

Review of M. Cherif Bassiouni (ed), *The Pursuit of International Criminal Justice: A World Study on Conflicts, Victimisation, and Post-Conflict Justice* (2010) (Intersentia) **ISBN-10:** 9400000170, 2000 pages

The progression of a state from circumstances of conflict to a condition of long lasting peace and stability is fraught with difficulties. A central issue in such transitional periods is how to deal with the perpetrators, and the legacy of, atrocities committed during the conflict. The possibility of a lack of resources, but also, and perhaps more significantly, the connection between the approach taken to accountability of perpetrators and the stability of a particular situation, helps to explain why normal assumptions about criminal justice are not necessarily applicable in the aftermath of war.

The edited collection under review represents the output of an ambitious two year project intended to not only progress the academic debate in this field, but also to influence policy makers and to have a direct impact on the functioning of the International Criminal Court. The project was led by the editor of the book, M. Cherif Bassiouni, Distinguished Research Professor of Law Emeritus, DePaul University College of Law, and, including conference participants, involved over 600 experts from 80 countries.

The book is not far short of 2000 pages and consists of two volumes. Volume 1 is separated into two parts. Part 1 begins with a chapter from Bassiouni, which situates the project within the field of post-conflict justice. It then sets out the Chicago Principles on Post-Conflict Justice, which were agreed upon at the outset of the project as a basis for the guidance and assessment of the practice of post-conflict justice, and are described as 'a set of comprehensive guidelines for how governments,

international institutions, and others should respond to serious violations of human rights, as well as to promote peace and reconciliation in the aftermath of conflict.’ (xiv) This is followed by a chapter that offers a compilation of data on the number of conflicts between 1945 and 2008, the levels of victimisation produced in these conflicts, and the approaches to post conflict justice that were taken. Next, chapter 4 provides a useful summary of the key findings from the thematic studies and regional studies that constitute Part 2 of Volume 1 and Volume 2 of the book. Part 1 is completed with the reproduction of a series of short statements made by judges from an array of international courts on the topic of international criminal justice and the contribution of their institution.

The thematic studies are found in 10 chapters and span some 600 pages. Most of these chapters deal with a different mode of post-conflict justice, although there is also some attention to the philosophy of post-conflict justice and an extensive chapter on victim’s rights. The modes of post-conflict justice that are addressed include both national and international prosecutions, truth commissions, lustration, apologies, amnesties, and memorialisation. The general approach in each of these chapters is to provide an overview of the nature and usefulness of the various modes. Each mode that is addressed here has been the subject of more detailed investigation and analysis elsewhere, but these chapters fulfil an important function, as they provide the context for the regional case studies which follow. Moreover, by collecting accounts of the different modes together in one volume, the book represents a useful reference resource. In this respect, a chapter dedicated to modes that are not part of the general tool kit, such as symbolic cleansing ceremonies that are unique to a particular society, would have enhanced the comprehensiveness of the resource. This is not to suggest that such approaches are not addressed, but they are hidden away in the accounts of the other more universally accepted modes; and the lack of a detailed table of contents or index severely reduces the prospects of ready access.

The regional studies are the highlight of the book, they are grouped as follows: the Arab world, Central and South America, Africa, Asia, and Europe. For each study there is a general regional report, compiled by one or more reporters from the region, that addresses how practice relates to the Chicago Principles, as well as more detailed case studies of some of the more prominent examples from each region. The Chicago Principles consist of seven overarching guidelines on the issues that should be considered in relation to post-conflict justice, spanning from prosecution to institutional reform. The adoption of these principles as a common framework for analysis lends a degree of coherence to the reports, which is important given the diversity in the range of practice that is considered. Such broad coverage is a major strength of the work. There is no real attempt by any of the reporters to develop a particular thesis, rather their objective is to describe and help the reader to understand why a particular approach has been adopted and to highlight its impact on the progress of a situation. In so doing, they have contributed towards a very useful resource for researchers seeking evidence to support the well rehearsed, but still potentially overlooked, argument that justice cannot simply be ignored in post-conflict situations. One might have expected the book to include more comparison between the different regions, particularly in terms of the impact of the different societal contexts on the approach taken to justice and what this suggests about the usefulness of any sort of universal check list for post-conflict justice, but perhaps this is for another book.

Overall, by drawing attention to the nature and the magnitude of challenges that accompany post-conflict justice, the book serves its purpose. Its major contribution is in the breadth and depth of empirical evidence that it provides of the significance of post-conflict justice regardless of the location or nature of the conflict; far more than is the norm for literature in this area. At the same

time, however, its length and the diversity in the styles of writing of the various contributors mean it is far from an easy read. This is support for the view that it is best seen as a reference resource.

Accordingly, it is to be regretted that there is not a more detailed table of contents or an index.

Without these common place elements, there is little opportunity for a prospective reader to know that the book includes detailed and insightful case studies on matters of justice in Algeria, Colombia, Morocco, or in relation to the Israeli-Palestinian conflict, just to name a few of the many.

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