CRIME AND HUMAN RIGHTS
SOC 4104(&H)/5104 and GLOS 4104(&H)/5104
Spring Semester 2020
Mon, Wed 11:15AM - 12:30PM
Blegen Hall 255

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Course Content

This course addresses serious violations of humanitarian and human rights law, efforts to criminalize those violations (laws and institutions), and consequences of these efforts. Special attention will be paid to the impact interventions have on representations and memories of atrocities and on future cycles of violence. Section I provides an overview of the basic themes of this class and their interconnection: atrocities, legal and other institutional responses, and effects, including cultural effects. The Armenian genocide plays a special role in this context. Section II covers a series of cases in which responses to past atrocities included criminal prosecution and trials: The Holocaust, the wars in the former Yugoslavia, the My Lai massacre of the Vietnam War, torture in the context of the War on Terror, and the genocidal violence in the Darfur region of Sudan. Section III examines commemorative acts and truth commissions, at times combined with trials and compensation programs. It culminates in student group presentations.

Course Format

Each session will be introduced with lecture, providing you with background information on the issues of the day. There will always be plenary discussions. We will also watch segments of renowned documentary films on several of the cases we discuss. In addition, selected sessions will allow for small-group activities. Each group will choose one particular historical or contemporary case of serious human rights violations that was not covered in lecture. You will divide labor to learn about that case, and you will become experts on this case for all the different aspects we discuss throughout the semester. In the end, you will write a three-page paper on this case, divided into different aspects, each covered by one member of the small group. An assignment sheet with details is available on the course web site. We will also distribute a hard copy in class.
Assignments

Your grade will be composed of several elements:
- Fifty percent will be based on two midterm exams, each at twenty-five percent.
- Thirty-five percent will be based on a final exam.
- Fifteen percent will be based on group participation and written homework.
- Class attendance and class participation are crucial. “A” grades cannot be given if a student misses a substantial number of sessions. Attendance and participation will be decisive if a student’s final score is between two grades.
- Additional special assignments will be discussed with honors degree participants who seek to earn honors credit and with Master degree students toward the end of our first class session.

Readings

Under each class session, you find a number of readings. Only what is printed in bold is required. Other texts are recommended for those with special interest in a particular subject.
- One of the readings is a brief teaching-oriented book authored by your instructor, entitled Crime and Human Rights: Criminology of Genocide and Atrocities, and published in 2010 with Sage (London). It introduces core themes we will cover. This book is required and available at no cost as an e-book, available—together with most other readings—through the Canvass course site (Library Course Page).
- I also assigned chapters from my more recent book, entitled Representing Mass Violence: Conflicting Responses to Human Rights Violations in Darfur (University of California Press, 2015). This book is available as a paperback, but you can also access it through the Library Course Site (on Canvass) or directly as an online-open access edition: <http://www.luminosoa.org/site/books/detail/3/representing-mass-violence/>. There is no cost involved (and the author [me] waived any royalties).
- The Library Course Site also provides access to additional required chapters and articles.
- While you thus find most readings on the Library Course Site, I occasionally place readings under the respective modules directly into the Canvass course site.
- I finally placed several important books on reserve at Wilson Library. They are not required readings, but you are invited to take peruse them at your leisure.

Scholastic misconduct, should it occur, would be treated as a serious issue. The case would have to be reported. In addition, a student will be given zero points on any assignment or exam on which he or she has cheated, plagiarized, or otherwise engaged in scholastic dishonesty.

Incompletes can only be given under rare circumstances and only if you have a prior written agreement with the instructor.

Missed exams: Current university policy required faculty members to “provide make ups for major examinations … to students with legitimate excuses.” Legitimate excuses include verified illnesses and family emergencies, which require documentation.

Please see CLA and Sociology Department rules at the end of this syllabus.
Class Schedule

SECTION I: INTRODUCTION, GENERAL THEMES AND OVERVIEW

Week 1: Introduction, History and Modern Reactions

- **W 1/22**: Introduction: Overview of course and mutual introductions
  - get to know each other
  - basic issues of crime and human rights: types of human rights violations
  - cases of grave human rights violations
  - organization of class, sessions, assignments
  - student survey

Week 2: Overview—history of grave human rights violations and responses to them

- **M 1/27**: From Freedom to Kill to External Constraints
  - Savelsberg: *Crime and Human Rights*: Introduction ("How have Governments responded to Atrocities and Human Rights Violations"); Chapter 1 ("When are Atrocities Crime?"); and Chapter 2 ("How and Why Have States and Governments Been Constrained?") (pages 1-36)

SECTION II: CASES OF GRAVE HUMAN RIGHTS AND HUMANITARIAN LAW VIOLATIONS – FROM IMPUNITY TO CRIMINAL COURT RESPONSES

- **W 1/29**: Case 1: The “first genocide of the 20th century”: The Armenian Case

Week 3: Silencing, Denial, and Acknowledgment – and toward the 2nd Case: The Holocaust

- **M 2/3**: Between Silencing, Denial, and Acknowledgment: From Micro-Politics to the Circle of Knowledge
University Press.


- **W 2/5:** *Setting the Stage for Genocide: Rise of Totalitarianism and Concentration Camps—The German Case*

**Week 4: Toward Mass Murder**

- **M 2/10:** *Mechanics of the Murder Machine: Mass Shootings*

- **W 2/12:** *From Mass Shootings to Industrialized Annihilation Camps*

**Film:** Claude Lanzmann: Shoah (segments shown in class)
Week 5: Toward Explaining “the Inexplicable” and Responses

- **M 2/17: Toward Explanations – a Criminological Perspective**
  - Savelsberg, *Crime and Human Rights*. Chapter 4 (“Can Genocide Studies and Criminology enrich each other?”) (pages 49-66).*

- **W 2/19: Court Trials: International (IMT), Domestic and Foreign—and Memory**

Film segment: Judgment in Nuremberg/or documentary: Frankfurt Auschwitz trial
Week 6: Reactions to the Holocaust (cont.): The Genocide Convention – and first midterm

- **M 2/24: A Crime With a Name and the Genocide Convention**
  - The Convention against Genocide (http://www.preventgenocide.org/law/convention/text.htm)

CATCH UP AND REVIEW (for first midterm)

- **W 2/26: FIRST MIDTERM EXAMINATION**

Week 7: War Crimes in Vietnam: The Case of My Lai

- **M 3/2: War Crimes – The Case of My Lai**

Film: Winter Soldier

- **W 3/4: My Lai 2: Responses in America -- and Collective Memory**
  - Savelsberg and Ryan D. King. 2007. “Law and Collective Memory.” Annual Review of Law and Social Science 3:
WEEK 8: SPRING BREAK

Week 9: War Crimes (cont.): From the Vietnam War to the Balkans

- M 3/16: Committing and Prosecuting War Crimes and Genocide in the late 20th century: The Balkans

  BBC documentary on Srebrenica


Week 10: Human Rights Crimes and Protections in a New Era of Terrorism

- M 3/23: The UN and Special Rapporteurs on Human Rights Issues
  - Savelsberg: *Crime and Human Rights*. Chapter 7 (pp. 108-110)*.
Guest speaker: Fionnuala Ní Aoláin, Professor of Law, Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism

- W 3/25: *The Issue of Torture in an Age of Terrorism*

**CATCH UP AND REVIEW (for second midterm)**

**Week 11: Humanitarian Responses to Torture and Second Midterm**

- M 3/30 *A Humanitarian Response to Torture*
  - Familiarize yourself with the website of the Center for the Victims of Torture: <https://www.cvt.org/>

  Guest speaker: Curt Goering, Executive Director, Center for the Victims of Torture

- W 4/1: *SECOND MIDTERM EXAMINATION*

**Week 12: The First Genocide of the 21st Century: A Case from Africa (Darfur)**

- M 4/6 *No Class Session due to Instructor’s Lecture-related Travel*

- W 4/8: *Darfur Crime Scenes*

**Film: Darfur Diaries**
Week 13: Darfur (cont.) – and Responses in the Context of a Justice Cascade

- **M 4/13: Toward Patterns and Explanations**

- **W 3/27: Responses to Darfur: UNSC, ICC and a Human Rights NGOs**

**SECTION III: JUSTICE CACADE, LIMITS, ALTERNATIVES**

Week 14: Justice Cascade and other Types of Responses

- **M 4/20 The Justice Cascade: Driving Forces**
  - Savelsberg: *Crime and Human Rights*. Chapter 6 (pp. 89-100).*
  - Link to ICC: [http://www.icc-cpi.int/en_menus/icc/Pages/default.aspx](http://www.icc-cpi.int/en_menus/icc/Pages/default.aspx)


First draft of your pages due with group members (for peer editing/feedback by Wednesday 4/22)

**W 4/22 Limits of the Law and other Responses: Truth Commissions and Commemoration**

- Savelsberg: Crime and Human Rights. Chapter 7 (pp. 101-116)*.

Film: TBA

GROUP PROJECTS DUE
Week 15: Commemoration Mass Atrocities and Group Presentations

- **M 4/27: Back to the Beginning: Commemorating the Armenian Genocide**

Your group project papers are due.

Guest speaker: TBA

- **W 4/29: Group Project Presentations**

Week 16: Final Group Projects and Review

- **M 5/4: Group Project Presentations**

**FINAL EXAMINATION: 10:30 a.m. to 12:30 p.m., Monday, May 11 (in our classroom)**