

Rutgers, The State University of New Jersey
Criminal Justice Program
Professor Lennox Hinds
Lucy Stone Hall, Room A359
Office Hours: Tuesday/Thursday 4:00pm-6:00pm By Appointment Only
(848) 445-4267
lhindsshw@aol.com

CRIMES AGAINST HUMANITY
Spring 2013 01:202:312
Tuesdays/Thursdays 8:10pm-9:30pm
Lucy Stone Hall, Room B105
Website: criminaljustice.rutgers.edu

Learning Goals: A Statement of Principles

The Program Committee for the Program in Criminal Justice at Rutgers University in New Brunswick has adopted a series of learning goals for students who complete the major. These goals represent the consensus of the faculty regarding the concepts a student should grasp and the skills a student should acquire in the course of completing the major. These goals guide the choices faculty make about the structure of the curriculum and the requirements for our majors. Moreover, they guide faculty and instructors preparing course material and teaching courses.

The Program in Criminal Justice will provide students with a rich understanding of crime and criminal justice in the United States and abroad through an interdisciplinary approach that blends a strong liberal arts educational experience with pre-professional instruction in the field of criminal justice. Graduates of the program will be well-informed citizens on the topic of crime and justice, and qualified for graduate study or for employment as practitioners in a variety of legal, policymaking, and law enforcement fields.

Criminal justice majors graduating from a research university should be able to use critical thinking, factual inquiry, and the scientific approach to solve problems related to individual and group behavior. In addition, students should have an understanding of the legal, political and policymaking processes that affect criminal justice systems in the United States and elsewhere in the world. Finally, students should be familiar with the institutional structures and latest developments in the field in order to engage in meaningful debate about current public policy issues.

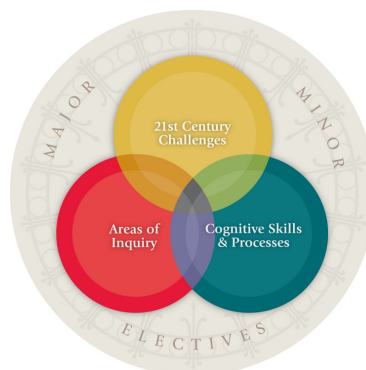
Learning Goals for Criminal Justice Majors

1. Competence:

- a.) **Theory.** Students who complete the major in criminal justice should understand and be able to articulate, both orally and in writing, the core

theoretical concepts that form the foundation of analysis and research in criminology and criminal justice today. Core concepts are derived from explanations of crime from a variety of perspectives, including biogenic, psychological, and sociological approaches. There are myriad theories of crime that are informed by these perspectives, including, classical, control, critical, ecology, labeling, learning, strain, and trait-based approaches. Theoretical literacy should extend to multicultural and international understanding.

- b.) **Institutions.** Students who complete the major in criminal justice should understand the special role of three types of institutions: Police, Corrections, and Courts. In addition, students should know how institutional forms vary across jurisdictions and how these institutions interact with and influence each other.
 - c.) **Research Methods.** Students who complete the criminal justice major should be familiar with the tools, techniques, and data sources necessary for empirical analysis. Students should understand the various ways that empirical analysis is used in the scientific approach: for description, for developing, and for testing theories. They should be able to analyze data using computer applications and should be familiar with basic statistical techniques and regression analysis. They should be able to read and assess research from a wide range of sources, including general interest, academic, and government publications.
2. **Critical Thinking:** Upon completion of the major students should be able to apply their understanding of core concepts and quantitative tools to analyze and research real world problems, and evaluate alternative policy proposals on a range of criminal justice issues, from micro-level analyses relevant to particular cases to management concerns to macro-level analyses of legislative and other broad-scale policies. Accomplishment of this goal will require that students can apply their literacy and numeracy skills to different institutional structures, within the U.S. and across countries.
3. **Scholarship:** Qualified majors should have an opportunity through such avenues as advanced coursework, internships, and faculty interactions to conduct independent research on matters of central relevance to the field of criminal justice.



COURSE OBJECTIVES

This course is designed to explore the relationship between International Criminal Justice and the maintenance of World Peace. The materials therefore center on evolving concepts of International Humanitarian Law and International Jurisprudence.

Students who complete this course should understand and be able to articulate, both orally and in writing, the core theoretical concepts that form the foundation of analysis and research in International Humanitarian Law and International Crimes: more specifically, Crimes Against Peace, Genocide, War Crimes and Crimes Against Humanity. Students should be able to use critical thinking, factual inquiry, and the scientific approach to solve problems.

Students should develop an understanding of the Legal, Political, and Policy making processes that affect International Criminal Justice in various jurisdictions. Finally, students are expected to become familiar with the institutional structures and latest developments in the field in order to engage meaningfully in debate about current public policy issues, impacting on International Criminal Justice and World Peace.

REQUIRED TEXTS

- Course Packet: CRIMES AGAINST HUMANITY. (2010) by Professor Lennox S. Hinds. ISBN: 9781592710997
- THE STATUTES RULES OF PROCEDURE AND EVIDENCE: INTERNATIONAL TRIBUNAL FOR RWANDA. (See www.ictj.org)
- Course Packet: INTERNATIONAL REVIEW OF CONTEMPORARY LAW: U.S. EDITION: Human Rights Issues in the United States: Violations of International Law. (1990) by The International Association of Democratic Lawyers. ISBN: 9781592712472

SUGGESTED READING

GENOCIDE, ITS POLITICAL USE IN THE TWENTIETH CENTURY. (Leo Kuper, Yale University Press, 1981).

THE HISTORY OF SOCIOLOGY OF GENOCIDE. (Frank Chalk and Kurt Jonassohn, Yale University Press, 1981).

GENOCIDE WATCH. (Helen Fein, Yale University Press, 1992).

THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE.

DISABILITY POLICY & ACCOMMODATIONS

- Full disability policies and procedures are at <http://disabilityservices.rutgers.edu/>

- Students with disabilities requesting accommodations must follow the procedures outlined at: <http://disabilityservices.rutgers.edu/request.html>

ACADEMIC DISHONESTY

Rutgers University has a well-defined academic integrity policy, which will strictly enforced in this class. All students in this class should review and be familiar with the policy of the university, which can be found at:

http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf

ATTENDANCE & PARTICIPATION

Students are expected to attend all classes; if you expect to miss one or two classes, please use the University absence reporting website <https://sims.rutgers.edu/ssra/> to indicate the date and reason for your absence. An e-mail is automatically sent to me. You are expected to have the material read for the respective class.

COURSE OUTLINE

- (1) **INTERNATIONAL MONITERING OF POTENTIAL GENOCIDE CONDITIONS**, Wisconsin International Law Journal, Vol. 9, No. 2, Pgs. 491-514
- (2) **THE CRIME OF GENOCIDE-A UNITED NATIONS CONVENTION AIMED AT PREVENTING DESTRUCTION OF GROUPS AND PUNISHING THOSE RESPONSIBLE**. Published by the U.N. of Public Information.
- (3) **GENOCIDE CONVENTION AND THE U.N. UPDATED REPORT ON THE QUESTIONS OF THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE.**
- (4) **FIVE HUMAN RIGHTS INSTRUMENTS AND THE UNIVERSAL DECLARATION OF HUMAN.**
- (5) **UNIVERSAL DECLARATION OF HUMAN RIGHTS.**
- (6) **CONTRIBUTIONS OF THE GENOCIDE CONVENTION TO THE DEVELOPMENT INTERNATIONAL LAW**, Richard W. Edwards, Jr., Ohio Northern University Law Review, 1981.
- (7) **VICTIMS OF GENOCIDE**, Burton M. Leiser, Ohio Northern University Law Review, 1981.
- (8) **DOES THE GENOCIDE CONVENTION GO FAR ENOUGH? SOME**

- THOUGHTS ON THE NATURE OF CRIMINAL GENOCIDE IN THE CONTEXT OF INDONESIA'S INVASION OF EAST TIMOR**, Roger S. Clark, Ohio Northern University Law Review, 1981.
- (9) **GENOCIDE-AT-LAW: AN HISTORICAL AND CONTEMPORARY VIEW OF THE NATIVE AMERICAN EXPERIENCE**, Rennard Strickland Kansas Law Review, 1986.
- (10) **INTERNATIONAL LAW AND CAMBODIAN GENOCIDE: THE SOUND OF SILENCE**, Hurst Hannum, Human Rights Quarterly II, 1989, Pgs. 82-138, The John Hopkins University Press.
- II. (11) **IN DEFENSE OF THOSE ACCUSED OF GENOCIDE AND CRIMES AGAINST HUMANITY: EXPERIENCES AT THE ICTR**
- SELECTED VIDEOTAPES:*
PROSECUTOR VS SETAKO
PROSECUTOR VS KAJELIJELI
- III. **CHAPTER OF THE INTERNATIONAL MILITARY TRIBUNAL AT NURENBERG AND THE FORMULATION OF THE NURENBERG PRINCIPLES**
- SUGGESTED READINGS:*
CASES AND MATERIALS ON UNITED NATIONS LAW, Louis B. Sohn, 1995. Chapter 9, "War, Aggression and Other International Crimes"
WAR CRIMES AND LAWS OF WAR, Donald A. Wells, 1984, Pgs. 65-111
- IV. **INTERNATIONAL REVIEW OF CONTEMPORARY LAW (TEXT)**
- (12) **HUMAN RIGHTS VIOLATIONS IN THE UNITED STATES: AN INTRODUCTION**. Lennox S. Hinds, Pgs. 5-13.
- (13) **THE DEATH PENALTY IN THE UNITED STATES: CONSISTENT PATTERNS OF GROSS VIOLATIONS OF HUMAN RIGHTS**. Lennox S. Hinds, Pgs. 31-53.
- (14) **RACIALLY MOTIVATED VIOLENCE: INTERNATIONAL REMEDIES FOR HUMAN RIGHTS VIOLATIONS IN THE UNITED STATES**. José Luis Morin, Esq., Manuel del Vallé, Esq., Pgs. 61-68.

- (15) **UNITED STATES REFUGEE AND IMMIGRANT DETENTION POLICIES AND PRACTICES VIOLATE INTERNATIONAL AND U.S. LAW.** Pgs. 87-112.
- (16) **POLITICAL PRISONERS IN THE UNITED STATES: THE HIDDEN REALITY.** Michael E. Deutsch, Esq., Jan Susler, Esq., Pgs. 113-125.
- (17) **U.N. INTERNATIONAL LAW COMMISSION REPORT ON DRAFT CODE OF OFFENSES AGAINST THE PEACE AND SECURITY OF MANKIND,** 1986.

V. **TORTURE AND OTHER CRUEL OR DEGRADING TREATMENT OR PUNISHMENT AS A CRIME AGAINST HUMANITY**

REQUIRED READINGS:

- (18) **U.N. ECOSOC REPORT ON TORTURE AND OTHER CRUEL INHUMANE OR DEGRADIGN TREATMENT,** 1985.
- (19) **TORTURE OF DETAINEES IN SOUTH AFRICA,** 1985, U.N. Special Committee Against Apartheid

VI. **MERCERNARISM AS A CRIME UNDER INTERNATIONAL LAW**

REQUIRED READINGS:

- (20) **THE LEGAL STATUS OF MERCENARIES: A CONCEPT IN INTERNATIONAL HUMANITARIAN LAW,** Philippine Law Journal, 1977, Lennox S. Hinds.

VII. **CHEMICAL AND BIOLOGICAL EXPERIMENTATION ON U.S. CITIZENS BY THE C.I.A. AND DEPARTMENT OF DEFENSE**

SUGGESTED READINGS:

WAR CRIMES AND LAW OF WAR, Donald A. Wells, 1994

G.I. GUINEA PIGS AND HOW THE PENTAGON EXPOSED OUR TROOPS TO DANGERS MORE DEADLY THAN WAR. Michael Uhl And Todd Ensign, 1981

VIII. **APARTHEID – A CRIME AGAINST HUMANITY: EMERGING CHALLENGES TO THE 1948 GENOCIDE CONVENTION**

**VIDEO LECTURE SERIES FROM THE NELSON MANDELA
SCHOLARS SEMINAR IN CRIMINAL JUSTICE**, Spring 1987

REQUIRED READINGS:

- (21) **APARTHEID IN SOUTH AFRICA AND THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS, CRIMES AND SOCIAL
JUSTICE**, Lennox Hinds
- (22) **THE GROSS VIOLATIONS OF HUMAN RIGHTS OF THE
APARTHEID REGIME UNDER INTERNATIONAL LAW**
Submitted to the Truth and the Reconciliation Commission,
Johannesburg, South Africa on Behalf of the International Association
Of Democratic Lawyers, by Professor Lennox S. Hinds, Rutgers
University, New Brunswick, NJ, USA, October 27-29, 1997
- (23) **THE INTERNATIONAL LAW COMMISSION DRAFT CODE OF
CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND:
AN APPRAISAL OF THE SUBSTANTIVE PROVISIONS**, Timothy L.
H. McCormack and Gerry J. Simpson, Criminal Law Forum, Vol. 5, No. 1
1994
- (24) **BEYOND THE 1948 CONVENTION – EMERGING PRINCIPLES OF
GENOCIDE IN CUSTOMARAY INTERNATIONAL LAW**, Lori Lyman
Broom, Maryland Journal of international Law and Trade, Vol. 17, Fall 1993
- (25) **PEACE MAKING AND SECURITY COUNCIL POWERS: BOSNIA
HERZEGOVINA RAISES INTERNATIONAL AND CONSTITUTIONAL
QUESTIONS**, Jordan J. Paust, Southern Illinois University Law Journal, Vol. 19,
Fall 1994.
- (26) **DRAFT CHARTER OF THE INTERNATIONAL TRIBUNAL FOR
VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW IN
THE FORMER YUGOSLAVIA**, Pace University School of Law,
International Law Review, Vol. VI, No. 1, Winter 1994
- (27) **TIME FOR JUSTICE: THE CASE FOR INTERNATIONAL
PROSECUTIONS OF RAPE AND GENDER-BASED VIOLENCE
IN THE FORMER YUGOSLAVIA**, Kathleen M. Pratt and
Laurel E. Fletcher, Berkeley's Women Law Journal, Vol. 9, 1994