humanitarian expert for the UN Monitoring Group on Somalia and Eritrea. She was previously the co-director and co-founder of the International Refugee Rights Initiative (IRRI), headquartered in Kampala, Uganda. Prior to founding IRRI she held positions at Human Rights First in New York, the Council of Europe and the Irish Refugee Council. Deirdre holds an LLB from Trinity College and a master's degree in Human Rights and Democratisation (University of Padova, Italy/Robert Schumann University, Strasbourg, France).

KAMARI MAXINE CLARKE is Professor at Carleton University in Global and International Studies. Her research explores issues related to legal institutions, religious nationalism, human rights and international law, the interface between culture, power and globalization, and their relationships to history, politics and power. Her many publications include *Fictions of Justice: The International Criminal Court and the Challenge of Legal Pluralism in Sub-Saharan Africa* (Cambridge University Press, 2009), as well as *Mirrors of Justice: Law and Power in the Post-Cold War Era* (Cambridge University Press, 2014), a collection co-edited with Mark Goodale. She has held numerous prestigious fellowships, grants and awards, including grants from the Ford Foundation (2003), the Wenner-Gren Foundation and a highly competitive grant from the National Science Foundation (2012).

CHRISTIAN DE VOS is an advocacy officer with the Open Society Justice Initiative. Previously, he was a PhD researcher at the Grotius Centre for International Legal Studies and a law clerk with the Legal Affairs Office of the United States Court of Appeals for the Second Circuit. He has also held research positions with the United States Institute of Peace and the War Crimes Research Office. Christian received his PhD from Leiden University and his JD from the American University Washington College of Law. He is a member of the bar of the State of New York and a term member of the Council on Foreign Relations.

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

LIST OF CONTRIBUTORS

ix

PETER DIXON is a fellow at the Harvard Humanitarian Initiative. He is a PhD candidate in sociology at the University of California, Berkeley, from which he also received his MA. Previously, he worked as a research fellow in monitoring and evaluation at the International Criminal Court's Trust Fund for Victims and conducted dissertation research in The Hague and the Democratic Republic of the Congo.

JENNIFER EASTERDAY is a PhD researcher for the 'Jus Post Bellum' project at Leiden University. She is also a trial monitor and consultant for the Open Society Justice Initiative and previously worked for several international NGOs working on issues of international justice and human rights. Jennifer received her JD from the University of California, Berkeley School of Law, and is a member of the California State Bar.

LAUREL E. FLETCHER is Clinical Professor of Law at the University of California, Berkeley, School of Law. Before joining the Berkeley Law faculty in 1998, she practised complex civil litigation, including representing plaintiffs in employment discrimination class actions. Her work focuses on transitional justice and humanitarian law, as well as globalization and migration. She is Co-Editor-in-Chief of the *International Journal of Transitional Justice*, author of numerous articles and lead-author of *The Guantanamo Effect* (2009), together with Eric Stover.

JUDY GITAU currently works as Technical Advisor on Transitional Justice for a Justice Sector Development Project in Somaliland. She previously worked as a programme officer with the Kenyan Section of the International Commission of Jurists managing projects that promoted and improved human rights protection in Kenya and the Eastern Africa region. She is an Advocate of the High Court of Kenya and a member of the Kenyan Chartered Institute of Arbitrators. She read Law at the University of Nairobi and holds an LLM in International Human Rights Law from Oxford University.

MATIAS HELLMAN is External Relations Adviser at the Presidency of the International Criminal Court, where he facilitates the Court's high-level interaction with states, international organizations and civil society. He was the first field outreach officer recruited to the International Criminal Tribunal for the Former Yugoslavia (ICTY) and later conducted outreach activities as Registry Liaison Officer in Bosnia and Herzegovina and in Serbia; in 2008 he was appointed the ICTY's first Legacy Officer. Hellman holds an LLM (with distinction) in International Human Rights Law from the University of Essex and

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

X

LIST OF CONTRIBUTORS

an MA in Slavic Languages and Cultures from the University of Helsinki.

PASCAL KAMBALE is Senior Advisor in the Open Society Foundations' Africa Regional Office and leads its international justice work. He previously served as Deputy Director of the Open Society Foundations' Africa Governance, Monitoring and Advocacy Project and, from 1999 to 2005, as International Justice Counsel with Human Rights Watch. A former member of the Congolese Law Reform Commission and of the Commission of Investigation into Post-Election Violence in Kenya, Kambale was called to the Kinshasa Bar in 1989. He is a graduate of the University of Kinshasa and Harvard Law School.

JEREMY KELLEY currently clerks for Honourable Thomas O. Rice on the US District Court for Eastern District Washington. He graduated *magna cum laude* from the American University Washington College of Law in 2013.

SARA KENDALL is Lecturer in International Law at the University of Kent, where she co-directs the Centre for Critical International Law. She holds a doctorate from the University of California, Berkeley. She has previously taught at the University of Amsterdam and at Leiden University, where she participated in a multi-year research project on the ICC at Leiden's Grotius Centre for International Legal Studies. Her research draws upon insights from the humanities and the interpretive social sciences to explore the work of the international legal order, and her publications have addressed issues in international criminal law and efforts to address state violence through international law more broadly.

MARK KERSTEN is a researcher, consultant and teacher at the London School of Economics and the School of Oriental and African Studies. He has worked with a number of organizations focused on international justice, including the Refugee Law Project, Lawyers for Justice in Libya and Justice Africa. He is currently consulting for the Wayamo Foundation on a project pertaining to the domestic prosecution of international and transnational crimes in Kenya. Mark is also the creator and author of the blog 'Justice in Conflict'.

DAVID KOLLER is Legal Officer with the UN Management Evaluation Unit in the Office of the Under-Secretary-General for Management. He previously served as Special Assistant to Presidents Philippe Kirsch and Sang-Hyung Song of the International Criminal Court and as Legal Officer in the ICC Appeals Chamber. David holds a JD from

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

LIST OF CONTRIBUTORS

xi

New York University School of Law and is a member of the bar of the State of New York.

PATRYK LABUDA is a PhD candidate at the Graduate Institute of International and Development Studies in Geneva. He previously worked as a research fellow in Sudan and South Sudan for the Max Planck Institute for Comparative Public Law and International Law (currently the Max Planck Foundation for International Peace and the Rule of Law) and, before that, with the European Union's Police Mission in the Democratic Republic of Congo. Patryk holds an LL.M. from Columbia Law School and degrees in law and history from Adam Mickiewicz University.

FRÉDÉRIC MÉGRET is Associate Professor at the Faculty of Law, McGill University. He also holds the Canada Research Chair in the Law of Human Rights and Legal Pluralism and is affiliated with the McGill Centre of the same name. Since September 2012 he has been Associate Dean for Research. He holds an LL.B. from King's College London, a DEA from the Université de Paris I and a PhD from the Graduate Institute of International Studies (Geneva), as well as a diploma from Sciences Po Paris. His work focuses on some of the theoretical dimensions of international law, international criminal justice, international human rights law and the laws of war.

JUAN E. MÉNDEZ is Visiting Professor of Law at the American University Washington College of Law and the author (with Marjory Wentworth) of *Taking A Stand: The Evolution of Human Rights* (2011). As of November 2010, he serves as the UN Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. He was Special Advisor to the Prosecutor of the International Criminal Court. He was also Co-Chair of the International Bar Association Human Rights Institute from 2010 to 2011. Until May 2009, he was President of the International Center for Transitional Justice (ICTJ). Concurrent with his duties at ICTJ, the Honourable Kofi Annan named Méndez his Special Advisor on the Prevention of Genocide, a task he performed from 2004 to 2007.

NJONJO MUE is a program advisor to Kenyans for Peace with Truth and Justice. He previously worked as Africa Deputy Director for the International Center for Transitional Justice and Head of Advocacy at the Kenyan National Commission on Human Rights. He is an advocate of the High Court of Kenya, having read law at the University of Nairobi and Oxford University.

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

xii

LIST OF CONTRIBUTORS

MICHAEL A. NEWTON is Professor of the Practice of Law at Vanderbilt University Law School. He has published more than 80 books, articles and book chapters. He formerly taught at the United States Military Academy at West Point and at the Judge Advocate General's School and Center. He has written extensively about use of force issues, international jurisprudence and the enforcement of international law.

STEPHEN OOLA heads the Conflict, Transitional Justice and Governance Program at the Refugee Law Project (RLP), based at the Makerere University School of Law, Kampala. He previously headed the Research and Advocacy Department at RLP from 2010 to 2012 and led the drafting of Uganda's proposed National Reconciliation Bill, in addition to participating in drafting the proposed African Union Transitional Justice Policy Framework. He is currently a member of the Advisory Committee for the African Commission on Human and Peoples' Rights Transitional Justice Study in Africa. Stephen holds an LLB (Hons) degree from Makerere University and an MA in International Peace Studies from the University of Notre Dame.

JAYA RAMJI-NOGALES is I. Herman Stern Professor of Law and Co-Director of the Institute for International Law and Public Policy at Temple University's Beasley School of Law. Her transitional justice scholarship focuses on process and institutional design. She received her JD from the Yale Law School, her LLM with distinction from Georgetown University Law Centre and her BA with highest honours and distinction from the University of California at Berkeley.

CARSTEN STAHN is Professor of International Criminal Law and Global Justice at Leiden University and Programme Director of the Grotius Centre for International Legal Studies (The Hague). He has previously worked as Legal Officer in Chambers of the International Criminal Court (2003–2007) and as Research Fellow at the Max Planck Institute for Comparative Public Law and International Law (2000–2003). He is the author of *The Law and Practice of International Territorial Administration: Versailles to Iraq and Beyond* (Cambridge University Press, 2008/2010), which received the Ciardi Prize 2009 of the International Society for Military Law and the Law of War. He has edited numerous collections in the field of international criminal justice and directs research projects on 'Jus Post Bellum' and 'Post-Conflict Justice and Local Ownership', funded by the Netherlands Organization for Scientific Research (NWO).

RUTI TEITEL is Ernst C. Stiefel Professor of Comparative Law at New York Law School, where she serves as Chair of the Global Law and

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos , Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

LIST OF CONTRIBUTORS

xiii

Justice Colloquium and co-directs the Institute for Global Law, Justice and Policy. She is also a visiting professor at the London School of Economics. She is the author of *Globalizing Transitional Justice* (2014), *Humanity's Law* (2011) and *Transitional Justice* (2000), as well as numerous articles on comparative law, human rights, international law and constitutionalism. She has taught at Yale, Fordham and Tel Aviv's law schools as well as at Columbia University's Politics department and School of International and Public Affairs, where she is currently a distinguished research scholar. She is a life member of the Council on Foreign Relations. A graduate of Georgetown University, she received her JD from Cornell Law School.

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal
Court Interventions

Edited by Christian De Vos , Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

FOREWORD

This timely, perceptive book brings together leading scholars and practitioners to reflect on the field of international criminal justice through focusing on a singular institution: the International Criminal Court (ICC). Drawing on a range of experience, empirical work, and normative theory, it seeks to come to grips with a remarkable development – the creation of a permanent, international court meant to adjudicate mass crimes – through assessing the ICC’s work in practice, given now more than a decade of experience to explore.

The ICC is a clear innovation in global governance. A relatively new legal institution, it was intended as an evident departure from past exceptional tribunals associated with particular conflicts. Generally created post-conflict, and therefore lacking the regularity of the rule of law, these tribunals were different in kind from the ICC – ad hoc, temporary, and often criticized as ‘victors justice’. Moving beyond the either/or dichotomies of the last century, one can see that the Court – through its Trust Fund for Victims as well as its concern for victim participation – also presages a move from the single-minded focus on grave human rights violations to broader issues of security and care provision. In a number of chapters, the volume shows the ways that the ICC’s goals extend beyond remedying human rights violations by also responding to human suffering.

Characteristic of this global phase of justice, we have seen a normalizing of ‘judicialization’ – at once non-exceptional, yet also designed to be independent from regular domestic institutions of judgment associated with and supported by political communities. Given these twin changes – of adjudicatory processes that are increasingly pervasive, but also the centralizing of international judgment in one body – how are we to understand the meaning of an institution like the ICC, a new permanent international actor? How are we to evaluate its contribution to broader justice projects? And what are we to make of the proliferation and ongoing judicialization of transitional justice under way, where courts

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

xvi

FOREWORD

and legal processes increasingly appear to be at the field's normative centre?

This broader question could be seen as one of the questions this book seeks to answer. Its aim, as the Introduction sets out, is to 'pay attention to the effects that international judicial interventions have had upon the communities and the structures where grave crimes have occurred'. It reviews the phenomena in depth and in a way that has not yet been done. For while there have not yet been a large number of completed trials at the ICC, this book does not limit itself to judgment alone; rather, it addresses the panoply of forms that judicial interventions may take, moving the reader from initial phases of intervention involving 'politics and legal pluralism' to 'reception and contestation'.

What this volume illuminates is that neither the Court's purposes nor its parameters seem to be purely or quintessentially international, in the sense of an institution that regulates interstate relations. Rather, it is more ambitiously global, an example of globalized justice associated with political change in the contemporary moment. Indeed, as the Introduction makes clear, what is remarkable about the ICC is that there is an openness, a porousness to its work – from the many actors that are part of its operation, to its presence in multiple contexts – that is unique. Added to this is the critical jurisdictional feature known as complementarity, an admissibility criterion with the normative objective of accounting for state sovereignty. From the start, then, the ICC was designed to have a more fluid relationship with the domestic than any prior international court or tribunal.

This volume takes up some of the most difficult cases for complementarity, including Colombia, which has been operating its own justice mechanisms for some time, and Libya, which faces its own increasingly difficult transition. Often the authors conclude with a preference for the local, but the book's ambition – to understand the ICC in context – means this is not in just one place but rather in the multiple countries in which the Court operates, for multiple audiences, and with multiple aims. The Court's goals may sometimes be harmonious with these ends, but other times they may equally clash. From what perspective, then, are we to evaluate what the ICC is doing? Domestic, regional or international security? The needs of the political transition, of conflict-affected communities, or of 'local' priorities more broadly? It is clear that the turn to the Court is not a static matter; however, the goal is less about judging the ICC than about understanding what its interventions contribute to a post-Cold War, global world.

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

FOREWORD

xvii

In addition to responsiveness to context, we need to understand the ways in which the Court and its legal discourse have themselves become part of the global security context. From the UN General Assembly's referral of North Korea to Palestinian ratification of the ICC, one can see that we need to address the changing law and politics on offer and recognize that, at a time of ongoing transition and conflicts with global impact, there is a heightened demand for accountability and a shared discourse of legality. Indeed, some might say these dimensions reflect the globality that allows us to best comprehend the ambition of the Court's goals as well as the nature of the problems it has confronted.

This volume – through its self-reflexivity and its self-consciousness about this new institutional engagement with justice – offers a critical perspective on these developments. Ultimately, the research presented here can be seen to redirect scholars and practitioners in international law and transitional justice. Its insights will surely help transform the questions currently being raised regarding the normative role of international criminal justice, as mediated by bureaucratic and political actors, in foreign affairs today. Seen from this reconceived vantage point, international punishment constitutes more than one remedy or instrument among many – rather, it offers processes, institutions and a language of the rule of law by which to balance diverse goals and to attempt to reconcile political upheavals and social transformations. This appeals in a global world that lacks political integration, but where law and legality are increasingly its *lingua franca*.

As this insightful book works through its diverse case studies, its illustration of the many ways in which the ICC operates may ultimately function as a hermeneutic for revealing the unique character of this institution in context. But it also enables a reframing, where one can see the space that the Court occupies in international affairs and the shared normativity it offers, in the evolving language of international law and politics.

Ruti G. Teitel

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos, Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

ACKNOWLEDGEMENTS

This volume is the result of a collaborative research project on the social and legal effects of the work of the International Criminal Court. Based at Leiden University's Grotius Centre for International Legal Studies, the project analyses the impact and effects of ICC interventions through drawing upon insights from multiple scholarly fields. Some of the contributions to this volume are based on discussions held at the project's inaugural conference, 'Post-Conflict Justice and Local Ownership', which took place in The Hague in May 2011. The conference and the project were made possible with the generous support of the Netherlands Organization for Scientific Research (NWO).

We would like to thank the contributors to this collection for their efforts to rethink existing narratives and conventional presumptions in international criminal justice. We also wish to express our gratitude to the many interlocutors who gave generously of their time and wisdom in Kenya, Uganda, the Democratic Republic of Congo, and the Netherlands, including several of the volume's contributors. Their insights into the workings of the ICC in practice helped to inform many of the claims contained here. Although our debts to individuals are too numerous to list, particular thanks are due to Josephine Atim, Maria Kamara, George Kegoro, Sarah Kihika, Betty Murungi, Godfrey Musila, Sharon Nakandha, Gabriel Oosthuizen, Michael Otim, Ronald Slye, Muthoni Wanyeki and Marcel Wetsh'okonda Koso.

This work would not have been possible without the support of the Grotius Centre for International Legal Studies, which hosted the project. Valuable insights from Larissa van den Herik and Marieke Wierda, both Leiden colleagues and project collaborators, have contributed to shaping the work contained in this volume. We also wish to thank the members of the project's steering committee – Barney Afako, Phil Clark, Refik Hodzic, Sally Engle Merry, Juan Mendez, Victor Peskin, Eric Stover and Ruti Teitel – who have followed this work since the project's inception. We are particularly grateful to Luca Ferro, Madeleine Gorman,

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos , Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

ACKNOWLEDGEMENTS

xix

Teodora Jugrin and Yang Xie for their valuable editorial assistance in the finalization of the manuscript.

At Cambridge University Press, we would like to thank Finola O’Sullivan, Elizabeth Spicer and Richard Woodham for supporting this project and ensuring publication of the volume.

We hope that this work will contribute to broader discussions about the work of international criminal law across scholarly disciplines.

The Editors

Cambridge University Press

978-1-107-07653-2 - Contested Justice: The Politics and Practice of International Criminal Court Interventions

Edited by Christian De Vos , Sara Kendall and Carsten Stahn

Frontmatter

[More information](#)

CITING THIS WORK

As per the provisions of section 3.a.I.A.i of the CC BY-NC license, when attributing this work, we request that you reproduce the following elements in your citation: De Vos, Kendall and Stahn (eds.), *Contested Justice: The Politics and Practice of the International Criminal Court Interventions* (Cambridge University Press: 2015) and the URL <http://dx.doi.org/10.1017/CBO9781139924528>. If a derivative, you should acknowledge this fact. Although we cannot legally enforce it under the license, we would be grateful if you would summarise any changes made in a derivative.