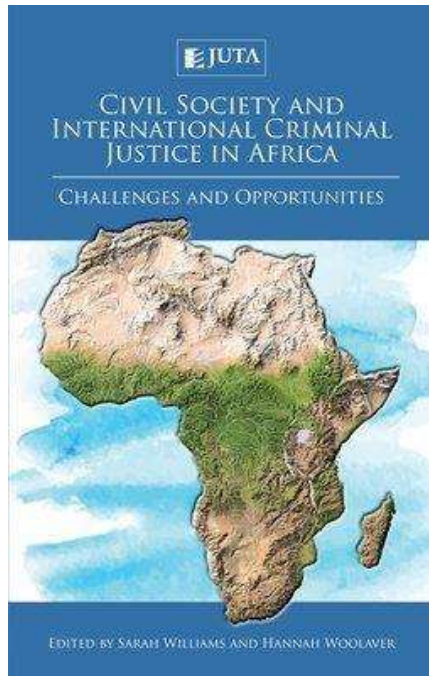


Book Review



**CIVIL SOCIETY AND
INTERNATIONAL CRIMINAL
JUSTICE IN AFRICA
Challenges and Opportunities**

Edited by Sarah Williams
and Hannah Woolaver

(317 pages)

Juta & Co Ltd

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***" One murder made a villain,
Millions a hero. Princes were privileged
To kill, and numbers sanctified the crime."***

- Beilby Porteus (1731-1808)

The theme of this collection of 13 essays is the contribution of African civil society organisations to international criminal justice mechanisms. This includes the International Criminal Court (ICC), as well as regional and national institutions.

Civil society groups in Africa are seeking to utilise international and domestic legal frameworks to pursue justice for international crimes committed around the continent and the globe. Such civil society organisations are already playing a key role in domestic international criminal justice procedures in several African countries, as well as before international criminal tribunals, including the ICC.

A prime recent example of this is the order obtained in the Gauteng High Court by the Southern Africa Litigation Centre ordering South African authorities to prevent Sudanese President Omar al-Bashir, who

has been subject to two ICC arrest warrants since 2009, from leaving South Africa (*Southern Africa Litigation Centre v Minister of Justice and Constitutional Development and Others*, 2015(5)SA1(GP)). The Minister's appeal was dismissed by the Supreme Court of Appeal (*Minister of Justice and Constitutional Development and Others v Southern Africa Litigation Centre and Others* (867/15)[2016] ZASCA17).

The distinguished contributors include authors from South Africa, Nigeria, Australia, Uganda, Germany and the USA. The subject is comprehensively examined from a broad international perspective, with a focus on Africa and in particular South Africa. Transitional justice agendas and policies are covered and there are pertinent observations from the field. There is no shying away from criticism where merited, and difficulties are realistically addressed.

This authoritative body of work has its origins in a workshop held in 2015 hosted by the Law Faculty of the University of Cape Town in collaboration with the Australian Human Rights Centre, UNSW Australia, and with the support of the Australian Research Council.

Former Justice of the Constitutional Court of South Africa, Richard Goldstone, who served as Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia and for Rwanda, makes some pertinent observations concerning the media:

"With regard to international criminal justice the media has played both a positive and negative role. No criminal justice system can be effective without wide public awareness of what happens in the courts. Punitive justice depends entirely on such awareness. Victims of crime require to be informed of the trials of the people believed to have been responsible for their victimhood. It is primarily for this reason that in democracies the courts are open to the public and in particular the media. ...All of the international criminal courts and tribunals have been open to television cameras... The media have more often than not described acquittals in international courts as failures of the system. The contrary would be correct. The fairness of any criminal justice system should be measured not by convictions but by acquittals."

The co-authors, the contributors and publishers Juta are to be commended for making this important collection available to a wider readership. The insightful perspectives from academics, practitioners and civil society representatives are a timely guide to a critical aspect of the quest for justice in an emerging world order.

Review by Louis Rood BA LLB (UCT) of Fairbridges Wertheim Becker.