

Course Outline

COURSE:	LAWS 4603A — Transitional Justice
TERM:	Fall 2026
PREREQUISITES:	LAWS 2908 or PAPM 3000 and fourth-year honours standing
CLASS:	Day & Time: Wednesday, 11:35 am to 2:25 pm
	Room: Check Carleton Central for room location
INSTRUCTOR:	Prof. Umut Özsu
CONTACT:	Office Hours: Wednesday, 2:35 pm to 4:00 pm (in person, in my office on the 5th floor of the Loeb Building)
	Email: Umut.Ozsu@carleton.ca
BRIGHTSPACE LINK:	https://brightspace.carleton.ca/d2l/home/450793

CALENDAR COURSE DESCRIPTION

Legal and ethical responses to human rights violations in the transition to democracy. Dilemmas of the rule of law; truth and reconciliation; prosecution and punishment; amnesty; retribution and revenge; restorative justice; administrative remedy; reparations; international case studies. Theoretical arguments about justice in context of country.

COURSE DESCRIPTION

The subject of a large and varied body of academic and policy-oriented writing, “transitional justice” is the set of norms, practices, and mechanisms with which states that have shifted from one mode of political administration to another attempt to take stock of legacies of violence, repression, or systemic discrimination. The “justice” that is devised for such periods of “transition” typically relies upon both domestic and international law, and is premised upon some combination of the following elements: institutional reforms, reparations initiatives, large-scale criminal prosecutions, investigations into pervasive human rights violations, and the establishment of commissions for the ascertainment of “truth” and the facilitation of societal “reconciliation”.

This course provides an interdisciplinary introduction to key debates concerning transitional justice. We will grapple with the theoretical content and political significance of transitional justice, examine its domestic and international legal dimensions, and study its operation in a variety of different national and regional contexts.

REQUIRED TEXT

All required readings are available online, via the Carleton University Library, or will be made available on Brightspace. As a result, you do not need to purchase any text for this course.

EVALUATION

There are four formal evaluation components to this course:

Research paper: 30% (due midnight on Friday, December 4)

Final exam: 30% (online, during the formally scheduled exam period)

Presentation: 20%

Class participation: 20%

These formal evaluation components are structured as follows:

1. Research paper: You are required to prepare a research paper. This paper must be between 3500 and 4000 words in total (including notes). It must have a clear thesis, be driven by a structured argument, and provide a sustained analysis of at least one of the issues or debates that we have examined in the course. I will provide guidelines, including instructions on citation-related questions, in due course.

The paper will be due by midnight on Friday, December 4. It must be submitted electronically via Brightspace by this deadline. Do not email the essay directly to me.

2. Final exam: We will hold an online final exam during the formally scheduled exam period at the end of the semester.

This exam will consist of 60 multiple-choice and short-answer questions relating to the material that has been covered in the course until that point. You will have 60 minutes to complete it. It will be a strictly closed-book exam.

3. Presentation: You are required to prepare and deliver a fifteen-minute-long presentation. Your presentation must relate to one of the required pieces of assigned reading that we will be discussing. (You will choose the piece of assigned reading that you will be presenting during our first or second session.) You will be expected to outline the article's central argument and theoretical orientation, discuss its various strengths and weaknesses, and pose questions for general class discussion.

4. Class participation: Class participation will be assessed on the basis of your attendance in class and demonstrated familiarity with assigned readings, as manifested through the frequency with which you engage in serious and sustained discussion.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is at my discretion. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the [Academic Consideration Policy page](#). All requests must be submitted to me before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office.

POLICY ON PERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN ONCE, PERMISSIBILITY OF GROUP OR COLLABORATIVE WORK, AND PERMISSIBILITY OF USING GENERATIVE AI

Students are strictly prohibited from submitting any work that has been previously submitted for academic credit in another course. Any such submission will result in a grade of 0, and the student will be referred to the university's academic integrity office for review. Re-using any portion of previous work, regardless of its extent, will be treated as a violation of academic integrity.

Students are not permitted to cooperate or collaborate on any academic assignments unless explicitly stated by the instructor. Any unauthorized collaboration will result in the assignment receiving a grade of 0 and the student being referred to the academic integrity office. This policy applies to all tests, exams, and individual assignments. Proofreading by others is not allowed.

The use of AI tools, such as ChatGPT, to produce any part of an assignment or test is strictly forbidden. Any use of AI for content creation, even for small edits, will result in an automatic grade of 0, and the student will be referred to the academic integrity office for disciplinary action.

SCHEDULE

Session I [Wednesday, September 9]—Introductory session

[No assigned readings.]

Session II [Wednesday, September 16]—What (and when) is “transitional justice”?

International Center for Transitional Justice, “What is Transitional Justice?”, available [here](#).

Paige Arthur, “How ‘Transitions’ Reshaped Human Rights: A Conceptual History of Transitional Justice” 31 (2009) *Human Rights Quarterly* 321–67.

Ruti G. Teitel, “Transitional Justice Genealogy” 16 (2003) *Harvard Human Rights Journal* 69–

94.

Hannah Franzki and Maria Carolina Olarte, “Understanding the Political Economy of Transitional Justice: A Critical Theory Perspective” in *Transitional Justice Theories*, ed. Susanne Buckley-Zistel, Teresa Koloma Beck, Christian Braun, and Friederike Mieth (Abingdon: Routledge, 2014), 201–21.

Session III [Wednesday, September 23]—International legal dimensions of transitional justice

Rome Statute of the International Criminal Court, UN Doc. A/CONF.183/9 (1998), available [here](#).

Obiora Chinedu Okafor and Uchechukwu Ngwaba, “The International Criminal Court as a ‘Transitional Justice’ Mechanism in Africa: Some Critical Reflections” 9 (2015) *International Journal of Transitional Justice* 90–108.

Brianne McGonigle Leyh, “Transitional Justice and International Criminal Justice” in *Research Handbook on Transitional Justice*, ed. Cheryl Lawther and Luke Moffett (Cheltenham: Edward Elgar, 2023) 212–27.

Session IV [Wednesday, September 30]—After the Second World War

Gary Jonathan Bass, *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals* (Princeton: Princeton University Press, 2000), ch. 5.

B. V. A. Röling, *The Tokyo Trial and Beyond: Reflections on a Peacemonger*, ed. Antonio Cassese (Cambridge: Polity Press, 1993) at 1–6, 19–91.

Session V [Wednesday, October 7]—After apartheid

Mahmood Mamdani, “Amnesty or Impunity? A Preliminary Critique of the Report of the Truth and Reconciliation Commission of South Africa (TRC)” 32 (2002) *Diacritics* 33–59.

Claire Moon, “Narrating Political Reconciliation: Truth and Reconciliation in South Africa” 15 (2006) *Social and Legal Studies* 257–75.

Elmien W. J. Du Plessis, “The ‘Justice’ in ‘Just and Equitable’ Compensation” in *Beyond Expropriation without Compensation: Law, Land Reform and Redistributive Justice in South Africa*, ed. Olaf Zenker, Cheryl Walker, and Zsa-Zsa Boggenpoel (Cambridge: Cambridge University Press, 2023) 71–94.

Session VI [Wednesday, October 14]—Case studies: Morocco, Rwanda, Tunisia

Susan Thomson, “The Darker Side of Transitional Justice: The Power Dynamics Behind Rwanda’s *Gacaca* Courts” 81 (2011) *Africa* 373–90.

Susan Slyomovics, “The Moroccan Equity and Reconciliation Commission: The Promises of a Human Rights Archive” 24 (2016) *Arab Studies Journal* 10–41.

Corinna Mullin, Nada Trigui, and Azadeh Shahshahani, “Decolonizing Justice in Tunisia: From Transitional Justice to a People’s Tribunal” 71 (2019) *Monthly Review*, available [here](#).

Session VII [Wednesday, October 21]—Latin America

Cath Collins, “Human Rights Trials in Chile During and After the ‘Pinochet Years’” 4 (2010) *International Journal of Transitional Justice* 67–86.

Greg Grandin, “The Instruction of Great Catastrophe: Truth Commissions, National History, and State Formation in Argentina, Chile, and Guatemala” 110 (2005) *American Historical Review* 46–67.

Ari Edward Gandsman, “Retributive Justice, Public Intimacies and the Micropolitics of the Res-titution of Kidnapped Children of the Disappeared in Argentina” 6 (2012) *International Journal of Transitional Justice* 423–43.

[Wednesday, October 28]—No class due to fall break

Session VIII [Wednesday, November 4]—The “post-communist world”

Kora Andrieu, “An Unfinished Business: Transitional Justice and Democratization in Post-So-viet Russia” 5 (2011) *International Journal of Transitional Justice* 198–220.

Władysław Bułhak, “In Search of Political Justice, 1939–2000: From the Main Commission for the Investigation of German Crimes in Poland to the Institute of National Remembrance” in *Political and Transitional Justice in Germany, Poland and the Soviet Union from the 1930s to the 1950s*, ed. Magnus Brechtken, Władysław Bułhak, and Jürgen Zarusky (Göttingen: Wallstein Verlag, 2019), 179–93.

Kirsten Campbell, “The Gender of Transitional Justice: Law, Sexual Violence and the Interna-tional Criminal Tribunal for the Former Yugoslavia” 1 (2007) *International Journal of Transi-tional Justice* 411–32.

Session IX [Wednesday, November 11]—Canada

Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Fu-ture: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (2015), available [here](#), “Introduction”, “Commission Activities”, and “Calls to Action”.

Rosemary Nagy, “The Truth and Reconciliation Commission of Canada: Genesis and Design” 29 (2014) *Canadian Journal of Law and Society* 199–217.

Pamela Palmater, “Genocide, Indian Policy, and Legislated Elimination of Indians in Canada” 3 (2014) *Aboriginal Policy Studies* 27–54.

National Inquiry into Missing and Murdered Indigenous Women and Girls, *Supplementary Report—Genocide*, available [here](#).

Umut Özsü, “Genocide as Fact and Form” 22 (2020) *Journal of Genocide Research* 62–71.

Session X [Wednesday, November 18]—Memory

Jan-Werner Müller, “East Germany: Incorporation, Tainted Truth, and the Double Division” in *The Politics of Memory: Transitional Justice in Democratizing Societies*, ed. Alexandra Barahona De Brito, Carmen González-Enríquez, and Paloma Aguilar (Oxford: Oxford University Press, 2001) 248–74.

Omar G. Encarnación, “Reconciliation after Democratization: Coping with the Past in Spain” 123 (2008) *Political Science Quarterly* 435–59.

Dirk Moses, “The Canadian Museum for Human Rights: The ‘Uniqueness of the Holocaust’ and the Question of Genocide” 14 (2012) *Journal of Genocide Research* 215–38.

Arundhati Roy, “Intimations of an Ending” *The Nation* (13 July 2020), available [here](#).

Session XI [Wednesday, November 25]—Reparations

Thembele Kepe and Ruth Hall, “Land Redistribution in South Africa: Towards Decolonisation or Recolonisation?” 45 (2018) *Politikon: South African Journal of Political Studies* 128–37.

Zina Miller, “Effects of Invisibility: In Search of the ‘Economic’ in Transitional Justice” 2 (2008) *International Journal of Transitional Justice* 266–91.

Benoit Mayer, “Climate Change Reparations and the Law and Practice of State Responsibility” 7 (2017) *Asian Journal of International Law* 185–216.

Adolph Reed Jr., “The Case Against Reparations” (2000) *The Progressive*, available [here](#).

Session XII [Wednesday, December 2]—Discussion of Research Papers

POLICY ON PERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN

ONCE, PERMISSIBILITY OF GROUP OR COLLABORATIVE WORK, AND PERMISSIBILITY OF USING GENERATIVE AI

You cannot reuse your own work from a different course or assignment under any circumstances.

Group and collaborative work is neither expected nor permitted in this course.

You may use AI tools for basic word processing functions, including grammar and spell checking (e.g. Grammarly, Microsoft Word Editor, Copilot). You may *not* use AI to produce content for the essay assignment or to answer questions on exams and quizzes.

It is not necessary to document the use of AI for the permitted purposes listed above. If you have questions about a specific use of AI that is not listed above, please consult me in advance.

Why have I adopted this policy? Because the goal of adopting a limited use of AI is to ensure that all students develop foundational skills in legal analysis, critical thinking, and clear writing without the support of AI.

As our understanding of the uses of AI and its relationship to student work and academic integrity continue to evolve, students are required to discuss their use of AI in any circumstance not described here with the course instructor to ensure it supports the learning goals for the course.

Fall 2026 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
September 9, 2026	Fall term begins.
September 22, 2026	Last day for registration and course changes (including auditing) for Fall courses.
September 30, 2026	Last day to withdraw from full fall courses and the fall portion of fall/winter courses with a full fee adjustment.
October 12, 2026	Statutory holiday. University closed.
October 26-30, 2026	Fall break. No classes.
November 15, 2026	Last day for academic withdrawal from full and late fall courses.

	Last day to request Formal Examination Accommodations for December full fall, late fall, and fall/winter midterm examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
November 27, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full fall term or fall/winter undergraduate courses, before the official December final examination period.
December 11, 2026	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	Last day for take home examinations to be assigned.
December 9-10, 2026	No classes or examinations take place.
December 12-23, 2026	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
December 23, 2026	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

STATEMENT ON PLAGIARISM

The University Academic Integrity Policy defines plagiarism as ‘*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*’ This includes reproducing or paraphrasing portions of someone else’s published or unpublished material, regardless of the source, and presenting these as one’s own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but

are not limited to books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT)
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment
- using another's data or research findings without appropriate acknowledgment
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own
- failing to acknowledge sources with proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor.

The Associate Dean of the Faculty follows a rigorous process for academic integrity allegations, including reviewing documents and interviewing the student, when an instructor suspects a violation has been committed. Penalties for violations may include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources ([on and off campus](#))

- Crisis/Urgent Counselling Support: 613-520-6674 (Mon-Fri, 8:30-4:30)
- Suicide Crisis Helpline: call or text 9-8-8, 24 hours a day, 7 days a week.
- For immediate danger or urgent medical support: call 9-1-1

Carleton Resources

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>

- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources

- Distress Centre of Ottawa and Region: call 613-238-3311, text 343-306-5550, or connect online at <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: call 613-722-6914 or toll-free 1-866-996-0991, or connect online at <http://www.crisisline.ca/>
- Good2Talk: call 1-866-925-5454 or connect online at <https://good2talk.ca/>
- The Walk-In Counselling Clinic: for online or on-site service <https://walkincounselling.com>

REQUESTS FOR ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the *Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances*, are outlined on the Academic Accommodations website (students.carleton.ca/course-outline).

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy and Family-Status Related Accommodations

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

Religious Obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

Academic Accommodations for Students with Disabilities

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity

Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).