

BOOK REVIEW

Celeste Hicks. *The trial of Hissène Habré: How the people of Chad brought a tyrant to justice*. London: Zed Books, 2017. Distributed by Chicago University Press. 217 pp. Bibliography. \$24.95. Paper. ISBN: 9781786991836.

On April 27, 2017, Chad's former president Hissène Habré was condemned to life imprisonment and the payment of 123 million as compensation to his victims for torture, extra-legal executions, and other human rights violations committed during his reign (1982–1990). His trial was held in Senegal, where Habré had sought refuge after he had been ousted by his former chief of staff Idriss Déby in 1990. Habré's trial was adjudicated by the Extraordinary African Chambers (EAC), a hybrid tribunal whose legal competence was based on the principle of universal jurisdiction. This was intended to be path-breaking, by establishing a form of justice that was neither dependent on national nor on international entities, such as the International Criminal Court (ICC) that has come under much criticism for its exclusive focus on African cases. Habré himself, along with his lawyers, refused to recognize the legitimacy of the court and did not participate in the proceedings.

Celeste Hicks' book is a timely account of the developments that led to the trial, of the trial itself, and of its aftermath. It clearly explains the trial's legal implications, its role within international human rights legislation, and the effects it might have on international law in the future. Chapter 1 provides a brief outline of rebellion and civil war in Chad, leading to Habré's accession to power in 1982. Chapter 2 focuses on Habré's exile in Senegal and on various unsuccessful earlier attempts to prosecute him. Chapter 3 provides a vivid account of the trial itself. Chapter 4 focuses on the trial's reception in Chad. Chapter 5 outlines the international impact of the trial, with some speculations for the future. The conclusion is somewhat ambivalent, speaking of the victims' pride in obtaining Habré's conviction, but also of their disappointment, as compensation still is not forthcoming, and as a good number of Habré's former henchmen continue to occupy positions of influence in Chad. Overall, however, Hicks tells a comforting story of the triumph of international justice and human rights, of "how the people of Chad brought a tyrant to justice."

Hicks is a journalist with some experience of Chad (where she worked as BBC correspondent from 2008 to 2010). Her interest, however, seems to

be less with Chad itself than with the legal issues and the potential international impact of the trial. This explains her approach, and perhaps also her search for a relatively simple and positive story. There can be no doubt about Habré's guilt, and that his conviction was profoundly liberating and empowering for his victims. Yet he was brought to justice not because the world suddenly took notice of "the people of Chad"—it did not when Habré was starving his prisoners to death, and it still does not, as conditions in Chad are still far from ideal—but because of international efforts to do so. Human Rights Watch especially was instrumental in channeling evidence toward the court, and this trial would never have happened without their intervention. They were largely motivated by reasons external to Chad: HRW, briefly put, needed "another Pinochet" to create a precedent for universal competence. Habré was an ideal case, because he was by then "exceptionally isolated" (169), and because international pressure could be brought to bear on Senegal. Hicks is aware of this, and concludes that there are "questions about who chooses to speak for victims and how a dominant narrative emerges" (119). But she does not follow them up, and her own chapter 4 is mostly based on information provided by HRW's interlocutors and interviews carried out by Hicks's research assistant with "ordinary Chadians from all walks of life" (119)—a category that is highly problematic in contemporary Chad.

Hicks also notes how widespread international support for Habré in the 1980s was swept under the carpet during the trial; that Habré's closest collaborators escaped judgment; and that the current Chadian president Idriss Déby Itno's involvement in Habré's crimes remains controversial. What Hicks does not mention, however, is Déby's involvement in the trial itself. His support made it possible; the victims' association that figures prominently in Hicks's book was set up by Déby and led by one of his close allies, who himself had been implicated in Habré's government but never held accountable. Déby allowed HRW access to the relevant documentation, while all the while impeding pre-trial investigations as soon as they risked implicating himself: activists were threatened, imprisoned, disappeared. This is more than a personal point. Chad's political history is notoriously murky, and people easily changed sides: many were perpetrators at one point, victims at another. "Justice" in such a context is not neutral, but highly political, a way of publicly parsing out victims and perpetrators; this would have merited some further discussion. Less excusable are the large number of factual errors, especially in chapter 1.

Does this matter? The moral case seems clear: Habré was guilty, he was judged, clearly rightly so. This was not only a moral duty towards the victims, but also a powerful statement against impunity. Given these high stakes, exact details are irrelevant, one might say. But details matter, not only because particular places and histories matter, but also because details are what allow for divergent narratives, beyond those of moral triumph. A more carefully researched account would have made for a less powerful

narrative, but perhaps for a more compelling story: one that does not comfort the Western liberal common sense, but points to its internal contradictions, collusions, and limitations.

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For more reading on this subject, see:

- Durotoye, Yomi and Robert J. Griffiths. 1997. "Civilianizing Military Rule: Conditions and Processes of Political Transmutation in Ghana and Nigeria." *African Studies Review* 40 (3): 133–160. doi:10.2307/524969.
- Mutua, Makau. 2008. "Human Rights in Africa: The Limited Promise of Liberalism." *African Studies Review* 51 (1): 17–39. doi:10.1353/arw.0.0031.
- Wiseberg, Laurie S. 1994. "The African Commission on Human and Peoples' Rights." *Issue: A Journal of Opinion* 22 (2): 34–40. doi:10.1017/S1548450500004698.