POLS/INST 4375/5375
TRANSITIONAL JUSTICE
FALL 2017

Tuesday/Thursday
11.00am – 12.15pm
Business Building (BU) 9

Instructor: Dr. Nevin T. Aiken
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Office Location: A&S 221B
Office Hours: Tues & Thurs 12.30-2.00 pm

COURSE PREREQUISITES:
POLS/INST 2310 – Introduction to International Relations (Highly Recommended)

OVERVIEW
Transitional justice mechanisms have been frequently used in recent years to provide accountability for gross human rights violations and acts of mass atrocity (genocide, ‘ethnic cleansing,’ and crimes against humanity) carried out within the state. This course provides a broad conceptual understanding of this emerging field and critically examines the historical and contemporary uses of different justice interventions through selected case studies. Readings, lectures, and group discussions will be structured around three main themes. First, the course examines the diverse range of transitional justice interventions that have been employed to date, including trials, international tribunals, amnesties, truth commissions, and traditional or indigenous practices. Second, specific attention is given to considering ongoing debates within the field of transitional justice, including an exploration of the tension between the different demands of justice at local, national, and international levels. Finally, this course considers the role transitional justice plays as part of broader post-conflict reconstruction efforts and examines, in particular, the potential contribution of these interventions to post-conflict peacebuilding and reconciliation.

As a senior/graduate 4000/5000 level course, this will be a reading, writing and discussion intensive class focused on developing your critical thinking skills. I will do everything I can to help you succeed throughout our class together (by making myself available for questions and being very clear and upfront about all course assignments) but ultimately your success at this level will depend on you – staying on top of required course readings, completing written assignments and applying what you’ve learned by actively engaging in our weekly discussions together.

ASSIGNMENTS AND EVALUATION

4000-Level Undergraduate Students
Discussion Participation: 20%
Critical Response Paper: 15%
Research Paper Proposal: 5%
In-Class Exam: 25%
Final Research Paper: 35%

5000-Level Graduate Students
Discussion Participation: 20%
Critical Response Papers (x2): 20%
Research Paper Proposal: 5%
In-Class Exam: 20%
Final Research Paper: 35%

In accordance with UW Regulation 6-722, all grades for this course will be assigned on a +/- grading and GPA scale. Please see the detailed explanation of this grading scale in the ‘Course, Departmental and University Policies’ section below. Extra credit work may be offered at the prerogative of the instructor.
COURSE SCHEDULE & READINGS

Each Week we will be assigning a required set of 3 or 4 readings to provide you with a broad background in the area we’re discussing. You can expect, on average, to be reading approximately 80 pages per Week (with some weeks slightly less and some weeks slightly more). These readings will form the backbone of our in-class discussions each week and will be the primary sources you will draw on when writing your Response Papers and the in-class exam. Readings will include pieces from the assigned course text as well as additional academic articles (which will be posted and made available under the appropriate weekly Module on our Wyocourses site). Please note that required readings are subject to change by the Instructor – you are required to monitor your uwyo email and our announcements made through our course site regularly for announcements for any changes.

The two main required course texts will be Rachel Kerr and Eirin Mobekk, Peace & Justice: Seeking Accountability After War (Polity Press, 2007) and Naomi Roht-Arriaza’s edited Transitional Justice in the 21st Century (Cambridge, 2007). Both books will be available in the UW Bookstore and online by the time the course begins in August. As these texts are used extensively throughout the course, it is highly recommended that you pick these up as early as possible.

PART I: INTRODUCTION TO TRANSITIONAL JUSTICE

Week 1 (August 31st)
Introduction: What is Transitional Justice?

Required Readings:
ICTJ, “What is Transitional Justice?” ICTJ - International Center for Transitional Justice (2 pages)


Week 2 (September 5th & 7th)
Why Transitional Justice I: Ending Impunity: The Moral & Legal ‘Duty’ to Prosecute?

Required Readings:


Week 3 (September 12th & 14th)
Why Transitional Justice II: Peacebuilding and Reconciliation

Required Readings:


Oduro, Franklin. “What Do We Mean By Reconciliation?” (Ottawa: IDRC, 2007).

PART II: RETRIBUTIVE JUSTICE INTERVENTIONS

Week 4 (September 19th & 21st)
International Criminal Tribunals
Case Studies: Rwanda (ICTR) and Former Yugoslavia (ICTY)

Case Study Documentary:

Required Readings:


Week 5 (September 26th & 28th)
The International Criminal Court
Case Studies: Democratic Republic of Congo, Uganda, Sudan

Case Study Documentary:

Required Readings:


Waddell, Nicholas and Phil Clark. Eds. Courting Conflict? Justice, Peace and the ICC in Africa. (London: Royal African Society, 2008). Read Chapter 1 (7-12); Chapter 2 (13-20); Chapter 5 (37-45); Chapter 7 (55-64); Chapter 8 (65-72); Chapter 9 (73-80)
Week 6 (October 3rd & 6th)
National and Domestic Trials
Case Study: Rwanda (National and Gacaca Trials)

Case Study Documentary:
*In the Tall Grass: Inside the Citizen Based Justice System Gacaca.* Manyara Films (2006)

Required Readings:


PART III: ALTERNATIVES TO RETRIBUTION

Week 7 (October 10th & 12th)
Decentralized Transitional Justice/Justice ‘from the Bottom-Up’
Case Study: Northern Ireland

Case Study Documentary:

Required Readings:


**Week 8 (October 17th & 19th)**

Amnesties and Reparations in Transitional Justice

Case Study: Argentina

**Case Study Documentary:**
*A Time to Fight* (2012)

**Required Readings:**


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**Week 9 (October 24th & 26th)**

Truth Commissions

Case Study: South Africa, Peru, Morocco

**Case Study Documentary:**
*Confronting the Truth.* USIP Press (2007) [Focus on South Africa, Peru, Morocco]

**Required Readings:**


Week 10 (October 31st & November 2nd)
‘Indigenous,’ ‘Traditional,’ or ‘Informal’ Justice Mechanisms
Case Study: Northern Uganda

Case Study Documentary:

Required Readings:


Week 11 (November 7th & 9th)
‘Hybridity’ and Holism in Transitional Justice
Case Studies: East Timor and Sierra Leone

In-Class Video:
Confronting the Truth. USIP Press (2007) [Focus on East Timor] and Children of War (2000) [Sierra Leone]

Required Readings:


**Week 12** (November 14th & 16th)

**Development and Distributive Justice in Transition**

**Case Study Focus: Zimbabwe**

**Case Study Documentary:**

**Required Readings:**


**Week 13** (November 21st & 23rd)

**THANKSGIVING BREAK – NO SCHEDULED CLASSES THIS WEEK**

**Week 14** (November 28th & 30th)

**In-Class Exam** (Covering all Course Materials Covered to Date)

**Required Readings:**

*In-Class Exam Guide* – Posted to Wyocourses

Review All Course Materials Covered to Date

**Week 15** (December 5th & 7th)

*NO SCHEDULED CLASS – FOCUS ON COMPLETING FINAL RESEARCH PAPERS*

I will be available during our regular class & office hours for individual Final Paper Conferences

**Week 16** (December 13th – 19th)

*Final Research Papers to be Submitted via Wyocourses by 11.59pm on the Scheduled Final Exam Date for this Course* (Set By The Office of the Registrar)
COURSE ASSIGNMENTS AND STUDENT EVALUATION

Discussion Participation (20%)
Active student engagement with the course material and frequent participation in class discussions is considered vital to success in this course. Each week, class time will be divided roughly in half, with Tuesday’s class being devoted to a brief talk and/or documentary on the weekly topic provided by the instructor, and the Thursday class being given to group discussion of the week’s readings and lecture materials. This includes raising appropriate questions and making constructive comments based on the course material to further our group discussions. In essence, active involvement for participation will be measured by both the quantity and the quality of each student’s engagement during the discussions. The majority of the participation grade will be assessed according to the student’s level of involvement in our weekly discussion sessions though attendance during both Tuesday and Thursday classes is considered mandatory and will count towards your overall participation grade. As such, it should be noted that active engagement in the course also includes attendance and attentive listening during talks delivered by the instructor or guest speakers.

In addition, for course dates that you sign-up to write critical response papers (see below), students will also be required to take on the role of discussant leader and come to class prepared with comments and questions that will help to begin our discussion of the readings and the weekly topic. As a discussant leader, you need not present all the points or issues raised in your commentary paper, but you may use that as a basis for helping to start the discussion if you wish.

Critical Response Paper (4000-Level: 15%; 5000-Level: 2 Papers Worth 10% Each)
During the course of the semester each 4000-level undergraduate student must submit one short critical response paper reflecting on and evaluating the assigned readings for that week (5000-level Graduate students are asked to write two response papers on two separate weeks). In the second week of class students will choose in advance and sign-up for the week(s) that they wish to write their response paper on (beginning in Week 4). In these papers students are to apply their own independent critical analysis to the set of assigned readings for that week. As a first step, these papers should seek to briefly summarize the central thesis arguments (and key sub-arguments) of each assigned reading. Second, at least $\frac{1}{2}$ to $\frac{2}{3}$ of each response paper should then be given over to your own critical analysis of the readings as a whole. This analysis should be focused on identifying and critically assessing common themes or key points of debate and disagreement between the readings, and/or your independent reflection regarding the significance of the points you’ve identified to the broader topic being discussed that week. Two sample critical response papers will be provided via Wyocourses.

These response papers should be approximately 5-6 pages in length. A hard copy of your critical response papers should be submitted in-class at the beginning of class the week it is due. These papers should follow standard formatting guidelines (double-spaced; Times New Roman 12-point font; 1 inch margins). In addition, with each response paper 4000-level undergraduate students will be required to submit a minimum of 3 critical questions based on the readings that may be used to help spark class discussion in their role as a weekly discussant leader (4 critical questions for 5000-level MA students). These questions should be submitted via email (in DOC or PDF format) to the instructor no later than 11.59pm on the Wednesday preceding our Thursday discussion class so they can be incorporated into our discussion questions for that week.
Major Research Paper (4000-Level: 35%; 5000-Level: 30%)
A substantial portion of a student’s final grade will be assessed on the submission of a major critical analysis research paper. This paper assignment will centre on each student exploring and evaluating some aspect of a current or historical transitional justice intervention employed by national or international actors in response to a past abuse of human rights. These evaluations will center on assessing the chosen justice mechanism in light of the broader ‘goals’ of transitional justice we will be discussing in the course (ie. Justice, reconciliation, democracy, etc.). While selection of the particular transitional justice intervention to be studied is open to the student, it should be examined in light of some of the major themes and debates raised in the course. A more detailed ‘Research Paper Guide’ will be posted in advance of the assignment to Wyocourses with further instructions.

The final paper itself (15-16 pages plus bibliography, works cited, title page, etc.) is to be submitted via Wyocourses by our scheduled Final Exam date during Finals Week (to be set by the Office of the Registrar). Formatting requirements for both portions of the paper should follow standard formatting guidelines (double-spaced; Times New Roman 12-point font; 1 inch margins). Citations are to be made according to the Chicago Manual of Style formatting requirements. Further, as this is a major research paper students will be asked to consult and cite a minimum of 8-10 scholarly sources to help support the arguments forwarded in their paper.

All late paper submissions will be penalized at a rate of -5% per day (or fraction therefore) past the deadline. No papers will be accepted more than five days past the due date. Further information concerning the major research paper assignment will be distributed in class as the course progresses.

Research Paper Proposal (5%)
First, a two-page paper proposal (plus an attached preliminary annotated bibliography) is to be submitted via Wyocourses by 11.59pm on Friday, November 17th. The first two-pages of this proposal should be a written outline clearly indicating the case study/intervention you are intending to assess in your research paper, as well as a preliminary sense of the causal thesis argument (and sub-arguments/sub-points) related to the ‘goal’ you are assessing your intervention against. Your additional annotated bibliography should include a minimum of 3-4 initial scholarly sources (books or articles not already used in class) on your specific case study or intervention with a short paragraph detailing the importance of each to your paper. This is the best chance for me, as the instructor, to give you early feedback on the direction your research paper is going so please do put some time and thought into your proposal. This paper proposal will be graded on a scale of 1-5 and will account for 5% of each student’s overall grade.

In-Class Exam (25%)
The In-class Exam, scheduled during our regular class times on Tuesday and Thursday, November 28th and 30th will involve one expanded definition section and one essay-length answers (one to be completed on Tuesday and one to be completed on Thursday). Students will be responsible for all material covered in lectures, discussions, assigned readings as well as any possible visiting speakers or video presentations prior to the In-Class Exam. You will have a total of 1 hour to write each of the In-Class Exams.

Prior to the in-class midterm exam, you will be provided with a ‘In-Class Exam Study Guide’ (posted to Wyocourses) which will provide you with further details on the exam format and included content as well as some helpful sample questions, studying and exam-writing tips. You will be allowed to bring into the In-Class Exams one doubled-sided 8 ½” x 11” piece of paper that you can fill with any information you wish to assist you with writing (more details on this will be provided in the Guide).
IMPORTANT COURSE, DEPARTMENTAL AND UNIVERSITY POLICIES

Course Evaluation and Grading Scale Policy
In accordance with UW University Regulation 6-722 introduced for Fall 2014, all individual course assignment and final grades for this course will be assigned on a +/- grading and GPA scale. Information on UNIREG 6-722 can be found at: http://www.uwyo.edu/generalcounsel/_files/docs/uw-regulation-6-722.pdf and students are asked to familiarize themselves with this grading scale before class begins. 

Note: under this +/- system a 2.00 GPA (a ‘C’) is the minimum required to remain in good academic standing at UW and a 2.00 (a ‘C’) is the minimum required grade that must be received in a class for it to be applied towards the requirements of a student’s major in the College of Arts & Sciences (and may also be the minimum required to maintain certain scholarships, financial aid packages, etc.). This means that a final grade of C- (1.7 GPA) or below received in a course is not sufficient for that course to be counted towards the major in the College of Arts & Sciences and an overall C- GPA (1.7) or below is not sufficient to remain in good academic standing at UW (or potentially to maintain certain scholarships, financial aid packages, etc. requiring a 2.0 or better GPA).

Course Policy on Late Assignments
All written course assignments submitted past their due date will be assigned a penalty of -5% for every 24hrs they are late (or fraction thereof) beginning from the time they were originally due. No written assignment will be accepted more than five days from the original due date except with the advance permission of the instructor. If you are handing in a written assignment late, you must make advance arrangements to hand it in directly to me or to email me an electronic copy in PDF or DOC/DOCX format. Final Research papers and Paper Proposals should be submitted via our Wyocourses site as a PDF or DOC/DOCX file. All emailed or submitted assignments will be counted as received once a readable version of the file is time/date stamped as arriving to Wyocourses or my email inbox. Papers submitted in any other way (such as under my office door or to my mailbox) will not be accepted.

Course Policies on Student Absences
As attendance and active participation is considered vital to success in this course, your attendance during both Tuesday and Thursday classes is considered mandatory and will count towards your overall participation grade. Further, it is the responsibility of every student to ensure they come to class prepared and on time each week.

Students who miss a discussion class for an excused university absence will be given the option to write a short written assignment to make up for the missed attendance and participation points for that class. In such cases, it is the responsibility of each student to get in touch in advance of any absence by email to give notification that you will be unable to attend class or complete an assignment. Except in cases of emergency, students who contact the instructor after a class has already begun will not be allowed to make up the absence and all make-up assignments must be submitted no more than one week from the date of absence.

Course Communication Policy
The best way to reach either me throughout the course will be via email. With all emails it is my policy to try and respond within 1 business day whenever possible. That said, email can be very time-consuming for answering more than just basic questions. If there is a larger or more detailed question you need help with, just send an email and we can arrange to meet during office hours or schedule an appointment to talk things over. Please do note that all formal course correspondence (including updates, changes to the schedule, changes to the reading, or potential cancellations) will be sent to you via email using your
uwyo.edu email accounts. Accordingly, it is the responsibility of all students to check their email accounts on a daily basis throughout the duration of the course.

**Academic Dishonesty and Plagiarism**
All students are responsible for familiarizing themselves with departmental and university policies on plagiarism and other forms of academic dishonesty (UW-Reg 6-403). These policies can be found online at [http://www.uwyo.edu/generalcounsel/_files/docs/uw-reg-6-802.pdf](http://www.uwyo.edu/generalcounsel/_files/docs/uw-reg-6-802.pdf) As a rule, all written work submitted for this course by students must be original in its conception, organization, and phrasing. All sources used must be appropriately acknowledged or cited, including all Internet materials. Work submitted in this course for evaluation must not be, or have been, submitted (in whole or in part) in another course. **Students found to have committed academic dishonesty (eg. plagiarism, cheating on an exam, submitting previously submitted work, etc.)** will receive an automatic grade of zero on the individual assignment and, depending on severity, will receive a grade of “F” for the course as well in addition to any possible additional sanctions imposed by the Department, College or University.

**Student Services**
Students finding they are having difficulty with their writing are strongly encouraged to take advantage of the services provided through the UW Writing Center. Information on this resource is available online at: [http://uwacadweb.uwyo.edu/WRITINGCENTER/](http://uwacadweb.uwyo.edu/WRITINGCENTER/)

Also, it is University of Wyoming policy to accommodate students, faculty, staff, and visitors with disabilities. If you have a physical, learning, sensory, or psychological disability and require accommodations, please let me know as soon as possible. You will need to register with University Disability Support Services (UDSS) in the Student Educational Opportunity offices, Room 330 Knight Hall, and provide UDSS with documentation of your disability. Information on the UDSS is available online at: [http://uwadmnweb.uwyo.edu/UDSS/](http://uwadmnweb.uwyo.edu/UDSS/)

**Statement on Student Conduct**
In the university environment, it is essential that our discussions take place in an environment of mutual respect and consideration between you, your fellow students and the course instructor (in both in-class and online environments). This involves remaining actively engaged and listening when the course instructor or your fellow students are speaking or presenting and arriving on time to class prepared and ready to participate. **This also includes being sure to turning off/silencing and refraining from using all electronic devices that are not being used for the course (such as phones, tablets, music devices, etc.) before class begins.** At all times, as per University Regulation 8-30 students should follow the University’s Student Code of Conduct and refrain from actions that lead to the “disruption or obstruction of teaching, research, [and] administration” at the university. A copy of the Student Code of Conduct can be found at: [http://www.uwyo.edu/dos/_files/docs/2014-2015%20code%20of%20conduct.pdf](http://www.uwyo.edu/dos/_files/docs/2014-2015%20code%20of%20conduct.pdf)