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**MODULE SPECIFICATION**

FOR TAUGHT MODULES AT ALL LEVELS

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| **Name of Module** | **Topics in Transitional Justice** |
| **Parent School/Dept** | Political Science/International Relations |
| **Programmes where module is offered** | LLM International Law |
| **Status** (compulsory, optional, free choice) | Optional | **Pre-Requisite Modules or Qualifications** | Recommended: Successful Completion of all 1st semester Modules |
| **FHEQ Level** | **7** | **Unit Value** | **6 ECTS** | **Module Code** (where applicable) | IL505 | **Module Coordinator** | **Francesco de Sanctis** |
| **Semester Taught** | **Spring and/or Autumn** | **Applicable From** | SEMESTER/YEAR 2nd semester/1st year and/or 3rd semester/2nd year |
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| **Educational Aims of the Module** |
| This module will cover the theoretical literature in the area of transitional justice that draws on the fields of international relations, law and comparative politics. Transitional justice arose as the umbrella term for different methods such as international tribunals, truth and reconciliation commissions and lustration proceedings. It is used to address mass atrocities and human rights violations in countries making the transition to democracy. It will explore how this conceptual literature has guided many of the more empirical studies, and how the debates about accounting for the crimes of the past impact the transition to democracy. This module will evaluate these instruments in light of the conceptual arguments.The range of topics covered includes: collective responsibility, international criminal law, local transitional justice mechanisms and universal jurisdiction.  The first part of the course will address the conceptual work in the field of transitional justice, with an eye on historical cases. This module will also address the different mechanisms that are used in transitional justice and analyse relevant case studies. |
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| **Module Outline/Syllabus** |
| * 1. Introduction and overview
	2. Peace agreements and human rights
	3. Prosecution and amnesty
	4. International, hybrid and national prosecutions
	5. Truth and transitional justice
	6. Negotiating Transitional Justice
	7. Institutional reform and rule of law building
	8. Reparations and memorialisation
	9. Reconciliation in post-conflict societies
	10. Gender aspects of transitional justice
	11. Children and transitional justice
	12. Justice sensitive security sector reform
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| **Student Engagement Hours** |
| *Type*  | ***Number per term***  | ***Duration of each***  | ***Total Time*** |
| *Lectures* | 13 | 3 hours | 39 |
| *Seminars* | 13 | 1 hour | 13 |
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| *Total Guided/Independent Learning Hours* | **98** |
| *Total Contact Hours:*  | **52** |
| **Total Engagement Hours** | **150** |
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| **Assessment Method Summary** |
| ***Type***  | ***Number required*** | ***Duration*** | ***Weighting*** | ***Timing/******Submission Deadline*** |
| Presentation and group participation | 1 presentation and continuous participation during seminars | 20 min presentation, participation during every seminar | 10% | Ongoing |
| Case Study Assignment (country case studies on Bosnia and Herzegovina and/or comparative country case studies, comparing lessons learned, contemporary methods and legal issues in the field of transitional justice between Bosnia and Herzegovina and other countries) | 1 | 3000 words | 30% | Mid-semester |
| Mid-semester test | 1 | 1 hour | 10% | Mid-semester |
| Examination (final exam) | 1 | 3 hours | 50% | End of semester |

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| **Module Outcomes** |
| ***Intended Learning Outcomes:***1. Display mastery of the specialised knowledge and understanding of the legal, moral, social and political questions that arise in states emerging from a period of conflict or repression
2. Demonstrate a clear, in-depth knowledge and understanding of the fundamental principles, the main components of transitional justice, prosecutions, truth seeking, institutional reform, and repatriation, and communicate this understanding to specialist and non-specialist audiences
3. Demonstrate a clear, in-depth understanding of the issues surrounding transitional justice and other issues in international law relating to states emerging from a period of conflict and repression
4. Identify and critically evaluate the major arguments in the fields of transitional justice, human rights and law from different stand points.
5. Critically analyse and evaluate different arguments addressing the efficacy of transitional justice measures
 | → | ***Teaching/Learning Strategy:***1. Lectures provide information on the key topics and students are given reading lists to complement these. (ILO: 1-5)
2. Set assignments are designed to test student subject knowledge and enhance written and research skills. (ILO:1-5)
3. Tutors provide guidance for independent study. (ILO:1-5)
4. Group discussions during seminars on issues arising during lectures will enable students to express and enhance their understanding and knowledge (ILO: 1-4)
5. Short presentations in class on previously assigned topics will help students to obtain further knowledge. Tutors will also provide students with additional guidance on the specific topic (ILO: 3,4,5)
6. Movies (documentary and historic) will provide students with valuable knowledge and incite discussion on issues arising in the area of transitional justice (ILO: 2,3,4,5)
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| → | ***Assessment Strategy:***1. Written examination: final exam (ILO: 1-5)
2. Group participation (group discussion, to be assessed immediately by module tutor) (ILO: 1-5)
3. Set assignments: essay, country case studies

(ILO: 2,3,4,5) 1. Short presentation on a specific previously assigned topic in class (ILO: 3,4,5)
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| ***Practical Skills:***1. Ability to critically interpret and apply legal rules in the area of transitional justice
2. Ability to discuss and critically assess which approaches to transitional justice to choose, and how to apply them
3. Advanced ability and skills to search and use specialised on-line resources of jurisprudence in transitional justice
 | → | ***Teaching/Learning Strategy:***1. Lectures provide the core practical knowledge and are a forum for students to question material (PS: 1-2)
2. Seminars further develop practical skills by enabling in-depth topic analysis and discussion (PS: 1-3)
3. Tutors will guide students though independent study and research (PS: 2-3)
4. Students will be set topical assignments which complement lectures and seminars.(PS:1 - 3)
5. Short presentations in class (PS: 1-3)
6. Movies (documentary and historic) will provide students with valuable in depth understanding of the application of international criminal law (PS:1,2)
7. A site visit to a trial (visit to the Court of Bosnia and Herzegovina) will provide students will valuable experience (PS:1,2,3,5,6)
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| → | ***Assessment Strategy:***1. A written assignment (essay) and a written case-study assignment will give students the opportunity to research a given topic, and practice critical writing skills.

(PS: 1-3)1. A written examination (final exam) will test student subject knowledge and ability to analyse legal resources. (PS: 1)
2. Group participation (group discussion) (PS: 1-2)
3. Short presentation on a specific previously assigned topic in class (to be assessed immediately) (PS: 1-3)
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| ***Transferable Skills:***1. Communication skills: written and oral
2. Ability to identify , summarise and critique theories
3. Research skills
4. ability to work independently and in a group
5. Time management and organisational skills
 | → | ***Teaching/Learning Strategy:***1. Lectures provide the core (practical) knowledge and are complemented by a set reading list which students are expected to study from. Students are encouraged to prepare for lectures and question material. (TS: 2-5)
2. Seminars discuss set topics in detail and enable group exercises and debate. (TS: 1-5)
3. Tutors set topical assignments and guide students through independent study. (TS: 1-5)
4. Short presentations in class enhance transferrable skills (TS: 1-5)
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| → | ***Assessment Strategy:***1. Written examination: final exam (TS: 2-5)
2. Group participation (group discussion, to be assessed immediately by module tutor) (TS:1-5)
3. Set assignments: essay, country case studies (TS: 1-5)
4. Short presentation on a specific previously assigned topic in class (TS: 1-5)
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| **Key Texts and/or other learning materials** |
| **Key texts:**1. Teitel, R.G., 2002. *Transitional Justice.* Oxford: Oxford University Press.
2. Hayner, P. B., 2010 *Unspeakable Truths 2e.* 2nd ed. New York: Routledge.

**Other learning materials:**1. Hayner, P. B., 2010 *Unspeakable Truths:* *Transitional Justice and the Challenge of Truth Commissions.* 2nd ed. New York: Routledge
2. Hayner, P. B., Ash, T. G., 2010 *Unspeakable Truths:* *Confronting State Terror and Atrocity*. New York: Routledge.
3. Roth-Arriaza, N., Mariezcurrena, J., 2006. *Transitional Justice in the 21st Century: Beyond Truth versus Justice.* Oxford: Oxford University Press.
4. Olsen, T. D., Payne, L. A. and Reiter, A. G., 2010. *Transitional Justice in Balance: Comparing Process, Weighing Efficacy.* Washington: United States Institute of Peace.
5. Cassese, A. ed., 2009. *The Oxford Companion to International Criminal Justice.* New York: Oxford.
6. De Greiff ed., 2008. The Handbook of Reparations. New York: Oxford.
7. Elster, J., 2004. *Closing the Books: Transitional Justice in Historical Perspective.* New York: Cambridge University Press, 2004.
8. Fletcher, L. E. and Weinstein, H.M., 2002. *Violence and Social Repair: Rethinking the Contribution of Justice to Reconciliation, (on-line).* Human Rights Quarterly Vol. 24, p. 573 et seq. Available at <http://scholarship.law.berkeley.edu/facpubs/545> (Accessed 16 July 2013).
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| **Please note:** This specification provides a concise summary of the main features of the module and the learning outcomes that a typical student might reasonably be expected to achieve and demonstrate if he/she takes full advantage of the learning opportunities that are provided. More detailed information on the learning outcomes, content and teaching, learning and assessment methods of each module and programme can be found in the departmental or programme handbook. The accuracy of the information contained in this document is reviewed annually by the University of Buckingham and may be checked by the Quality Assurance Agency. |
| **Date of Production:** |  |
| **Date approved by School Learning and Teaching Committee** |  |
| **Date approved by School Board of Study** |  |
| **Date approved by University Learning and Teaching Committee** |  |
| **Date of Annual Review:** |  |