



**DEPARTMENT OF POLITICAL SCIENCE  
FACULTY OF ARTS**

**POLI 483 Lecture 01  
International Law  
Winter 2022**

**INSTRUCTOR:** Mark Machacek

**OFFICE:** SS 721

**EMAIL:** mark.machacek@ucalgary.ca

**OFFICE HOURS:** Virtual office hours via Zoom (D2L) Wednesday 4:00 – 5:00 pm or by appointment

**COURSE DAY/TIME:** Monday, Wednesday & Friday 09:00 – 9:50 am

**DELIVERY METHOD:** In-person

**COURSE LOCATION:** ES 054

**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 the context of international politics, 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, inconsistencies and complexity of international law and offer insights into their own perspectives in class discussions.

This course will begin with an introduction to the origins and theories of international law 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 and human rights 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 and legal issues;
- Conduct effective academic discussion, research and writing

### **REQUIRED TEXTBOOK(S)**

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

Hard copies of the textbook are available and the University of Calgary Bookstore. E-text versions can be purchased using this link:

<https://www.redshelf.com/app/ecom/book/1195367/international-law-1195367-9780192525130>

### **COURSE COMPONENT WEIGHTS AND DUE DATES**

COMPONENT	WEIGHTING	DUE DATES
<b>Mid-Term</b>	30%	March 11 <sup>th</sup>
<b>Research Paper</b>	40%	March 18 <sup>th</sup>
<b>Final Exam</b>	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
<b>Introduction to International Law</b>		
<b>Week 1</b> Jan. 10, 12, 14	<b>Introducing International Law &amp; Politics</b> -Introducing the primary actors, institutions and processes of international law in the context of global politics	Required -Textbook Chapters 2 & 3  Charlesworth et al (1991) <i>Feminist Approaches to International Law. The American Journal of International Law</i> , 85(4): 613-645 [TFDL]
<b>Week 2</b> Jan. 17, 19, 21	<b>A History of International Law</b> -A brief history of the post-Westphalian int'l legal order	Required: Textbook Chapter 1
<b>The Sources of International Law</b>		
<b>Week 3</b>	<b>Sources of International</b>	Required:

Jan. 24, 26, 28	<b>Law I: Custom &amp; Treaties</b> -An overview of customary practice and the law of treaties	-Textbook Chapters 4 & 6
<b>Week 4</b> Jan. 31, Feb. 2  Feb. 4	<b>Sources of International Law II: Soft Law</b> -A discussion of soft legalization and non-binding legal orders  <b>Paper Assignment Prep</b>	Required: -Textbook Chapter 5  -Abbot & Snidal (2000) Hard and Soft Law in International Governance. <i>International Organization</i> , 54(3): 421-456 [TFDL]
<b>National &amp; International Law</b>		
<b>Week 5</b> Feb. 7, 9, 11	<b>The Relationship Between National &amp; International Law</b> -Considering the int'l scope of state sovereignty and the national application of int'l law	Required: -Textbook Chapters 10 & 13
<b>Subjects of International Law</b>		
<b>Week 6</b> Feb. 14, 16, 18	<b>Subjects of International Law I: States &amp; Individuals</b> -Discussing the int'l legal personality of states and individuals under int'l law	Required: -Textbook Chapters 7 & 9
<b>Week 7</b> Feb. 20-26	<b>READING WEEK</b> No class	
<b>Week 8</b> Feb. 28 Mar. 2, 4	<b>Subjects of International Law I: States &amp; Individuals</b> -Detailing the int'l legal personality of states and individuals under int'l law	Required: -Textbook Chapters 7 & 9
<b>Week 9</b> Mar. 7, 9  Mar. 11	<b>Subjects of International Law II: Int'l Organizations &amp; the Private Sector</b> -Discussing IOs as both a facilitator and subject of int'l law and the politics of int'l law on multinational corporations  <b>Mid-Term Exam</b>	Required: -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]
<b>Responses to Breaches in International Law</b>		

<b>Week 10</b> Mar. 14, 16, 18  Mar. 18	<b>Dispute Resolution</b> -Outlining the means of dispute resolution and the role of the International Court of Justice  <b>Paper Assignment Due</b>	Required: -Textbook Chapters 18 & 19
<b>Week 11</b> Mar. 21, 23, 25	<b>Enforcing Compliance</b> -Overview of enforcement mechanisms, including sanctions, countermeasures and the use of force	Required: -Textbook Chapters 17 & 20
<b>Week 12</b> Mar. 28, 30 Apr. 1	<b>International Criminal Law &amp; Humanitarian Law</b> -A discussion of war crimes, crimes against humanity & laws on the conduct of war	Required: -Textbook Chapters 24 & 27
<b>Week 13</b> Apr. 4, 6, 8	<b>International Human Rights Law</b> -Surveying int'l human rights law, including refugee and migration law	Required: -Textbook Chapters 25 & 26
<b>Week 14</b> Apr. 11	<b>Course Review &amp; Final Exam Prep</b>	-No required readings

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

### **MID-TERM EXAMINATION** (30%)

The mid-term exam will be 50 mins and will be conducted in class on **Friday March 11<sup>th</sup>**. The exam will be closed book, with no study aids or notes permitted during the exam. It will consist of **3-4 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.

Further information on the exam will be provided in class Friday March 4<sup>th</sup>.

### **WRITTEN RESEARCH ASSIGNMENT** (40%)

Students will be expected to conduct research and write a **10 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 will be expected to apply an International Relations theory discussed in class the chosen international legal issue. Students should consult with the instructor regarding their legal regime of choice by Friday February 18<sup>th</sup> (not mandatory, but strongly recommended for the student's benefit).

Students are expected to cite at least 12 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 Dropbox no later than **11:59 pm on Friday March 18<sup>th</sup>**.

Further information for the research assignment will be provided in class Friday February 4<sup>th</sup>.

**FINAL EXAMINATION** (30%)

The cumulative final examination will be 2 hours long and will be scheduled by the Registrar. 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.

Further information for the final exam will be provided in class Monday April 11<sup>th</sup>.

**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, late submissions will receive a grade penalty of 5% for each day they are late. The 5% per day penalty will also 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 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>.

## **Reappraisals**

The University Calendar states that for reappraisals of graded term work:

“A student who feels that a piece of graded term work (term paper, essay, test, etc.) has been unfairly graded, may have the work reappraised as follows. The student shall discuss the work with the instructor **within ten business days** of being notified about the mark or of the item's return to the class. If not satisfied, the student shall take the matter to the head of the department offering the course **within 2 business days of receiving the decision from the instructor**, who will arrange for a reappraisal of the work **within the next ten business days**. The reappraisal will only be considered if the student provides a detailed rationale that outlines where and for what reason an error is suspected.” See <https://www.ucalgary.ca/pubs/calendar/current/i-2.html>

The University Calendar states that for reappraisal of academic assessments (final grades):

“A student may request a reappraisal of a final grade. The only element that will be considered is the final assessment(s) that makes up the final mark (e.g., final examination, final project, and final paper). The exception is when a grade for a piece of graded term work is made available to students after the last day of classes for the term in which the course is scheduled; that grade may also be considered in a reappraisal of the final grade.”

“A student seeking a reappraisal of a final grade should first attempt to review the final assessment with the department or faculty offering the course. After which the student shall obtain a Reappraisal of Final Grade form from [ucalgary.ca/registrar](http://ucalgary.ca/registrar) (under Student Forms). The student must indicate exactly what error was made in marking the final assessment and/or in computing the final grade. The reappraisal will only be considered if the student provides a detailed rationale that outlines where and for what reason an error is suspected.” More information is available at: <https://www.ucalgary.ca/pubs/calendar/current/i-3.html>

## **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](http://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/](http://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-ow.com/it?id=kb\\_article&sys\\_id=86e7438013753ac06f3afb2e144b031](https://ucalgary.service-ow.com/it?id=kb_article&sys_id=86e7438013753ac06f3afb2e144b031)

## **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>

## **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.

## **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](http://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](mailto:artsads@ucalgary.ca). You can also visit [arts.ucalgary.ca/advising](http://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, MT 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](mailto:arts1@su.ucalgary.ca), [arts2@su.ucalgary.ca](mailto:arts2@su.ucalgary.ca), [arts3@su.ucalgary.ca](mailto:arts3@su.ucalgary.ca),  
[arts4@su.ucalgary.ca](mailto:arts4@su.ucalgary.ca)  
Students' Union URL: [www.su.ucalgary.ca](http://www.su.ucalgary.ca)

Graduate Students' Association  
Phone: 403-220-5997  
Email: [askgsa@ucalgary.ca](mailto:askgsa@ucalgary.ca)  
URL: [www.ucalgary.ca/gsa](http://www.ucalgary.ca/gsa)

Student Ombudsman  
Phone: 403-220-6420  
Email: [ombuds@ucalgary.ca](mailto: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/>.