

Spring 2020
POLS
Transitional Justice

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The University of Chicago
M: 9:30-12:20
ZOOM

Nalepa office hours: Mondays 1:30 - 3:00pm CST
Bates office hours: Tuesdays 3:00 - 4:30pm CST

Course Description

This course is an introduction to Transitional Justice (TJ), or the study of how new democracies deal with members and collaborators of former authoritarian regimes. In an era of democratic backsliding, getting TJ right cannot be overstated. When fragile new democracies are at risk of reverting back to dictatorship, the question arises: Can mechanisms set up by new democracies to deal with former authoritarian elites prevent such backsliding from happening? Or is backsliding occurring despite extensive TJ provisions? The class will introduce students a newly released dataset on Global Transitional Justice. Students will be encouraged and trained to conduct statistical analysis of their own to test hypotheses about the causes and effects of various transitional justice mechanisms. This course will be delivered entirely via Zoom (see below).

Zoom

Zoom is an online platform for holding meetings. You will receive an email inviting you to join the meeting every Monday morning prior to class. Please familiarize yourself with this software and make sure you know how to join and participate: <https://its.uchicago.edu/zoom-video-tutorials/>

Requirements

Class participation

Engagement with weekly readings: You are expected both to have completed and reflected on all the weekly readings before each class. For weeks 2-9, students will be required to

circulate written responses to the readings by midnight on the Friday prior to class. These responses can include both questions about and reactions to the readings, and should be no longer than one page in length. You should upload your reactions to the appropriate folder on Piazza (“Assignment 1,” “Assignment 2,” etc.) no later than the Friday prior to class by midnight. Professor Nalepa will open the class with asking you to comment on or answer some of the questions (live or via chat). You will be notified in advance if your question/comment is selected (so you can prepare to follow up).

Additionally, as described in more detail below (see “Written Responses in Class”) each week you will be assigned a short written assignment based on questions asked during class. Some of you will have a chance to answer verbally, contingent on internet connection, but others can use Piazza and submit written responses. About half way through the week, Professor Nalepa and Genevieve will share their reactions to the written responses and invite everyone to follow up.

GTJD chronologies

Some members of this class have worked in the Transitional Justice and Democratic Stability Lab, a group of researchers led by Professor Nalepa. You can learn more about the Lab by looking at the website: <https://www.tjdemstabilitylab.com/>. In particular, in this class, you are encouraged to make use of the data the Lab has created. I will introduce you to the data the first day of class. One of the requirements for this class will be an exercise in contributing to the data collection process.

Transitional Justice Data Collection Exercise

The next task involves your own search of transitional justice events. You will choose (either individually or in groups of 2 or 3) a country **not** covered in the class material and create a TJ chronology for that country. We ask that you consult with course staff which country you pick. You will only collect events that fall into one of six categories:

1. lustration
2. truth commission
3. purges (leadership or thorough)
4. criminal trials (leadership or rank and file)
5. apology

You will then describe the information collected using the format of the chronologies that you are assigned as weekly readings. Please ensure that you apply the rules from coding instructions and FAQ’s (week 1) and that you are actually coding a transitional justice event (an event taking place in a democracy that has transitioned from authoritarianism to democracy). The final version of the chronology will be due June 3. You are required to discuss your country with us by April 23.

Presentations of additional readings

Students enrolled in this class will have to prepare presentations. These will be presentations on recommended readings assigned for the class. The presentations of additional readings must summarize the argument, explain how it is related to the materials we all read for that day, including the transitional justice chronologies. The presentations should last no longer than 15 minutes.

Written Responses in Class

In a “live” class I engage in what is known in some law schools as the “Socratic method”. That is, I call on students without prior warning to answer questions related to the readings or lectures. It is very hard to do this in a virtual setting because of different internet speeds. Instead, I will still ask you to respond to my questions live, but using the chat feature. I will read your responses out loud and react to them during the discussion. Therefore, it is in your interest to come prepared for each class.

Books

You will be assigned substantial parts of the books listed below. For those of you who plan to give a presentation on one of them, you may find it convenient to own them. All books are either available electronically through the library or the excerpts assigned have been scanned for your convenience.

1. Masri, Safwan M. *Tunisia: an Arab anomaly*. Columbia University Press, 2017.
2. Todd, Stephen Charles. *Lysias*. Vol. 2. University of Texas Press, 2000.
3. Perkins, Kenneth. *A history of modern Tunisia*. Cambridge University Press, 2014.
4. Payne, Stanley G. *The Franco Regime, 1936-1975*. University of Wisconsin Press, 2011.
5. Waldmeir, Patti. *Anatomy of a miracle: The end of apartheid and the birth of the new South Africa*. WW Norton & Company, 1997.
6. O’Meara, Dan. *Forty lost years: The apartheid state and the politics of the National Party, 1948-1994*. Ravan Press of South Africa, 1996.
7. Price, Robert M. *The apartheid state in crisis: Political transformation in South Africa, 1975-1990*. New York: Oxford University Press, 1991.
8. Crabtree, John, and Laurence Whitehead, eds. *Unresolved tensions: Bolivia past and present*. University of Pittsburgh Press, 2008.
9. Malloy, James M., and Eduardo Gamarra. *Revolution and reaction: Bolivia, 1964-1985*. Transaction Books, 1988.
10. *The Park Chung Hee era : the transformation of South Korea / edited by Byung-Kook Kim, Ezra F. Vogel. (Chapter 6, The Armed Forces)*
11. Klein, Herbert S. *A concise history of Bolivia*. Cambridge University Press, 2011.

12. Encarnación, Omar G. *Democracy without justice in Spain: the politics of forgetting*. University of Pennsylvania Press, 2014.

Calendar

April 6, Week 1

1. Todd, *Lysias*: speeches 12, 16, 25, 26 & 31
2. Bates, Genevieve, Ipek Cinar, and Monika Nalepa. "Accountability by Numbers: A New Global Transitional Justice Dataset (1946-2016)" *Perspectives on Politics* 18.1 (2020): 161-184.
3. FAQ's from https://ipekcinar.shinyapps.io/global_transitional_justice_dataset/
4. Spain chronology

April 13, Week 2

1. Payne, *The Franco Regime*: Chapters 12 & 23
2. Encarnación, *Democracy without Justice*: Chapters 1 & 2 (pp 27-77)
3. Nalepa "Ritual Sacrifices: Transitional Justice and the Fate of Post-Authoritarian Democracies," Chapter 1

Recommended Reading

- * Payne, *The Franco Regime*: Chapters 7, 17, & 21 (presentation)

April 20, Week 3

1. Masri, *Tunisia: an Arab anomaly*: Part 1 (pp. 1-89)
2. Tunisia chronology
3. Bates, Genevieve, Monika Nalepa, Ipek Cinar and Evgenia Olimpieva "What is the Effect of Personnel Transitional Justice on Crime?"

Recommended Reading

- * Perkins *History of Modern Tunisia*: Chapters 7 & 8, (pp. 188-259) (presentation)

April 27, Week 4 International TJ – Genevieve

1. Vinjamuri, Leslie and Jack Snyder. "Law and Politics in Transitional Justice" *Annual Review of Political Science* 18(2015): 303-327.
2. Subotic, Jelena. *Hijacked Justice: Dealing with the Past in the Balkans*. Cornell University Press, 2009: Intro, Chapter 1 & Conclusion

3. Hillebrecht, Courtney and Scott Straus. "Who Pursues the Perpetrators? State Cooperation with the ICC" *Human Rights Quarterly* 39.1(2017): 162-188

Recommended Reading

- * Branch, Adam "Uganda's Civil War and the Politics of ICC Intervention" *Ethics and International Affairs* 21.2(2007): 179-198
- * Prorok, Alyssa "The (In)compatibility of Peace and Justice? The International Criminal Court and Civil War Termination" *International Organization* 71.2(2017): 213-243.
- * Zvobgo, Kelebogile "Human Rights versus National Interests: Shifting US Public Attitudes on the International Criminal Court" *International Studies Quarterly* 63.4(2019): 1065-1078.

May 4, Week 5 - Introduction to HLM

1. Ang, Milena, and Monika Nalepa. "Can transitional justice improve the quality of representation in new democracies?" *World Politics* 71.4 (2019): 631-666.
2. Poland chronology
3. Nalepa, Monika. "Captured commitments: an analytic narrative of transitions with transitional justice." *World Politics* 62.2 (2010): 341-380.

May 11, Week 6 - Introduction to Diff-in-Diff

1. South Africa chronology
2. Waldmeir, *Anatomy of a Miracle*: Chapters 1 & 2 (pp. 7 -36)
3. Price, *The Apartheid State in Crisis*: Chapter 6 (pp.190-219)

Recommended Reading

- * O'Meara, *Forty lost years*: Chapter 22 (pp. 395-418) (presentation)
- * Price, *The Apartheid State in Crisis*: Chapter 5 (pp. 152-189)
- * Waldmeir, *Anatomy of a Miracle*: Chapter 3 (pp. 37-58) and Chapters 10-12 (pp. 176-219)

May 18: Week 7 - Introduction to IV

1. South Korea chronology
2. Kim, *The Park Chung Hee era*: Chapter 6

Recommended Reading

- * Kim, *The Park Chung Hee era*: Chapter 7 (presentation)

May 25, Week 8, Memorial Day

June 1, Week 9

1. Bolivia chronology
2. Malloy, *Revolution and Reaction*: Chapter 1 (pp 9-40)

Recommended Reading

- * Crabtree, *Unresolved Tensions*: Chapters 8 & 9 (pp 145-172)
- * Klein, *A concise history of Bolivia*: Chapter 9 (pp 239-263) (presentation)