

WWS591F
Slaughter & Burke-White

WWS 591F:
FALL 2003
THE ENFORCEMENT OF INTERNATIONAL CRIMINAL LAW

DEAN ANNE-MARIE SLAUGHTER & WILLIAM BURKE-WHITE

SYLLABUS

Week 1 (Sept. 16): Introduction to International Law

Introduction (1hr): Welcome, participant experiences & goals for task force

Lecture (1hr): The international Legal System: An Overview

The Assignment (1hr): Discussion of the client and assignment

Readings:

David J. Bederman, International Law Frameworks, Foundation Press (2001).

Jose E. Alvarez, "Crimes of States/Crimes of Hate: Lessons from Rwanda", 24 Yale Journal of International Law 365 (1999).

Week 2 (Sept. 23): Introduction to International Criminal Law

Lecture (1hr)

Guest Speaker: Larry Helfer,

Readings:

Antonio Cassese, International Criminal Law, Oxford (2003).

Martha Minow, Between Vengeance and Forgiveness: Facing History After Mass Violence, Beacon Press (1999).

Ruti Teitel, Transitional Justice, Oxford (2000) 27-67 (Criminal Justice).

Week 3 (Sept. 30): International Criminal Tribunals

Lecture (1hr): The Structure and Politics of International Criminal Tribunals

Seminar (2 hr): Discussion of questions/topics to be provided

Readings:

Gary Bass, Stay the Hand of Vengeance, Princeton (2002) 3-36, 147-310

Payam Akhavan, "Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities," 95 American Journal of International Law 7 (2001).

Statute of the International Criminal Court, available at <http://www.un.org/law/icc/>

Laurence Weschler, excerpt from The US and the International Criminal Court, Sarah B. Sewall, ed., (2000).

Anne-Marie Slaughter, "Tougher Than Terror; To fight international terrorism we need to strengthen our domestic and global system of criminal justice, not militarize it," The American Prospect, 28 Jan. 2002 p. 22.

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Week 4 (Oct. 7): Domestic Enforcement of International Criminal Law

Guest Speaker: Ruth Wedgewood

Lecture (1hr): The Structure and Politics of Domestic Enforcement of International Criminal Law

Readings:

William Burke-White, "A Community of Courts: Toward a System of International Criminal Law Enforcement", 24 Michigan Journal of International Law 1 (2002)

Steven J. Macdeco, Introduction to the Universal Jurisdiction Volume

Anne-Marie Slaughter, Universal Jurisdiction Article

Belgian Universal Jurisdiction Law, Original and Amended

Steven R. Ratner & Jason S. Abrams, Accountability for Human Rights Atrocities in International Law: Beyond the Nuremberg Legacy, 2nd Ed. Oxford 2001 151-186, 228-252

Pinochet Case (excerpts)

Special Meeting October 8th, 8pm – 9:30 pm, Robertson 005

Guest Speaker: Justice Richard Goldstone

Week 5 (October 14): The Congo

During week 5 we will investigate in detail the background, history, and politics of the Congo. In addition to the general readings, workshop participants will each examine a separate aspect of the country and situation and will be expected to give brief presentations to the group.

Guest Speaker: John Predergast, International Crisis Group

Research presentations and discussion (1 hours)

Research trip planning and preparation (1 hour)

Readings:

Adam Hochschild, King Leopold's Ghost (1999)

Crawford Young and Thomas Turner, Rise and Decline of the Zairian State (1985)

International Crisis Group reports on Congo, <http://www.intl-crisis-group.org/projects/reports.cfm?keyid=2>

Human Rights Watch reports on Congo, <http://www.hrw.org/africa/congo.php>

International Rescue Committee, Mortality in the Democratic Republic of the Congo. http://intranet.theirc.org/docs/drc_mortality_iii_full.pdf

Optional film screening: Lumumba

Week 6 (October 21): Comparative Study & Research Trip Planning

During Week 6 we will consider the various comparative cases of the domestic enforcement of international criminal law, paying particular detail to countries that will be visited as part of the field research trip. Workshop participants will be expected to engage in research into the justice initiatives, successes and failures in these countries and will give presentations to the group. Additional time will be spent preparing for field research travel.

Research presentations and discussion (1.5 hours)

Final travel planning (1.5 hours)

Readings:

TBA and individual research

Week 7 (Oct. 24 –Nov. 2): Field Research Travel

Field Research will be conducted during fall recess.

Recommended airplane reading: Joseph Conrad, Heart of Darkness

Week 8 (Nov. 4): Debriefing Session

During Week 8 workshop participants will discuss their field research experiences and share their preliminary findings with the group. Findings from different research trips will be compared and considered. We will identify areas where further research is needed. The basic shape and sections of our report to the client will be determined and drafting groups formed.

Field Research reports (2 hours)

General discussion (1 hour)

Readings:

As needed for research project

Week 9 (Nov 11): Research and Discussion

During Week 9 we will continue to discuss our research findings and move toward structured analysis of those findings. Drafting duties will be distributed amongst participants. Participants will be asked to provide written summaries of field research interviews and discussion papers based on their interviews and research to date.

Discussion of research (1.5 hours)

Presentation of research papers (1.5 hours)

Week 10 (Nov 18): Toward Preliminary Conclusions

During Week 10 we will outline the basic conclusions of our research for the client and continue developing the themes of the report. Time will be set aside for initial outlining and drafting.

Discussion of conclusions for report (1.5 hours)

Working time for drafting groups (1.5 hours)

Week 11 (Nov. 25): Report Drafting

During Week 11 we will engage in intensive report drafting. Workshop participants will have to submit and present drafts of their report sections to the group for discussion and editing.

Discussion of draft sections (1.5 hours)

Drafting and editing (1.5 hours)

Week 12 (Dec. 2): Drafting, Editing, and Presentation Preparation

During week 12 we will compile and edit the penultimate version of the report and prepare the presentation to the client. Significant work in and outside of class will be required to finalize the report. A practice presentation may be scheduled this week.

Week 13 (Dec. 9): Presentation and Delivery of Report to Client

At a time and place to be determined the final research report and formal presentation will be delivered to the client.