

THE AMERICAN UNIVERSITY OF PARIS
Fall 2009

Course Title: *Women, Conflict Resolution and International Law*

Course No: PO300C + PO591A

Professor: Susan H. PERRY

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Semester: Fall 2009

Schedule: T/F 10:35-11:55

Prerequisites: Senior standing or Graduate student

Credits: 3

Exam period: Period J, Friday Dec. 19 at 8:30

Classroom: C-33

Office Hours: Tuesdays and Friday from 3-5pm by appointment in C-41 (Combes)

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 long-term, low-grade civil conflict on women. Traditionally viewed as weaker members of society, they 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 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.

In addition to lectures and discussion, students will also be expected to participate on a weekly basis in an online Blackboard forum on international law set up for the class. 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.

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
- Lucid, well-structured written work
- Initiative in selection of original sources as part of overall research

Grading System:

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

- **in-class discussion** (20%). Students will work in teams and submit postings to the Blackboard site on a weekly basis, subject to discussion in class.
- **online participation** (20%). On selected Fridays, one or more student teams will be asked to interview a video conference or in-class guest, demonstrating mastery of the selected topic.
- **midterm** (30%). Multiple choice questions on the reading and in-class notes, plus at least one prepared essay.
- **final project proposal** (30%). 10 pages in length for undergraduates; 20 pages for graduate students. You will be expected to draw up a project proposal for the European Union on a Gender Lab at AUP. Directions and a model will be posted on Blackboard by mid-semester. Due on the last day of class - no exceptions.

Attendance:

Barring death, hospitalization, or a note from the Dean, one absence per semester will be permitted.

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 evening lectures.

Plagiarism:

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

Texts:

The core text for the course will be:

William Schabas (2004) *An Introduction to the International Criminal Court*. 2d edition, Cambridge: Cambridge University Press.

Keck and Sikkink (1998) *Activists Beyond Borders*. New York: Cornell University Press.

Perry and Schenck (2001) *Eye to Eye: Women Practicing Development Across Cultures*, London: Zed Books.

Additional reading to be assigned on a weekly basis. Available on class Blackboard site or online.

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

Course Outline:

Week One
9/8-11

Introduction – Gender, conflict resolution and international law

Part One: International Affairs - UN Security Council Resolution 1325
Part Two: International Law - Complementarity in the Rome Statute for the International Criminal Court

undergraduate reading: Resolution 1325 + Schabas, Chapter 1
- Charter of the United Nations (1945) Preamble, Art 1, 2 -
- Universal Declaration of Human Rights, Art 10 & 11
- Rome Statute of the International Criminal Court (Rome Statute)
graduate reading: file posted on Blackboard

Week Two
9/15-18

Transnational women's networks

Part One: History of transnational advocacy
Part Two: Strategic Choices

reading: Keck and Sikkink, chapter one
graduate reading: Keck and Sikkink all chapters.
written work due: create legal slogan for transnational campaign on a single issue and explain your choice (frame resonance)
Blackboard: post team slogan prior to Friday class

Week Three
9/22-25

Immigration – Asylum seekers versus migrants

Part One: Convention on Refugees – vulnerability of female refugees (UK cases)
Part Two: Treaty on Migrant Workers - gendered reading of the recent violence in South Africa

reading: 1951 Convention + 2004 Treaty
graduate reading: file posted on Blackboard
written work due: team paragraph for or against distinction between asylum seekers and migrants, with at least two legal examples drawn from either a treaty, customary law or domestic or int'l jurisprudence to support your arguments
Blackboard: post paragraph prior to Friday class

Week Four
9/29-10/2

Domestic Violence – unknown numbers of women

Part One: the Beijing conference framework
Part Two: the case of China – the revised penal code and legislation

reading: Beijing Action Plan + CEDAW
graduate reading: file posted on Blackboard
written work due: 5 strategies for aligning domestic law with international customary law and treaty obligations concerning the prohibition of domestic violence
Blackboard: post talking points prior to Friday class

Week Five
10/6-9

Forced Mobility - Trafficking in Women and Children

Part One: international law and national legislation
Part Two: Skype class interview (with Geneva or Bangkok)

reading: CEDAW + Blackboard documents
graduate reading: file posted on Blackboard
written work due: draft preamble to virtual treaty on Prohibition of Trafficking
Blackboard: post team preamble prior to Friday class

Please note: Professor Perry will post a list of essay topics on Blackboard. Students shall choose and prepare ONE essay topic only for the midterm.

Week Six
10/13-16

Female Genital Cutting

Part One: French and Senegalese Law
Part Two: Tostan and the building of HR culture (Lisa Block)

reading: Eye to Eye chapter + Tostan website
graduate reading: French caselaw file on Blackboard
written work due: draft a one paragraph reflection on whether international human rights law should take precedence over tradition and custom and, if so, in which circumstances.
Blackboard: post team paragraph prior to Friday class

Week Seven
10/20-23

Forced Marriage

Part One: French law and immigrant populations
Part Two: Ni Putes, ni soumises class interview

reading: Le Monde Diplomatique article on Blackboard
graduate reading: Le Monde article + Council of Europe report on Blackboard
written work due: break

MID TERM – Tuesday, October 27

Week Nine
11/3-6

Honor Killings

Part One: International and national law – Wanja Laiboni
Part Two: Protecting potential victims

reading: Human Rights Watch reports on Blackboard – read one
graduate reading: read both Human Rights Watch reports
Optional reading: Samira Bellil (2008) *Dans l'enfer des tournantes*. Paris: Folio.
written work due: five-part strategy for identifying potential victims of honor killings or other forms of gender-based violence.
Blackboard: post outline prior to Friday class

- Week Ten Rape as a weapon of war
11/10-13
- Part One: Developments in Int'l law
Part Two : the ICC and Congo – shortcomings
- reading:* Schabas chapters on Crimes Against Humanity and War Crimes + court documents on Blackboard
graduate reading: posted on Blackboard (David Pike, *Crimes Against Women*)
written work due: How can the ICC improve its prosecution record for sexual crimes? Please provide a one-paragraph response.
Blackboard: post team response prior to Friday class
- Week Eleven Children in conflict - girl soldiers and orphans
11/17-20
- Part One: the impact of war on girls
Part two: war as an opportunity for women (Moira Sauvage, *Femmes guerrieres*)
- reading:* Convention on Rights of the Child + First Protocol
graduate reading: file posted on Blackboard
written work due: How could the language of the Protocol have been made more binding for State parties? Choose one article and re-draft it to increase the protective potential of the treaty. Please explain your choice of language in an auxiliary paragraph.
Blackboard: please post assignment prior to Friday class.
- Week Twelve Gender and Environmental Hazards
11/24
- Part One: Reproductive rights and big business
Part Two: the case of cosmetics
- reading:* film *Males en peril*
graduate reading: file posted on Blackboard
written work due: What is going on in your home country?
Blackboard: post commentary on Wednesday, November 25
- Week Thirteen Political Utopias
12/1-4
- Part One: histories of gendered utopias
Part Two: Auroville and gender equality
- reading:* City of Ladies excerpt + Auroville declaration
graduate reading: file posted on Blackboard
written work due: Can gendered utopias provide feasible solutions to contemporary political problems?
Blackboard: post commentary prior to Friday class
- Week Fourteen Putting Theory into Practice
12/ 8
- Part One: Forming activist networks – in-class team exercise to construct Gender Lab at AUP.

VI. Concluding Discussion: Presentation of virtual lab, Exam Period I, Friday Dec. 15 at 9am.