

# HISTORY 600 (001): GENOCIDE, WAR CRIMES TRIALS, AND HUMAN RIGHTS IN THE 20<sup>TH</sup> CENTURY



Defendants in the Dock at the Nuremberg International Military Tribunal

## Course Information

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Instructor:	Prof. Brandon Bloch ( <a href="mailto:bjbloch@wisc.edu">bjbloch@wisc.edu</a> )
Office Hours:	Tues. 1-3 p.m. or by appointment (Humanities 5118 or online)
Semester:	Spring 2023
Meeting Time:	Thurs. 1:20-3:15 p.m.
Location:	Humanities 2251
Modality:	In-person
Credits:	3
Requisites:	HISTORY 201 or HIST SCI 211
Course Designations:	Breadth – Either Humanities or Social Science Level – Advanced L&S Credit – Counts as Liberal Arts and Science credit in L&S Honors – Accelerated Honors
Website:	<a href="https://canvas.wisc.edu/courses/333044">https://canvas.wisc.edu/courses/333044</a>

## Course Description

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Why do genocides happen, and how should the international community respond? What motivates the states that target minority or indigenous groups for annihilation, and the perpetrators who carry out murder, deportation, and torture? What should happen to the perpetrators in the aftermath of genocide: Should they be summarily executed? Put on trial (by whom)? Allowed to quietly reintegrate into society? Why are certain acts of mass violence committed by belligerent states defined as “genocide” or “crimes against humanity,” and others as legitimate military operations? How can egregious violations of international law be prosecuted given unequal distributions of power in the international state system?

These questions provoked contentious debate across the twentieth century and remain urgent in our own time. Genocide—the targeted destruction of a national, ethnic, racial, or religious group—can be traced back to the earliest recorded history. Yet technological advancements, the centralization of state power, and new ideologies of racial purification meant that genocide remained prevalent in the twentieth-century world. At the same time, this century witnessed the first coordinated attempts to prevent genocide and bring the perpetrators to justice. New instruments of international law defined the crime of genocide; international war crimes tribunals handed down convictions for genocide and crimes against humanity; the Rome Statute of 1998 formed a permanent International Criminal Court to try “the gravest crimes of concern to the international community.”

This seminar examines the international tribunals created in response to five twentieth-century genocides: the Armenian genocide, the Holocaust, the Cambodian Khmer Rouge, the Rwanda genocide, and the mass killings during the Yugoslav wars. We conclude by examining the International Criminal Court, as well as recent proposals to create war crimes courts in response to the Russian invasion of Ukraine. We will investigate how war crimes tribunals shaped ideas about human rights and humanitarian intervention, and why they so often proved controversial. The focus of the course is on the trials themselves—their origins, operations, and legacies—but we will also seek to understand the underlying causes of genocide. In addition to analyzing historical scholarship and first-person accounts of genocide, there will be numerous opportunities to work with trial documents. The culminating assignment is an original research paper building on one of the cases studied in class.

## Learning Goals

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As a research seminar, this course focuses as much on historical content as on skills of historical thinking, research, and writing. We will devote significant class time to practicing these skills, which you will bring together to craft your final research paper.

By the end of the course, you will be able to:

- Identify the principal causes behind several twentieth-century genocides and how the international community responded
- Evaluate the promises and drawbacks of a comparative approach to genocide studies
- Explain how “war crimes,” “crimes against humanity,” and “genocide” are defined in international law and how these definitions have shifted over time
- Analyze the mechanisms by which international war crimes tribunals operate and the recurrent political controversies they provoke
- Assess the efficacy of war crimes trials for preventing genocide and fostering democratic reconstruction
- Apply your knowledge of twentieth-century history to address current debates about the International Criminal Court, ongoing genocides, and U.S. military policy
- Develop an original, persuasive, and evidence-based historical argument through research in primary sources

## Course Books

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Slavenka Drakulić, *They Would Never Hurt a Fly: War Criminals on Trial in the Hague* (New York: Penguin, 2004). ISBN: 9780143035428.

Philip Gourevitch, *We Wish to Inform You That Tomorrow We Will Be Killed With Our Families: Stories from Rwanda* (New York: Farrar, Straus, and Giroux, 1998). ISBN: 9780374286972.

Chanrithy Him, *When Broken Glass Floats: Growing Up Under the Khmer Rouge* (New York: Norton, 2000). ISBN: 9780393322101.

Adam Hochschild, *King Leopold’s Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa* (Boston: Houghton Mifflin Harcourt, 1999). ISBN: 9780618001903.

Mary Lynn Rampolla, *A Pocket Guide to Writing in History*, 9<sup>th</sup> ed. (Boston: Bedford/St. Martin’s 2018). ISBN: 9781319113025. [OPTIONAL]

These books are available for purchase at the University Book Store or online. Drakulić and Hochschild are available as e-books through the library catalog, but can only be read by two (Drakulić) or three (Hochschild) users at a time. The books are also placed on reserve at College Library in Helen C. White Hall. Rampolla is an optional but useful reference guide for writing research papers in history.

# Course Requirements

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\*Further details on all assignments, including expectations, guidelines, and rubrics, will be available on Canvas.

## 1. Discussion Participation (35%)

Because this is a discussion-based seminar, your regular attendance and engaged participation are crucial to the seminar's success. The most productive discussions happen when classmates engage respectfully and constructively with one another's ideas, and I will structure discussions to facilitate this dialogue. Keep in mind that the quality of your contributions to discussions is as important as the quantity, and that asking a well-informed question counts as participation. I recognize that participation may come more easily to some than others, and am happy to meet if you would like to discuss strategies for speaking in class.

During the first half of the semester (weeks 1-7), you will be asked to contribute a one-paragraph post to the Canvas discussion board after each class, reflecting on a key takeaway point and a question you have for the next session. Each post is due by 5 p.m. on the Friday after class. Discussion board posts will be evaluated complete/incomplete and will count toward your discussion participation grade.

If you need to miss class due to religious observance, illness, or personal or family emergency, please let me know in advance. In general, everybody will have one excused absence for any reason. If further absences are necessary, you may be asked to complete additional reading responses to make up for the missed classes.

## 2. Reading Response Essay (10%)

You will be asked to write an essay of 4-5 double-spaced pages on one week's readings between weeks 3-7. Reading questions will be distributed in advance each week; you can choose one to address in your essay. Essays should be submitted by the beginning of class, and may address that week's or the previous week's readings. The earliest opportunity for submitting the essay is Feb. 16 (week 4); the final deadline is March 9 (week 7). You are encouraged to use the reading response essay as an opportunity to explore possible themes for the research paper.

### 3. Research Paper (15% preparatory assignments; 40% final paper)

The culminating project is an original research paper of approximately 15 double-spaced pages, related to one of the genocides and/or war crimes tribunals we are studying. You will have wide latitude in selecting a topic. Because twentieth-century war crimes tribunals produced rich troves of readily accessible, English-language documentation, you are encouraged to choose the trial of a particular defendant as the launching point for your research. However, other framings are also possible. For instance, you might investigate an individual (judge, prosecutor, witness, etc.) who played a crucial role at a trial; explore the development of a legal principle (such as “conspiracy” or “crimes against humanity”) over time; or analyze the international politics behind one of the tribunals. The final paper is due on Thurs. May 11 at 5 p.m.

We will discuss expectations for this assignment at length in class. There are multiple intermediate assignments designed to keep you on track and provide you with ongoing feedback:

- Draft research question (due in class, March 9)
- Draft research proposal and annotated bibliography (due in class, March 23)
- Revised research proposal and annotated bibliography (due in class, March 30)
- Outline (due in class, April 13)
- Partial draft, at least 8 pp. (due Tues. April 25 at 5 p.m.)
- Peer review of group member’s draft (in-class, April 27)
- In-class presentation, 5 mins. (May 4)

Completion of the intermediate assignments will count for 10% of your course grade; the presentation on May 4 will count for 5%; and the final paper will count for 40%.

### Grading:

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A: 93-100	AB: 88-92	B: 83-87	BC: 78-82
C: 70-77	D: 60-69	F: Below 60	

### Credit Hours:

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The credit standard for this 3-credit course is met by an expectation of a total of 135 hours of student engagement with the course’s learning activities (at least 45 hours per credit, or 9

hours per week). This includes regularly scheduled meeting times, reading, writing, group work, individual consultations with the instructor, and other student work as described in the syllabus. Since we meet for **2 hours of direct instruction per week**, you should plan to allot an average of 7 hours per week outside of class for course-related activities.

## Late Work:

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If you are unable to meet an assignment deadline, please let me know as soon as possible and we can work out a plan for you to get caught up. The schedule of assignments is designed to allow you to choose in advance which weeks will require more work. Keeping this in mind as you plan out your semester can help you stay on track. In cases of unexcused late work, I reserve the right to apply a deduction to late assignments out of fairness to other members of the class. Typically this deduction will be 3 points (out of 100) per day late.

Please note that I am not able to accept any written work for this course after Friday, May 12, the last day of the exam period. Incomplete grades can only be granted to students who are unable to complete the final paper due to “illness or other unusual and substantiated cause beyond their control.” For the university policy, see: <https://registrar.wisc.edu/incompletes/>.

## Academic Integrity

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The exchange of ideas is at the core of academic inquiry, and you are welcome to discuss the course material with your classmates. However, all work that you submit for a grade should reflect your own thinking and writing, and adhere to proper citation practices in the discipline of history. Passing off another person’s words or ideas as your own is not only unfair to your peers; it is also theft of the original author’s work, shutting out their voice from the academic conversation. In addition, papers submitted for this course should not be generated by artificial intelligence! Submitting a paper created by ChatGPT or other AI software counts as plagiarism and will be handled accordingly.

In my experience, violations of academic integrity tend to have two causes: either a) lack of awareness about citation standards, or b) procrastination, followed by panic. I have designed the course to mitigate against both of these factors. We will have ongoing discussions about appropriate citation practices; if you’re unsure in a particular case, don’t hesitate to ask. I have also implemented scaffolding in the assignment structure, with preliminary assignments guiding you through the steps of the final paper. If you are worried about not finishing an assignment as a deadline approaches, please email me! We can always work out solutions to help improve your organization, and it’s much better to accept a late penalty (or turn in less than perfect work) than to cheat. If you plagiarize (and be assured that I will catch it—it’s really not difficult),

then I have to deal with the case as a disciplinary infraction rather than a learning opportunity. Serious academic misconduct must be reported to the Office of Student Conduct and Community Standards.<sup>1</sup>

## Technology

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Please come prepared to class with a laptop or other device that will allow you to access the Internet. We will occasionally incorporate technology into class discussions, including online discussion boards and shared google docs. Of course, I ask that you refrain from email or social media during class and use laptops for course purposes only. If you face challenges accessing the technology necessary to succeed in this course, please reach out as soon as possible.

## Accessibility

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I am committed to ensuring that all students receive equal access to the course materials and equitable opportunities to achieve the course learning goals. I have designed the course with the principles of accessibility and inclusion in mind. If you experience or anticipate any challenges related to the format, materials, or requirements of this course, please let me know as soon as possible. I am happy to explore a range of options for removing barriers to your learning. If you have a disability, or think you might have a disability, you may also wish to work with the McBurney Disability Resource Center (<https://mcburney.wisc.edu/>) to discuss accessibility in this and other courses, including possibilities for official accommodations. All communications regarding accessibility will remain confidential.

## A Note on Sources

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It goes without saying that this course addresses violent and graphic material. In class discussions, it is crucial that we remain respectful of one another's viewpoints and the wide range of backgrounds and experiences represented in the classroom. During the first seminar meeting, we will establish collective discussion norms that will guide us over the semester. In general, if you disagree with a classmate (and debate and disagreement are encouraged!), then be sure to direct your comments at the idea, not the person. It is often helpful to summarize a peer's idea before disagreeing, to ensure you have really understood it. Please do not hesitate to meet with me if you have concerns about particular aspects of the course content.

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<sup>1</sup> I have developed these thoughts on academic dishonesty with reference to: Kevin Gannon, "How to Create a Syllabus: Advice Guide," *The Chronicle of Higher Education*, accessed July 14, 2020, <https://www.chronicle.com/interactives/advice-syllabus>.

## Additional Resources

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UW-Madison and the History Department make available a wide range of resources to foster your academic success and personal wellbeing. It's a good idea to familiarize (or re-familiarize) yourself with the following:

### University Writing Center

<http://www.writing.wisc.edu/>

Individual consultations, workshops, and online guides on all aspects of academic writing.

### History Lab

<http://go.wisc.edu/hlab>

A resource center for undergraduates in history courses staffed by experienced graduate students, who are available to assist you with researching and writing history papers. You can sign up online for an individual consultation at any stage of the writing process.

### Greater University Tutoring Services

<https://guts.wisc.edu/>

Study skills support and peer tutoring across academic subjects.

### McBurney Disability Resource Center

<https://mcburney.wisc.edu/>

Contact the McBurney Center if you have or think you may have a disability to discuss a range of possible accommodations.

### Mental Health Services

<https://www.uhs.wisc.edu/mental-health/>

### Resources on Sexual Assault and Domestic Violence

UW–Madison is committed to fostering a safe, productive learning environment and offers a variety of resources for students impacted by sexual assault, sexual harassment, dating violence, domestic violence, and stalking. The Dean of Students Office has compiled a comprehensive guide to resources on and off campus, including both confidential resources and options for reporting: <https://doso.students.wisc.edu/report-an-issue/sexual-assault-dating-and-domestic-violence/>.



# Course Schedule

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Readings and assignments are due by the beginning of class on the date listed, unless otherwise indicated. Guidelines and rubrics for all assignments will be posted on Canvas. All readings, except for those in the course books, will also be available on Canvas. See the “Modules” tab for week-by-week links.

## **Week 1 (Jan. 26): Introduction: Defining the Terms**

### Reading:

- Ai Weiwei, “Capitalism and ‘Culturecide,’” *New York Times*, January 13, 2020
- Philippe Sands, “What the Inventor of the Word ‘Genocide’ Might Have Said About Putin’s War,” *New York Times*, April 28, 2022
- Kristina Hook, “Why Russia’s War in Ukraine Is a Genocide,” *Foreign Affairs*, July 28, 2022

### Assignment:

- Discussion board post due Jan. 27 at 5 p.m.

## **Week 2 (Feb. 2): Genocide and Colonialism**

### Reading:

- Hochschild, *King Leopold’s Ghost*, intro., chs. 6, 8, 10-12, 14-16, 19
- Nicolas Afolembe, “Oral History regarding Conditions in the Equateur District” (ca. 1885-1908)
- Hague Convention “Respecting the Laws and Customs of War on Land” (1907), excerpt

### Assignment:

- Discussion board post due Feb. 3 at 5 p.m.

## **Week 3 (Feb. 9): Armenian Genocide and Ottoman Trials**

### Reading:

- Karnig Panian, *Goodbye, Antoura: A Memoir of the Armenian Genocide* (2015), chs. 1-4
- Gary Bass, *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals* (2000), chap. 4
- “Judgment from the Military Tribunal on the Bayburt Deportation” (1920)

Assignment:

- Discussion board post due Feb. 10 at 5 p.m.

**Week 4 (Feb. 16): The Holocaust and the Politics of Post-Nazi Justice**

Reading:

- Raphael Lemkin, “Genocide,” in *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (1944)
- “Charter of the International Military Tribunal” (1945)
- Excerpts from the International Military Tribunal: Opening Statements of Robert Jackson, Hartley Shawcross, and Roman Rudenko; Testimonies of William F. Walsh, Abram Suzkever, Rudolf Höss, Hermann Goring, and Alfred Thoma (1945-46)
- Bass, *Stay the Hand of Vengeance*, chap. 5

Assignment:

- Discussion board post due Feb. 17 at 5 p.m.
- First opportunity for submitting reading response essay

**Week 5 (Feb. 23): The Cambodian Genocide & Khmer Rouge Perpetrators on Trial**

Reading:

- Him, *When Broken Glass Floats*, chs. 1-6, 9-14
- FILM: Rithy Panh, dir., “Duch: Master of the Forges of Hell” (2012), excerpts
- Stéphanie Giry, “Necessary Scapegoats: The Making of the Khmer Rouge Tribunal,” *New York Review of Books*, July 23, 2012

Assignment:

- Discussion board post due Feb. 24 at 5 p.m.

**Week 6 (March 2): Nuremberg Redux? Genocide and “Victors’ Justice” at The Hague**

Reading:

- Drakulić, *They Would Never Hurt a Fly*, intro., chs. 1, 5-8, 12
- UN Security Council Resolutions 808, 827 (1993)
- Statute of the International Criminal Tribunal for the Former Yugoslavia, Art. 1-10 (1993)

Assignment:

- Discussion board post due March 3 at 5 p.m.

**Week 7 (March 9): Postcolonial Genocide: The Case of Rwanda**

Reading:

- Gourevitch, *We Wish to Inform You That Tomorrow We Will Be Killed With Our Families*, pp. 1-144, 242-255, 342-353
- International Criminal Tribunal for Rwanda, Judgment on Jean-Paul Akayesu (1998), paras. 12, 112-129, 698-707
- Video testimonies of Eugenie Mukeshimana and Josephine Murebwayire

Assignment:

- Bring draft research question to class (no submission)
- Discussion board post due March 10 at 5 p.m.
- Final opportunity for submitting reading response essay

\*SPRING BREAK

**Week 8 (March 23): The Question of U.S. Intervention**

Reading:

- Samantha Power, *"A Problem from Hell": America and the Age of Genocide*, preface, chs. 10-11 (2002)

Assignment:

- Draft research proposal and annotated bibliography (due in class)

**Week 9 (March 30): Writing Workshop (I): Research Proposals**

Assignment:

- Individual meetings with Prof. Bloch to discuss research proposal (March 27 or 28)
- Revised research proposal and annotated bibliography (due in class)

**Week 10 (April 6): The International Criminal Court and the U.S. in the Post-9/11 Era**

Reading:

- David Bosco, *Rough Justice: The International Criminal Court in a World of Power Politics* (2014), pp. 38-77
- Marc Grossmann, "American Foreign Policy and the International Criminal Court" (2002)
- Rome Statute of the International Criminal Court (2002), Art. 1-15

**Week 11 (April 13): Writing Workshop (II): Outlines**

Assignment:

- Outline of research paper (due in class)

**Week 12 (April 20): Genocide in the Contemporary World**

Reading:

- TBD. We will select several short articles, videos, and/or websites addressing ongoing genocides, war crimes, and proposals for legal redress. Students will be invited to participate in selecting the readings and topics to be covered during this week.

**Week 13 (April 27): Writing Workshop (III): Drafts**

Assignment:

- Partial draft of research paper, at least 8 pp. (due April 25 at 5 p.m.)

**Week 14 (May 4): Research Presentations**

Assignment:

- In-class presentation on research paper, 5 mins.

**\*Final paper due Thurs. May 11 at 5 p.m.**