



PS 1502: INTERNATIONAL LAW AND PROBLEMS OF WORLD ORDER

(FALL 2021)

- Faculty: Dr. Horia M. Dijmarescu (HOR-yah DIJ-muh-reh-skoo) (pronouns: he/him/his)
- Class time: [redacted].
- Classroom: [redacted]. To protect each other, **everyone must always wear a mask that covers the nose and mouth during in-person class (bandanas are not masks), unless you have an approved exception** (please speak with me if you have any concerns about the mask policy).
- Student hours: [redacted], in person or via Zoom. Student hours are times I have blocked off in my schedule to meet with you to discuss any concerns you might have, including, but not limited to questions about course materials / concepts / deadlines, accessibility / life events / anything that affects your safety or wellbeing, stress related to current events, your career plans, etc. Please sign up here: [redacted]. Meetings are in 20-minute increments. If you'd like more than 20 minutes or these times don't work for you, we can schedule alternatives via email. Please note that although I am fully vaccinated as of April 2021, **masks are required for in-person student hours, regardless of vaccination status.**

Course Description

The first part of this course surveys the sources, institutions, and politics of public international law. The latter part of the course focuses in on historical manifestations of international criminal law related to mass atrocity crimes such as genocide, war crimes (i.e., attacking civilians, rape, and torture), and crimes against humanity (i.e., slavery and apartheid). Throughout the term, we'll reflect on the stakes of defining actions and policies as "mass atrocity crimes," the construction of popular and official discourses through which crimes and bystander actions are justified, the power and effects of international legal instruments, and the politics of pursuing justice through international tribunals or other legal mechanisms.

[WARNING: This course covers a wide array of emotionally difficult topics.]

Learning Objectives

After taking this course, you'll be better able to engage in debates about the power and limitations of international law and critically examine the international legal infrastructure through which actors respond to mass atrocity crimes. A goal of the course is not only to increase your understanding of technical issues of international law or contested meanings related to political rhetoric; it is also that we all reflect on our common humanity, empathize with others, and to consider the ethical dilemmas of the politics of mass atrocity crimes. During the term, you will have a chance to practice your analytical reading skills and to explore contemporary manifestations of the legal politics of mass atrocity crimes. Upon completing the course, you will have a deeper understanding of what drives foreign policy and international legal relations regarding some of the most significant and distressing social phenomena, be better able to work out where you stand regarding these issues and be better positioned to decide how you can contribute most effectively to promoting the kind of global future you would like to see.

Inclusive Learning, Sensitive Materials, and Resources

This course serves all students, whatever their backgrounds, experiences, and ways of identifying. The class is a safe space in which to respectfully exchange ideas about the substantive and methodological merits of the arguments presented in the course materials. Our personal lived experiences undoubtedly inform how we analytically assess the world. Scholars' perspectives are also informed by their own backgrounds, experiences, and ways of identifying. With respect to the works we read, we should try to situate them in their historical and biographical contexts, though we may vehemently disagree with their arguments. Some readings may be emotionally difficult on account having descriptions of violence and other experiences that evoke suffering. I do not assign readings with the intent of upsetting you, nor do I like to gratuitously play "devil's advocate." If something from the readings bothers you, please let me know how you're feeling. Often, when something from the reading bothers you, I find myself feeling similarly, so please know you're not alone. Often, too, I find that talking it out together can help.

I encourage and appreciate suggestions for how to improve the effectiveness of the course for you personally or for others. As part of an effort to protect and cultivate the diversity students bring to the classroom and given the sensitive nature of some of the topics we cover, I propose we work towards an atmosphere of trust and safety in the classroom. As I've said, some of the material in this course may evoke strong emotions. Please be respectful of others' emotions and be mindful of your own. Please let me know if something said or done in or beyond the classroom, either by me or other students, makes you uncomfortable. With respect to one another, I ask you to be generous and kind in framing critiques, especially when we strongly disagree with one another's points of view.

The classroom is a space in which to be respectful of differences of gender, sexuality, disability, age, socioeconomic status, ethnicity, religion, political affiliation, race, culture, nationality, linguistic background, and immigration status. I therefore ask you to please watch your language; please avoid insensitive comments. I also want to note that class rosters are usually provided to instructors with your legal name. As a class, we will address you by the name(s) and pronoun(s) with which you are comfortable, so please let me know if the roster information doesn't correctly reflect you.

I encourage you to proactively protect your health. If you feel unsafe or unwell, please dial **9-1-1** for emergencies. If you have non-emergency physical or mental health concerns, please consider getting in touch with the folks at the **Student Health Center** (<https://www.studentaffairs.pitt.edu/shs/about-us/contact/>) and/or the **Counseling Center** (<https://www.studentaffairs.pitt.edu/cc/>). Please also take a

moment to review the **University's COVID-19 guidelines**: <https://www.coronavirus.pitt.edu/>. During the entirety of all in-person classes, you (and I) must wear a mask (bandanas are not masks) that covers your nose and mouth, regardless of vaccination status. If this is not feasible for you, please contact **Disability Resources and Services** (link below) as soon as possible so that I can work to accommodate you and the safety of the class. If you do not properly wear a mask in class (and do not have a pre-approved medical exception), I will kindly ask you to leave. If you are feeling unwell—and especially if you have a fever, respiratory symptoms, loss of taste or smell, or other symptoms associated with COVID-19—**do not come to class!** Instead, please contact your primary care physician for medical guidance about testing and quarantining. Any absences on account of illness will be excused.

Please also let me know if you have concerns about accessibility. If you require any accommodations, please register with **Disability Resources and Services** (<https://www.diversity.pitt.edu/disability-access/disability-resources-and-services>) as early as possible and also tell me that you have done so. Additionally, if any class meetings conflict with religious events, illness, medical appointments, family obligations, etc., please let me know and we'll work together to ensure you're on track in the course.

If you'd like to report sexual harassment, violence, or misconduct of any kind, please reach out to the **Office of Sexual Harassment and Assault Response and Education (SHARE)** (<https://www.studentaffairs.pitt.edu/share/>). Please also familiarize yourself with **Pitt and Community Assistance Resources** (<https://pitt.libguides.com/assistanceresources>).

If you have technological trouble or need to gain access to electronic resources, please reach out to **Information Technology** (<https://www.technology.pitt.edu/>) and let me know as well.

Determination of Grades

Grades in this course follow Dietrich guidelines, with the corresponding percentages:

A+	4.00	(97% - 100%)
A	4.00	(94% - 96.9%)
A-	3.75	(90% - 93.9%)
B+	3.25	(87% - 89.9%)
B	3.00	(84% - 86.9%)
B-	2.77	(80% - 83.9%)
C+	2.25	(77% - 79.9%)
C	2.00	(74% - 76.9%)
C-	1.75	(70% - 73.9%)
D+	1.25	(67% - 69.9%)
D	1.00	(64% - 66.9%)
D-	0.75	(60% - 63.9%)
F	0.00	(<59.9%)

An A+ signifies superlative work, an A is for outstanding work, and an A- stands for excellent work. Grades in the B range signify work that is very good (B+), good (B) or more than adequate (B-). Grades in the C range signify work that is acceptable in varying degrees. **Unexcused late assignments** may be penalized by 1/3 of a full letter grade for each day they are late (1 day late would bring an otherwise A- paper into the B+ range, and so on) so please submit assignments on time and talk with me in the event of unforeseen circumstances that prevent you from doing so.

While I will always try my best to get assignments back to you in a timely manner, because of the volume of materials I must review, please be patient in receiving grades. My goal is to be as fair in assessing the quality of your work while also recognizing the effort you put into it. I also tend to give back extensive written feedback. **If I mark up your work more than you expect, please don't get discouraged.** We can work together to ensure that you improve over the course of the quarter, and I take substantial improvement into account in determining final grades. Pitt students are outstanding, and evaluations are by necessity somewhat comparative. If you are concerned about your understanding of course materials and concepts, be proactive and reach out to me as early as possible. If you would like to improve your writing skills, there are resources for that too. Pitt also provides writing support via **The Writing Center:** <https://www.writingcenter.pitt.edu/>.

If you are unhappy with your grade on a specific assignment, you may write a 1-page memo in which you state why you think the substance of your work merited a higher grade. The memo is required because I will use it as a guide for re-examining your work. I will grade your assignment from scratch (which means your grade may go *up* or *down*). That said, my goal is never to penalize just for the heck of it. **If you are concerned about your understanding of course materials, it is best to be proactive. Please talk with me before an assignment is due. I am here to help.**

Academic Integrity

In this class and beyond, you are expected to adhere to all policies and requirements of the University of Pittsburgh and to abide by all applicable laws and regulations. This includes but is not limited to the following duties: (1) not to seek an unfair advantage over other students, by giving or receiving unauthorized assistance during completion of academic requirements; (2) to truthfully represent fact and self at all times; (3) to respect the personal rights and personhood of all members of the Pitt community; and (4) to avoid plagiarism (please note that CANVAS has tools that allows instructors to see whether parts of papers are improperly lifted from other sources). To learn more about plagiarism, please check out this resource: <https://www.plagiarism.org/article/what-is-plagiarism>. If you have questions about whether something qualifies as plagiarism, please talk with me before you turn in your assignment. If any student cheats, plagiarizes, or in any manner violates Pitt rules regarding appropriate academic conduct, the incident will be reported, and the relevant information will be forwarded to the Associate Dean for Undergraduate Studies for appropriate action. If a violation of Pitt's rules of academic conduct is deemed to have taken place, the student may receive a **F for the class**. For Dietrich academic integrity resources please visit this link: <https://www.as.pitt.edu/faculty/policies-and-procedures/academic-integrity-code>.

Assignments

Attendance and participation (20%):

You should come to each meeting prepared to discuss that week's topics in detail. Please bring texts and your reading notes (see below) to class with you so you can reference them when appropriate. Active participation entails demonstrating critical thinking by connecting concepts across various themes of the course, engaging with me and fellow classmates, being an attentive listener to others, and creatively applying theoretical concepts to worldly situations.

Regular attendance and active class participation are required. You may have one no-questions-asked unexcused absence during the term. Please discuss any absences beyond that with me. Though I usually air on the side of lenient in excusing absences, I want to ensure

you're on track, so good communication with me about how you're doing is key. If you're feeling unwell or test positive for COVID-19, your absence(s) will, of course, be excused.

The Provost's Office has asked that all courses that can be taught remotely be done so until September 13th. **As a result, the first three weeks of class will be held on Zoom (afterwards we will likely be in-person again; if this changes, I'll let you know).** Please keep in mind that your attendance and participation over Zoom during these first few weeks will be crucial as we set up the trajectory and expectations for the course.

Here are some questions you might think about as you prepare for class:

- How would you concisely summarize the week's main argument?
- What future possibilities are the week's main arguments calling us to?
- Is there anything from the readings that requires additional clarification?
- How would you defend each authors' arguments (even if you disagree)?
- How would you critique each authors' arguments (even if you agree)?
- What are the stakes in the reading(s), and for whom?
- What unspoken assumptions appear in the readings?
- What other questions should we ask about the material(s)?

Reading Notes (30%):

This course is a rather reading intensive (for those of you interested in law school, this will help you prepare for the large reading load you'll have. As you read the assigned materials, I ask that you take detailed notes. You are responsible for submitting your reading notes twice during the semester, **at the end of weeks 7 and 15.** Your reading notes should include two components:

Component I: It's sometimes easy to get lost in the details that an author is sharing. The goal of your reading notes should not be to memorize dates and names (though it's good to keep those in mind for your general knowledge). Rather, **the goal is to gain a sense of the main argument(s), assumptions, and implications that a piece conveys.** As you take notes on the readings, try to answer some of these questions (*note that these are largely the same questions you should think about as you prepare for class discussion*):

- How would you concisely summarize the author's main argument?
- Is the author's use of evidence adequate and appropriate for their argument?
- Where do the theories and ideas from the readings pop up in the world?
- What unspoken assumptions appear in the readings?
- What are the stakes in the reading(s), and for whom?
- How does a piece relate to other pieces you've read?
- Is there anything from the reading that requires additional clarification?
- What other questions would you ask about the material?

Component II: Your reading notes should include a log of all the concepts, expressions, ideas, etc. that you came across in the readings that you had to look up in order to understand. Your log should include a brief discussion of what you discovered after looking it up. There is no length requirement for the log, but I expect you to take it sincerely.

It's particularly useful to add to your reading notes on a week-by-week basis instead of playing catch-up at the end of the semester. When you write down your understanding of and questions about the texts, it's easier to engage about them in class and speak with me during student hours about any outstanding questions you have!

Situation Memo (50%):

Starting during week 2, you should make keeping up with international news part of your weekly routine. I'm personally a fan of **Aljazeera English** (<https://www.aljazeera.com/>), which you can access for free on Roku, Apple TV, or in your web browser. I recommend that you watch the headlines with your morning coffee or breakfast. Just watching it for ~15 minutes a few days each week will greatly increase your awareness of global events happening in real-time. A few other great global news sources include **France24** (<https://www.france24.com/en/>), **Reuters World News** (<https://www.reuters.com/news/world>), **UN News** (<https://news.un.org/en/>), and **BBC World News** (<https://www.bbc.com/news/world>). In addition to these, you might also want to consider region or country-specific news sources. In the class we will discuss how international news and international legal practices relate.

During weeks 4-8 (after you get acclimated to watching international news regularly), start **keeping a concise log** (I'll provide a template) of a handful of major stories in which you believe mass atrocity crimes may be taking place (the full list of crimes is available in Appendix 2 of William Schabas, *An Introduction to the International Criminal Court, 2nd Edition* (Cambridge Univ. Press, 2004), pp. 279-321, which is required reading during week 3). You should keep track of what's going on across time, who the relevant actors are, how global actors respond (or don't respond) to the events in question, etc. **At the end of week 8**, please turn in your logs via CANVAS, **along with a concise** (half page, single-spaced) **description of a situation from your news log that you'd like to research in greater detail during the coming weeks.**

During weeks 9-13, draft a memo (no longer than 5 pages single spaced) in which you analyze the situation you chose. Your memo should be concise. You should cite relevant sources and readings, but the entire memo should be written in your own words (do not rely on quotes from readings, news, reports, etc. to make your point!). **Your memo should concisely address the following questions about the situation you chose:**

- What is going on and how did the situation develop?
- What mass atrocity crimes are alleged to be occurring?
- What evidence exists that they took/are taking place?
- Which actors are involved and what actions are they taking?
- What international legal instruments are [ir]relevant?
- How are actors using international law to frame events?
- How has the global community responded? Are responses consistent with international law?
- How should specific policy makers address the situation?

During week 14, bring your memo to class. In groups of three, you will have an opportunity to exchange draft memos for peer feedback. Each student will read two other memos and provide extensive substantive and stylistic comments in the form of questions, advice, corrections, annotations, and source suggestions. The goal of this exercise is to help each other as well as glimpse how others are structuring their memos. You may then use the feedback you obtain in class to make changes to your memo. **Final memos (and a scanned copy* of the draft that others commented on in-class) are due via CANVAS on December 15 at 5pm.**

* To make a scan for free using your phone, download *Adobe Scan* from your app store. The app allows you to take pictures of each page and convert the resulting document into a PDF.

Schedule of Topics & Readings

Below is the list of required readings for each week. In general, I recommend you read articles and chapters in the order they are listed on the syllabus. To help you manage your time, I've included the page numbers for each assigned reading and the total number of pages each week (the average is approx. 88 pages per week). Since the volume of readings fluctuates depending on the weekly subject matter, please look ahead to better anticipate the time you might need to set aside. Keeping up with the assigned material(s) will help you do well on the written assignments. If at any point, you feel like you're falling behind or that you're not sure how to interpret something we read or discuss, please let me know. I'm here to help!

Week 1: What is International Law? (103 pages) Wednesday, September 1, 2021 (**ZOOM**)

Chapters 1-3 (pp. 1-26, 1-49, and 1-26): Vaughan Lowe, *International Law* (Oxford Univ. Press, 2007).

Week 2: Politics of International Law (87 pages) Wednesday, September 8, 2021 (**ZOOM**)

Chapter 1-3 (pp. 1-56): Ian Hurd, *How to Do Things with International Law* (Princeton Univ. Press, 2017).

Introduction and Chapter 6 (pp. 3-17 and 167-184): Jack L. Goldsmith and Eric A. Posner, *The Limits of International Law* (Oxford Univ. Press, 2015).

Week 3: "Mass Atrocity Crimes" (102 pages) Wednesday, September 15, 2021 (**CLASSROOM**)

Appendix 2 (pp. 279-321): William Schabas, *An Introduction to the International Criminal Court*, 2nd Edition (Cambridge Univ. Press, 2004).

Report (pp. iii-32): *Framework of Analysis for Atrocity Crimes: A Tool for Prevention* (United Nations, 2014). https://www.un.org/en/genocideprevention/documents/about-us/Doc.3_Framework%20of%20Analysis%20for%20Atrocity%20Crimes_EN.pdf

Chapter 1 (pp. 17-30): Scott Strauss, "What is Being Prevented? Genocide, Mass Atrocity, and Conceptual Ambiguity in the Anti-Atrocity Movement," in Sheri P. Roseberg, Tibi Galis, and Alex Zucker (eds.), *Reconstructing Atrocity Prevention* (Cambridge Univ. Press, 2016).

Article (pp. 1-9): "Myanmar: Coup Leads to Crimes Against Humanity," *Human Rights Watch* (July 31, 2021). <https://www.hrw.org/news/2021/07/31/myanmar-coup-leads-crimes-against-humanity>

Article (pp. 1-4): "Ethiopia: Eritrean Troops' Massacre of Hundreds of Axum Civilians May Amount to Crime Against Humanity," *Amnesty International* (February 26, 2021). <https://www.amnesty.org/en/latest/news/2021/02/ethiopia-eritrean-troops-massacre-of-hundreds-of-axum-civilians-may-amount-to-crime-against-humanity/>

Article (pp. 1-2): Kate Cronin-Furman, "The Treatment of Migrants Likely 'Meets the Definition of a Mass Atrocity,'" *The New York Times* (June 29, 2019). <https://www.nytimes.com/2019/06/29/opinion/immigration-children-detention.html>

Report (pp. 2-12): *Independent Expert Panel for the Legal Definition of Ecocide: Commentary and Core Text* (Stop Ecocide Foundation, 2021).

<https://static1.squarespace.com/static/5ca2608ab914493c64ef1f6d/t/60d1e6e604fae2201d03407f/1624368879048/SE+Foundation+Commentary+and+core+text+rev+6.pdf>

Week 4: International Criminal Law (103 pages)
Wednesday, September 22, 2021 (CLASSROOM)

Chapter 1-2 (pp. 3-42): Antonio Cassese, *International Criminal Law* (Oxford Univ. Press, 2003).
Selection (pp. 92-156): Iryna Marchuk, *The Fundamental Concept of Crime in International Criminal Law: A Comparative Analysis* (Springer, 2014).

Week 5: Genocide (112 pages)
Wednesday, September 29, 2021 (CLASSROOM)

Treaty (pp. 1-4): *Convention on the Prevention and Punishment of the Crime of Genocide* (United Nations, 1948). https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

Article (pp. 16-23): Sheri P. Rosenberg, "Genocide is a Process, Not an Event," *Genocide Studies and Prevention* 7, no. 1 (2012).

Article (pp. 1-2): Gregory H. Stanton, "The 10 Stages of Genocide," *Genocide Watch* (2016).

Article (pp. 661-674): Guenter Lewy, "Can There Be Genocide Without the Intent to Commit Genocide?" *Journal of Genocide Research* 9, no. 4 (2007).

Chapter 16 (pp. 339-359): Christina DeJong and Eric Long, "The Death Penalty as Genocide: The Persecution of 'Homosexuals' in Uganda," in Dana Peterson and Vanessa R. Panfil (eds.), *Handbook of LGBT Communities, Crime, and Justice, Vol. 1* (Springer, 2014).

Article (pp. 1-17): Sherizaan Minwalla, Johanna E. Foster, and Sarah McGrail, "Genocide, Rape, and Careless Disregard: Media Ethics and the Problematic Reporting of Yazidi Survivors of ISIS Captivity," *Feminist Media Studies* (2020).

Week 6: Politics of Genocide Recognition (98 pages)
Wednesday, October 6, 2021 (CLASSROOM)

Article (newspaper): Douglas Jehl, "Officials Told to Avoid Calling Rwanda Killings 'Genocide,'" *The New York Times* (June 10, 1994). <https://www.nytimes.com/1994/06/10/world/officials-told-to-avoid-calling-rwanda-killings-genocide.html>

Article (pp. 136-148): Thomas de Waal, "The G-Word: The Armenian Massacre and the Politics of Genocide," *Foreign Affairs* 94, no. 1 (2015).

Article (online): Nahal Toosi, "If It's a Genocide, Declare It a Genocide': Inside the Biden Administration's Vexing Myanmar Debate," *Politico* (August 9, 2021).

<https://www.politico.com/news/2021/08/09/genocide-biden-myanmar-uyghurs-rohingya-502783>

Article (pp. 37-42): Martha Minnow, "Naming Horror: Legal and Political Words for Mass Atrocities," *Genocide Studies and Prevention* 2, no. 1 (2007).

Article (pp. 124-142): Michelle E. Ringrose, "The Politicization of the Genocide Label: Genocide Rhetoric in the UN Security Council," *Genocide Studies and Prevention: An International Journal* 14, no. 1 (2020).

Week 7: Anti-Genocide Interventions (66 pages)

Wednesday, October 13, 2021 (CLASSROOM)

Article (pp. 99-110): Gareth Evans and Mohamed Sahnoun, “The Responsibility to Protect,” *Foreign Affairs* 81, no. 6 (2002).

Article (pp. 628-651): Jamie Frederic Metzler, “Rwandan Genocide and the International Law of Radio Jamming,” *The American Journal of International Law* 91, no. 4 (1997).

Article (pp. 243-266): Timothy Hildebrandt, Courtney Hillebrecht, Peter M. Holm, and Jon Pevehouse, “The Domestic Politics of Humanitarian Intervention: Public Opinion, Partisanship, and Ideology,” *Foreign Policy Analysis* 9, no. 3 (2013).

Report (pp. 1-6): “2021 Report to Congress Pursuant to Section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (P.L. 115-441),” *US Department of State* (July 12, 2021). <https://www.state.gov/2021-report-to-congress-pursuant-to-section-5-of-the-elie-wiesel-genocide-and-atrocities-prevention-act-of-2018>

Article (newspaper): Max Bearak and John Hudson, “Samantha Power Has Long Championed Humanitarian Intervention. Ethiopia’s Crisis Is Putting Her to the Test,” *The Washington Post* (August 5, 2021). <https://www.washingtonpost.com/world/2021/08/05/samantha-power-tigray-sudan/>



Week 8: War Crime of Attacking Civilians (89 pages)
Wednesday, October 20, 2021 (CLASSROOM)

- Chapter 2 (pp. 47-63):** Sahr Conway-Lanz, “Bombing Civilians after World War II: The Persistence of Norms against Targeting Civilians in the Korean War,” in Matthew Evangelista and Henry Shue (eds.), *The American Way of Bombing: Changing Ethical and Legal Norms, From Flying Fortresses to Drones* (Cornell Univ. Press, 2014).
- Article (pp. 163-185):** Helen Kinsella, “Discourses of Difference: Civilians, Combatants, and Compliance with the Laws of War,” *Review of International Studies* 31 (2005).
- Article (pp. 661-694),** R. Charli Carpenter, “‘Women and Children First’: Gender, Norms, and Humanitarian Evacuation in the Balkans 1991-95,” *International Organization* 57, no. 4 (2003).
- Article (pp. 28-36):** Jordi Xifra and Robert L. Health, “Publicizing Atrocity and Legitimizing Outrage: Picasso’s Guernica,” *Public Relations Review* 44, no. 1 (2018).
- Article (online):** Robbie Gramer and Colum Lynch, “U.S. Quietly Gives Up on South Sudan War Crimes Court,” *Foreign Policy* (July 20, 2021). <https://foreignpolicy.com/2021/07/20/south-sudan-war-crimes-court-state-department-africa-biden-human-rights/>

Week 9: War Crime of Rape (100 pages)
Wednesday, October 27, 2021 (CLASSROOM)

- Report (pp. 5-37):** *Ethiopia: ‘I Don’t Know if They Realized I Was a Person’: Rape and Sexual Violence in the Conflict in Tigray, Ethiopia*, (Amnesty International, 2021).
<https://www.amnesty.org/download/Documents/AFR2545692021ENGLISH.PDF>
- Article (pp. 146-169):** Janine Natalya Clark, “A Crime of Identity: Rape and Its Neglected Victims,” *Journal of Human Rights* 13, no. 2 (2014).
- Article (pp. 1223-1248):** Patricia H. Davis, “The Politics of Prosecuting Rape as a War Crime,” *The International Lawyer* 34, no. 4 (2000).
- Webpage (pp. 1-2):** *Landmark Cases: Crime of Sexual Violence* (International Criminal Tribunal for the former Yugoslavia, 2021). <https://www.icty.org/en/features/crimes-sexual-violence/landmark-cases>
- Article (pp. 93-111):** Nicola Henry, “The Fixation on Wartime Rape: Feminist Critique and International Criminal Law,” *Social & Legal Studies* 23, no. 1 (2013).

Week 10: War Crime and Crime against Humanity of Torture (91 pages)
Wednesday, November 3, 2021 (CLASSROOM)

- Document (pp. 1-13):** *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (UN Office of the High Commissioner for Human Rights, 1984).
<https://www.ohchr.org/Documents/ProfessionalInterest/cat.pdf>
- Report (pp. xi-xxvi):** “Findings and Conclusions” in *Report of the Senate Select Committee on Intelligence Committee Study of the Central Intelligence Agency’s Detention Interrogation Program* (United States Senate, 2014).
- Short video:** <https://youtu.be/1eYx46wbju0> and **Article (pp. 1568-1589):** Erin M. Kearns and Joseph K. Young, “‘If Torture is Wrong, What About 24?’ Torture and the Hollywood Effect,” *Crime & Delinquency* 64, no. 12 (2017).
- Article (pp. 102-124):** Jamal Barnes, “The ‘War on Terror’ and the Battle for the Definition of Torture,” *International Relations* 30, no. 1 (2015).
- Article (pp. 574-593):** Annie Pohlman, “Sexual Violence as Torture: Crimes against Humanity during the 1965-66 Killings in Indonesia,” *Journal of Genocide Research* 19, no. 4 (2017).

Week 11: Crime against Humanity of Slavery (104 pages)
Wednesday, November 10, 2021 (CLASSROOM)

- Article (pp. 176-195):** Julia O’Connell Davidson, “Troubling Freedom: Migration, Debt, and Modern Slavery,” *Migration Studies* 1, no. 2 (2013).
- Article (pp. 297-334):** Harmen van der Wilt, “Trafficking in Human Beings, Enslavement, Crimes against Humanity: Unravelling the Concepts,” *Chinese Journal of International Law* 13, no. 2 (2014).
- Article (pp. 521-534):** Kate Manzo, “Modern Slavery, Global Capitalism & Deproletarianisation in West Africa,” *Review of African Political Economy* 32, no. 106 (2005).
- Article (pp. 1504-1535):** Adelle Blackett and Alice Duquesnoy, “Slavery Is Not a Metaphor: U.S. Prison Labor and Racial Subordination Through the Lens of the ILO’s Abolition of Forced Labor Convention,” *UCLA Law Review* 67, no. 6 (2021).

Week 12: Crime against Humanity of Apartheid (103 pages)
Wednesday, November 17, 2021 (CLASSROOM)

- Article (pp. 867-913):** John Dugard and John Reynolds, “Apartheid, International Law, and the Occupied Palestinian Territory,” *European Journal of International Law* 24, no. 3 (2013).
- Article (pp. 915-928):** Yaffa Zilbershats, “Apartheid, International Law, and the Occupied Palestinian Territory: A Reply to John Dugard and John Reynolds,” *European Journal of International Law* 24, no. 3 (2013).
- Article (pp. 664-705):** Raef Zreik and Azar Dakwar, “What’s in the Apartheid Analogy? Palestine/Israel Refracted,” *Theory & Event* 23, no. 3 (2020).
- Article (online):** Steven A. Cook, “Israeli’s Apartheid Doesn’t Make a Difference,” *Council on Foreign Relations* (May 10, 2021). <https://www.cfr.org/article/israels-apartheid-doesnt-make-difference>

Week 13: Recess
Wednesday, November 24, 2021

NO CLASS (Holiday Recess).

The following are *optional* (as follow up to week 12):

- Article (newspaper):** Oliver Holmes and Hazem Balousa, “Gaza's generation blockade: young lives in the ‘world’s largest prison,’” *The Guardian* (March 12, 2019). <https://www.theguardian.com/world/2019/mar/12/generation-blockade-gaza-young-palestinians-who-cannot-leave>
- Report (pp. 1-15):** *A Regime of Jewish Supremacy from the Jordan River to the Mediterranean Sea: This is apartheid* (B’Tselem: The Israeli Information Center for Human Rights in the Occupied Territories, 2021). https://www.btselem.org/publications/fulltext/202101_this_is_apartheid/
- Report (pp. 2-21):** *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution* (Human Rights Watch, 2021). https://www.hrw.org/sites/default/files/media_2021/04/israel_palestine0421_web_0.pdf

Week 14: Accountability and Other Goals (90 pages)

Wednesday, December 1, 2021 (CLASSROOM)

- Judgement (pp. 1-11):** *Trial Judgement Summary for Ratko Mladić* (International Criminal Tribunal for the former Yugoslavia, 2017). <https://www.icty.org/x/cases/mladic/tjug/en/171122-summary-en.pdf>
- Article (pp. 13-32):** Jelena Pejic, “Accountability for International Crimes: From Conjecture to Reality,” *International Review of the Red Cross*, no. 845 (2002).
- Article (pp. 758-820):** Stuart Ford, “Has President Trump Committed a War Crime by Pardoning War Criminals?” *American University Law Review* 35, no. 4 (2020).
- Article (pp. 241-277):** Emily Ann Berman, “In Pursuit of Accountability: The Red Cross, War Correspondents, and Evidentiary Privileges in International Criminal Tribunals,” *New York University Law Review* 80, no. 1 (2005).
- Article (pp. 624-654):** Payam Akhavan, “Are International Criminal Tribunals a Disincentive to Peace? Reconciling Judicial Romanticism with Political Realism,” *Human Rights Quarterly* 31, no. 3 (2009).

Week 15: Trauma, Justice, Healing (105 pages)
Wednesday, December 8, 2021 (CLASSROOM)

- Chapter 1 (pp. 38-85):** Yael Danieli, “Massive Trauma and the Healing Role of Reparative Justice: An Update,” in Carla Ferstman and Mariana Goetz (ed.), *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity Systems in Place and Systems in the Making, Second Revised Edition* (Brill, 2020).
- Article (pp. 387-403):** Patrick Kanyangara, Bernard Rimé, Pierre Philippot, and Vincent Yzerbyt, “Collective Rituals, Emotional Climate and Intergroup Perception: Participation in ‘Gacaca’ Tribunals and Assimilation of the Rwandan Genocide,” *Journal of Social Issues* 63, no. 2 (2007).
- Article (pp. 113–136):** Refik Hodžić, “Living the Legacy of Mass Atrocities: Victims’ Perspectives on War Crimes Trials,” *Journal of International Criminal Justice* 8, no. 1 (2010).
- Article (pp. 107-126):** Raquel Aldana, “A Victim-Centered Reflection on Truth Commissions and Prosecutions as a Response to Mass Atrocities,” *Journal of Human Rights* 5, no. 1 (2006).