CRIM 7338: CRIMES AGAINST HUMANITY
SYLLABUS & CLASS SCHEDULE
SPRING 2012

PROFESSORS: Natasha A. Frost, Ph.D., Nicole Rafter, Ph.D.
CLASS SESSIONS: Mondays, 1:35pm – 4:05pm; 301 Churchill Hall
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OFFICE HOURS: Professor Frost; Mondays/Thursdays 11:00am – 12:30pm
Professor Rafter; Mondays, 11:30am – 1pm; 4:15pm – 5:15pm

COURSE DESCRIPTION

Criminologists are realizing that their theories fail to address the most odious of all crimes: genocide and other crimes against humanity. Impetus comes from the International Criminal Court’s prosecutions of individuals for genocide and other offenses and from international tribunals set up to prosecute the Rwanda and Srebrenica genocides. A small literature has now developed within criminology supplementing the larger literature outside of criminology developed over many years by historians on the causes of mass atrocity. In this course, we examine crimes against humanity with a specific focus on the role that criminology might play in helping us to understand the causes and consequences of genocide and other crimes against humanity.

CAPSULE SCHEDULE:

Week 1: Defining Crimes against Humanity
Week 2: Criminology and Crimes against Humanity
Week 3: Accountability and Punishment for Crimes against Humanity
Week 4: Armenian Genocide
Week 5: Nazi Genocides
Week 6: Katyn Forest Massacre
Week 7: Jedwabne Pogrom and other Pogroms
Week 8: Cambodian Genocide
Week 9: Rwandan Genocide
Week 10: Bosnia, Srebrenica, and Kosovo
Week 11: Darfur, Sudan
Week 12: Wrap-up and Final Reflections

WARNING: Some of the material in this course depicts, visually and in writing, atrocities that may be difficult to absorb
**REQUIRED READING**

Alvarez, Alex 2010 Genocidal Crimes. NY: Routledge


**REQUIRED VIEWING**

*The Armenian Genocide* (PBS, 2007)

*Enemies of the People* (2011)

*Ghosts of Rwanda* (Frontline, 2004)

*The Grey Zone* (2001)


*Night and Fog* (1955)

*No Man’s Land* (2001)

*Sand and Sorrow* (2007)

*The Reckoning: The Battle for the ICC* (PBS, 2007)
EXPECTEDS

This is a seminar, not a lecture course. In order to provide for a rich learning experience for all involved, it is imperative that students arrive at class having completed all of the assignments for that week. You should be prepared to discuss and critically assess the week’s reading and viewing materials. Every student is expected to contribute during every class session. Attendance, preparedness, and participation will comprise a substantial portion of your grade.

We expect the highest standards of academic integrity. All students should review Northeastern University’s Academic Honesty and Integrity policy, which can be found in the Student Handbook. Any instances of cheating, fabrication, plagiarism, unauthorized collaboration, or other forms of academic dishonesty will be dealt with in accordance with Northeastern University’s official policies (also described in the Student Handbook). Copying from a source which seem to have no author (as is the case with Wikipedia materials) is as much as an offense as copying from a source with a clear author.

ASSIGNMENTS

Critical Thinking Questions: Every student is required to bring at least two questions integrating material from the required reading and viewing to each class session. You may be called upon to ask your question of the class during the session and you will be required to turn in your questions at the end of the session. Weekly submission of critical thinking questions, while not graded separately, will contribute to your weekly participation score.

Presentations: Students are required to make a presentation on an aspect of one of the genocides or on a pogrom-like event that we are covering. The presentation should use at least three sources in addition to the sources assigned for that week and should take 30-45 minutes. Focus on the paramount issues, integrating (as appropriate) your discussion with other issues we have been discussing since the start of the course. For your presentation, you can pick a topic related to your term paper or not—this is up to you.

The presentations for Week 7 are a bit different. We will focus on the topic of pogroms, meaning violent riots or mob attacks on helpless people, often as a result of their ethnicity. Pogroms are associated with Eastern European Jews; we will be studying one of the most famous, in Jebwadne, Poland, using the book Neighbors. For presentations this week, two students should present on pogrom-like events in US history, using the usual three or more sources and comparing the events with the Jebwadne pogrom. We suggest you choose one of the following three events, but if you want to pick another, consult with the instructors:

- Mountain Meadows Massacre of a wagon train of emigrants in Utah, 1857, by the Utah Territorial Militia and some local Indians.
- Tulsa (Oklahoma) Race Riot of 1921.
- Marias Massacre (Baker Gulch Massacre) of Piegan Blackfeet Indians by US Army in Montana. (There is less literature on this event, but it is a good example of a pogrom.)

Term paper: Your final paper, which should be 20-25 pages long (double-spaced), can address any topic relevant to both crimes against humanity (in the loose sense, including genocides and war crimes) and criminology. However, focus your topic carefully; avoid a topic that will bog you down and encourage
superficiality like "The Holocaust" and write instead on, e.g. an alternative to mass punishment of perpetrators such as truth and reconciliation commissions, or on the theoretical relevance of Stanley Milgram's experiments with obedience and authority. If you want to write on a specific event, focus on a war crime or crime against humanity rather than a genocide because the former tend to be smaller in scope and thus more manageable. There is a high correlation between a carefully focused paper and a good grade. You can use any citation method you like, but use only one. A paper topic with a brief (2-3 paragraph) description of the topic is due at the start of class on week two. A preliminary bibliography including at least 10 potential sources is due at the start of class on week three; you should use scholarly sources, not popular journalism. (Check with the instructors if you want an exception.) Papers are due at the start of class on week 10 (April 2nd, 2012).

Term paper lateness policy: Papers are due at the start of class on April 2nd, 2012. Late papers will be penalized by a fraction of a letter grade for each weekday of lateness. Thus an A paper handed in at the end of class on the due date would earn an A-; if it were handed in the next day, it would earn a B+; if it arrived 3 days late, it would earn a B; and so on.

GRADING

Your final grade will be based on:

25%: Preparedness and Participation
50%: Final Paper
25%: In-Class Presentation

GRADING CRITERIA

You will receive a weekly score (from 0-10) based on your level of preparedness and participation (10=exceptional, 9=very good, 8=acceptable, 7=needs improvement, 0=absent). Preparedness requires that you come to class having read and thought about the session’s material and participation requires that you actively contribute to the discussion during every session. Weekly submission of critical thinking questions, while not graded separately, will contribute to your weekly participation score. At the end of the semester, weekly scores will be averaged. Any unexcused absence will obviously affect your overall preparedness and participation score.

The in-class presentation will be graded on the basis of its content, organization, and delivery.

The final paper will be graded on a 100 point scale with points assigned for substance (60 points), organization (10 points), grammar (10 points) and quality of references (20 points). Failure to turn in the paper topic description and/or preliminary bibliography on time will result in the lowering of the final paper grade by up to 10 points.
## Class Schedule

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<th>Week One</th>
<th>1/9/2012</th>
<th>Introduction: Defining Crimes against Humanity</th>
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**Readings:**
Power, 2002, Preface plus chs. 1-5

**Key Questions:**
Human rights violations and crimes against humanity have been defined only recently, historically speaking. If the 20th century was an era of genocide, it was also the era in which national and international bodies began to define human rights and crimes against humanity. Why did these new types of criminalization emerge at this time? What are the differences among war crimes, mass atrocity, genocide, and crimes against humanity? Would you define slavery as a crime against humanity? What about the usurpation of what is now American territory from Native Americans? the aerial bombing by the Allies of civilians in WWII? the dropping of nuclear bombs on Nagasaki and Hiroshima?

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<th>Week Two</th>
<th>1/23/2012</th>
<th>Criminology and Crimes Against Humanity</th>
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**Readings:** Alvarez, 2010, ch 1; Maier-Katkin, Means and Bernard, 2009

**Key Questions:**
Only in the last decade or so have criminologists begun to recognize and study crimes against humanity and other atrocities. Why have they been slow to focus on such crimes? Why have they begun to reverse course today? In what ways has the recognition of genocide and others crimes against humanity been retarded by politics? Can criminological theories help explain crimes against humanity, and if not, what sorts of theories can?

**In class:** Students will pick the topics for their presentations. Bring to class a written statement of your presentation topic choices; during class we will determine the dates for presentations. Have some back-up ideas in case presentation proposals clump up around one or two topics; in that case, we will have to ask for changes in order to spread the presentations out.

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<th>Week Three</th>
<th>1/30/2012</th>
<th>Accountability and Punishment for Crimes against Humanity</th>
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**Film:** The Reckoning: The Battle for the ICC.
Key Questions: What is the purpose of the responsibility-to-protect doctrine which emerged from the International Commission on Intervention and State Sovereignty? How has the responsibility-to-protect worked with regard to the ongoing genocide in Sudan? Which is the most viable approach for punishing those responsible for crimes against humanity: the International Criminal Court (ICC)?; the International Court of Justice (UN Court)?; Special criminal tribunals (such as the Arusha tribunal set up for Rwanda or the International Criminal Tribunal for the former Yugoslavia)?

Week Four 2/6/2012 The Armenian Massacre (1915-1916)


Film: The Armenian Genocide

Key Questions: The Armenian massacre is considered one of the first modern genocides, a forerunner of the Holocaust in its systematic destruction of an ethnic group. What were the causes of the Armenian genocide? Why does Turkey refuse to recognize it? How did it differ from the Holocaust? Given the centrality of silencing and denial in crimes against humanity, what roles can art (films, paintings, photographs, memorials) play in overcoming death and coverups?

Week Five 2/13/2012 The Nazi Genocides

Readings: Browning, 1992

Films: Night and Fog; The Grey Zone

Key Questions:
Of all atrocity crimes, the Holocaust is best documented and memorialized; even former concentration camps have been turned into sites of remembrance. During this class we will focus on three issues, the first concerning factors that enabled some perpetrators to commit mass murder; the second concerning the role of criminology in promoting the Holocaust; and the third concerning ways of visualizing and representing what happened during the National Socialist period. During this class, we will also briefly recognize the Nazis’ other genocides.
1. Causes of the Nazi genocides: How does Browning explain the willingness of “ordinary men” to commit mass murder? What were their motives for killing? How can we translate these explanations into criminological terms? Why did some of the men whom Browning studied avoid participating in the killing, and with what consequences?
2. Representing the Holocaust: What are some of the differences between the approaches of film directors Alain Renais and Tim Blake Nelson to visually representing the Holocaust? Is there a point in human horror at which the possibility for representation breaks down, leaving us viewless and speechless? Is there something obscene about trying to recreate the Holocaust in movies?
Week Six  2/27/2012  The Katyn Forest Massacre of 1940

Readings: Katyn Massacre: http://en.wikipedia.org/wiki/Katyn_Massacre; Alvarez, chs. 3 and 4

Film: Katyn (2007).

Key Questions:
What is the best label for the Katyn massacre—“crime against humanity” or “genocide”? Why? For over 60 years Poles struggled to identify the actual perpetrators of the Katyn Forest massacre. Does it matter whether the Germans or Soviets shot the Katyn victims? Why? How does identification of the actual perpetrators affect efforts to explain the atrocity? What is the difference between individual and collective or group memory—between the memories of individuals affected by Katyn and the Polish nation as a whole? To what extent do present-day Americans (or Chinese, or French) have a responsibility to learn about such grim events of the past? Why near the end of the movie Katyn does the young man wander out in the street to be shot? Should today’s Russians be required to pay reparations to the families of the men killed in 1940?

Week Seven  3/12/2012  The Jedwabne Pogrom

Reading: Gross, 2001

Key Questions: In this class we will focus on pogroms, meaning violent riots or mob attacks on groups chosen for their ethnicity or race. Traditionally, pogroms have been associated with attacks by Christians on Eastern European Jewish settlements, as at Jedwabne, Poland. What were the causes of the Jedwabne pogrom? What have been the results for Poles today of Jan Gross’s recovery of the memory of Jedwabne? Would it have been better to have left the story untold, as for example the story of the Tulsa Race Riot of 1921 has been left untold in American history books until recently? Are there ways in which remembering is beneficial or even necessary? Thinking outside of Eastern Europe, what other pogrom-like events can you identify? How do pogroms relate to genocide and other forms of mass atrocity?

Week Eight  3/19/2012  Cambodia (1975-1979)

Readings: Power, 2002, chs. 6 & 7; Alvarez, ch. 5.

Film: Enemies of the People

Key Questions: Cambodia’s Khmer Rouge regime is widely acknowledged as one of the most brutal regimes in history. When close to a quarter of the population (more than 1.7 million) dies from causes
(starvation, malnutrition, execution, etc...) attributed to a regime’s brutally enforced policy of agrarian socialism it seems crucial that we examine this type of atrocity in the context of the many dynamics at play. What were the killing fields that were so central to this genocide? How are forms of cultural and political knowledge incorporated into genocidal ideologies and then translated into on the ground massacres? How central were the roles of Brother Number One (Pol Pot), Brother Number Two (Nuon Chea - the ideolological leader) and other Khmer elite in the manufacture and spread of this cultural knowledge. More than 30 years have passed and those with principal responsibility for the Cambodian genocide are only just now being brought to justice (Pol Pot died in 1998 and the trial of Nuon Chea just began in November 2011). In such instances, is justice delayed, justice denied? What are some of the consequences of decades-long delays in holding people accountable for genocide?


**Reading:** Power, 2002, Ch. 10; and reread Alvarez Ch. 4 material on Rwanda.

**Film:** *Ghosts of Rwanda.*

**Key Questions:** The Rwandan example is one of egregious non-intervention. Not only did nobody intervene, but those members of the international community that were in Rwanda when the 100 day genocide began quickly evacuated. At the end of the film, *Ghosts of Rwanda,* former U.S. President William Jefferson Clinton acknowledges that had the U.S. intervened, even minimally, it could have saved many of those who lost their lives. Why was the world so reluctant to intervene in the case of Rwanda? Why were members of Clinton's government so reluctant to use the word genocide in the case of Rwanda? Why do we repeatedly see the international community’s willingness to recognize that crimes against humanity have occurred, but reluctance to call those crimes genocide. Rwanda also provides an interesting case study in punishment for genocide. With so many regular Rwandan people actively participating in the genocide, including young children, the questions of punishment and responsibility are particularly difficult. What are the prospects for reconciliation after genocide? Can the Rwandan example help us understand those prospects?


**Reading:** Power, 2002, chs. 9, 11, 12; and reread Alvarez ch. 4 material on Bosnia

**Film:** *No Man’s Land*

**Key Questions:** In the case of the former Yugoslavia, the international community did more to intervene (via a NATO bombing campaign in 1995 effectively ending the Bosnian War) than they had in Rwanda the year prior. Why do you think this was so? In a complicated ruling, the International Court of Justice (ICJ) exonerated Serbia of direct responsibility for genocide, concluding though, that Serbia had failed to prevent
and punish those guilty of acts of genocide. The Court also recognized that crimes against humanity had occurred but, except in the case of events occurring at Srebrenica, ruled that genocide with specific intent had not. This was a separate action from the indictments and trials that have since been set-up in the International Criminal Tribunal for the Former Yugoslavia (ICTY). From your perspective, is it more important to hold individuals or states accountable for crimes against humanity and genocide? What are the advantages and disadvantages of each?

**Week Eleven  4/9/2012  Darfur, Sudan (2003 – Present)**

**Reading:** Hagan and Rymond-Richmond, 2008: chs 1-5 and pp. 162-169; and reread Alvarez ch. 4 material on Darfur.

**Film:** *Sand and Sorrow*

**Key Questions:** What are the causes of this ongoing genocide? What are some of its results? Could it have been prevented and how could it be stopped now? How can we explain the reluctance once again of the UN to define (yet another) conflict as genocide? How do Hagan and Rymond-Richmond reach the conclusion that this conflict constitutes genocide? In what ways do they draw on criminology to understand the Darfurian genocide? What has happened in Darfur since 2009, when the Hagan/ Rymond-Richmond book was published? In part due to its popularity as a cause among popular celebrities (George Clooney, Don Cheadle, Mia Farrow, etc…), the genocide in Darfur has arguably received more media attention than other recent genocides. In what ways might media and celebrity attention contribute to (or detract from) our understanding of genocide and crimes against humanity?

**Week Twelve  4/23/2012  Final Discussion and Wrap-up**