



Course Syllabus
2018-2019 Academic Year
Winter Term 2019
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 10:00am – 10:50am SA 121

Prerequisites

POLI 381 or by consent of the Department

Course Description

In this lecture 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 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.

Anders Henriksen, *International Law* (Oxford: Oxford University Press, 2017).

Martin Dixon, Robert McCorquodale, and Sarah Williams (editors), *Cases and Materials on International Law* (Sixth Edition), (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 15, 2019 (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 5, 2019 (week 12)	Second Paper	40%	approx. 12 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. This assignment must be submitted electronically to the D2L course website no later than 11:59pm on the due date.	-5% per day including weekends
Exam Period April 15 – April 27, 2019	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 Introduction; Foundations and Structure of International Law

January 11

No Readings:

WEEK 2 Foundations and Structure of International Law

January 14, 16, 18

Required Readings:

Henriksen, *International Law*, chapter 1.

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

WEEKS 3 Sources of International Law I

January 21, 23, 25

Required Readings:

Henriksen, *International Law*, chapters 2 and 3.

WEEK 4 Sources of International Law II

January 28, 30, February 1

Required Readings:

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 4, 6, 8

Required Readings:

Henriksen, *International Law*, chapter 4.

WEEK 6 International Organizations and Individuals

February 11, 13, 15

FRIDAY FEBRUARY 15: FIRST ASSIGNMENT DUE TO D2L NO LATER THAN 11:59PM

Required Readings:

Cases & Materials on International Law (6th ed.), Dixon et. al. (eds.), chapter 5, pp.136-159.

READING WEEK: NO CLASSES

February 17 – 24

PART III
Breaches of International Law

WEEK 7 State Responsibility, Wrongful Acts, and Legal Responses

February 25, 27, March 1

Required Readings:

Henriksen, *International Law*, chapter 7.

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

WEEK 8 Disputes and Legal Responses

March 4, 6, 8

Required Readings:

Henriksen, *International Law*, chapter 12.

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 11, 13, 15

Required Readings:

Henriksen, *International Law*, chapter 9

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

WEEK 10 The Use of Force

March 18, 20, 22

Required Readings:

Henriksen, *International Law*, chapter 13.

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

WEEK 11 International Criminal Law

March 25, 27, 29

Required Readings:

Henriksen, *International Law*, chapter 15.

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

WEEK 12 International Environmental Law

April 1, 3, 5

FRIDAY APRIL 5: SECOND ASSIGNMENT DUE TO D2L NO LATER THAN 11:59PM

Required Readings:

Henriksen, *International Law*, chapter 10.

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

WEEK 13 Catch-up and Review

April 8, 10, 12

*No Required Readings:***IMPORTANT POLICIES AND INFORMATION****Supporting Documentation and the Use of a Statutory Declaration**

As stated in the University Calendar:

Students may be asked to provide supporting documentation for an exemption/special request. This may include, but is not limited to, a prolonged absence from a course where participation is required, a missed course assessment, a deferred examination, or an appeal. Students are encouraged to submit documentation that will support their situation. Supporting documentation may be dependent on the reason noted in their personal statement/explanation provided to explain their situation. This could be medical certificate/documentation, references, police reports, invitation letter, third party letter of support or a statutory declaration etc. The decision to provide supporting documentation that best suits the situation is at the discretion of the student. Students cannot be required to provide specific supporting documentation, such as a medical note.

Students can make a Statutory Declaration as their supporting documentation (available at ucalgary.ca/registrar). This requires students to make a declaration in the presence of a Commissioner for Oaths. It demonstrates the importance of honest and accurate information provided and is a legally binding declaration. Several registered Commissioners for Oaths are available to students at no charge, on campus. For a list of locations to access a Commissioner for Oaths, visit ucalgary.ca/registrar).

Falsification of any supporting documentation will be taken very seriously and may result in disciplinary action through the Academic Discipline regulations or the Student Non-Academic Misconduct policy.

This statement is accessible at: <https://www.ucalgary.ca/pubs/calendar/current/n-1.html>

Please note that while the form of supporting documentation provided is at the discretion of the student, the instructor has the discretion not to accept the supporting documentation if it does not corroborate the reason(s) given for the exemption/special request.

Absence From a Mid-term Examination:

Students who are absent from a scheduled term test or quiz for legitimate reasons 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 then proceed with an academic appeal. The first step in an academic appeal is to set up a meeting with the Department Head. Appeals must be requested within 15 days of receipt of the graded assignment.

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>.

University Regulations:

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

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 meant to be returned will be destroyed after six months from the end of term; 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

Campus Mental Health Resources:

SU Wellness Centre: <http://www.ucalgary.ca/wellnesscentre/>

Campus Mental Health Strategy: <https://www.ucalgary.ca/mentalhealth/>