Transitional Justice 2001F/ Political Science 2210F Problems in Transitional Justice and Post-Conflict Reconstruction

Fall Term 2016 Instructor: Dr. Joanna R. Quinn Wednesday 2:30-5:30 Office Location: SSC 4158 Location: HSB 236 Office Hours: Wed. 10:30-12:00

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Course Description

This course introduces students to interdisciplinary studies of transitional justice and post-conflict reconstruction. Students will examine key concepts and explore theoretical problems in confronting and seeking solutions to the aftermath of large-scale events of social violence.

Required Texts

The field of transitional justice and post-conflict reconstruction is so new that no textbook exists that will give us a proper overview of the field. As such, there is no assigned textbook, *per se*. Instead, we will undertake a survey of the literature, reading book chapters, journal articles, and technical reports that have been written about different aspects of the discipline.

Some of the readings are available as e-books and in e-journals through the Western Libraries system. In each case, I have listed where you may find these resources. You are responsible for obtaining them yourself.

The other readings have been compiled in a course reader. This reader is available in The Bookstore for purchase, and you should buy it there.

Important Notice re: Prerequisites/Antirequisites

Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

Office of the Dean, Faculty of Social Science

Grade Distribution

Midterm Exam (October 26)	15%
Essay (November 23)	40%
Tutorial Participation	15%
Final Exam	30%

How to think about this course

This course is designed to introduce students to the field of transitional justice and post-conflict reconstruction, by tracing the contours of what scholars are thinking about, by outlining the major debates and issues currently underway, and by setting out the major themes and approaches of the field. What you learn in this course will provide a framework for your future studies in transitional justice and post-conflict reconstruction.

The assignments and your evaluation in this course are designed to help you develop your critical thinking skills in ways that relate to your interests in specific areas or theories in the field of transitional justice and post-conflict reconstruction. We will cover a range of debates and issues, and while you may not agree with all of them, you should be able to discuss all of them intelligently. Your ability to accomplish these objectives will be assessed using the assignments and work outlined below.

It is also important to note that the field of transitional justice and post-conflict reconstruction is interdisciplinary, by its very nature. Your colleagues in this class come from different scholarly traditions and disciplines. This presents us with an exciting opportunity to look at different issues and events through the eyes of all of those traditions and disciplines. Sometimes this might mean that your colleagues seem to be speaking a foreign language! But if we take the time to listen, we can learn a lot from those other perspectives.

Objectives

This course has three main objectives:

First, this course is designed to outline and allow students to learn about and then assess the theories, perspectives and issues that shape the context and nature of the field of transitional justice and post-conflict reconstruction. This body of ideas will provide a foundation for any future interests and research in this area and establish a comparative foundation for further study.

Second, the assignments in this course are designed to help students develop critical thinking skills. These skills will be applied to specific issues and case studies in transitional justice and post-conflict reconstruction.

Third, the course aims to help students appreciate how power, culture and history condition and influence how you understand particular issues and events. These questions are of real consequence to the field of transitional justice and post-conflict reconstruction, but also to an understanding of the world in which we live.

By the end of the course students should be able to:

- 1. Discuss different approaches to transitional justice and post-conflict reconstruction
- 2. Describe the key components of the field
- 3. Evaluate the effectiveness of a transitional justice and post-conflict reconstruction response
- 4. Discuss a current transitional justice and post-conflict reconstruction issue in historical context
- 5. Analyze a current policy and political issues in transitional justice and post-conflict reconstruction

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- Midterm Exam (15%)

Students will write a one-hour test on Wednesday, October 26. The test will be based on material covered from the first day of class until the end of class on Wednesday, October 19.

- Essay (40%)

You will be required to write one essay of 9-10 typed, double-spaced pages, or between 2250-2500 words (excluding bibliography). The topic of the paper may be selected from the list of topics provided below.

Late Penalty

The completed paper must be submitted at the beginning of class on November 23. A late penalty of 10% per day will be applied to papers submitted at any point after the class begins on November 23.

Turnitin

Essays must be submitted to Turnitin.com, using the link on OWL, prior to the start of class on November 23.

Citation Style

Citations **must** be formatted using Chicago-style footnotes, not in-text citations. Students are advised to consult a writer's handbook when composing their essays in order to see how to format things like bibliography and footnotes. One excellent handbook is *A Manual for Writers of Term Papers, Theses, and Dissertations* by Kate L. Turabian. A useful link may be found at the following url: http://www.wisc.edu/writing/Handbook/DocChicago.html.

Spelling and Grammatical Errors

Grammatical, spelling and other errors are not acceptable. You are responsible for your own work, and, as such, you must be careful to proofread your work before turning it in.

Bibliography

You must attach a Bibliography to your essay. Your bibliography must include a minimum of four academic sources (consult a librarian for clarification on what counts as an academic source (e.g. newspapers, magazines, and encyclopedias do not count). Failure to include at least four academic sources will result in a grade of "F". The highest grades in this course typically go to students that consult a large number of high-quality source materials. Consulting more than eight sources is highly recommended.

- Participation (15%)

Students will be evaluated on their regular, active, and informed participation in both the lecture sessions and in the tutorial meetings that follow. You should consult the Participation Grading Guide attached to this course outline to understand what regular, active and informed participation looks like.

- Final Exam (30%)

During the December exam period, students will write a two-hour exam based on the material covered from the first day of class to the last day of class.

Completion of All Requirements

The Dean's office has laid out the following rules regarding the completion of all assignments:

- Students who fail to attend a minimum of fifty per cent of the total number of classes, without supporting medical documentation or justifiable and documented extenuating circumstances, can be barred from writing the final exam.
- Students who fail to complete all evaluation components of the course, including tutorials, without supporting medical documentation or justifiable and documented extenuating circumstances will be disqualified from appealing the course's final grade.

Etiquette

Discussion and debate is an important component of this course. However, at times, we will be dealing with sensitive and controversial topics. Therefore, our interactions in each forum must be guided by an ethic of respect. Uncivil, disrespectful, abusive or other inappropriate behaviour will not be tolerated. This includes the respectful use of electronics, as detailed below.

Electronics

Electronics are increasingly an important component of the learning process.

- <u>Computer/laptop/netbook</u> (and <u>similar technologies</u>) use <u>will be permitted during the lecture component of each class only</u>, as long as it does not disrupt the learning experience of other students.
- All cellphones (and similar technologies) must be turned off, or set to silent 'vibration' mode during the duration of the class and during tutorials. The instructor and TA reserve the right to ensure that you are not text-messaging, surfing the internet, or distracting any students; spot-checks will be conducted during class time.
- <u>Computers/laptops/netbooks</u> (and <u>similar technologies</u>) may <u>not</u> be used during tutorials, unless specifically permitted by the TA. Tutorials are designed to promote active engagement and participation.
- No digital taping (either voice or image) of the lectures is allowed.

• Disruptive behavior will be dealt with on a case-by-case basis and may result in the suspension of laptop privileges.

Course Content Note

The field of transitional justice and post-conflict reconstruction deals with disturbing events like war crimes, crimes against humanity, and genocide, and sometimes we will be discussing historical events that some students may find troubling. If you think specific material could be emotionally challenging for you, I would be happy to discuss any concerns you may have before the subject comes up in class. And if you ever wish to discuss your personal reactions to course material with the class or with me individually afterwards, I welcome these discussions as an appropriate part of our scholarly work.

If you ever feel the need to step out of the classroom during a class discussion, you may always do so without academic penalty. You will, however, be responsible for any material you miss. If you do leave the room for a significant time, please make arrangements to get notes from another student or see me individually to discuss the situation.

Academic Dishonesty

Many different types of actions may be considered academically dishonest. These might include, although not exhaustively, the following: cheating, submission of work not authored by you, double submission, fabrication, plagiarism. You are advised to familiarize yourself with the guidelines set out in the Academic Handbook, Rights and Responsibilities, Scholastic Discipline - Undergrad. These may be found at the following url: www.uwo.ca/univsec/pdf/academic policies/appeals/scholastic discipline undergrad.pdf

Students are also advised to utilize the Library's tools on plagiarism: http://www.lib.uwo.ca/tutorials/plagiarism/index.html

Students with Disabilities

Any student with a disability is advised to contact the Coordinator for Services for Students with Disabilities in order that arrangements can be made through them to accommodate that student. The Centre for Student Development is located in UCC Suite 210; they can be reached by telephone at (519)661-2147, by email at ssc@sdc.uwo.ca, or on the web at http://www.sdc.uwo.ca/ssd/

Other Resources

There are many resources at Western designed to assist you in your learning. You are strongly advised to utilize these services. The Student Development Centre offers many services, including Effective Writing Programs and Learning Skills Services. The Student Development Centre is located in UCC Suite 210; they can be reached by telephone at (519)661-2147, by email at *exams@sdc.uwo.ca*, or on the web at http://www.sdc.uwo.ca/. You should also become familiar with the services offered by the University

Library System. The D.B. Weldon Library may be contacted by telephone at (519)661-3162 or by email at <code>dbwref@lib.uwo.ca</code>, or on the web at http://www.lib.uwo.ca/weldon/#.

Course Outline by Topic

September 14 Introduction

Required Readings:

(Today we'll do an overview of the course. There are no assigned readings.)

September 21 The Post-Conflict Reconstruction Toolkit

Required Readings:

Roger Mac Ginty and Andrew Williams, "Chapter 5: Post-conflict reconstruction and development," in *Conflict and Development* (London: Routledge, 2009), 122-152.

Available from:

http://lib.myilibrary.com.proxy1.lib.uwo.ca/Open.aspx?id=206482

Jennifer Balint, Julie Evans, and Nesam McMillan, "Rethinking Transitional Justice, Redressing Indigenous Harm: A New Conceptual Approach," *International Journal of Transitional Justice* 8.2 (2014): 194-216. *Available from Western Libraries using Oxford Journals.*

September 28 Understanding Peace

Required Readings:

Ho-Won Jeong, "Chapter One: Challenges for Peace," and "Chapter Two: Concepts of Peace and Violence," in *Peace and Conflict Studies* (Aldershot: Ashgate, 2000), 7-29.

Ximena Davies-Vengoechea, "A Positive Concept of Peace," in *Keeping the Peace: Conflict Resolution and Peaceful Societies Around the World*, edited by Graham Kemp and Douglas P. Fry (New York: Routledge, 2004), 11-19. *Available from:*

http://lib.myilibrary.com.proxy1.lib.uwo.ca/Open.aspx?id=29084

October 5 The Role of the United Nations

Required Readings:

Paul Taylor and Devon Curtis, "The United Nations," in *The Globalization of World Politics: An introduction to international relations*, 6th ed., eds. John Baylis, Steve Smith, and Patricia Owens (London: Oxford University Press, 2014), 304-319.

James Mayall, "Chapter One: Introduction," in *United Nations Interventionism*, 1991-2004, edited by Mats Berdal and Spyros Economides (Cambridge: Cambridge University Press, 2007), 1-31.

Available from:

http://lib.myilibrary.com.proxy1.lib.uwo.ca/Open.aspx?id=81534

October 12 Democracy

Required Readings:

David Beetham, "Human Rights and Democracy: a Multi-faceted Relationship,"

in

Democracy and Human Rights (Malden, MA: Polity Press, 1999), 1-29.

October 19 Humanitarian Intervention

Required Readings:

Alex Bellamy and Nicholas J. Wheeler, "Humanitarian intervention in world politics," in *The Globalization of World Politics: An introduction to international relations*, 6th ed., eds. John Baylis, Steve Smith, and Patricia Owens (London: Oxford University Press, 2014), 479-493.

October 26 Peacebuilding

Required Readings:

Stephen Ryan, "The Evolution of Peacebuilding," Routledge Handbook of Peacebuilding, ed. Roger Mac Ginty (New York: Routledge, 2013), 25-35.

Gerald M. Steinberg, "The Limits of Peacebuilding Theory," *Routledge Handbook of Peacebuilding*, ed. Roger Mac Ginty (New York: Routledge, 2013), 36-53.

ASSIGNMENT: MIDTERM EXAM TODAY (one hour)

November 2 Rule of Law

Required Readings:

Padraig McAuliffe, "Transitional Justice and the Rule of Law: The Perfect Couple or Awkward Bedfellows?" *Hague Journal on the Rule of Law* 2.2 (2010): 127–154.

Available from Western Libraries using Proquest.

Rosalind Raddatz, "Chapter 10: Tempering Great Expectations: Peacebuilding and Transitional Justice in Liberia," in *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants* edited by Chandra Lekha Sriram, Jemima Garcia-Godos, Johanna Herman, and Olga Martin-Ortega (New York: Routledge, 2013).

November 9 Truth-Telling

Required Readings:

Priscilla Hayner, "Chapter Two: Confronting Past Crimes: Transitional Justice and the Phenomenon of Truth Commissions," and "Chapter Three: Why a Truth Commission?" in *Unspeakable Truths: Confronting State Terror and Atrocity* (New York: Routledge, 2001), 10-23, 24-31.

November 16 Reparations

Required Readings:

Martha Minow, "Reparations," in *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998), 91-117.

November 23 Civil Society

Required Readings:

Roger Duthie, "Building Trust and Capacity: Civil Society and Transitional Justice from a Development Perspective," Transitional Justice and Development

Project,

International Center for Transitional Justice Research Unit (New York: International Center for Transitional Justice, Nov. 2009), 1-28.

Roberto Belloni, "Civil Society in War-to-democracy transitions," in *From War to Democracy: Dilemmas of Peacebuilding* edited by Anna K. Jarstad and Timothy D. Sisk (Cambridge: Cambridge University Press, 2008), 182-210.

ASSIGNMENT: ESSAY DUE TODAY

November 30 Gender

Required Readings:

Dyan Mazurana, "Gender and the Causes and Consequences of Armed Conflict," in *Gender, Conflict, and Peacekeeping*, eds. Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart (Lanham: Rowman & Littlefield, 2005), 29-42.

Tarja Vayrynen, "Gender and Peacebuilding," in *Palgrave Advances in Peacebuilding: Critical Developments and Approaches, ed. Oliver P. Richmond* (New York: Palgrave Macmillan, 2010), 137-153.

Fionnuala Ní Aoláin and Eilish Rooney, "Underenforcement and

Intersectionality:

Gendered Aspects of Transition for Women," International Journal of

Transitional

Justice 1.3 (2007): 338-354.

Available from Western Libraries using Scholars Portal.

December 7 Caution?

Required Readings:

Oliver P. Richmond, "A Genealogy of Peace and Conflict Theory," in *Palgrave Advances in Peacebuilding: Critical Developments and Approaches*, edited by Oliver P. Richmond (Basingstoke: Palgrave Macmillan, 2010), 14-38.

ESSAY GRADING GUIDE

Argument	
Organization of the Essay	
Quality of evidence	
Communication Skills	
Use of quotations and footnotes	
Other Comments	
Grade	

PARTICIPATION GRADING GUIDE

Grade	Attendance	Discussion	Reading
13-15	Always	Excellent: leads debate; offers analysis and comments; always has ideas on theme of reading; takes care not to dominate; asks questions	Clearly has done and prepared questions on virtually all readings; intelligently uses this understanding and these questions in discussion
10-12	Almost always	Very Good: thoughtful comments and questions for the most part; willing, able and frequent contributor	Has done most readings; provides competent analysis of reading when prompted by others
7-9	Frequent	Good: has basic grasp of key concepts and occasional ideas on the main theme of the reading; arguments are sporadic and at times incomplete or poorly supported; unwilling to ask questions	Displays familiarity with most readings, but tends not to analyze them or to relate them to the course material
4-6	Occasional	Somewhat Poor: remarks in class marred by misunderstandings of key concepts; seldom contributes effectively to discussion of the main theme; often digresses in unhelpful ways; sporadic	Actual knowledge of material is outweighed by improvised comments and remarks
0-3	Rare	Poor: rarely speaks; parrots text or comments of others	Little or no apparent familiarity with assigned material

APPENDIX TO UNDERGRADUATE COURSE OUTLINES DEPARTMENT OF POLITICAL SCIENCE

Prerequisite checking - the student's responsibility

"Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites."

Essay course requirements

With the exception of 1000-level courses, most courses in the Department of Political Science are essay courses. Total written assignments (excluding examinations) will be at least 3,000 words in Politics 1020E, at least 5,000 words in a full course numbered 2000 or above, and at least 2,500 words in a half course numbered 2000 or above.

Use of Personal Response Systems ("Clickers")

"Personal Response Systems ("clickers") may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning.

Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else's clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence."

<u>Security and Confidentiality of Student Work</u> (refer to current *Western Academic Calendar* (http://www.westerncalendar.uwo.ca/)

"Submitting or Returning Student Assignments, Tests and Exams - All student assignments, tests and exams will be handled in a secure and confidential manner. Particularly in this respect, <u>leaving student work</u> unattended in public areas for pickup is not permitted."

Duplication of work

Undergraduate students who submit similar assignments on closely related topics in two different courses must obtain the consent of <u>both</u> instructors prior to the submission of the assignment. If prior approval is not obtained, each instructor reserves the right not to accept the assignment.

Grade adjustments

In order to ensure that comparable standards are applied in political science courses, the Department may require instructors to adjust final marks to conform to Departmental guidelines.

Academic Offences

"Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

http://www.uwo.ca/univsec/pdf/academic policies/appeals/scholastic discipline undergrad.pdf

Submission of Course Requirements

ESSAYS, ASSIGNMENTS, TAKE-HOME EXAMS <u>MUST</u> BE SUBMITTED ACCORDING TO PROCEDURES SPECIFIED BY YOUR INSTRUCTOR (I.E., IN CLASS, DURING OFFICE HOURS, TA'S OFFICE HOURS) OR UNDER THE INSTRUCTOR'S OFFICE DOOR.

THE MAIN OFFICE DOES NOT DATE-STAMP OR ACCEPT ANY OF THE ABOVE.

Attendance Regulations for Examinations

EXAMINATIONS/ATTENDANCE (Sen. Min. Feb.4/49, May 23/58, S.94, S.3538, S.3632, S.04-097) A student is entitled to be examined in courses in which registration is maintained, subject to the following limitations: 1) A student may be debarred from writing the final examination for failure to maintain satisfactory academic standing throughout the year. 2) Any student who, in the opinion of the instructor, is absent too frequently from class or laboratory periods in any course will be reported to the Dean of the Faculty offering the course (after due warning has been given). On the recommendation of the Department concerned, and with the permission of the Dean of that Faculty, the student will be debarred from taking the regular examination in the course. The Dean of the Faculty offering the course will communicate that decision to the Dean of the Faculty of registration.

Medical Policy, Late Assignments, etc.

Students registered in Social Science should refer to

http://counselling.ssc.uwo.ca/procedures/having problems/index.html
for information on Medical Policy,
Term Tests, Final Examinations, Late Assignments, Short Absences, Extended Absences, Documentation and
other Academic Concerns. Non-Social Science students should refer to their home faculty's academic counselling office.

University Policy on Cheating and Academic Misconduct

<u>Plagiarism</u>: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence." (see Scholastic Offence Policy in the Western Academic Calendar).

<u>Plagiarism Checking:</u> "All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (http://www.turnitin.com)."

<u>Multiple-choice tests/exams</u>: "Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating."

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. http://www.uwo.ca/univsec/academic policies/index.html

PLAGIARISM*

In writing scholarly papers, you must keep firmly in mind the need to avoid plagiarism. Plagiarism is the unacknowledged borrowing of another writer's words or ideas. Different forms of writing require different types of acknowledgement. The following rules pertain to the acknowledgements necessary in academic papers.

A. In using another writer's words, you must both place the words in quotation marks and acknowledge that the words are those of another writer.

You are plagiarizing if you use a sequence of words, a sentence or a paragraph taken from other writers without acknowledging them to be theirs. Acknowledgement is indicated either by (1) mentioning the author and work from which the words are borrowed in the text of your paper; or by (2) placing a footnote number at the end of the quotation in your text, and including a correspondingly numbered footnote at the bottom of the page (or in a separate reference section at the end of your essay). This footnote should indicate author, title of the work, place and date of publication, and page number.

Method (2) given above is usually preferable for academic essays because it provides the reader with more information about your sources and leaves your text uncluttered with parenthetical and tangential references. In either case words taken from another author must be enclosed in quotation marks or set off from your text by single spacing and indentation in such a way that they cannot be mistaken for your own words. Note that you cannot avoid indicating quotation simply by changing a word or phrase in a sentence or paragraph which is not your own.

B. In adopting other writers' ideas, you must acknowledge that they are theirs.

You are plagiarizing if you adopt, summarize, or paraphrase other writers' trains of argument, ideas or sequences of ideas without acknowledging their authorship according to the method of acknowledgement given in 'A' above. Since the words are your own, they need not be enclosed in quotation marks. Be certain, however, that the words you use are entirely your own; where you must use words or phrases from your source, these should be enclosed in quotation marks, as in 'A' above.

Clearly, it is possible for you to formulate arguments or ideas independently of another writer who has expounded the same ideas, and whom you have not read. Where you got your ideas is the important consideration here. Do not be afraid to present an argument or idea without acknowledgement to another writer, if you have arrived at it entirely independently. Acknowledge it if you have derived it from a source outside your own thinking on the subject.

In short, use of acknowledgements and, when necessary, quotation marks is necessary to distinguish clearly between what is yours and what is not. Since the rules have been explained to you, if you fail to make this distinction your instructor very likely will do so for you, and they will be forced to regard your omission as intentional literary theft. Plagiarism is a serious offence which may result in a student's receiving an 'F' in a course or, in extreme cases in their suspension from the University.

*Reprinted by permission of the Department of History
Adopted by the council of the Faculty of Social Science, October, 1970; approved by the Dept. of History
August 13, 1991

Accessibility at Western: Please contact poliscie@uwo.ca if you require any information in plain text format, or if any other accommodation can make the course material and/or physical space accessible to you.

SUPPORT SERVICES

The Registrar's office can be accessed for Student Support Services at http://www.registrar.uwo.ca

Student Support Services (including the services provided by the USC listed here) can be reached at: http://westernusc.ca/services/

Student Development Services can be reached at: http://www.sdc.uwo.ca/

Students who are in emotional/mental distress should refer to Mental Health@Western http://www.uwo.ca/uwocom/mentalhealth/ for a complete list of options about how to obtain help.