

**Transitional Justice 2001F/
Political Science 2203F
Problems in Transitional Justice and Post-Conflict Reconstruction**

Fall Term 2025

Mode of delivery: In-person

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Office hours: By appointment--Zoom

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I-Course Description

Widespread violations of human rights are as prevalent as ever. But history tells us that sustainable peace cannot be achieved without addressing past harm. The interdisciplinary studies of transitional justice and post-conflict reconstruction have emerged to help us address these issues. This course is designed to help students examine key concepts and explore theoretical and practical problems in confronting and seeking solutions in the aftermath of large-scale events of social violence.

II-How to think about this course

After exploring key concepts such as the meaning of “transition” and its end goal, students will examine the major Transitional Justice (TJ) mechanisms including courts, truth commissions, reparations and amnesties. We will also consider the role of the United Nations in supporting these efforts. A particular focus will be placed on indigenous cases, asking whether TJ mechanisms can help address these specific forms of harm. In addition, this course will examine some factors that impact this process including the socio-economic context, gender, and the role of civil society organizations in driving justice forward.

This course may be a valuable addition to your academic year for three reasons: First, it is a crucial building block for your studies in transitional justice and post-conflict reconstruction, as it outlines the major themes and approaches in the field as well as discusses the major issues and debates that are presently examined in the literature. Second, it provides you with ample opportunity to develop your critical thinking in ways that relate to areas that are specifically of interest to you. Finally, it exposes you not only to different debates and approaches that you may not be aware of, but also to different disciplines. One of the special things about this course is

that it attracts students from various disciplines and that may have a completely different perspective on issues.

III-Objectives

This course is not only designed to outline and assess the major theories and perspectives in the field, but also develop your critical thinking skills, and your understanding of how power, culture and history impact our understanding of issues and events. By the end of the course students should be able to:

1. Discuss the nature of transitions.
2. Describe the major TJ mechanisms and assess their benefits and challenges.
3. Engage in the major debates in the field.
4. Discuss a current transitional justice and post-conflict reconstruction issue in historical context
5. Discuss some factors that may impact the success or failure of the TJ process.

IV-Required Texts

Because the field of transitional justice and post-conflict reconstruction is new, and because it involves different areas and disciplines, there will be no one textbook that is required for this course. Instead, the reading list will involve academic articles, book chapters, and technical reports, that you will find in the “Course Readings” on this course Brightspace’s page. You are responsible for accessing them yourself.

V-Grade Distribution

- | | |
|---|------|
| 1. First Exam (Oct 29 during class time) | 25% |
| (make-up will be on Nov 12 during class time) | |
| 2. Take-home Exam | 30 % |
| (Posted Nov 30 at noon and due Dec 3 at 11:59 midnight) | |
| 3. Final Essay | 40 % |
| (Due Friday Nov 14 midnight) | |
| 4. Participation | 5 % |

VI-Explaining the Components of the Course:

1- Participation (5 %)

The mark will be based on three components: attendance, the quality of the discussion, and the extent to which that participation is based on the readings (please see the rubric at the end of this document). If you attend class, and did the readings, but for some reason you are not able to

participate or fully explain your point of view in class, please feel free to email the TA your response who will then correct and add to your participation mark. YOUR RESPONSE WILL NOT BE MARKED IF YOU DO NOT ATTEND THE CLASS—unless you have a credible excuse for missing it.

The deadline for submitting those responses is one week after the class, just before the next week's session begins

2-First Exam (due October 29)

- The test will be held synchronously, virtually, and during class time (3 hrs). I will talk about the material that will be covered and how to prepare for it in class.
- DO NOT use google searches, ChatGPT or any other AI tool to answer these questions. You are not allowed to use outside sources. Your answer should depend **solely** on the readings, the lecture, and class discussion. More details will be presented in class and posted online as we get closer to the due date.
- The exam will be held on October 29. If you miss it, and get an approval from academic counseling, you can sit for the makeup which will be held on Nov 12.

Note: No second makeup will be offered. If you have an approved justification for missing the makeup, the take-home exam will be then worth 55% of your mark)

3- Take-home Exam (30%)

(Posted Nov 30 at noon and due Dec 3 at 11:59 midnight)

You will be given a take-home exam towards the end of the semester. By then, you will have a good idea about the TJ mechanisms, the debates surrounding them, the major challenges facing the TJ process, and some of the factors that impact its success or failure. As such, and using the case of SOUTH AFRICA, you will be given 2 questions to answer. DO NOT use AI. The expectation is for you to use what we covered in class and in the readings and expand on them to support your answer.

The question(s) will be released three days before the due date. As such the exam will be posted Nov 30 at noon on “assignment” (Brightspace) and will be due Dec 3 at 11:59 midnight!

You need to complete the answer(s) and upload your PDF file to “assignment” tab. Class will be held as usual that week and you will be responsible for its content.

As per the new policy on academic consideration, since the timeframe submission of the exam is already flexible (more than 72 hrs. submission window), an instructor may deny academic consideration in this case.

4- Essay (40%)

You will be required to write one argumentative essay between 2250-2500 words (roughly 10 pages double-spaced-excluding bibliography). It must be double spaced and in Times New Roman 12 pt font. The topic of your paper may be selected from the list of topics that we will cover this semester. (See “Weekly Topics”). You need to know few things about this component of the course:

a-Late Penalty: The completed paper must be submitted on Friday **November 14** at midnight (London Ontario time). **A late penalty will be applied to papers submitted at any point after that date (see below).**

b-Turnitin: Essays must be submitted to Turnitin.com. All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>).

c-Citation Style: Citations **must** be formatted using *Chicago-style footnotes*, **not in-text citations**. Students are advised to consult a writer's handbook when composing their essays in order to see how to format things like bibliography and footnotes. One excellent handbook is *A Manual for Writers of Term Papers, Theses, and Dissertations* by Kate L. Turabian. A useful link may be found at the following url: <http://www.wisc.edu/writing/Handbook/DocChicago.html>

d-Spelling and Grammatical Errors: Grammatical, spelling and other errors are not acceptable. You are responsible for your own work, and, as such, you must be careful to proofread your work before turning it in.

e-Bibliography: You must attach a Bibliography to your essay. Your bibliography must include a minimum of four ACADEMIC sources (consult a librarian for clarification on what counts as an academic source (e.g. newspapers, magazines, and encyclopedias do not count)). **Failure to include at least four academic sources will result in a severe penalty.** The highest grades in this course typically go to students that consult a large number of high-quality source materials. Consulting more than six sources is highly recommended.

f-Other Resources: There are many resources at Western designed to assist you in your learning. You are strongly advised to utilize these services. The Student Development Centre offers many services, including Effective Writing Programs and Learning Skills Services. You should also become familiar with the services offered by the University Library System.

VII-A NOTE ON AI TOOLS AND CHATGPT

Students are expected to submit their original work for all assignments in this course. Its use during exams is prohibited. If a student decides to use these tools when writing an essay, that use should remain limited. For example, a student may use it in the initial stage to generate an outline, organize thoughts and concepts...etc. However, in all cases, the student is expected to submit with the assignment an appendix to explain how the AI tool was used, or harsh penalties will be applied.

VIII- ABSENCES & PENALTIES

You must submit all assignments on their due date. **A late penalty of 5 percent will be applied on the first day, an additional 5 percent on the second day, and 2 percent for each subsequent day. To avoid the penalty, please have your request approved by your academic counselor—no exceptions.** If documentation is required for either medical or non-medical academic accommodation, then such documentation must be submitted by the student directly to the counsellors and NOT to the instructor. For further information, please consult the University's medical illness policy at [Academic Calendar - Western University](#)

IX. ACCOMMODATION AND ACCESSIBILITY

1-Religious Accommodation

When a course requirement conflicts with a religious holiday that requires an absence from the University or prohibits certain activities, students should request accommodation for their absence in writing at least two weeks prior to the holiday to the Academic Counselling office of their Faculty of Registration.

2-Accommodation Policies

Students with disabilities are encouraged to contact Accessible Education, which provides recommendations for accommodation based on medical documentation or psychological and cognitive testing. Please see [Accessible Education - Academic Support & Engagement - Western University](#)

3- Support Services

Please visit the Social Science Academic Counselling webpage for information on adding/dropping courses, academic considerations for absences, appeals, exam conflicts, and many other academic related matters. Consult [Procedures - Academic Counselling - Western University](#)

Students who are in emotional/mental distress should refer to Mental Health@Western (<https://uwo.ca/health/>) for a complete list of options about how to obtain help.

Western is committed to reducing incidents of gender-based and sexual violence and providing compassionate support to anyone who has gone through these traumatic events. If you have experienced sexual or gender-based violence (either recently or in the past), you will find information about support services for survivors, including emergency contacts at

https://www.uwo.ca/health/student_support/survivor_support/get-help.html.

To connect with a case manager or set up an appointment, please contact support@uwo.ca.

If you have any questions about accommodation, please contact:

http://academicsupport.uwo.ca/accessible_education/index.html.

X-IMPORTANT AND USEFUL INFORMATION:

1- Important Notice re: Prerequisites/Antirequisites: Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites. (Office of the Dean, Faculty of Social Science)

2-Completion of All Requirements: According to the Dean's office, Students who fail to complete all evaluation components of the course, without supporting medical documentation or justifiable and documented extenuating circumstances will be disqualified from appealing the course's final grade.

3-Examinations/virtual Attendance: A student is entitled to be examined in courses in which registration is maintained, subject to the following limitations:

- A student may be debarred from writing the final examination for failure to maintain satisfactory academic standing throughout the year.
- On the recommendation of the Department concerned, and with the permission of the Dean of that Faculty, the student will be debarred from taking the regular examination in the course.

XI-WEEKLY TOPICS

Sep 10 Introduction

No required readings

Sep 17 Transitional Justice: Historical Evolution, Conceptual Foundation, and End Goal

Required readings:

- ✓ Teitel, Ruti G, and Ruth Jamieson. 2014. "Transitional Justice Genealogy." In *The Criminology of War*, 1st ed., 489–514. Routledge.
<https://doi.org/10.4324/9781315086859-25>.
- ✓ Greiff, P. D., Williams, M. S., & Elster, J. (2012). THEORIZING TRANSITIONAL JUSTICE. In *Transitional Justice* (Vol. 34, pp. 31–77). NYU Press. <https://doi.org/10.18574/nyu/9780814794661.003.0002>
- ✓ Arnould, V. (2015). Transitional justice and democracy in Uganda: between impetus and instrumentalisation. *Journal of Eastern African Studies*, 9(3), 354–374. <https://doi.org/10.1080/17531055.2015.1089698> (you can find it on the Library website)

Recommended reading

- ✓ Roger MacGinty and Andrew Williams, "Chapter 5: Post-conflict reconstruction and development," in *Conflict and Development* (London: Routledge, 2009), 122–152.

- ✓ Ho-Won Jeong, “Chapter One: Challenges for Peace,” and “Chapter Two: Concepts of Peace and Violence,” in *Peace and Conflict Studies* (Aldershot: Ashgate, 2000), 7-29.

Sep 24 Courts as a TJ mechanism

Required Readings

- ✓ Teitel, Ruti G. 2023. *Transitional Justice*. Oxford ; Oxford University Press. <https://doi.org/10.1093/oso/9780195100648.001.0001>. Chapter 1.
- ✓ Padraig McAuliffe, “Transitional Justice and the Rule of Law: The Perfect Couple or Awkward Bedfellows?” *Hague Journal on the Rule of Law* 2.2 (2010): 127–154. Available from Western Libraries using Proquest.
- ✓ For a quick understanding of what constitutes Jus Cogens or international crimes see “How are suspected war criminals prosecuted under international law?” 14/8/2017, ICRC blog; available at [How are suspected war criminals prosecuted under international law? | The ICRC in Israel, Golan, West Bank, Gaza](#)

Recommended reading

- ✓ Elster, Jon. "Justice, Truth, Peace". *Transitional Justice: NOMOS LI*, edited by Melissa S. Williams and Jon Elster, New York, USA: New York University Press, 2012, pp. 78-97. <https://doi-org.proxy1.lib.uwo.ca/10.18574/nyu/9780814794661.003.0003>
- ✓ For a deeper understanding of the ICC, see [understanding-the-icc.pdf](#)

Oct 01 Truth Commissions as a TJ mechanism

Required Readings

- ✓ Priscilla Hayner, “Chapter Three: Why a Truth Commission?” in *Unspeakable Truths: Confronting State Terror and Atrocity* (New York: Routledge, 2001), 10-23, 24-31.
- ✓ Quinn, Joanna R. 2010. “Truth Commissions.” In *The Politics of Acknowledgement*, 34–48. University of British Columbia Press. <https://doi.org/10.1515/9780774818483-006>.

Recommended reading

- ✓ Chapter two, Friedman, Rebekka. 2017. *Competing Memories: Truth and Reconciliation in Sierra Leone and Peru*. Cambridge: Cambridge University Press.

Oct 08 Reparations as a TJ mechanism

Required Readings

- ✓ “Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” OHCHR (online) 16 Dec 2005; [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law | OHCHR](#)
- ✓ Martha Minow, 1998, “Reparations,” in *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Boston: Beacon Press, 1998. 91-117.

- ✓ Rojas, Hugo, and Miriam Shaftoe. 2022. (chapter 4) *Human Rights and Transitional Justice in Chile*. 1st ed. 2022. Cham: Springer International Publishing. <https://doi.org/10.1007/978-3-030-81182-2>.

Oct 15 Amnesty as a TJ mechanism

Required Readings

- ✓ Lenta, Patrick. 2023. "Post-Conflict Amnesties and/as Plea Bargains." *Journal of Global Ethics* 19 (2): 188–205. <https://doi.org/10.1080/17449626.2023.2230206>.
- ✓ Antje Du Bois Pedain "Accountability through Conditional Amnesty" in Lessa, Francesca, and Leigh A. Payne, eds. 2012. *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives*. Cambridge: Cambridge University Press. 238-262

Recommended Reading:

- ✓ Mallinder L. "Amnesties' Challenge to the Global Accountability Norm?" in Lessa, Francesca, and Leigh A. Payne, eds. 2012. *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives*. Cambridge: Cambridge University Press. 69-96.

Oct 22 Addressing Colonial Harm

Required Readings

- ✓ Coulthard, Glen Sean. 2014. (chapter 1) *Red Skin, White Masks : Rejecting the Colonial Politics of Recognition*. Minneapolis, Minnesota: University of Minnesota Press.
- ✓ Jennifer Balint, Julie Evans, and Nesam McMillan, "Rethinking Transitional Justice, Redressing Indigenous Harm: A New Conceptual Approach," *International Journal of Transitional Justice* 8.2 (2014): 194-216.

Recommended reading

- ✓ Truth and Reconciliation Commission of Canada, "Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada," (Ottawa: Truth and Reconciliation Commission of Canada, 2015).

Oct 29 Exam

(The exam will take place during class time)

Nov 05 Reading week

Nov 12 The UN and TJ

Required Reading

- ✓ Manion, Megan L, Alison Davidian, Luke Moffett, and Cheryl Lawther. 2023. "The United Nations and Transitional Justice: An Enduring Human Rights Priority, Remedy to Securitization and Path to Sustainable Peace." In *Research Handbook on Transitional Justice*, 141–57. Cheltenham, UK: Edward Elgar Publishing. <https://doi.org/10.4337/9781802202519.00019>.

- ✓ “Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice” March 2010 ; [TJ_Guidance_Note_March_2010FINAL](#)
- Recommended reading
- ✓ Report of the Secretary General “The rule of law and transitional Justice in conflict and post-conflict societies,” 23 Aug 2004. [Document Viewer](#)

Nov 19 Socio-economic factors and the TJ process

Required Readings:

- ✓ Urueña, René, and María Angélica Prada-Urbe. 2018. “Transitional Justice and Economic Policy.” *Annual Review of Law and Social Science* 14 (1): 397–410
- ✓ Arthur, Paige “Why do donors choose to fund transitional justice?” in *Transitional Justice, International Assistance, and Civil Society : Missed Connections*, edited by Arthur, Paige, and Christalla Yakinthou. Cambridge: Cambridge University Press, 2018.

Nov 26 Towards a gendered TJ process

Required Readings:

- ✓ Léa Lemay Langlois, Gender Perspective in UN Framework for Peace Processes and Transitional Justice: The Need for a Clearer and More Inclusive Notion of Gender, *International Journal of Transitional Justice*, Volume 12, Issue 1, March 2018, Pages 146–167
- ✓ Fionnuala Ni Aolain “Chapter 2: Advancing a feminist analysis of transitional justice” in *Feminist Perspective on Transitional Justice*, edited by Martha Albertson Fineman and Estelle Zinsstag. Cambridge: Intersentia, 2013. 43-62
- ✓ Lawson, Erica S, and Vaiba K Flomo. 2020. “Motherwork and Gender Justice in Peace Huts: A Feminist View from Liberia.” *Third World Quarterly* 41 (11): 1863–80. <https://doi.org/10.1080/01436597.2020.1793663>.

Recommended readings:

- ✓ Catherine O’Rourke, “Chapter 6: Transitional Justice and Gender” in *Research Handbook on Transitional Justice*, edited by O’Rourke, Catherine, Luke Moffett, and Cheryl Lawther. 2023. “Transitional Justice and Gender.” Cheltenham, UK: Edward Elgar Publishing. <https://doi.org/10.4337/9781802202519.00014>.

Dec 03 Civil Society Organizations and TJ

(Take home exam will be posted Dec 1 at noon and will be due Dec 4 at 11:59 midnight!)

Required Readings

- ✓ Zala Volcic and Olivera Simic 2013 “Chapter 1: Localizing Transitional Justice: Civil Society Practices and Initiatives in the Balkans,” in *Transitional Justice and Civil Society in the Balkans*. 1st ed. Edited by Simic, Olivera, and Zala Volcic. 2013. New York: Springer. <https://doi.org/10.1007/978-1-4614-5422-9>.
- ✓ Gready, Paul, and Simon Robins. 2017. “Rethinking Civil Society and Transitional Justice: Lessons from Social Movements and ‘new’ Civil

Society.” *The International Journal of Human Rights* 21 (7): 956–75.
<https://doi.org/10.1080/13642987.2017.1313237>.

Student Participation
Participation Grading Guide:

Grade	Attendance	Discussion	Reading
20	Always	Excellent: leads debate; offers analysis and comments; always has ideas on theme of reading; takes care not to dominate; asks questions	Clearly has done and prepared questions on virtually all readings; intelligently uses this understanding and these questions in discussion
15-19	Almost always	Very Good: thoughtful comments and questions for the most part; willing, able and frequent contributor	Has done most readings; provides competent analysis of reading when prompted by others
10-14	Frequent	Good: has basic grasp of key concepts and occasional ideas on the main theme of the reading; arguments are sporadic and at times incomplete or poorly supported; unwilling to ask questions	Displays familiarity with most readings, but tends not to analyze them or to relate them to the course material
5-9	Occasional	Somewhat Poor: remarks in class marred by misunderstandings of key concepts; seldom contributes effectively to discussion of the main theme; often digresses in unhelpful ways; sporadic	Actual knowledge of material is outweighed by improvised comments and remarks
0-4	Rare	Poor: rarely speaks; parrots text or comments of others	Little or no apparent familiarity with assigned material

THE ESSAY RUBRIC (please see tips on writing the essay in Course Content!)

Grade	0-8	9-12	12-17	17-20
Thesis	<ul style="list-style-type: none"> -It is very hard to identify the thesis statement in the introduction. -The reader may reach the conclusion without understanding what the argument really is. - The topic may be inappropriate for this assignment. 	<ul style="list-style-type: none"> -The thesis may or may not be in the introduction, but it is hard to identify. -it is slightly inappropriate for the assignment 	<ul style="list-style-type: none"> -The thesis is written in the introduction -Although the introduction is present in the intro, it may need further development -It is appropriate for the assignment. 	<ul style="list-style-type: none"> -The thesis is skillfully incorporated in the introduction -It is easily identifiable, clear, concise, and insightful -The issue that is chosen is appropriate and directly relates to what we have been studying in the course.
Historical and theoretical background (lit review)	<ul style="list-style-type: none"> -No historical and theoretical background. Or irrelevant to the essay. 	<ul style="list-style-type: none"> -Some sort of historical and theoretical background. -lots of historical errors -Some misunderstanding of the literature 	<ul style="list-style-type: none"> -Good theoretical and historical background although further clarification may be needed. 	<ul style="list-style-type: none"> Great theoretical (lit review) and historical background.
Argument	<ul style="list-style-type: none"> -The argument is unclear and weak -The student is unable to support the thesis with appropriate evidence -The quality of the evidence is lacking. The argument is based on pure opinion... 	<ul style="list-style-type: none"> -The argument is evident but may not be defined clearly. -The claims are unevenly supported, with weak or unsubstantiated evidence. -Not all of the claims as they appear in the thesis statement are discussed. 	<ul style="list-style-type: none"> -The student has not talked about counterarguments in the theoretical background. -The claims are well supported but may not be completely convincing. -Some unclarity in the argument. -Or some parts of the argument are 	<ul style="list-style-type: none"> -Clearly defines the issue - Fully supports the thesis statement with sound reasons and evidence -effectively responds to counterarguments

			nicely written, but not others.	
Style	<ul style="list-style-type: none"> -Too many errors regardless of how strong the argument is. -The student does not follow the referencing style that is required in this assignment. -The formatting of the essay is incorrect (with respect to spacing, font style and size, page numbers... 	<ul style="list-style-type: none"> -The piece is readable but the various mistakes in grammar, punctuations, or design “begin to create static in the reading experience.” -The student may follow the referencing style but with too many errors. -Some errors with respect to formatting. 	<ul style="list-style-type: none"> -mostly correct, easy to read, rare errors that do not affect the reading experience. -sentences could be more concise -The student follows the referencing style but with some errors. -Mostly follow the formatting required in this assignment 	<ul style="list-style-type: none"> -correct, easy to read, no errors, concise clear sentences. -The student fully follows the referencing style with no errors. -Follows the formatting specification required.
Organization (how the essay flows)	Unfocused title, boring introduction, unclear topic sentences and weak transitions. The article does not flow.	<ul style="list-style-type: none"> -okay title. -Introduction is too broad, even though the focus is seen later on. -conclusion is not focused, may be unrelated to the main idea. 	<ul style="list-style-type: none"> -title works well. -good introduction but without catching our attention. -Conclusion summarizes the argument but without recommending or talking about the implications of the argument. -clear topic sentences but may not clearly contribute to an understanding of the overall argument. -Generally speaking, the essay flows well. 	<ul style="list-style-type: none"> -clever title -effective introduction -great conclusion with a clear answer to the “so what” or “So what now” question. -Clear transitions, and topic sentences... -The essay flows very well.