

HIST 4310-01/5310-01: Human Rights and Crimes Against Humanity

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Office Hours: Tuesday, Thursday 1-2 p.m.,
and by appointment

The Abstract Nakedness of Being Human:

“The conception of human rights, based upon the assumed existence of a human being as such, broke down at the very moment when those who professed to believe in it were for the first time confronted with people who had indeed lost all other qualities and specific relationships—except that they were still human. The world found nothing sacred in the abstract nakedness of being human.”
—Hannah Arendt¹

Course Introduction:

“Human Rights and Crimes Against Humanity” explores one of the main paradoxes of the modern era: the development of human rights standards internationally and, at the same time, the expansion and intensification of ethnic cleansing, population transfers, systematic torture, genocide, and other crimes against humanity. We will explore two central questions in this course: 1) How are these two polar opposites, human rights and crimes against humanity, related? Do modern forms of thinking about politics and the diversity of human society enable and encourage both phenomena, or does this paradox pre-date the modern era? 2) What do we mean by “human rights” and how have their meanings evolved historically?

Although we all have at least an implicit understanding of rights, there are many different sets of rights and many conflicts about their meanings. We will concentrate on the period from the beginning of eighteenth century to the present day. Students will discuss and debate the meaning of key terms, notably human rights, humanitarianism, crimes against humanity, and genocide, and investigate particular historical cases when rights were established, and when atrocities were committed. We will also explore the process of instituting human rights standards, and examine critically some of the recent efforts at redress, justice, and memory through criminal tribunals, truth and reconciliation commissions, and restitution.

Objectives and Outcomes:

This course will provide students an opportunity to engage critically with the history of Human Rights internationally. Students have four primary tasks: 1) demonstrate analytical and critical thinking in group discussions; 2) incorporate primary and secondary sources in written assignments; 3) engage with relevant course themes, discussions, and readings; and 4) sharpen reading, writing, and research skills.

¹ Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1968), 299.

Required Texts:

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press, 2012.

Gatrell, Peter. *The Making of the Modern Refugee*. Oxford: Oxford University, 2013.

Hunt, Lynn, *Inventing Human Rights: A History*. New York: W.W. Norton, 2007.

Kennedy, David. *The Dark Sides of Virtue: Reassessing International Humanitarianism*. Princeton: Princeton University Press, 2005.

Rodogno, Davide. *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815-1914*. Princeton: Princeton University Press, 2015.

Ung, Loung. *First They Killed My Father*. New York: Harper Collins Publishers, 2006.

Course Webpage:

Along with the required texts, please find supplementary materials on the course webpage. These readings will often comprise the entire source base for the week. Also note that some of these readings are primary sources, so think about how they fit into the themes of the course. Students must complete all readings before the start of each class.

Assignments:

I will determine your final grade as follows:

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Class Attendance and Participation:	15%
USHMM “History Unfolded”	20%
Two Argumentative Essays:	40%
Final Essay:	25%

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Class Attendance and Participation:	15%
Graduate Student Group Facilitation:	10%
Two Argumentative Essays:	30%
Research Paper (Rough Draft):	10%
Research Paper (Final):	35%

HIST/INST 4310-01

15% Class Attendance and Participation

Students must attend class every day and engage conscientiously with the readings, lectures, and class discussions. Three un-excused absences will result in a failing grade. Please make every effort to arrive in class on time. As a lecture and discussion course, dialogue between students and the instructor is essential. It requires regular student participation and facilitation from the instructor. The use of laptops, etc. is allowed, but only for taking notes. Turn off your cell phones. Finally, this course is reading intensive (we will cover approximately 100 pages of material per week). While we will often discuss the readings in class, I recommend that students take their own notes on the materials, as well.

20% United States Holocaust Memorial Museum “History Unfolded”

While this course explores the development of human rights and crimes against humanity on an international level, this assignment requires students to work in close consultation with the United States Holocaust Memorial Museum (USHMM) in Washington, D.C. The Mandel Center at USHMM recently launched a new project entitled “History Unfolded: US Newspapers and the Holocaust,” which traces what Americans knew about Nazi persecution of Jews and other peoples between 1933 and 1945.

Before the conclusion of the spring semester, students must visit the Albany County Public Library and investigate the repository’s newspaper collections for articles, headlines, and stories on human rights violations in Nazi Germany. Students are required to upload a **minimum of three** sources to our course page on the USHMM’s website (<https://newspapers.ushmm.org>) In the “Create and Account” tab, fill out the required information, and then join the group “University of Wyoming, Human Rights and Crimes Against Humanity.” The USHMM will publish these materials and acknowledge you as an author when the site launches this spring!

40% Writing Assignments

20% Essay #1 (Due: 28 February 2019 – Part I)

20% Essay #2 (Due: 04 April 2019 – Part II)

Students will write two **4-5 page** (1000-1250 words) essays over the course of the semester (12-point, Times New Roman font, and double-spaced). The instructor will distribute an essay prompt two weeks prior to the respective due date. Do not cite materials that are not included on the course syllabus. Essays will cover material exclusively from each respective “Part” of the syllabus.

These essays must establish a clear and easily identifiable argument that thoroughly answers the questions in the prompt. Each essay must provide a detailed commentary on the selected readings (not summary of the reviewed works). Successful papers will situate the merits of the readings in a larger historical context. This enables one to enter into a “conversation” with the materials under review. Successful essays do not need to agree with an author’s argument or the instructor’s position in class. Whether one supports or disagrees with a thesis is important, but the most important aspect of any argumentative essay is *how* and *why* an historian arrives at a position. As a means to supplement a point-of-view, students should consider a scholar’s methodology, historical evidence, organization, and methods of analysis. Students are not required to reference every reading in their respective essays, but should demonstrate a command of the relevant themes/information. Please see “Dr. Gary Cohen’s Writing Guide” for useful hints for writing successful essays.

25% Final Essay (Due: 17 May 2019 – Part III)

Students will write one **7-9 page** (1750-2000 word) final essay at the conclusion of the semester. Unlike the short writing assignments, students are encouraged to use source material from the entire semester. Successful essays will demonstrate a clear understanding of the major themes in the course readings and class lectures. This final essay should posit a strong argument that engages with the question(s) offered in the prompt. These essays provide students an opportunity to consider the history of the Holocaust by appealing to the historical record and discussions from class.

I will not accept late assignments.

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15% Class Attendance and Participation

Graduate students must attend class every day and engage conscientiously with the readings, lectures, and class discussions. Two un-excused absences will result in a failing grade. Though this course is cross-listed with HIST/INST 4310-01, graduate students should treat this class as a seminar. Please be prepared to offer thoughtful commentary on the assigned readings and to consider alternative perspectives on the weekly discussions, lectures, and essays.

10% Group Facilitation

Each month two students will facilitate a group conversation (graduate students only) in the conference room across from the instructor’s office in the History Building (History 258). The dialogue can include references to weekly readings, class discussions, historiographical

interventions, and all other relevant material related to the course. It is the facilitator's job to 1) pose questions that encourage group discussion; 2) establish the merits of the weekly readings; 3) probe the author's methodology; and 4) question the types of sources she/he uses to establish their argument.

Everyone must come prepared to speak thoughtfully each meeting. The instructor will distribute a sign-up sheet during the first week of class. We will finalize a formal meeting schedule on the first day of the semester. Each discussion will last approximately 1 to 1 ½ hours and will take place in Room 256, History Building.

30% Writing Assignments

15% Essay #1 (Due: 28 February 2019 – Part I)

15% Essay #2 (Due: 04 April 2019 – Part II)

Students will write two **5-7 page** (1250-1750 words) essays over the course of the semester (12-point, Times New Roman font, and double-spaced). The instructor will distribute an essay prompt two weeks prior to the respective due date. Do not cite materials that are not included on the course syllabus. Essays will cover material exclusively from each respective "Part" of the syllabus.

These essays must establish a clear and easily identifiable argument that thoroughly answers the questions in the prompt. Each essay must provide a detailed commentary on the selected readings (not summary of the reviewed works). Successful papers will situate the merits of the readings in a larger historical context. This enables one to enter into a "conversation" with the materials under review. Successful essays do not need to agree with an author's argument or the instructor's position in class. Whether one supports or disagrees with a thesis is important, but the most important aspect of any argumentative essay is *how* and *why* an historian arrives at a position. As a means to supplement a point-of-view, students should consider a scholar's methodology, historical evidence, organization, and methods of analysis. Students are not required to reference every reading in their respective essays, but should demonstrate a command of the relevant themes/information. Please see "Dr. Gary Cohen's Writing Guide" for useful hints for writing successful essays.

45% Research Essay

10% Rough Draft (Due: 18 April 2019)

35% Final Essay (Due: 17 May 2019)

Rough Draft

Graduate students will prepare a rough draft of their final papers in November. This assignment calls for a complete draft of the final essay. The instructor will not accept papers that consist of incomplete paragraphs or sections that read “what I will write here.” This assignment should aid students in the composition of the final project. If one’s essay changes later in the semester – great! That is a sign of growth. But for change to occur, one must first have a complete essay to consider and revise.

Final Essay

Graduate students will complete a **20-page** (circa 5000 words) research essay at the end of the semester. These papers will focus on a major historical topic/legal query on human rights and/or crimes against humanity. This assignment has two basic parts: (1) the assembly and review of relevant primary sources and secondary literature on the topic, and (2) the completion of an essay that advances a scholarly argument about the topic in question. These essays should discuss the most important items in the field critically. See “Dr. Gary Cohen’s Writing Guide” for further information on successful historiographical essays.

Grading Rubric:

This course will follow the University of Wyoming’s standard grading scale:

A=90-100 B=80-89 C=70-79 D=60-69 F=59 and below.

General Evaluation Rubric for Writing Assignments:

I will evaluate all written assignments based on the rubric below:

- Thesis/argument is easily identifiable and insightful. It will serve as the thumbnail sketch for the entire paper.
- The use of evidence includes primary source material and relevant historiographical literature throughout the paper.
- The analysis requires the author to incorporate quoted material, primary evidence, and sound historical viewpoints to support the proposed argument.
- The structure requires a clear introduction, body, and conclusion that are easily identifiable by the instructor. Students should present their thesis statement within the introduction; provide evidence throughout the body section; and adequately summarize their findings in the conclusion section.
- The mechanics of the paper include proper/clear sentence structure, grammar, and dictation.

Academic Dishonesty:

Plagiarism means presenting someone else's writing as your own. This includes copying with slight changes and direct quotes without quotation marks. Plagiarism is a serious offense. It corrodes the university system and defeats the educational efforts of our society. A case of

plagiarism will result in punishment to the full extent allowed by University regulations. To avoid plagiarism, I suggest the following steps when writing:

- Consult your written sources and take notes.
- Discuss the topic with fellow students and take notes.
- Discuss the topic with the instructor and take notes.
- Take your notes with you and write alone.
- Edit papers carefully before submission day.
- Ask the instructor about potential cases of plagiarism in class or during office hours.

I reserve the right to use plagiarism detection software to determine if material has been taken from the internet without attribution. Do not make the mistake of cheating in this way. If you need more time or other help, I will work with you. If you cheat and I catch you, I will punish you out of respect for the honest students.

Diversity Statement:

The University of Wyoming values an educational environment that is diverse, equitable, and inclusive. The diversity that students and faculty bring to class, including age, country of origin, culture, disability, economic class, ethnicity, gender identity, immigration status, linguistic, political affiliation, race, religion, sexual orientation, veteran status, worldview, and other social and cultural diversity is valued, respected, and considered a resource for learning.

Disability Support:

The University of Wyoming is committed to providing equitable access to learning opportunities for all students. If you have a disability, including but not limited to physical, learning, sensory or psychological disabilities, and would like to request accommodations in this course due to your disability, please register with and provide documentation of your disability as soon as possible to Disability Support Services (DSS), Room 128 Knight Hall. You may also contact DSS at (307) 766-3073 or udss@uwyo.edu. It is in the student's best interest to request accommodations within the first week of classes, understanding that accommodations are not retroactive. Visit the DSS website for more information at: www.uwyo.edu/udss

Duty to Report:

UW faculty are committed to supporting students and upholding the University's non-discrimination policy. Under Title IX, discrimination based upon sex and gender is prohibited. If you experience an incident of sex- or gender-based discrimination, we encourage you to report it. While you may talk to a faculty member, understand that as a "Responsible Employee" of the University, the faculty member MUST report information you share about the incident to the university's Title IX Coordinator (you may choose whether you or anyone involved is identified by name). If you would like to speak with someone who may be able to afford you privacy or

confidentiality, there are people who can meet with you. Faculty can help direct you or you may find info about UW policy and resources at <http://www.uwyo.edu/reportit>

You do not have to go through the experience alone. Assistance and resources are available, and you are not required to make a formal complaint or participate in an investigation to access them.

Freedom in Learning:

The instructor will evaluate students' performance solely on an academic basis—not on opinions or conduct in matters unrelated to academic standards. Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion. They are responsible for learning the content of any course of study for which they are enrolled. Students who believe that an academic evaluation reflects prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards should contact the chair of the department in which the course is being taught to initiate a review of the evaluation.

SPRING 2019
CLASS SCHEDULE

PART I: Definitions: Rights of Man and Crimes Against Humanity

Week One: From When Can We Date Human Rights?

29 January 2019 Introduction to course and syllabus review

Universal Declaration of Human Rights, in 25+ *Human Rights Documents*
(New York: Columbia University Press, 2005), 5-8.
(Course Webpage)

31 January 2019 Lynn Hunt, "Introduction," in *Inventing Human Rights: A History* (New
York: W.W. Norton, 2007), 15-34.

Jerome J. Shestack, "The Philosophic Foundations of Human Rights,"
Human Rights Quarterly 20, No. 2 (May 1998): 201-234.
(Course Webpage)

Week Two: Law, Humanitarianism, and Human Rights: When Do Human Rights Begin?

05 February 2019 Lynn Hunt, "Torrents of Emotion," in *Inventing Human Rights: A History*
(New York: W.W. Norton, 2007), 35-69.

Jacques Maritain, "The Grounds for an International Declaration of
Human Rights (1947), in *The Human Rights Reader* (New York:
Routledge, 2007), 2-6. (Course Webpage)

Cicero, Excerpt from *The Laws*, in *The Human Rights Reader* (New York:
Routledge, 2007), 15-19. (Course Webpage)

Confucius, Excerpt from "On Rightful Conduct of Rulers and Subjects,"
in *The Human Rights Reader* (New York: Routledge, 2007), 24-26.
(Course Webpage)

07 February 2019 Lynn Hunt, "Bone of their Bone," in *Inventing Human Rights: A History*
(New York: W.W. Norton, 2007), 70-112.

John Locke, Excerpt from *The Second Treatise* (1690), in *The Human Rights Reader* (New York: Routledge, 2007), 116-120.
(Course Webpage)

Jean-Jacques Rousseau, Excerpt from *The Geneva Manuscript*, in *The Human Rights Reader* (New York: Routledge, 2007), 120-121.
(Course Webpage)

Bartolomé de las Casas, Excerpt from *In Defense of the Indians*, in *The Human Rights Reader* (New York: Routledge, 2007), 169-171.
(Course Webpage)

Week Three: Crimes Against Humanity: A Recent Problem?

12 February 2019 Lynn Hunt, “They Have Set a Great Example,” in *Inventing Human Rights: A History* (New York: W.W. Norton, 2007), 113-145.

Thucydides, Excerpt from “The Melian Dialogue,” in *The Human Rights Reader* (New York: Routledge, 2007), 56-58. (Course Webpage)

Saint Thomas Aquinas, Excerpt from *Summa Theologica*, in *The Human Rights Reader* (New York: Routledge, 2007), 70-72.
(Course Webpage)

14 February 2019 Lynn Hunt, “There Will Be No End to It,” in *Inventing Human Rights: A History* (New York: W.W. Norton, 2007), 146-175.

Immanuel Kant, Excerpt from *Perpetual Peace*, in *The Human Rights Reader* (New York: Routledge, 2007), 152-162. (Course Webpage)

“The Hague Conventions of 1899 and 1907” (Course Webpage)

“Allied Note to the Ottoman government,” 24 May 1915
(Course Webpage)

Week Four: Nation-States and Empires, Rights and Removals

19 February 2019 Lynn Hunt, “The Soft Power of Humanity,” in *Inventing Human Rights: A History* (New York: W.W. Norton, 2007), 176-214.

Davide Rodogno, “The International Context of Nineteenth-Century Humanitarian Interventions,” in *Against Massacre: Humanitarian Interventions in The Ottoman Empire 1815-1914*, 18-35.

Matthew Frye Jacobson, “Introduction: Barbarism, Virtue, and Modern American Nationalism,” in *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876-1917* (New York: Hill and Wang, 2000), 3-14. (Course Webpage)

21 February 2019 Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, No. 4 (2006): 387-409. (Course Webpage)

General Act of the Conference of Berlin, 26 February 1885. (Course Webpage)

“Treaty of Berlin (1878),” Excerpts on Religious Minorities (Course Webpage)

Week Five: Late Ottoman History

26 February 2019 Davide Rodogno, “Intervention on Behalf of Ottoman Greeks (1821-33),” in *Against Massacre: Humanitarian Interventions in The Ottoman Empire 1815-1914*, 63-90.

28 February 2019 Davide Rodogno, “Intermezzo—The International Context (1878-1908)” and “Nonintervention on Behalf of the Ottoman Armenians,” in *Against Massacre: Humanitarian Interventions in The Ottoman Empire 1815-1914*, 170-211.

Essay #1 Due

PART II: “The Abstract Nakedness of Being Human”: Rights and Removals

Week Six: The Armenian Genocide and World War I

05 March 2019 Taner Akçam, “Turkish Nationalism” and “What Led to the Decision for Genocide,” in *A Shameful Act: The Armenian Genocide and the Question of Turkish Responsibility* (New York: Holt, 2006), 82-148. (Course Webpage)

07 March 2019 Peter Gatrell, “Crucibles of Population Displacement Before and During the Great War,” in *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013), 21-51.

Woodrow Wilson, Excerpts from “The Fourteen Points Address,” in *The Human Rights Reader* (New York: Routledge, 2007), 308-310. (Course Webpage)

Rosa Luxemburg, Excerpts from *The National Question and Autonomy*, in *The Human Rights Reader*, 297-304. (Course Webpage)

Week Seven: Minority Rights and Self-Determination after 1919

12 March 2019 Eric D. Weitz, “From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions,” *American Historical Review* 113, No. 5 (December 2008): 1313-1343. (Course Webpage)

14 March 2019 Peter Gatrell, “Nation-states and the Birth of a ‘Refugee Problem’ in Inter-war Europe,” in *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013), 52-81.

Tara Zahra, “The Minority Problem and National Classification in the French and Czechoslovak Borderlands,” *Contemporary European History* 17 (2008): 137-165. (Course Webpage)

Week Eight: SPRING BREAK

19 March 2019 No Class

21 March 2019 No Class

Week Nine: Rights and Retribution after the Holocaust

26 March 2019 “Charter of the International Military Tribunal,” 8 August 1945.
(Course Webpage)

Universal Declaration of Human Rights, in *25+ Human Rights Documents*
(New York: Columbia University Press, 2005), 5-8.
(Course Webpage)

Hannah Arendt, “The Decline of the Nation-State and the End of the
Rights of Man,” in *The Origins of Totalitarianism* (New York:
Harcourt, 1951), 267-302. (Course Webpage)

28 March 2019 Carol Anderson, “Symposium: African Americans and U.S. Foreign
Relations: From Hope to Disillusion: African Americans, the
United Nations, and the Struggle for Human Rights, 1944-1947,”
Diplomatic History 20, No. 4 (Fall 1996): 531-563.
(Course Webpage)

Week Ten: Territorial Partitions

02 April 2019 Peter Gatrell, “Midnight’s Refugees?: Partition and its Aftermath in India
and Pakistan,” in *The Making of the Modern Refugee* (Oxford:
Oxford University Press, 2013), 148-177.

Radha Kumar, “The Troubled History of Partition,” *Foreign Affairs* 76,
No. 1 (January/February 1997): 1-22. (Course Webpage)

04 April 2019 Benny Morris, "Staking Claims: The Historical Background," in *1948: A History of the First Arab-Israeli War* (New Haven: Yale University Press, 2008), 1-36. (Course Webpage)

Essay #2 Due

PART III: The Failure of Postwar Human Rights

Week Eleven: Post-Colonial Independence in Africa, Southeast Asia, and the United States

09 April 2019 Frantz Fanon, "On Violence," in *The Wretched of the World* (New York: Grove Press, 1963), 1-63. (Course Webpage)

11 April 2019 Peter Gatrell, "'Villages of Discipline': Revolutionary Change and Refugees in South-East Asia," in *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013), 203-222.

Michelle Alexander, "The Rebirth of Caste," in *The New Jim Crow* (New York: The New Press, 2012), 20-58.

Steve Biko, "We Blacks" and "White Racism and Black Consciousness," in *I Write What I Like* (South Africa: Ravan Press, 1996), 29-35, 66-79. (Course Webpage)

Week Twelve: Cambodia

16 April 2019 Loung Ung, *First They Killed My Father* (New York: Harper Collins Publishers, 2006), 1-128.

18 April 2019 Loung Ung, *First They Killed My Father* (New York: Harper Collins Publishers, 2006), 129-234.

Week Thirteen: Rwanda

- 23 April 2019 David Kennedy, "The International Human Rights Movement: Part of the Problem?" in *The Dark Sides of Virtue: Reassessing International Humanitarianism* (Princeton: Princeton University Press, 2005), 3-36.
- James Waller, "The Church of Ntarama," in *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing* (Oxford: Oxford University Press, 2007), 221-229. (Course Webpage)
- 25 April 2019 David Kennedy, "The International Humanitarian as Policy Maker" and "Humanitarian Policy Making: Pragmatism without Politics?" in *The Dark Sides of Virtue: Reassessing International Humanitarianism* (Princeton: Princeton University Press, 2005), 109-148.
- "Has Genocide Occurred in Rwanda?" United States Department of State, 21 May 1994. (Course Webpage)

Week Fourteen: Humanitarian Intervention: Kosovo

- 30 April 2019 David Kennedy, "A Vocabulary for Argument about Force," in *The Dark Sides of Virtue* (Princeton: Princeton University Press, 2004), 266-277.
- David Scheffer, "Abandoned at Srebrenica" and "Unbearable Timidity," in *All the Missing Souls: A Personal History of the War Crimes Tribunal* (Princeton: Princeton University Press, 2012): 87-107, 124-159. (Course Webpage)
- 02 May 2019 David Kennedy, "Humanitarianism in the War Machine" and "Blind Spots and Bias," in *The Dark Sides of Virtue* (Princeton: Princeton University Press, 2004), 284-309.
- David Scheffer, "Crime Scene Kosovo," in *All the Missing Souls: A Personal History of the War Crimes Tribunals* (Princeton: Princeton University Press, 2012): 251-295. (Course Webpage)

“Srebrenica Massacre, After 20 Years, Still Casts a Long Shadow in Bosnia,” *New York Times*, 8 July 2015. (Course Webpage)

Week Fifteen: ICC and State Sovereignty

- 07 May 2019* Michelle Alexander, “The Lockdown,” in *The New Jim Crow* (New York: The New Press, 2012), 59-96.
- Richard A. Clarke “Before and After September 11,” in *Against All Enemies: Inside America’s War on Terror* (New York: Simon & Schuster, 2004): 227-246. (Course Webpage)
- 09 May 2019* Michelle Alexander, “The Color of Justice” and “The New Jim Crow,” in *The New Jim Crow* (New York: The New Press, 2012), 97-139, 178-220.
- David Scheffer, “Postscript on Law, Crimes, and Impunity,” in *All the Missing Souls: A Personal History of the War Crimes Tribunals* (Princeton: Princeton University Press, 2012): 421-440. (Course Webpage)
- 17 May 2019* **Final Essay Due**