Course Introduction

This class will examine human rights civil and criminal trials at the domestic, transnational, and international levels, focusing specifically on how trials can be used as a tool of transitional justice and advance human rights, as well as the limits of trials in achieving justice. Topics explored will include the principle of universal jurisdiction, the right to information, immigration fraud cases, and what types of evidence present the strongest cases, among other topics. We will also consider alternative approaches to justice, drawing on Indigenous studies, and other non-Western ideas of what justice is and how to achieve it. Students will gain an understanding of these issues through various case studies of disappearances and massacres in Latin America, and genocide in Rwanda and Bosnia, and immigration fraud trials in the United States. This course meets the LSJ seminar and “rights” subfield requirement and serves as a writing credit.

The goal of the class is expose students to the variety of ways that judicial proceedings can be used to address human rights violations in attempt to achieve a sense of justice. Students will also be able to deeply interrogate the concept of justice itself, considering a multitude of ideas about what justice even
is, and the strengths and limitations to using civil and criminal judicial proceedings to achieve these forms of justice.

Students are encouraged to think through the concept of justice, what justice means, and to whom. Students will analyze strengths and weaknesses of the international and state-level judicial systems, as well as explore alternative approaches to justice. This course is not designed to point you to any one “right” answer, but to provide you with tools to engage critically in the world around you, and to develop your own ideas and opinions.

Regardless of your political orientation, class background, profession, religious or ethnic identity, or citizenship status, you are welcome in this class. Please let me know how I can best foster an environment in which you feel comfortable participating as much as possible. Ideas of justice and how to address mass atrocity, human rights violations, and genocide are some of the most difficult questions our society faces, and I do not believe any singular (political, cultural, ethnic, or occupational) group holds the answers for how to solve them. We need a variety of voices and perspectives to join the conversation, and I will do my best to facilitate an open discussion, though I need your participation to help make this happen.

Requirements and Grading Policy

All students are expected to attend class meetings, complete all assigned readings, complete weekly online prompts, write a final paper, and participate actively in discussions in class.

Required readings

All readings are available through the class Canvas site in the “files” section. You do not need to purchase any materials for class. There is a reading guide nearly every week to help you practice your comprehensive reading skills. The idea is that you don't need to read every word of every reading - the most important thing is that you understand the main arguments and concepts in each reading. If you can answer the questions on the reading guide, you will likely have gotten the main points. Developing smart readings strategies is an important skill to learn that you can take into your future, especially as you take more advanced undergraduate courses, and especially if you go to grad school.

Grading

Your course grade will be assessed as follows: 10% participation in class discussions, 20% for weekly writing prompts based on course readings; and three written assignments for a total of 70%: role play essay 15%; a first draft of research paper 25%, and final draft of research paper 30%.

Each of the written assignments are out of 100 points and will follow a rubric provided with the prompt. The discussion sessions (one each class period) and weekly prompts are out of 10 points each.

For each of the three major written assignments, you will be graded based on the rubric, according to accuracy of content, and quality of content in your writing. We will review the rubric for each written assignment in class before it is due, and you will receive a copy of the rubric when you get your assignment back so you know how you earned the grade you got, and how you can make improvements.
10% of Grade: In-Class Discussion

To get full credit, you must participate in class discussion. Aim to share at least one thoughtful comment per class period. This is a discussion seminar! It is understood that people have different communication skills, so I will offer a variety of ways to participate, including large group and small group discussion and quick writes, but it is your responsibility to speak up. If you have concerns about this, please speak to me. I will post grades on canvas at the end of every week so you can track your grade.

20% of Grade: Weekly Reading Responses

Each week, students will be required to respond to a prompt about course readings on the canvas discussion page and include a question they had about the readings. Students must submit the reflection and question(s) by 10am the day of class, unless otherwise noted. Please pay attention to word count requirements for each prompt, they vary. To get full credit, you must include a word count at the end of each prompt.

These are relatively short and informal papers (500 words) in which you are invited to reflect on the readings and course themes. You should NOT summarize the readings, unless the question asks you to; it’s safe to assume your reader will also have read them. What I want to know is what you make of them. Late response papers will not be accepted.

When a prompt refers to the “How to read an academic paper” Schema, it is referencing THIS which we review the first day of class. If you don’t understand or are unclear about how to fill this out, see me BEFORE it is due. If you cannot access canvas for whatever reason, email me your response to the weekly prompt. “Canvas was not working” is not an excuse to turn weekly assignments in late. “I didn’t understand” is also not an excuse. Do your best and we will review everything in class. Copying each other’s work is not tolerated. If you copy each other’s reflection assignments, you are cheating yourself out of a learning opportunity.

15% of Grade: Role Play Essay Assignment

This is a role play activity in which you take on a persona from a Latin American country that we have discussed and answer a series of questions in 1000-1200 words. The entire prompt will be posted in canvas at the start of the course. You will do a very short (3 minute) group presentation summarizing the variety of perspectives discussed in your group (you will be grouped with other people assigned your same persona). You don’t all have to agree, no audio visual, and very informal! The idea is just to give the rest of the class what you wrote about and discussed.

- On Wednesday, October 9th, you will be assigned a persona in class.
- Monday, October 21st, you will have time in class to prepare your group presentation, and work on your written assignment.
- Wednesday, October 23rd, the written assignment is due in hard copy, and you will present (with your group) to the class for 3 minutes (this goes toward your in-class participation for the day).

25% of Grade: Rough Draft/Plan for Final Paper Assignment
Due Monday, November 11th at 11:59pm via canvas You must have your topic approved ahead of time, due via canvas by 10/29. You should not wait until this time to begin. You should be thinking about your topic and researching from the beginning of class.

You must write an at least 1000-word plan (either draft or substantive outline) for your final paper assignment that includes the following (consider this a grading rubric, it must have each of these components):

- Identification and brief summary of selected case (ideally this would be the introduction to your paper).
- What is your main argument? (What is your answer to the central prompt question?)
- What pieces of evidence do you anticipate using to make this argument? (Provide at least 5 pieces of evidence.)
- What are your preliminary (brainstorming) ideas for alternative approaches to justice?
- What additional sources will you use, specific to your case? (Provide at least 5 annotated bibliography entries.)*

This rough draft can be in the form of an extended/detailed outline or an actual draft of your paper. For the outline, it needs to include all of the parts mentioned above. If you are doing the actual draft option, it should have the points mentioned above, but incorporated into the draft. This is supposed to be helpful for you. If you are having trouble figuring this out, or have questions ask me. There is room for flexibility depending on your writing process. Let's talk.

You may also use the “how to read an academic paper” schema or an “outline” format to help you plan out your paper.

*An annotated bibliography summarizes the main points, research question, and conclusion of the source, and explains how it relates to your own argument. If you have more than five sources in your bibliography that’s great! You only have to do annotations for five of them.

30% of Grade: Research Paper

DUE 12/10 at 4pm in LSJ office in hard copy, Smith Hall M253 (You may turn your final paper in earlier if you would like, please just make arrangements with me ahead of time.)

Final Paper Assignment 3,500 words (approximately 10-12 pages double spaced) answering the following two-part question:

1. To what extent do the use of criminal and/or civil trials in achieve “justice” in human rights cases? To answer this question, you must choose one case study* and explore the strengths AND weaknesses of the use of criminal and/or civil trials in this case. You must make a solid argument about the effectiveness in using criminal and/or civil trials in order to achieve justice in this case. In order to make a solid argument, you need to define what you think justice is, you need to argue your viewpoints, but you also need to identify and refute the arguments of the other side will use in making its own case.
2. Secondly, Are there approaches to achieving justice beyond criminal and civil trials that you believe could be effective? What recommendations do you make? This should address the weaknesses you identified in use of criminal and/or civil trials. You should identify alternatives
discussed in class and think creatively about other ideas. You should use primary sources and secondary sources as evidence to make your case.

*Do not count your footnotes or bibliography in the word count. For the final draft of your paper, your bibliography does not need to be annotated.*

You cannot choose Rwanda, Guatemala, El Salvador or Bosnia as your case study as we’ve discussed them in class, unless you want to deeply explore an aspect we have not discussed in class and conduct additional research on this other aspect - see me for approval of your final paper topic. Possible topics include: Cambodia, Sudan, Syria, United States, Argentina, Chile, Honduras, Northern Ireland, Iraq (see Samantha Power's book *"A Problem from Hell: America in the Age of Genocide."* for other ideas). You must submit your topic for approval no later than October 29th. You may submit it earlier.

You may select a topic that you have personal or family connection to, and you may use personal experience and/or personal interviews in the assignment. If you chose to do this, you need to follow the Personal Experience and Interviews Citation Guidelines [HERE](#). Please let me know if you have questions or want to discuss this further.

**SUMMARY OF IMPORTANT ASSIGNMENT DATES:**
- Wednesday, October 9th – persona assigned in class (for role play assignment)
- Monday, October 21st – in-class workshop for role play assignment
- Wednesday, October 23rd – role play assignment due in class & informal group presentation
- Tuesday, October 29th – Paper topic due via canvas by 11:59pm
- Monday, November 11th – Rough Draft/Plan of final paper due via canvas by 11:59pm
- Wednesday, December 4th – In-class paper workshop
- Tuesday, December 10th – Final Paper due in hard copy in LSJ office, Smith Hall M253

**Additional Notes**

**Course Material:** Some of the material presented in this class may be disturbing. It is impossible to come to grips with the human rights history of the Americas without delving into accounts of torture, rape, and other violent acts. I understand that this can be particularly difficult for survivors of trauma. If you have been diagnosed with PTSD, you may want to consult an instructor for advance warning as to which readings, lectures, and films might include material you may find triggering. Please feel free to approach me about these concerns.

**Class Bulletin Board:** On canvas, there is a general posting board for you to share interesting, course-related information with your classmates. You can share events, news articles, resources, inspiring stories, links to movies or questions for your fellow classmates, for example.

**Getting in contact with me:** while Canvas may have a feature to send messages, I don't always get a notice if you send me a message, so the best way to contact me is by email: eawill@uw.edu, or to come see me in office hours

**Word counts:** Assignments are given in word count requirements; you must include a word count at the end of each assignment and try to stay within the general vicinity of the range. Points will be taken
Citations: You must always provide citations for information and words that are not your own ideas, including primary and secondary sources, as well as class discussions. You must choose a citation format and use it consistently, including page numbers. If you do not know how to cite a particular source, please consult me, or a reference librarian. You can use footnotes OR in-text citations with a bibliography.

If the assignment/information is related to your own personal experience, or the experience of your family or close friends or neighbors and you would like to use that information in your writing, please see the detailed guidelines for citing personal experience and interviews HERE. If you are unsure about how to use these, or would like to discuss this further, please come talk to me.

Missing Class and Assignments: I do not take attendance (it is against UW policy), but there will be an in-class participation grade for each class session. In the event that I do use slide presentations, they will not be to the detail that I speak about in person, so you should make sure you talk to a classmate about getting their notes. This is a discussion seminar so most of the content of the class will be discussion-based and not a lecture. I may however provide short lectures at times.

As stated above, you cannot make up in-class participation except for extremely extenuating circumstances like personal or family emergency. If you miss class, you are responsible for knowing the material that was discussed. It is strongly encouraged that for whatever reason you plan (or don't plan) to miss a class or assignment, you email me (or any professor) prior to the class or deadline, let them know and ask if there is a way to make alternative arrangements - this is an important way that you can advocate for yourself, especially if you and/or your family are experiencing a crisis or emergency.

If you need an extension on an assignment, please let me know as in advance as possible. I will try to work with you, but please do not take advantage of my good faith attempt to be accommodating and giving you the benefit of the doubt. That's disrespectful to me, and to your classmates who work hard to make deadlines. If you need an extension due to personal or family emergency, please speak to me as soon as possible so we can work something out. If there are ongoing health issues, it is recommended that you consult Disability Resources for Students (DRS) to make formal arrangements.

Outside help: While each student must turn in unique assignments, representing only their own work, and plagiarism will not be tolerated, talking to a classmate about their ideas is encouraged, as is seeking guidance from the writing center to ensure you are expressing your ideas as clearly and strategically as possible.

Extra Credit Opportunities: You can sign up to give an Inspiration Presentation (IP) see guidelines HERE. You will get an added 10 points to your participation grade for completing this (counts as one class period of discussion).

OR you may also sign up to give a current events presentation. They are the same as the IP guidelines, but need to be on a current event item that related directly to class material (international human rights trials or other non-trial pursuits of justice). Please get this topic approved before presenting.
You must email me to sign up for your presentation, available slots are first-come-first-serve. You can see the signup sheet and which slots are available on the designated discussion board HERE on Canvas.

There may also be other opportunities to attend events on campus throughout the quarter, announced by email and in class.

**Resources**

For help researching your long paper, please visit Emily Keller the Human Rights librarian at the UW library. For more information and to make an appointment with her, see: [http://guides.lib.uw.edu/research/emkeller](http://guides.lib.uw.edu/research/emkeller)

Any student who has a need for special accommodation(s) in this class should contact the Disability Resource Center [http://depts.washington.edu/uwdrs/](http://depts.washington.edu/uwdrs/) and/or speak with me privately to discuss the specific situation.

**The UW Counseling Center** offers free and confidential short-term, problem-focused counseling to UW Students who may feel overwhelmed by the responsibilities of college, work, family and relationships. Counselors are available to help students cope with stresses and personal issues that may interfere with their ability to perform in school. To schedule an appointment, please call 206-543-1240 or stop by 401 Schmitz Hall. More information, including information about additional low-cost resources, is available at: [http://www.washington.edu/counseling/](http://www.washington.edu/counseling/)

If you are concerned about yourself or others, contact SafeCampus: "The SafeCampus team is here for you. Tell us what's going on and we'll figure out how to best address your concerns. We work with campus partners to keep our community safe. If you're scared or unsure what to do, call us." Phone number: 206-685-7233. Online: [https://depts.washington.edu/safecamp/](https://depts.washington.edu/safecamp/)

**Course Outline: Assignments and Readings**

All readings are available on Canvas under course files, and via links on the syllabus. All audio visual materials are provided as links on the syllabus. Students are not required to purchase any texts for this class. You should bring a copy of the readings to class to reference during discussion. Paper copy is ideal, but electronic is also permitted, though if it appears that people are doing other things with their electronic devices, they will be prohibited during class time.

*Weekly assignments and readings subject to change. You will be notified of any changes through canvas, email, and/or announcement in class.*

**WEEK Zero: Course Introduction**

**9/25: Introduction & Discussion Activity**

*Readings: none*

*Weekly Learning objectives: Meet classmates and instructor, learn how to read academic texts, prepare for course requirements and expectations, understand syllabus, and “citing personal experience and interviews” for final paper.*
WEEK 1: What is justice and why are trials important?

9/30: Case of Dos Erres - Finding Oscar

10/2: What is justice?
Readings: Minow (1998) Between Vengeance and Forgiveness, Chapter 3 (pgs. 25-51)

Assignment: Reflect on weekly readings and discussion. See canvas for prompt. Due 10/2 by 10am on canvas discussion board.

Weekly Learning objectives: critical analysis, demonstrate understanding of basics of concept of justice, and trials as a mechanism of justice.

WEEK 2: Civil versus Criminal - How to Achieve Justice?

10/7: Civil Trials
Readings:

10/9: Criminal Trials

Assignment: “How to read an academic paper” Schema, fill out for Sikkink and Taylor readings. Due 10/9 by 10am on canvas discussion board.

Weekly Learning Objectives: Understand the difference between civil and criminal approaches to human rights issues; think critically about concept of justice and how criminal and civil cases address it differently. Demonstrate understanding of concept of “justice cascade.”

WEEK 3: Domestic Trials

10/14: Guatemala Genocide Case
Readings:
- Burt (2016) “From Heaven to Hell in Ten Days"
- Velasquez-Nimatuj & Aguilar – “Art as memorialization” excerpt from “Inhabitance of Loss” (only 2 pages)
- Velasquez-Nimatuj - “Struggles and Obstacles in Indigenous Women’s Fight for Justice in Guatemala” (only 4 pages)

Recommended Reading: Center for Justice and Accountability “Justice in Guatemala”
10/16: United States - Immigration Fraud

Readings: News media on immigration fraud cases

Recommended reading: United States vs. Muyenyezi court decision (2015)

Assignment: Assign Role Play persona on 10/14 in class. See reading response prompt on canvas.

Weekly Learning Objectives: critical thinking about what justice is, and from perspectives of perpetrators, family members, victims, international community, and bystanders.

WEEK 4: Transnational Human Rights Cases - Trials in a Global Political Context

10/21: Case study of the Jesuit Case - Universal jurisdiction

Reading: Roht-Arriaza (2005) The Pinochet Effect, preface and Chapter 1

10/23: Are Perpetrators Savages?

Reading:
- Mutua (2001) “Savages, Victims, Saviors” - Excerpt (full article HERE is optional)

Assignments: Role Play activity workshop in class on 10/21.

Role play essay due on 10/23 in class, and short, informal group presentation on assignment.

See brief reading response prompt on canvas, due 10/23 at 10am.

Weekly Learning Objectives: critical thinking about what justice is, and from different perspectives, reinforce justice cascade

WEEK 5. Genocide Tribunals: International Courts of Justice or Injustice?

10/28: ICTR, ICTY, ICC and their limitations

Reading: Watch the following Tribunal Voices interview excerpts and pick at least 5 additional ones to watch. (They are short, almost all are 2 minutes or less.) Available from: http://www.tribunalvoices.org/voices/
- Roland Adjori, Senior Legal Advisor: “the Tribunal’s quest for justice”
- Alessandro Caldarone, Senior Officer: “the victims of the Genocide”
- Adama Dieng, Registrar: “retributive and restorative justice”
- Avp Fadugba, Chief of Information & Evidence: “emotional reaction to the evidence” and “the role of the evidence section in the terms of exculpatory material”
- Philippe Larochelle, Defense Counsel: “rationale for the ICTR” and “missed opportunities to fight a culture of impunity”
- Beth Lyons, Defense Counsel: “one-sided justice” and “lack of principle at the prosecution office” and “definitions of genocide”
Francois Bembatoum, Chief Interpreter: “the difficulty of giving faithful renditions of witness testimony”
Colette Ngoya, Translator: “the tribunal’s existence as progress”
Alfred Kwende, Chief of Investigations: “the challenges of investigating genocide”
Dennis Byron, President and Judge: “factual historical record”
Angeline Djampou, Chief Librarian: “empowering people with information”

Read the following, short article: Humphrey (2003) “International intervention justice and national reconciliation the role of the ICTY and ICTR in Bosnia and Rwanda”

Submit final paper topic for approval, via canvas on 10/28. Start working on the rough draft of your paper now!

10/30: Genocide Trial in the U.S.A?
Reading:
- Alexie (2017) Excerpts from Memoir You Don’t Have to Say You Love Me. Focus on the poem and pages 392-394 of chapter 147. (pages 382-391 are provided for context, but not required reading.)
- Review “Salish School of Spokane” website: http://www.salishschoolofspokane.org/
Recommended Reading: Review the Interior Salish curricula website here: http://www.interiorsalish.com/home.html

EXTRA CREDIT OPPORTUNITY: Attend the talk by Philip Deloria at 7:30pm in Kane Hall (prior registration required) See more info. HERE.

Assignment: See short reading reflection prompt on canvas.

Weekly Learning Objectives: Gain an understanding of international criminal court and tribunals, think critically about what justice is and how these international mechanisms achieve justice or not, and for whom. Consider the role of the United States government as perpetrator of Genocide and what justice might look like in this case.

WEEK 6: Access to information - The FOIA, Declassified Documents, and evidence in cases of forced disappearance

11/4: Cases of forced disappearance
Reading: Kovras (2017) Grassroots Activism and the Evolution of Transitional Justice, Chapter 4 and Chapter 5 (pgs. 84-126)
Recommended Reading: Kovras (2017) Grassroots Activism and the Evolution of Transitional Justice, Chapter 3

11/6: Access to Information & Justice in Guatemala
Readings:
- Watch To Eco the Pain of the Many, a film by Ana Lucia Cuevas, https://vimeo.com/37979362
- Read Grinberg Pla (2016) “Filming Responsibly”
**Assignment:** Reading Response, see prompt on canvas. Due 10am 11/6.

**Weekly Learning Objective:** Gain an understanding of the relationship between the crime of forced disappearances and access to information. Opportunity to speak with the film-maker Ana Lucia Cuevas via video chat.

**Rough Draft/Plan for Final Research Paper Assignment DUE Monday 11/11 at 11:59pm on canvas.**

**WEEK 7: Evidence - Documents and Eyewitness Testimony**

11/11: Veteran’s Day, No Class but rough draft of final paper due at 11:59pm via canvas.

11/13: Eyewitness Testimony & Knowledge Production

*Reading:*

**Assignment:** See prompt on canvas. Please bring the assignments to class for further discussion, in hard copy. Turned in for credit at the end of class.

**Weekly Learning Objective:** Able to critically engage declassified government documents, and understand how both documents and eyewitness testimony can serve as evidence in human rights trials.

**WEEK 8: Evidence - Satellite Images & Maps**

11/18: Satellite Images

*Readings:*
- Eric Benn Expert Witness Testimony, Trial Transcript, February 29, 2012 (focus on pgs. 17-35)
- Eric Benn Expert Witness Testimony, Trial Transcript, February 12, 2013 (focus on pgs. 39-53)
- NGA Satellite Images (exhibits in Benn Testimony)


11/20: Maps

*Reading: Anker (2005) “The Truth in Painting: Cultural Artifacts as Proof of Native Title” - excerpt (pgs 145-166) (full article HERE optional)*

**Assignment:** See prompt on canvas – bring hard copy to share with class.
Weekly Learning Objective: Understand the role that satellite images and maps can serve as evidence in human rights trials. Challenge ideas of what kinds of evidence are “more true” than others.

**WEEK 9: Evidence - DNA**

**11/25: DNA**

*Readings:*
- Doyle (2011) “Remains of two of Guatemala’s Death Squad Diary victims found in mass grave”

**11/27:** Thanksgiving Holiday – No Class!

*Assignment:* Work on final paper. No reading response this week.

**WEEK 10: Returning Archives & Land**

**12/2: Returning Archives and Land**

*Reading:* Wareham (2008) “‘Our Own Identity, Our Own Taonga, Our Own Self Coming Back’: Indigenous Voices in New Zealand Record-Keeping”

*Recommended Reading:* Tuck and Yang (2012) “Decolonization is not a metaphor”

**Extra Credit:** Write a reflection on the Tuck and Yang reading of approximately 250 words. Do you agree with them about returning land? Why or Why not? Turn in via canvas – see prompt. You will get an extra 10 points toward your reading response grade. If you have a perfect score, it will get added on top, helping your overall grade.

**12/4: In-class paper workshop**
(see canvas for more information)

*Assignments:* No reading response this week.

**Final Paper: DUE Tuesday 12/10 at 4pm in LSJ office IN HARD COPY, Smith Hall M253.**