

**THE AMERICAN UNIVERSITY OF PARIS**  
**Fall 2020**

**Course Title:** *Women, Conflict and International Law*  
**Course No:** PO/LW5080

**Professor:** Susan H. PERRY  
**e-mail:** [sperry@aup.edu](mailto:sperry@aup.edu)

**Semester:** Fall 2020  
**Schedule:** Tuesday 10:55-12:25  
Friday 4:20pm-5:55pm

**Prerequisites:** Graduate students or with permission    **Credits:** 4

**Exam period:** TBD    **Classroom:** C-104  
**Office Hours:** by appointment on Teams

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***Course summary:***

Conflict resolution addresses two very different sets of circumstances: societies at war and societies that, at first glance, appear to be at peace. International attention tends to focus on the former, where violence is militarized and regional or international actors are called upon to mediate, and sometimes intervene to end the conflict. Yet not all conflicts are hot; low-grade civil conflict may have an equally pernicious effect in stable societies whose vulnerable populations are at risk on a daily basis. This course examines the impact of both overtly violent and long-term, low-grade civil conflict on women. Traditionally viewed as weaker members of society, women suffer from forms of violence ranging from trafficking in human beings to domestic beatings, from forced marriage to prostitution. These individualized, intimate forms of violence sap the strength and adaptability of any society, as the community is unable to benefit from the full contribution of all members. Endemic poverty, lack of infrastructure, and susceptibility to disease characterize those pockets of the population exposed to low-grade civil conflict. In some cases, the entire female population is at risk, reducing the possibility for a nation state to compete effectively in the global arena.

This course will examine the existing international legal framework for the protection of women's rights and contrast the law with the nearly universal perception that the world of women is a private sphere, one where laws made in the public realm have less weight, or are more difficult to implement due to lack of witnesses, or worse, community acceptance of certain types of gender-based violence. But, civil society activists are making progress across the globe in combating insufficient implementation of women's rights. This course will explore their remarkably innovative strategies to achieve conflict resolution and the protection of women in challenging circumstances. Special attention will be focused on women's rights with respect to the Covid-19 Pandemic and the Black Lives Matter movement.

In addition to lectures and discussion, please note that considerable creative thinking is required for this course. The professor is interested not only in what the reading says on a specific subject, but also what new insights students can bring to their research topics. Students will be asked to draft and submit briefs to the UN treaty body committees in response to calls for commentary on subjects related to the course.

***Learning Goals:***

- \* Clear analytical thinking as demonstrated by contributions to in-class discussions and argumentation as developed in written work
- \* Succinct, well-organized oral expression as demonstrated via in-class presentations and contributions
- \* Lucid, well-structured written work as demonstrated in VHA and final complaint
- \* Initiative in selection of original sources as part of overall research

### ***Covid-19 adaptations:***

We will work together in the classroom and online this semester.

- (1) The course **Blackboard** site will house all readings for the semester. The course **Teams** platform will serve as a back-up library (under Files) and also be used for group projects, as well as class recordings and live online teaching.
- (2) Professor Sharon Weill and I will invite online guests to speak with LW5000 and LW/PO5080 live throughout the semester, and record these discussions in order to accommodate your school and job schedules. While we would love to bring these remarkable individuals to campus, Covid-19 precautions oblige us to limit the number of students (and guests) in the classroom, so we will all attend these guest lectures on Teams.
- (3) The UN submissions will function via the Teams platform, and all students will be asked to contribute to drafting procedures. We will devote a class session to discussing this initiative, and students will be provided with detailed instructions. Students will lead submission initiatives.
- (4) We will adhere to a conservative reading of the EU General Data Protection Regulation (2018). Recordings will remain within the designated real and virtual classroom space and may not be shared laterally under any circumstances. Discussions will remain private. We will strive to create a community of trust in both the real and virtual classroom.

All students must wear a mask, sanitize their hands before entering the classroom, and respect social distancing. Online etiquette will be the same as in-class etiquette – exquisite politeness.

### ***Grading System:***

In addition to the required reading, students will be expected to prepare (for) the following:

- ◆ **In-class discussion and submitted questions** (10%).
- ◆ **Visual History Archives Analysis** (30%). Each student will select one testimony from the VHA and prepare an analysis of core crimes from the assigned worksheet. Due **November 3**.
- ◆ **UN submissions for the AUP Working Group on Human Rights** (20%). Students will have the opportunity, alone or in small groups, to organize and build the AUP Working Group on Human Rights (with support from the Civic Media Lab), and/or file one or more submissions to the CRC in response to the call on children and digital technology, due **November 15** at: (<https://www.ohchr.org/EN/HRBodies/CRC/Pages/GCChildrensRightsRelationDigitalEnvironment.aspx>). Other submission initiatives are welcome.
- ◆ **CEDAW Complaint** (40%). Following an in-class workshop on how to write a human rights complaint for review by a UN treaty body committee, students will render a 10-page complaint to CEDAW that demonstrates clear mastery of a specific subject related to gender that is covered by the human rights treaty system, particularly CEDAW. Due **December 11**. No complaint will be accepted without a printed copy of a Safe Assign plagiarism check – please organize this in advance!

### ***University's Covid-19 temporary amendments:***

“Students studying at The American University of Paris are STILL EXPECTED TO ATTEND ALL scheduled classes. Due to the Covid-19 pandemic, students will have the option of attending classes remotely when special circumstances apply. For example, when students are placed under

quarantine by the French authorities or by their doctor, or when students present symptoms of Covid-19 and are directed, by their doctor or the AUP Health Office, to remain home. It is still the student's responsibility to be aware of any specific attendance policy that their professor might have set in the course syllabus. In particular, Students attending remotely from distant Time Zones should check with their professors about the specific attendance policy for remote learners."

### ***Professor's Attendance Policy:***

Barring death, hospitalization, or a note from the Dean, one absence (in-class or online) per semester will be permitted. If you have Covid or are in quarantine, please attend required course sessions online, or download the recorded sessions. If we are temporarily shut-down, then we will all simply move online. ☺

Further full or half class absences will be penalized by 2 percentage points per absence. For example, if a student is absent twice during the semester, a final grade of 80 (B-) will be reduced to 78 (C+).

Chronic lateness will be penalized at the professor's discretion.

Required attendance for assigned guest lectures.

### ***Plagiarism:***

*Presenting someone else's ideas as your own is unacceptable under any circumstances. Special anti-plagiarism measures have been built into this course to encourage all students to do their own work.*

### ***Texts:***

In addition to weekly Blackboard readings, the core e-texts for the course will be:

Akande et al. (2020) *Human Rights and 21st Century Challenges: Poverty, Conflict, and the Environment*. Oxford University Press.

<http://proxy.aup.fr/login?url=http://dx.doi.org/10.1093/oso/9780198824770.001.0001>

Aoláin et al. (2018) *The Oxford Handbook of Gender and Conflict*. Oxford University Press. [The Oxford handbook of gender and conflict](#)

Atrey (2019) *Intersectional Discrimination*. Oxford University Press.

<http://proxy.aup.fr/login?url=http://dx.doi.org/10.1093/oso/9780198848950.001.0001>

Perry and Roda (2016) *Digital Tightrope*. London: Palgrave Macmillan.

[Human Rights and Digital Technology: Digital Tightrope.](#)

Zaleski et al. (eds) (2019) *Women's Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women's lives in modern times*. Oxford University Press.

<http://proxy.aup.fr/login?url=http://dx.doi.org/10.1093/oso/9780190927097.001.0001>

Optional texts available via the Library include:

- Appiah (2011) *The Honor Code: how moral revolutions happen*. WW Norton.
- Keck and Sikkink (1998) *Activists Beyond Borders*. New York: Cornell University Press. *Activists Beyond Borders*.  
<https://ebookcentral.proquest.com/lib/aup/detail.action?docID=3138636>
- Perry and Schenck (eds.) (2001) *Eye to Eye: Women Practicing Development Across Cultures*, London: Zed Books. Paper copy.

- Schabas (2004) *An Introduction to the International Criminal Court*. 2d edition, Cambridge: Cambridge University Press.  
<http://proxy.aup.fr/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e000xww&AN=304601&site=ehost-live&scope=site>
- Shepherd (ed.) (2014, second edition) *Gender Matters in Global Politics*. New York: Routledge.  
<http://proxy.aup.fr/login?url=https://www.taylorfrancis.com/books/e/9781315879819>

*Please check the **Assignments** rubric of our course Blackboard site or Files rubric of our Teams site every week!*

Please also note that all major international criminal law instruments and a good deal of jurisprudence is on line at the University of Minnesota's Human Rights Library search engine at: [www1.umn.edu/humanrts/lawform.html](http://www1.umn.edu/humanrts/lawform.html)

**Course Outline:**

Week One      Course Introduction – IHRL, IHL & ICL through a gendered lens  
9/25

*Reading:*

- EU General Data Protection Regulation (GDPR 2018)
- Universal Declaration of Human Rights (UDHR 1948)
- International Covenant on Civil and Political Rights (ICCPR 1976)
- International Covenant on Economic, Social and Cultural Rights (ICESCR 1976)
- Eleanor Roosevelt (1948) 'The Promise of Human Rights' in *Foreign Affairs*.
- HANNUM (2020) 'Reinvigorating Human Rights for the Twenty-First Century' in Akande *et al.* (eds.) *Human Rights and 21<sup>st</sup> Century Challenges*. Oxford University Press. Ch. 1.

Week Two      Transnational women's networks: combatting Covid-19  
9/29-10/2

Part One: History of transnational advocacy and CEDAW  
Part Two: Violence against women under lockdown

*Reading:*

- Convention on the Elimination of all forms of Discrimination Against Women (CEDAW 1981)
- PATTEN (2018) 'Unlocking the Potential of CEDAW as an Important Accountability Tool for the Women, Peace and Security Agenda' in Aoláin *et al.* (eds.) *The Oxford Handbook of Gender and Conflict*. Oxford University Press.
- Cynthia ENLOE (2014, 2d ed.) *Bananas, Beaches and Bases: Making Feminist Sense of International Politics*. Univ. of California Press. Ch. 1.
- Melinda GATES (2020) The Pandemic's Toll on Women: COVID-19 Is Gender-Blind, But Not Gender-Neutral, *Foreign Affairs*, September-October.

*Optional reading:*

- Perry (2001) "Between a Rock and a Hard Place: 'Women's Organizations in China' in Perry and Schenck (eds.) *Eye to Eye: Women Practicing Development Across Cultures*, London: ZedBooks.

- Keck & Sikkink, (1998) *Activists Beyond Borders*. New York: Cornell University Press, Ch. 1.
- See: [https://www.lemonde.fr/societe/article/2019/03/09/en-france-le-nombre-des-femicides-ne-flechit-pas\\_5433647\\_3224.html](https://www.lemonde.fr/societe/article/2019/03/09/en-france-le-nombre-des-femicides-ne-flechit-pas_5433647_3224.html)

Week Three  
10/9 Intersectional discrimination and international law

Part One: Intersectional discrimination and the UNHRC (individuals)  
Part Two: Gendered intersectional discrimination and the ICJ (States)

*Reading:*

- Convention on the Elimination of Racial Discrimination (CERD 1969)
- Statute of the International Court of Justice (1948)
- Shreya ATREY (2019) *Intersectional Discrimination*. Oxford University Press. Ch. 1.
- ROONEY (2018) 'Intersectionality: Working in Conflict' in Aoláin *et al.* (eds.) *The Oxford Handbook of Gender and Conflict*. Oxford University Press.
- Ekaterina KRIVENKO (2017) 'The ICJ and Jus Cogens through the Lens of Feminist Legal Methods', *The European Journal of International Law*, Vol. 28 no. 3.

Week Four  
10/13-16 Trafficking in Women and Children

Part One: Protection during peacekeeping operations  
Part Two: Impact of environmental degradation on women and girls

*Reading:*

- Convention on the Rights of the Child (CRC 1989)
- Optional Protocol to CRC on the sale of children, child pornography and child prostitution (2002)
- VANDENBERG (2018) 'Peacekeeping, Human Trafficking, and Sexual Abuse and Exploitation' in Aoláin *et al.*, (eds.) *The Oxford Handbook of Gender and Conflict*. Oxford University Press.
- MCKINNEY & KING (2019) 'Women and Climate Change' in Zaleski *et al.* (eds.), *Women's Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women's lives in modern times*. Oxford University Press.

Week Five  
10/20-23 Honor Killings

Part One: Rethinking Honor Codes (+ VHA tutorial)  
Part Two: Pakistan case study

*Reading:*

- Convention Against Torture (CAT 1984)
- AHMED (2019) 'The Honor Killing of Qandeel Baloch' in Zaleski *et al.* (eds.) *Women's Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women's lives in modern times*. Oxford University Press.

*Optional reading:*

- Anthony Kwame APPIAH (2011) *The Honor Code: how moral revolutions happen*. Ch. 4 (on Blackboard).

In-class workshop with Constance de Paris on using the Visual History Archive on Tuesday, October 20. Prepare VHA midterm assignment, **due November 3**.

Week Six  
10/27-30 Women and International Justice

Part One: International humanitarian law + international criminal justice  
Part Two: Reproductive genocide

*Reading:*

- Convention on the Prevention and Punishment of the Crime of Genocide (1951)
- The Rome Statute of the International Criminal Court (2000)
- Patricia Viseur SELLERS (2018) '(Re)Considering Gender Jurisprudence' in Aoláin *et al.* (eds.) *The Oxford Handbook of Gender and Conflict*. Oxford University Press.

*Optional reading:*

- The Prosecutor v. Jean-Paul AKAYESU, Judgment, 2001 (on Blackboard).

Week Seven  
11/3-6 Impact of war crimes on women

Part One: The gendered impact of war  
Part Two: SAFE standards in war

*Reading:*

- OATMAN & MAJEWSKI (2019) 'Rape as a Weapon of War in Myanmar/Burma' in Zaleski *et al.* (eds.) *Women's Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women's lives in modern times*. Oxford University Press.
- NG & BETANCOURT (2018) 'Risk and Resilience: The Physical and Mental Health of Female Civilians during War' in Aoláin *et al.* (eds.) *The Oxford Handbook of Gender and Conflict*. Oxford University Press.

**Visual History Archive due November 3.**

Week Eight  
11/10 Bordered identities: asylum seekers versus migrants

Part One: Convention on Refugees - female *refoulement*

*Reading:*

- Convention Relating to the Status of Refugees (1951)
- Judgments - Islam (A.P.) v. Secretary of State for the Home Department Regina v. Immigration Appeal Tribunal and Another Ex Parte **Shah** (A.P.) (Conjoined Appeals), UK House of Lords, 1979 (on Blackboard).

**UN submissions** for CRC on children and digital technology, due **November 15**.

Week Nine  
11/17-20

Specific vulnerabilities of female migrants

Part One: Child marriage in Syria (guest speaker Anna Chapman)  
Part Two: Female refugees in Europe

*Reading:*

- OOSTERVELD (2018) 'Forced Marriage during Conflict and Mass Atrocity' in Aoláin *et al.* (eds.) *The Oxford Handbook of Gender and Conflict*. Oxford University Press.
- ANDERSON & VAN EE (2019) 'Refugee Mothers Raising Children Born of Sexual Violence in Dutch Society' in Zaleski *et al.* (eds.) *Women's Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women's lives in modern times*. Oxford University Press.
- WAHI-SINGH & ZALESKI (2019) Child Marriage in the United States in Zaleski *et al.* (eds.) *Women's Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women's lives in modern times*. Oxford University Press.

In-class workshop with Nicole Santiago on drafting a CEDAW complaint, Tuesday, November 17. Final complaint due **December 11**.

Week Ten  
11/24-27

Female Genital Cutting – intersectionality of rights

Part One: FGC and the European Convention on Human Rights  
Part One: Tostan and the building of a human rights culture

*Reading:*

- European Convention on Human Rights (1953)
- MACKIE (2018) 'Social Norms Change: Believing Makes It So' in *Social Research*, Vol. 85, No. 1, pp. 141-166.

*Optional reading:*

- Perry & Schenck (2000) *Eye to Eye*. Zed Books. Ch. 4.
- Appiah, Anthony Kwame APPIAH (2011) *The Honor Code: how moral revolutions happen*. Ch. 1.

Week Eleven  
12/1-4

Gender and Environmental Hazards – hard v. soft law

Part One: Reproductive rights and big business  
Part Two: The case of cosmetics, *Males en peril*

*Reading:*

- EU Charter of Fundamental Rights (2012), articles 3, 9, 37.
- BRAUN & TRAORE (2015) 'Plastic bags, Pollution, and Identity: women and the gendering of globalization and environmental Responsibility in Mali' in *Gender & Society*. Vol. 29, No. 6, pp. 863–887.

*Optional viewing:*

- Rachel Carson at <https://www.youtube.com/watch?v=SeJNRaE11A0>

Week Twelve Gendered Technological Impacts – reinventing existing law  
12/8-11

Part One: Equal access, equal use  
Part Two: Is online activism gendered?

*Reading:*

- Convention on Long-Range Transboundary Air Pollution (1979)
- PERRY & RODA (2017) *Digital Tightrope*. Palgrave, Ch. 3.

*Optional reading:*

- KLEIN & ZALESKI (2019) ‘Non-Consensual Image Sharing’ in Zaleski *et al.* (eds.) *Women’s Journey of Empowerment in the 21<sup>st</sup> Century: a transnational feminist analysis of women’s lives in modern times*. Oxford University Press.

**Final CEDAW complaint December 11.**

Week 13 Gendered Conflict in France  
Exam period Slide by slide discussion of all class topics as they pertain to France - innovation, progress and lost ground.

*“Je remonte de siècle en siècle jusqu’à l’Antiquité la plus reculée; je n’aperçois rien qui ressemble à ce qui est sous mes yeux. Le passé n’éclairant plus l’avenir, l’esprit marche dans les ténèbres.”*

Alexandre de Tocqueville (1835) *De la démocratie en Amérique*.