

POLI 483 (L01) International Law	
Pre/Co-Requisites: POLI 381	
Instructor: Mark Machacek	Lecture Location: MS 211
Phone:	Lecture Days/Time: Monday, Wednesday, Friday 14:00 – 14:50
Email: mark.machacek@ucalgary.ca	Office Hours: Virtual office hours via Zoom (D2L) Wednesday 16:00 – 17:00 or by appointment
Office: SS 721	Website: http://d2l.ucalgary.ca
Instructor Email Policy: : 09:00 – 17:00 Monday - Friday	

COURSE DESCRIPTION

The purpose of this lecture-based course is to introduce and critically engage with the content, practice and politics of international law. The course covers 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;

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- 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

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

Hard copies of the textbook are available at 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
Mid-Term Exam	30%	November 4 th
Research Paper	40%	November 25 th
Final Exam	30%	Scheduled by the Registrar (Dec. 10 – 21)
Total	100%	

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

COURSE SCHEDULE & TOPICS

DATE	TOPIC	READINGS
Introduction to International Law		
Week 1 Sept. 7, 9	Introducing (the Politics of) International Law -Overview of the course and an introduction to the primary actors, institutions and characteristics of international law in the context of global politics	Required Textbook Chapter 2
Week 2 Sept. 12, 14, 16	Political & Legal Theories of International Law -Introduction to classical and modern legal theory and a review of international relations theory in relation to international law	Required Textbook Chapter 3 Charlesworth et al (1991) <i>Feminist Approaches to International Law</i> . <i>The American Journal of International Law</i> , 85(4): 613-645 [TFDL]
Week 3 Sept. 19, 21	A History of International Law -A brief historical overview of the post-Westphalian international legal order	Required Textbook Chapter 1

Sept. 23	Assignment Prep	
The Sources of International Law		
Week 4 Sept. 26, 28	Sources of International Law I: Treaties & Custom -An overview of customary practice and the law of treaties	Required Textbook Chapters 4 & 6
Sept. 30	National Truth & Reconciliation Day (no class)	
Week 5 Oct. 3, 5, 7	Sources of International Law II: Soft Law & Other Sources -A discussion of soft legalization and non-binding legal orders	Required 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 6 Oct. 10	Thanksgiving (no class)	
Oct. 12, 14	The Relationship Between National & International Law -Considering the int'l scope of state sovereignty, jurisdiction and the national application of int'l law	Required Textbook Chapters 10 & 13
International Legal Personality		
Week 7 Oct. 17, 19, 21	Subjects of International Law I: States -Discussing the int'l legal personality of states	Required Textbook Chapter 7
Week 8 Oct. 24, 26, 28	Subjects of International Law II: Individuals -Considering the individual in int'l law	Required Textbook Chapter 9
Week 9 Oct. 31, Nov. 2	Subjects of International Law III: Int'l Organizations & the Private Sector -Discussing IGOs as both a facilitator and subject of international law and the politics of international law on multinational corporations	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]
Nov. 4	Mid-Term Exam	
Responses to Breaches of International Law		
Week 10 Nov. 6 - 12	READING WEEK No class	

<p>Week 11 Nov. 14, 16, 18</p>	<p>Dispute Resolution -Outlining the means of dispute resolution and the role of the International Court of Justice</p>	<p>Required Textbook Chapters 18 & 19</p>
Select International Legal Regimes		
<p>Week 12 Nov. 21, 23, 25</p>	<p>Enforcing Compliance -Overview of enforcement mechanisms, including sanctions, countermeasures and the use of force</p>	<p>Required Textbook Chapters 17 & 20</p>
<p>Nov. 25</p>	<p>Paper Assignment Due</p>	
<p>Week 13 Nov. 28, 30, Dec. 2</p>	<p>International Criminal Law & Humanitarian Law -A discussion of war crimes, crimes against humanity & laws on the conduct of war</p>	<p>Required Textbook Chapters 24 & 27</p>
<p>Week 14 Dec. 5</p>	<p>International Human Rights Law -Surveying international human rights law, including refugee and migration law</p>	<p>Required Textbook Chapters 25 & 26</p>
<p>Dec. 7</p>	<p>Course Review & Final Exam Prep</p>	

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 minutes** and will be conducted in class on **Friday November 4th**. 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 October 28th**.

RESEARCH PAPER (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 18th (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

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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 November 25th**.

Further information for the research assignment will be provided in class on **Friday September 23rd**.

FINAL EXAMINATION (30%)

The cumulative final examination will be **2 hours long** and will be **scheduled by the Registrar**. It will be **closed book** with no additional study aids and will **consist of two parts: 3 short answer and 1 long answer 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 on **Wednesday December 7th**.

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). 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.

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.

Deferred Term Work Form: Deferral of term work past the end of a term requires a form to be filled out by the student and submitted, along with any supporting documentation, to the instructor. The form is available at:

<https://live-ucalgary.ucalgary.ca/sites/default/files/teams/14/deferral-of-term-work-2020.pdf>

Once an extension date has been agreed between instructor and student, the instructor will email the form to the Faculty of Arts Program Information Centre (ascarts@ucalgary.ca) for approval by the Associate Dean.

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>.

Reappraisal of Grades:

For Reappraisal of Graded Term Work, see Calendar I.2

<http://www.ucalgary.ca/pubs/calendar/current/i-2.html>

For Reappraisal of Final Grade, see Calendar I.3

<http://www.ucalgary.ca/pubs/calendar/current/i-3.html>

Academic Misconduct:

Academic Misconduct refers to student behavior that compromises proper assessment of students' academic activities and includes: cheating; fabrication; falsification; plagiarism; unauthorized assistance; failure to comply with an instructor's expectations regarding conduct required of students completing academic assessments in their courses; and failure to comply with exam regulations applied by the Registrar.

Student committing academic misconduct during the final exam will not receive a passing grade for the course.

For information on the Student Academic Misconduct Policy, Procedure and Academic Integrity, please visit: <https://www.ucalgary.ca/pubs/calendar/current/k-3.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.

Recording of Lectures:

Recording of lectures is prohibited, except for audio recordings authorized as an accommodation by SAS or an audio recording for individual private study and only with the written permission of the instructor. Any unauthorized electronic or mechanical recording of lectures, their transcription, copying, or distribution, constitutes academic misconduct. See <https://www.ucalgary.ca/pubs/calendar/current/e-6.html>.

Academic 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. 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

<https://www.ucalgary.ca/legal-services/university-policies-procedures/accommodation-students-disabilities-procedure>

Research Ethics

Students are advised that any research with human subjects – including any interviewing (even with friends and family), opinion polling, or unobtrusive observation – must have the approval of the Conjoint Faculties Research Ethics Board. In completing course requirements, students must not undertake any human subject research without discussing their plans with the instructor, to determine if ethics approval is required.

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) Act:

Personal information is collected in accordance with FOIP. Assignments can only be returned to the student and will be accessible only to authorized faculty and staff. For more information, see <https://www.ucalgary.ca/legal-services/access-information-privacy>

Copyright Legislation:

See the University of Calgary policy on Acceptable Use of Material Protected by Copyright at <https://www.ucalgary.ca/legal-services/university-policies-procedures/acceptable-use-material-protected-copyright-policy> Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy.

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.

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 <https://www.ucalgary.ca/risk/emergency-management/evac-drills-assembly-points/assembly-points> and note the assembly point nearest to your classroom.

Important Dates:

Please check: <http://www.ucalgary.ca/pubs/calendar/current/academic-schedule.html>.

Faculty of Arts Program Advising and Student Information Resources

- Have a question, but not sure where to start? The Arts Students' Centre is your information resource for everything in Arts! Drop in at SS102, call them at 403-220-3580, or email them at artsads@ucalgary.ca. You can also visit the Faculty of Arts website at <http://arts.ucalgary.ca/undergraduate>, which has detailed information on common academic concerns, including program planning and advice.
- For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at 403-210-ROCK [7625] or visit them in the MacKimmie Tower.

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

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/>.

