Aims and Scope of the Course:

A comparative study of genocide and war crimes, emphasizing historical precedents, legal concepts, and enforcement mechanisms for prevention and punishment. The course seeks to familiarize students with the chief problems that have emerged from ongoing efforts to prevent and punish genocidal killings, war crimes, and state-sponsored torture and to offer victims and survivors restitution and a sense that justice has been done. To this end, students will first undertake a thoroughgoing review of the definition and conceptualization of the primary phenomena under consideration here: using insights from law, history, political science, sociology, and anthropology, we will work to establish "genocide," "war crimes," "crimes against humanity," and "torture" as objects of study defined with sufficient precision to permit a rigorous, case-by-case examination that will yield meaningful and useful comparative analyses.

The class will then consider the implications of a number of episodes of mass killing in the 20th century and earlier, underscoring common dynamics while at the same time calling attention to the critical distinguishing particularities of each case. In the process, we will pay special attention to the importance of modern understandings of race, ethnicity, nationality, and religious belonging, the four foundational elements of the definition of "genocide" in the United Nations convention that establishes it as a crime punishable under international law. We will consider how the legal standards governing genocide emerged from the particular experience of the Nazi Holocaust against European Jews, and we will examine the relationship of those standards to other norms of international law, such as legal proscriptions against war crimes and other crimes against humanity. These additional provisions may offer protections to members of groups that have been or are likely to be targeted for murder or other crimes but appear to lie outside the scope of the law on genocide: e.g., political opponents, "common criminals," women, sexual minorities, the mentally disabled, non-combatant civilian populations of wartime enemy states, etc. In the latter weeks of the course, we will address the continuing political and legal difficulties that have surrounded attempts to back up the laws against genocide, war crimes, and torture with reliable and credible enforcement mechanisms, stressing the key role of the International Criminal Tribunal for Former Yugoslavia and the International Criminal Tribunal for Rwanda.

Course Requirements:

In-class exams: 60%
Final exam: 40%

**NOTE: To pass this class you must reasonably satisfy all the course requirements: that is, you must take the minimum required number of in-class exams and the final exam. Failure to satisfy any one of the course requirements will result in a grade of F for the course.**
Exams:

In-class exams: There will be five in-class exams (see dates below); the lowest score on these exams will be dropped. You must take at least FOUR of the exams to pass the class. These brief exams (approx. 20-25 multiple-choice questions) will be designed to gauge your comprehension of (1) class assignments and presentations for the prior week(s) (i.e. since the preceding exam -- the tests will not be cumulative) and (2) the materials assigned through and including the current week, i.e., the week of the scheduled exam. If you have attended class and completed all the assignments, you are likely to do quite well.

Final examination: The final exam will be in the form of a substantial, wide-ranging essay or essays that will ask you to analyze the assigned course material in light of the major themes of the course, the varying methodological perspectives from which we will approach those issues, and the critical interpretative problems that we will study.

**Make up exams**: Make-up exams will be given only in the case of a valid, documented excuse beyond the student's control (e.g., medical problems). Any make-up exam may be given in a different form and include different content. For example, the make-up test may be in the form of an oral exam!

**We cannot** make arrangements for alternate exam times due to multiple exams scheduled closely together, plans to leave campus early, etc. Check your exam schedule now -- they're available to you through StudentLink -- and make sure you've chosen a course schedule that you can live with throughout the course and at finals time!!

Academic Integrity and Plagiarism: It is your responsibility to know and observe all university rules concerning academic integrity and plagiarism. Any student found to have committed a substantial violation of the university rules concerning academic integrity will fail the entire course. I view it as one of my chief responsibilities to help each of you produce first-rate academic work that reflects your own original thinking about the course themes and material. If you have any questions whatsoever about what constitutes plagiarism, how to properly credit the work and ideas of others, how to evaluate sources for quality and reliability, and so forth, please feel free to talk to your TA and to come see me.

Required readings: Note: You should have read and thought about the course readings by the dates indicated. Books are available for purchase at the UCSD Bookstore and on reserve at Geisel Library.

Required books include:


Also required: Course Reader -- The photocopied reader of additional assigned readings (listed in brief below) will be available from University Readers. Contact: www.universityreaders.com telephone: 800-200-3908

About e-mail correspondence:

1. E-mails to you: From time to time, we may send important course announcements to the class via e-mail. To do that, we will need to use your official UCSD e-mail address. Please be sure that your account is always in working order, and check it regularly. We cannot send these course e-mails to hotmail, yahoo, and similar accounts.

2. E-mails to me: Try to come talk with me instead! Please use e-mail only for scheduling and other very brief communications. E-mail is a great tool for that sort of message, but I just don’t feel that I can respond properly to substantive questions about the course using it. I will very much enjoy talking with you about the course material and
any questions or concerns you may have, and our discussions will be much more efficient, spontaneous, and helpful for you if you come to speak with me in person. I encourage all of you to visit during my office hours or, if that time does not work, to schedule a meeting with me.

**Week 1 -- April 4**

An Introduction to the Problem: Definitions, Conceptualizations, Cases

Readings:

Weitz, *A Century of Genocide*, pp. 8-52  
("Genocides in the Twentieth Century," "Race and Nation: An Intellectual History")


Viewing:  -- to be completed in advance of class discussion in Week 2  
-- screenings:  Monday, April 9, 5:30-7:30 pm, Film and Video Reserves (no discussion)  
Tuesday, April 10, 7:00 pm, in Solis 107 (with discussion)

Video:  BBC documentary *Crimes Against Humanity: The Search for Justice*  
Film and Video Library:  MUSIC/FVL ConCirc  
FVLV 4484-3 vols 1, 2, 3  
(view the parts not shown in class: i.e., v. 1, The Quest for Truth, & v. 3, The Long Road to Reconciliation)

**Week 2 -- April 11**

What Is a War Crime? The Law and Morality of Violence in Historical Perspective

Readings:

Slavenka Drakulić, *They Would Never Hurt a Fly: War Criminals on Trial in the Hague* (New York:  
Viking/Penguin, 2005) -- read the entire book

Bass, *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals*, pp. 3-105  
("Intro," "St. Helena," "Leipzig")

Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field, 22 August 1864

Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War, 12 August 1949

Viewing:  -- to be completed in advance of class discussion in Week 3  
-- screenings:  Monday, April 16, 5:30-8:30 pm, Film and Video Reserves (no discussion)  
Tuesday, April 17, in Solis 107 (with discussion)

Video:  *Verdict on Auschwitz, The Frankfurt Auschwitz Trial 1963-65* (Original Title: Strafsache 4 Ks 2/63)  
Assigned:  Parts 1-3  
(NOTE: Please be sure to watch the whole thing  
(NOT just the 60 minute short version)  
Germany, 1993/2005  
Director: Dietrich Wagner, Rolf Bickel  
Film and Video Library:  MUSIC/FVL ConCirc  
FVLDV-4305-2
Week 3 -- April 18

Never Again . . . The Lessons of the Holocaust for Criminal Justice

Readings:

Weitz, *A Century of Genocide*, pp. 102-143  ("The Primacy of Race: Nazi Germany")

Bass, *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals*, pp. 147-205  ("Nuremberg")


Week 4 -- April 25

***IN-CLASS EXAM NO. 2*** covering assignments for Weeks 3 and 4

Crimes and Controversies:
The Armenian Genocide, the Turks and the Greeks of Anatolia, Stalin's Soviet Union, and What Counts Today

Readings:


Week 5 -- May 2

The United Nations and the International Law of Human Rights

Readings:

United Nations Universal Declaration on Human Rights, 10 December 1948


Viewing: 

--- to be completed in advance of discussion in Week 6
--- screenings: Monday, May 7, 5:30-8:00 pm, Film and Video Reserves (no discussion)
                     Tuesday, May 8, 7:00 pm, in Solis 107 (with discussion)


Week 6 -- May 9

***IN-CLASS EXAM NO. 3*** covering assignments for Weeks 5 and 6

The Ends of Justice:
The Rule of Law and the Role of Law in Prevention, Punishment, Reparation, and Reconciliation

Readings:

Weitz, A Century of Genocide, pp. 144-189  ("Racial Communism: Cambodia under the Khmer Rouge")


Viewing:

--- to be completed in advance of discussion in Week 7
--- screenings: Monday, May 14, 5:30-8:15 pm, Film and Video Reserves (no discussion)
                     Tuesday, May 15, 7:00 pm, in Solis 107 (with discussion)

video: BBC mini-series Yugoslavia: Death of a Nation, segments 1-3 (on first 2 cassettes; 150 minutes total)

Film and Video Library reserves: MUSIC/FVL ConCirc  FVLV 3663-3  pt. 1 and pt. 2
Week 7 -- May 16

. . . Again:  War Crimes, Genocide, and Torture in the Yugoslav Conflict

Readings:


Viewing:  -- to be completed in advance of discussion in Week 8

-- screenings:  Monday, May 21, 5:30-7:30 pm, Film and Video Reserves (no discussion)

Tuesday, May 22, 7:00 pm in Solis 107 (with discussion)

video:  BBC mini-series *Yugoslavia: Death of a Nation*, segments 5 & 6 (on last cassette (pt. 3); 100 minutes total)

Film and Video Library reserves:  MUSIC/FVL ConCirc  FVLV 3663-3  pt. 3

Week 8 -- May 23

***IN-CLASS EXAM NO. 4*** covering assignments for Weeks 7 and 8

Justice Delivered or Justice Denied? Criminal Trials for Genocide, War Crimes, and Torture

Readings:

  ("Conclusion," "Epilogue")


Viewing:  -- to be completed in advance of discussion in Week 9

-- screening times:  Thursday, May 24, 5:30-7:30, Film and Video Reserves (no discussion)

Tuesday, May 29, 7:00 pm, in Solis 107 (with discussion)

Film:  *Hotel Rwanda*, dir. Terry George (2004), running time 110 min. -- on reserve in Film and Video Library

Online assignment:

Week 9 -- May 30

The Law of Genocide: Prevailing Standards and Emerging Issues

Readings:

Weitz, *A Century of Genocide*, pp. 236-254 ("Conclusion")


Press and NGO coverage of mass killings in the Darfur region of Sudan, web sites to be announced in class

Viewing: -- to be completed in advance of discussion in Week 10

-- screenings: Monday, June 4, 5:30-7:30 pm, Film and Video Reserves (no discussion)

Tuesday, June 5, 7:00 pm, in Solis 107 (with discussion)


Week 10 -- June 6

***IN-CLASS EXAM NO. 5*** covering assignments for Weeks 9 and 10

The Law of War Crimes and State-Sponsored Torture: Prevailing Standards and Emerging Issues

Readings:

United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984


United States Department of Justice, Office of Legal Counsel, Memorandum for Alberto Gonzales, Counsel to the President, re Standards of Conduct for Interrogation under 18 U.S.C. sections 2340-2340a, 1 August 2002


Viewing: Abu Ghraib photographic evidence, available on the course web site

Final exam:

**Wednesday, 13 June 2007 7:00-10:00 pm** -- be sure to confirm using StudentLink before the final, though!!