Instructor: Derek Congram
Email: derek.congram@utoronto.ca
Office and hours: B217, 315 Bloor Street west (Munk), Tuesdays 12-2 pm

Course outline:

This is an advanced course on transitional justice with a focus on victims – living and dead, direct and indirect – of armed conflict and repressive governments. The class will explore the sometimes competing ways in which victim families and communities can influence post-conflict justice, to include material, legal, moral, social and symbolic reparation and memorialization. In class we will explore four cases, comparing the experience of different countries with transitional justice to recognize the inadequacy of “cut-and-paste” transitional justice. Students are expected to critically assess the goals and utility of different measures used to address often disparate understandings of justice, especially as they relate to the causes and course of each conflict or criminal regime. By the end of the course, students will have a clear understanding of the broad range of definitions of post-conflict justice and the actors, institutions and realities that shape it. This knowledge will be used to analyse current conflicts and propose reasonable courses of action that are likely to best serve victim needs.

Classes will include lectures to introduce students to basic facts related to each conflict under study, but student engagement, participation and direction is essential.

Course materials:

Readings will be available via Blackboard or will be on reserve at the library. Two videos are included among the “readings” and these are all accessible via the library (media commons). These videos will supplement the lectures/class discussion and questions on the final exam might also draw on them. Students should read the assigned material and watch the videos prior to class so that they will be able to engage in class discussion and ask any questions that derive from them.

Grading:

Case study: 25%
Group exercise report: 15%
Group exercise presentation: 15%
Exam: 35%
Class participation: 10%
**Research paper:** Students will examine one element of transitional justice (e.g., local trials, international trials, truth-telling, truth and reconciliation commissions, medico-legal versus humanitarian exhumations of victims, etc.) and compare its use in at least two different contexts, including at least one not discussed in class. Reports should give a brief but well-researched summary of the conflicts and/or crimes, analysing how the chosen transitional justice element did or did not address the most significant causes or justifications given by perpetrators and victims. Papers should discuss the measure employed as seen by the state, civil sector and international community. The measure should be critically assessed with respect to the degree to which it worked towards justice, for whom, and at what cost. Students should explore a range of source materials including reports by human rights organizations and the United Nations, national and/or international court transcripts, government reports and academic journals. Topics and contexts need to be approved by the instructor in advance. The report should be 9-11 pages (don’t underestimate the power of a concise report that is carefully researched and written), double spaced and in 12-point font.

**Group Exercise and Report:** Students will be put into groups and asked to examine transitional justice in one of two or three contexts (depending on how many students are in the course) where conflict is ongoing or transitional justice is in early stages: Colombia; Indian Residential Schools in Canada; and possibly Syria. Different members of each group will take the position of a party in transitional justice negotiations: the government; the international community (this could be any of the United Nations, the International Committee of the Red Cross, etc.); or non-governmental/victim family groups. Each party in each group will write a short (~3 pages) proposal for transitional justice measures to be taken stating why they believe that these measures are appropriate. The respective parties’ reports will be submitted for grading and then all parties will sit down in class and negotiate towards an agreement on transitional justice terms for the country.

The objective of the group exercise is to recommend feasible and productive transitional justice measures and also to reach consensus with other parties. Careful consideration should be given to the local history, social and political culture of the country being studied. Students must consider why measures in other places have worked so that they can best determine which measures are most likely to be productive in the case that they are studying and presenting. One class will be dedicated to working on the assignment but groups also are expected to do work outside of class. Groups will be determined before the dedicated class so that members can bring ideas and information to the class, ready to work. Group members are expected to contribute equally towards each of the reports and representations, although each members’ specific role is to be defined by members of each of the parties.

**Final Exam:** During the exam period, students will write an exam that covers the topics addressed in class and the readings, which includes points about the specific case studies discussed, information from the readings and videos, broader conceptual issues related to transitional justice and points raised during group presentations.
Class participation: Students are expected to engage with the rest of the class during lectures, group work and presentations. Active participation will help all of us understand the purpose and practice of transitional justice and perhaps contribute to its theoretical and practical development, being mindful of the primary stakeholders in the process: the victims.

Course Policies:

Assignment submission. Your assignments will be submitted online via Portal. However, students must print and keep a hard copy in the unlikely event that there are problems with the server/submission.

Extensions will only be granted for valid and documented reasons that are unforeseeable and uncontrollable. Beyond these very uncommon circumstances, extensions will not be granted. Extension requests must be made in person and writing to the instructor before the assignment deadline.

Late penalties. Assignments are due at the beginning of class on the date for which they are assigned. Five percent will be deducted for each day that an assignment is late, starting on the date that it is due (i.e., if an assignment is handed in following class on the day that it is due, five percent will be deducted; ten percent will be deducted if it is submitted the following day). Assignments will not be accepted if they are more than seven days late. Late assignments should be submitted to the reception at Munk School (1 Devonshire Place), to be placed in the mailbox of Kevin Rowley.

Plagiarism and academic integrity. All written assignments must make reference to other peoples’ work (including quotations, photos, graphs, ideas that are paraphrased, etc.) and properly acknowledge this work. Failing to do so is a serious offense and I will report any cases of suspected plagiarism. In cases of suspected plagiarism, a student might be asked to show their research notes, which they created while preparing their paper. Citation guidelines can be found at: www.writing.utoronto.ca/advice/using-sources. Properly referencing the work of others is critical to producing new and important research and one’s professional reputation is at stake if they are caught trying to steal other peoples’ work (And it happens! See: http://www.politico.com/gallery/2014/07/10-high-profile-plagiarism-cases/001951-027782.html).

Cell phones, pagers and other electronic devices. Please turn off all cell phones, pagers and other electronic devices that could be distracting during class. If you have an emergency situation that requires you to be contacted quickly, let me know at the beginning of class and an exception can be made.
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<thead>
<tr>
<th>Week</th>
<th>Date</th>
<th>Topics</th>
<th>Readings</th>
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<tbody>
<tr>
<td>1</td>
<td>Jan 12</td>
<td>Introduction; Concepts</td>
<td>Leebaw 2008; Weinstein et al. 2010; Tolbert 2014</td>
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<td>Spain backgrounder</td>
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<td>2</td>
<td>Jan 19</td>
<td>Transitional justice in Spain</td>
<td>Blakely 2006; Tamarit Sumallla 2011; Rubin 2014</td>
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<td>3</td>
<td>Jan 26</td>
<td>Transitional justice in Argentina</td>
<td>Aguilar 2013; Engstrom 2013; Garibian 2014</td>
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<td>4</td>
<td>Feb 2</td>
<td>Trans. Just. in Argentina cont’d</td>
<td>Gandsman 2012; Zavala Guillén 2013; Schindel 2012</td>
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<td>5</td>
<td>Feb 9</td>
<td>Transitional justice in Bosnia-Herzegovina (BiH)</td>
<td>Bosnia: a wounded land (video); Basic 2015; Nettlefield 2010:210-233;</td>
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<td>6</td>
<td>Feb 23</td>
<td>Case studies due Trans. Just. In BiH cont’d</td>
<td>Nettlefield 2010:99-143; Zyberi (nd)</td>
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<td>7</td>
<td>Mar 1</td>
<td>Review, open discussion</td>
<td>Student contributions (news, publications, etc.)</td>
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<td>8</td>
<td>Mar 8</td>
<td>Lebanon backgrounder</td>
<td>Haugbolle 2011; Barak 2007; Waltz with Bashir (video, see note after references)</td>
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<td>9</td>
<td>Mar 15</td>
<td>Transitional justice in Lebanon</td>
<td>Ghosn &amp; Khoury 2011; Jaquemet 2009; Fisk 2015</td>
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<td>10</td>
<td>Mar 22</td>
<td>Group Exercise work</td>
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<td>11</td>
<td>Mar 29</td>
<td>Group reports due Group</td>
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<td>presentations</td>
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<td>12</td>
<td>Apr 5</td>
<td>Report and presentation</td>
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<td>feedback; course review</td>
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NOTE: I reserve the right to make minor changes to the readings but any changes will be made well in advance of the class and will be made available to students.
**Readings and Videos:**


Video: Waltz with Bashir, Media Commons, VideoDVD 754621

A Note on the video: Waltz with Bashir is an animated film. It is rated R and, at times, is quite graphic (brief nudity, a scene of graphic sexual content and images of atrocities). The inclusion of this film as a “reading” is to help you understand a particular perspective on some of the violent events that took place during the civil war in Lebanon. If you are uncomfortable viewing this film, please come and speak to me and we will find an alternative.