Course Description and Materials

As societies emerge from periods of authoritarian rule or civil war, they face the daunting task of engaging past human rights violations. States have a myriad of options at their disposal, ranging from granting blanket amnesties to hosting complex trials and truth commissions. In making these decisions, new leaders face pressures from former authoritarian actors, victims’ groups, and international organizations. The process of settling accounts with the past is sometimes decades long and rife with political controversy. This course analyzes the problems facing societies with past human rights violations, the numerous options they have at their disposal to engage these abuses, and the political, legal, economic, and moral ramifications of each choice. There are no required books for the course. All readings will be provided electronically, and should be read in the order they are listed each week on the syllabus.

Course Requirements

Your grade is based on class participation and three assignments. The major project for this course is for you to become an expert on a contemporary case of human rights violations (of your choosing, with approval). You will write a policy brief describing the violations and transitional justice response to date, and providing recommendations for policymakers moving forward. The second part of the project will be for you to select one of those policy recommendations and design it yourself. You may choose a trial and select the venue, defendants, and charges. You can paint or sculpt a model of a memorial. You can design lessons for children to use in schools. For this part of the project, you are encouraged to be creative and are free to pursue the aspect of the transitional justice that interests you most. You will present your final project to the class at the end of the semester. More details on each of these assignments will be provided.

Grade Breakdown

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<th>Component</th>
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<tr>
<td>Participation</td>
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<td>Policy Brief</td>
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<tr>
<td>Final Presentation</td>
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<td>Final Project</td>
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Course Guidelines

Any cheating or plagiarism of any kind will result in a 0 for the course. If you have any questions on what constitutes plagiarism, please ask. The onus is on you not to ensure your work abides by academic standards. Late assignments are not accepted for credit unless there are extenuating circumstances and you obtain prior approval from me. If a class is canceled for any reason, we will trim and combine readings; I will email instructions accordingly.
A Note on the Course

While most of the readings are academic in nature, this is a course on how societies recover from authoritarianism and violence, and as such, you will, at times, be exposed to descriptions of violent acts (including mass killings and sexual crimes), confessions of perpetrators, testimony of victims, and difficult moral and ethical questions. Some of you may also have experienced violence or are from a country in which mass violence occurred. Some of you may have direct experience with transitional justice mechanisms and debates. So if at any point you anticipate that particular readings or discussions will be difficult for you, please contact me ahead of time. Similarly, if after readings or a discussion, you feel unsettled or troubled in anyway, please contact me. It is also important to respect the views of each other during discussions. For many of the questions we will engage, there is no right answer. For example, the debate on who is guilty in a crime as large as the Holocaust will never be settled. So we will strive to take a step back and analyze these questions analytically. Rather than weigh the merits of different views on a question like this, we will instead seek to understand the reasons why those different views exist and what implications each has for the study of the events.

Course Schedule

Wednesday  January 23  Introduction to the Course

❖  Death and the Maiden (Film) in class.

Wednesday  January 30  Transitional Justice Decisions


Tuesday  February 5  **Case Selections Due by 1:15 via email**

Wednesday  February 6  Nuremberg: The Origin of Trials

Wednesday February 13 A New Wave of Trials

- Phil Clark, “Gacaca: Rwanda’s Experiment in Community-Based Justice for Genocide Crimes Comes to a Close,” *Foreign Policy Digest*, April 2010.

Wednesday February 20 ICC, Regional Courts, Universal Jurisdiction


Tuesday February 26 **First Half of Policy Brief Due by 1:15 PM**

Wednesday February 27 Truth Commissions


Wednesday March 6 Amnesties and DDR Programs

**Midterm Participation Grades and Course Evaluations**

Wednesday March 13  Lustration and Institutional Reforms


Friday March 15  **Full Policy Brief and Final Project Proposals Due by 1:15 PM**

Wednesday March 20  No Class – Spring Break

M-F, March 25-29  **Required Individual Meetings on Final Projects**

Wednesday March 27  Reparations


Wednesday April 3  No Class – I will be attending a conference

Tuesday April 9  **Final Policy Briefs Due by 1:15 PM**

Wednesday April 10  Monuments, Memorials, and Memory


Wednesday April 17  Final Presentations

Wednesday April 24  Final Presentations

Friday May 3  Final Projects Due at 1:15 PM
Guide for Policy Brief

You must select one case of ongoing or recent human rights violations in the world. The transitional justice process should be in its incipient stages or perhaps not yet begun in the case. I need to approve all selections. I will entertain the possibility of you investigating an older case of human rights violations only if transitional justice is still largely absent AND you have a compelling reason (e.g., relates to a senior thesis or internship project). The due date for you to select a case and get it approved is Tuesday, February 5, by 1:15 PM via email. Once your case is selected, you should set about becoming an expert on it. Read and research widely. You should aim to bring this knowledge of your case into the class discussions throughout the remainder of the semester.

Your policy brief should contain three parts. First, what is the nature, extent, and origin of the human rights violations? In other words, what crimes were committed, how many, why, who are the perpetrators and who are the victims? This should be 2-3 pages.

Second, what has been the transitional justice response so far? You should look locally, nationally, and internationally. How well have these efforts worked? This should also be 2-3 pages.

These first 5-6 pages are due Tuesday, February 26, by 1:15 PM via Dropbox on Ella.

Third, based on your understanding of transitional justice gained in the course, and your knowledge of the case, what do you think the response SHOULD be? In other words, if there were no limitations or barriers, what mechanisms would best address the abuses committed in this case? Be certain to define what goals you believe each mechanism would accomplish.

These second 5-6 pages are due Friday, March 15, by 1:15 PM via Dropbox on Ella.

I will provide feedback and a preliminary grade on each of the two parts of the policy brief. Final policy briefs (with revised versions of both sections combined together) are then due on Tuesday, April 9, by 1:15 PM via Dropbox on Ella.
Guide for Final Projects

Building on your policy brief, you must select one of your proposed transitional justice mechanisms to design yourself (selecting two mechanisms is allowable if they are intimately related). The possibilities for this assignment are extensive. You may choose a trial and select the venue, defendants, and charges. You can paint or sculpt a model of a memorial. You can design lessons for children to use in schools. For this part of the project, you are encouraged to be creative and are free to pursue the aspect of the transitional justice that interests you most.

The project has three components. First, the actual physical project itself. This may be a piece of art, a book, a website, a legal brief, a song, etc. or a combination of many of those. You will be graded on how much effort you have put into the project and how well designed the project is for your particular case. It must be clear that you have thought about the nuances of the crimes, victims, perpetrators, and local politics of your case in the creation of your project.

Second, each project must be accompanied by a 3-5 page memo detailing the thought process underlying the project. It should describe why you chose this mechanism, why this mechanism is important to your case, who will participate or experience it in your country, who will build it or operate it, how much it will cost, and what it aims to achieve, etc. For projects that are more textual in nature, this memo can be incorporated into the project itself.

Third, you will present your project to me and the class during the last two weeks of the semester. Presentations will be 10 minutes each, followed by 7 minutes of questions and answers with me, the class, and outside professors. You should bring your project to class the day, and are required to use technology (e.g. PowerPoint, Prezi) in your presentation. You should use the presentation to illustrate your project, but also to take the audience through the main questions that will constitute your memo. Remember, the audience will likely be unfamiliar with your case, so really work to convince us that this mechanism is needed and that the way you have designed it is the most effective way to do so.

A 1-page proposal for your final project is due on Friday March 15 as an additional page attached to your policy brief. It should identify the particular mechanism you want to focus on for your project and outline what type of project you want to pursue. Each of you must meet with me individually during the week of 3/25-29 to discuss the state of your project. Sign-ups for presentation slots will be held later in the semester. Your final project and memo will be due by 1:15 PM on Friday, May 3rd. The presentation accounts for 20% of your course grade. The project (with accompanying memo) accounts for 30%.