



# IRPG857

## International Law and Institutions

S1 External 2016

*Dept of Modern History, Politics & International Relations*

### Contents

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<a href="#"><u>General Information</u></a>	2
<a href="#"><u>Learning Outcomes</u></a>	2
<a href="#"><u>Assessment Tasks</u></a>	3
<a href="#"><u>Delivery and Resources</u></a>	7
<a href="#"><u>Unit Schedule</u></a>	7
<a href="#"><u>Policies and Procedures</u></a>	8
<a href="#"><u>Graduate Capabilities</u></a>	12
<a href="#"><u>Changes since First Published</u></a>	15

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#### **Disclaimer**

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

## General Information

Unit convenor and teaching staff

Unit Convenor

Jonathan Symons

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Rm 425, Building W6A

TBA - see ilearn.

Credit points

4

Prerequisites

Admission to MIntRel or PGDipIntRel or GradDipIntRel or PGCertIntRel or MIntCommMIntRel or MIntBusMIntRel or MIntRelMIntTrdeComLaw or MTransInterMIntRel or PGCertResPrep(Arts) or MIntPubDip or GradCertIntRel

Corequisites

Co-badged status

Unit description

This unit examines why international law and institutions have increasingly become instruments of choice for states in solving common problems and expressing common values. We focus first on the nature of international law and institutions, the historical and political context in they have developed and major theoretical approaches. We then look at substantive issue areas including the use of force and the UN collective security system; terrorism; international crimes; international trade; and international environmental institutions. Finally, we examine the impact of unequal power relations in international law and institutions as well as issues of legitimacy and global governance.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

The development of a body of knowledge about: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, international trade and the environment; the historical development of international law;

and the specific core charters, functions, decision-making and dispute-settlement procedures and processes of the United Nations, World Trade Organisation, Kyoto Protocol, and the ICC.

The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.

The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.

The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.

The ability to undertake independent research and analysis.

The ability to communicate effectively in both written work and oral presentations. This involves being able to identify and organise relevant information and to formulate persuasive, coherent and critical arguments.

The ability to work collaboratively with ones peers on common projects.

The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## Assessment Tasks

Name	Weighting	Due
<a href="#"><u>Task 1 - Online Participation</u></a>	15%	Ongoing
<a href="#"><u>Task 2 - Mid-Semester Test</u></a>	15%	Tuesday 12 April 2016
<a href="#"><u>Task 2 - Long Paper</u></a>	40%	Tuesday 26 April 2016
<a href="#"><u>Task 4 - Final Exam</u></a>	30%	Saturday 11 June 2016

### Task 1 - Online Participation

Due: **Ongoing**

Weighting: **15%**

A discussion board has been set up on ilearn as a forum to facilitate on-line discussion of the course material. Discussion will centre on specific questions which will be uploaded onto the board from week to week. There will also be role plays, a debate and some case studies that will require prior preparation. Roles will be allocated by the second week of semester. At the end of session, students will be assessed on their contributions to the discussion board throughout the semester.

To encourage regular participation, contributions to the discussion board made on a particular

topic will not be assessed unless it is made within a two week period after the relevant lecture. For example, contributions related to the topic discussed in week 2 should be made by the date of the lecture in week 4 at the latest. As a minimum, you should make at least 6 contributions to the discussion board throughout the semester – however, more frequent participation is encouraged. Further, at least three contributions must be made to a topic in weeks 1-7, and three for a topic in weeks 9-12.

Assessment of participation in the discussion board is based on the quality of your contributions rather than the quantity of contributions. The quality of your contributions will be significantly enhanced by the amount of preparation you do each week. It is also important that the contributions made by students acknowledge previous points of view and provide constructive follow-on comments. That is, there should be an attempt to respond to the comments previously made on a topic. Participants should avoid making unconnected statements unless they wish to start a new thread (raise a new issue).

Remember also to be courteous to other participants – if you would not make particular comments to another participant face to face, then you should refrain from making them online.

Contributions to the discussion board made after week 13 will not be assessed.

On successful completion you will be able to:

- The development of a body of knowledge about: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, international trade and the environment; the historical development of international law; and the specific core charters, functions, decision-making and dispute-settlement procedures and processes of the United Nations, World Trade Organisation, Kyoto Protocol, and the ICC.
- The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.
- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- The ability to communicate effectively in both written work and oral presentations. This involves being able to identify and organise relevant information and to formulate persuasive, coherent and critical arguments.
- The ability to work collaboratively with ones peers on common projects.
- The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## Task 2 - Mid-Semester Test

Due: **Tuesday 12 April 2016**

Weighting: **15%**

The mid-semester test will be a 1 hour online examination administered through ilearn. It will be released at 7.30 pm and is due for submission at 8.30 pm. It will consist of a mixture of multiple choice and short-answer questions on the material covered in weeks 1, 2, 3 and 4 of the course.

On successful completion you will be able to:

- The development of a body of knowledge about: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, international trade and the environment; the historical development of international law; and the specific core charters, functions, decision-making and dispute-settlement procedures and processes of the United Nations, World Trade Organisation, Kyoto Protocol, and the ICC.
- The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.
- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- The ability to communicate effectively in both written work and oral presentations. This involves being able to identify and organise relevant information and to formulate persuasive, coherent and critical arguments.
- The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## Task 2 - Long Paper

Due: **Tuesday 26 April 2016**

Weighting: **40%**

Students are required to submit a research paper of 2,500 words in length. Essays which are 10% or more over this word limit will be penalised. A list of essay questions will be posted on ilearn in week 1.

On successful completion you will be able to:

- The development of a body of knowledge about: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, international trade and the environment; the historical development of international law; and the specific core charters, functions, decision-making and dispute-settlement procedures and processes of the United Nations, World Trade Organisation, Kyoto Protocol, and the ICC.

- The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.
- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.
- The ability to undertake independent research and analysis.
- The ability to communicate effectively in both written work and oral presentations. This involves being able to identify and organise relevant information and to formulate persuasive, coherent and critical arguments.
- The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## Task 4 - Final Exam

Due: **Saturday 11 June 2016**

Weighting: **30%**

This is 1 day open book examination. The final examination paper will be released onto ilearn on Saturday 11 June 2016 at 9.00 am and is due for submission by 9.30 am on Sunday 12 June 2015. Students are responsible for ensuring that they have access to ilearn to download the paper and to re-submit it. The paper will cover material discussed in weeks 5, 6, 7, 8, 9, 10, 11 and 12.

On successful completion you will be able to:

- The development of a body of knowledge about: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, international trade and the environment; the historical development of international law; and the specific core charters, functions, decision-making and dispute-settlement procedures and processes of the United Nations, World Trade Organisation, Kyoto Protocol, and the ICC.
- The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.
- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.

- The ability to communicate effectively in both written work and oral presentations. This involves being able to identify and organise relevant information and to formulate persuasive, coherent and critical arguments.
- The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## **Delivery and Resources**

### **Technologies Used**

This unit has an online presence in iLearn. Students will require access to reliable broadband and a computer.

### **Tutoring Staff**

TBA

## **Unit Schedule**

### **Week 1**

Introduction to course; Evolution of International Law

Wednesday 2 March – Lecture 1 (but no seminar/tutorial)

See iLearn materials

### **Week 2**

The Nature of International Law; Sources of International Law

Wednesday 9 March - First seminar/tutorial

### **Week 3**

Sources of International Law; Theoretical Approaches Part 1

Wednesday 16 March

### **Week 4**

Theoretical Approaches Part 2

Wednesday 23 March

### **Week 5**

The Use of Force

Wednesday 30 March

### **Week 6**

Terrorism

Wednesday 6 April

### **MID SEMESTER BREAK**

Monday 11 April to Friday 22 April

***Mid Semester Test – Tuesday 12 April 7.30 pm to 8.30 pm***

### **Week 7**

Reading Week – no lectures or tutorials

***Research Essay due Tuesday 26 April 2015***

### **Week 8**

International Humanitarian Law

Wednesday 4 May

### **Week 9**

International Crimes and the ICC

Wednesday 11 May

### **Week 10**

International Trade and the WTO

Wednesday 18 May

### **Week 11**

The Environment

Wednesday 25 May

### **Week 12**

Law and Power in an Evolving World Order

Wednesday 1 June

### **Week 13**

No lectures or tutorials

### **Final Examination – one day take home paper**

Released on ilearn at 9.30 am on Saturday 11 June and due for submission on Sunday 12 June at 9.30 am

## **Policies and Procedures**

Macquarie University policies and procedures are accessible from [Policy Central](#). Students



should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

**New Assessment Policy in effect from Session 2 2016** [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html). For more information visit [http://students.mq.edu.au/events/2016/07/19/new\\_assessment\\_policy\\_in\\_place\\_from\\_session\\_2/](http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/)

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](http://ask.mq.edu.au).

## Additional Policies for this Unit

### Essays will be failed for the following reasons

1. **Plagiarism** – for example, where sentences or paragraphs are taken word-for-word or nearly word-for-word from another source and presented as original expression. See the University's Academic Honesty Policy for an in depth explanation of what constitutes plagiarism. Plagiarism is taken very seriously by the Convenor and the Department generally. A plagiarised essay will get zero marks and the student will receive a fail grade. In addition it is Faculty policy that a note of the offence is placed on the student's academic record. If this is a second offence the penalties may escalate to failure of the course, and expulsion from the degree.
2. **Excessive use of direct quotes** may result in a fail grade. As a general rule no more than 10% of your overall word length should appear in direct quotes. You must try to express your ideas and arguments in your own words as much as possible. This demonstrates true understanding.
3. Identical or nearly **identical essays** will all fail – regardless of the original authorship.

4. Work that is significantly below the required **word length**.

5. Essays written with **poor English grammar and expression** may be failed if the marker is unable to understand the argument(s) raised.

### Examination

The only exception to sitting an examination at the designated time (above) is because of documented illness or unavoidable disruption. In these circumstances you may wish to consider applying for 'disruption of studies'. Consult the Disruption of Studies Policy (above) for further information.

If a Supplementary Examination is granted as a result of the Disruption of Studies process, the examination will be scheduled after the conclusion of the official examination period.

You are advised that it is Macquarie University policy not to set early examinations for individuals or groups of students. All students are expected to ensure that they are available until the end of the teaching semester, that is the final day of the official examination period.

### Extensions and Penalties

The following policies will apply in relation to the short paper and major research paper.

#### EXTENSIONS

Any student seeking an extension of time to submit their research paper must, except in extraordinary circumstances, submit to the Convenor (or have submitted on their behalf) a request in writing and supportive documentary evidence before the due date. Extensions will not be given other than in **exceptional cases of illness**. In such cases, a certificate signed by a medical practitioner must be submitted as supportive documentary evidence. In extraordinary circumstances where a written request for an extension cannot be submitted, an application for an extension can be sought verbally. However, in such cases, any extension granted will be subject to the student subsequently submitting such documentary evidence as is deemed appropriate by the Convenor. If an extension is sought due to the death of a family member, proof must be provided in the form of a death certificate.

Whilst we do understand that many or most students support themselves through paid employment, extensions cannot be granted on this basis alone. Students must manage their time and workloads accordingly. Essay topics will be made available by the end of the first week of semester leaving ample time for essay preparation. Meeting deadlines for assignments is treated very seriously in this course. **Accordingly, the penalties for late submission are high.**

#### PENALTIES FOR LATE SUBMISSION

Any research paper that is submitted after the due date and without having obtained an extension will be penalised at a rate of 3% per day. For example:

- a 9% penalty will be applied to an assignment that is 3 days late
- a 21% penalty will be applied to an assignment that is 7 days late.

Any paper that is submitted after the 10th day will not be marked and the student submitting

such a paper will be deemed not to have completed and submitted the paper.

## Required Reading

We will be using the following textbook: David Armstrong, Theo Farrell and Helene Lambert, *International Law and International Relations* (Cambridge UK: Cambridge University Press 2012).

In addition from week to week additional journal articles, news articles etc will be set as required reading and posted on ilearn.

## Assignment Submission

Hard copy submission of assignments will not be required for this course. All assignments are to be submitted online using the ilearn website for this unit. A turnitin link for submission will be set up there. Comments and grades will also be available online.

## Turn-it-in

All written work in this course is also required to be uploaded onto turnitin by students at the time of submission. Work that is not uploaded onto turnitin will not be graded and will receive a mark of zero.

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#).

The policy applies to all who connect to the MQ network including students.

## Graduate Capabilities

### PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

#### Learning outcomes

- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.
- The ability to work collaboratively with ones peers on common projects.

#### Assessment task

- Task 2 - Long Paper

### PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

#### Learning outcomes

- The development of a body of knowledge about: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, international trade and the environment; the historical development of international law; and the specific core charters, functions, decision-making and dispute-settlement procedures and processes of the United Nations, World Trade Organisation, Kyoto Protocol, and the ICC.
- The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.
- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.

- The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## **Assessment tasks**

- Task 1 - Online Participation
- Task 2 - Mid-Semester Test
- Task 2 - Long Paper
- Task 4 - Final Exam

## **PG - Critical, Analytical and Integrative Thinking**

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

## **Learning outcomes**

- The ability to understand and critically evaluate the theoretical approaches to international law and international relations within the IR discipline and to reflect upon the role of power on the formation and effective operation of international law.
- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.
- The ability to express critical judgment about underlying theories, concepts, assumptions and arguments in the field.

## **Assessment tasks**

- Task 1 - Online Participation
- Task 2 - Mid-Semester Test
- Task 2 - Long Paper
- Task 4 - Final Exam

## **PG - Research and Problem Solving Capability**

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

## **Learning outcomes**

- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.
- The ability to undertake independent research and analysis.

## **Assessment tasks**

- Task 2 - Mid-Semester Test
- Task 2 - Long Paper
- Task 4 - Final Exam

## **PG - Effective Communication**

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

## **Learning outcomes**

- The ability to formulate and defend policy recommendations on important issues regarding international law and institutions.
- The ability to communicate effectively in both written work and oral presentations. This involves being able to identify and organise relevant information and to formulate persuasive, coherent and critical arguments.
- The ability to work collaboratively with ones peers on common projects.

## **Assessment tasks**

- Task 1 - Online Participation
- Task 2 - Mid-Semester Test
- Task 2 - Long Paper
- Task 4 - Final Exam

## **PG - Engaged and Responsible, Active and Ethical Citizens**

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

## Learning outcome

- The ability to reflect upon the ethical, political and cultural context which informs and influences the operation of international law and institutions.

## Changes since First Published

Date	Description
02/02/2016	I've corrected on date error.