



Course Syllabus
2017-2018 Academic Year
Winter Term 2018
POLI 483 L01 – International Law
Department of Political Science
Faculty of Arts

Instructor: Dr. Maureen S. Hiebert

Office Telephone:

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Office Hours:

Tuesdays 11am – 12noon, Wednesday 3:00pm – 4:00pm

Social Sciences, Room 722

or by appointment

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Website: <http://d2l.ucalgary.ca>

Class Time and Location

Mondays, Wednesdays, and Fridays 9:00am – 9:50am ST 130

Prerequisites

POLI 381 or by consent of the Department

Course Description

In this course we will examine the history, theory, and practice of international law (IL) and the relationship between IL and international politics. Part I covers the historical evolution of international law in tandem with changes in the international system. We then turn to different theoretical models of international law, addressing its nature and purpose and the question of whether IL really is law. In Part II we examine three “subjects” of international law that make law and are covered by IL: states (as primary legal actors), international governmental organizations, and individuals. Part III covers breaches of international law (disputes and wrongful acts) and states’ responses to breaches through a variety of legal and political mechanisms. Finally, Part IV deals with

contemporary issues in IL including international human rights, the lawful and unlawful use of force by states and other armed actors, international criminal law (e.g. crimes against humanity, genocide), and international environmental law.

Course Objectives and Learning Outcomes:

This course is designed to expose students to several dimensions of international law and the intimate relationship between international law and international politics in the contemporary world. By the end of the course students will be familiar with: the historical origins of the current international legal regime, particularly its foundation in the western legal tradition and international politics; different theoretical perspectives of IL from the Ancient to the modern era; debates within international legal and international relations theory as to whether international law really is “law” or simply a set of political agreements; different conceptions of the utility and purpose of international law; several legal principles including statehood, sovereignty, state responsibility, jurisdiction, and the role of states, international organizations, and individuals as subjects of IL; what constitutes breaches of IL and how states respond legally and otherwise to violations; how IL defines and regulates (or fails to regulate) the actions of states and other actors with respect to upholding or violating human rights, the legality or illegality of the resort to the use of force, preventing and punishing mass atrocities, and the use of IL to regulate the use of common environmental resources and spaces (sea, air, land).

Required Texts

There are **two required textbooks** for this course. They are available **as a package** for purchase at the University of Calgary Bookstore. Additional readings not in the textbooks are available either as persistent links on the course D2L website or in the stacks or as an ebook at the Taylor Family Digital Library.

International Law (Fourth Edition), Malcolm D. Evans (ed) (Oxford: Oxford University Press, 2014).

Cases and Materials on International Law (Sixth Edition), Martin Dixon, Robert McCorquodale, and Sarah Williams (editors) (Oxford University Press, 2016).

Class Preparation and D2L Website

Lectures focus on the material presented in the textbook and general discussion relating to the topic(s) outlined in the lecture schedule. Students are expected to read the assigned text chapters and readings before class, and be prepared for class discussion. Important information for POLI 483 L01 is posted on D2L. Students should regularly check the “News” section of D2L for ongoing notices.

Contacting Your Instructor

Students requiring assistance are encouraged to speak to their instructor during class or during their office hours. Should you wish to meet with the instructor outside of office

hours, please email the instructor to make an appointment. It is to the student's advantage to keep such appointments.

Proper Use of Email

Email is commonly used by students to communicate with their instructor. However, it does limit the effectiveness of the communications and may not be the best way for instructors to answer student questions, especially those requiring an explanation of concepts covered in this course or some personal concerns. Therefore, the instructor may request a telephone call or personal meeting. *Your instructor will inform you as to his/her expectations about emails.*

Course Requirements and Grades:

Students will be evaluated on: two written assignments and a final exam in the exam period. Please see the Table below for details.

Summary of Course Requirements

When	What	Worth	Length	Information	Late Penalty
February 12, 2018 (Week 6)	First Paper	25%	6 pages (double spaced)	A short analytical paper. An assessment of writing style (grammar, spelling, punctuation etc.) will be included in the grade for this assignment. More information to be provided on a separate Assignment Sheet.	- 5% per day including weekends
April 13, 2018 (week 13)	Second Paper	40%	approx. 15 pages (double spaced)	A research paper on a historical or contemporary issue in IL and international politics. An assessment of writing style (grammar, spelling, punctuation etc.) will be included in the grade for this assignment. More information to be provided on a separate Assignment Sheet.	-5% per day including weekends
Exam Period April 16 – April 26, 2018	Final Exam	35%	2 hours	Short and long answer essay questions (writing style – grammar, spelling, punctuation – will not be included in the grade for the essay questions) (closed book; no aids allowed)	Not Applicable

Grading Scheme:

A+	95-100	B+	77-79	C+	67-69	D+	57-59
A	85-94	B	73-76	C	63-66	D	50-56
A-	80-84	B-	70-72	C-	60-62	F	0-49

Course Outline: Time permitting the following topics and readings will be covered during the course. Readings may be subject to change.

PART I **Origins and Foundations of International Law**

WEEK 1 Historical Evolution of International Law

January 8, 10, 12

Required Readings:

Stephen Neff, "A Short History of International Law," *International Law* (4th ed.), Evans (ed), pp. 3-28.

WEEK 2 Theorizing the Nature and Purpose of International Law

January 15, 17, 19

Required Readings:

Martii Koskenniemi, "What is International Law For?" *International Law* (4th ed.), Evans (ed), pp. 29-52.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 1, pp. 1-17.

WEEKS 3 Sources of International Law I

January 22, 24, 26

Required Readings:

Hugh Thirlway, "The Sources of International Law," *International Law* (4th ed.), Evans (ed), pp. 91-117.

Alan Boyle, "Soft Law in International Law-making," *International Law* (4th ed.), Evans (ed), pp. 118-136.

WEEK 4 Sources of International Law II

January 29, 31, February 2

Required Readings:

Malgosia Fitzmaurice, "The Practical Working of the Law of Treaties," *International Law* (4th ed.), Evans (ed), pp. 166-197.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 3, pp. 55-102 ****cases only**** (omit all other materials in the chapter)

PART II

Subjects of International Law

WEEK 5 Statehood and Sovereignty

February 5, 7, 9

Required Readings:

Matthew Craven, "Statehood, Self-Determination, and Recognition," *International Law* (4th ed.), Evans (ed), pp. 201-247.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 5, pp.136-149 only.

WEEK 6 International Organizations and Individuals

February 12, 14, 16

FRIDAY FEBRUARY 12: FIRST ASSIGNMENT DUE TO D2L NO LATER THAN 11:59PM

Required Readings:

Dapo Akande, "International Organizations," *International Law* (4th ed.), Evans (ed), pp. 248-279.

Robert McCorquodale, "The Individual and the International Legal System," *International Law* (4th ed.), Evans (ed), pp. 280-305.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 5, pp. 149(bottom)-159.

MID-TERM BREAK: NO CLASSES

February 18-25

PART III

Breaches of International Law

WEEK 7 State Responsibility, Wrongful Acts, and Legal Responses

February 26, 28, March 2

Required Readings:

James Crawford and Simon Olleson, "The Character and Form of International Responsibility," *International Law* (4th ed.), Evans (ed), pp. 443-476.

Nigel D. White and Ademola Abass, "Countermeasures and Sanctions," *International Law* (4th ed.), Evans (ed), pp. 537-562

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 11, pp. 399-411(top).

WEEK 8 Disputes and Legal Responses

March 5, 7, 9

Required Readings:

John Merrills, "The Means of Dispute Settlement," *International Law* (4th ed.), Evans (ed), pp. 563-588.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 16, 650-688.

PART IV
Contemporary Issues in International Law

WEEK 9 International Human Rights Law

March 12,14,16

Required Readings:

Sir Nigel Rodley, "International Human Rights Law," *International Law* (4th ed.), Evans (ed), pp. 783-820.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 6, pp.183-243.

WEEK 10 The Use of Force

March 19, 21, 23

Required Readings:

Christine Gray, "The Use of Force and the International Legal Order," *International Law* (4th ed.), Evans (ed), pp. 618-648.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 15, pp. 596-649.

WEEK 11 International Criminal Law

March 26, 28

MARCH 30 GOOD FRIDAY: NO CLASSES

Required Readings:

Robert Cryer, "International Criminal Law," *International Law* (4th ed.), Evans (ed), pp. 752-782.

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 14, 537-595.

WEEK 12 International Environmental Law

April 2, 4, 6

Required Readings:

Catherine Redgwell, "International Environmental Law," *International Law* (4th ed.), Evans (ed), pp. 688-726,

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds), chapter 12, pp. 450-490.

WEEK 13 Catch-up and Review

April 9, 11, 13

FRIDAY APRIL 13: SECOND ASSIGNMENT DUE TO D2L NO LATER THAN 11:59PM

No Required Readings:

IMPORTANT POLICIES AND INFORMATION

Absence From a Mid-term Examination:

Students who are absent from a scheduled term test or quiz for legitimate reasons (e.g. illness with the appropriate documentation) are responsible for contacting the instructor via email within 48 hours of the missed test to discuss alternative arrangements. A copy of this email may be requested as proof of the attempt to contact the instructor. Any student who fails to do so forfeits the right to a makeup test.

Deferral of a Final Examination:

Deferral of a final examination can be granted for reasons of illness, domestic affliction, and unforeseen circumstances, as well as to those with three (3) final exams scheduled within a 24-hour period. Deferred final exams will not be granted to those who sit the exam, who have made travel arrangements that conflict with their exam, or who have misread the examination timetable. The decision to allow a deferred final exam rests not with the instructor but with Enrolment Services. Instructors should, however, be notified if you will be absent during the examination. The Application for Deferred Final Exam, deadlines, requirements and submission instructions can be found on the Enrolment Services website at <https://www.ucalgary.ca/registrar/exams/deferred-exams>.

Appeals:

If a student has a concern about the course or a grade they have been assigned, they must first discuss their concerns with the instructor. If this does not resolve the matter, the student can then proceed with an academic appeal. The first step in an academic appeal is to set up a meeting with the Department Head.

University Regulations:

Students are encouraged to familiarize themselves with the University policies found in the Academic Regulations sections of the Calendar at www.ucalgary.ca/pubs/calendar/current/academic-regs.html.

Student Accommodations:

Students seeking an accommodation based on disability or medical concerns should contact Student Accessibility Services; SAS will process the request and issue letters of accommodation to instructors. For additional information on support services and accommodations for students with disabilities, visit www.ucalgary.ca/access/.

Students who require an accommodation in relation to their coursework based on a protected ground other than disability should communicate this need in writing to their Instructor.

The full policy on Student Accommodations is available at

<http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy.pdf>.

Plagiarism And Other Forms Of Academic Misconduct:

Academic misconduct in any form (e.g. cheating, plagiarism) is a serious academic offence that can lead to disciplinary probation, suspension or expulsion from the University. Students are expected to be familiar with the standards surrounding academic honesty; these can be found in the University of Calgary calendar at

<http://www.ucalgary.ca/pubs/calendar/current/k-5.html>. Such offences will be taken seriously and reported immediately, as required by Faculty of Arts policy.

Freedom of Information and Protection of Privacy (FOIP):

FOIP legislation requires that instructors maintain the confidentiality of student information. In practice, this means that student assignment and tests cannot be left for collection in any public place without the consent of the student. It also means that grades cannot be distributed via email. Final exams are kept by instructors but can be viewed by contacting them or the main office in the Department of Political Science. Any uncollected assignments and tests will be destroyed after three months; final examinations are destroyed after one year.

Evacuation Assembly Points:

In the event of an emergency evacuation from class, students are required to gather in designated assembly points. Please check the list found at www.ucalgary.ca/emergencyplan/assemblypoints and note the assembly point nearest to your classroom.

Faculty of Arts Program Advising and Student Information Resources:

For program planning and advice, visit the Arts Students' Centre in Social Sciences 102, call 403-220-3580 or email artsads@ucalgary.ca. You can also visit arts.ucalgary.ca/advising for program assistance.

For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at (403) 210-ROCK [7625] or visit their office in the MacKimmie Library Block.

Important Contact Information:

Campus Security and Safewalk (24 hours a day/7 days a week/365 days a year)
Phone: 403-220-5333

Faculty of Arts Undergraduate Students' Union Representatives

Phone: 403-220-6551

Email: arts1@su.ucalgary.ca, arts2@su.ucalgary.ca, arts3@su.ucalgary.ca,
arts4@su.ucalgary.ca

Students' Union URL: www.su.ucalgary.ca

Graduate Students' Association

Phone: 403-220-5997

Email: ask@gsa.ucalgary.ca

URL: www.ucalgary.ca/gsa

Student Ombudsman

Phone: 403-220-6420

Email: ombuds@ucalgary.ca