

History 4394 – The U.S., War Crimes, and the Holocaust Summer 2007

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Office Hours: By Appointment

Course Description: Inhuman acts have been committed in wars throughout history. However, it was only with the Holocaust and other genocidal atrocities of World War II that politicians, lawyers, and average citizens alike began to think of some of the horrors of war as crimes for which perpetrators could be held legally accountable. The United States was at the forefront of the international movement to attempt to redefine war crimes to include acts previously considered beyond the realm of objective judgment. This course will examine the role played by the United States in the creation and promulgation of new international law for the prosecution of war crimes and crimes against humanity.

In addition to exploring the role played by the United States, particularly at the Nuremberg War Crimes Trial, this course focuses on a larger theme of American history. Can we explain – or justify – how the United States participated in the prosecution of the Nazis for committing crimes against humanity, “namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds” while simultaneously maintaining an unequal social order at home? Moreover, this course will consider whether the United States committed similar war crimes and crimes against humanity. Was Nuremberg simply “victors’ justice?” Lastly, this course will examine the evolution of international law in an era of continuing war crimes and human rights abuses since Nuremberg.

Required Reading:

The Nuremberg War Crimes Trial, 1945-46: A Documentary History by Michael Marrus
War Crimes Against Southern Civilians, by Brian Cisco
Justice in the Balkans: Prosecuting War Crimes in the Hague Tribunal, by John Hagan

Examinations: There will be two closed-book, closed-note examinations during the semester making up 80% of the semester grade:

- Tuesday, June 12 – Exam I
- Thursday, June 28 – Exam II

Each exam will cover material from lectures, films/documentaries, and readings. The exams will be in essay format. 20% of your semester grade will be based on course participation in discussion sessions. The grading scale is based on your percentage:

A =93-100%, A- =90-92%, B+ =87-89%, B =83-86%, B- =80-82%, C+ =77-79%, C =73-76%,
C- =70-72%, D+ = 67-69%, D =63-66%, D- = 60-62%, F=0-59%.

Attendance: You are expected to arrive on time and stay the full class period.

Students with Disabilities: Your instructor is committed to ensuring that students with health impairments, learning disabilities, physical disabilities, psychiatric disorders, or other disabilities are able to compete successfully with non-disabled students. Students requesting an accommodation must contact the instructor at the beginning of the semester. Under UH’s policy, only students who are registered with the Center for Students with DisAbilities may request academic accommodations. For more information see: <http://www.uh.edu/csd/index.htm>.

Academic Honesty: All students are required to exercise academic honesty in completion of all tests and assignments. Penalties for academic dishonesty (cheating on a test, plagiarism, unauthorized collaboration on an assignment) may include a grade F for the particular assignment, failure in the course, and/or recommendation for probation or dismissal from the University. For more information, see the University's Academic Honesty Policy: <http://www.uh.edu/academics/catalog/general/acade2.html#honesty>.

Classroom Decorum: Disruptive students in the academic setting hinder the educational process. Examples include behavior that distracts the class from the subject matter or discussion; or in extreme cases, physical threats, harassing behavior or personal insults, or refusal to comply with faculty direction. Any behavior that adversely affects the normal educational functioning or the professional standards of the class may result in failure for the course. Cell phones, beepers, or pagers are a significant distraction and must be turned off or put in silent mode prior to coming to class. Do not answer phones during class. If you are expecting an emergency phone call, you must arrange with the instructor or grader prior to class. Laptops are permitted for note taking during lecture only. MP3 players and other portable electronic devices are not permitted in class. Students who repeatedly violate this policy may be dropped from the class.

Lectures Topics and Reading Assignments: (readings will be added as we go along)

Topics	Topic	Readings
Tuesday, May 29	Course Introduction	
Thursday, May 31	US Foreign Policy	
Tuesday, June 5	Early American Legal Traditions Regarding War Crimes	<i>The Lieber Code of 1863</i>
Thursday, June 7	The Changing Rules of War and Peace	<i>Albert Beveridge: The March of the Flag</i> <i>Josiah Strong, Our Country (1885)</i> <i>War Crimes Against Southern Civilians</i>
Tuesday, June 12	EXAM I	
Thursday, June 14	WWII and Crimes Against Humanity	
Tuesday June 19	The American War Crimes Program	<i>The Nuremberg War Crimes Trial 1945-46</i>
Thursday, June 21	Nuremberg and the Negro Question	
Tuesday, June 26	Law and War in a Post-Nuremberg World	
Thursday, June 28	EXAM II	<i>Justice in the Balkans</i>