Announcing a New Master’s Degree Program in Coexistence and Conflict

The Center is pleased to announce that we are now accepting applications for the 2004-05 academic year for our new master’s degree program in coexistence and conflict.

The program will provide early- and mid-career professionals with the skills to implement creative approaches to the ethnic, racial, and religious divisions within their societies, and throughout the world. Many of these divisions are now globalizing, and are threatening to undermine national and international political security over the coming decades.

The new coexistence and conflict program combines the best of both worlds: rigorous intellectual work focused on the causes of conflict, combined with a practical focus on solving real-world problems. Highlights of the curriculum include:

- Analysis of historical and contemporary conflicts
- Case studies of specific conflict situations
- Current and developing approaches to conflict and its resolution
- Strategies for designing and developing successful coexistence interventions
- Skills training in facilitating dialogue and mediating in conflict situations
- Evaluation of conflict interventions

Students in the program can earn an MA degree within sixteen months. They spend one academic year doing full-time coursework at Brandeis University. During the summer and fall of the second year, students undertake a fieldwork project and write a report under the supervision of a Brandeis faculty mentor.

We are seeking students who are already working or who intend to work in the field of violence prevention, as well as those who are working in related fields such as diplomacy, human rights, education, and the development of civil society.

The program is under the leadership of Mari Fitzduff, professor of intercommunal coexistence. Fitzduff brings more than 15 years of experience in both coexistence practice and research. She was at the forefront of tackling one of the world’s thorniest conflict situations as the first chief executive of the Northern Ireland Community Relations Council. More recently she served as director of UNU/INCORE, one of the world’s premier organizations for research on conflict.

The master’s program is one of the principal components of the Slifka Program in Intercommunal Coexistence, which also includes an undergraduate component and research and collaborative activities. For more information, visit the Center’s website at www.brandeis.edu/ethics or call 781-736-5001.

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Literary Responses to Mass Violence

In September 2003, the Center joined the Tauber Institute for the Study of European Jewry at Brandeis University and Ben Gurion University in Israel to host “Literary Responses to Mass Violence,” an international gathering of writers and scholars at Brandeis University. The event was composed of three daytime sessions and two evening events.

In the evening, authors read from their works and scholars discussed models for how literature can and does respond to political violence or national catastrophes. The daytime sessions, entitled “Literature and Testimony,” “Nations, Populations, and Language,” and “Finding Words in an Age of Violence” brought scholars and authors together to examine questions within a variety of themes including:

- How does literature respond to violence and how is it different from testimony?
- How is language choice affected when a
Dear Friends and Colleagues,

We are writing as participants in CHYME (Community Histories by Youth in the Middle East), a coexistence project of the International Center for Ethics, Justice and Public Life at Brandeis University. Through this project, we—as Jordanian, Israeli, Palestinian, and American youth leaders, educators, and peacebuilding practitioners—met at Brandeis to explore new ways to help the young people in our communities learn about each other and grapple with our differences in constructive ways. The project is funded by the United States Department of State, and has created a partnership among the Center; Givat Haviva in Northern Israel; the Palestinian House of Friendship in Palestine; and MASAR/Crossing Borders in Amman.

We are writing out of concern for the welfare of one of the members of our project, Abd el-Hadi Azzam Mustafa Jawabreh, who visited Brandeis as part of the Palestinian delegation in October 2001. Over a year ago, he was detained by Israeli military authorities at a checkpoint near Jenin, and has been kept in detention since then. His original six-month detention recently has been renewed for the third time.

According to his family, in this entire period, Abd el-Hadi has never been questioned and has had no charges brought against him. He has begun to develop some health problems. His two children, his wife, and the members of his village miss him and cannot understand why he is being held.

We are worried about Abd el-Hadi and concerned that he is being detained for so long with no charges. Despite the tense reality and attacks against civilians, we believe that holding him without any charges and denying him a fair trial violates his basic human rights. The feelings of resentment that arise from situations like this can only feed into the hands of extremists, adding to the insecurity and suffering of all people in the region, Israelis and Palestinians alike.

Farhat Agharja, Givat Haviva
Nadia Ahuraemi, Jordanian delegation
Hima Chintalapati, Brandeis University
Cynthia Cohen, Brandeis University
Ora Gladstone, Brandeis University (formerly)
Chris Kingsley, Brandeis University
Shimon Malka, Givat Haviva
Sarah Ozacky-Lazar, Givat Haviva
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The Art of the Unspeakable

There are some who say that the only proper response to mass violence is silence. The silence of respect for those who have died. The silence of awe in the face of unimaginable horror. The silence of humility to mark our powerlessness to stop the bloodshed.

For writers of poetry, fiction, and other literary forms, the taboo has sometimes appeared even stronger. What right do artists have, some ask, to mine catastrophe for their art? What purpose is served—after the fact or while it’s occurring—by re-creating violence in another form? What place is there for the creative impulses of writers in a world where the shocking truths have long since outstripped the worst that we could have imagined?

The arguments for silence are compelling, and silence will always have its place. But an incontrovertible truth has emerged in the last half-century: however deep the horror, however the scale of a tragedy, the human impulse to respond with words and stories is impossible to suppress. The question has been settled: literature can and must endure even in the face of the apparently unspeakable.

This imperative echoed through the Center’s three-day gathering in September on “Literary Responses to Mass Violence.” A dozen writers and scholars from Africa, the Middle East, and the United States convened to reflect on the writing and testimony that has been published in the wake of the Holocaust, apartheid, and the genocide in Rwanda, among other recent tragedies.

A striking theme that emerged from our discussions was that the moral complexity of the position of the artist in relation to violence both constrains his or her writing and nourishes it.

The challenge of knowing when to speak out and when to be silent, the risk of discovering beauty in the shadow of horror, the fragility of the reed of literature amidst the winds of politics and madness. These are the pressing questions that grip those who are wrestling with the atrocities of the distant and not-so-distant past.

Rachel Talshir, an Israeli-born daughter of Holocaust survivors, found herself drawn to write about the experiences of her parents’ generation. Her novel, Love Macht Frei, is a shattering look at how the lives of three telegen girls are wrenched apart. It is also a story of how love and even sensuousness might take root, even in the midst of horror. Her evocations of adolescent flirtation amidst the misery of the concentration camp have aroused controversy, but Talshir maintains a steady belief in the power of survival—not just of the body, but of the soul.

A 20th-century catastrophe have, among other things, exploded our deepest conceptions of the world. So argued Yigal Schwartz, the director of Heksherim, the Research Center for Jewish and Israeli Literature and Culture, at Ben Gurion University of the Negev, and our partner in sponsoring the conference. “History, literature, and myth used to be separate and recognizable approaches to the past,” Schwartz said. In response to mass violence, realism gives way to mythologized fantasy in literature, respectable historians find themselves meditating on the metaphysical nature of evil, and journalists transform reporting into fiction in the name of a deeper truth.

Boris Diop has come to believe that reporting could not do justice to atrocity. A Senegalese journalist and author, Diop was commissioned, along with nine other African writers, to travel to Rwanda in the aftermath of that country’s genocide and find a way to write about it. He conducted dozens of interviews with survivors and visited the sites of some of Rwanda’s worst massacres, but found, in the end, that he was impelled to write a work of fiction.

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Mark Sanders, assistant professor of English at Brandeis and the program director for the conference, offered a provocative look at the relationship between survivors of violence and the community that allowed the violence to flourish. Responding to work by Primo Levi, Sanders argued that “reparation” (as distinct from “reparations”) might be a mutual process, through which not only the real violence of the
Meet the '03-'04 Brandeis International Fellows

Recasting Reconciliation through Culture and the Arts is the theme of the third round of Brandeis International Fellows. Questions about the contributions of cultural work and the arts to coexistence and reconciliation will be explored by teams of artists and documenters working in New Zealand, Sri Lanka, Cambodia, South Africa, and Rwanda.

The five two-person teams were chosen from among applications from eighty teams. Fellows will gather during two institutes on the Brandeis campus, in November 2003 and October 2004. They will share the results of their inquiry in a symposium being planned for October 2004, and through a book containing portraits of their work in the field. Cynthia Cohen directs the fellowship program. The core faculty also includes Jonathan Fox, founder of Playback Theatre, and Farhat Agbaria, a 1998 Brandeis International Fellow. The Fellows program is funded by the Rice Family Foundation.

From Burundi, Rwanda, and South Africa
Nicholas Kotei Djanie and Lena Slachmuijlder promote reconciliation in divided communities through African drumming, music, and song. Djanie is a master drummer, dancer, teacher, and performer; Slachmuijlder is a musician, cultural facilitator, and an experienced radio and print journalist who directs Studio Ijambo, a radio station affiliated with the organization Search for Common Ground in Burundi. In recent years, they both contributed to a four-day peace festival in Burundi and have collaborated with the Rwandan National Olympic Ballet to create a dance-drama, telling the story of the Rwandan genocide and the efforts underway towards reconciliation. They wrote: "We both believe, based on our experiences, in the creative and spiritual power of drumming, song, and dance to transform individuals and communities, deal with trauma, and facilitate the process of reconciliation around the unity of rhythm." In the next two years, they will document and think critically about their ongoing work in Burundi, Rwanda, and South Africa, particularly addressing questions about how participating in drumming, music, and dance performances affects relationships, the development of trust, and personal and communal healing.

From Sri Lanka
Iffat Fatima and Lisa Kois are creating a documentary film entitled The "Road" to Peace, a "pro-peace and anti-war documentary film that focuses on the stories of people that give expression to the larger narratives of peace and war... It will look at the ways in which those affected by conflict have no choice but to remember, while exploring the ways in which they remember through storytelling, art, symbol, and ritual. Both the process of undertaking the journey and the film itself are intended to stimulate dialogue within and between communities that have been separated by geographic, linguistic, and ethnic differences, as well as to stimulate dialogue within and between parties to the conflict." Kois is a peacebuilding practitioner, legal researcher, and writer. Fatima is a filmmaker and cultural researcher. Their work will include the production of the film and the documentation of and reflection upon how it will be received by different groups and communities.

From Cambodia
Ly Daravuth and Ingrid Muan are visual artists, art historians, and curators. They wrote: "For the past five years, we have been working together on a series of art and research projects which culminate in exhibitions and publications. The institutional frame for our work is Reyum, the Institute of Arts and Culture that we established in downtown Phnom Penh in late 1998. In this storefront space, we offer images and texts that we hope open a modest public forum in which those who wish to participate can look, think, discuss, and create. By doing so, we feel that we contribute towards coexistence—if not reconciliation—in Cambodia. We would like to continue this work over the next two years, inspired and perhaps unsettled by discussions of the two institutes." Reyum also sponsors an art school for disadvantaged children and created "The Legacy of Absence," an exhibition that asked artists to consider how they could "talk" about the Khmer Rouge period. The exhibition "stimulated those who came to see it to talk, remember, and then talk further.

The Legacy of Absence: Cambodian Artists Confront the Past—Ly Daravuth's installation, The Messengers—asks "What is a document, what is the truth?"
From New Zealand

Beverley Hosking and Jenny Hutt will explore the use of Playback Theatre (PBT) “to create the space for deep community dialogue involving the telling and receiving of difficult-to-tell and cannot-be-told stories.” Hosking—a PBT trainer based in New Zealand—also works with dalits (untouchables) in India; with Chinese, Indian, and Malay participants in Singapore; and with indigenous and Indian Fijians, in Fiji, who are actively working toward reconciliation. Hutt, who has also performed in two PBT companies, will serve as the team’s documenter. She is a workplace educator, diversity trainer, writer, and editor in Australia, where she now lives. Their documentation will focus on the PBT School in New Zealand, where Hosking and her Maori counterpart find that “the combination of theatre, the telling of personal story and the ritual of the PBT form, together with the strength of traditional tikanga Maori (customs and rituals) can create a powerful framework within which a strong and deep exploration of differences can occur.”

From South Africa

Kim Berman and Stompie Selibe will document a range of community outreach and development programs that use art processes as a medium for engaging social change in South Africa. The projects vary from education and training, income generating activities, AIDS awareness, and responses to communities in trauma. Berman, a printmaker and educator, founded the Artist Proof studio in 1991, a community-based art center for teaching printmaking and related skills to black artists who otherwise would not have had access to such learning. Artist Proof became the home for some 80 artists to gather and attend workshops. She also initiated a papermaking project that is currently sustaining 230 rural women who earn an income from paper products made from the natural biological resources of their regions. Selibe works as an artist, musician, and teacher; and is studying art and music therapy. He speaks seven African languages, has led workshops with people from all walks of life in South Africa, and will serve as the team’s facilitator and interviewer.

What is Playback Theatre?

Imagine an empty stage framed by musicians, actors, and a “conductor,” or facilitator, who will ask audience members to share a story, a feeling, a hope. Their responses are enacted on the spot, in a way that the tellers feel respected and their stories are made clear to the audience.

This nontextual approach to theater, founded in 1975, is now practiced in 40 countries. Playback Theatre (PBT) is used for reconciliation in Burundi, empowerment in India, and diversity awareness training in New York schools. Its aim is to provide a creative public space for the communication of private experience, thereby lessening the silence and (re) building a cooperative community.

PBT offers many resources for reconciliation work. It invites intensive listening, by both the ensemble and the audience. Its keen sense of ritual supports people to tell and receive difficult-to-tell, but necessary, stories. It creates spaces where the conflicts, paradoxes, and possibilities of community life can be acknowledged and apprehended in a new light.

During the November ’03 institute, The Hudson River Playback Theatre company will perform at Brandeis University. Fellows will be joined by members of the Brandeis community to co-create “Dialogue and Reconciliation: Stories of Challenge and Transformation.”
Authority and Autonomy: Defining the Role of International and Regional Courts

From July 20-26, 2003, the Center hosted its second annual Brandeis Institute for International Judges (BIIJ). Held at the Schloss Leopoldskron in Salzburg, Austria, BIIJ 2003 brought together 14 judges from nine international courts and tribunals for a week of reflection and discussion about their unique work. Core and guest faculty led sessions on a wide variety of topics, each designed to provoke new kinds of thinking about both the pragmatic challenges and the ethical dilemmas faced by judges whose courts have transnational or regional jurisdiction.

The Institute started off with a session that used the “humanities-based approach” developed as part of the long-standing Brandeis Seminars in the Humanities and the Professions program. Led by Brandeis professor of politics and law Jeffrey Abramson, the session called for judges to ponder in an abstract manner some of the ethical issues that might arise in the course of their work. Justice Richard Goldstone of the Constitutional Court of South Africa followed this session with a provocative discussion on the spread of terror in the post-9-11 era and its consequences for international law. Professor Thomas Franck of the New York University School of Law focused his session on the functioning of the International Court of Justice, perhaps the best established of all international judicial bodies. Professor Gerhard Loibl of the Diplomatic Academy of Vienna addressed the increasingly important domain of environmental law and the manner in which states are encouraged to comply with international environmental treaties. The problematic issue of how the public views international courts and tribunals was the topic of the session led by Louise Doswald-Beck, secretary-general of the International Commission of Jurists. Justice Anthony Kennedy of the United States Supreme Court spoke to judges about concepts of law held by his court. His discussion included the recent decision on Lawrence v. Texas where the court struck down anti-sodomy legislation. Problems facing the newly established and, in some quarters, controversial International Criminal Court were discussed frankly by Hans Corell, under-secretary-general for Legal Affairs and Legal Counsel of the United Nations, along with Justice Richard Goldstone.

One of the most innovative parts of the BIIJ program was a day-long workshop on the development of common themes and guidelines that can inform the codes of ethics that guide the professional behavior of judges who sit on international courts and tribunals. The Center has created a report that summarizes the discussions that took place on the development of such guidelines, with particular focus on the topics of “impartiality and outside activities” and “accountability and disciplinary procedures.” The report ends with recommendations by workshop participants on future steps to be taken in the development of ethics guidelines for international courts and two sample lists of ethical issues that might be part of such guidelines. A report on the ethics workshop is available online. It will also be distributed to selected parties working in the field of international law as part of the BIIJ 2003 Report.

The keynote address was delivered by Theodore Sorensen, chair of the Center’s advisory board, international lawyer, and former special counsel and advisor to President John F. Kennedy. Sorensen spoke on the topic “International Jurisprudence: the Best and Worst of Times.”

In addition to working in sessions, BIIJ participants continued their discussions after hours—over meals, on the Schloss terrace with the Untersberg in the distance, in the bierstube, while strolling into the old city of Salzburg, or on leisurely bike rides in the vicinity of the Schloss. The Institute thus combined successfully an intensive program of reflection and discussion with a congenial atmosphere in which judges could forge new professional ties.

For additional information on the BIIJ or to download related reports, visit the Center’s website. The BIIJ 2003 was funded by the Rice Family Foundation.
Challenges Facing the New International Criminal Court

Of the many interesting discussions that took place at BIIJ 2003, those regarding the new International Criminal Court (ICC) were among the liveliest. There has been much controversy surrounding the establishment of this court, especially in the United States whose government has withdrawn its signature from the Rome Statute of the ICC and refused to become a party to it. BIIJ participants were fortunate in having Hans Corell and Justice Richard Goldstone as institute faculty. Corell was responsible for the organization of the 1998 conference that was charged with drafting the Rome Statute. Goldstone is the former chief prosecutor of the International Criminal Tribunal for the Former Yugoslavia (ICTY). Together they led a session that addressed some of the challenges that the ICC is encountering as it begins to carry out its important work.

Corell took the floor first, addressing a number of challenges facing the ICC with regard to prosecutors, judges, member states, the United Nations, and the United States.

The Office of Legal Affairs at the United Nations is very interested in the role of international criminal prosecutors. There is now a growing body of knowledge that can inform the work of ICC prosecutors, drawn from the experiences of the criminal tribunals in Yugoslavia, Rwanda, and Sierra Leone. Corell noted that the diversity of the ICC prosecutorial team—investigators, assistant prosecutors, and so on, all hailing from different countries and jurisdictions—calls for the chief prosecutor to be open-minded and to take advantage of the varied experiences of his colleagues.

The diversity of the ICC bench presents another challenge to the success of the ICC. Judges come from 18 different countries, and not all have had prior experience in the courtroom or even the bar. Corell has been impressed with how quickly these judges have formed a cooperative and collegial group. He notes how important it is that judges not become the target of undue pressure from outside interests or of threats to their personal safety. He also noted that the ICC is bound to develop a unique relationship with the media, given the high profile cases it will handle.

There is a danger in such a relationship, asserted Corell. Having judges too much in the public eye could compromise their appearance of independence at a time when the ICC very much needs to prove itself as an institution. He suggests that judges thus refrain from engaging in too many public events and instead focus on the work at hand.

The actions of member states of the ICC will play a significant role in the success of the court. It is particularly important that member states deliver persons under their jurisdiction who are indicted by the court for crimes. Corell posed this question about member states: "Is there political will to cooperate with the court in concrete situations?" Only time will reveal whether this is indeed the case.

Although the ICC is not an organ of the United Nations, the two institutions must work closely together if the court is to achieve its goals. Corell pointed out that it is vital that all members of the Security Council endorse the ICC's involvement in addressing any future crimes against humanity, if the creation of additional ad hoc criminal tribunals is to be avoided. He is also concerned about officials of the United Nations—those working, for example, with UNICEF or United Nations High Commissioner for Refugees (UNHCR)—being called before the court as witnesses. This could put them at risk in the field as they carry out humanitarian assistance.

Finally, Corell addressed the thorny issue of the United States' resistance to the ICC and to international law more generally. Although, as a sovereign nation, the US is entitled to withhold its support from the court, it should be remembered that the ICC was established to defend those who suffer most in today's wars, namely women, the elderly, and children. Supporters of the ICC hope fervently that, with time, the US will recognize the importance of the court and refrain from taking steps to undermine its position in the world.

Justice Goldstone then took the floor, speaking at length on his own experiences as chief prosecutor for the ICTY in order to illuminate the challenges that his counterparts at the ICC might encounter. One of the frustrations experienced in the early days of the ICTY was that the judges were 

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Selected Highlights of Spring and Fall 2003 Events

MARCH
The War in Iraq: Global Perspectives, a discussion on current events with the Brandeis International Fellows in Human Rights, Intervention, and International Law.

APRIL

SEPTEMBER
Literary Responses to Mass Violence, a conference in which writers and scholars read from their works and considered theoretical models for understanding literary responses to mass violence (see page 1)

OCTOBER
Dissent and Conformity in American Political Culture, a panel discussion and dinner for members of the Brandeis community. A panel of Brandeis professors explored a variety of issues, including: the homogenization of the political parties; the corresponding changes on the American popular culture level; and the nature of government efforts to enforce conformity and address dissenters.

Iraq Today: The View From Baghdad, a talk by Kanan Makiya, Sylvia K. Hassenfeld Professor of Islamic and Middle Eastern Studies. A leading member of the Iraqi opposition to the regime of Saddam Hussein, Makiya has spent the last several months in Iraq working on issues related to a new constitution and on the Iraq Memory Foundation, a project that will document the history of Saddam Hussein’s regime.
On April 21, 2003, Brandeis University and the Council on Foreign Relations cosponsored a tribute to the life and work of Theodore C. Sorensen at the Council headquarters in New York City. Sorensen is the founding chair of the Center’s board of directors, a position he continues to hold.

The event was multi-faceted, beginning with an afternoon roundtable on the topic “Justice and Coexistence: Balancing Rights and Relationships in Divided Societies.” Participants were Dr. Alexander Boraine, president of the International Center for Transitional Justice; Hans Corell, under secretary general for Legal Affairs at the United Nations; and Ambassador Kishore Mahbubani, permanent representative of Singapore to the United Nations. The roundtable was presided over by Justice Richard Goldstone of the Constitutional Court of South Africa and former chief prosecutor of the International Criminal Tribunal for the Former Yugoslavia.

The discussion was lively and informative, covering issues as diverse as the rights of the Sami people in Sweden to the multi-cultural social strategy adopted by Singapore, with multiple references made to South Africa and Iraq. This timely topic was chosen since it reflects both the dominant interests of the Center and a central element of Sorensen’s life work.

The Sorensen tribute continued with a panel discussion entitled “A Retrospective Look at the Kennedy Administration,” which highlighted the accomplishments and challenges faced by President Kennedy and his cabinet. Guests were enthralled by the observations and frank reminiscences of eminent panelists—former Senator George S. McGovern, former Secretary of Defense Robert McNamara, and Brandeis Professor Emeritus Lawrence Fuchs. The panel was presided by another luminary of the Kennedy era, Arthur Schlesinger.

The event finished with a dinner and tributes to Sorensen. Brandeis University President Jehuda Reinharz acted as Master of Ceremonies, as guests listened to tributes by former Senator George Mitchell, Council on Foreign Relations President Leslie H. Gelb, Council on Foreign Relations Chairman, Peter G. Peterson, Sorensen’s daughter, Juliet Sorensen, and historian Arthur Schlesinger.

Friends of Brandeis in South Africa

In July, the first ever “Friends of Brandeis in South Africa” event was held at the All Africa House, at the University of Cape Town (UCT). Sally Frankental of the department of social anthropology at UCT welcomed the guests, including Brandeis alumni and former Brandeis International Fellows, as well as 2003 Ethics and Coexistence Student Fellows, Matthew Harris and Deirdre Mooney. Frankental then introduced Cheryl de la Rey, deputy vice-chancellor of UCT (Research and Innovation) and Brandeis International Fellow ‘98, who proceeded to delight the group with her warmth and enthusiasm for the occasion. Her address sparked off a lively discussion around students’ and Fellows’ experiences at Brandeis as well as the responses of Brandeis students in South Africa. The event was a great success and the Center looks forward to hosting similar events in the future.
Margaret H. Marshall Joins the Center’s Advisory Board

The Center is pleased to welcome Margaret H. Marshall, chief justice of the Supreme Judicial Court in Massachusetts, to the international advisory board. A native of South Africa, Marshall graduated from Witwatersrand University, Johannesburg in 1966. Active in anti-apartheid activities, she was elected president of the National Union of South African Students in 1966 and served in that capacity until 1968, when she came to the United States to pursue her graduate studies. She received a master’s degree from Harvard University and her J.D. from Yale Law School in 1976. She continued her anti-apartheid activities in the United States, serving as a trustee of The African Fund for the American Committee on Africa, the senior anti-apartheid organization in the United States, and as a member of the boards of African News, the Southern Africa Legal Services, and Legal Education, Inc. Chief Justice Marshall was a law partner at two Boston law firms before she was appointed vice president and general counsel of Harvard University in 1992. Appointed associate justice of the Massachusetts Supreme Judicial Court in November 1996, she was named chief justice in September 1999, the first woman to hold that position.

Want to learn more?
For additional information visit the Center’s website, www.brandeis.edu/ethics.

For information on Center programs or events, please contact us.
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News

This summer, Daniel Terris served as program director for the second annual Brandeis in the Berkshires, a series of institutes in which professional and community leaders gathered to examine major issues of the day. Center advisory board members James Carroll and Senator Paul Simon served as speakers during the event. In September, Cynthia Cohen served as commentator for Thinking through a Collapsing World: Pathways to Reconciliation, a conference in London, England. She was joined by former Brandeis International Fellow (1998) Jakob Finci, Chair of the National Coordinating Committee for the Establishment of the Truth and Reconciliation Commission in Bosnia Herzegovina. Cohen also gave a presentation entitled Promoting Coexistence and Reconciliation through Culture and the Arts at Seeing Both Sides, a conference in June at Lesley University, Cambridge, Massachusetts. In June, Mari Fitzduff met in Bogotá, Peru with a number of international experts from Guatemala, South Africa, Nicaragua, Argentina, Chile, and Northern Ireland to help assist and assess the work of Peru's Truth and Reconciliation Commission. In May, Leigh Swigart co-facilitated “Haven or Home?,” a pilot program of the Brandeis Seminars in Humanities and the Professions. Held in Lowell, Massachusetts, the day-long seminar explored issues facing refugees and their host communities. Mary Davis co-facilitated another pilot program of the Brandeis Seminars, “Complex Issues in End-of-Life Care,” which was held in August in conjunction with Smith College’s School for Social Work, Amherst, Massachusetts. Theodore Sorensen, chair of the Center’s board, delivered the 2003 commencement address at American University, Washington D.C. Currently on leave from Brandeis University, Kanan Makiya has spent much time in Baghdad since the 2003 Gulf War. He is working on the process of a new constitution for Iraq and on developing the Iraq Memory Foundation, which will create a living museum and archive documenting the atrocities of Saddam Hussein’s regime.

The Center Welcomes New Staff Member

Eric M. Kostegan joins the Center as the new program administrator for the Stifka Program in Intercommunal Coexistence. In this role he oversees the administrative processes of the Stifka Program and coordinates internal and external communications. Eric has worked in development at Joslin Diabetes Center in Boston, in student affairs at Wheaton College in Norton, and in the consulting industry with Braingem LLC in Boston. While earning his B.S. in Business Administration from Babson College, he co-founded and served as director of operations for CM Consulting, a web and business consultancy. Eric is also a volunteer for organizations such as Rosie’s Place in Boston and Harvard University’s Museum of Natural History.
Goldstone was careful to inform countries of any investigations that would be pursued in their territories and to receive their prior consent. “If an international prosecutor goes into a foreign country,” he remarked, “[it] has to be done in a diplomatic fashion.” Building the trust of governments is crucial in obtaining evidence, particularly sensitive evidence, and that can only be done through face-to-face meetings with the appropriate officials.

Furthermore, the chief prosecutor of international courts must develop a good relationship with international humanitarian organizations, such as the International Committee of the Red Cross (ICRC) and the UNHCR. These institutions need to understand that “the prosecutor’s not going to do something contrary to their interests, because we’re in the same business,” that is, the business of human rights. Goldstone stated that it is crucial for a prosecutor to “nurture a culture of human rights in his or her own office.” The first concern of a prosecutor must be to ensure fair trials.

Another public relations “target” for international courts is civil society. Goldstone remarked that “relationships with NGO’s are important for the prosecutor and, I suggest, for the court generally. NGO’s and international and national human rights organizations, today in the modern world, play a crucial role... in influencing public opinion and, through that, government policy.” He added that “Human Rights Watch and other organizations are going to possibly play a very important role in changing the attitude of the United States government to the International Criminal Court, as they did with regard... to other areas of international law.” Like Corell, Goldstone hopes that the efficient functioning and integrity of the ICC will persuade the US to become a party to the Rome Statute in the future.

Discussion among BIIJ participants after the presentation by Corell and Goldstone was wide-ranging and provocative. The points raised include the following:

• The two ICC judges present, Navanethem Pillay and Maureen Clark, remarked upon various aspects of their court’s operation thus far, including the relation of the ICC to national courts, the inevitable delays involved in making international indictments, and the creation of a new provision for representation of victims in the court.
• Several participants bemoaned the marginalization of international law within the curricula of law schools, particularly in the United States.
• Others commented on the difficulty of defining “aggression” for the purposes of international law.
• One criminal judge expressed frustration that NGO’s expect international courts to mete out perfect justice, even though they may be hampered by financial constraints, indictment overload, and judges new to international courts.
• A human rights judge pointed out that individual responsibility for international crimes does not necessarily exclude state responsibility for the same crimes.
• The principle of complementarity between national courts and the ICC was widely discussed. While it is an important element of the Rome Treaty that indicted criminals be dealt with first by their national judicial systems, these systems do not always have the personnel or resources to undertake such prosecutions. One judge suggested that the ICC might provide technical assistance in such cases.
• Some judges felt that while international courts need to conduct outreach on their activities so the public understands the importance of their work, there is no need for a public relations office in each court.
• A criminal judge noted that the challenges faced by the ICC are appropriate and necessary at this early stage of its operation. Since they are being addressed behind closed doors, the public has the impression that nothing is happening. However, the BIIJ session on the ICC has shown that this is untrue.
2003 Ethics and Coexistence Student Fellows

During the fall, the 2003 Ethics and Coexistence Student Fellows Internship Presentation Series featured student Fellows who interned over the summer in Guatemala, USA, South Africa, and Sri Lanka. Fellows were sponsored by the Center and the Slifka Program. They shared their experiences as summer interns in grassroots coexistence organizations around the world with members of the Brandeis community.

Paul Adler ’04 and Xiomara Gonzalez ’05 worked with Fundación Turcios Lima in Guatemala. The organization works on reconciliation, re-insertion, and development projects with multiethnic communities in the villages of Guatemala. Ayham Bahassi ’05 interned with the Friends of the Parents Circle, Massachusetts, USA. This American organization represents Israeli and Palestinian bereaved parents who have lost loved ones as a result of the Israeli-Palestinian conflict.

Matthew Harris ’04 and Deirdre Mooney ’05 worked in Cape Town, South Africa. Harris worked with Pumla Gobodo-Madikizela, former member of South Africa’s Truth and Reconciliation Commission and Center affiliate, conducting research on the factors that lead people to speak out against atrocities. Mooney ’05 spent her summer with Ikamva Labantu, a grassroots organization that supports democracy in post-apartheid South Africa by providing educational and economic resources to community members and townships, with projects focused on health issues such as HIV/AIDS, home-based care, health education, hunger, and poverty. Marina Pevzner ’04, worked in Nugegoda, Sri Lanka with AHIMSA, an organization that provides conflict resolution training and psychosocial support for victims of violence in a war torn society.

Fellows gather to finalize their last minute details before internships during the spring retreat at the Peace Abbey, Sherborn, MA.

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