## Contents

Introduction: Current Issues Confronting International Criminal Prosecutions  
*Stacey M. Mitchell and Henry F. Carey*  
1

### Part I: Thematic Studies

1. Customary Law and the *Ad Hoc* International Criminal Courts  
   *James Larry Taulbee*  
   17

2. The Joint Criminal Enterprise Debate and the Case of Charles Taylor: The Politics of International Criminal Tribunal Law  
   *Kelly-Kate Pease*  
   33

3. Prosecuting Recruitment of Child Combatants by the Special Court for Sierra Leone: Precedents and Problems  
   *Kimberly Lanegran*  
   47

4. Song as a Crime Against Humanity: The First International Prosecution a Pop Star  
   *Susan Benesch*  
   63

5. Seeking Justice and Accountability: The Dilemmas of Humanitarian Law and Human Rights NGOs  
   *Mahmood Monshipouri*  
   75

6. Peace vs. Justice: The Strategic Use of International Criminal Tribunals  
   *Candace H. Blake-Amarante*  
   91
Contents

7. Understanding the Alienated Constituents of International Tribunals: Bridging the Gap
   Adam M. Smith
   107

   Peter J. Stoett
   121

9. Should We Press the Victims?: Uneven Support for International Criminal Tribunals
   Michael D. Thurston
   135

10. The ICC and R2P: Problems of Individual Culpability and State Responsibility
    Benjamin N. Schiff
    149

Part II: Case Studies

11. The Tokyo War Crimes Trial
    Yuki Takatori
    167

12. Arresting Charles Taylor
    Beth Dougherty
    181

13. Hybrid Tribunals and the Rule of Law: War Crimes Chamber of the State Court of Bosnia and Herzegovina
    Olga Martin-Ortega
    195

14. A Necessary Compromise or Compromised Justice? The Extraordinary Chambers in the Courts of Cambodia
    Johanna Herman
    209

15. Special Tribunal for Lebanon
    Kathleen Barrett
    223

    Joanna R. Quinn
    239

17. Restorative Justice, RPF Rule, and the Success of Gacaca
    Stacey M. Mitchell
    255
Contents vii

18. Gacaca and the Treatment of Sexual Offenses
   Prisca Uwigabye 269

19. Guilty as Charged: The Trial of Former President
    Alberto Fujimori for Human Rights Violations
    Jo-Marie Burt 285

Afterword
   Henry F. Carey 301

Index 331

About the Contributors 349