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**POLS 3343 or 7650x: Human Rights and Transitional Justice in Post-Genocide
Cambodia**

Duration: December 27, 2015-January 18, 2016
Location: Phnom Penh & Siem Reap City, Cambodia

Course Description:

Introduction to the Cambodian genocide. Analysis of the pros and cons of the United Nations-backed Hybrid Tribunal in light of transitional justice efforts in Cambodia. Introduction to interview-based qualitative research design and practical interview techniques. A three-week trip to Cambodia to conduct interviews with survivors, human rights activists, and government officials in Cambodia. Transitional Justice cuts across various disciplines from human rights, social psychology, to peace research. This transitional justice course offers students a hands-on experience and the practical knowledge that can guide institutional development and prescribe policy to restore community and build lasting peace after mass violence. This problem-based course examines the case of transitional justice in post-genocide Cambodia. This course is especially useful to pre-law students and those who seek future career in human rights-related areas.

This course examines transitional justice mechanisms namely retributive justice (KR trials) and restorative justice (social efforts aimed at helping victims come to terms with the past). Both the criminal tribunal and community-rehabilitating mechanisms are expected to provide victims with a sense that justice has been done in periods of transition from violence to peace. This course is to address these questions: To what extent do modern transitional justice mechanisms provide this experience of justice to those victimized? How do people in such situations define justice, and do internationally popular mechanisms provide this justice? Unlike traditional courses, this course offers students an outside-classroom opportunity to investigate how local people define the concept of justice, seek reconciliation, and rebuild their community after the genocide.

Course Goals and Learning Objectives:

1. To introduce students to political history of modern Cambodia and explore distant and immediate causes of the Cambodian genocide.
2. To evaluate the applicability of concepts of transitional justice in the context of the Cambodian genocide.
3. To draw lessons and/or discuss mistakes that can be applied to and/or should be avoided in other societies that transition from mass violence to peace.
4. To familiarized students with how to design interview-based qualitative research and conduct field research in a foreign country.

Outcomes Anticipated:

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

1. Comprehend the political history of Cambodia and the complexity of the genocide.
2. Critically evaluate the effectiveness of various transitional justice mechanisms such as criminal trials and truth commissions.
3. Express ideas in writing and orally, and write analytically, constructing thesis statements and coherent arguments.
4. Design a new qualitative research on their own, plan research logistics, organize research trips, conduct interview, and analyze/interpret data.
5. Learn how to live outside their comfort zone and conduct fieldwork in a foreign country.

Method of Evaluation:

1. Two tests on history and concepts: 20%
2. Class Participation: 20%
3. Field Research Performance (by instructor/supervisor AND peers' evaluation): 30%
4. Research Paper and Oral Presentation: 30%

Method of Assessment:

1. Two multiple choice tests (administrative map of Cambodia, political events, and transitional justice concepts) to assess each student's knowledge of Cambodia's political history and genocide at the beginning of class and before departure for Cambodia. This reveals students' capacity to understand the Khmer Rouge ideology of totalism, revolution, and power, and major events that brought this genocidal regime to power in Cambodia. These tests would also reveal their readiness to conduct interviews with the subjects in Cambodia.

2. Class participation (including team-based learning exercise) and field research performance report/evaluation by student's team members in research groups will help the Instructor better assess each student's individual research skills as well as collaborative research capacity or team work capability. Post-fieldwork presentation will demonstrate students' capacity to understand and communicate their knowledge of the Cambodian genocide and on-going transitional justice efforts in Cambodia.
3. A research paper based on the data collected in Cambodia reveals students' ability to adapt to a foreign culture and fieldwork in another country, research capacity, and writing skills.

Required Readings:

- 1) Ciorciari, John and Anne Heindel, 2014, *Hybrid Justice: The Extraordinary Chambers in the Courts of Cambodia*, Michigan University Press.
- 2) Stover, Eric and Harvey M. Weinstein, 2004. *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*. Cambridge University Press.

Course Outline:

Schedule: December 27 to Jan 18 (21 days)

Week 1: *The history of the Democratic Kampuchea regime, the politics of bringing the KR leadership to justice, and concepts of transitional justice*

DEC. 30: *Making Sense of the Khmer Rouge Killing Fields*

9:00 - 9:30 am: Course introduction

9:30 - 10:30 am: Lecture and Discussion

Readings:

1. Kiernan, Ben, 2008. *The Pol Pot Regime*, Chs. 1-3.
2. Chon, Gina and Sambath Thet, 2010, *Behind the Killing Fields*, Chs. 2-3.
3. Chandler, David, 1999. *Brother Number One: A Political Biography of Pol Pot*. Boulder, Colorado: Westview Press. Chs. 7-8. (Blackboard)

10:40: Break

10:40-11: 30 Documentary Film

Du Cane, Peter, pro.& dir. 2007. *Playing the Game, Cambodia: The Bloodiest Dominos*, 56 min., Australian Film Finance Corporation Limited (DVD).

11:30am-1:00 pm: Lunch Break

1:00 – 5:00 pm: Introducing students to the documentation and outreach programs of the Documentation Center of Cambodia & visit to the Tuol Sleng Genocide Museum.

JAN. 01. *KR Ideology, War, and the Killing Fields*

Readings:

1. Short, Philip, 2004. *Anatomy of a Nightmare*. Henry Holt and Company. Chs. 9-10. (Blackboard)
2. Chon, Gina and Sambath Thet, 2010, *Behind the Killing Fields*, Chs. 5-7 & 12-13.
3. Maguire, Peter, 2005. *Facing Death in Cambodia*. Columbia University Press. Ch. 5 (Blackboard)
4. Hinton, Alexander, 2004. *Why did they Kill?* Chs. 2-4.
5. Waller, James, 2007. *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*. Oxford University Press, Ch. 5. (Blackboard)

Discussion questions:

What is Angkar? Who were Angkar's opponents? How did Angkar legitimize the murder of their opponents and mobilize lower KR cadres to follow their lead? What motivated Khmer Rouge cadres to become so murderous and atrocious?

Week 2: *The politics of bringing the Khmer Rouge to Justice*

JAN. 04: *International Politics and Justice Seeking*

9:00 – 10:30 am: Lecture and Discussion

Readings:

1. Kiernan, Ben, 2008. *Genocide and Resistance in Southeast Asia*. New Brunswick, NJ: Transaction Publishers, Chs. 6-8. (Blackboard)
2. Etcheson, Craig, 2005. *After the Killing Fields*. Westport, CT: Praeger Publisher, pp.141-166. (Blackboard)
3. Fawthrop, Tom and Helen Jarvis, 2004. *Getting Away With Genocide?* Ann Arbor, MI: Pluto Press, Chs. 1-4. (Blackboard)

Discussion questions:

Did the Khmer Rouge commit 'genocide'? What factors impeded and delayed justice advocates' efforts to bring the Khmer Rouge to justice in the 1980s and 90s? Despite such political impediments, what went right as far as the UN's and Western governments' responses to the Cambodian government's initiatives in the late 1990s are concerned?

10:30 - 10:45 am: Break

10:45 - 11:30 am: Lecture and Discussion

11:30 am - 1:00 pm: Lunch Break

1:00 - 2:00 pm: Discussing the concepts of "Retributive Justice" and "Restorative Justice"

Readings:

1. Amstutz, March. "Restorative Justice, Political Forgiveness, and the Possibility of Political Reconciliation," Ch. 6. In *The Politics of Past Evil: Religion, reconciliation and the dilemmas of transitional justice*, ed. Daniel Philpot (Notre Dame, IN: University of Notre Dame Press, 2006), pp. 151-188. (Blackboard)
2. Ciorciari and Anne Heindel, Hybrid Justice Chps. 1-3.
3. Alexander Hinton ed. 2011. *Transitional Justice: Global Mechanisms and Local Realities After Genocide and Mass Violence*. New Brunswick, NJ: Rutgers University Press. Intro Ch. pp. 1-22.

Discussions questions:

Why is important to seek legal prosecution of the Khmer Rouge leadership after such a long delay? What are the strengths and weaknesses of the mixed tribunal model (now known as the ECCC)? What are the goals of the international community, the Cambodian government and the Cambodian people? To what extent would the ECCC serve their respective goals? What needs to be done next?

2:00-2:15pm: Break

2:30-4:30: Reflection and discussion on "reconciliation, empathy, forgiveness, and co-existence"

JAN. 05: 10:30- 12:00 am: What would it take to foster national and communal reconciliation after mass violence?

Readings:

1. Griswold, Charles, 2007. *Forgiveness: A Philosophical Exploration*. Cambridge University Press.
2. Stover, Eric and Harvey M. Weinstein, 2004. *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*. Cambridge University Press, chapters 1-3.

2:30-4:30pm: Interview with Genocide Victims and Survivors in Phnom Penh vicinity.

JAN 07: Designing Interview-based qualitative research

9:00 – 10:30 am

1. Robinson, Oliver. "Sampling Interview-based Qualitative Research: A Theoretical and Practical Guide." *Qualitative Research in Psychology* (2014), Vol. 11, Issue 1, pp. 25-41. (Blackboard)
2. Wilson, Chauncey, 2014. *Interview Technique for UX Practitioner: A Centered Design Method*, Elsevier Inc. Chs. 1-3. (Blackboard)
3. The Documentation Center of Cambodia (DC-Cam)'s interviews with genocide survivors and former Khmer Rouge cadres available at (<http://d.dccam.org/Archives/>)

10:30 – 10:45am: Break

10:45 – 11:30 am: Preparing for Field Research: Methodological considerations for interviewing survivors and perpetrators; framing questions for structured and/or semi-structured interviews; and how to document the experiences in Cambodia. This session is to gauge the students' understanding of primary research and use of different types of sources.

11:30 am-2:15 pm: Lunch break

2:15– 3:30 pm: Design individual research and draft interview questionnaires

JAN. 08: Finalize interview questionnaires and final preparation for the trip to Cambodia.

Week 3: Field Research (for details, see "Program Activity" attached herewith).

JAN. 9-17: Field Research in Siem Reap/Banteay Meanchey provinces – interview with survivors and perpetrators. And cultural exposure to the Khmer arts and ancient civilization.

JAN 18.: Depart for New York City.

Bibliography

- Amstutz, March, 2006. "Restorative Justice, Political Forgiveness, and the Possibility of Political Reconciliation," Ch. 6. In *The Politics of Past Evil: Religion, reconciliation and the dilemmas of transitional justice*, ed. Daniel Philpot. Notre Dame, IN: University of Notre Dame Press, pp. 151-188.
- Chandler, David, 1999. *Brother Number One: A Political Biography of Pol Pot*. Boulder, Colorado: Westview Press.
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- Kiernan Ben, 2008. *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*. Yale University Press.
- _____. 2008. *Genocide and Resistance in Southeast Asia*. New Brunswick, N.J.: Transaction Publishers, pp. 203-213.
- Maguire, Peter, 2005. *Facing Death in Cambodia*. Columbia University Press.
- Robinson, Oliver. "Sampling Interview-based Qualitative Research: A Theoretical and Practical Guide." *Qualitative Research in Psychology* (2014), Vol. 11, Issue 1, pp. 25-41.
- Short, Philip, 2004. *Anatomy of a Nightmare*. Henry Holt and Company.

Stover, Eric and Harvey M. Weinstein, 2004. *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*. Cambridge University Press.

The Documentation Center of Cambodia (DC-Cam)'s interviews with genocide survivors and former Khmer Rouge cadres available at (<http://d.dccam.org/Archives/>)

The Shoah Foundation Institute's interview with Survivor Peang Phansy April 2009, available online at (<http://sfi.usc.edu/content/cambodian-genocide>)

Waller, James, 2007. *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*. Oxford University Press.

Wilson, Chauncey, 2014. *Interview Technique for UX Practitioner: A Centered Design Method*, Elsevier Inc.