



**DEPARTMENT OF POLITICAL SCIENCE
FACULTY OF ARTS**

**POLI 483 Lecture 01
International Law
Winter 2021**

INSTRUCTOR: Mark Machacek

EMAIL: mark.machacek@ucalgary.ca

OFFICE HOURS: Virtual office hours using Zoom (D2L) Monday & Wednesday 10:00-11:00
or by appointment

COURSE DAY/TIME: Monday, Wednesday & Friday 09:00-09:50 using Zoom (D2L)
(Live/synchronous classes)

DELIVERY METHOD: Web-Based

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

COURSE PRE-REQUISITES: POLI 381

COURSE DESCRIPTION

This course will take place online via Desire2Learn (D2L) and Zoom. Synchronous (live) on-line lectures will be hosted using Zoom (hosted on D2L under the Communications tab) during the scheduled course times as indicated on this course outline. All live Zoom lectures will be recorded and posted on D2L under Content for students to access throughout the semester. Students are strongly encouraged to attend and participate in the scheduled live lectures. Correspondence between the instructor and the students will include 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.

The purpose of this 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 in addition to introducing its political dimensions. It will then turn 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. Next, 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.

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) (2018) *International Law*, Fifth Edition. Oxford: Oxford University Press.

REQUIRED TECHNOLOGY

In order to successfully engage in the learning experiences of this web-based course, students are required to have reliable access to the following technology:

- A computer with a supported operating system, as well as the latest security and malware updates;
- A current and updated web browser;
- A microphone and speaker (built-in or external) or a headset and microphone;
- Broadband internet connection
- Microsoft Word

Most current laptops will have a built-in speaker and microphone.

There is a D2L site for this course which contains required relevant class resources and materials (see d2l.ucalgary.ca).

COURSE COMPONENT WEIGHTS AND DUE DATES

COMPONENT	WEIGHTING	DUE DATES
Mid-Term	30%	March 9 at 18:00
Research Paper	40%	March 31
Final Exam	30%	Scheduled by the Registrar (April 19-29)
Total	100%	

If a student misses a required course component, please get in touch the instructor as soon as possible.

COURSE SCHEDULE & TOPICS

DATE	TOPIC	READINGS
Introduction to International Law		
Week 1 January 11 January 13-15	Introduction & course overview The Nature of International Law -Introducing the primary actors, processes and politics of international law	No readings 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 January 18, 20, 22	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 January 25, 27, 29	Sources of International Law I: Custom and Treaties -An overview of customary practice and the law of treaties	Textbook chapters 4 & 6
Week 4 February 1, 3, 5	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 February 8, 10 February 12	The Relationship Between National & International Law -Considering the int'l scope of state sovereignty and the national application of int'l law Paper Assignment Overview	Textbook chapters 10 & 13
Week 6 February 14-20	READING WEEK No classes	
Subjects of International Law		
Week 7	Subjects of International	Textbook chapters 7 & 9

February 22, 24, 26	Law I: States & Individuals -Discussing the int'l legal personality of states and individuals under int'l law	
Week 8 March 1, 3, 5	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 in International Law		
Week 9 March 8	Mid-Term Exam (no class)	
March 10, 12	Dispute Resolution -Outlining the means of dispute resolution and the role of the International Court of Justice	Textbook chapters 18 & 19
Week 10 March 15, 17, 19	Enforcing Compliance -Overview of enforcement mechanisms, including sanctions, countermeasures and the use of force	Textbook chapters 17 & 20
International Legal Regimes		
Week 11 March 22, 24, 26	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 March 29, 31	International Human Rights Law -Surveying int'l human rights law, including refugee and migration law	Textbook chapters 25 & 26
March 31	Assignment Due	

April 2	Good Friday - No class	
Week 13 April 5	Easter Monday – No class	
April 7, 9	Private International Law I -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 Democracy. <i>Journal of Management Studies</i> , 48(4): 899-931 [TFDL]
Week 14 April 12	Private International Law II	
April 14	Course overview	No readings

Please note that the above schedule is tentative and may change as the need arises.

MID-TERM EXAMINATION (30%)

The mid-term examination will be an open book exam posted on D2L March 8th at 09:00. It will be due in the D2L Mid-Term Exam Dropbox by March 9th at 18:00. Submissions after this time will be subject to a 5% grade penalty. There will be no scheduled lecture on the day the exam is posted.

It will consist of 3 long answer questions where students will have the opportunity to choose from a list of questions. Students will be expected to write approximately 2 pages per question. 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.

Further information on the mid-term exam will be provided during the lecture on March 5th.

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 February 22nd.

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.

Further information for the paper and a grading rubric will be provided in class February 12th.

FINAL EXAMINATION (30%)

The cumulative final examination will be scheduled by the Registrar. It is designed as a timed 2-hour exam but students will have a total of 3 hours to complete it. It will consist of two parts: 3 short answer and 1 long answer questions. In the short answer section, students will have the opportunity to choose from a list of questions. 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. Students will be able to access the exam within a 24-hour period (as scheduled by the Registrar).

Further information for the final exam will be provided in class April 14th.

WRITING STATEMENT

Written assignments are often required in Political Science courses, 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 by contacting them at <http://www.ucalgary.ca/ssc/writing-support>.

GRADING SCALE: The following grading scale will be used:

A+ (91-100)	B+ (77-79)	C+ (67-69)	D+ (55-59)
A (85-90)	B (73-76)	C (63-66)	D (50-54)
A- (80-84)	B- (70-72)	C- (60-62)	F (0-49)

LATE PENALTIES

For the written assignment and mid-term, late submissions to Dropbox will receive a grade penalty of 5% and an additional 5% for each day that they are late following the submission due dates. 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. All meetings will be held virtually.

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, to be held virtually.

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 Commissioners 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>

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.

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.

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.html>. Such offences will be taken seriously and reported immediately, as required by Faculty of Arts policy.

Required Access to Technology

Please see the University's resource page at https://ucalgary.service-now.com/it?id=kb_article&sys_id=86e7438013753ac06f3afbb2e144b031

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-electronic-resources-and-information-policy.pdf> and <https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>

Instructor Intellectual Property

Course materials created by instructors (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

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.

Faculty of Arts Program Advising and Student Information Resources

For program planning and advice, please consult with the Arts Students' Centre by calling 403-220-3580 or by email at 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].

Important Contact Information

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

The University of Calgary recognizes the pivotal role that student mental health plays in physical health, social connectedness and academic success, and aspires to create a caring and supportive

campus community where individuals can freely talk about mental health and receive supports when needed. We encourage you to explore the excellent mental health resources available throughout the university community, such as counselling, self-help resources, peer support or skills-building available through the following resources:

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

Student Wellness Services:

<https://www.ucalgary.ca/wellness-services/services/mental-health-services>

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