

**RUTGERS THE STATE UNIVERSITY
GENOCIDE, WAR CRIMES AND INTERNATIONAL LAW
DR. RICHARD M. O'MEARA
26 478 587-02
W 5-7:50**

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GENERAL DESCRIPTION: The international Criminal Court is neither the beginning nor the end of attempts by the international community to regulate the conduct of belligerents and obtain international justice. This course will examine the concept of international justice as it relates to the crime of genocide specifically and war crimes generally. The concepts and procedures with which international tribunals wrestle today are the result of centuries of thought and action and form the basis of institutional activities which will attempt to regulate the worst of human behavior in the future.

REQUIRED TEXTS:

Arendt, Hannah, *Eichmann In Jerusalem: A Report On the Banality of Evil*, New York: Penguin Books, 1964.

Bartov, Omer, *Hitler's Army, Soldiers, Nazis, and War in the Third Reich*, New York: Oxford University Press, 1992.

Anderson, David L. ed. *Facing MyLai, Moving Beyond the Massacre*, Lawrence, Kansas: University of Kansas Press, 1998.

Power, Samantha, *A Problem From Hell, America and the Age of Genocide*. New York: Harper, 2002.

RECOMMENDED READING:

- **NO LESSONS LEARNED FROM THE HOLOCAUST? ASSESSING RISKS OF GENOCIDE AND POLITICAL MASS MURDER SINCE 1955 AMERICAN POLITICAL SCIENCE REVIEW. VOL. 97, NO. 1. FEBRUARY 2003.**
- **HARFF, B. AND T. R. GURR (1988). "TOWARD EMPIRICAL THEORY OF GENOCIDES AND POLITICIDES: IDENTIFICATION AND MEASUREMENT OF CASES SINCE 1945." INTERNATIONAL STUDIES QUARTERLY 32: 359-371.**
- **WHAT REALLY HAPPENED IN RWANDA? CHRISTIAN DAVENPORT AND ALLAN C. STAM.**
- **REYNTJENS, F. (2004). "RWANDA, TEN YEARS ON: FROM GENOCIDE TO DICTATORSHIP." AFRICAN AFFAIRS 103(411): 177-210.**
- **BRYSK, ALISON. 1994. "THE POLITICS OF MEASUREMENT: THE CONTESTED COUNT OF THE DISAPPEARED IN ARGENTINA." HUMAN RIGHTS QUARTERLY 16: 676-92.**
- **DAVENPORT, C. AND P. BALL (2002). "VIEWS TO A KILL: EXPLORING THE IMPLICATIONS OF SOURCE SELECTION IN THE CASE OF GUATEMALAN STATE TERROR, 1977-1996." JOURNAL OF CONFLICT RESOLUTION 46(3): 427-450.**
- **KRAIN, M. (1997). "STATE-SPONSORED MASS MURDER: A STUDY OF THE ONSET AND SEVERITY OF GENOCIDES AND POLITICIDES." JOURNAL OF CONFLICT RESOLUTION 41(3): 331-360.**

- ANDREOPOULOS, GEORGE J., ED. (1994). GENOCIDE: CONCEPTUAL AND HISTORICAL DIMENSIONS. UNIVERSITY OF PENNSYLVANIA PRESS. ISBN 0-8122-3249-6.
- BALL, P., P. KOBRAK, AND H. SPIRER (1999). STATE VIOLENCE IN GUATEMALA, 1960–1996: A QUANTITATIVE REFLECTION. WASHINGTON, D.C.: AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.
- CHALK, FRANK; KURT JONASSOHN (1990). THE HISTORY AND SOCIOLOGY OF GENOCIDE: ANALYSES AND CASE STUDIES. YALE UNIVERSITY PRESS. ISBN 0-300-04446-1.
- CHARNY, ISRAEL W. (1 DECEMBER 1999). ENCYCLOPEDIA OF GENOCIDE. ABC-CLIO INC. ISBN 0-87436-928-2.
- CONVERSI, DANIELE (2005). "GENOCIDE, ETHNIC CLEANSING, AND NATIONALISM". IN GERARD DELANTY, KRISHAN KUMAR (EDS). HANDBOOK OF NATIONS AND NATIONALISM. VOL. 1. LONDON: SAGE PUBLICATIONS. PP. 319–333. ISBN 1-4129-0101-4.
- GOLDHAGEN, DANIEL (2009). WORSE THAN WAR: GENOCIDE, ELIMINATIONISM, AND THE ONGOING ASSAULT ON HUMANITY. PUBLICAFFAIRS. P. 672. ISBN 1-58648-769-8.
- HARFF, BARBARA (AUGUST 2003). EARLY WARNING OF COMMUNAL CONFLICT AND GENOCIDE: LINKING EMPIRICAL RESEARCH TO INTERNATIONAL RESPONSES. WESTVIEW PRESS. ISBN 0-8133-9840-1.
- HOCHSCHILD, ADAM (1998). KING LEOPOLD'S GHOST: A STORY OF GREED, TERROR, AND HEROISM IN COLONIAL AFRICA. HOUGHTON MIFFLIN HARCOURT. ISBN 0-395-75924-2.
- HOROWITZ, IRVING (2001). TAKING LIVES: GENOCIDE AND STATE POWER (5TH ED.). TRANSACTION PUBLISHERS. ISBN 0-7658-0094-2.
- JONASSOHN, KURT; KARIN BJÖRNSSON (1998). GENOCIDE AND GROSS HUMAN RIGHTS VIOLATIONS. TRANSACTION PUBLISHERS. ISBN 1-56000-314-6.
- JONES, ADAM (2010). GENOCIDE: A COMPREHENSIVE INTRODUCTION. ROUTLEDGE. ISBN 0-415-48619-X.
- KELLY, MICHAEL J. (2005). NOWHERE TO HIDE: DEFEAT OF THE SOVEREIGN IMMUNITY DEFENSE FOR CRIMES OF GENOCIDE & THE TRIALS OF SLOBODAN MILOSEVIC AND SADDAM HUSSEIN. PETER LANG. ISBN 0-8204-7835-0.
- KIERNAN, BEN (2007). BLOOD AND SOIL: A WORLD HISTORY OF GENOCIDE AND EXTERMINATION FROM SPARTA TO DARFUR. YALE UNIVERSITY PRESS. ISBN 0-300-10098-1.
- LABAN, ALEXANDER (2002). GENOCIDE: AN ANTHROPOLOGICAL READER. BLACKWELL PUBLISHING. ISBN 0-631-22355-X.
- LEVENE, M. (2005). GENOCIDE IN THE AGE OF THE NATION STATE. NEW YORK, PALGRAVE MACMILLAN.
- LEWY, GUENTER (2012). ESSAYS ON GENOCIDE AND HUMANITARIAN INTERVENTION. UNIVERSITY OF UTAH PRESS. ISBN 978-1-60781-168-8.
- MAMDANI, M. (2001). WHEN VICTIMS BECOME KILLERS: COLONIALISM, NATIVISM, AND THE GENOCIDE IN RWANDA. PRINCETON, N.J., PRINCETON UNIVERSITY PRESS.
- POWER, SAMANTHA (2003). "A PROBLEM FROM HELL": AMERICA AND THE AGE OF GENOCIDE. HARPER PERENNIAL. ISBN 0-06-054164-4.
- ROTBERG, ROBERT I.; THOMAS G. WEISS (1996). FROM MASSACRES TO GENOCIDE: THE MEDIA, PUBLIC POLICY, AND HUMANITARIAN CRISES. BROOKINGS INSTITUTION PRESS. ISBN 0-8157-7590-3.
- RUMMEL, R.J. (MARCH 1997). DEATH BY GOVERNMENT. TRANSACTION PUBLISHERS. ISBN 1-56000-927-6.
- SHAW, MARTIN (2007). WHAT IS GENOCIDE?. CAMBRIDGE: POLITY PRESS. ISBN 0-7456-3182-7.
- SUNGA, LYAL S. (1997). THE EMERGING SYSTEM OF INTERNATIONAL CRIMINAL LAW: DEVELOPMENTS IN CODIFICATION AND IMPLEMENTATION. KLUWER. ISBN 90-411-0472-0.
- SUNGA, LYAL S. (1992). INDIVIDUAL RESPONSIBILITY IN INTERNATIONAL LAW FOR SERIOUS HUMAN RIGHTS VIOLATIONS. SPRINGER. ISBN 0-7923-1453-0.
- TOTTEN, SAMUEL; WILLIAM S. PARSONS, AND ISRAEL W. CHARNY (2008). CENTURY OF GENOCIDE: CRITICAL ESSAYS AND EYEWITNESS ACCOUNTS (3RD ED.). ROUTLEDGE. ISBN 0-415-99085-8.

- **STAUB, ERVIN (1989). THE ROOTS OF EVIL: THE ORIGINS OF GENOCIDE AND OTHER GROUP VIOLENCE. NEW YORK: CAMBRIDGE UNIVERSITY PRESS. 978-0521-42214-7**
- **STAUB, ERVIN (2011). OVERCOMING EVIL: GENOCIDE, VIOLENT CONFLICT AND TERRORISM. NEW YORK: OXFORD UNIVERSITY PRESS. 978-0-19-538204-4**
- **VALENTINO, BENJAMIN A. (2004). FINAL SOLUTIONS: MASS KILLING AND GENOCIDE IN THE 20TH CENTURY. CORNELL UNIVERSITY PRESS. ISBN 0-8014-3965-5.**
- **WEITZ, ERIC D. (2003). A CENTURY OF GENOCIDE: UTOPIAS OF RACE AND NATION. PRINCETON UNIVERSITY PRESS. P. 360. ISBN 0-691-12271-7.**
- **"PREVENTING GENOCIDE AND MASS KILLING: THE CHALLENGE FOR THE UNITED NATIONS" (PDF). ARCHIVED FROM THE ORIGINAL ON 3 JULY 2007. PDF (366 KB), REPORT BY MINORITY RIGHTS GROUP INTERNATIONAL, 2006**
- **RUMMEL, R. J.(1991) CHINA'S BLOODY CENTURY: GENOCIDE AND MASS MURDER SINCE 1900. RUTGERS, NEW JERSEY: TRANSACTION PUBLISHERS.**
- **RUMMEL, R. J.(1994) DEATH BY GOVERNMENT: GENOCIDE AND MASS MURDER IN THE TWENTIETH CENTURY, NEW JERSEY: TRANSACTION PUBLISHERS.**
- **RUMMEL, R. J.(1997) STATISTICS OF DEMOCIDE. CENTER ON NATIONAL SECURITY AND LAW, UNIVERSITY OF VIRGINIA, 1997: ENTIRE. REPUBLISHED BY LIT VERLAG, MÛSTER, GERMANY IN 1998 AND DISTRIBUTED IN NORTH AMERICA BY TRANSACTION PUBLISHERS.**
- **SCHMID, A. P. (1991). REPRESSION, STATE TERRORISM, AND GENOCIDE: CONCEPTUAL CLARIFICATIONS. STATE ORGANIZED TERROR: THE CASE OF VIOLENT INTERNAL REPRESSION. P. T. BUSHNELL. BOULDER, COLO., WESTVIEW PRESS: x, 312 P.**
- **VAN DEN BERGHE, P. L. (1990). STATE VIOLENCE AND ETHNICITY. NIWOT, COLO., UNIVERSITY OF COLORADO PRESS.**

- **ROBERT CRYER (2007). AN INTRODUCTION TO INTERNATIONAL CRIMINAL LAW AND PROCEDURE. CAMBRIDGE UNIVERSITY PRESS. ISBN 978-0-521-87609-4.**
- **MALCOLM N. SHAW (NOVEMBER 24, 2008). INTERNATIONAL LAW. CAMBRIDGE UNIVERSITY PRESS. ISBN 978-0-521-72814-0. RETRIEVED NOVEMBER 14, 2010.**
- **YÔRÂM DINSTEIN (2004). THE CONDUCT OF HOSTILITIES UNDER THE LAW OF INTERNATIONAL ARMED CONFLICT. CAMBRIDGE UNIVERSITY PRESS. ISBN 978-0-521-54227-2. RETRIEVED NOVEMBER 14, 2010.**
- **GARY D. SOLIS (2010). THE LAW OF ARMED CONFLICT: INTERNATIONAL HUMANITARIAN LAW IN WAR. CAMBRIDGE UNIVERSITY PRESS. ISBN 978-0-521-87088-7. RETRIEVED NOVEMBER 14, 2010.**
- **"INTERNATIONAL CRIMINAL JURISDICTION". INTERNATIONAL COMMITTEE OF THE RED CROSS.**
- **"CAMBODIA TRIBUNAL MONITOR". NORTHWESTERN UNIVERSITY SCHOOL OF LAW CENTER FOR INTERNATIONAL HUMAN RIGHTS AND DOCUMENTATION CENTER OF CAMBODIA. RETRIEVED DECEMBER 17, 2008.**
- **BURNS, JOHN (JANUARY 30 2008). "QUARTER, GIVING NO". CRIMES OF WAR PROJECT. RETRIEVED DECEMBER 17, 2008.**
- **"WAR CRIMES: VIDEOS, FORUMS AND COMMUNITIES". WAR CRIMES LIMITED (UK). 2008.**
- **"VIDEO: NOT A WAR CRIMINAL". RETRIEVED DECEMBER 17, 2008.**

- **WAR CRIMES: RESPONSIBILITY AND THE PSYCHOLOGY OF ATROCITY**
- **HUMAN RIGHTS FIRST; COMMAND'S RESPONSIBILITY: DETAINEE DEATHS IN U.S. CUSTODY IN IRAQ AND AFGHANISTAN**
- **CRIMES OF WAR PROJECT**
- **ROME TREATY OF THE INTERNATIONAL CRIMINAL COURT**
- **SPECIAL COURT FOR SIERRA LEONE**
- **UN INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA**
- **UN INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**
- **AD-HOC COURT FOR EAST TIMOR**
- **LANKA'S KILLING FIELDS: WAR CRIMES UNPUNISHED**

- **ROBERTS, ADAM AND GUELFF, RICHARD (EDITORS); DOCUMENTS ON THE LAWS OF WAR; THIRD EDITION; OXFORD UNIVERSITY PRESS; ISBN 0-19-876390-5**
- **TEXTS AND COMMENTARIES OF 1949 GENEVA CONVENTIONS & ADDITIONAL PROTOCOLS**
- **MICHAEL WALZER, JUST AND UNJUST WARS: A MORAL ARGUMENT WITH HISTORICAL ILLUSTRATIONS, 2ND EDITION. (NEW YORK: BASIC BOOKS, 1997)**
- **JAMES TURNER JOHNSON, JUST WAR TRADITION AND THE RESTRAINT OF WAR: A MORAL AND HISTORICAL INQUIRY. (NEW JERSEY: PRINCETON UNIVERSITY PRESS, 1981)**
- **ALEX MOSELEY, "JUST WAR THEORY", IN THE INTERNET ENCYCLOPEDIA OF PHILOSOPHY (2009, ACCESSED FEBRUARY 3, 2003)**
- **LAMB, A., 2013. "ETHICS AND THE LAWS OF WAR: THE MORAL JUSTIFICATION OF LEGAL NORMS", ROUTLEDGE**

COURSE REQUIREMENTS: Students are required to read selected chapters of the texts; research and present an issue study; summarize and discuss four articles/books and take a final examination. Mastery of the subject will be assessed by a combination of tests, presentations, written summaries and class participation.

Examination: 30%

Article summaries 20%

Book summaries 20%

Attendance 10%

Issue study and presentation: 20%

GOAL: Students will be able to:

- Define and discuss the concept of international justice;**
- Identify the historical threads which form the basis for contemporary international justice institutions; and**
- Recognize the difficulties faced by the international community in the regulation of the conduct of war.**

ATTENDANCE: Students are required to attend all sessions of the class. Papers are turned in and discussed during class, presentations are made, and articles are distributed. Those who are unable to commit to attendance should find another course to take.

GENERAL NOTES: All students are expected to abide by the College's policy on academic honesty. Cheating and plagiarism are unacceptable and will be punished.

All written material submitted will be consistent with your status as university scholars. It will not be hand written, it must answer the question asked, must be footnoted where appropriate, and must be edited. Again, poorly communicated answers will be graded accordingly.

Students with disabilities who need special accommodation for this class are encouraged to meet with me or the appropriate disability service provider on campus as soon as possible. In order to receive accommodation, students must be registered with the appropriate disability service provider and must follow the College procedure for self-disclosure. Students will not be afforded any special accommodation for academic work completed

prior to disclosure of the disability and, at the discretion of the College, prior to the completion of the documentation process with the appropriate disability service officer.

GRADING: Grading is done on a scale as follows:

A: 94-100

A-: 90-93

B+: 88-89

B: 84-87

B-: 80-83

C+: 78-79

C: 74-77

C-: 70-72

D: 65-69

F: 64 and below

CLASS SCHEDULE AND ASSIGNMENTS

WEEK ONE: (SEP4) Introduction and Administration; Assignment of Hot Topics. Assignment of Article 1 (Jus post bellum)

WEEK TWO: (SEP 11) LECTURE TWO; INTRODUCTION TO INTL LAW, DISCUSSION OF WAR; GENOCIDE AND INTERNATIONAL LAW (REVIEW JUS POST BELLUM.) Summary of Article 1. Hot Topics.

WEEK THREE: (SEP 18) LECTURE THREE: Emerging Concepts of the Law of War and Failure of Enforcement after World War 1; Hot Topics. Read Powers, *A Problem From Hell*.

WEEK FOUR: (SEP 25) LECTURE FOUR: World War 11 and the Concept of Total War; Summary of due; Hot Topics. Read Bartov, *Hitler's Army*

WEEK FIVE: (OCT 2) LECTURE FIVE: the Nuremberg Legacy (1) Crimes of WW11 and the Concept of International Tribunals; Hot Topics; (movie: Nuremberg)

WEEK SIX: (OCT 9) LECTURE SIX the Nuremberg Legacy (2) The Human Rights Regime; Nuremberg Principles; Emerging concepts of Genocide; Hot Topics.

WEEK SEVEN: (OCT 16) LECTURE SEVEN The Nuremberg Legacy (3); Institutionalization and Organization of the Law of War: The Hague and Geneva Conventions; Read *Eichmann in Jerusalem*; Hot Topics.

WEEK EIGHT: (OCT 23) LECTURE EIGHT Limited war and the rules of engagement/law of war in the 21st century/sovereignty and international law/ the law of war continuum; Hot Topics. Read Anderson, *Facing My Lai*.

WEEK NINE: (OCT 30) LECTURE EIGHT CONT; Hot Topics. Summary of Article 3 due. Issue Papers due. Read Phillippe, *From Nuremberg to the Hague*.

WEEK TEN: (NOV 6); LECTURE EIGHT CONT; Hot Topics. Summary of Article 3 due. Issue Papers due.

WEEK ELEVEN: (NOV 13) LECTURE NINE Genocide in the Post WW11 era; Hot Topics. Case studies: Cambodia, Rwanda, Bosnia, Darfur, Syria)

WEEK TWELVE: (NOV 20) LECTURE TEN Genocide in the post-WW11 era ; Human Rights and the International Criminal Court; Hot Topics.

WEEK THIRTEEN: (NOV 27) Presentations as assigned.

WEEK FOURTEEN: (DEC 4) Presentations as assigned; Hot Topics.

WEEK FIFTEEN: (DEC 11) Presentations as assigned; Review for final examination.

**RUTGERS, THE STATE UNIVERSITY
ETHNIC VIOLENCE AND NATIONALISM
26:428-587-01
DR. RICHARD M. O'MEARA
FALL 2013
CLASS MEETS: W11:00-1:45
CON 445**

TELEPHONE: 609-618-1479

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GENERAL DESCRIPTION: This course presents an overview of those factors and influences which lead to ethnic conflict traditionally and especially since the end of the Cold War. It defines and examines the concept of nationalism and its relationship to ethnic conflict and it reviews the strategies and values which permit some cultural groups to live in harmony while others descend into violence and widespread destruction of human life.

REQUIRED TEXTS:

Raymond C. Taras & Rajat Ganguly, *UNDERSTANDING ETHNIC CONFLICT, THE INTERNATIONAL DIMENSION* (New York: Pearson, 2009 4th ed.) ISBN 0205742300.

Samantha Power, *A PROBLEM FROM HELL, AMERICA AND THE AGE OF GENOCIDE* (New York: Harper, 2002). ISBN 0-06-054164-4.

RECOMMENDED READING

- ANDERSON, BENEDICT (1983). *IMAGINED COMMUNITIES: REFLECTIONS ON THE ORIGIN AND SPREAD OF NATIONALISM*. LONDON: VERSO. ISBN 0-86091-059-8.
- BILLIG, MICHAEL (1995). *BANAL NATIONALISM*. LONDON: SAGE. ISBN 0-8039-7525-2.
- DELANTY, GERARD; KUMAR, KRISHAN, EDS. (2006). *THE SAGE HANDBOOK OF NATIONS AND NATIONALISM*. LONDON: SAGE PUBLICATIONS. ISBN 1-4129-0101-4.
- LEOUSSI, ATHENA S., ED. (2001). *ENCYCLOPEDIA OF NATIONALISM*. NEW BRUNSWICK, N.J: TRANSACTION PUBLISHERS. ISBN 0-7658-0002-0.
- MILLER, DAVID (1995). *ON NATIONALITY*. OXFORD: OXFORD UNIVERSITY PRESS. ISBN 0-19-828047-5.
- MOTYL, ALEXANDER, ED. (2001). *ENCYCLOPEDIA OF NATIONALISM 1*. SAN DIEGO: ACADEMIC PRESS. ISBN 0-12-227230-7.
- SNYDER, LOUIS L. (1990). *ENCYCLOPEDIA OF NATIONALISM*. NEW YORK: PARAGON HOUSE. ISBN 1-55778-167-2.
- SPIRA, THOMAS, ED. (1999). *NATIONALISM AND ETHNICITY TERMINOLOGIES: AN ENCYCLOPEDIA DICTIONARY AND RESEARCH GUIDE*. GULF BREEZE, FL: ACADEMIC INTERNATIONAL PRESS. ISBN 0-87569-205-2.
- BREUILLY, JOHN (1994). *NATIONALISM AND THE STATE*. CHICAGO: UNIVERSITY OF CHICAGO PRESS. ISBN 0-226-07414-5.
- GREENFELD, LIAH (1992). *NATIONALISM: FIVE ROADS TO MODERNITY*. CAMBRIDGE, MASS: HARVARD UNIVERSITY PRESS. ISBN 0-674-60318-4.
- HOBSBAWM, ERIC J. (1992). *NATIONS AND NATIONALISM SINCE 1780: PROGRAMME, -MYTH, REALITY (2ND ED.)*. CAMBRIDGE: CAMBRIDGE UNIVERSITY PRESS. ISBN 0-521-43961-2.
- JAMES, PAUL (1996). *NATION FORMATION: TOWARDS A THEORY OF ABSTRACT COMMUNITY*. LONDON: SAGE. ISBN 0-7619-5072-9.
- JUSDANIS, GREGORY (2001). *THE NECESSARY NATION*. PRINCETON: PRINCETON UNIVERSITY PRESS. ISBN 0-691-07029-6.
- MALESEVIC, SINISA (2006). *IDENTITY AS IDEOLOGY: UNDERSTANDING ETHNICITY AND NATIONALISM*. BASINGSTOKE [ENGLAND]: PALGRAVE MACMILLAN. ISBN 1-4039-8786-6.
- MISCEVIC, NENAD (1 JUNE 2010). "NATIONALISM". *STANFORD ENCYCLOPEDIA OF PHILOSOPHY*. STANFORD UNIVERSITY.
- "NATIONS AND NATIONALISM". *HARVARD ASIA PACIFIC REVIEW* 11 (1). SPRING 2010. ISSN 1522-1113.
- ÖZKIRIMLI, Umut (2010). *THEORIES OF NATIONALISM: A CRITICAL INTRODUCTION (2ND ED.)*. NEW YORK: PALGRAVE MACMILLAN. ISBN 0-230-57732-6.
- WHITE, PHILIP L.; WHITE, MICHAEL LEE (2008). "NATIONALITY: THE HISTORY OF A SOCIAL PHENOMENON". *NATIONALITY IN WORLD HISTORY*.
- ^ HOROWITZ, DONALD L. (1985). *ETHNIC GROUPS IN CONFLICT*. BERKELEY, CA: UNIVERSITY OF CALIFORNIA PRESS. p. 57. ISBN 0520053850.
- ^ CORNELL, STEPHEN; HARTMANN, DOUGLAS (1998). *ETHNICITY AND RACE: MAKING IDENTITIES IN A CHANGING WORLD*. THOUSAND OAKS, CA: PINE FORGE. p. 59. ISBN 0761985018.
- ^ SCHLICHTING, URSEL (1997). "CONFLICT BETWEEN DIFFERENT NATIONALITIES: CHANCES FOR AND LIMITS TO THEIR SETTLEMENT". IN KLINKE, ANDREAS; RENN, ORTWIN; LEHNERS, JEAN PAUL. *ETHNIC CONFLICTS AND CIVIL SOCIETY*. ALDERSHOT: ASHGATE. ISBN 1840144556.
- ^ SMITH, DAN (2003). "TRENDS AND CAUSES OF ARMED CONFLICTS". IN AUSTIN, ALEXANDER; FISCHER, MARTINA; ROPERS, NORBERT. *BERGHOF HANDBOOK FOR CONFLICT TRANSFORMATION*. BERLIN: BERGHOF RESEARCH CENTRE FOR CONSTRUCTIVE CONFLICT MANAGEMENT.
- ^ MAMDANI, MAHMOOD (2001). *WHEN VICTIMS BECOME KILLERS: COLONIALISM, NATIVISM, AND THE GENOCIDE IN RWANDA*. PRINCETON, NJ: PRINCETON UNIVERSITY PRESS. ISBN 0691058210.
- TOFT, MONICA DUFFY (2003). *THE GEOGRAPHY OF ETHNIC VIOLENCE: IDENTITY, INTERESTS, AND THE INDIVISIBILITY OF TERRITORY*. PRINCETON, NJ: PRINCETON UNIVERSITY PRESS. ISBN 0691113548.
- HUNTINGTON, SAMUEL P. (1993). "THE CLASH OF CIVILIZATIONS?". *FOREIGN AFFAIRS* 72 (3): 22–49.
- KAPLAN, ROBERT D. (1994). "THE COMING ANARCHY". *THE ATLANTIC MONTHLY* 273 (2): 44–76.

- WALLENSTEEN, PETER; SOLLENBERG, MARGARETA (1995). "AFTER THE COLD WAR: EMERGING PATTERNS OF ARMED CONFLICT 1989–94". JOURNAL OF PEACE RESEARCH 32 (3): 345–360. doi:10.1177/0022343395032003007.
- HARBOM, LOTTA; WALLENSTEEN, PETER (2005). "ARMED CONFLICT AND ITS INTERNATIONAL DIMENSIONS, 1946–2004". JOURNAL OF PEACE RESEARCH 42 (5): 623–635.
- GILLEY, BRUCE (2004). "AGAINST THE CONCEPT OF ETHNIC CONFLICT". THIRD WORLD QUARTERLY 25 (6): 1155–1166. doi:10.1080/0143659042000256959.
- FOX, JONATHAN (2002). "ETHNIC MINORITIES AND THE CLASH OF CIVILIZATIONS: A QUANTITATIVE ANALYSIS OF HUNTINGTON'S THESIS". BRITISH JOURNAL OF POLITICAL SCIENCE 32 (3): 415–434. doi:10.1017/S0007123402000170.
- CHIOZZA, GIACOMO (2002). "IS THERE A CLASH OF CIVILIZATIONS? EVIDENCE FROM PATTERNS OF INTERNATIONAL CONFLICT INVOLVEMENT, 1946–97". JOURNAL OF PEACE RESEARCH 39 (6): 711–734. JSTOR 1555255.
- KALYVAS, STATHIS N. (2006). THE LOGIC OF VIOLENCE IN CIVIL WAR. NEW YORK: CAMBRIDGE UNIVERSITY PRESS. ISBN 0521854091.
- MEYJES, GREGORY PAUL P. (2012). "MULTI-ETHNIC CONFLICTS IN U.S. MILITARY THEATRES OVERSEAS: INTERCULTURAL IMPERATIVES". IN FRANKE, VOLKER; DORFF, ROBERT H. CONFLICT MANAGEMENT AND 'WHOLE OF GOVERNMENT': USEFULL TOOLS FOR U.S. NATIONAL SECURITY STRATEGY. CARLISLE, PA: STRATEGIC STUDIES INSTITUTE, U.S. ARMY WAR COLLEGE. PP. 381–438. ISBN 1584875240.
- MCGARRY, JOHN; O'LEARY, BRENDAN (1993). "INTRODUCTION: THE MACRO-POLITICAL REGULATION OF ETHNIC CONFLICT". THE POLITICS OF ETHNIC CONFLICT REGULATION: CASE STUDIES OF PROTRACTED ETHNIC CONFLICTS. LONDON: ROUTLEDGE. PP. 1–40. ISBN 041507522X.

REQUIREMENTS: Students are required to read selected chapters of the texts; research and present an issue study, summarize and discuss four assigned articles and take a final examination. Mastery of the subject will be assessed by a combination of tests, presentations, written summaries and class participation as follows:

Attendance/Class participation: 10%

Examination: 30%

Article summaries: 40%

Issue Study/Presentation: 20%

GOALS: Students will be able to:

- a. Map the evolution of ethnic violence in the 20th and 21st centuries;
- b. Demonstrate the relationship between nationalism and ethnic violence;
- c. Differentiate strategies and conditions which have impacted positively and negatively on ethnic tensions.

ATTENDANCE: Students are required to attend all sessions of the class. Papers are turned in and discussed during class, presentations are made, and articles are distributed. Those who are unable to commit to attendance should find another course to take.

GENERAL NOTES: All students are expected to abide by the College's policy on Academic Honesty. Cheating and plagiarism are unacceptable and will be punished.

All written material submitted will be consistent with your status as university scholars. It will not be hand-written, it must answer the question asked, must be footnoted where appropriate, and must be edited. Poorly communicated answers will be graded accordingly.

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C: 74-77

C-: 70-72

D: 65-69

F: 64 and below

CLASS SCHEDULE AND ASSIGNMENTS

WEEK ONE: (Sep. 4)-Introduction and Administration. Assignment of Hot Topics. Assignment of Article 1. What is 'nationalism'? What is 'ethnicity'?

WEEK 2: (Sep. 11)-Hot Topics. Ethnic Nations and Ethnic Nationalism. Summary of Article 1 due. Taras Chpt 1.

WEEK 3: (Sep. 18)-Hot Topics. The Rise of Civic Nationalism. Assignment of Issue Studies. Assignment of Article 2.

WEEK 4: (Sep. 25)-Hot Topics. The Politics of Nationalism before Globalization. Summary of Article 2 due.

WEEK 5: (Oct 2)-Hot Topics. The Etiology of Ethnic Polarization and Conflict.

WEEK 6: (Oct 9)-Hot Topics. Ethnic Conflict and International Norms: Taras Chpt 2. Power Preface and Chpt 1. Assignment of Article 3.

WEEK 7: (Oct. 16)-Hot Topics. Ethnic Conflict and International Security. Summary of Article 3 due. Taras Chpt 3.

WEEK 8: (Oct. 23)-Hot Topics. Conflict through International Intervention. Taras Chpt 4. Power Chpt 9. Assignment of article 4.

WEEK 9: (Oct. 30)-Hot Topics. Resolving Ethnic Conflicts through Local and National Interventions. Summary of Article 4 due. Taras Chpt 4.

WEEK 10: (Nov.6)-Hot Topics. Ethnic Cleansing and genocide. Selected Cases Cambodia, Rwanda, Kosovo and Darfur. Power Chpts 6,10,12.

WEEK 11: (Nov. 13)-Hot Topics. Ethnic Conflicts That Don't Make the News. Selected cases Germany, Russia, Australia, Vietnam and Iraq. Presentation Papers due.

WEEK 12: (Nov. 20)-Hot Topics. Fixing Conditions for Ethnic Cooperation. Presentations as assigned. Taras Chpt 9, 10.

WEEK 13: (Nov. 27, Thanksgiving)-Hot Topics. Presentations as assigned.

WEEK 14: (Dec. 4)-Hot Topics. Presentations as assigned.

WEEK 15: (Dec.11)-Hot Topics. Presentations as assigned. Preparation for Final Examination.

**RUTGERS, THE STATE UNIVERSITY
DIVISION OF GLOBAL AFFAIRS
PROFESSOR RICHARD M. O'MEARA
26-478-539
CONTEMPORARY ISSUES IN INTERNATIONAL LAW
FALL 09
CLASS MEETS THURS 6:00-8:40
9/3-12/10**

TELEPHONE: 609-618-1479

EMAIL: (best way to get me) omearar@msn.com

REQUIRED READING:

Malcolm N. Shaw, *International Law*, Cambridge University Press, 6th ed (2008)

Jack Goldsmith, *The Terror Presidency*, Norton (2007)

Articles and Documents as assigned

REQUIREMENTS: Students are required to read selected chapters of the text; research and present a paper regarding a selected international law issue (20 Pages); summarize and discuss assigned articles and documents and take a final examination. Mastery of the subject will be assessed by a combination of tests, presentations, written summaries and class participation as follows:

ATTENDANCE/CLASS PARTICIPATION: 10%

EXAMINATION: 30%

ARTICLE/DOCUMENT SUMMARIES: 30%

ISSUE PAPER AND PRESENTATION: 30%

Goal: Students will be able to:

- a. Understand the basis of the human project of international law:
- b. Assess and critique contemporary efforts towards the articulation, institutionalization, and enforcement of international laws and norms;
- c. Consider the success and failure of international law efforts in specified areas.

GENERAL NOTES: All students are expected to abide by the University's policy on academic honesty. Cheating and plagiarism are unacceptable and will be punished.

All written material submitted will be consistent with your status as university scholars. It will not be hand written and it must answer the question asked, contain appropriate footnotes, and otherwise be presented in an organized fashion. Poorly communicated answers will be graded accordingly.

GRADING:

A-91-100

B+-88-89

B-84-87

B—80-83

C+-78-79

C-70-77

D-65-69

F-64 and below

CLASS SCHEDULE AND ASSIGNMENTS

WEEK ONE: (Sep 3); Introduction and administration. Why study International law? What is law? Assignment of presentation topics; Shaw 1-260.

WEEK TWO: (Sept 10); THE NATURE AND DEVELOPMENT OF INTERNATIONAL LAW; hot topics; assignment of article 1.

WEEK THREE: (Sep 17); THE SUBJECTS OF INTERNATIONAL LAW, SOURCES AND THEIR RELATIONSHIP TO MUNICIPAL LAW; Summary of article 1 due; hot topics.

WEEK FOUR: (Sep 24): ISSUES OF RECOGNITION AND TERRITORY; hot topics; assignment of article 2.

WEEK FIVE: (Oct 1): THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS; Shaw 1204-1332; hot topics, Summary of article 2 due.

WEEK SIX: (Oct 8); THE LAW OF THE SEA AND AIR: Shaw 553-638; Assignment of article 3; hot topics.

WEEK SEVEN: (Oct 15); Summary of article 3 due; hot topics

WEEK EIGHT: (Oct 22): INTERNATIONAL LAW AND THE USE OF FORCE; Shaw 1118-1159; Assignment of article 4; hot topics. Read Goldsmith, *The Terror Presidency*.

WEEK NINE: (Oct 29): HUMANITARIAN LAW AND THE LAW OF HUMAN RIGHTS; Shaw 1167-1199 and 1167-120; Summary of article 4 due; hot topics. Presentation papers due.

WEEK TEN: (Nov 5): GLOBAL ENVIRONMENTAL LAW AND INSTITUTIONS; Article 5 assigned; hot topics. Presentations as assigned.

WEEK ELEVEN: (Nov 12): THE FUTURE OF INTERNATIONAL LAW AND INSTITUTIONS; Summary of article 5 due; hot topics. Presentations as assigned.

WEEK TWELVE: (Nov 19): Presentations as assigned.

WEEK THIRTEEN: Nov 26): Thanksgiving

WEEK FOURTEEN: (Dec 3); Presentations as assigned.

WEEK FIFTEEN: (Dec 10); Preparation for final examination; Presentations as assigned.

The Nuremberg Trials and Their legacy for the International Legal Community.

Dr. Richard M. O'Meara

The Nuremberg trials of 1945-1949 including the Trial of Major War Criminals and the subsequent twelve Trials of War Criminals before the Nuremberg Military Tribunal (IMT) have been lauded as a remarkable set of legal events which continue to resonate as the International community struggles with the task of setting procedural and substantive standards for the articulation, institutionalization and enforcement of international legal principles regarding the arbitrary use of force on a mass scale. Not without their faults, these trials continue to be recognized as the base-line from which international criminal courts, ethical principles at the bar and in the medical community, and enforcement regimes have been implemented. This course examines the trials themselves and evaluates their goals, successes and failures. It further looks at the myriad legal challenges which these trials have informed including the international tribunals which have been formed in their wake. Finally, it assesses the strengths and weaknesses of the International Criminal Court, the IMT's successor institution.

Professor Richard O'Meara is an international lawyer and trial attorney with a PhD in Global Affairs from Rutgers University. He is also a retired Brigadier General, USA, who spent a career in the Infantry and the Judge Advocate General's Corps where he trained soldiers to conduct war crimes investigations and taught rule of law and international justice issues to civilian and military constituents in such diverse locations as Moldova, Ukraine, Slovenia, Bosnia, Chad, Rwanda, Guiana, Sierra Leone, the Philippines, Thailand, Cambodia, Peru, Panama, El Salvador, Honduras, and Iraq

**RUTGERS, THE STATE UNIVERSITY
DIVISION OF GLOBAL AFFAIRS
DR. RICHARD M. O'MEARA
26-478-520**

*The Nuremberg Trials and Their legacy for the International Legal
Community.
Wednesdays 1:00*

TELEPHONE: 609-618-1479

EMAIL: (best way to get me) omearar@msn.com

REQUIRED READING:

Robert E. Conot, *Justice at Nuremberg*, Carroll & Graff Publishers (New York: 1984), ISBN: 0-88184-032-7.

Pierre Hazan, *Justice In a Time of War, The True Story Behind the International Criminal Tribunal for the Former Yugoslavia*, trans M. Cherif Bassiouni, Texas A&M University Press (college Station:2004)

Articles and Documents as assigned.

REQUIREMENTS: Students are required to read selected chapters of the assigned works; research and present a paper regarding a selected international justice problem (20 Pages); summarize and discuss assigned articles and documents and take a final examination. Mastery of the subject will be assessed by a combination of tests, presentations, written summaries and class participation as follows:

ATTENDANCE/CLASS PARTICIPATION: 10%

EXAMINATION: 30%

ARTICLE/DOCUMENT SUMMARIES: 30%

ISSUE PAPER AND PRESENTATION: 30%

Goal: Students will be able to:

- a. Understand the basis of the human project of international justice:
- b. Assess and critique contemporary efforts towards the articulation, institutionalization, and enforcement of international laws and norms in the courts;
- c. Consider the success and failure of international courts.

GENERAL NOTES: All students are expected to abide by the University's policy on academic honesty. Cheating and plagiarism are unacceptable and will be punished.

All written material submitted will be consistent with your status as university scholars. It will not be hand written and it must answer the question asked, contain appropriate footnotes, and otherwise be presented in an organized fashion. Poorly communicated answers will be graded accordingly.

GRADING:

A-91-100

B+-88-89

B-84-87

B—80-83

C+-78-79

C-70-77

D-65-69

F-64 and below

Class Schedule

WEEK ONE Jan 23) The Idea of International Justice and International Law. Read Conot; Assignment of article 1 (). Assignment of Hot Topics.

WEEK TWO (Feb 6) Hot topics; Summary of Article 1 due.. Nuremberg the process problem; Nuremberg the substantive problem. Movies.

WEEK THREE (Feb 13) Hot topics; Nuremberg, the follow on trials

WEEK FOUR (Feb 20) Hot topics; Assignment of article 2();

WEEK FIVE (Feb 27) Hot topics; Summary of article 2 due

WEEK SIX (Mar 6) Hot topics; Precursors to the ICTY

WEEK SEVEN (Mar 13) Hot Topics; The ICTY; Assignment of article 3 () Read Hazan.

WEEK EIGHT (Mar 20) Semester break!

WEEK NINE (Mar 27) Hot Topics; Summary of Article 3 due; The ICTR

WEEK TEN (Apr 3) Hybrid problems, courts and solutions. Assignment of Article 4 ().; Presentation papers due;

WEEK ELEVEN (Apr 10) Hot Topics; Summary of Article 4 due; The Rome Statute and the ICC.

WEEK TWELVE (Apr 17) Hot topics; Presentations as assigned; Current cases before the ICC.

WEEK THIRTEEN (Apr 24); Hot Topics; Presentations as assigned; The Legacy of Nuremberg.

WEEK FOURTEEN (May 1) Presentations as assigned; A final look; Preparation for Final examination.

**RUTGERS UNIVERSITY
DIVISION OF GLOBAL AFFAIRS
DR. RICHARD M. O'MEARA
26:478:521**

COURSE SYNOPSIS

AMERICAN SECURITY POLICY AND SUB-SAHARAN AFRICA

This course examines American security policy as it relates to Sub-Saharan Africa since the end of the Cold War and especially since the advent of the *War on Terrorism*. Particular attention is paid to the American security apparatus which has evolved in order to respond to divergent policy initiatives including security, resource development, failed- state maintenance, and globalization.

Standard texts will provide students with a general history of the African continent and contemporary issues. Required texts: and Kevin Shillington's HISTORY OF AFRICA. NY: St. Martin's, 1996. And Dambisa Moyo, DEAD AID. United State policy considerations will be reviewed in a series of articles provided by the Professor.

Students are required to review and summarize assigned readings; prepare a regional study for presentation to the class; and take a final examination.

Dr. O'Meara has received appointments in the History and Political Science Departments of a number of universities including Kean University and Monmouth University, where he has taught security and foreign policy courses. He presently teaches in the Division of Global Affairs at Rutgers University and in the Holocaust and Genocide Studies Program at Richard Stockton College where he examines issues of ethnic violence and international law. He has also served as a Resident Fellow, Stockdale Center for Ethical Leadership, United States Naval Academy. He holds a PhD from Rutgers University in Global Affairs, a Juris Doctorate from Fordham University and MAs in History and International Relations. He is also a graduate of the United States Army War College, the Army Command and General Staff College and various courses in Peace-keeping at the United Nations. He has worked in the Department of Defense in various capacities including Assistant to the Army General Counsel and as a Brigadier General in the U.S. Army Judge Advocate General's Corps. He also serves as Adjunct Faculty to the Defense Institute for International Legal Studies and has traveled in that capacity to such diverse locations as Chad, Rwanda, Kenya, Guinea, Sierra Leone, Ukraine, Vietnam, Moldova, Israel, Slovenia, Bosnia, Thailand, the Philippines, Panama, Honduras, Peru, El Salvador, and Iraq where he consulted with the Iraqi Commission on Public Integrity regarding investigative techniques and integrity systems management.

**RUTGERS, THE STATE UNIVERSITY
DIVISION OF GLOBAL AFFAIRS
AMERICAN SECURITY INTERESTS IN SUB-SAHARAN ARICA
DR. RICHARD M. O'MEARA
26-478-521
SPRING 2013
CLASS MEETS WED
4:30-7:15
1/23/2013-5/1/2013**

TELEPHONE: 609-618-1479

EMAIL: (best way to get me) omeaarar@msn.com

SUGGESTED READING:

Kevin Shillington, *History of Africa* (rev ed.).Oxford: Macmillan Education, 1995. ISBN 0333 59957 8;

Dambisa Moyo, *Dead Aid, Why Aid is Not Working and How There is Another Way*. Farrar, Straus & Giroux (New York: 2009) ISBN: 13:978-0-374-13956-8

Articles as assigned.

REQUIREMENTS: Students are required to read selected chapters of the texts; research and present a regional study (20 pages); summarize and discuss assigned articles; and take a final examination. Mastery of the subject will be assessed by a combination of tests, presentations, written summaries and class participation as follows:

ATTENDANCE/CLASS PARTICIPATION: 10%

EXAMINATION: 30%

ARTICLE SUMMARIES: 30%

REGIONAL STUDY: 30%

GOAL: Students will be able to:

- a. consider Sub-Saharan Africa in the context of history and geo-politics;
- b. identify American security and foreign policy interests;
- c. assess and critique contemporary and future US foreign policy decisions regarding Sub-Saharan Africa.

GENERAL NOTES: All students are expected to abide by the University's policy on academic honesty. Cheating and plagiarism are unacceptable and will be punished.

All written material submitted will be consistent with our status as university scholars. It will not be hand written and it must answer the question asked. It must be footnoted where appropriate and it must be edited. Poorly communicated answers will be graded accordingly.

GRADING:

A-91-100

B+-88-89

B-84-87

B—80-83

C+-78-79

C-70-77

F-64 and below

CLASS SCHEDULE AND ASSIGNMENTS

WEEK ONE (JAN 23)-Introduction and administration. Why study Africa? Assignment of hot topics. Geography matters.

WEEK TWO (JAN 30)-Hot topics; Africa before the West; Shillington Chpts 1-11; **Assignment of Article 1.**

WEEK THREE (FEB 6)-Hot Topics; Summary of article 1 due. Sub-Saharan Africa and colonialism. Shillington Chpts 12-25;

WEEK FOUR (FEB 13)-Hot Topics; US Foreign policy from WW1 to the end of the Cold War; Shillington Chpts 24-27. Shillington Chpt 28.

WEEK FIVE (FEB 20)-Hot Topics; US Foreign Policy from WW1 to the end of the Cold War (cont); **Assignment of article 2.**

WEEK SIX (FEB 27)-Hot Topics; African development since the end of the Cold War.

WEEK SEVEN (MAR3)-Hot topics; US foreign policy in *the war on terror*.

WEEK EIGHT(MAR 10)-Hot topics; The question of dependence and aid; **Moyo summarydue.**

WEEK NINE (MAR 17) SEMESTER BREAK!

WEEK TEN (MAR 24) Hot topics; Selected topics. **Presentation papers due.**
Assignment of article 3.

WEEK ELEVEN (APR 3) Hot topics; Selected topics; Summary of article 3 due. Presentations as assigned.

WEEK TWELVE (APR10) Hot topics; Selected topics; Presentations as assigned.

WEEK THIRTEEN (APR17) Hot topics; Selected topics; **Assignment of article 4;**
Presentations as assigned.

WEEK FOURTEEN (APR 24) Hot topics; Selected topics; Presentations as assigned.

WEEK FIFTEEN (MAY 1)-Hot topics; Selected topics; Presentations as assigned; Prep for final.