

# Transitional Justice in Post-Conflict States: Analyzing the Efficacy of Hybrid Courts Through a Political-Legal Lens

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This study aims to evaluate the efficacy of hybrid courts in post-conflict states through a political-legal lens, examining their role in delivering justice and promoting legitimacy. This study employs a scientific narrative review using a descriptive analysis method. A wide range of sources published between 2018 and 2024—including peer-reviewed journal articles, legal documents, and institutional reports—were systematically reviewed. Four key hybrid court models were selected for comparative analysis: the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, the Special Tribunal for Lebanon, and the Kosovo Specialist Chambers. Data analysis was conducted thematically through a political-legal framework that integrated legal outcomes and political environments. Hybrid courts have shown mixed results in achieving justice and fostering legitimacy. Legal successes include high-profile convictions and the development of international jurisprudence. However, challenges such as limited local ownership, political interference, narrow mandates, and weak institutional legacies have hindered broader impact. Courts embedded in cooperative political environments demonstrated stronger performance, while those facing elite resistance or low public trust struggled to gain legitimacy or produce long-term reforms. Hybrid courts can serve as valuable transitional justice tools when carefully tailored to local political and legal contexts. Their future efficacy depends on increased public engagement, improved integration with domestic legal systems, and adaptive designs that respond to political constraints and evolving global challenges.

**Keywords:** hybrid courts, transitional justice, post-conflict states, political legitimacy, international law, legal pluralism, reconciliation.

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## 1. Introduction

In the aftermath of violent conflicts, societies often face the immense challenge of reconstructing governance systems, ensuring accountability for past atrocities, and restoring trust in state institutions. Transitional justice has emerged as a central mechanism for achieving these aims, encompassing judicial and non-

judicial measures such as criminal prosecutions, truth commissions, reparations, and institutional reforms. These mechanisms are designed to address the legacies of human rights violations while promoting reconciliation and the rule of law. In deeply divided societies where the scars of conflict run deep, transitional justice processes are not only legal necessities but also political imperatives that must



navigate delicate post-war power dynamics and societal divisions.

Amid the broad array of transitional justice tools, hybrid courts have gained significant attention as institutional innovations that combine international and domestic legal elements. Hybrid courts are judicial bodies that incorporate both local and international judges, apply a mix of international and national law, and often operate within the territory of the post-conflict state. Their emergence reflects a practical and political compromise between demands for international accountability and the need to respect national sovereignty. The creation of these courts has been motivated by a variety of factors, including the failure or incapacity of domestic systems to conduct credible prosecutions, the desire for increased legitimacy through local involvement, and the limitations of fully international tribunals such as the International Criminal Tribunal for the former Yugoslavia (ICTY) or the International Criminal Tribunal for Rwanda (ICTR). As noted by Muharremi, hybrid courts have evolved as context-specific responses to the shortcomings of both purely international and purely domestic models, seeking to enhance local ownership while benefiting from international support and oversight (Muharremi, 2022).

The hybrid model represents more than just a technical adaptation—it reflects deeper tensions between legal principles and political realities in transitional societies. The intersection of international legal norms and local political structures often generates frictions that affect the design, implementation, and outcomes of hybrid courts. These courts do not operate in legal vacuums; they are deeply embedded within contested political environments where issues such as legitimacy, judicial independence, and local resistance frequently arise. As Greener explains, post-conflict state-building is inherently political, and legal institutions, including hybrid courts, are often instrumentalized for political ends (Greener, 2024). Thus, any assessment of hybrid courts must consider not only their formal structures and procedures but also their political contexts and consequences.

This article adopts a political-legal framework to analyze the efficacy of hybrid courts in post-conflict states. By integrating political science and legal perspectives, this framework allows for a multidimensional evaluation of how these courts perform as instruments of justice and

governance. The legal dimension focuses on procedural fairness, compliance with international norms, and legal outcomes such as convictions or acquittals. The political dimension, on the other hand, examines how hybrid courts affect state legitimacy, power relations, elite accountability, and societal reconciliation. As Lipovský argues, the decision to establish a hybrid or fully international court is often shaped by political calculations regarding the crime of aggression and the desire to maintain some degree of national control (Lipovský, 2024).

The primary objective of this article is to evaluate the effectiveness of hybrid courts as mechanisms of transitional justice through the dual lenses of law and politics. It seeks to determine whether these courts succeed in delivering justice, promoting legitimacy, and facilitating reconciliation in fragile post-conflict settings. This review is particularly relevant given the growing interest in hybrid mechanisms as cost-effective and context-sensitive alternatives to international tribunals. Furthermore, by focusing on recent cases and literature published between 2018 and 2024, the article offers an updated assessment that reflects contemporary challenges such as the impact of the COVID-19 pandemic on court operations (Townend & Magrath, 2021; Vigita, 2020) and the increasing reliance on remote justice technologies (Koshman, 2023).

To guide this inquiry, the article poses several key questions: How effective are hybrid courts in achieving legal accountability for mass atrocities? To what extent do these courts enhance or undermine political legitimacy in post-conflict states? Do hybrid courts contribute to long-term reconciliation and institutional development, or do they risk replicating the limitations of both international and domestic systems? By addressing these questions, the study aims to illuminate the complex and often contradictory roles that hybrid courts play in transitional justice processes.

Ultimately, the relevance of this review lies in its potential to inform future policy and scholarly debates on the design and evaluation of hybrid courts. As new conflicts emerge and societies grapple with the legacies of violence, the need for justice mechanisms that are both legally sound and politically viable will only intensify. Understanding the successes and failures of existing hybrid courts is essential for shaping more effective transitional justice strategies in the years ahead.

## 2. Methodology

This study employs a scientific narrative review approach grounded in a descriptive analysis method to explore the efficacy of hybrid courts in post-conflict states through a political-legal lens. The narrative review format allows for a comprehensive and integrative examination of a wide range of scholarly literature, legal documents, and institutional reports without relying on statistical meta-analysis. By focusing on the descriptive synthesis of findings across diverse cases and contexts, this method facilitates a nuanced understanding of both theoretical and practical dimensions of transitional justice. The political-legal lens adopted in this study serves as an interpretive framework to critically assess how legal mechanisms interact with political realities in shaping the performance and legitimacy of hybrid judicial institutions. This dual perspective is particularly essential given the intersectional nature of hybrid courts, which are situated at the confluence of domestic political systems and international legal standards.

The literature selected for this review includes peer-reviewed journal articles, institutional reports, case studies, and legal analyses published between 2018 and 2024. Sources were identified through systematic searches in academic databases such as JSTOR, Scopus, Web of Science, and Google Scholar, as well as repositories of international organizations like the United Nations, the International Center for Transitional Justice (ICTJ), and the Open Society Justice Initiative. Keywords such as “hybrid courts,” “transitional justice,” “post-conflict legal systems,” “political legitimacy,” “internationalized tribunals,” and “rule of law in post-conflict states” were used to guide the search. The selection process prioritized materials that explicitly addressed the structure, effectiveness, and socio-political reception of hybrid courts, with particular attention given to studies that analyze the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, the Special Tribunal for Lebanon, and the Kosovo Specialist Chambers. To ensure scholarly rigor, only sources published in peer-reviewed journals or by reputable international legal bodies and think tanks were included.

The analysis proceeded using a descriptive-analytical technique designed to thematically synthesize findings across selected studies and legal evaluations. Thematic

categories were inductively developed based on recurring issues and arguments found within the literature, including themes such as legal legitimacy, political independence, victim participation, and long-term institutional impact. The political-legal lens guided the interpretive process by focusing on how political variables—such as elite resistance, donor influence, and sovereignty concerns—interacted with legal structures and procedural mechanisms. Rather than quantifying outcomes, the study sought to describe patterns, tensions, and divergences across different hybrid court models, thereby offering insights into both the successes and structural limitations of these institutions. The interpretive synthesis also included a comparative angle, highlighting not only the contextual differences among hybrid courts but also the common challenges they face in negotiating between domestic political constraints and international legal norms. This method allowed for an in-depth exploration of the layered dynamics at play in transitional justice settings and contributed to generating grounded recommendations for future institutional design and policy implementation.

## 3. Theoretical and Conceptual Framework

The concept of transitional justice encompasses the full range of judicial and non-judicial processes used by societies to confront large-scale human rights violations following periods of conflict or authoritarian rule. It is rooted in the idea that accountability, truth, and reconciliation are essential for rebuilding trust and preventing future violence. Transitional justice mechanisms vary widely in form and function, but they share a common commitment to addressing past wrongs while fostering conditions for peace and democracy. As Magara notes, the timing and sequencing of transitional justice initiatives can significantly influence their legitimacy and effectiveness, particularly in fragile peace processes like that of South Sudan (Magara, 2021).

Hybrid justice refers specifically to judicial arrangements that blend international and national elements to prosecute serious crimes in post-conflict settings. These arrangements can take various forms, from courts established by treaty between a national government and an international body to domestic tribunals that integrate international personnel and standards. The term reflects both structural hybridity and normative hybridity, as these courts aim to balance

international legal norms with local legal traditions and expectations. Kirchengast highlights how such hybrid systems often draw from both adversarial and inquisitorial traditions, reflecting the complex interplay between global legal paradigms and local procedural norms (Kirchengast, 2019).

A central tension within hybrid justice is the relationship between sovereignty and international norms. Post-conflict states frequently assert their sovereignty to resist perceived external impositions, even as they rely on international support to rebuild their institutions. This paradox is evident in the establishment of hybrid courts, which are often justified as a way to enhance local ownership while ensuring international credibility. However, as Lipovský emphasizes, the very hybridity of these courts can raise questions about their jurisdictional authority and normative coherence, particularly when prosecuting crimes such as aggression or crimes against humanity (Lipovský, 2024). In some cases, international involvement is seen as necessary to ensure impartiality and technical expertise; in others, it is viewed as a neocolonial intrusion that undermines local agency.

The rule of law in weak states presents another layer of complexity. In many post-conflict contexts, judicial institutions are either dysfunctional or deeply politicized, which undermines the prospects for credible domestic prosecutions. Hybrid courts are often proposed as a solution to this problem, yet their success depends on the willingness of local elites to cooperate and on the capacity of legal institutions to implement rulings. As Rishan observes, concerns about judicial impartiality and conflicts of interest remain pervasive in transitional settings, where judges may face political pressures or lack adequate training (Rishan, 2022). The legitimacy of hybrid courts thus hinges not only on their legal design but also on the broader institutional environment in which they operate.

Several theoretical frameworks can help illuminate the dynamics of hybrid courts. Legal pluralism is particularly useful for understanding how different legal systems coexist and interact in post-conflict societies. Deinla, for instance, uses the concept of legal hybridity to explore how the Shari'ah system in the Bangsamoro region intersects with formal state law, shaping perceptions of legitimacy and trust in legal institutions (Deinla, 2019). In the context of hybrid courts, legal pluralism

underscores the need to navigate between global and local legal norms in ways that are contextually sensitive and culturally resonant.

Legitimacy theory also plays a crucial role in evaluating hybrid courts. According to this perspective, the authority of a legal institution depends not only on its formal mandate but also on its perceived fairness, transparency, and effectiveness. Wiebelhaus-Brahm applies this theory to assess the resilience of hybrid courts, arguing that their legitimacy is often contested due to perceptions of bias, external influence, or limited scope (Wiebelhaus-Brahm, 2020). This framework is especially relevant in cases where hybrid courts have struggled to gain the trust of victims or have been criticized for selective prosecutions.

Political institutionalism offers another valuable lens by highlighting how hybrid courts are shaped by, and in turn shape, political structures and incentives. As Ani argues in the context of the African Union's stance on immunity for leaders, political institutions often prioritize stability and elite protection over accountability, which can limit the scope and impact of justice mechanisms (Ani, 2018). Hybrid courts must therefore be analyzed not only as legal bodies but also as political actors embedded within broader institutional landscapes.

Restorative and retributive justice frameworks further inform the analysis by clarifying the goals and trade-offs involved in transitional justice. While retributive justice emphasizes punishment for perpetrators, restorative justice focuses on healing, reconciliation, and reintegration. Hybrid courts often embody elements of both approaches, seeking to deliver legal accountability while contributing to broader societal healing. However, as Crawford cautions, these dual mandates can create tensions and ambiguities in practice, especially when political priorities shift or when victims' expectations diverge from judicial outcomes (Crawford, 2019).

This article applies a political-legal lens that synthesizes these theoretical perspectives to evaluate the performance of hybrid courts. The legal dimension examines adherence to due process, judicial independence, and the delivery of justice. The political dimension considers issues of legitimacy, elite resistance, and the broader impact on governance and reconciliation. By integrating these dimensions, the article aims to provide a comprehensive understanding



of how hybrid courts function within the contested terrain of post-conflict justice.

#### 4. Hybrid Courts in Practice: Comparative Case Analysis

The Special Court for Sierra Leone (SCSL) represents one of the earliest and most cited examples of a hybrid tribunal established to prosecute serious violations of international humanitarian law and Sierra Leonean law committed during the country's brutal civil war. The court was created through an agreement between the Government of Sierra Leone and the United Nations in 2002. Structurally, the SCSL combined international and domestic elements by employing both Sierra Leonean and international judges and applying a blend of international law and Sierra Leone's domestic criminal statutes. Politically, the establishment of the SCSL was shaped by the domestic government's limited capacity to prosecute high-level offenders and the international community's concern about impunity in the aftermath of a decade-long conflict. The court's most high-profile success was the conviction of former Liberian President Charles Taylor, marking the first time an African head of state was held accountable by an internationalized tribunal. This landmark ruling was significant not only for establishing legal precedent but also for affirming that political leadership does not exempt one from legal responsibility (Crawford, 2019). However, the SCSL faced criticism over its costliness, its relatively narrow focus on a limited number of high-ranking individuals, and its failure to engage with broader societal reconciliation. The court's proceedings were largely inaccessible to local populations, and its legacy in terms of national judicial reform and local ownership remains contested. While the court contributed to international jurisprudence, it arguably had a limited long-term impact on domestic legal capacity building or reconciliation efforts (Muharremi, 2022).

The Extraordinary Chambers in the Courts of Cambodia (ECCC) offer a distinct example of a hybrid court created to address crimes committed by the Khmer Rouge regime during the 1970s. Established in 2006 as a joint initiative between the Cambodian government and the United Nations, the ECCC is situated within Cambodia's judicial system but is staffed by both Cambodian and international judges, with decisions requiring a supermajority for passage. Legally, the ECCC was

designed to ensure Cambodian sovereignty while incorporating international standards of due process. Politically, however, the court's establishment and functioning have been marred by deep-rooted issues of government interference and elite influence. As noted by Lipovský, the hybrid structure of courts like the ECCC often exposes them to conflicting pressures between local political elites and international legal norms, creating a fragile institutional equilibrium (Lipovský, 2024). The court has achieved several notable convictions, including those of Nuon Chea and Khieu Samphan for crimes against humanity and genocide. These judgments are important for historical truth and for acknowledging the suffering of victims (Wiebelhaus-Brahm, 2020). Nonetheless, the ECCC has been heavily criticized for its prolonged timelines, high financial costs, and limited prosecutorial reach. The reluctance to pursue cases beyond a narrow circle of senior Khmer Rouge leaders has been attributed to political constraints imposed by the Cambodian government. As a result, the court's broader effectiveness in promoting rule of law and reconciliation remains limited, and it has struggled to leave a meaningful institutional legacy in Cambodia's domestic justice system (Deinla, 2019).

The Special Tribunal for Lebanon (STL), established in 2007 by an agreement between the United Nations and the Lebanese government, is another illustrative example of a hybrid court operating in a highly politicized context. Uniquely, the STL is located outside the country it serves, based in The Hague, and focuses on crimes related to the assassination of former Prime Minister Rafik Hariri and others in 2005. The tribunal applies Lebanese substantive law but follows international criminal procedure, reflecting its hybrid nature. The STL was formed amid considerable political turmoil in Lebanon and was intended to bring justice in a way that would avoid exacerbating existing sectarian tensions. As Singh explains, the legal structure of hybrid courts like the STL can become deeply entangled in national politics, especially when justice processes intersect with volatile security environments and geopolitical rivalries (Singh & Trask, 2023). While the tribunal did eventually issue convictions in the Hariri case, including a guilty verdict against Hezbollah-affiliated suspect Salim Ayyash in absentia, its proceedings have been overshadowed by accusations of bias, selective justice, and an inability to enforce its

decisions. Moreover, the STL's remote location and technical legal processes alienated many Lebanese citizens, further diminishing its legitimacy (Rishan, 2022). In terms of legacy, the STL has not significantly contributed to Lebanon's domestic legal reform or reconciliation process, underscoring the challenge of building sustainable justice through externally-driven mechanisms.

The Kosovo Specialist Chambers (KSC), formally established in 2015, represent one of the most recent and complex iterations of a hybrid court. Based in The Hague but legally part of the Kosovo judicial system, the KSC was created to investigate and prosecute crimes allegedly committed by the Kosovo Liberation Army during and after the 1998–1999 conflict. The chambers operate under Kosovar law but are staffed entirely by international personnel, a design intended to ensure impartiality and avoid domestic interference. As Rock notes, efforts to shield hybrid courts from political influence through external staffing can create legitimacy issues among local populations who view such courts as foreign or disconnected from their own legal cultures (Rock & Gately, 2024). The KSC has been met with significant public skepticism in Kosovo, where many regard the court as biased against former independence fighters who are seen as national heroes. The political context has been fraught, with various Kosovar leaders expressing opposition to the court and framing it as an unjust imposition by international actors. Despite its efforts to establish a fair and credible legal process, the KSC faces considerable challenges in balancing judicial integrity with the need for domestic acceptance. While the court has begun issuing indictments and conducting pre-trial proceedings, its long-term success remains uncertain. Its impact on Kosovo's domestic legal capacity and reconciliation processes has so far been minimal, as its physical and operational distance from local institutions limits opportunities for institutional learning and civic engagement (Greener, 2024).

Across these four cases, a common pattern emerges: hybrid courts often represent institutional compromises designed to bridge the gap between international norms and local realities. While they can achieve notable legal successes, such as high-profile convictions and the establishment of historical records, they frequently struggle to gain legitimacy within the societies they serve. These challenges are compounded by political

interference, resource constraints, and the tension between short-term accountability and long-term peacebuilding. As Masood observes, courts that fail to resonate with local populations or are perceived as elite-driven risk undermining the very goals they seek to advance (Masood & Kassow, 2022). Ultimately, the effectiveness of hybrid courts must be assessed not only in terms of legal outcomes but also in their ability to foster trust, legitimacy, and sustainable institutions in post-conflict settings.

## 5. Cross-Cutting Themes and Challenges

One of the most pressing issues confronting hybrid courts is their struggle to establish legitimacy and secure local ownership. These courts often face skepticism from both victims and elites, especially when they are perceived as being externally imposed or disconnected from local legal cultures. In the case of the Kosovo Specialist Chambers, for example, the court's international composition and distant location in The Hague have fueled public distrust and contributed to a perception that the court serves foreign interests rather than justice (Rock & Gately, 2024). Similarly, in Cambodia, the Extraordinary Chambers have been viewed by many Cambodians as remote and elite-dominated, with limited relevance to ordinary citizens (Deinla, 2019). This legitimacy gap is exacerbated when hybrid courts fail to engage local communities meaningfully or when their procedures are overly complex and inaccessible. The success of transitional justice mechanisms depends not only on legal outcomes but also on the extent to which they resonate with the values and expectations of the affected population.

Political interference is another recurring challenge that undermines the independence and credibility of hybrid courts. In contexts like Lebanon and Cambodia, local political elites have exerted significant influence over judicial appointments, prosecutorial decisions, and the overall direction of the court's work (Lipovský, 2024; Singh & Trask, 2023). Such interference threatens the impartiality of proceedings and can lead to perceptions of selective justice. In some instances, international actors have attempted to insulate hybrid courts from domestic politics by staffing them entirely with foreigners, as in the case of the KSC. However, this approach can backfire by further eroding domestic legitimacy and reinforcing narratives of external

domination. Balancing independence with local inclusion remains one of the central dilemmas facing hybrid justice mechanisms.

In terms of capacity building and legal reform, the record of hybrid courts is mixed. Ideally, these courts should serve as models for domestic judicial development, transferring skills, promoting best practices, and strengthening the rule of law. However, in practice, many hybrid courts operate in isolation from national legal systems and leave behind limited institutional legacies. For instance, the SCSL did little to improve the capacity of Sierra Leone's judiciary or to integrate international standards into domestic legal frameworks (Muharremi, 2022). By contrast, some positive spillover effects have been noted in Cambodia, where international engagement with the ECCC helped expose domestic judges to international legal norms, albeit within a heavily politicized environment (Wiebelhaus-Brahm, 2020). The extent to which hybrid courts contribute to sustainable legal reform depends on their willingness and ability to engage meaningfully with local institutions, provide training, and foster long-term partnerships.

Another enduring challenge is the inherent tension between accountability and peacebuilding. In many post-conflict settings, justice initiatives must navigate delicate political settlements that prioritize stability and reconciliation. Pursuing criminal prosecutions can disrupt these settlements by antagonizing powerful actors or reopening societal wounds. As Ani argues, the African Union's stance on immunity for sitting leaders reflects a broader preference for negotiated stability over retributive justice (Ani, 2018). Hybrid courts often find themselves caught in this dilemma, trying to uphold legal principles while avoiding political backlash. In some cases, this leads to prosecutorial restraint or the exclusion of politically sensitive cases, which can undermine the court's credibility and alienate victims. Balancing these competing demands remains a fundamental challenge in the design and operation of hybrid justice institutions.

Resource constraints and sustainability also pose serious limitations for hybrid courts. These institutions are typically reliant on voluntary contributions from international donors, making them vulnerable to funding fluctuations and political priorities. The ECCC, for instance, faced repeated financial crises that disrupted its operations and delayed trials (Gleason & Kissoon,

2024). High operational costs and prolonged proceedings have led to criticism that hybrid courts are inefficient and unsustainable. Moreover, donor fatigue can result in premature closures or compromised mandates. Without stable funding and clear exit strategies, hybrid courts risk becoming ad hoc experiments that fail to deliver long-term justice or institutional development.

In sum, hybrid courts occupy a precarious space at the intersection of law and politics. While they offer innovative models for transitional justice, their effectiveness is constrained by legitimacy deficits, political interference, weak institutional linkages, and financial instability. Addressing these challenges requires not only technical improvements but also deeper engagement with the political and social environments in which these courts operate. Only by acknowledging and responding to these cross-cutting issues can hybrid courts fulfill their potential as credible and transformative instruments of post-conflict justice.

## 6. Discussion

The comparative case analyses of the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, the Special Tribunal for Lebanon, and the Kosovo Specialist Chambers illustrate the multidimensional nature of hybrid courts and the complex interplay between political and legal imperatives that defines their operations. Across all four cases, hybrid courts were constructed as institutional compromises, born out of the tension between international justice norms and domestic political realities. These courts have attempted to deliver accountability for grave crimes while maintaining a degree of local engagement and ownership. However, their success has been deeply influenced by the political environments in which they were embedded, and their performance often reflects not only legal design but also shifting political dynamics, elite interests, and societal expectations.

Hybrid courts are often envisioned as legal instruments with the primary objective of enforcing accountability, upholding the rule of law, and ensuring fair trials. Legally, they bring together international norms and domestic procedures to establish judicial bodies capable of prosecuting serious crimes while respecting national sovereignty. For instance, the Special Court for Sierra

Leone successfully convicted high-ranking individuals such as Charles Taylor, signaling a commitment to legal accountability for even the most powerful actors (Crawford, 2019). Similarly, the Extraordinary Chambers in the Courts of Cambodia secured landmark convictions for crimes committed during the Khmer Rouge regime, demonstrating the potential of hybrid courts to contribute to historical justice (Wiebelhaus-Brahm, 2020). These achievements underscore the legal functionality of hybrid courts when supported by adequate legal frameworks, procedural safeguards, and prosecutorial independence.

Yet, as political tools, hybrid courts often operate within highly volatile environments, where their legitimacy and effectiveness are shaped by elite resistance, international diplomacy, and societal narratives. The Special Tribunal for Lebanon provides a compelling example of how political considerations can distort legal processes. Although the STL functioned under the banner of international law, its work was perceived by many as politically selective, targeting only specific actors while leaving others untouched (Singh & Trask, 2023). Its remote location, lack of enforcement mechanisms, and trial in absentia further weakened its credibility within Lebanon's polarized political landscape. The Kosovo Specialist Chambers face similar accusations, as their focus on former Kosovo Liberation Army members has been criticized domestically as an affront to national heroes, raising concerns about the political selectivity of justice (Rock & Gately, 2024). In these cases, hybrid courts were instrumentalized by both domestic and international actors for political ends, affecting public perceptions and compromising their independence.

Political environments not only influence the perceived legitimacy of hybrid courts but also have tangible effects on legal outcomes. In contexts where ruling elites are willing to cooperate with judicial processes, hybrid courts may function with relative autonomy and produce meaningful results. The SCSL benefited from the support of Sierra Leone's post-conflict government and the regional backing of West African institutions, allowing it to operate with a degree of independence that facilitated its convictions (Muharremi, 2022). Conversely, the ECCC has been plagued by political interference from the Cambodian government, which has curtailed its jurisdiction, obstructed investigations, and undermined

judicial independence (Lipovský, 2024). Such interference not only delays justice but also leads to selective prosecutions and diminished credibility. As Greener emphasizes, transitional justice mechanisms are always shaped by the balance of power in post-conflict states, where legal institutions must navigate political constraints and maneuver through complex alliances (Greener, 2024).

Legal outcomes can also produce political consequences, reinforcing or undermining existing power structures. For instance, the conviction of Charles Taylor by the SCSL contributed to a broader regional message that former warlords and heads of state could be held accountable, potentially deterring future abuses. However, this outcome also depended on the regional political context, including Nigeria's decision to extradite Taylor and the international community's financial and diplomatic support. In contrast, the ECCC's limited prosecutorial reach has reinforced perceptions of impunity among certain factions of the Cambodian elite, weakening the broader goals of transitional justice and reconciliation. As Ani points out, political institutions may resist comprehensive justice processes when they threaten elite interests or challenge negotiated settlements (Ani, 2018). This resistance can manifest in restricted mandates, weak enforcement, or the outright obstruction of legal processes.

The implications of these findings for future court designs in post-conflict settings are significant. First, hybrid courts must be tailored to the political contexts in which they are established. This means recognizing the balance of power, the strength of domestic institutions, and the willingness of elites to engage in justice processes. Courts that ignore these factors risk marginalization or manipulation. As Lipovský argues, the choice between a fully international, hybrid, or domestic tribunal is not just a legal decision but a political one with profound consequences for legitimacy and effectiveness (Lipovský, 2024). Second, future hybrid courts should prioritize local ownership and legitimacy through greater transparency, civic outreach, and victim participation. Courts that are perceived as distant or foreign are less likely to gain public trust, particularly in societies where legal institutions are already distrusted or unfamiliar.

Third, court design must consider sustainability and institutional legacy. Many hybrid courts have operated in



isolation from national legal systems, limiting their capacity to strengthen domestic rule of law. The SCSL's detachment from Sierra Leone's judiciary, for instance, limited its potential for institutional reform (Masood & Kassow, 2022). By contrast, hybrid mechanisms that incorporate training programs, joint investigations, and procedural harmonization with domestic systems are more likely to produce long-term benefits. As Deinla notes, hybrid justice processes can be more effective when they build legal hybridity not only in court composition but also in their jurisprudential and institutional legacies (Deinla, 2019).

Lastly, hybrid courts must be designed with flexible mandates that allow them to respond to evolving political conditions while maintaining legal integrity. The rigid legalism of some courts has limited their ability to adapt to new challenges, while excessive political compromise has diluted the accountability function of others. A political-legal approach to court design encourages a more integrated understanding of how legal principles and political strategies interact in transitional contexts. As Gleason suggests, courts that fail to navigate this dual terrain risk irrelevance, particularly in societies where public confidence in institutions is fragile or declining (Gleason & Kissoon, 2024).

In conclusion, hybrid courts occupy an ambiguous space between legal formalism and political realism. Their effectiveness is not predetermined by their structure alone but emerges from the interaction between their legal foundations and the political environments in which they are situated. As instruments of both justice and governance, they must be assessed through a dual lens that considers their legal accomplishments alongside their political functions and consequences. Future designs must take into account lessons learned from existing models, ensuring that hybrid justice mechanisms remain responsive, legitimate, and capable of advancing both accountability and reconciliation in post-conflict societies.

## 7. Conclusion

The examination of hybrid courts through a political-legal lens reveals a nuanced picture of their strengths and limitations in the context of transitional justice. While these institutions have succeeded in holding perpetrators accountable and delivering landmark legal outcomes in several post-conflict settings, their efficacy

remains uneven and contingent on the broader political dynamics in which they operate. Hybrid courts are most effective when they strike a delicate balance between international oversight and local legitimacy, ensuring fair trials while fostering community engagement and institutional development.

Among their main strengths, hybrid courts offer a unique model that combines the legal expertise and credibility of international actors with the cultural relevance and sovereignty of national systems. They have established important legal precedents, contributed to the historical record, and provided victims with a forum for justice. In doing so, they have helped affirm the principle that serious crimes cannot go unpunished, regardless of the perpetrator's political status. However, these accomplishments are often undercut by systemic limitations. Legitimacy deficits, political interference, procedural inefficiencies, and limited integration with domestic legal systems undermine their potential to catalyze long-term transformation in post-conflict societies.

To enhance the performance of hybrid courts, several recommendations can be made. Policymakers and international actors should prioritize early assessments of political conditions and tailor court mandates accordingly. Greater emphasis should be placed on transparency, civic engagement, and victim participation to improve legitimacy. Institutional integration, including legal training and procedural harmonization, can help strengthen national systems and ensure lasting impact. Moreover, hybrid courts must be adequately funded and supported with clear strategies for sustainability and legacy planning.

For scholars, future research should explore emerging frontiers in hybrid justice, including the potential of digital platforms to expand access and participation, and the integration of informal and traditional justice systems to enhance local relevance. As transitional justice continues to evolve, hybrid courts will remain an important but contested tool. Their future success will depend on the ability to adapt their legal structures to complex political landscapes while maintaining their core commitment to accountability and human dignity.

## Authors' Contributions

Authors contributed equally to this article.

## Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

## Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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