**Global Issues in International Politics (Fall 2022)**

**Topic: Transitional Justice-addressing atrocities and human rights violations (PLSC 370, 5 credits)**

**Professor Horne--- Contact email: Hornec****@wwu.edu****(or directly through canvas)**

**Class meetings (AH 421):  MW 11:30-12:50**

**Office Hours (AH 440):  M 11:00-11:30,  W 2:30-4:00 please make an appointment using the scheduler on Canvas, additional time possible on M mornings by zoom (please contact me for appt)**

**COURSE DESCRIPTION**

Have you wondered how Ukraine and the international community might seek justice and redress for the atrocity crimes being committed during the on-going Russia-Ukraine war? Have you thought about the accountability mechanisms available to the Rohingya in Myanmar or the Kurds in Syria for the mass deportations and arrests orchestrated by the state and the state’s military? War crimes, crimes against humanity, and acts of genocide are grave international crimes, what can be done?

Transitional justice can be understood most basically as the way a society confronts the wrongdoings in its past with the goal of obtaining some combination of truth, justice, peace, rule of law and societal reconciliation. Transitional justice measures address a range of wrongdoings committed by both states and nonstate actors, including war crimes, crimes against humanity, genocide, human rights violations, rape and sexual violence, unlawful appropriation of goods/property, discrimination, and destruction of cultural heritage sites, to name a few. Transitional justice is a global issue, with more than 85 countries adopting measures to date in what is described as an international “Justice Cascade.”

Originally, transitional justice measures were enacted after a conflict or an authoritarian regime change in the “transition” period (hence the name).  Over time the “transitional” element to the term has been relaxed, and transitional justice can include retrospective justice measures taken in the absence of a regime transition.  We examine transitional (post-conflict and post-authoritarian) and non-transitional contexts in this course, including: vetting in Central and Eastern Europe, trials in Cambodia, indigenous justice practices in Latin America and Sub-Saharan Africa, amnesty to end conflict in Columbia, post-genocide tribunals and traditional reconciliation methods in Rwanda, gendered/sexual war crimes in Yugoslavia, delayed measures in Canada, and truth commissions in South Africa, Guatemala and East Timor.  We will look at the role of the International Criminal Court (ICC) and the UN in global justice initiatives.

**A Note on Course Content**

A course on war crimes, genocide and crimes against humanity necessarily deals with topics and sources that discuss, depict and envision difficult subjects. I recognize that for some members of the course, personal experiences may make a particular topic (such as sexual violence, or conflict in a specific country) very hard to process and could (re)create trauma. Please consider this, so you can make an informed choice about whether you want to stay in the course.  If you are concerned about our engagement with a particular topic or issue, please come talk to me.

**LEARNING OUTCOMES**

By the end of the course, students should be able to engage with the following questions:

What is the relationship between justice and reconciliation after a conflict?

What is meant by political reconciliation?

What are some ways transitional justice has been used in past post-conflict and post-authoritarian contexts?

Does transitional justice work?   Does it promote trust building?  Societal reconciliation?  Democracy?

Students will gain substantive knowledge about transitional justice in post-conflict and post-authoritarian regime transitions.  State-building, democratization, peacebuilding and societal reconciliation are all foundational issues in international relations and political science.

Students will enhance their analytical reasoning skills by evaluating the political, economic and social dimensions of transitional justice programs.

Students will engage in independent research, completing and delivering a Powerpoint presentation of their analysis of a case of transitional justice.

**GRADED MATERIALS**

1.**Read-backs-- we will have some short in class or pre-class writing assignments**/reflections throughout the term.  These "read backs" are asking you to recall key concepts from the course readings for the day.  Sometimes you will complete the read-backs before you come to class (like a HW assignment). They will be posted on canvas and you will submit responses by canvas before the start of class.

OR...

If the read-backs happen in class, they will be unannounced and you will have an ability to use your notes on the reading to complete a couple of short questions about the reading for the day (in writing on paper in class).  So take good notes on the readings!

No late assignments accepted--these are meant to jump start the conversation in class and encourage you to complete the reading before class.  It is not fair to allow people to submit late assignments after we have already covered the materials.

***We will have a number of these throughout the quarter.  I will drop the lowest grade when calculating the final grade.***

2. **Midterm**-written essay

3.  **Final:** Powerpoint presentation and video presentation of a case of transitional justice. Details on the video and the Powerpoint will be provided.

4. **Participation:** **I expect you to attend class.**I understand that things might get in the way of your best efforts to come to class. Maybe you have a club sport.  Maybe you are sick.  Maybe you have a family matter. Maybe you oversleep your alarm or miss the bus.   So you have **4 discretionary absences. This is 2 weeks of course time!  It is already a lot.  Please do not ask me for more.**After these 4 discretionary absences, your participation grade will decrease by 5 points for each additional absence. So, if you are absent 5 times and have earned an 88 overall for participation, you will receive an 84.

In the event that you have additional extraordinary absences please come talk with me.  Depending on the circumstances and documentation of absences, we can work on possible alternatives to ensure you are not missing class content and receiving credit for participation.

This course requires your ACTIVE participation. I expect you to come to class each day having completed the **assigned readings** and ready to engage in a discussion about the materials. The following is offered as a general set of guidelines regarding participation grades.  Other things being equal, regular attendance and occasional questions/comments/short responses related to course reading will merit a grade in the range from C to B-.  Participation characterized by regular attendance and specific questions *about the reading* that show a good grasp of more than the basics and lead to clarification of concepts and arguments presented by the authors will generally merit a grade of B to a B+.  **Regular attendance and perhaps 1 comment over the course of a 1.5 hour class represents average participation in the B range.**Students who go beyond this level to extend particular ideas from the reading and engage actively during our 1.5 hours of class (multiple and regular participation) will merit grades in the A range.

**Grade Breakdown**

Read-backs-- In class and pre-class writing assignments                          30%

Midterm                                                                                                         25%

Preliminary Essay Case Selection                                                                10%

Final Powerpoint and Video Presentation                                                  25%

Participation                                                                                                  10%

There is no extra credit in this course. Please do not ask me for extra credit opportunities to make up for missed assignments.

Grading thresholds:  A=94-100; A-=90-93.99; B+=87-89.99; B= 84-86.99; B-= 80-83.99; D+=67-69.99, D= 64-66.99, etc.; F=below 59

This syllabus is subject to change, although I will work to minimize changes.  Changes will be announced in class and/or posted on the canvas website. Students will be held responsible for all changes. YOU MUST CHECK THE CANVAS WEBSITE FOR UPDATES. THIS IS YOUR RESPONSIBILITY.

**REQUIRED READING—nothing to buy this quarter!!!!**

Readings will include web-links on syllabus, articles you should access through the WWU library OneSearch portal, articles uploaded to canvas and video links.

A number of chapters will be included from Dov Jacobs, Cheryl Lawther, and Luke Moffett (eds.) Research Handbook of Transitional Justice (E. Elgar, May/June 2017)—also on Canvas.

**September 21:  Overview—What is Transitional Justice?**

**September 26: Evolution of global ‘justice cascade’**

* Read the first chapter in the Research Handbook of Transitional Justice (under files on Canvas) by Joanna Quinn, “The Development of Transitional Justice,” Chapter 1.   \*\*This provides an overview of what TJ means and how it came about as a global set of norms, values, and laws.\*\*
* Rosenberg, Tina. 1995. “Overcoming the Legacies of Dictatorship,” Foreign Affairs, 74, 3:134-153.

**September 28: Types of Transitional Justice**

* Kritz, Neil. 1996. “Accountability for International Crime and Serious Violations of Fundamental Human Rights: Coming to Terms with Atrocities: A Review of Accountability Mechanisms,” Law & Contemporary Problems 59, p. 127-152

**October 3:  United Nations legal foundations for TJ**

* United Nations, United Nations Approach to Transitional Justice: Guidance Note of the Secretary General, <https://digitallibrary.un.org/record/682111?ln=en>
* Watch the video—Watchers of the Sky on the library website. (Go into Library One-Search and enter the name Watchers of the Sky. You will be directed to the link if the link in the syllabus does not work). [https://video-alexanderstreet-com.ezproxy.library.wwu.edu/watch/watchers-of-the-sky (Links to an external site.)](https://video-alexanderstreet-com.ezproxy.library.wwu.edu/watch/watchers-of-the-sky)

*\*\*\*Come to class prepared to talk about the main ideas and relate to the mission of the UN described in the UN Approach to TJ.*

**October 5: International Trials**

* James Gallen, “The International Criminal Court: In the interests of transitional justice?” in Research Handbook of TJ, Chapter 15.
* Check out the International Criminal Court website- [https://www.icc-cpi.int/about (Links to an external site.)](https://www.icc-cpi.int/about)

*\*\*\*Come to class prepared to discuss the institutional mandate and programs of the ICC*

**October 10:  Truth Commissions**

* Hayner, Priscilla. 2010.  U*nspeakable Truths: Facing the Challenge of Truth Commissions*.  Routledge Press. Please read Chapters 1-3.  And check out the list of 40 cases listed in Appendix 2 so you can get a sense of how widely used this form of TJ is in the world today.

\*\*this book is available for free from the library website. Please download the ebook from OneSearch at WWU. (it is not on Canvas)

[https://ebookcentral-proquest-com.ezproxy.library.wwu.edu/lib/wwu/detail.action?pq-origsite=primo&docID=574565 (Links to an external site.)](https://ebookcentral-proquest-com.ezproxy.library.wwu.edu/lib/wwu/detail.action?pq-origsite=primo&docID=574565)

*\*\*\*Come to class prepared to discuss the main features of a TC and how they have been used in certain countries\*\**

**October 12:  Truth Commissions II**

* Olsen, Payne, Reiter, and Wiebelhaus-Brahm. 2010. ‘When Truth Commissions Improve Human Rights,” International Journal of Transitional Justice 4 (3): 457-476.

*\*\*\*How does this piece affect your views about the efficacy and/or limitations of TCs?\*\**

**October 17: Personnel Reforms: Vetting, purges, and lustration**

* “Vetting and Lustration" in Research Handbook on Transitional Justice, Chapter 21.
* Watch some of “The Life of an Agent” training video for communist secret police.[https://www.youtube.com/watch?v=sEFrfsb42hI (Links to an external site.)](https://www.youtube.com/watch?v=sEFrfsb42hI)

*\*\*come to class ready to talk about what is different and what is similar about these different types of personnel reform measures. How are personnel reforms different from or similar to other forms of TJ we have read about thus far?\*\**

**October 19—Reparations**

* Check out the UN’s guidelines on the “right to reparations” <https://www.ohchr.org/en/transitional-justice/reparations>
* here is the Security Council Resolution formalizing this international right. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/496/42/PDF/N0549642.pdf?OpenElement>
* Please read Luke Moffett, Chapter 19 “Transitional justice and reparations: Remedying the past?”.

*\*\*\*Think about some of the strengths and limitations of this form of TJ.*

**October 24: Rwanda –a mixed methods approach to TJ**

* Hola, Barbora, and Nyseth Brehm, Hollie. "Punishing Genocide: A Comparative Empirical Analysis of Sentencing Laws and Practices at the International Criminal Tribunal for Rwanda (ICTR), Rwandan Domestic Courts, and Gacaca Courts." Genocide Studies and Prevention3 (2016): 59-80. (Files Canvas)
* International Criminal Tribunal for Rwanda--Please review the mandate and cases tried on the ICTR website, [https://unictr.irmct.org/ (Links to an external site.)](https://unictr.irmct.org/)
* Please watch the short summary of the tribunal.[https://www.youtube.com/watch?v=Q6nGK4A1UJ4 (Links to an external site.)](https://www.youtube.com/watch?v=Q6nGK4A1UJ4)

**October 26-take home midterm-no class-due October 29th, 11:59pm.**

**October 31: Conflict Related Sexual Violence (CRSV)**

* Caroline Fournet, “The adjudication of sex crimes under international criminal law: What does gender have to do with it?” in Women and Transitional Justice: The Experience of Women As Participants, edited by Lisa Yarwood, Taylor & Francis Group, 2012.
* The UN has a special unit for CRSV.  Please take a look at the website and the mandate designed to tackle a global culture of impunity.  <https://peacekeeping.un.org/en/conflict-related-sexual-violence>

**November 2: Gendering Transitional Justice Mechanisms**

* Christine Bell and Catherine 0’Rourke, Does Feminism Need a Theory of Transitional Justice? An Introductory Essay. Intl Journal of Transitional Justice, 1 (2007): 23-44.
* Bilge Sahin and Sidonia Lucia Kula, “What Women Want before Justice: Examining Justice Initiatives to Challenge Violence against Women in the DRC,” Intl Journal of Transitional Justice 12 (2018): 296-313.

*\*\*\*What does a gendered perspective on TJ bring to the processes that was missing before?  What are examples from the reading of a gendered TJ mechanism?*

**November 7: Indigenous and Local Justice—Guatemala and Indonesia**

* Arriaza, Laura, and Roht-Arriaza, Naomi. "Social Reconstruction as a Local Process." The International Journal of Transitional Justice2 (2008): 152-72.
* Video process of Gacaca in Rwanda,[https://www.youtube.com/watch?v=LiDea-PNoyw&t=101s (Links to an external site.)](https://www.youtube.com/watch?v=LiDea-PNoyw&t=101s)

Please check out the Transitional Justice database repository.  It will be of use to you in selecting a country case for your final assessment. [https://transitionaljusticedata.com/browse (Links to an external site.)](https://transitionaljusticedata.com/browse)

I want you to browse under Mechanisms of TJ the "Customary Justice" options and "All Countries".  These are traditional or local justice forms.  There are 10 countries listed.  Look at the details related to one country.  Come to class prepared to share your findings with the class during broad discussion of traditional/indigenous justice.

*\*\*what do indigenous and community justice approaches bring to the processes of accountability that are missing from other forms of TJ?  What do they lack?\*\**

**November 9:  Victim-centered approaches to TJ**

* Backer, David. 2010. “Watching a Bargain Unravel?  A Panel Study of Victims’ Attitudes about Transitional Justice in Cape Town, South Africa,” International Journal of Transitional Justice 4(November): 443-456.
* Take a look at the ICC’s victim’s rights mandate. [https://www.icc-cpi.int/about/how-the-court-works (Links to an external site.)](https://www.icc-cpi.int/about/how-the-court-works)Let’s talk in class about whether and how the ICC supports victim’s rights.
* \*\*\**Be sure to know something about a current case or "situation" to add to class discussion. We will go around the room sharing. --in class discussion for participation credit*

**November 14:  – Amnesty as a form of TJ**

* Read Tom Hadden, “Transitional Justice and amnesties,” in Handbook of TJ.  Chapter 18
* Read Savini, Lucía E. M. "Avoiding Amnesty in the Age of Accountability: Colombia’s Proposal for Alternative Sentencing." Deusto Journal of Human Rights13 (2017): 125-58.

*\*\*\*Ask yourself: Is Colombia a good case for amnesty based on the criteria for effective amnesties laid out in Hadden?  How does the alternate sentencing option proposed for Colombia address some of the problems with amnesties?*

**November 16: Forgiveness and TJ**

* Samii, Cyrus. 2013. “Who wants to forgive and forget? Transitional justice preferences in postwar Burundi,” Journal of Peace Research 50(2), pp.219-233
* check out Archbishop Desmond Tutu—the chairman of South Africa’s Truth and Reconciliation Commission (TRC)—both his NGO [https://www.theforgivenessproject.com/our-purpose/ (Links to an external site.)](https://www.theforgivenessproject.com/our-purpose/).

and a short video of his message of forgiveness.[https://www.youtube.com/watch?v=g6tJQRxxGTM (Links to an external site.)](https://www.youtube.com/watch?v=g6tJQRxxGTM)

**November 21-- The Peacemaker's Paradox –Justice and Peace tradeoffs**

Please watch Priscilla Hayner deliver a lecture on the "Peacemaker's Paradox" with special reference to peace negotiations with the FARC in Colombia. Please watch her lecture.[https://www.youtube.com/watch?v=AFjvVj5Jlew (Links to an external site.)](https://www.youtube.com/watch?v=AFjvVj5Jlew)

It engages questions of justice, forgiveness, amnesties, and the quest for peace.

*\*\*\*Please come to class ready to talk about the challenges of obtaining both peace and justice.*

**November 23--no class-Thanksgiving Break**

**November 28**-**-CASE SELECTION for final exam due.**

Pick a country to explore for your final assignment.  Find 3 articles that you will use to understand and evaluate the transitional justice measures used in this case.  Not blogs—not wikis---actual articles from journals , or chapters in books or government/official agency documents.  Additional information will be provided in the Canvas assignment description.

Your country case and the short bibliography are due by November 28, 11:00am.  All country cases are subject to approval.

**November 30: Justice without transition**

* Check out the Canadian Truth Commission Website: <https://www.rcaanc-cirnac.gc.ca/eng/1450124405592/1529106060525>
* Please read--Jung, Courtney, Canada and the Legacy of the Indian Residential Schools: Transitional Justice for Indigenous Peoples in a Non-Transitional Society (April 8, 2009).

**FINAL POWERPOINT AND VIDEO DUE BY December 8th Noon. (details to be provided on Canvas)**

**ADDITIONAL IMPORTANT INFORMATION**

**COURSE REMINDERS-LOGISTICS-SUPPORTS**

I am committed to establishing and maintaining a classroom climate that is inclusive and respectful for all students. Learning includes being able to voice a variety of perspectives, and classroom discussion is encouraged. While students’ expressed ideas may vary and/or be opposed to one another, it is important for all of us to listen and engage respectively with each other. I am committed to an environment free of discrimination and harassment—as is Western. Law and Western’s equal opportunity and sexual misconduct policies protect everyone against discrimination based on: Race, Color, Creed, Religion, National Origin, Sex (including pregnancy and parenting status), Age, Disability, Marital Status, Sexual Orientation, Genetic Information, Veteran Status, and Gender Identity and Expression. (Contact EOO at 360-650-3307 and/or see Equal Opportunity)

**Student Conduct Code**

It is important that, as a Western student, you understand the university’s student conduct process. [Review the full listing in reporting a concern & making a complaint. (Links to an external site.) (Links to an external site.) (Links to an external site.)](https://wp.wwu.edu/officeofstudentlife/reporting-a-concern-or-complaint/)  This also includes Ethical Conduct with WWU Network and Computing Resources, [https://atus.wwu.edu/ethical-conduct-wwu-network-and-computing-resources (Links to an external site.) (Links to an external site.) (Links to an external site.)](https://atus.wwu.edu/ethical-conduct-wwu-network-and-computing-resources). The policies in place for civil discourse and behavioral expectations in the classroom also apply during remote instruction.  These policies align with state law and provide protections to students and faculty, as well as consequences for misbehavior. Important policies related to integrity, academic honesty, discrimination, plagiarism, academic accommodations, equal opportunity and rights, medical excuse policies, and student code of conduct rules are available on this website.  I present a few reminders here for our course. I will review some of them here, but please do check out **This course uses WWU’s syllabi guidelines, which can be found here**[https://syllabi.wwu.edu/ (Links to an external site.) (Links to an external site.) (Links to an external site.)](https://syllabi.wwu.edu/).

**Integrity statement**

As a community, Western is committed to integrity in all aspects of academic and campus life. I will uphold all aspects of Western’s Academic Honesty Policy and Procedure, and Student Rights and Responsibilities Code.  They are published in the University catalog in Appendix D, *University Academic Policies.*Please review these integrity guidelines should you have any questions. [http://www.wwu.edu/integrity/ (Links to an external site.) (Links to an external site.)Links to an external site. (Links to an external site.)Links to an external site. (Links to an external site.) (Links to an external site.) (Links to an external site.)](http://www.wwu.edu/integrity/) The Western Coalition for Integrity can provide you with information and help answer your questions in the event that you are confused about what WWU upholds as integrity procedures and guidelines.

**Plagiarism, Copying and Academic Dishonesty**

Plagiarism is presenting as one’s own–in whole or in part–the argument, language, creations, conclusions, or scientific data of another without explicit acknowledgement. See the Library’s [Plagiarism Policies & Guidelines (Links to an external site.) (Links to an external site.) (Links to an external site.)](http://libguides.wwu.edu/plagiarism) for examples and citation guides.

Please do your own work.  Sharing your homeworks with others would constitute academic dishonesty.  Sharing google drives and copying materials directly from them and pasting them into your homeworks, papers and submissions would also constitute academic dishonesty.  See [Appendix D: Academic Honesty Policy & Procedure (Links to an external site.) (Links to an external site.) (Links to an external site.)](https://catalog.wwu.edu/content.php?catoid=15&navoid=3367) of the catalog for examples, procedures, and methods of appeal and [Ensuring Academic Honesty (Links to an external site.) (Links to an external site.) (Links to an external site.)](http://www.wwu.edu/registrar/contact.shtml) for appeal rules and timeline.

Please don’t plagiarize, copy from others or engage in behavior that you think constitutes academic dishonesty. **If any part of your coursework is plagiarized, copied or shared (outside of group assignments) you will fail the assignment.  Moreover, as per my requirements to uphold integrity at WWU, I will follow campus required reporting procedures.**

**Accommodations**

Reasonable accommodations for persons with documented disabilities should be established within the first week of class and arranged through Disability Access Center (DAC) drsfrontdesk@wwu.edu**or call (360) 650-3083.**I will work with you and Western Washington University to support you and meet any documented needs.  Policies. [http://www.wwu.edu/drs/students\_policy\_procedure.shtml (Links to an external site.) (Links to an external site.) (Links to an external site.) (Links to an external site.)](http://www.wwu.edu/drs/students_policy_procedure.shtml)

**Religious Accommodations**Western provides reasonable accommodation for students to take holidays for reasons of faith or conscience or for organized activities conducted under the auspices of a religious denomination, church, or religious organization.  Students seeking such accommodation must provide written notice to their faculty within the first two weeks of the course, citing the specific dates for which they will be absent. “Reasonable accommodation” means that faculty will coordinate with the student on scheduling examinations or other activities necessary for completion of the course or program and includes rescheduling examinations or activities or offering different times for examinations or activities. Additional information about this accommodation can be found in [SB 5166: Providing religious accommodations for postsecondary studentsopen\_in\_new(opens in new window) (Links to an external site.) (Links to an external site.) (Links to an external site.)](https://app.leg.wa.gov/billsummary?BillNumber=5166&Initiative=false&Year=2019).

**Student Services**

Western encourages students to seek assistance and support at the onset of an illness, difficulty, or crisis.

In particular, Title IX makes it clear that violence and harassment based on sex which includes sexual harassment, gender-based harassment, and sexual violence (sexual assault, domestic violence, dating violence, stalking) is prohibited. Under Title IX, rape and sexual assault are forms of illegal sex discrimination. Survivors of sexual violence have the right to file a discrimination complaint or seek advice and assistance from the Equal Opportunity Office (EOO) in Old Main 345 (360) 650-3307; University Police (360) 650-3911 (emergency) or 650-3555 (report); Bellingham Police, 911 (emergency) or (360) 778-8800 (report). There are also confidential resources on campus such as Consultation & Sexual Assault Support (CASAS) in Old Main 585B, (360) 650-3700; Student Health Center, Campus Services, (360) 650-316; Counseling Center in Old Main 540, (360) 650-3164.