



DEPARTMENT OF POLITICAL SCIENCE
FACULTY OF ARTS

**POLITICAL SCIENCE 483 L01
INTERNATIONAL LAW
WINTER 2020**

INSTRUCTOR: Mark Machacek

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OFFICE HOURS: Virtual office hours using Zoom (D2L) Wed & Fri 0:900-11:00 (beginning Wed March 18th)

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

COURSE DAY/TIME: Ongoing weekly

COURSE LOCATION: Remote

COURSE PRE-REQUISITES: POLI 381

COURSE DESCRIPTION:

The purpose of this lecture-based course is to introduce and critically engage with the content, practice and politics of international law. It will discuss the international legal order in both legal and political terms, with references to both legal scholarship and literature in the study of International Relations. Students are strongly encouraged to actively discuss and debate the normative commitments in international law and offer insights into their contentions throughout the course.

This course will begin with an introduction to the origins and theories of international law and the political dimensions of international law. It will then turn its attention to discussing the sources of international law, including treaties, custom and soft law agreements. The relation between international law and state sovereignty will then be discussed. Following reading week, the subjects of international law, including states, individuals, international organizations and transnational business, will be reviewed. The following section considers international dispute resolution and enforcement mechanisms and processes. The final section of the course will focus on particular legal regimes, including international criminal law, human rights law and private international law.

Beginning the week of Monday March 16th, this course will resume online with changes made to the course instruction format, the methods of communication with the instructor, the research assignment due date and submission process, and the final exam format. Course instruction will resume on D2L and is expected to follow the course schedule detailed below (so keep up with the readings!). At the beginning of each week, a video lecture will be posted on D2L under the weekly topics in the Content section for you to review throughout the week. As usual, PowerPoint lecture slides will also be posted to D2L alongside the video lectures. Additional

mini-lecture videos may also be added on a rolling basis for any additions or clarifications that are required.

Correspondence with the instructor will resume through email, D2L News updates, and virtual office hours using Zoom (on D2L). The instructor will respond to email inquiries and discussions in a timely manner between 09:00-17:00 Mon-Fri. Students are also encouraged to check for News updates regularly on D2L for any further updates from the instructor. Non-mandatory virtual office hours will also be hosted using Zoom (accessible under the Communication section of D2L) every Wed & Fri 09:00-11:00. Email correspondence is also meant to supplement office hours.

COURSE OBJECTIVES & LEARNING OUTCOMES:

The objectives of this course are to:

- Introduce students to the origins, structure, practice and theories of international law and provide in-depth insight into international law as a politicized process;
- Acquaint students with the complexity of international law, including its multiple sources, relation to state sovereignty and issues with enforcement;
- Facilitate theoretically-informed discussions and debates on international law;
- Strengthen skills in academic analysis, discussion, research and writing

Upon completion of this course students should be able to:

- Engage in informed discussion on international legal issues and debates;
- Understand the complexity and political nature of international law;
- Apply various theoretical perspectives to international law;
- Conduct effective academic discussion, research and writing

REQUIRED TEXTBOOK(S):

Evans, Malcolm (Ed) (2014). *International Law*, Fourth Edition. Oxford: Oxford University Press.

COURSE COMPONENT WEIGHTS AND DUE DATES:

COMPONENT	WEIGHTING	DUE DATES
Mid-Term	30%	Friday February 14 th
Research Paper	40%	Friday March 20 th
Take Home Final Exam	30%	Wednesday April 15 th – Friday April 17 th
Total	100%	

COURSE SCHEDULE & TOPICS: The schedule is tentative and may change as the need arises.

DATE	TOPIC	READINGS
Introduction to International Law		
Week 1 Jan 13	Introduction and course	No readings

Jan 15, 17	overview The Nature of International Law -Introducing the primary actors in int'l law and considering the (political) nature of int'l law through a discussion of int'l legal theory	Textbook chapters 2 & 3 Charlesworth et al (1991) Feminist Approaches to International Law. <i>The American Journal of International Law</i> , 85(4): 613-645 [TFDL]
Week 2 Jan 20	The Nature of Int'l Law continued	
Jan 22, 24	The History of International Law -A brief history of the post-Westphalian int'l legal order	Textbook chapter 1
The Sources of International Law		
Week 3 Jan 27, 29, 31	Sources of International Law I: Custom and Treaties -An overview of customary practice and the law of treaties	Textbook chapters 4 & 6
Week 4 Feb 3, 5, 7	Sources of International Law II: Soft Law -A discussion of soft legalization and non-binding legal orders	Textbook chapter 5 Abbot & Snidal (2000) Hard and Soft Law in International Governance. <i>International Organization</i> , 54(3): 421-456 [TFDL]
National & International Law		
Week 5 Feb 10, 12, 14	The Relationship Between National & International Law -Considering the int'l scope of state sovereignty and the national application of int'l law MID-TERM FEB 14th	Textbook chapters 10 & 13
Week 6 Feb 16 - 22	READING WEEK No Classes	
The Subjects of International Law		
Week 7 Feb 24, 26, 28	Subjects of International Law I: States & Individuals -Discussing the int'l legal	Textbook chapter 7 & 9

	personality of states and individuals under int'l law	
Week 8 Mar 2, 4, 6	Subjects of International Law II: Int'l Organizations & the Private Sector -Discussing IOs as both a facilitator and subject of int'l law and the politics of int'l law on multinational corporations	Textbook chapter 8 de Jonge (2011) Transnational Corporations and International Law: Bringing TNCs Out of the Accountability Vacuum. <i>Critical Perspectives on International Business</i> , 7(1): 66-89 [TFDL]
Responses to Breaches of International Law		
Week 9 Mar 9, 11, 13	Dispute Resolution -Outlining the means of dispute resolution and the role of the International Court of Justice PAPER DUE MARCH 13th	Textbook chapters 18 & 19
Week 10 Mar 16, 18, 20	Enforcing Compliance -Overview of enforcement mechanisms, including sanctions, countermeasures and the use of force	Textbook chapters 17 & 20
International Legal Regimes		
Week 11 Mar 23, 25, 27	International Criminal Law & Humanitarian Law -A discussion of war crimes, crimes against humanity & laws on the conduct of war	Textbook chapters 24 & 27
Week 12 Mar 30, Apr 1, 3	International Human Rights Law -Surveying int'l human rights law, including refugee and migration law	Textbook chapters 25 & 26
Week 13 Apr 6, 8	Private International Law -Interrogating private int'l legal orders, including self-regulation and corporate social responsibility initiatives	Pattberg (2006) The Influence of Global Business Regulation: Beyond Good Corporate Conduct. <i>Business and Society Review</i> , 111(3): 241-268 [TFDL] Scherer & Palazzo (2011) The New Political Role of Business in a Globalized World: A Review of a New Perspective on CSR and its Implications for the Firm, Governance, and

Apr 10 th	Good Friday – No Class	Democracy. <i>Journal of Management Studies</i> , 48(4): 899-931 [TFDL]
Week 14 Apr 13 Apr 15	Easter Monday - No Class Overview of Course	-No readings

MID-TERM EXAMINATION (30%)

The mid-term exam will be 50 mins and will be conducted in class. The exam will be closed book, with no study aids or notes permitted during the exam. It will consist of 3 short answer questions where students will have the opportunity to choose from a list of questions. All the material covered in the required readings and lectures is eligible to be on the exam. The clarity of writing will be an important component of the grading criteria.

WRITTEN RESEARCH ASSIGNMENT (40%)

Students will be expected to conduct research and write a 10-12 page (double-spaced, 12-point Times New Roman font) theoretically informed paper on the *politics* of a particular area of international law (i.e. environmental law, human rights law, criminal law). Students should consult with the instructor regarding their legal regime of choice prior to Friday February 14th.

Students are expected to cite at least 10 academic sources (i.e. peer-reviewed journals, books, book chapters) when outlining the main actors, institutions and political dynamics of their chosen legal regime. Sources are to be cited using APA, MLA or Chicago citation style. Quality and clarity of writing is an essential component in the evaluation of the assignment.

The paper is expected to be submitted to the D2L ‘Research Assignment’ Dropbox no later than Friday March 20th by 12:00 pm.

As feedback, students will receive a detailed breakdown of their grade using the comment section of the assignment rubric through email once all the assignments have been graded. See Research Assignment & Grading Rubric posted to D2L in the Content section.

TAKE HOME FINAL EXAMINATION (30%)

The final exam will now be an open book take home exam. The test will consist of a choice of three out of four long-answer questions. Students are expected to write approximately 2-3 pages (double-spaced Word document) per question with as much specificity as possible (in terms of cases, treaties, advisory opinions, etc.). Students will also be evaluated according to their reference to, and discussion of, key themes, concepts and/or theoretical perspectives covered throughout the course. All the material covered in the required readings and lectures throughout the course is eligible to be on the exam. The clarity of writing will be an important component of the grading criteria.

The exam will be distributed to students through D2L in the Content section by Wednesday April 15th at 09:00 and will be due in the D2L Final Exam Dropbox no later than Friday April 17th at 16:00. Late submissions will receive a grade penalty of 5% for each day that they are late (including Weekends). Submissions after 16:00 on Friday April 17th will also be subject to the 5% penalty.

Writing Statement:

Written assignments are often required in Political Science courses, including this one, and the quality of writing skills, including but not limited to such elements as grammar, punctuation, sentence structure, clarity, citation, and organization, will be taken into account in the determination of grades. Students are encouraged to make use of the services offered through Writing Support Services in the Student Success Centre (3rd floor of the Taylor Family Digital Library) or at <http://www.ucalgary.ca/ssc/writing-support>.

GRADE SCALE: The following grading scale will be used:

A+ (95-100)	B+ (77-79)	C+ (67-69)	D+ (55-59)
A (86-94)	B (73-76)	C (63-66)	D (50-54)
A- (80-85)	B- (70-72)	C- (60-62)	F (0-49)

LATE PENALTIES

For the written assignment, late submissions will receive a grade penalty of 5% for each day that they are late. The 5% per day penalty will not be applied to weekend days.

INSTRUCTOR GUIDELINES

Students requiring assistance are encouraged to speak to the instructor during class or their office hours. Should you wish to meet outside of office hours, please telephone or email to make an appointment. It is to the student's advantage to keep such appointments.

Email is a common form of communication but it is not always the most effective way of answering student questions. If you cannot make office hours, please request a one on one meeting outside of these hours.

Students are welcome to use laptops and other electronic note-taking devices in this course. Please be considerate of others and switch off all cell phones when you enter the classroom. Sending/receiving texts and browsing the Web is extremely disruptive to others and will not be tolerated.

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](https://www.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](https://www.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/m-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.html>. Such offences will be taken seriously and reported immediately, as required by Faculty of Arts policy.

Copyright Legislation:

As stated in the University of Calgary Calendar, Academic Regulations, “students are required to read the University of Calgary policy on Acceptable Use of Material Protected by Copyright and requirements of the copyright act to ensure they are aware of the consequences of unauthorised sharing of course materials (including instructor notes, electronic versions of textbooks etc.). Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy.”

<https://www.ucalgary.ca/policies/files/policies/acceptable-use-of-material-protected-by-copyright.pdf> and <https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>

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 Tower Room 116.

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: askgsa@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/>