

## BOOK REVIEW

**Lyn S. Graybill. *Religion, tradition, and restorative justice in Sierra Leone*, Notre Dame: University of Notre Dame Press, 2017, 307pp. ISBN: 978-0-268-10189-3 (hbk).**

Lyn S. Graybill's recent book *Religion, tradition, and restorative justice in Sierra Leone* represents a unique examination of how, in the aftermath of the deadly and violent civil war that lasted some eleven years, the country attempted to restore peace while transitioning to a state of sound governance. Graybill's 'case study' is unique in that – unlike in other post-conflict settings (e.g. ICTR, ICTY, East Timor, Cambodia and Lebanon) – Sierra Leone was party to two distinctly different transitional justice models, which operated in consort to achieve post-war transitional justice. The author provides a novel review as to whether the conventional punitive approach to restoring justice (i.e. Special Courts) is any better than the more local and conventional approach of relying on restoration (i.e. Truth and Reconciliation).

By exploring the 'two-pronged' process employed in Sierra Leone, Graybill broaches the subject of transitional justice; however, it would have been instructive at the outset to position her analyses within the broader context of transitional justice.

In the preface, Graybill acknowledges how her previous book on the Truth and Reconciliation Commission (TRC) efforts in South Africa and its ensuing analysis and criticisms analysed the issue of whether and to what extent such preferences were, within the South African context, 'limited to the level of the religious elite' or more widely shared (xiii). Graybill's findings, along with those found in an expansive range of research that she reviewed in preparing her book, suggest that the notion of 'Ubuntu' – the concept of a common humanity (I am because we are) upon which the inherent necessity of a restorative approach in South Africa is premised – proved more valued than punishing in the justice transition phase in Sierra Leone.

Chapter 1 offers an overview of the Sierra Leone Civil War (1991-2002). Particular attention is given to the role played by the inter-religious council (IRC) in trying to broker peace after the invasion by Liberia's Revolutionary United Front (RUF) which was led by Charles Taylor. The invasion 'sought to end the corrupt rule of the All Peoples Congress (APC) that had ruled Sierra Leone since 1968' (7). The rich descriptive account of how and why it was so difficult to establish peace offers insight into the challenges that countries face during the period of post-conflict transitional justice and the transition to a 'new' civil society. Given the volume of detail, it would have been instructive to situate this overview within a theoretically grounded transitional justice framework. It would have also been beneficial to have provided a figure or chart chronicling the key events and factors that led up to the TRC, as well as to point out that the situation in Sierra Leone was further compounded by the fact that, in March 1991, conflict in neighbouring Liberia spilled over the border into Sierra Leone.

John Winterdyk

In Chapter 2, the author delves deeper into the unique process used in trying to resolve the conflict in Sierra Leone. Graybill argues that because of the coexisting presence of two very different bodies geared towards achieving justice – the Special Court and the TRC – the situation represented an exceptional natural opportunity to observe which approach, if either, might prove more effective and efficient. As Graybill points out, Sierra Leone was the first post-conflict country to set up both systems simultaneously.

In addition to providing some context as to how the two justice processes came to be used, the author again offers a largely descriptive but detailed accounting of the challenges faced by each process. For example, Graybill points out that although women and amputees were supposed to be given special consideration and compensation, the compensation process was fraught with a range of limitations and challenges. Despite the vital roles played by religious leaders and post-conflict culture in favouring reconciliation over punishment, the outside (i.e. Western) principle of punishment prevailed and thereby undermined the potential restorative benefits.

Although the text is richly narrative and supported by a significant body of grey literature, from an academic and methodological perspective, it would have been informative for the author to place some of the issues raised within a comparative context (e.g. South Africa, Rwanda, and the former Yugoslavia) to allow for some comparisons and generalisation. From an analytical and policy perspective, it would have also been informative to draw upon some of the extant literature on other TRCs and Special Courts to enliven the narrow analysis and interpretation.

In Chapter 3, the author focuses on the plight and expectations of women as they related to the transitional justice mechanisms. As has been well documented in other post-conflict countries, women are commonly subjected to the most extreme forms of violence. For example, it is noted that ‘between 215,000 and 257,000 women were victims of sexual assault during the conflict’ (54). Therefore, it is instructive to examine how the women in Sierra Leone felt about the two transitional justice mechanisms used to try and repair the harm that was done to them during the period of conflict.

Graybill recounts how the TRC was more successful in honouring the voices of the victims than was the Special Court. Again, the author draws attention to the relative effectiveness and perception of the women who were involved in either of the justice mechanisms. Ironically, as is the case in most other situations involving the establishment of a definition of ‘rape’ or sexual assault, both justice mechanisms faced numerous shortcomings in failing to ensure that the victims would be heard, compensated or otherwise acknowledged and empowered. For example, only about 3,000 women received any financial compensation and what was distributed ‘fell far short of the recommendations for lifetime monthly pensions’ (68-69). Here it would have been useful to discuss some of the ongoing challenges with the justice mechanisms used and to provide some comparative context and discuss any possible recommendations and/or improvements that were witnessed over other post-conflict resolution processes.

Chapter 4 presents a summary of the ‘popular views’ of both the TRC and the Special Court. While the focus of the chapter has considerable appeal, Graybill neglects to comment on the relative integrity and reliability of data sources. Furthermore, much of the data is mostly descriptive, and none of the findings are situated within a social, cultural or normative context. Nevertheless, the findings offer ‘food for thought’ and invite further examination into the relative merits of the two process models. Finally, the reader is left to ponder over one of the chapter’s closing statements: ‘To many Sierra Leoneans, justice meant establishing the truth more than punishing those responsible’ (95).

Relying on interviews, Chapter 5 shifts its focus to the perception of both Christian and Muslim religious leaders concerning the two justice mechanisms. As one might have anticipated, the respective religious leaders, although offering slightly different interpretations of forgiveness and reconciliation, ‘expressed a belief in the importance of reconciliation ... a major theme in most religions’ (212). Unfortunately, again, there is no discussion as to the methodology employed or the sample size, nor are there critical reflections with existing literature. Graybill’s findings did reveal that most of the religious leaders favoured the TRC process over the Special Court process. However, what might have been instructive to note is that there is no empirical evidence which proves that Christian or Muslim faiths doctrines in this context is more valid or reliable. Although Graybill suggests that the role of the spiritual leaders is vital in the reconciliation process, any arguments as to the most appropriate response mechanism(s) should be supported by evidence rather than based on the arguably biased opinions.

Chapter 6 centres on the overarching theme of the book – the merit of traditional reconciliation and the practice of forgiveness – which is not operationalised at any other point in the book. The chapter provides a thorough review of three different traditional African reconciliation models: the *Gacaca* model of Rwanda, the *gamba* approach used in Mozambique, and the *Mato oput* mediation process used in Uganda. Although Graybill offers an informative overview of each model, it would have been instructive to note that the traditional practices were all modified after colonisation; that is, they have evolved to reflect various Western-outside influences.

Nevertheless, the author presents a compelling rationale for why a reconciliation approach was the more logical and effective means of restoring peace and justice in Sierra Leone. Graybill notes that, although the traditional justice processes are not without their challenges, they were superior to the Special Courts, which were mainly a foreign imposition of crucial principles that failed to garner much trust or respect and whose processes trivialised the Manifesto 99 report (see p. 132), which provided a basis for the Commission’s reconciliation policy.

In the final chapter before the Conclusion, Graybill brings the discussion back to the core issues that commonly lead to State conflict and which confound the transition back to a ‘new’ civil society. According to her: ‘the root causes – corruption, poor governance, lack of human rights – remain, and the needs of victims have been mainly unfulfilled’ (179). Graybill examines two of the three main categories of recommendations under the TRC – *imperatives, work toward*.

John Winterdyk

Less attention is given to the category *seriously consider* since the government was and is under no obligation to consider the latter (154). The overriding message is that, although the recommendations are well-intended, most of them lack breadth and depth vis-à-vis root cause and effect. Again, it would have been helpful to include a chart summarising the main recommendations and their outcomes, as well as comparing the outcomes to those of other jurisdictions that have also experienced civil unrest. Finally, the chapter is left a little wanting of more than a descriptive summary of how the main recommendations have been handled.

As academics are prone to do, it is easy to be critical of some of the perceived limitations I have identified throughout this book. However, in fairness, no scholarly work is ever complete or definitive. Given that most of the sources predate 2009, it might have been instructive to add an Epilogue to apprise the reader of some of the current and ongoing issues facing Sierra Leone. For example, it remains one of the few countries where, despite laws and such campaigns as 'Hands Off Our Girls', female genital mutilation is still widely practiced; further issues include the Ebola crisis of 2014 (4,000 deaths), the 'missing millions', police corruption and archaic laws where police detain sex-workers for 'loitering'. The country continues to have one of the highest maternity death rates in the world, and 50 per cent of the population stills live in poverty. Despite the various interventions and efforts to 'restore' sound governance and public safety, Sierra Leone remains politically unstable.

Notwithstanding the limitations identified, Graybill's book is a noteworthy contribution to the field as it represents a gallant effort to provide a far-reaching examination and account of how countries transitioning from conflict might best restore public safety and (social) justice. Although less extensive than the author's earlier examination of the TRC process in South Africa, readers will find some common themes running through both books. As a case study, the findings and insights still leave numerous questions and issues unexamined. Nevertheless, bearing in mind methodological principles, this book represents a worthy contribution to the body of research on the subject and should be of interest to those interested in examining the relative merits of using restorative versus punitive principles. Therefore, the book should appeal to a range of disciplinary perspectives and should reinforce the need to examine such issues within both inter- and intra-disciplinary perspectives. As bold as this book may be, its limitations should be used to guide future research, inquiry and analysis because justice is relative and evolute, and we should be alert to possible paradigm shifts in what its attainment means.

John Winterdyk\*

\* John Winterdyk is Full Professor of Criminology, Department of Economics, Justice and Policy Studies, Mount Royal University, Calgary, Canada  
Contact author: jwinterdyk@mtroyal.ca.