

Companion Curriculum

A DUTY TO PROTECT: Justice for Child Soldiers in the D.R.C.

A WITNESS and Amnesty International Partnership



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How to Use This Guide

Designed as an introduction to the issue of girl child soldiers and the challenges of international justice, rehabilitation and reintegration, this companion guide to *A Duty to Protect: Justice for Child Soldiers in the DRC* can be used in its entirety or individual lessons can stand alone as learning extensions after watching the film. For more ideas regarding using film in educational settings, please use the tip sheet included in this curriculum guide. For additional sources such as international documents, fact sheets, and links to actions and reports, please visit the following websites:

AJEDI-Ka/Projet Enfants Soldats – www.ajedika.org

Amnesty International – www.amnestyusa.org

WITNESS – www.witness.org

The issue of child soldiers has gained increasing press over the past year, and several films and books are dedicated to the topic, including *A Long Way Gone* by Ishmael Beah, *Innocents Lost: When Child Soldiers Go To War* by Jimmie Briggs, *Innocent Voices*, and *Invisible Children*. Use Amnesty International's companion curriculum for *Innocents Lost* as an introduction to the topic of child soldiers. Before engaging students in the lessons, use the Human Rights 101 and Human Rights 201: Introduction to the Convention on the Rights of the Child (CRC) included in this guide to prepare students to study the issue of child soldiers through a human rights lens.

Prior to showing the film, prepare learners by discussing key topics addressed in the film such as restorative versus punitive justice, the responsibility of those in authority to protect children, the role of communities in rehabilitating youth, and the specific challenges women face in their search for justice and effective rehabilitation. Because this film includes some disturbing material, be sure to give students time to share their reactions and questions after viewing the film. Use the movie discussion guide to facilitate critical thinking and thoughtful discussion.

This guide can be adapted for use in middle and high school classes, college courses, and community groups. The companion guide for *System Failure*, which is also included in the *In Plain Sight* series, examines punitive and restorative justice for juvenile offenders in California, and provides a clear connection between issues facing children in the DRC and in the United States. For additional ideas regarding supplementing and adapting this material, refer to the Further Study section of each lesson.

Note to Community Groups – Though some of the small group and project ideas may take more time than groups have during a meeting, groups can show the film and use the discussion guides, supplemental materials, informational resources, and action ideas to educate people about child soldiers.

If you have questions or would like additional support, please contact the Human Rights Education Department of Amnesty International (education@aiusa.org) or visit our website (www.aiusa.org/education).

*** Please take time to fill out the feedback form found at the end of this guide or on our website. Thank you!**

Lesson One: Girls – The Forgotten Soldiers

Time Allotment: Two 50 minute classes or one 90 minute class

Overview:

After locating the Democratic Republic of Congo on a world map and hearing a brief overview of the country's political history, students will view the film *A Duty to Protect*. In groups, students will analyze the experiences of January and Mafille, two girl soldiers involved in a demilitarization program at the time of filming, and will discuss the role of girls in conflict situations.

Objective:

Students Will:

1. Locate the Democratic Republic of Congo on a world map
2. Explore the historical and political background of the DRC
3. Critically view the film *A Duty to Protect*
4. Identify human rights violations experienced by girls in conflict
5. Compare the experiences and needs of female and male child soldiers

Materials:

- Reference 1.1 - World Map Exercise
- Reference 1.2 - Conflict Timeline
- Reference 1.3 – Historical and Political Overview of the DRC
- Reference 1.4 – Girl Soldiers Fact Sheet
- Copy of *A Duty to Protect*
- DVD Player
- Handout 1.1 – Key People and Organizations Guide
- Handout 1.2 - *A Duty to Protect* Viewing Guide
- Handout 1.3 – *A Duty to Protect* Discussion Guide

Procedure:

Part I

1. Distribute Reference 1.1 or, if available, use a pull down world map. Ask students to locate the Democratic Republic of Congo on the map. Pose the questions listed on Reference 1.1 to the class.
2. Now that the students have a geographical context, distribute Reference 1.2 or post the timeline on an overhead projector. Briefly explain the history of the DRC, focusing on its struggle for independence and important figures such as Patrice Lumumba, former president Mobutu, and Laurent Kabila. See Reference 1.3 for a brief historical and political overview.

3. Child soldiers have been engaged in conflicts in the DRC for years. Ask students to share what they already know about child soldiers and the challenges and hardships they face.
4. Ask students to brainstorm how girls' and boys' experiences as soldiers might differ. What tasks might boys be asked to do? What tasks might girls be asked to do? Review Reference 1.4 with students.
5. Students will have the opportunity to learn more about the issue of girl soldiers after viewing the film. Before watching the film, ask students to write a paragraph answering the following questions: How would you feel if you were drafted into the army right now? What aspects of your daily life would you miss? Ask volunteers to share their responses.

****If you are teaching a 50 minute class, stop here for the day.***

Part II

6. Distribute Handout 1.1 and review the key people and organizations in the film.
7. Distribute Handout 1.2. Give students 3 minutes to complete Column I before watching the film.
8. Watch the 13 minute film with students. ***Note to Teachers** – *January and Mafille voluntarily joined the government army, but it is important to inform students that many child soldiers are abducted and pressed into military service for both government and militia groups.*
9. Give students 3 minutes to complete Column II of Handout 1.1. Ask students what they found to be most surprising about the film. What human rights abuses did they hear about? What other thoughts and questions did they have about the film?
10. In groups, students will analyze January and Mafille's experiences. Distribute Handout 1.3 to each group. All groups will answer questions 1-6. Assign each group one critical thinking question. Allow students 10 minutes to discuss responses.
11. Review the answers to questions 1-6 as a class. A representative from each group will then read the group's assigned question and explain the group's answer to the class. Allow time for students to respond to each group's assertions.
12. Give students five minutes to complete Column III of Handout 1.1.

Close:

Post the essential question for tomorrow's lesson on the board - Should specific international provisions be developed to protect girl soldiers? Why or why not?

Further Study:

1. For additional lesson plans regarding the issue of child soldiers, refer to Amnesty International's *Innocents Lost* curriculum guide.
http://www.amnestyusa.org/education/pdf/innocents_lost_curriculum.pdf
2. Women's participation in conflict is not a new phenomenon. Research how women have historically participated in conflicts and compare their experiences with the experiences of women in conflicts today. For example, research women's roles in the American Revolution and compare their experiences with those of female freedom fighters in Sri Lanka.
3. Women are often cast as victims in conflict, dependent on males for rehabilitation and support. Women, however, often play an active role in both conflict and conflict resolution. Arguably, women must be involved in the resolution and rehabilitation processes if the processes are to be successful. Using your knowledge of girl soldiers, write a proposal to the United Nations explaining ways that women and girls can become part of the peace and rehabilitation processes in the DRC. (Use the website Women Waging Peace for ideas to get started: www.womenwagingpeace.net)

Reference 1.1 – World Map Exercise

Questions

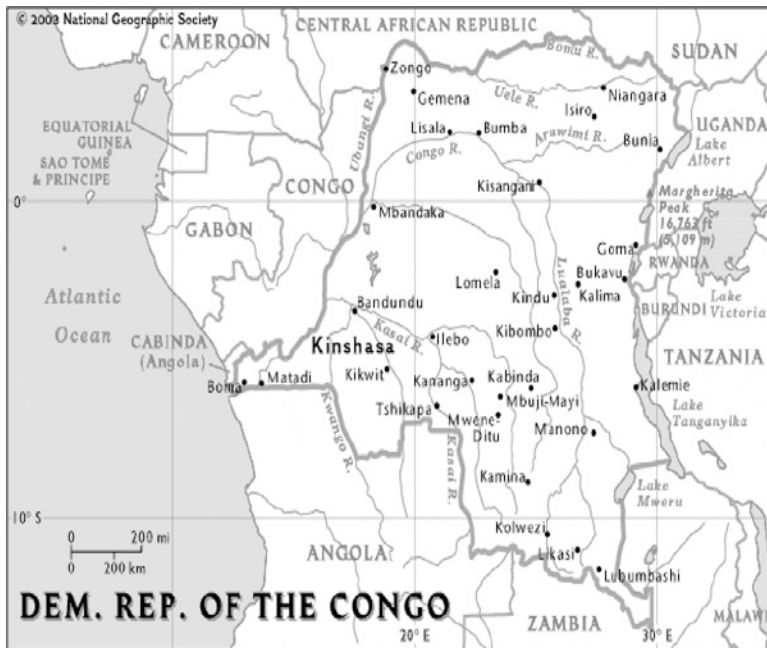


1. On what continent is the Democratic Republic of Congo (DRC)?

2. What is the capital of the DRC?

3. What countries border the DRC?

4. What do you know about Rwanda?
 What do you know about the Sudan?
 Why might the conflicts in those regions have affected the DRC?



Reference 1.2 – Democratic Republic of Congo Conflict Timeline

16th-17th Centuries – European merchants engage in slave trade in Kongo.

1870s - Belgian King Leopold II sets up a private venture to conquer trade territory in Kongo, under the guise of humanitarian and anti-slavery action.

1885-1908 - King Leopold orders systematic extraction of Congolese ivory and rubber through forced labor and a private mercenary army, the *Force Publique*. In response to protests over the mass atrocities carried out under Leopold's rule, Belgium annexes Congo in 1908. An estimated five to fifteen million Congolese were killed or worked to death harvesting rubber and ivory during Leopold's control of the territory.

1908-1959 - Economy controlled by elite Belgian mining interests, who continue to employ the *Force Publique* to force or coerce labor in mines and agriculture, and to collect revenues from rubber, palm oil, and minerals. Given the low standard of living for the Congolese, illegal trade networks for natural resources arise, often controlled by specific ethnic communities.

1960 - Country declares independence as the Democratic Republic of Congo. Patrice Lumumba wins the first national election. Within months, Lumumba is deposed by army leader Joseph Mobutu and killed by secessionists from Katanga (with US and Belgian involvement suspected). Political instability and civil conflict ensue.

1965-1980s - Mobutu takes power in a military coup (with US backing), and renames the country Zaire. He nationalizes many foreign-owned firms and forces European investors out of the country. As the economy steadily deteriorates, Congolese citizens increasingly rely on smuggling to survive.

1994 - Hundreds of thousands of Rwandan refugees flee to eastern Congo following the genocide in Rwanda.

1996 - Rwandan troops invade eastern Congo and back a rebel group headed by Laurent Kabila.

1997 - Kabila's rebel forces capture the capital Kinshasa. Zaire is renamed the Democratic Republic of Congo. Mobutu is overthrown and Kabila is declared president.

1998 - The rebellion splits: rebels backed by Rwanda and Uganda rise up against Kabila and advance on Kinshasa. Angola, Zimbabwe and Namibia send troops to support the Congolese army. The rebels take control of much of eastern DRC.

2000 - UN Security Council authorizes a 5,500-strong UN force to monitor the ceasefire signed in 1999, but fighting continues. Reports declare that the war has killed 2.5 million directly or indirectly, and that parties are deliberately prolonging conflict to plunder gold, diamonds, timber, and coltan (used to make cell phones).

2001 - President Laurent Kabila is shot dead by a bodyguard. Joseph Kabila succeeds his father.

2003 - Peace accords signed between the DRC, Uganda, Rwanda, and the main rebel groups. Uganda and Rwanda promise to withdraw their troops, in exchange for DRC disarmament and arrests of those implicated in Rwanda's 1994 genocide.

2006 - Accused of forcing children into armed combat, warlord Thomas Lubanga becomes first war crimes defendant at the International Criminal Court in the Hague.

Presidential and parliamentary elections are held – the first in four decades. Thousands are displaced in the northeast as the army and UN peacekeepers continue to disarm forces prior to elections.

In November, Joseph Kabila is declared the winner of the presidential elections, beating the main opposition candidate, MLC leader Jean-Pierre Bemba.

Reference 1.3 – Historical and Political Overview of the DRC

- The people of the Democratic Republic of Congo (DRC), formerly known as Zaire, have experienced a long history of human rights abuses, starting with the rise of the slave trade in the 16th and 17th centuries. As an area rich in natural resources, the Congo has suffered through a long line of foreign interests, beginning with King Leopold II in 1885, when he claimed the Congo as a Belgian territory.
- Though King Leopold II claimed to want to free the Congolese from the horrors of slavery and did drive out many Arabic slave traders, his legacy was one of grave human rights abuses that resulted in the deaths of an estimated ten million people. After beginning the process of colonization, King Leopold II opened the country to Christian missionaries and European businesses, while simultaneously setting up large scale mining camps to harvest the country's valuable rubber supplies. Observers at the time called King Leopold's rule, "legalized robbery enforced by violence."
- King Leopold II's legacy of violence echoes today, as demonstrated by countless violent tactics learned from the Belgians. For example, militia leaders still cut off the right hands of villagers, just as Belgian soldiers used to cut off the right hands of miners. Also, Belgian mine owners used to attack unarmed villages without warning, burn the homes, and hold the women as captives until the men brought back enough rubber to satisfy the daily quota. Those seeking control over diamond mines use similar divide and conquer tactics today to tear apart the very fabric of community life.
- In 1958, Patrice Lumumba founded the Congolese National Movement, the first nationwide Congolese political party, and began organizing leaders to declare independence from Belgium. After the Round Table Conference in Brussels, all parties agreed that June 30, 1960, would be the day of Congolese Independence. On June 23, 1960, Patrice Lumumba became the first Prime Minister of the Congo.
- Shortly after Lumumba became Prime Minister, the resource rich region of Katanga declared their intention to secede. Belgians sent in troops to prevent the secession and protect their economic interests, while Lumumba asked the United Nations to expel the Belgians from the country. Because the United Nations refused to send in troops, Lumumba asked the Soviet Union for planes to transport Congolese troops to Katanga. Because of Cold War tensions, this move was seen as a threat to Western interests, including the United States.
- On September 14, 1960, Colonel Joseph Mobutu, in conjunction with President Kasavubu, dismissed Lumumba from power. Lumumba was seized by Mobutu's forces in November, and was executed on January 17, 1961. In 1965, Mobutu, with American backing, took over the government and renamed the country Zaire.
- Mobutu hoarded his country's natural resource wealth for himself, amassing a \$5 billion dollar fortune while allowing the country's infrastructure to deteriorate. At the time of independence, the DRC had 31,000 miles of road, but by 1980, fewer than 3,700 miles were usable. Though the DRC is the most resource rich country in Africa, the average yearly salary is \$160, evidence of systematic corruption. Infamous for his human rights record which includes torture, mass disappearances, and state sponsored killing of political opponents, Mobutu maintained his role as dictator for over thirty years.

- In 1997, Laurent Kabila overthrew the aging Mobutu who retired to Morocco to receive treatment for prostate cancer. Kabila's ascent to power began what is known as the "African First World War," resulting in over 4 million deaths, mostly from starvation and disease. Troops from Rwanda and Uganda helped Kabila ascend to power, and he continued the atrocities and human rights abuses of Mobutu's regime. He renamed Zaire the Democratic Republic of Congo.
- Due to longstanding political discontent and ethnic tensions, rebels backed by Rwanda and Uganda attempted to overthrow Kabila. Rebels formed a stronghold in the eastern region of the DRC, and citizens were caught in the crossfire of troops from all sides.
- All sides signed a peace agreement in 1999, and the United Nations sent its largest peacekeeping force to date to monitor the cease-fire agreement in 2000.
- In 2001, Kabila was shot by a bodyguard and was succeeded by his son, Joseph Kabila. In early 2001, Rwanda, Uganda, and the DRC agreed to a pull-out plan for UN peacekeeping forces.
- In 2002, under criticism from the UN that all sides prolonged the conflict in order to steal the country's natural resources, Uganda and Rwanda signed peace accords and agreed to remove troops stationed in the DRC.
- Voters agreed to the new constitution in 2005, and in July 2006, voters participated in the first free election in over forty years. Joseph Kabila won the tied election in a second run-off election.
- Despite some positive steps along the road to political independence, the DRC's longstanding conflict is still claiming thousands of lives, especially in the northeastern region closest to Rwanda. According to the BBC, over 120,000 people die there per day, over half of them children. Many of the survivors of this conflict have suffered rape, sexual slavery, and torture, and the country has seen a dramatic rise in the prevalence of HIV/AIDS. Effects of years of political mismanagement and conflict include 30,000 child soldiers, large scale natural resource exploitation, and thousands of internally displaced people.

Reference 1.4 – Girl Soldiers

- Girls make up almost half of the **300,000** child soldiers currently engaged in conflicts worldwide
- Out of the **30,000** child soldiers in the Democratic Republic of Congo (DRC), an estimated **12,500** of them are girls
- Some girls are abducted or forcibly recruited, while others voluntarily join for protection, the promise of a stable food source, or to get revenge for atrocities committed against them or their families
- Children are more likely to become child soldiers if they are separated from their families, displaced from their homes, live in a combat zone, or have limited access to education
- In addition to being used as combatants, girl soldiers are often subjected to repeated sexual violence, and many are infected with sexually transmitted diseases or are forced to bear children borne of rape
- Girl soldiers often survive on less food and medical aid than male soldiers, and are pressed into more dangerous tasks than their male counterparts
- Girl soldiers are involved in front line combat in addition to cooking for the camps, providing medical aid for wounded soldiers, and caring for children borne from rape
- **41%** of child soldiers in the DRC are girls, but only **2%** of child soldiers enrolled in demobilization programs in the DRC are girls
- Girl soldiers are less likely to be reintegrated into society than boys, and are often ostracized because they are seen as being unclean or promiscuous due to sexual abuse they may have suffered
- Many girl soldiers are re-abducted after they are demobilized, and girl soldiers live in constant fear of being taken back to the camps, further complicating reintegration efforts
- Because many girl soldiers are ostracized upon returning to their home communities, they are at high risk for becoming involved in prostitution or voluntarily returning to army camps
- Girl soldiers who suffer internal injuries from rape or who are infected with sexually transmitted diseases have little access to medical care.

Handout 1.1 – Key People & Organizations Guide

January – January is a 16-year-old girl who voluntarily joined the FARDC (Congolese Army) when she was 10. Her rank, of which she is very proud, is sergeant 1st class. Her brother is a lieutenant in FARDC. Though her parents have tried to negotiate for her return home on several occasions, January does not want to leave the army and lose her rank.

Mafille – Mafille is a 15-year-old girl who voluntarily joined the FARDC (Congolese Army) when she was 13. She spent a year and a half in the military as a bodyguard before being reunited with her family. Because she was raped while in the army, she has had difficulty reintegrating into her community. Mafille is scared to talk to boys and does not like to leave the house. In the film, Mafille says that she would rather die than rejoin the army.

Bukeni T. Waruzi – Director of AJEDI-Ka, an organization dedicated to demobilizing and rehabilitating child soldiers. At the time of this film, AJEDI-Ka had served 300 children, 40 of whom were girls. Despite the risks involved, Bukeni travels to military camps to talk with commanders about demobilizing child soldiers because he feels that, “whether the recruitment [of child soldiers] is forced or voluntary, it is still a grave violation of children’s rights.”

Forces Armees de la Republic Democratic du Congo (FARDC) – The Democratic Republic of Congo’s national army. Both government and rebel troops have been accused of human rights violations, including the recruitment and use of child soldiers.

International Criminal Court (ICC) – Founded in 2002, following the adoption of the Rome Statute, the ICC is a permanent international court designed to investigate and prosecute genocide, war crimes, and other crimes against humanity that national courts are unwilling or unable to prosecute.

Handout 1.2 – *A Duty to Protect* Viewing Guide

What I Know About Girl Soldiers

What I Would Like to Know About Girl Soldiers

What I Learned About Girl Soldiers

Notes From The Film:

Handout 1.3 – *A Duty to Protect* Movie Discussion Guide

Comprehension Questions

1. Why do you think the film is titled *A Duty to Protect*? Whose duty is it to protect children? Whose duty is it to protect civilians during conflict?
2. Why did January and Mafille voluntarily join the army? Do you think their reasons are different from the reasons boys join the army?
3. In what ways were January and Mafille treated differently from male recruits?
4. How did January's experience affect her? How did Mafille's experience affect her? How does January's reaction to her experiences differ from Mafille's?
5. The use of child soldiers affects the whole community. How do January and Mafille's experiences affect their families?
6. Why do you think the film chose to focus on the stories of girl soldiers?

Critical Thinking Questions

1. Do you think girl soldiers are respected in the army? Use January and Mafille's stories to support your answer. How do you think treatment of women in the larger community might change as a result of the use and treatment of girl soldiers in this conflict?
2. When child soldiers become adults, their history of violence continues to affect them. How do you think the use of girl child soldiers will affect the community in the future? Use January and Mafille's stories to support your answer.
3. Mafille and January were both involved in a rehabilitation program at the time of filming, though fewer than 2% of the child soldiers involved in rehabilitation programs in the DRC are girls. Why do you think Mafille and January are included in this 2%? What do you think happens to other girl soldiers?
4. According to current statistics, 41% of child soldiers in the DRC are girls, but only 2% of child soldiers enrolled in rehabilitation programs in the DRC are girls. Girls who do enter rehabilitation programs find it difficult to reintegrate into society. Both Mafille and January face many obstacles when trying to reintegrate into their communities. What are some of the obstacles they face? Using their stories to support your answer, why do you think it is more difficult for girls to be reintegrated into society than it is for boys?
5. Would you consider January to be rehabilitated? Mafille? Use their stories to support your answer. What special needs might girl soldiers have during the rehabilitation process?

Lesson Two:

Seeking Justice – Girl Soldiers & the International Criminal Court

Time: Two 50 minute classes or One 90 minute class

Overview:

Using an applied scenario, students will examine the question of who should be held accountable for human rights abuses committed against children in the Democratic Republic of Congo (DRC), who should hold them accountable, and how they should be punished. Using the case study of Thomas Lubanga Dyilo, the president of the Union of Congolese Patriots and the first person to be prosecuted by the International Criminal Court (ICC) for recruiting child soldiers, students will study the background and effectiveness of the ICC. Additionally, students will debate whether or not abuses committed against girl soldiers should be prosecuted as a separate crime. At the end of the lesson, students will be invited to take action on the issue.

Objectives:

Students will:

1. Discuss an applied scenario regarding international justice and accountability for those who committed war crimes in the DRC
2. Study the history and background of the ICC
3. Analyze the effectiveness of the ICC
4. Debate the merits of trying abuses committed against girl soldiers as a separate crime
5. Take action on the issue of accountability for recruiters of child soldiers

Preparation:

Materials Needed:

- DVD Player
- Copy of *A Duty to Protect*
- Reference 2.1: An Overview of the International Criminal Court
- Handout 2.1: Case Study of Thomas Lubanga Dyilo
- Handout 2.2: Justice for Child Soldiers

Procedure:

1. The sexual exploitation of girl soldiers is a grave violation of human rights, but no one has yet been held accountable for crimes of sexual violence in the DRC. Whom should be punished, how should they be punished, and who should punish them? Discuss ideas of justice and impunity with students.

2. The people in Uvira, where *A Duty to Protect* was filmed, want justice for perpetrators of human rights abuses. Whom do they think should be punished and who do they think should punish the offenders? Replay the last three minutes of the film for the class, and ask students to take notes on specific recommendations the community makes to help secure justice for child soldiers.
3. Ask students to list the recommendations made in *A Duty to Protect*, and write the list on the board.
4. The film offers specific recommendations for strengthening the work of the ICC and asks the international community to support its work. What is the ICC? What are its powers and limitations? Briefly lecture about the history and structure of the ICC. (Use Reference 2.1 for talking points). Ask the students why they think an international court is necessary before listing the reasons. Also, ask them why the United States might not want to ratify the Rome Statute before explaining the current US position.
5. In the film *A Duty to Protect*, students heard first person accounts from girl soldiers. ICC judges, however, may never hear similar accounts in the courtroom unless someone is charged with crimes of sexual violence. Distribute Handout 2.3: Case Study of Thomas Lubanga Dyilo. Read the case study together as a class, explaining anything that students do not understand. Discuss the critical thinking questions as a class.
** Note – If you have extra time, divide students into small groups and assign each group one critical thinking question from the end of the case study. Allow students ten minutes to complete their discussions. Discuss group responses as a class.*
6. Divide students into small groups. Distribute Handout 2.1 to each group. Assign each small group one of the three scenarios to discuss. Students will have fifteen minutes to finish their group work.
7. A group representative from each group will read the group's scenario and present the group's response.

Close:

A Duty to Protect has already generated successful action. As part of their demobilization and reintegration program with AJEDI-Ka, former child soldiers, especially girls with children, receive vocational training and help starting their own businesses. In 2005, a Swiss businessman was so moved by the film that he offered the girls in the film grant money to start their own business ventures. For more information about the success of this film, refer to the WITNESS website:

<http://www.witness.org>

Students who are moved by this film can also take action. Invite students to take action on this issue by using the Take Action guide located at the end of this curriculum guide.

Further Study:

1. For additional lesson plans about the ICC, refer to PBS Newshour Extra's "The International Criminal Court's History and Uses." <http://www.pbs.org/newshour/extra/teachers/lessonplans/world/intlcrimincourt.html>
2. Compare the ICC to war courts of the past such as the Nuremberg Trials, the International Criminal Tribunal for Rwanda, and the International Criminal Court in Yugoslavia. How is the ICC different from other war courts? Do you think that the ICC will be more effective than temporary tribunals? Why or why not?
3. Research an ICC judge, such as Judge Baltasar Garzon, and write a one paragraph profile about their life and work.

Reference 2.1 – An Overview of the International Criminal Court

“In the prospect of an international criminal court lies the promise of universal justice. That is the simple and soaring hope of this vision. We are close to its realization. We will do our part to see it through till the end. We ask you . . . to do yours in our struggle to ensure that no ruler, no State, no junta and no army anywhere can abuse human rights with impunity. Only then will the innocents of distant wars and conflicts know that they, too, may sleep under the cover of justice; that they, too, have rights, and that those who violate those rights will be punished.”

– Kofi Annan, Former Secretary General of the United Nations

Millions were victims of genocide, war crimes, crimes against humanity, torture, and disappearances during the twentieth century, but few were ever brought to justice for those crimes. Despite the Nuremberg trials following World War II resulting in the conviction of 224 Nazi soldiers, a crippling culture of impunity arose as national courts have time and again failed to bring those responsible for crimes against humanity to justice. Recognizing that a permanent and objective international court is necessary to prosecute the worst war crimes, the international community established the International Criminal Court (ICC) in July 2002.

What is the International Criminal Court?

The ICC is a permanent international court established by the Rome Statute (*see below*) which has been ratified by 104 countries. The court can investigate and prosecute those responsible for genocide, other crimes against humanity, and war crimes.

What is the Rome Statute?

The United Nations General Assembly met in Rome from July 15-17, 1998, to finalize and adopt a convention to form an international court. At the time of the meeting, 120 nations voted in favor of the formation of the ICC, and seven countries voted against it including the United States, China, Israel, Iraq, and Qatar. The Rome Statute defines the crimes, how the court works, and what states must do to cooperate with the court.

Where is the ICC located? Is there a prison associated with the court?

The ICC is located at the Hague in the Netherlands, where it has leased twelve cells.

Why is an international court necessary?

An international court can help end impunity by bringing those responsible for the worst crimes against humanity to justice. Justice for victims may also help to break the cycle of violence which occurs in a culture of impunity. A permanent court will be able to prosecute more consistently and objectively than temporary courts formed after the conflict is over, such as the ad hoc tribunals in Yugoslavia and Rwanda. When national courts are unable or unwilling to prosecute offenders, the ICC can still bring those responsible to justice. Most importantly, the ICC will help deter future war crimes and will send a clear message that the international community will prosecute and punish crimes against humanity. In addition, victims of war crimes will finally have an opportunity to speak about their experiences and begin the process of reconciliation.

When can the ICC prosecute crimes?

The ICC can prosecute crimes when the crimes have been committed in a state that has ratified the Rome Statute, crimes have been committed by a citizen of a state that has ratified the Rome Statute, a state which has not ratified the Rome Statute accepts the court's jurisdiction over a crime, or when the United Nations Security Council refers the case to the court. The ICC can only prosecute crimes that were committed after its founding in July 2002.

What types of sentences can the ICC give those convicted of crimes against humanity?

The maximum sentence that the court can impose is life in prison. The ICC cannot sentence anyone to the death penalty.

What is “Complementarity”?

The ICC is designed to complement national courts, and will only prosecute cases that the national courts are unable or unwilling to prosecute.

Why has the United States not ratified the Rome Statute?

Though the United States did not sign the original Rome Statute in 1998, President Clinton signed the Statute in December 2000, before leaving office. On May 06, 2002, President Bush unsigned the Statute and adopted an aggressive campaign to weaken the court. Because the ICC does not allow member states to have control over which cases are prosecuted, but rather allows an independent prosecutor to decide the cases, the United States is concerned that the ICC will bring politically motivated charges against US nationals. Currently, the US is urging countries around the world to sign impunity agreements stating that they will not surrender or transfer US nationals accused of genocide, war crimes, or crimes against humanity to the ICC. In 2004, the United States went so far as to threaten withdrawal of economic support from countries who refused to sign impunity agreements.

Handout 2.1: The Case of Thomas Lubanga Dyilo

Background:

Since 1998, more than four million people have died as a result of the conflict in the Democratic Republic of Congo (DRC). Widespread human rights abuses have been carried out by all parties, including government forces and armed militia groups, and all sides have recruited and used child soldiers in combat situations.

Thomas Lubanga Dyilo, alleged founder of the Union of Congolese Patriots, an armed militia group in the northeastern region of Ituri, was arrested in connection with the deaths of nine Bangladeshi UN peacekeepers in the DRC in March 2005. He was then transferred to the International Criminal Court (the ICC) in March 2006, after he was charged with war crimes, including the recruitment and use of child soldiers. If convicted, he could face life in prison.

The Case:

Lubanga has been charged with forcibly recruiting children under the age of 15 for use as soldiers from September 2002 to August 2003. The ICC began its investigation of war crimes in the DRC in 2004, starting in Ituri where it found that the gravest crimes against humanity were occurring. At the request of the DRC, the ICC began investigating Lubanga. According to Fatou Bensouda of Gambia, a Deputy Prosecutor of the ICC and spokeswoman for the case, Lubanga's case is the first to be prosecuted, but will not be the last, as the ICC is also currently investigating other crimes against humanity in the DRC.

Many Congolese are surprised at the narrowness of the charges against Lubanga, as they feel he is also guilty of mass killing, abduction, maiming, and sexual violence. Some human rights organizations propose adding sexual violence to Lubanga's list of crimes, though others believe the issue of girl soldiers should be prosecuted separately in order to draw more attention to the issue.

Beck Bukeni T. Waruzi, director of Ajedi-Ka/ Projet Enfants Soldats, featured in *A Duty to Protect*, states that former girl soldiers know that the ICC is prosecuting Lubanga and are disappointed that he is not being charged with sexual violence. They fear that their plight is being forgotten and that the international community only cares about boys. Many human rights organizations feel it is important for the ICC to charge someone with crimes of sexual violence in order to end impunity and help the community understand that rape is a serious crime that will be prosecuted. If Lubanga's charges are not widened to include sexual violence, former girl soldiers will not be able to testify about their experiences with sexual violence before the ICC.

The Role of the ICC:

Though the DRC is working to prosecute war crimes nationally in military civil tribunals, they referred Lubanga's case to the international court to highlight the international community's commitment to prosecute those responsible for recruiting and using child soldiers. The ICC has been investigating Lubanga's case for over a year and is still interviewing witnesses in the DRC. In order to facilitate the investigation, the ICC set up a field office in the capital of Kinshasa. In the film, Waruzi also asks that the ICC open a field office in Uvira in order to be closer to the victims and the communities. According to *Witness*, the ICC is the only impartial court that is capable of bringing justice to all involved in war crimes in the DRC.

Concerns:

Former child soldiers are worried about testifying out of a fear of retribution from soldiers still loyal to Lubanga. Also, they fear that the ICC will not be able to provide adequate protection for witnesses. Prosecution by the ICC, however, is just one step in the struggle to end impunity. Communities must also be educated about the plight of girl soldiers, and former girl soldiers need help reintegrating into their communities.

Communities must be informed about how the ICC works, so that it seems more relevant and serves the punitive and deterrent purpose for which it was founded. Additionally, *A Duty to Protect* calls for the United States to support the work of the ICC and prove its commitment to bringing justice to child soldiers. Amnesty International also asks that the ICC aggressively investigate and bring to justice all who committed war crimes, including government troops, as respect for human rights supersedes political boundary lines.

Questions:

1. Do you think that the prosecution of Lubanga will help end impunity in the DRC? Why or why not? Use this fact sheet and information from the film to support your answer.
2. Should the ICC prosecutor widen the charges against Lubanga to include crimes of sexual violence or should the ICC prosecute crimes of sexual violence separately? Explain your answer.
3. Do you think that the ICC will serve as an effective deterrent against war crimes in the DRC? Why or why not?
4. The ICC was formed in order to prosecute people who are guilty of crimes against humanity when the national courts are unwilling or unable to do so. The ICC, however, depends on cooperation from the state during its investigation and trial phases. How do you hold governments or acting government representatives accountable if they were complicit in human rights abuses?

Resources:

Glassborow, Katie. "Plight of Girl Soldiers Overlooked." Institute for War and Peace Reporting: 31 October, 2006. http://iwpr.net/?p=acr&s=f&o=324983&apc_state=henpacr

Handout 2.2: Justice for Child Soldiers

Imagine the Following Scenario:

Scenario #1 –

You are the parent of a girl who was pressed into service for the rebel militia forces in Ituri. Though your daughter has been demobilized, she is physically and emotionally scarred from her time with the soldiers. You fear that she will never be able to marry or have children after her experiences. ICC investigators are interviewing people in the area about the use of children in combat. The investigators have asked several members of the community the following question, and you are to meet with them to present your views in fifteen minutes.

Should those who enlist child soldiers be held accountable for the human rights abuses they commit? If so, how? If not, why not? Should crimes of sexual violence be tried separately?

Scenario #2 –

You are a soldier in the government army and your company is short on manpower. Your commander is afraid that the rebel militia will take over the neighboring town unless you attack quickly and decisively, and orders you to actively recruit children from the town to help in the attack. ICC investigators are interviewing people in the area about the use of children in combat. The investigators have asked several members of the community the following question, and you are to meet with them to present your views in fifteen minutes.

Should those who enlist child soldiers be held accountable for the human rights abuses they commit? If so, how? If not, why not? Should crimes of sexual violence be tried separately?

Scenario #3 –

You are a former child soldier. You enlisted in the army at the age of eleven after witnessing the death of several of your family members. You served in the army for five years before being demobilized. ICC investigators are interviewing people in the area, asking about the use of children in combat. The investigators have asked several members of the community the following question, and you are to meet with them to present your views in fifteen minutes.

Should those who enlist child soldiers be held accountable for the human rights abuses they commit? If so, how? If not, why not? Should crimes of sexual violence be tried separately?

Lesson Three:

Community Connection – Girls in Gangs

Time Allotment: Two 50 minute classes or one 90 minute class

Overview:

Many children are pressed into military service in the DRC, but January and Mafille, the two girls interviewed in *A Duty to Protect*, joined voluntarily. Similarly, most youth in the United States today who join gangs do so voluntarily, though social, economic, and family factors heavily influence their decision. When unemployment rises and access to or funding for social services declines, gangs step in to provide economic support and protection for gang members. Though there are important differences between child soldiers and gangs, the cycle that begins when children participate in violence and the devastation caused to the community are very similar. Also, as is the case with child soldiers, girls who join gangs are more at risk for sexual exploitation than girls who do not join gangs. Through lecture and applied scenarios, students will explore the issues of violence, the rights of the child, and ways that communities can work together to promote a safe neighborhood that respects human rights.

Objectives:

Students Will:

1. Gain a global perspective of children and conflict through the analysis of first person interviews
2. Evaluate reasons children become involved in gangs
3. Critically analyze female participation in gangs
4. Develop strategies to help communities address gang violence

Preparation:

- DVD Player
- Copy of *A Duty to Protect*
- Handout 3.1 – Why do Children Fight?
- Handout 3.2 – Girls and Gangs in the United States
- Handout 3.3 – Applied Scenarios

Procedure:

Part I

1. Re-watch the introductory minute of *A Duty to Protect*. What do the soldiers promise the new recruits? Ask students to brainstorm why children might join the army or join gangs. What similarities do students see between child soldiers and gangs?
2. Distribute Handout 3.1. Ask students to find Brazil on a world map. Invite a volunteer to read the first interview to the class and then place a colored pin on the interviewee's location so that students will see the global impact of the issue. Ask students to comment on the interview and to explain why they think the child in the interview joined the army or a gang. Repeat this process with the remaining interviews.
3. Answer the critical thinking questions as a class, keeping track of student responses on the board or on chart paper.
4. Distribute Handout 3.2. Review the handout with the students. What factors predispose people to joining gangs? What special issues do girls face in gangs?

Part II

5. Gangs fill needs in communities. When the basic needs of the community are met (i.e. when the community members enjoy all of their human rights), then communities themselves can perform the roles that gangs do, namely providing support, protection, and economic opportunity. Community involvement, funding for social services, education, and economic opportunity are all key factors to overcoming gang violence. Equally important is the need for former gang members to take on a positive role in the community and the rehabilitation process. Ask students how the community members in *A Duty to Protect* were working to stop the recruitment and use of child soldiers.
6. January and Mafille were part of a demobilization and rehabilitation program entitled AJEDI-Ka. Village Committees for Child Protection, consisting of a pastoral figure, a wiseman or wisewoman, a leading intellectual, a representative of the local administration, and a prominent businessperson, help monitor and facilitate the rehabilitation process. Though rehabilitation is not always successful, members of the program have seen a marked improvement in the lives of former child soldiers. Ask students if they think youth in gangs can be rehabilitated. Why or why not?
7. Divide students into small groups. Distribute Handout 3.3. Assign each group one scenario. Allow students fifteen minutes to work.
8. Ask a group representative to explain the group's response to the assigned scenario. Other groups who worked on the same scenario can then add their comments.
9. What are the similarities between issues faced by girl soldiers and issues faced by girls in gangs? What special provisions should be considered for females when designing a rehabilitation program?

Close:

Ask students to brainstorm ways that they can help to raise awareness and curb cycles of violence in their communities. Invite students to take action on this issue. Use the Further Study resources below for additional ideas on how to get students involved.

Further Study:

1. Refer to Amnesty International's *Innocent Voices* lesson plan for additional material about children and gang related violence. <http://www.amnestyusa.org/education/pdf/4r-5.pdf>
2. At the beginning of *A Duty to Protect*, soldiers used songs to increase morale among child soldiers. Similarly, songs are important messaging tools for youth today, especially songs that glorify gang culture. Invite students to critically analyze two songs that celebrate gang culture and to develop a rap or poem that raises awareness about children and human rights.
3. Write a play addressing issues of violence in your community that includes conflict resolution or violence prevention strategies. Stage this play for community events.
4. Study images drawn by child soldiers and construct a first person account based on the images. http://www.amnestyusa.org/child_soldiers/gallery.html

Resources

Children and Youth in Organized Armed Violence
<http://www.coav.org>

Department of Justice: "Youth Gangs: An Overview"
<http://www.ncjrs.gov/pdffiles/167249.pdf>

National Council for Unity
<http://www.councilforunity.org/>

NPR series about girls and gangs: "From Rubies to Blossoms"
http://www.npr.org/programs/atc/features/2003/feb/girl_gangs/index.html

"Research, Not Stereotypes"
<http://www.gangresearch.net>

US Dept of Justice report: "Female Gangs"
http://www.ncjrs.gov/html/ojjdp/jjbul2001_3_3/contents.html

Handout 3.1 – Why do Children Fight?

“You start by watching...and there’s a [drug] trafficker...where you live. You’ve known that kid since his birth, and so you know him and he asks you to look after a gun, look after something for him, and you do it. And then before you know it, you’re in the middle of it all, without even being aware you’re already involved. We have a rule that you have to be armed [...but] we have to be very careful not to hurt anyone. [...] If we accidentally hurt someone, we pay with our lives. If you hurt a community resident, shoot someone, you’ll pay with your life”.

– Soldado, 16 years old, Brazil [*Children and Youth in Organized Armed Violence*]

“I joined the army in 1998, when I was ten years old. I have now been in the army for six years. My rank is sergeant 1st class. Many of us enlisted together, enough to make up a battalion, or at least a company. We were driven by anger. Many of us have had parents or uncles killed, others have been threatened, and with that anger and hatred, we joined the army. The day I wore my uniform for the first time, I walked down the street admiring myself.”

– January, 16 years old, Democratic Republic of Congo [*A Duty to Protect*]

“Well, I felt that there was more communication with all of them [gang members] than at home; I would go home and there would be someone there, I would just go to my room, watch television, listen to music, eat, sleep and the next day leave, there was no talking with anyone”.

– Pandillero, El Salvador [*Children and Youth in Organized Armed Violence*]

“I joined the UDA (Ulster Defence Association) when I was 16. I admired the UDA because they were hitting back and Sinn Fein/IRA were being killed. The other reason I joined was out of sheer boredom, there was nothing else to do”.

– Anonymous, Northern Ireland [*Children and Youth in Organized Armed Violence*]

“I thought it was better to go with the LTTE (Tamil Tigers) sister because of our poverty. I also wanted to contribute to freedom. I wanted to save the country.”

– Malar, recruited at 8 years old, Sri Lanka [*Dugger, Celia. “Rebels Without a Childhood in Sri Lanka War” NY Times. 11 September 2000.*]

“It’s just a family. It’s people to hang out with, people who will watch your back, and you can watch theirs. For some people who don’t have the family they need, their gang is all they know, all they have. It’s something just for you, something you have for your own. . . . I’m sure there are girls in every gang. There should be; it isn’t just boys who can fight. . . . Fighting is not just for boys, not at all. I want to be just as hard as the other dudes.”

– Kim, 20 years old (joined as teenager,) USA [*Stewart, Gail B. Gangs. Lucent Books: San Diego, 1997.*]

“The allure of easy money [from prostitution] can be hard to resist. Girls as young as 10 or 11 can make as much as \$800 in a single evening. Nearly all of that, however, is turned over to a pimp in exchange for clothes, food, and protection.”

– Tiffany, Harlem, New York, USA [*“From Rubies to Blossoms” NPR*]

““They’re afraid of our gang [the Black Widows], and because I’m in the gang, people show me respect and won’t mess with me. I like that feeling of power,”

– 16 year-old female, USA [*www.casenet.org*]

Comprehension Questions

1. What do the children's statements have in common? What are the differences?

2. Why do children join the army? Why do children join gangs? Use the above statements to support your answer.

3. Do you think girls join gangs or the army for different reasons than boys? If so, list the reasons. If not, why not? Do girls face issues once they join that boys do not? Use the above statements to support your answer.

4. How are young members of gangs in the United States similar to child soldiers? How are they different? Use the above statements to support your answer.

Critical Thinking Questions

5. If children join the army or join gangs voluntarily, are their rights (as listed in the Convention on the Rights of the Child) still being violated? If so, what rights are being violated? If not, why not?

6. Who, if anyone, should be held accountable for recruiting youth into gangs? How should this person or group be held accountable?

7. Should children who voluntarily join the army or join gangs be held accountable for their actions? Why or why not?

Handout 3.2 – Girls and Gangs in The United States

General Gang Information

- The availability of small arms is radically changing the face of violence in America's cities, as even children now have access to guns. A teenager in the United States today is more likely to die of a gunshot wound than from all the "natural" causes of death combined, and the risk of being killed is 60 times greater among young gang members than in the general population.
- As unemployment rates in cities rise, so do the homicide rates. Organized gangs provide illegal economic opportunities for members, and many gangs collect dues in order to help members in financial crises.
- As the number of refugees from war-torn countries such as El Salvador, Nicaragua, and Eastern Europe rises, so do the number of gangs.
- Institutionalized gangs persist despite changes in leadership, have an organization that is complex enough to sustain roles for multiple members, provide economic support or protection for the community, and have a distinct message or outlook for their members.
- Gangs become institutionalized when formal controls, social services, and economic opportunities are lacking. Gangs attempt to fulfill the needs of the community that are not addressed by other institutions.
- Most gang members never finish high school.

Girls and Gangs

- There are an estimated 1 million gang members in America, and 1/3 of those are girls.
- Most female gang members become pregnant before the age of 18.
- A 1998 National Council on Crime and Delinquency (NCCD) study of girls in the California juvenile justice system revealed that 92% of the interviewed juvenile female offenders had been the victims of "some form of emotional, physical, and/or sexual abuse."
- As gangs expand their business ventures from drug trafficking to prostitution, they are moving from the cities to the suburbs in search of young female recruits.
- Girls in gangs are more likely to be victims of sexual exploitation than girls who are not in gangs.

Sources

Children and Youth in Organized Armed Violence

<http://www.coav.org.br/publicue/media/Report%20EUA.pdf>

NPR: From Rubies to Blossoms

http://www.npr.org/programs/atc/features/2003/feb/girl_gangs/gems.html

National Youth Violence Prevention Resource Center

<http://www.safeyouth.org>

Handout 3.3 – Applied Scenarios

Scenario #1

It is your first day working at your local community center, and the program director just informed you about a new program offered there entitled Gang Prevention and Rehabilitation. Gangs are becoming an increasing problem in your neighborhood, and there have been two gang-related fights in the last week at your high school. The director would like your help developing strategies to prevent youth from joining gangs, and would like to meet with you in fifteen minutes.

What strategies can the local community use **to prevent youth from joining gangs**? Should the community develop different strategies for females? If so, what strategies? If not, why not?

Scenario #2

It is your first day working at your local community center, and the program director just informed you about a new program offered there entitled Gang Prevention and Rehabilitation. Gangs are becoming an increasing problem in your neighborhood, and there have been two gang-related fights in the last week at your high school. The director would like your help developing strategies to help youth actively involved in gangs. The director would like to meet with you in fifteen minutes.

What strategies can the local community use **to help youth currently involved in gangs**? Should the community develop different strategies for females? If so, what strategies? If not, why not?

Scenario #3

It is your first day working at your local community center, and the program director just informed you about a new program offered there entitled Gang Prevention and Rehabilitation. Gangs are becoming an increasing problem in your neighborhood, and there have been two gang-related fights in the last week at your high school. The director would like your help developing strategies to rehabilitate former gang members. The director would like to meet with you in fifteen minutes.

What strategies can the local community use **to help rehabilitate former gang members**? Should the community develop different strategies for females? If so, what strategies? If not, why not?

Glossary

Brown-Brown – A form of cocaine mixed with gunpowder that is often given to child soldiers to help increase aggression.

Combatant – A combatant is someone who has participated in conflict, often on the front lines. In most cases, only ex-combatants are eligible for rehabilitation and reintegration programs.

Demobilization – The second stage of the demilitarization process which requires armed forces to disband and to enroll in rehabilitation or reintegration programs.

Dependant – Because women and girls are often used for sexual services in addition to or in place of serving as combatants, they are often classified as dependants of their male counterparts, which most often include their abductors or abusers. Under traditional demilitarization models, dependants do not qualify for rehabilitation or reintegration services.

Disarmament – The first stage of the demilitarization process which requires that all warring sides disarm at the same time. Disarmament is dependent upon a secure environment and an organized demilitarization process, often overseen by peacekeeping forces.

Gris-Gris – Traditional charms or talismans designed to ward off evil and protect one from harm.

Impunity – Impunity means that criminal acts go uninvestigated, unprosecuted, and unpunished. Impunity allows the perpetrators to commit the same crimes again and again without fear of capture or punishment.

International Criminal Court (ICC) – Founded in 2002, following the adoption of the Rome Statute, the ICC is a permanent international court designed to investigate and prosecute genocide, war crimes, and other crimes against humanity that national courts are unwilling or unable to prosecute.

Rehabilitation Programs – The third stage of the demilitarization process, rehabilitation involves counseling, training ex-combatants to use peaceful strategies for resolving conflict, and job training. For former child soldiers, rehabilitation also includes education and preparation for reintegration into their communities.

Reintegration – Reintegration includes reuniting with family and community, and learning to participate in daily life again. Successful reintegration means that the communities accept the ex-combatants back into the fabric of the community, thus reducing the risk that ex-combatants will participate in further armed violence.

Rome Statute – The international convention to form an international criminal court signed by 120 nations in July 1998. The Statute defines the crimes punishable by the court, explains how the court works, and outlines what states must do to cooperate with the court.

Tips For Using Film In Educational Settings

Films are an excellent supplement to the classroom, but it is important to remember that many of your students are not used to using films as class texts. Below are some suggestions to get your students to think critically about film and to engage in meaningful class discussions.

1. View the film prior to showing it in class. Consider the following questions as you view the film:
 - Does the content merit use of class time?
 - How does the content relate to other course material?
 - Are there portions of the film that can or should be skipped, both for the sake of time and relevance?
 - Is there any objectionable material? If so, does the importance of the material outweigh the potential risks of showing the scenes in question?
2. Know what technology is available, and be sure you know how to use it **BEFORE** showing the film in class.
3. Do not feel obligated to show the entire film. If you show clips from the film, make sure that you contextualize the clip and provide the students with vocabulary and names that they will encounter in the clip.
4. Always watch the film with the class.
5. Instruct your students to think about and use the film, or film clip, as they would any other class reading. To do this, keep the following two points in mind:
 - Remember that nothing in a film is there by accident or chance. **EVERYTHING** in the film was chosen for a specific effect, down to the smallest, most seemingly insignificant prop.
 - Remember that film is a language complete with its own standard “grammar.” Camera angles, lighting, mise-en-scène, shot-reverse-shot (SRS), framing, composition, editing, pans, tracking shots, fade-ins, space, dissolves, and many more, are all part of the film’s grammar. This visual narration creates meaning to viewers and is similar to traditional writing conventions.
6. To provide a framework for viewing the film, give students a set of questions to consider when watching the film, or pre-teach about the issues covered in the film. When crafting the discussion questions or pre-teaching, keep in mind what you want students to take away from the film.
7. After viewing the film, summarize the main points of the film with the students. Facilitate discussion that will help students to make connections between the film and other course material.

Adapted From:

Ohio State University's Women's Studies Program
<http://womens-studies.osu.edu/pedagogy/Film/usingfilms.htm>

“Teaching Psychology Through Film, Video” By Raymond J. Green
http://www.psychologicalscience.org/teaching/tips/tips_0703.cfm