Politics 316: 
The Politics of International Justice

In recent decades, international norms and institutions have become increasingly important in shaping how societies around the world respond to episodes of mass violence. The international community gives special priority to criminal prosecutions to hold individuals accountable for human rights abuses, an approach exemplified by the creation of the International Criminal Court. Commissions centered on truth-telling and reconciliation represent another common approach. As these mechanisms of justice become commonplace across a variety of national and cultural settings, it is important to undertake a critical accounting of successes and shortcomings. Over the course of the semester, we will attend to the good as well as the bad that can follow from the very best of intentions. These are some of the specific questions we will address:

- When and where did international efforts to promote justice originate?
- Who wants justice?
- How is justice differently understood in different contexts?
- Whose interests and ideals are served by international justice norms and institutions?
- To whom are proponents of justice projects accountable?
- How do justice visionaries and workers relate to those they seek to assist?
- How do hierarchies in North-South relations shape international justice?
- What types of justice projects are most effective in facilitating transitions to democracy?
- Does international justice bear on the U.S. and other established democracies?
- How is justice best evaluated?
- Why is it so hard to do good? Can problems with international justice be resolved or overcome?

As an upper-level seminar, our class meetings will be devoted to a discussion of these and other questions. I expect our discussion will be informed by close reading of the assigned materials. I expect all students to help foster an intellectually serious, respectful, and inclusive class environment. Listen carefully to one other, seriously consider opinions and claims that differ from your own, and respond thoughtfully, drawing on the readings and your knowledge of current affairs. Many of the issues we discuss will be close to our own personal histories, values, and political beliefs, so each of us will need to make an extra effort to be tolerant, respectful, modest, and open-minded.

This course has several Student Learning Outcomes. In this course you will understand historical transformations in international justice; understand varieties of transitional justice; evaluate varieties of transitional justice based on competing philosophical and social science arguments; identify and investigate power relations in play in justice institutions and projects; read and interpret sophisticated works of social science; and convey your interpretation and analysis of the politics of justice orally and in writing.

Obtaining these outcomes is our shared responsibility. I will work hard, and I expect you to do the same. Willamette's policy on credit hours states that each hour of time in class requires 2-3 hours of work outside of class. This means that for The Politics of International Justice you should plan to spend 6-9 hours working outside of class each week. You will complete around 100 pages of reading each week, and you will complete around 20 pages of writing by the end of the term.
Readings

Several readings for the class are posted on the course WISE site. It is important that you print those readings and bring them to class. There are also three required books; all are available at the bookstore:


In addition, I expect you to remain current on events in international politics by reading a reputable, daily news source, like the New York Times, which is available free of charge to Willamette students.

Requirements

Class Participation (200 points). Your class participation grade will be based primarily on your regular, informed, and respectful contributions to discussion. It is not sufficient simply to show up to class and talk; it is crucial that you come to every class having completed and digested all of the assigned readings, with notes on (at a minimum) the author’s core arguments and your thoughts on those arguments. I expect response-paper writers will take an especially active role in leading class discussion by presenting contentions and questions and, more generally, helping to facilitate a productive conversation.

Your attendance at every class session is an obvious prerequisite for your class participation. Attendance means arriving several minutes early, so that you are settled and ready to begin promptly at 9:10 am. There are no “free” unexcused absences. If you are ill, or if some other emergency prevents you from attending class, email me immediately. If you need to miss class due to a University sanctioned activity or religious observance, email me at the beginning of the semester or as far as possible in advance of the date in question. I reserve the right to request documentation for absences that you would like excused. Excessive absences could result in a failing grade in the course.

Responses (5 x 40 points). You will write five reading responses, including at least one from each section of the course after the introduction. These responses should assist you in processing the reading and preparing for discussion. The responses should be around one half-page single-spaced (200 word minimum) and should be no more than one full page (400 word maximum). Responses should aim at analysis rather than summary of the ideas presented in the readings. For example, you might highlight a concept or issue that is conspicuously absent; draw attention to an internal contradiction in a text; point out an interesting divergence with previous reading; identify and problematize unstated assumptions; etc. Whatever you do, do not simply dismiss the author or scholarship you are engaging. A good analysis always begins with a careful reading of the assigned material and, at its best, leads to insights that are surprising or counterintuitive. Response papers should be emailed to me as a Word attachment by 6:00 pm on the day before they are due. I will respond to you with an email confirming I have received your paper. If you do not receive this confirmation from me, your paper will not count as having been received. If I am unable to open or read your document, it will not count as having been received. If you inadvertently send the incorrect document, it will not count as having been received, even if I earlier sent a confirmation. Note: I do not accept late responses.

Essays (200+200+200 points). You will write three 6-pg. essays. These essays are due in class on September 28th, November 6th, and November 30th. I will provide more detailed guidance and grading standards two weeks before each essay is due.
Grades

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Standards:

A-range Grades in the A-range are earned by work that is outstanding in every respect. Essays advance a clearly stated argument that is especially nuanced or insightful, and demonstrate superior understanding of course materials, going beyond points discussed in class. The writing is logically organized and meticulously edited. Response papers raise excellent questions, insights, interpretations, and connections. Contributions to class discussion are informed, thoughtful, and respectful, advancing the conversation and encouraging participation from others. The highest participation grades are reserved for those who have no unexcused absences.

B-range Grades in the B-range are given for good, competent essays, and for regular, constructive participation. Essays advance a clear argument, and provide support for the argument, demonstrating good understanding of course material. Essays are logically organized and well edited—they are generally free of grammatical, punctuation, and formatting errors. Grades in the upper B-range may be outstanding with respect to content but somewhat weaker in terms of the writing or vice versa. Response papers demonstrate engagement with and reflection on the reading. Participation grades in the B range are given for regular, productive contributions to discussion. In comparison to participation that is awarded an A grade, participation grades in the B-range may reflect slight inconsistency with reflect to the quantity or quality of participation, or 1-2 unexcused absences.

C-range Grades in the C-range are given for work that meets minimal requirements. Essays engage the topic and course materials, but are weak in terms of content or presentation. For instance, arguments may be ill defined or poorly supported. Essays might struggle to make use of texts, providing few citations and only superficial coverage of major arguments, theories, concepts, and issues. The writing may be marred by typos, grammatical errors, or awkward phrasing. Response papers fail to demonstrate engagement with the readings—for instance, by failing to go beyond summary of the readings or by addressing topics only loosely related to the readings—or are poorly written. Participation grades in the C-range may be given for several unexcused absences, a pattern of dominating the conversation, or a pattern of disengagement (failing to bring readings to class, tuning out, using class time to send text messages, chat, or exchange notes, etc.). If these patterns are especially pronounced they would be warrant for a grade lower than a C.

D-range Grades in the D- and F-range do not meet minimum requirements. Essays and response papers often lack a clearly identifiable thesis, and may be significantly underdeveloped, either failing to meet the page length requirement, adequately engage the topic, or use course materials. The writing is often marred by typos, grammatical errors, or awkward phrasing. Participation grades in this range are given for rude, disrespectful, or dismissive remarks, or disruptive behavior. Participation grades in the D-range are also given for poor preparedness, which includes failing to bring readings to class or to have completed the readings. Failing grades are given for excessive absences, missing assignments, or egregious misconduct including but not limited to plagiarism.
Late essays: If an essay is submitted late on the same day it is due—in other words, if it is turned in between the time class ends and midnight—there will be a deduction of 5 points. If it is turned in the following day, there will be a deduction of 10 points, and for each additional day, there will be an additional 10-point deduction. So, for example, an essay turned in at 3:00 pm on the day it is due would lose 5 points. An essay turned in the next day would be penalized 10 points; an essay turned in the following day would be penalized a total of 20 points, and so on.

Submit late essays by email. I will reply to you with an email confirming that I have received and successfully opened your paper. If you send a paper to me and I do not receive it, it will not be counted as having been turned in. If you send a paper to me and I am not able to open your document, it will not count as having been turned in. If you inadvertently send the incorrect document, it will not count as having been received, even if I earlier sent a confirmation. Do not consider an essay submitted until you receive a confirmation email from me.

This late policy has two important limitations. First, as noted above, I do not accept late response papers. Second, if essays are missing at the end of the final exam period (i.e. December 12th), I will calculate your grade with a zero for those assignments, even if this results in a failing grade in the class.

Policy on Plagiarism

It is your responsibility to protect your integrity. Plagiarism and other forms of academic misconduct carry steep penalties, beginning with a failing grade on the assignment in question. I will also report the incident to the dean and further action may be taken. If you are uncertain about how to quote or reference sources in your papers, see me. You should also carefully read about academic expectations and policies at http://www.willamette.edu/cla/dean/policies/plagarism.html. Also consult the student handbook for further clarification and examples.

Policy on Accommodations

I am committed to providing an equitable learning experience for all students, and I am happy to provide accommodations to this end. Please communicate with the Office of Disability Services at the very beginning of the semester and provide me with a letter from them on academic accommodations. I ask that you get this letter to me by the third week of class. For information about campus policies, please see pp. 4-5 of the student policy manual: http://www.willamette.edu/dept/campuslife/policies/index.html and also see http://www.willamette.edu/dept/disability/.
Calendar of Readings and Assignments

Complete each reading assignment prior to class on the day it is listed. We will often refer to the readings, so be sure to bring them with you to class. Readings marked with an asterisk (*) are available on the course WISE site and will need to be printed. Note: this schedule is subject to adjustment.

Introduction to International Human Rights

Aug 26. Welcome
No Reading.

Aug 28. What are Human Rights? What is a Human Rights Trial?
Read: Karl Jaspers, “Significance of the Nurnberg Trials for Germany and the World.”*

Part I. Criminal Justice from Nuremberg to the ICC

Aug 31. Justice as Individual Criminal Accountability

Sept 2. The Origins of the Justice Cascade
Read assignment #1 if your last name begins in A-L. Read assignment #2 if your last name begins in M-Z.
Read: (1.) Sikkink. The Justice Cascade, 31-59, 87-95.
(2.) Sikkink. The Justice Cascade, 60-83, 87-95.

Sept 4. The ICTY and ICTR
Read: (1.) Gary Bass, “The Hague.”*
(2.) TBA

Sept 7. No Class: Labor Day
Read: Sikkink. The Justice Cascade, 96-125.

Sept 9. The ICTR in Critical Perspective
Read: Jonneke Koomen, “Without These Women, The Tribunal Cannot Do Anything.”*

Sept 11. Foreign Trials in Focus
Read: (1.) Pierre Leval, “The Long Arm of International Law.”*
(2.) Kenneth Roth, “The Case for Universal Jurisdiction.”*

Sept 14. The ICC in Focus
Read: David Kaye, “Who’s Afraid of the International Criminal Court?”*

Sept 16. The ICC in Critical Perspective

Sept 18. The Effects of the Justice Cascade in Global Perspective
Read: Sikkink. The Justice Cascade, 162-188.

Sept 21. The Effects of the Justice Cascade in the US
Read: Sikkink. The Justice Cascade, 189-222.
Sept 23. Writing Workshop
Due:  *Bring two copies of a draft of the first 2 pages of your essay for a peer-review exercise.*

Sept 25. Discussion and Review
Due:  *Essay #1*

**Part II. Restorative Justice in South Africa and Beyond**

Sept 28. Varieties of Justice
*Read:* Desmond Tutu, *No Future Without Forgiveness,* 1-32.

Sept 30. Why Create a TRC?

Oct 2. The South African TRC

Oct 5. The Organization of Apartheid
*Read:* Tutu, *No Future Without Forgiveness,* 89-120.

Oct 7. Limits of Forgiveness?
*Read:* Tutu, *No Future Without Forgiveness,* 121-160.

Oct 9. Limits of the Amnesty Process

Oct 12. From Individual Responsibility to Interdependence

Oct 14. Can Truth Create Peace?

Oct 16. No Class: Mid-Semester Day

Oct 19. The TRC in Critical Perspective
*Read:* Mahmood Mamdani, “Amnesty or Impunity?”

Oct 21. The Effects of Truth Commissions in Global Perspective
*Read:* TBA

Oct 23. The Effects of Truth Commissions in Global Perspective: The Case of South Korea
*Read:* Hunjoon Kim, “Seeking Truth after 50 Years.”

Oct 26. Truth Commissions in Critical Perspective

Oct 28. The Place of Mourning?
*Read:* Isaias Rojas-Perez, “Inhabiting Unfinished Pasts: Law, Transitional Justice, and Mourning in Postwar Peru.”

Oct 30. Writing Workshop
Due:  *Bring two copies of a draft of the first 2 pages of your essay for a peer-review exercise.*
Part III. Justice as Humanitarianism?

Nov 4. The Merger of Human Rights and Humanitarianism  
Read: Fiona Fox. “New Humanitarianism: Does it Provide a Moral Banner for the 21st Century?”*

Read: Lila Abu-Lughod. Do Muslim Women Need Saving, 1-37.

Nov 9. The Politics of Compassion  
Read: Abu-Lughod. Do Muslim Women Need Saving, 38-80.

Nov 11. The Politics of Compassion, contd.  
Read: Abu-Lughod. Do Muslim Women Need Saving, 81-112.

Nov 13. The Politics of Rights  
Read: Abu-Lughod. Do Muslim Women Need Saving, 113-142.

Nov 16. The “Social Life” of Rights  
Read: Abu-Lughod. Do Muslim Women Need Saving, 143-172.

Nov 18. On Scholarly Lenses  

Nov 20. Premises of International Justice in Question  
Read: Abu-Lughod. Do Muslim Women Need Saving, 201-end.

Nov 23. Who are Humanitarians? What Motivates Them?  
Read: (1.) Silke Roth. “Professionalisation Trends and Inequality: Experiences and Practices in Aid Relationships.”*  
(2.) Anne-Meike Fechter. “‘Living Well’ while ‘Doing Good’? (Missing) Debates on Altruism and Professionalism in Aid Work.”*

Nov 25. How do Humanitarians See the World?  
Read: (1.) Cathy Shutt. “A Moral Economy? Social Interpretations of Money in Aidland”.*  
(2.) Raymond Apthorpe. “Effective Aid: the Poetics of Some Aid Workers’ Angles on How Humanitarian Aid ‘Works.’”*

Nov 27. No Class.  
Happy Thanksgiving!

Nov 30. Review  
Due: Essay #3

Dec 2. Concluding Critiques: Alternative Visions of Justice?  
Read: Wendy Brown, “The Most We Can Hope For…’: Human Rights and the Politics of Fatalism”*

Dec 4. Concluding Critiques: Envisioning Accountability for Poverty  
Read: Gary Haugen and Victor Boutros, “And Justice for All.”*