

Problems and Issues of Contemporary Africa:

Transitional Justice

PO 760 – Spring 2019

Tuesdays 3:30-6:15

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Office Hours: Tuesday 10-11
Thursday 12:30-2:00
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This seminar explores a central challenge for contemporary African societies: how to come to terms with histories of authoritarian rule and violence. As various African countries have sought to consolidate peace and promote democratic rule and stability, their responses to legacies of violence have ranged from the prosecution of perpetrators of violence to ignoring the past. In this course, we explore the diverse forms of transitional justice that have been applied in African cases, including domestic and international judicial action, truth commissions, memorialization and commemoration, and deliberate forgetting of the past. We look at the role of various actors in transitional justice, including states, the international community, and civil society. We focus both on the general theoretical issues and look in detail at specific African cases. We conclude by considering the most appropriate options for African countries still in the midst of conflict or having recently emerged from war or dictatorship.

In this course, we consider a variety of questions related to transitional justice: What social and political legacies do the experience of violence and autocratic rule leave behind? What are the best means to address the legacies of violence? What purpose do trials serve, and what impact do they have on democratization and reconciliation? What is the role of truth-telling in rebuilding societies? Must societies choose between truth and justice? What role does collective memory play in promoting reconciliation, and how much can collective memories be shaped by social policy? What happens if societies fail to address the legacies of a violent past? Are there ways in which transitional justice in Africa is unique? What should be the role of traditional justice mechanisms in transitional justice? What are the comparative advantages and disadvantages of international versus domestic interventions? What are the implications of transitional justice for sovereignty?

Objectives

By the end of this course, students should:

- Understand the various options for transitional justice, including international and domestic trials, truth commissions, hybrid institutions, memorials, and reparations as well as decisions to postpone or reject accountability measures;
- Have developed reasoned opinions about the impact and appropriateness of the diverse transitional justice options for various situations;
- Have a basic knowledge of the cases of Rwanda, South Africa, Sierra Leone, and Mozambique, Uganda, Burundi, and the Democratic Republic of Congo;
- Have stronger written and verbal communication skills, critical thinking skills, and research skills.

Requirements

- Participation – 30% of grade – Students are expected to come to class having completed all assigned readings and prepared to participate in class discussions. As a seminar, this class is dependent upon the active engagement of each student. The participation grade will also be based on participation in discussion on the Blackboard site for the class. Each student is expected to post comments, thoughts, or questions on the readings for the week each Tuesday night by 10 p.m. Please look over the postings by other students before coming to class so that we are prepared to engage in lively discussion.
- 2 Short Papers – 10% of grade each – Students are also required to write short critical reviews of two of the books from the recommended reading list. These 3-4 page reviews should both summarize and assess the main ideas, arguments, and contributions of each book. Students will be asked to give a 5-minute in-class presentation of each book they read, preferably during the relevant week. **Please complete at least one review essay by spring break.**
- Research Paper – 50% of grade – Each student is required to complete a substantial research paper on an aspect of transitional justice in Africa, looking either at a specific country we have not covered in the course as a case or looking in greater depth at one of the cases explored in the course. Comparative or thematic projects are also possible. Topics must be approved by the professor. Papers are due by 5 p.m. on Monday, May 6. Late papers will be marked down.

Reading Assignments

The vast majority of the readings are articles and book chapters that will be available electronically on Blackboard. During the semester we will also read the following books, which you should consider purchasing:

Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, Beacon Press, 1998.

Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions are Changing World Politics*, WW Norton, 2011.

Timothy Longman, *Memory and Justice in Post-Genocide Rwanda*, Cambridge University Press, 2017.

Richard A. Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*, Cambridge University Press, 2001.

Gabrielle Lynch, *Performances of Injustice: The Politics of Truth, Justice and Reconciliation in Kenya*, Cambridge: Cambridge University Press, 2018.

I. Introduction to Themes in Transitional Justice – January 22 - WEEK 1

Minow, *Between Vengeance and Forgiveness*, chapters 1 and 2.

International Center for Transitional Justice, “What is Transitional Justice?” ICTJ.org.

Recommended General Readings on Transitional Justice:

- Ruti Teitel, *Transitional Justice*, Oxford University Press, 2002.
- Leigh Payne, Tricia Olsen, and Andrew G. Reiter, *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy*, Washington: US Institute for Peace, 2010.
- Jon Elster, *Closing the Books: Transitional Justice in Historical Perspective*, Cambridge University Press, 2004.
- Hugo van der Merwe, Victoria Baxter, and Audrey R. Chapman, eds., *Assessing the Impact of Transitional Justice: Challenge for Empirical Research*, Washington: United States Institute for Peace, 2009.
- Joanna R. Quinn, *Reconciliation(s): Transitional Justice in Post-Conflict Societies*, Montreal: McGill-Queens University Press, 2009.
- Alexander Laban Hinton, ed., *Transitional Justice: Global Mechanisms and Local Realities after Genocide and Mass Violence*, New Brunswick: Rutgers University Press, 2010.
- Chandra Lekha Sriram and Suren Pillay, *Peace Versus Justice? The Dilemma of Transitional Justice in Africa*, Durban: University of KwaZulu Natal Press, 2009.
- Alexandra Barahona De Brito, Carmen González-Enriquez and Paloma Aguilar, eds., *The Politics of Memory: Transitional Justice in Democratizing Societies*, Oxford: Oxford University Press, 2001.
- Ariel Dorfman, *Death and the Maiden*, New York: Penguin Books, 1992.

II. Trials

A. Arguments For and Against Trials – January 29 – WEEK 2

- Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions are Changing World Politics*, WW Norton, 2011. Entire Book.
- Minow, *Between Vengeance and Forgiveness*, chapter 3.
- Bronwyn Anne Leebaw, “The Irreconcilable Goals of Transitional Justice,” *Human Rights Quarterly*, January 2008.

Recommended Readings on Trials:

- Aryeh Neier, *War Crimes: Brutality, Genocide, Terror, and the Struggle for Justice*, Crown, 1998.
- Mark A. Drumbl, *Atrocity, Punishment, and International Law*, Cambridge University Press, 2007.
- Ellen L. Lutz and Caitlin Reiger, eds., *Prosecuting Heads of State*, Cambridge: Cambridge University Press, 2009.
- Gary Jonathan Bass, *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals*, Princeton University Press, 2001.
- Philippe Sands, *From Nuremberg to the Hague: The Future of International Criminal Justice*, Cambridge University Press, 2003.
- Kingsley Chiedu Moghalu, *Global Justice: The Politics of War Crimes Trials*, Stanford University Press, 2008.
- Sterling Johnson, *Peace Without Justice: Hegemonic Instability or International Criminal Law?* Ashgate, 2003.
- Jane E. Stromseth, ed., *Accountability for Atrocities: National and International Responses*, Transnational Publishers, 2003.

- Jelena Subotic, *Hijacked Justice: Dealing with the Past in the Balkans*, Ithaca: Cornell University Press, 2009.
- Jessica Lincoln, *Transitional justice, peace and accountability : outreach and the role of international courts after conflict*, New York : Routledge, 2011.
- Adam M. Smith, *After Genocide: Bringing the Devil to Justice*, Prometheus Books, 2009.
- Robert Bellelli, ed., *International Criminal Justice: Law and Practice from the Rome Statute to Its Review*, Burlington, VT: Ashgate, 2010.
- Ralph Henman, Jane Simon, and Mark Findlay, eds., *Exploring the Boundaries of International Criminal Justice*, Burlington, VT: Ashgate, 2011.
- Tim Kelsall, *Culture under cross-examination : international justice and the special court for Sierra Leone*, Cambridge: Cambridge University Press, 2009.
- William Schabas, *The UN International Criminal Tribunals: The Former Yugoslavia, Rwanda, and Sierra Leone*, Cambridge University Press, 2006.
- Ellen L. Lutz and Caitlin Reiger, eds., *Prosecuting Heads of State*, Cambridge University Press, 2009.

B. The Rwandan Case I: The ICTR – February 5 – WEEK 3

- Alison des Forges and Timothy Longman, “Legal Responses to Genocide in Rwanda” in Eric Stover and Harvey Weinstein, eds., *My Neighbor, My Enemy: Justice and Community in the Aftermath of Atrocity*, Cambridge University Press, 2004.
- Payam Akhavan, “Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?” *The American Journal of International Law*, 95, 7, January 2001.
- Sam Szoke-Burke, “Avoiding Belittling of Human Suffering: A Retributivist Critique of ICTR Sentencing Practices,” *Journal of International Criminal Justice*, July 2012.
- Nigel Eltringham, “ ‘We Are Not a Truth Commission:’ Fragmented Narratives and the Historical Record at the International Criminal Tribunal for Rwanda,” *Journal of Genocide Research*, 2009.
- Jean Marie Kamatali, “The Challenge of Linking International Criminal Justice and National Reconciliation: The Case of the ICTR,” *Leiden Journal of International Law*, 2003.
- Leslie Haskell and Lars Waldorf, “The Impunity Gap for the International Criminal Tribunal for Rwanda: Causes and Consequences,” *Hastings International and Comparative Law Review*, Winter 2011.
- Binaifer Nowrojee, “ ‘Your Justice is too Slow:’ Will the International Criminal Tribunal for Rwanda Fail Rwanda’s Rape Victims?” in Donna Pankhurst, ed., *Gendered Peace: Women’s Struggles for Post-War Justice and Reconciliation*, 2007.

C. The Rwandan Case II: Gacaca – February 12 - WEEK 4

- Timothy Longman, *Memory and Justice in Post-Genocide Rwanda*, Cambridge University Press, 2017. Chapters 1, 4, 5, 6, 8, and 9.

Recommended Readings on Rwanda:

- Anuradha Chakravarty, *Investing in Authoritarian Rule: Punishment and Patronage in Rwanda’s Gacaca Courts for Genocide Crimes*, New York: Cambridge University Press, 2016.

- Phil Clark, *The Gacaca Courts, Post-Genocide Justice, and Reconciliation in Rwanda: Justice without Lawyers*, Cambridge: Cambridge University Press, 2010.
- Philip Clark and Zachary Kaufmann, *After Genocide: Transitional Justice, Post Conflict Reconstruction, and Reconciliation in Rwanda and Beyond*, New York: Columbia University Press, 2009.
- Thierry Cruvellier, *Court of Remorse: Inside the International Criminal Tribunal for Rwanda*, Madison: University of Wisconsin Press, 2010.
- Kristin Doughty, *Remediation of Rwanda: Harmony and Punishment in Grassroots Legal Forms*, Philadelphia: University of Pennsylvania Press, 2016.
- Bert Ingelaere, *Inside Rwanda's Gacaca Courts: Seeking Justice After Genocide*, Madison: University of Wisconsin Press, 2016.
- Nicholas A. Jones, *The Courts of Genocide: Politics and the Rule of Law in Rwanda and Arusha*, New York: Routledge, 2010.
- Kingsley Moghalu, *Rwanda's Genocide: The Politics of Global Justice*, New York: Palgrave, 2005.
- Elizabeth Neuffer, *The Key to My Neighbor's House: Seeking Justice in Bosnia and Rwanda*, Picador, 2002.
- Victor Peskin, *International Justice in Rwanda and the Balkans: Virtual Trials and the Struggle for State Cooperation*, Cambridge University Press, 2008.
- Scott Straus and Lars Waldorf, eds., *Remaking Rwanda: State Building and Human Rights after Mass Violence*, Madison: University of Wisconsin Press, 2011.

No Class February 19 – Substitute Monday

Research paper proposals due in class February 26.

D. The International Criminal Court – February 26 - WEEK 5

- Kirsten Ainley, “The Responsibility to Protect and the International Criminal Court: Counteracting the Crisis,” *International Affairs*, 2015.
- Beth A Simmons and Allison Danner, “Credible Commitments and the International Criminal Court,” *International Organization*, 2010.
- Kenneth A. Rodman and Petie Booth, “Manipulated Commitments: The International Criminal Court in Uganda,” *Human Rights Quarterly*, 2013.
- Marlies Glasius, “What Is Global Justice and Who Decides? Civil Society and Victim Responses to the International Criminal Court’s First Investigations,” *Human Rights Quarterly*, May 2009.
- Joseph M. Isanga, “The International Criminal Court Ten Years Later: Appraisal and Prospects,” *Cardozo Journal of International and Comparative Law*, 2013.
- Kurt Mills, “‘Bashir Is Dividing Us’: Africa and the International Criminal Court,” *Human Rights Quarterly*, 2012.
- Jeremy Sarkin, “Enhancing the Legitimacy, Status, and Role of the International Criminal Court Globally by Using Transitional Justice and Restorative Justice Strategies,” *Interdisciplinary Journal of Human Rights Law*, 2011.

Recommended Readings:

- Tim Allen, *Trial Justice: The International Criminal Court and the Lord's Resistance Army*, Zed, 2006.
- David L. Bosco, *Rough Justice: The International Criminal Court in a World of Power Politics*, Oxford University Press, 2014.
- Phil Clark, *Distant Justice: The Impact of the International Criminal Court on African Politics*, Cambridge: Cambridge University Press, 2018.
- T. Markus Funk, *Victims Rights and Advocacy at the International Criminal Court*, Oxford: Oxford University Press, 2015.
- Erik K. Leonard, *The Onset of Global Governance: International Relations Theory and the International Criminal Court*, London: Routledge, 2017.
- Luke Moffett, *Justice for Victims before the International Criminal Court*, London: Routledge, 2014.
- Steven C. Roach, ed., *Governance, Order, and the International Criminal Court: Between Realpolitik and a Cosmopolitan Court*, Oxford University Press, 2009.
- Jason G. Ralph, *Defending the Society of States: Why America Opposes the International Criminal Court and Its Vision of World Society*, Oxford University Press, 2007.
- William Schabas, *The International Criminal Court: A Commentary on the Rome Statute*, Oxford University Press, 2010, 2017.
- William Schabas, *An Introduction to the International Criminal Court*, Cambridge University Press, 4th Edition, 2011.
- Dinah Shelton, ed., *International Crimes, Peace, and Human Rights: The Role of the International Criminal Court*, Transnational, 2000.
- Carsten Stahn and Göran Sluiter, eds., *The Emerging Practice of the International Criminal Court*, Leiden: Nijhoff, 2009.
- Gerhard Werle, Lovell Fernandez, and Moritz Vormbaum, eds., *Africa and the International Criminal Court*, Asser Press, 2014.

E. International Justice and Sovereignty – March 2 – WEEK 6

- Letitia Lawson and Donald Rothchild, "Sovereignty Reconsidered," *Current History*, May 2005.
- Bruce Cronin, "The Tension Between Sovereignty and Intervention in the Prevention of Genocide," *Human Rights Review*, July 2007.
- Menno T. Kamminga, "Lessons Learned from the Exercise of Universal Jurisdiction in Response to Gross Human Rights Offenses," *Human Rights Quarterly*, 2001.
- David A. Nill, "National Sovereignty: Must it be Sacrificed to the International Criminal Court?" *BYU Journal of Public Law*, Fall 1999.
- Stephen D. Krasner, "Sovereignty and Intervention," in Gene M. Lyons and Michael Mastanduno, eds., *Beyond Westphalia? State Sovereignty and International Intervention*, Baltimore: The Johns Hopkins University Press, 1995.
- Stephen Krasner, "Sharing Sovereignty: New Institutions for Collapsed and Failing States," *International Security*, Fall 2004.
- Harvey Weinstein, Laurel Fletcher, Patrick Vinck, and Phuong Pham, "Stay the Hand of Justice: Whose Priorities Take Priority?" in Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence*, Palo Alto: Stanford University Press, 2010.

Recommended Readings:

Andrea Birdsall, *The International Politics of Judicial Intervention: Creating a More Just Order*, New York: Routledge, 2009.

Bruce Broomhall, *International Justice and the International Criminal Court: Between Sovereignty and the Rule of Law*, Oxford University Press, 2003.

Gene M. Lyons and Michael Mastanduno, eds., *Beyond Westphalia? State Sovereignty and International Intervention*, Baltimore: The Johns Hopkins University Press, 1995.

Trudy Jacobsen, Charles Sampford, and Ramesh Thakur eds., *Re-Envisioning Sovereignty: The End of Westphalia?* Surrey: Ashgate Publishing, 2008.

Stephen Krasner, *Sovereignty: Organized Hypocrisy*, Princeton: Princeton University Press, 1999.

Conor McCarthy, *Reparations and Victim Support in the International Criminal Court*, Cambridge University Press, 2012.

Spring Recess March 9-March 17

III. Truth Commissions

A. General Overview – March 19 – WEEK 7

Minow, *Between Vengeance and Forgiveness*, chapter 4.

Priscilla B. Hayner, “Fifteen Truth Commissions – 1974 to 1994: A Comparative Study,” *Human Rights Quarterly*, 1994.

Louis Bickford, “Unofficial Truth Projects,” *Human Rights Quarterly*, 2007.

Kimberly Theidon, “Justice in Transition: The Micropolitics of Reconciliation in Postwar Peru,” *The Journal of Conflict Resolution*, 2006.

Rosalind Shaw, “Rethinking Truth and Reconciliation Commissions: Lessons from Sierra Leone,” Special Report, Washington: United States Institute of Peace, February 2005.

Onur Bakiner, “One Truth Among Others? Truth Commissions Struggle for Truth and Memory,” *Memory Studies*, 2015.

John Ishiyama and Oluwagbemiso Laoye, “Do Truth Commissions Promote Trust in the Judiciary in African States?” *Journal of Asian and African Studies*, October 2014.

Recommended Readings:

Onur Bakiner, *Truth Commissions: Memory, Power, and Legitimacy*, Philadelphia: University of Pennsylvania Press, 2015.

Priscilla B. Hayner, *Unspeakable Truths: Facing the Challenges of Truth Commissions*, Routledge, 2nd edition, 2011.

Charles C. Jalloh, *Toward Greater Synergy Between Courts and Truth Commissions: Lessons from Sierra Leone*, Cambridge: Cambridge University Press, 2018.

Teresa Godwin Phelps, *Shattered Voices: Language, Violence, and the Work of Truth Commissions*, Philadelphia: University of Pennsylvania Press, 2006.

Robert I. Rotberg, *Truth vs. Justice: The Morality of Truth Commissions*, Princeton University Press, 2000.

Joanna R. Quinn, *The Politics of Acknowledgement: Truth Commissions in Uganda and Haiti*, Vancouver: University of British Columbia Press, 2010.

Alison Bisset, *Truth Commissions and Criminal Courts*, Cambridge University Press, 2012.
Amadu Sesay, *Does One Size Fit All? The Sierra Leone Truth and Reconciliation Commission Revisited*, Nordiska Afrikainstitutet, 2007.

B. Truth Commissions – The South African Case – March 26 – WEEK 8

Richard A. Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*, Cambridge University Press, 2001, entire book.
Michael Lapsley, “Confronting the Past and Creating the Future: The Redemptive Value of Truth Telling,” *Social Research*, winter 2001.
Pumla Gobodo-Madikizela, “Transitional Justice and Truth Commissions: Exploring Narratives of Repair in the post-Holocaust Era,” *Psychology, Crime, and Law*, April 2012.

Recommended Readings:

Alex Boraine, Janet Levy, and Ronel Scheffer, eds., *Dealing with the Past*, IDASA, 1997.
François du Bois and Antje du Bois-Pedain, eds., *Justice and Reconciliation in Post-Apartheid South Africa*, Cambridge University Press, 2008.
James L. Gibson, *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* New York: Sage, 2006.
Pumla Gobodo-Madikizela, *A Human Being Died that Night: A South African Story of Forgiveness*, Boston: Houghton Mifflin, 2003.
Lyn Graybill, *Truth and Reconciliation in South Africa: Miracle or Model?* Boulder: Lynne Reinner, 2002.
Rita Kesselring, *Bodies of Truth: Law, Memory, and Emancipation in Post-Apartheid South Africa*, Palo Alto: Stanford University Press, 2018.
Antjie Krog, *Country of My Skull: Guilt, Sorrow, and the Limits of Forgiveness in South Africa*, Three Rivers Press, 2000.
Desmond Tutu, *No Future without Forgiveness*, Image, 2000.

IV. Other Options – Ritual, Reparations, and Memorialization – April 2 – WEEK 9

Sverker Finnström, “Reconciliation Grown Bitter? War, Retribution, and Ritual Action in Northern Uganda,” in Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence*, Palo Alto: Stanford University Press, 2010.
Kasajja Phillip Apuuli, “Peace Over Justice: The Acholi Religious Leaders Peace Initiative (ARLPI) versus the International Criminal Court (ICC) in Northern Uganda,”
Agnieszka Szpak, “Indigenous Mechanisms of Transitional Justice as Complementary Instruments to State Justice Systems: Cases of *mato oput* in Uganda, *bashingantahe* Councils in Burundi and Navajos’ Custom of *naat’aani*,” *Polish Political Science Yearbook*, 2017.
Minow, *Between Vengeance and Forgiveness*, chapters 5 and 6.
Sabine Marschall, “Gestures of Compensation: Post-Apartheid Monuments and Memorials,” *Transformation*, 2004.
Timothy Longman, *Memory and Justice in Post-Genocide Rwanda*, Cambridge University Press, 2017. Chapters 2, 3, and 7.

Recommended Readings:

- Lidwien Kapteijns and Annemiek Richters, eds., *Mediations of Violence in Africa: Fashioning New Futures from Contested Pasts*, Leiden: Brill, 2010.
- Andrew Rice, *The Teeth May Smile but the Heart Does not Forget: Murder and Memory in Uganda*, Metropolitan Books, 2009.
- Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence*, Palo Alto: Stanford University Press, 2010.
- Sarah Nuttall and Carli Coetzee, eds., *Negotiating the Past: The Making of Memory in South Africa*, Cape Town: Oxford University Press, 1998.
- J.E. Tunbridge and G. J. Ashworth, *Dissonant Heritage: The Management of the Past as a Resource in Conflict*. Chichester ; New York : J. Wiley, 1996.
- Paul Ricoeur, *Memory, History, Forgetting*, Chicago and London: University of Chicago Press, 2004.
- John R. Gillis, *Commemorations: The Politics of National Identity*. Princeton: Princeton UP, 1994.
- Carla Ferstman, Mariana Goetz, Alan Stephens, eds., *Reparations for victims of genocide, war crimes and crimes against humanity : systems in place and systems in the making*, Boston: M. Nijhoff, 2009.
- Max du Plessis and Stephen Peté, eds., *Repairing the past? : International perspectives on reparations for gross human rights abuses*, Antwerp: Gaunt, 2007.

V. Willful Amnesia – The Mozambican Case – April 9 – WEEK 10

- M. Anne Pitcher, “Forgetting from Above and Memory from Below: Strategies of Legitimation and Struggle in Postsocialist Mozambique,” *Africa*, 2006.
- Jessica Schafer, “Guerrillas and Violence in the War in Mozambique: De-Socialization or Re-Socialization?” *African Affairs*, April 2001.
- Victor Igreja, “Traditional Courts and the Struggle Against State Impunity for Civil Wartime Offences in Mozambique,” *Journal of African Law*, April 2010.
- Victor Igreja, “Amnesty Law, Political Struggles for Legitimacy, and Violence in Mozambique,” *International Journal of Transitional Justice*, 2015.
- Lyn S. Graybill, “Pardon, punishment, and amnesia: Three African Post-Conflict Methods,” *Third World Quarterly*, October 2004.

Recommended Readings:

- Jessica Schafer, *Soldiers at Peace: Veterans and Society after the Civil War in Mozambique*, Palgrave, 2007.
- Boaventura de Sousa Santos, João Carlos Trindade, and Maria Paula Meneses, *Law and Justice in a Multicultural Society: The Case of Mozambique*, CODESRIA, 2006.
- Albie Sachs and Gita Honwana Welch, *Liberating the Law: Creating Popular Justice in Mozambique*, Zed Books, 1990.
- Carrie Manning, *The Politics of Peace in Mozambique: Post-Conflict Democratization, 1992-2000*, Westport, CT: Praeger, 2002.
- Todd Jeffrey French, ‘*Like Leaves Fallen by Wind: Landscape, Memory, and Post-Conflict Restoration in Mozambique*, BU Program in African Environment Working Paper, 2010.
- Chris Alden, *Mozambique and the Construction of the New African State: From Negotiations to Nation Building*, Palgrave, 2001.

VI. Searching for Solutions: Burundi and Central African Republic – April 16 – WEEK 11

- Sidney LeClercq, “Injustice through Transitional Justice? Subversion Strategies in Burundi’s Peace Process and Postconflict Developments,” *International Journal of Transitional Justice*, June 2017.
- Cyrus Samii, “Who Wants to Forgive and Forget? Transitional Justice Preferences in Post-War Burundi,” *Journal of Peace Research*, 2013.
- Yolande Bouka and Nanjala Nyabola, “The Crisis in Burundi and the Apathy of International Politics,” Heinrich-Böll-Stiftung, 2016.
- Bert Ingelaere and Dominik Kohlhagen, “Situating Social Imaginaries in Transitional Justice: The *Bashingantahe* in Burundi,” *International Journal of Transitional Justice*, March 2012.
- Andrea Purdekova, “Displacements of Memory: Struggles Against the Erosion and Dislocation of the Material Record of Violence in Burundi,” *International Journal of Transitional Justice*, July 2017.
- Patrick Vinck and Phuong Pham, “Building Peace, Seeking Justice: A Population-Based Survey on Attitudes About Accountability and Social Reconstruction in the Central African Republic,” Berkeley: Human Rights Center UC Berkeley, 2010.
- Patryk I Labuda, “The Special Criminal Court for the Central African Republic: Failure or Vindication of Complementarity?” *Journal of International Criminal Justice*, 2017.
- International Crisis Group, “Avoiding the Worst in the Central African Republic,” Brussels: ICG, 2017.

Recommended Readings:

- Patricia Daley, *Gender and Genocide in Burundi: The Search for Spaces of Peace in the Great Lakes Region*, Indiana University Press, 2007.
- Peter Uvin, *Life After Violence: A People’s Story of Burundi Today*, London: Zed, 2009.
- Kristina Bentley, *An African Peace Process: Mandela, South Africa, and Burundi*, HSRC Press, 2005.
- Marc Sommers, *Fear in Bongoland: Burundi Refugees in Urban Tanzania*, New York: Berghahn Books, 2001.
- Liisa Malkki, *Purity in Exile: Violence, Memory, and National Cosmology among Hutu Refugees in Tanzania*, Chicago: University of Chicago Press, 1995.
- Tatiana Carayannis and Louisa Lombard, eds., *Making Sense of the Central African Republic*, London: Zed Books, 2015.

VII. The Kenya Case – April 23 – WEEK 12

Guest Lecture by Gabrielle Lynch, 4 p.m., April 23.

Gabrielle Lynch, *Performances of Injustice: The Politics of Truth, Justice and Reconciliation in Kenya*, Cambridge: Cambridge University Press, 2018. Entire Book

Recommended Readings:

- Patricia Kamere Mbote and Migai Akech, *Kenya: Justice Sector and the Rule of Law*, Nairobi: Open Society Initiative for East Africa, 2011.

- Lionel Nichols, *The International Criminal Court and the End of Impunity in Kenya*, Springer International Publishing, 2015.
- Sostenes Francis Materu, *The Post-Election Violence in Kenya: Domestic and International Legal Responses*, The Hague: TMC Asser Press, 2015.
- Kamari Maxine Clarke, Abel S. Knottnerus, and Eefe de Volder, eds., *Africa and the ICC: Perceptions of Justice*, Cambridge: Cambridge University Press, 2016.
- Kimani Njogu, *Healing the Wound: Personal Narratives about the 2007 post-election Violence in Kenya*, Nairobi: Twaweza Communications, 2009.
- Christian Thibon, Mildred Ndeda, Marie-Aude Fouéré, and Susan Mwangi, eds., *Kenya's Past as Prologue: Voters, Violence, and the 2013 General Election*, Nairobi: Twaweza Communications, 2014.

VIII. Wrapping Up: The Future of Transitional Justice in Africa – April 30 – WEEK 13

- Paige Arthur, “How ‘Transitions’ Reshaped Human Rights: A Conceptual History of Transitional Justice,” *Human Rights Quarterly*, May 2009.
- Laurel Fletcher, Harvey Weinstein, with Jamie Rowen, “Context, Timing and the Dynamics of Transitional Justice: A Historical Perspective,” *Human Rights Quarterly* 2009.
- Tricia D. Olsen, Leigh Payne, and Andrew G. Reiter, “The Justice Balance: When Transitional Justice Improves Human Rights and Democracy,” *Human Rights Quarterly*, 2010.
- Payam Akhavan, “Are International Criminal Tribunals a Disincentive to Peace?: Reconciling Judicial Romanticism with Political Realism,” *Human Rights Quarterly*, 2009.
- Kimberly Lanegran, “Truth Commissions, Human Rights Trials, and the Politics of Memory,” *Comparative Studies of South Asia, Africa, and the Middle East*, 2005.
- Jennifer Widner, “Courts and Democracy in Postconflict Transitions: A Social Scientist’s Perspective on the African Case,” *The American Journal of International Law*, 2001.

Final research papers due Monday, May 6.

Additional Recommended Readings:

- Thomas Turner, *The Congo Wars: Conflict, Myth and Reality*, Palgrave, 2007.
- Séverine Autesserre, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding*, Cambridge: Cambridge University Press, 2010.
- David Kaulema, ed. *The Struggles After the Struggle (Zimbabwe)*, Washington: Council for Research in Values and Philosophy, 2008.
- Kenneth C. Omeje and Tricia M. Redeker Heffner, eds., *Conflict and Peacebuilding in the Great Lakes Region*, Indiana University Press, 2013.
- Jennifer J. Llewellyn and Daniel Philpott, *Restorative Justice, Reconciliation, and Peacebuilding*, Oxford University Press, 2014.
- T.W. Bennett, ed., *African Perspectives on Tradition and Justice*, Intersentia, 2012.