STPEC 493H Genocide and Crimes Against Humanity
Fall 2010
W 6:30-9:30pm. Machmer W22

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Course Description
War crimes, torture and genocides demonstrate all too frequently that “never again” remains an elusive ideal. What role does the international system of human rights and humanitarian law play in deterring abuses of power? We examine the debates over the definition, adjudication and punishment of such acts, and study several cases to evaluate how effective domestic and international legal institutions can be in preventing such crimes in the future, redressing those that do occur and shaping collective memory and reconciliation after the fact, often called transitional justice. The Nuremberg trial legacy, the truth commission in South Africa, the Pinochet case, the Yugoslavia war crimes trials, the genocide in Rwanda, and the new ICC will provide primary material for critical discussion; students will research, present and critique case studies.

Expectations
This is not a lecture class and therefore completion of—and full engagement with—the assigned readings is essential. Take notes and formulate questions about the material as you go along. Short reading responses/critiques are required before each class, using proper citations to the articles in a standard format. These are intended to help you digest the readings and prepare you for class discussion, as well as to give me a sense of how you think and write, and to give you practice using consistent citation formats.

It is typical that students ask me, implicitly if not expressly, what they will gain from taking the course, but I want you to ask yourself a different question: what are you going to contribute to the collective learning that should take place here? What will you offer to make this a better class for everyone in it?

Required Books: Please purchase at the local independent bookseller, Food for Thought, if at all possible, rather than from the corporate commercial outlets. There are only two books to buy. Remainder of materials will be made available on line.

Goldstone and Smith, International Judicial Institutions, 2009 Routledge

Hayner, Unspeakable Acts, Second Edition 2010 Routledge (The first edition, published 2001, is NOT usable). This book was published late Aug 2010; sorry, but used copies are unlikely to be available.
SYLLABUS

Sep 08  Introduction to the course

Sep 15  "genocide (n.) the deliberate and systematic extermination of a national, racial, political or cultural group [1940-1945]." *Webster's Unabridged Dictionary* (2001, p. 796)
The UN Genocide Convention: definitions, deterrent value and enforcement potential
Genocides past and present: South West Africa 1904 to Darfur 2004

Sep 22  Nuremberg: Genocide (not) on Trial
The War Crimes Tribunals and their Legacy for International Criminal Justice

Sep 29  Post WWII: Discourse & Structure of International Human Rights
Covenants, Conventions, Councils and Courts

Oct 6  Continued: Discourse & Structure of International Human Rights

Oct 13  Rape as Genocide and Crime Against Humanity
New legal theories for old abuses

Oct 20  The Hague Tribunals: ICTY and ICC

Oct 27  Rwanda: International, Domestic and Traditional Resolutions
Rwandan Courts, the ICTR and *Gacaca*

Nov 3  Universal Jurisdiction: the Eichmann Trial and the Pinochet Case

Nov 10  No class session: UMass on Thursday schedule

Nov 17  Truth Commissions: Between punishment and forgiveness?
South Africa, Latin America and elsewhere

Nov 23  No class session. Thanksgiving recess.

Dec 1  Impunity and the Politics of Memory
Out of the Courts and into the Street

Dec 8  Conclusion and evaluations