

# **INDFX**

abductees, experiences or, 131	
abduction, 72	
of children, 167, 184	
of girls, 153	
of Sabine women, 152	
Abok, vi, 47, 56, 57, 87, 94	
dedication ceremony in, 87–88	
ICC outreach event in, 48–49, 54, 57,	
58–61, 63–64	
IDP camp in, 26, 48, 84, 87	
Acholi, 57, 63	
customary legal system, 53, 117–120, 123,	
125, 131, 189	
identity, 187	
precolonial history, 187	
religious beliefs, 107, 183	
traditional clan-based society, 118–119,	
183, 187, 188	
Acholi language, 27, 28–29, 32, 44, 53, 57,	
60–61, 65, 74	
interpretation into, 28–29, 44, 63	
radio station, 63	
Acholi Religious Leaders' Peace Initiative	
(ARLPI), 119–120, 133, 157, 188,	
189	
affect, 6, 13, 15, 20, 33, 34, 36, 37, 45, 99, 106	5,
142, 169, 174, 177, 178, 180	
and critique of colonialism, 175	
and late modernity, 169–170	
and modernity, 169–170	
and modernity, 109–170	
and objectivity, 14, 108	
and ritual, 55	
atmosphere as, 38	
defined, 6	
in discourse practice, 142	
law's grounding in, 37, 44	
micro-politics of, 62	
racialized, 62	
role of, 3, 45, 122, 142	
theory, 36–37, 42, 61, 98, 179, 180	
affect and emotion, 13, 18, 34–35, 76, 91, 128	R
164, 169	٠,
distinction between, 20	
,	
images and, 181	
in international criminal justice, 3	

```
in international criminal law, 3, 18
  in mass politics, 17
  in the courtroom, 7, 25
  justice and, 17, 112, 135
  normative orders and, 133, 135
  objectivity and, 93, 110
  political processes and, 142
  rationality and, 4, 169
  role of, 170
  scholarship of, 17
affective arrangement, 6, 38-39, 41, 42, 44, 54,
       55, 65, 68, 82, 83–84, 85–86, 88–89,
       90, 91, 102-103, 104-105, 107,
       109–110, 112, 130, 133, 134–135, 140, 143–144, 149, 156, 158, 161
  and objectivity, 14
  and plausibility, 14, 82, 83-84, 86, 88, 91,
       133, 144, 156
  ICC courtroom as, 23-24
  ICC outreach events as, 48-66
  idea of, 38
  narration of, 82, 83, 85, 88, 134-135
  of bodies, 86, 93, 102, 110, 140
  of courtroom atmospheres, 7, 14, 102-103,
       104-105, 107, 109-110
of transitional justice, 130 See also arrange-
       ment; atmospheres.
affective dynamics, 3, 34, 37–38, 39, 68, 91
  in courtroom performances, 99, 103, 110
  of colonialism, 175
affective economies, 61, 65, 142
affective experiences, 38, 55, 179
affective framing, 14, 71, 72, 82–91, 132–133,
       144
Affective Justice, 122, 174
Affektgesellschaft ("society of affect"), 170
Afghanistan, 146, 177
Afghanistan, US invasion of, 157
Africa, 8-10, 18, 50, 115, 121-123, 124, 133,
       139, 146, 147, 155, 163–164, 167
  customary law in, 187
  debate over ICC legitimacy, 8-9, 50, 141,
       143-146, 148, 162, 177 See also ICC,
       "Africa problem."
  history of colonialism in, 62, 148, 155, 164
```



INDEX

ICC interventions in, 140, 141, 143, 145–147, 177	of courtroom atmosphere, 4, 17, 24, 35, 38, 99, 104, 108 See also affective arrangement;
justice in, 15, 67, 123, 143	atmosphere.
African Court of Justice and Human Rights, 142, 158–160	Athens, 23 Atkinson, Ronald, 187
African leaders, 9, 150, 157, 160, 177	atmosphere, 6-7, 11, 13, 15-18, 20, 24-25, 31,
African legal systems, 167	36, 38–45, 56, 83, 112, 141, 162, 169,
African Union	180, 181
member states, 9, 160	courtroom, v, 7, 23–24, 47
objections to the ICC, 9, 50, 115-116, 142,	politics of, 15–20, 169
159–160, 177	production of, 7, 45, 47, 68, 140
Ahmed, Sara, 46, 61, 62	transitional justice, 46 See also arrangement;
ajwaka (Acholi: "spirit medium"), 74, 105	sentiment.
Al Jazeera, 144, 149, 161, 190, 192	atrocities, 49, 51, 53, 73-74, 122, 129,
Allen, Tim, 187	174–175, 182
Amnesty Act for LRA fighters, 74, 120, 126,	audiences, 18, 31, 64, 72, 80, 81–82, 84, 88–89,
150, 157, 183, 184	90, 93, 133, 144, 161, 172
Amnesty International, 190	affective language and, 33-34, 35
Anders, Gerhard, 51–52, 185	expectations of, 31
Ankunda, Laurent, 158	multiplicity of, 17, 61
anthropological engagement in court cases,	of courtroom spectacles, 4–5, 7, 14, 17, 23,
96–97, 102, 104, 106–107	28, 29, 34, 35, 40, 41, 59, 81, 104 See
anthropologists, 12–13, 30, 31, 34, 37, 51, 53,	also affective framing; framing.
80–81, 82, 96–97, 100, 102, 104,	audio files, use in court, 26, 29, 35, 39-40, 41
106–107, 121–123, 128, 151, 168, 173,	Austin, J.L., 179
177, 179, 181, 187	
and objectivity, 100–101	Baehr, Peter, 176
legal, 92, 112	Baines, Erin, 73, 77
anthropology, 37, 67, 78, 82, 96, 100, 103, 127,	Barotse, 167
133, 139, 142, 164–166, 167, 170, 181,	Bashir, Omar al-, 9, 11, 115, 142, 145, 148,
183, 187, 190	157–158, 186
affect research in, 37–38	Bateson, Gregory, 78–79
colonialism and, 100	BBC Africa, 61
courtroom, 30	beliefs
expert witnessing and, 96	pre-modern irrational, 106
law and, 80, 97	religious, 106, 107
legal, 42, 122, 167, 180, 181, 187, 189	Benda-Beckmann, Keebet von, 127
linguistic, 31, 33, 38, 108, 142, 180	Bensouda, Fatou, 9, 11
Manchester School of, 181	Berg, Ulla, 62
modernity and, 166, 168	Berlin, 158, 160
objectivity and, 100–101	Beth Ha'am, 23
of emotion, 12–13, 34, 37, 177, 180	Bin Laden, Osama, 157
of justice, 121–123	Black Pete debate, 184
of retaliation, 187	Black, Roy, 82
of the senses, 178	Blair, Tony, 157
phenomenological, 34	Blix, Stina Bergman, 11
psychological, 33, 180	Boas, Franz, 166
"translational turn" in, 66, 183	bodies, 45, 61–62, 65, 97, 103, 112, 141, 179,
Arendt, Hannah, 17, 23	180, 181
Areopagos, 23	affective arrangement of, 37–40, 48, 54,
Aristotle, 33	55–56, 59, 62, 65–66, 68, 82, 83, 86,
ARLPI. See Acholi Religious Leaders' Peace	88–89, 93, 104, 108, 130, 140, 144, 149
Initiative.	in courtroom, 14, 40, 41, 43–44, 45, 84,
arrangement, 6, 7, 20, 37, 42, 64, 65, 83, 86,	98–99, 102, 104–105, 109–110, 180
89–90, 91, 124 of bodies 14, 38, 39–40, 82, 84, 172	as objects or subjects, 93, 99, 101, 102–103,
or podies 14 18 19_4U 8/ 84 1//	107 108 110



## INDEX

defined via "affect," 36–37, 98–99 human, 39, 40, 41, 89, 102, 180	courtroom audiences. See audiences, of courtroom spectacles.
nonhuman, 36, 39-41, 56, 65, 85, 89, 98-99,	courtroom ethnography. See ethnography,
101, 103, 179	courtroom.
of evidence, 38, 44	credibility points, 14, 110
relational dynamics between, 65, 99, 105, 110, 148	crimes, 8, 10–11, 26, 46, 57, 71, 73, 75, 88, 94, 98, 107, 117, 118, 131–132, 145,
Bohannan, Paul, 167	147–148, 152, 158, 159, 163, 171, 179,
Bourdieu, Pierre, 185	186, 187, 191
Branch, Adam, 43, 118, 182	against humanity, 3, 8–9, 25–26, 182
bush wives, 152	forced marriage as, 152, 154, 156
Bush, George, 157	war, 3, 8–9, 20, 24, 25–26, 43, 80, 109, 115, 117, 157, 159, 171, 191
capitalism, 93, 165, 168, 176	criminal justice, 46, 50, 80, 116, 117, 121,
cassette tape, as evidence in court, 27, 29, 39–41	123–124, 126, 173–174, 182
Catholic archbishop of Gulu, 120, 132	international, 2, 5, 6, 43, 47, 173, 175, 182
Catholicism, 155–156	Western notions of, 173
cen (type of spirit), 106–108, 189	criminal trials, 66, 80, 101–102, 117–118, 119
Central African Republic, 26, 145, 178, 179	"feeling rules" of, 95
Centres of African Excellence, 158	international, 47, 85, 92, 97, 133
child soldiers, 26, 72, 73, 74, 75, 76, 77, 152,	Cultural Politics of Emotion, The, 46
155, 163, 184	customary law, 112, 119
Child Soldiers Global Report, 184	Acholi, 120, 123, 131
Child Soldiers International, 184	in Africa, 187
child soldiers, narrative of, 75, 76, 77, 89 children, 74, 75, 152	international, 160
abducted, 72, 76, 113, 134, 167, 184, 185	Darfur, 115, 147, 157–158
forcible recruitment of, 72–73, 74, 167	Daston, Loraine, 99–100, 185
killed, 94, 108, 109	Deleuze, Gilles, 36
China, 10, 143 Chomsky, Noam, 30	Democratic Republic of Congo (DRC), xii, 143, 145, 178
Christian beliefs, 105, 126, 188, 189	Derrida, Jacques, 111–112
civil war, Ugandan, 186	Desalegn, Hailemariam, 142
civil wars, 67, 146–148, 186	desertion, 74–75
Clarke, Kamari, ix, 66, 121–122, 142, 143, 148,	de-subjectify, 108, 110
172, 174	D'hondt, Sigurd, 184
cleansing rituals, 107, 186, 189	"dispositif," 5, 176
colonialism, 100, 105, 129, 156, 164, 168, 171,	Dolar, Mladen, 181
172, 175, 187	Dönitz, Karl, 191
affect and, 171–175	Durkheim, Emile, 55, 178, 181
British, 188	
critique of, 174–175	East Africa, 129, 187, 188
dialectical workings of, 168, 174, 175	Eboe-Osuji, Chile, 158–161
European, 18, 62, 148, 161, 166, 168	Eckert, Julia, 189
German, 175	Eichmann in Jerusalem, 23
in Africa, 62	Eisenstadt, Shmuel, 168
studies of, 168	Elderfield, Jeremy, 27–29, 32, 39, 41, 179
Comaroff, John and Jean, 139	Eltringham, Nigel, 5
complementarity, principle of, 117, 159, 177, 187	emic conceptions. 128, 189 See also etic conceptions
Congo, 158	emic/etic distinction, 128, 167, 190
courtroom	emotion
feeling rules, 169	and justice, 3, 11, 17, 18, 129–130, 135
performances, 4, 6–7, 41, 98–99, 178	and modernity, 18–19, 164, 166, 168–169
courtroom architecture, 5, 178	and objectivity, 93, 97, 108, 110
courtroom atmospheres. See atmosphere,	and rationality, 4, 13, 45, 140, 163–170
courtroom.	and subjectivity, 93



INDEX

anthropology of, 37, 177, 178, 180 differentiated from affect, 20 politics and, 17, 142, 190 research, viii, 17, 34, 36–37, 132, 142, 164, 181	Fictions of Justice, 143, 172 fieldwork. See ethnography, fieldwork Finnström, Sverker, 34 forced marriage, 26, 72, 152 forgiveness, 54, 119–120, 124, 126, 133, 183,
emotion words, 12, 31, 33, 34, 45	188, 189
emotional dynamics, 2, 12, 13, 35, 55, 91, 103,	"forum shopping," 127, 132
169	forums, dispute resolution, 127, 183
emotions, 17, 20, 34, 37, 93, 108, 110, 135,	Foucault, Michel, 5, 176, 177
164, 180	frame, 59, 72, 78–80, 81, 82, 148, 156
and sentiment, 13, 91, 112	Frame Analysis, 78
as embodied thoughts, 13	frame analysis., 78-79, 81 See also Goffman,
as integral part of law, 44	Erving
collective, 55–56	framing, 72, 78, 79–80, 81, 148, 156, 190
cultural construction of, 12, 177	<u> </u>
encoded in narratives, 129	Gabon, 146
in lawyering, 11, 45	Galison, Peter, 99-100, 185
in the courtroom, 7, 25, 178	Garapon, Antoine, 178
role of, 15, 19, 44, 128	Geertz, Clifford, 181
universality of, 3, 177	genocide, 122, 145, 148, 159
empathy, 12, 177	in Darfur, 147
Engels, Friedrich, 165	studies, 19
Englund, Harri, 61, 66	Georgia, 9, 177
Entman, Robert, 79	German Academic Exchange Service
Ethica, 36	(DAAD), 158
ethnographer, positionality of, 101	German national identity, 172
ethnography, 11, 29, 34–35, 37, 40, 42, 52, 78,	Germany, 172–173, 175, 190, 191
82, 101, 127–128, 166, 168, 178, 179,	reparations for war crimes, 191
180, 181, 182, 184, 185, 188, 190	Gift, The (sculpture by Navid Nuur), 1, 3, 5, 18
courtroom, 24, 31, 37, 40, 42, 179, 180	girls, abducted, 64, 76, 152, 153, 158
"deterritorialized," 2–3	Gluckman, Max, 167, 181, 185
fieldwork, 2, 8, 48, 52, 62, 109, 114, 126,	Gluckman-Bohannan debate, 167
128, 181	Goffman, Erving., 78–79, 81, 178 See also
methods, 36, 37, 114, 177	frame analysis
of atmospheres, 39, 180	Greece, 191
of emotions, 177	Gulu
etic conceptions. 128, 190 See also emic	
	amnesty reception center, 184 Muslim district of, 119
conceptions Eurocentrism, 156	University of, viii, 114
	Gulu (town in northern Uganda), 47, 84–85,
evidence, 14, 27, 41, 44, 98, 102, 109, 167, 179 against Dominic Ongwen, 43, 48, 85, 95,	
109	113–114, 117, 120, 149, 157 Gumpert, Benjamin, 64, 94, 95
	Oumpert, Denjamin, 07, 97, 93
anthropological, 97	Hamia The See ICC
bodies of, 44	Hague, The. See ICC.
hard-science-based, 97	Hegel, Georg Wilhelm Friedrich, 165
presentation of, 40–41, 80, 93	Hideki, Tōjō, 191
theory of, 184	Hirsch, Susan, 179
expertise, 105	History of Rome, 152
anthropological, 96–97, 107	Hitler, Adolf, 191
expertise, anthropological. See also witnessing,	Hobbes, Thomas, 165
expert.	Hochschild, Arlie, 20
E E 19 02	Holocaust, 162, 173
Fanon, Frantz, 18, 92	Holy Spirit Movement, 184, 186
feeling rules, 20, 144, 185	homo oeconomicus, 185
in the ICC, 20, 156	human rights, 53, 66, 122, 131, 165
of a criminal trial, 95	human rights regimes, 143
of liberal legalism, 169	human rights talk, 53, 131



#### INDEX

Human Rights Watch, 184, 185 indignation, 18, 45, 99, 134-135, 150, human rights, anthropological critique of, 66 153-154, 174-175, 190 Humboldt University, Berlin, 158, 161 indignation regimes, 18, 111-135, 141, Hume, David, 91 143-144, 148-149, 150, 153-154, 156, Hussein, Saddam, 157 158, 161–162, 169, 174, 175, 190 intentionality, as subjectivity, 101, 103-104, ICC, 1, 5, 6, 7, 8, 9, 10, 11, 13, 15, 18, 19, 27, 107-108 43, 46, 47, 49, 50, 51, 54, 62, 114, 115, internally displaced persons (IDPs), xii, 25, 48, 116, 117, 124, 125, 126, 142, 145, 146, 113, 135, 151 camps, 25-26, 30, 48, 84-85, 87, 109, 148, 153–154, 157, 160, 161–162, 177, 182, 188 113-114, 124, 134-135 See also Abok; activities, 9, 50-51, 52, 55, 115-116, 120, Lukodi;Odek;Pajule. International Court of Justice (ICJ), 160, 191 135, 145, 146, 150, 157, 161, 177 International Criminal Court. See ICC. International Criminal Tribunal, 8, 160–161 "Africa problem," 5, 8-9, 18, 50, 115, 121, 123, 124, 143, 145–146, 148, 162 Former Yugoslavia (ICTY), 152 as neocolonial institution, 10, 62, 142, 153 Rwanda (ICTR), 5, 152 bringing a case before, 10 courtroom international law. See law, international International Law Commission, 191 public gallery, vi, 3, 15-17, 19-20, 26, 28-29, 39, 54 Invisible Children (NGO), 163, 178 Invisible Children (video), 163 courtroom, description of, v-vi, 6, 27-29, 41, 92, 154 Iraq war, 146, 157, 158 "iron cage" of modernity, 3, 176 criticism of, 11, 43, 50-51, 115-116, 140, 160, 161, 177, 182, 186, 188 irrationality, 164, 166, 176 fear of, 11, 13 Italy, 160, 191 headquarters in The Hague, 1-2, 5, 6, 7, 35, 48 Johnson, Jessica, 122, 189 jurisdiction, xiv, 117, 143, 145-146, 177 jok (type of spirit), 106 legal basis of, 46 Juba peace talks, 135, 155, 178, 183, 186, 189 legitimacy of, 9, 15, 18, 114, 115, 121, justice, 3, 14, 68, 161 123–125, 126, 145, 148, 154, 161–162 African, 124, 126, 143 anthropology of, 121–123 Office of the Prosecutor (OTP), xii, 26–27, 50, 56, 63, 177 as distinguished from law, 15, 111-112, 122,  $out reach\ events,\ v-vi,\ 7-8,\ 9,\ 46,\ 47,\ 49,\ 51,$ 144, 189 54, 55, 58, 59, 64, 114, 124 as legitimacy, 123-125 outreach personnel, 8, 9, 10, 12, 47, 48, 53, conceptions of, 67, 113 61, 62, 66 imaginaries of, 112-113, 121-122, 127, 129, Public Counsel for Victims, 151 131, 135, 141, 143, 156, 162 purpose of, 8, 49, 51, 157 international criminal, 2-3, 5, 6, 13, 17, staff, 56, 59-60, 64-65, 124 46-47, 50, 51, 52, 62, 114, 143, Trust Fund for Victims, 60, 85, 130–131 172-174, 175 ICD. See Uganda High Court, International mechanisms of, 120, 187 Crimes Division of. narratives of, 68, 141 ICTR. See International Criminal Tribunal, procedural, 18, 124-125, 127-128, 132, 190 restorative, 60, 183 ICTY. See International Criminal Tribunal, sense of, 4, 49, 54, 56, 64–65, 66, 68, 91, 130 Former Yugoslavia. sentiments of, 15, 59-60, 111-135, 156 IDPs. See internally displaced persons (IDPs). "image testimonies," 191 traditional, 117, 119, 121, 131, 187 transitional. See transitional justice images, as bodies in the courtroom, 39-40, 41, Western notions of, 50, 143 43-44, 108, 109, 158, 181 immunities, jurisdictional, 191 Karekwaivanane, George, 122 Kenya, 58-61, 158 immunity, 75 of heads of state or government, 159–161 Kenyatta, Uhuru, 50, 116, 158, 160 sovereign, 9, 160, 191 Ker Kwaro Acholi (organization of traditional impunity, 126, 150, 162 leaders), 131, 188 India, 10, 143 Khartoum, 186



INDEX

knowledge, production of, 97, 98, 175 Luo, names, 172 Kony 2012 (video), 163 Lutz, Catherine, 179 Kony, Joseph, 26, 74-75, 77, 89-90, 105-106, "magical formalism," 166, 176 117, 120, 163–164, 167, 171, 178 Kwoyelo, Thomas, 117 Makerere University, 145, 150 Malabo Protocol, 142, 159, 190, 191 language, affective, 30-31, 33 Mali, 145 Malinowski, Bronislaw, 13, 166-167 Latin language, 153 Latour, Bruno, 19, 163, 168 Mamdani, Mahmood, 145-150, 173 Managed Heart, The, 20 international, 9, 52-53, 54, 66, 68, 112, 126, Mandela, Nelson, 146, 191 142, 160, 181, 183, 187, 191 Mao, Norbert, 189 international criminal, 3-4, 7, 10, 11-12, Maquet, Jacques, 100-101, 185 14, 18–19, 46, 47, 51–54, 66, 68, 75, Marx, Karl, 139, 165, 190 112, 115, 121, 123, 125, 126, 131, 140, Marxism, 139-140, 164-165 142-143, 150, 160, 181, 183, 187, 191 massacre, 26, 87, 88, 113-114 See also justice, international criminal commemoration of, 84-88, 120-121 natural, 91, 165 sites of, xiii, 48, 85 survivors of, 53, 84–85, 88, 114, 130, 131, law and politics, 7, 73, 111, 139-141, 148, 162, 169 133-134 victims of, 88, 134-135 law-and-emotion research, 3, 44-45, 94, 99, Massidda, Paolina, 151-152, 153-154, 156 130, 176 leaders, traditional, 53-54, 131, 183 mato oput (reconciliation ritual), 118-119, Leb Lango (language), 57 126, 131 legal pluralism, xi, 53, 112, 125, 127, 129, 186 Matoesian, 82-83 legalism, liberal, v, 122, 163, 165, 168, Mauss, Marcel, 181 169-170 Mbembe, Achille, 168 legality, 15, 31, 67, 166, 176 measures, 118 legitimacy, 18, 56, 121-129, 132-133, 135 MegaFM (Acholi-language radio station), 63 of ICC, 5, 9, 15, 18, 51, 62, 115, 143–145, memorials, vi, 14, 85-88 148, 154, 161-162 Mercer, Ann, 82-83, 186 Merry, Sally Engle, 53 Lewis, Herbert, 173 Mertz, Elizabeth, 11 liberal contractualism, 122, 139 liberalism, 164-166, 170 micro-practices, analysis of, 37, 38, 55, 62, 68, Libya, 146, 157 143-144, 149 Livius, Titus, 152, 153 modernity, v, 4, 18-19, 93, 100, 106, 163-164, Locke, John, 165 165-166, 168-170, 176, 191 Lord's Resistance Army. xii, 14, 25, 72, 93, 95, critique of, 168, 176 103, 105, 106, 107, 109, 113, 151, 163, theory, 166, 168 164, 171, 184 See LRA Moore, Michael, 183 Lozi courts, 185 moral sentiments, 56, 71, 91 LRA, 10, 25-26, 32, 34, 35, 39-40, 41, 43-44, moralities, 11, 54, 126, 189 48, 60, 72-76, 84-85, 87, 88-90, Mühlhoff, Rainer, 6, 65, 177 93-95, 103-104, 105, 106, 107, 113, Museveni, Yoweri, 10, 25–26, 43, 52, 115–116, 115, 116–117, 118, 151–152, 163–164, 125, 149-150, 171, 178, 186, 192 167, 178, 184, 185, 186, 189 criticism of ICC, 115-116 camp, 14, 77, 89-90, 124 Crisis Tracker, 178 narratives, 128-129, 132-133, 149, 150, 154, intercepted radio communications, 26-29, 190 39, 43-44, 89 and plausibility, 80-81, 133 leadership, 26, 29, 43, 51, 72, 76, 77, 105, historical, 129, 141, 148-149, 156, 161 107, 115, 117, 120, 134, 153, 183 of justice and injustice, 141 peace talks. See Juba peace talks. of life in IDP camps, 134-135 socialization in, 73 of massacre victims, 135 Lukodi, 26, 84-87, 94 of Ongwen's guilt, 73-74, 76, 77-78, 88 Lukodi, IDP camp in, 93 National Resistance Movement (NRM), 116 Luo language, 53, 57, 62 Navaro-Yashin, Yael, 179



## INDEX

Nazi	performance, 99, 143, 149
criminals, 161, 173–174	court proceedings as, 24, 30–31, 35, 38, 40,
officials, 173	59, 93–94, 98–99, 104, 108, 153
neocolonialism. 67, 115, 142 See also	law as, 24
colonialism	of expert witness, 96–97
New Vision Newspaper, 189 NGOs, 53, 62, 84, 132, 149, 163	political trials as, 143 phenomenological approaches, 34, 40
Nigeria, 146	Philipopoulos-Mihalopoulos, Andreas, 56, 65
northern Uganda. See Uganda, northern.	Plato, 71
NTV (Ugandan news channel), 57, 60, 63	plausibility, v, 5, 14, 71, 78, 80–82, 84, 86, 88
Nuremberg	90, 91, 107, 133, 161, 169, 184
model, 161, 173, 191	creation of, 82
tribunals, 8, 161, 172–174, 191	politics
Nussbaum, Martha, 190	judicialization of, 67, 123
Nuur, Navid, 2–3, 5	juridification of, 139
nyono tonggweno (cleansing ritual), 189	of atmosphere and sentiment, v, 15, 139, 169
objectivity, 14, 24, 93–101, 108–110, 144, 169,	of memory, 84, 88
185	postcolonialism, 18, 67, 166, 175
sentiment of, 92, 99, 110 See also	Protestant Ethic and the Spirit of Capitalism,
subjectivity.	176
objects, 144, 182	psychological anthropology, Berlin school of,
in affective arrangements, 14, 93	180
in the courtroom, 97–110 See also subjects. Ocampo, Luis Moreno, 11, 26, 43, 145–149,	public screenings. <i>See ICC</i> , outreach events punishment, 46, 47, 50, 51, 73, 117, 118, 124
191	125, 174, 183
Odek, 26, 87, 94	as opposed to reconciliation, 123, 133–134
Odongo, Krispus Ayena, 105, 154–155, 156	as opposed to reparations, 118
Office of the Prosecutor. See ICC	desire for, 47, 60, 174
Office of the Prosecutor (OTP).	ICC emphasis on, 126
Okello, Tito, 116	theories of, 11, 183
Ongwen, Dominic, 26, 27, 28, 30, 35, 48, 57,	
61, 63, 64, 72, 73, 76–77, 84, 85, 90,	Quran, 119, 132
113, 115, 116, 117, 119, 131, 152,	. 1.1 1
154–155, 171, 179, 188, 189	racial ideologies, 62, 90, 162, 166
abduction of, 60, 72, 75	rape, 26, 64, 72, 82–83, 153–154, 156, 158
amnesty extended to, 120–121	trials, 82, 84, 90
competing narratives of guilt, 73–74, 75–77, 88–90, 106, 107	rational choice models, 125, 128, 130, 131–132 rational fairness, 128
ICC case against, 6–7, 14–15, 25, 26, 28, 43,	rational motives, as basis for legitimacy, 129
48–49, 51, 52, 53, 56–57, 60, 72–73,	rationality, 132, 164, 167
75, 84–85, 87–88, 90, 92, 93–94, 95,	and modernity and law, 130, 140, 162,
107, 108–109, 113–115, 117, 130,	164–166, 168, 169
131–132, 151–152, 171, 179, 188	and Weber, 4, 166, 168, 176
ICC conviction of, 171	as affective register, 45, 86, 169, 170
Ongwen, Dominic, as rational political actor,	as meaning-making, 4
106	as sentiment, 45
Orientalism, 166	in legal theory, 45
	non-European, 168
Pajule, 26, 27, 87–88, 94, 113–115, 124	sexual, 82
IDP camp in, 113	rationalization, modernity as, 4, 166, 168, 176
massacre survivors, 126	"reasonable man" argument, 167
Pakistan, 143 Parsons, Talcott, 176	Reckwitz, Andreas, 170
peace negotiations. 116, 182, 186 See also Juba	reconciliation, 15, 50, 54, 116, 119, 123, 126, 130, 132, 157, 160, 174
peace talks	vs. retribution, 132–135
peace versus justice debate, 50, 135, 182	relationality, affective, 38, 97, 105, 110
	,, , , , , , , , , , , , , , , , , , , ,



INDEX

relativism, 66, 156, 166	and truth, 91
religious ethics, 190	defined, 13, 90
as normative order, 15, 121, 123, 125	of punishment, 174
of forgiveness, 183, 189	of restoration and reparation, 60
religious leaders, 54, 106, 114, 119–120, 121,	of retribution, 60
126, 134, 157, 183, 188, 189, 190	politics of, 141, 143, 161–162, 174
critical of ICC, 120, 133	Silverstein, Michael, 179
peace initiative of, 120	slavery, 168
reparations, 14, 53, 60, 84–86, 88, 106, 118,	sexual, 26, 72, 152
130, 132, 174, 183, 189, 191	Smith, Adam, 71, 91, 220
research, 78, 93, 101, 132, 180, 183, 190	Smith, William Kennedy, 82, 186
anthropological, 78, 100, 167	socialization, 12, 73
socio-legal, 132 See also anthropology;emo-	in post-war Germany, 172, 174
tion;ethnography;law-and-emotion.	South Africa, 146, 158, 173, 191
retaliation, 118, 187	South African-German Centre for
retribution, 13, 60, 74, 132, 133, 135, 183	Transnational Criminal Justice, 158
revenge, 13, 117	South Ossetia, 9
Richardson, Michael, 181	South Sudan, 178, 186
rituals, 55, 106, 156, 178, 181, 187	speech acts, 34, 38, 59, 60, 179
cleansing, 186, 189	Spinoza, Baruch de, 36, 179
ICC hearings as, 55	spirit beliefs, 106
traditional Acholi, 54, 118, 131	spirit medium, 184
Romans, 152–154	spirit medium, Joseph Kony as, 74, 105–106
Rome Statute, xiv, 8, 10, 46, 115, 117, 141,	spirit militias, 186
145–146, 148, 159, 177, 179	spirit possession, 184 spirits, 74, 105, 106, 107, 184, 189
member states, xiv, 10	in the courtroom, 14, 105, 107–108
Rome, ancient, 153 Rosaldo, Michelle, 13	spiritual pollution, 107
Rousseau, Jean-Jacques, 165	Stewart, Kathleen, 179
rule of law, 93, 143, 146–147	Stockholm syndrome, 75
Russia, 9–10	Stoler, Ann, 166
Rwanda, xii, 8, 152	storytelling, 59, 133
rwot (village chief), 24, 118	subjectivity, 101, 178
1 wet (* mage emer), 2 i, 110	and intentionality, 104
Sabine women, rape of, 152–154, 156	as opposed to objectivity, 93, 101
Sahlins, Marshall, 189, 190	in the courtroom, 107–108
Said, Edward, 18, 166	of spirits, 108
Schankweiler, Kerstin, 191	of the witness, 105, 186
Scheffer, Thomas, 182	subjects, 101, 107–108, 144, 185
Scheidecker, Gabriel, 190	differentiated from objects, 99–101,
Scheveningen, 1	103–104, 105, 107
Schmitt, Bertram, 172, 175	in affective arrangements in courtroom, 14,
Scottish moral theorists, 91	92, 93, 97, 99, 103–105, 107, 109, 110
Second World War. See World War II	intentionality of, 101, 107
Séléka (rebel coalition), 26, 179	production of, 6
sentiment, 5, 7, 13–14, 15, 20, 42, 59, 60, 71,	pure, 101
88, 90, 121, 129, 130, 141, 143,	Sub-Saharan Africa, 143
148–149, 161–162, 169, 174–175, 178	Sudan, 9, 10, 115, 142, 145, 146–148, 157, 186
and atmosphere, 15–18, 20, 56, 139, 140,	Sudan People's Liberation Army (SPLA), 186
141, 169	Syria, 146
and indignation regimes, 144, 162, 169	
and justice, v, 15, 59, 111, 112, 129,	Tait, David, 178
132–133, 135, 156	Tanzania, 146
and modernity, 19	tape recordings, as evidence in court, 27–29,
and objectivity, 14, 93, 97, 110	34–35, 39–41, 43–44
and plausibility, v, 71, 78, 91	Tarfusser, Judge, 153
and rationality, 45	Taylor, Katherine Fischer, 178



### INDEX

Theory of Moral Sentiments, 71	languages, 53
Third Reich, 173	Muslim community in, 157
Tigris, 157	normative pluralism in, 53–54, 111, 123,
Tiv, 167	125
Tokyo tribunal, 8, 161, 191	reconciliation in, 132, 134, 157, 174
tradition, invention of, 187, 188	spirits in, 105, 106–107
trafficking, 159	victim organizations in, 60, 85, 86, 109
transcriptions, as evidence in court, 26–27, 40	Parliament, 74, 120
transitional justice, 2–3, 7, 9, 47, 49–50, 51, 52,	secret intelligence agency, xii, 26
53, 68, 114–115, 122, 130, 182	Uganda People's Defence Force (UPDF),
"Africanizing" of, 118–119	25–26, 29, 77, 84–85, 89, 117
atmospheres, v, xi, 7, 46, 49, 65-66, 68	United Kingdom, 157
debate, 60, 182	United Nations
measures, 50, 52, 62, 67, 114, 118	Charter of, 160, 191
role of emotions in, 15, 17	General Assembly, 161
scholarship, 7, 15, 60, 66-67, 122, 123,	Security Council (UNSC), 10, 146, 148
129–130, 173, 189	United States, 10, 143, 163
transitional justice events, ICC outreach	universalism, 66
activities as, 7, 49, 51, 55, 61	universality, 154, 156
translation, 29, 33, 53, 61, 68, 153, 176	UPDA, 27
legal, 7, 49, 53, 54, 68 See also	UpFront-Arena (Al Jazeera TV programme),
vernacularization	144
metaphor of, 53, 66, 183	
translational turn, 66, 183	vernacularization., 66-67 See also
translators, role of, 53, 63	translation
Trobriand Islanders, 166	Versailles, Treaty of, 160
Trust Fund for Victims, 60	victim, Dominic Ongwen as, 72, 76, 154
truth and reconciliation commissions, 15, 50,	victims, 9, 12, 46, 58, 72, 76, 82, 85, 86, 131,
130	147–149, 152, 154, 173, 183
Turner, Victor, 55	of Dominic Ongwen, 14, 58, 60, 124, 131,
Tyler, Tom, 124, 125	172
	of LRA, 94, 134, 188
Uganda, xii, 3, 10, 25, 26, 43, 48, 51–52, 57,	participation in trial, 51, 58–60
75, 115–117, 126, 129, 143, 145, 149,	public counsel for, 151
163–164, 171, 183, 184, 185, 186, 187,	representative of, 56, 109, 134
188, 192	spirits of, 107–108
criminal justice in, 116–117, 123, 125, 126	victims' groups, 58, 85, 86
government of, 10, 25–26, 34, 43, 50, 52, 72,	Victims, Trust Fund. See ICC, Trust Fund for
115, 116, 186	Victims.
High Court of, 117, 126, 183, 186	video recordings
Internal Security Organization (ISO) of, 26–27	as evidence in court, 14, 40, 54, 93–94, 98, 99, 108–109
military, xii, 25, 26, 41, 43–44, 48, 77, 89, 93, 109, 134, 164	of courtroom proceedings, 17, 180 video stream, of ICC proceedings, 17, 29
news channel, 57	g-,,
northern, 52–53, 54, 62, 74, 77, 88, 104,	war, 32, 73, 173
109, 113–114, 115, 121, 127, 134, 178,	in Afghanistan, 146, 157
181, 182, 183, 186, 188	in northern Uganda, 25, 26, 34, 48, 73, 114
armed conflict in, 25–26, 48, 73, 104, 109,	163, 167
153, 163, 167	Iraq, 146, 157
children in, 72, 74, 76, 163, 184	war crimes. See crimes,war.
forgiveness in, 126, 133	Ward, Kevin, 189
ICC legitimacy in, 123, 124–125	Weber, Max, 4, 166, 176
ICC outreach work in, vi, 46, 47–49, 50,	Western Cape, University of, 158
52, 58	Wettergren, Åsa, 11
justice in, 113–115, 118–119, 187, 188	whiteness, phenomenology of, 62



INDEX

Whorf, Benjamin Lee, 179
Wilson, Richard, 97
witnesses, 23, 32, 52, 84–85, 95, 97–98, 104–105, 107, 108, 158, 186
sabotaging, 83, 108
witnessing, expert, 95–97, 99, 102, 103–105, 106–107, 185
wives, forced, 76, 132, 152

women, crimes against. 113, 152, 154, 156, 158, 162 See also rape World War II, 8, 161, 173, 191

Yemen, 146 Yugoslavia, 8

Zenker, Olaf, 178, 189