



# POIR8570

## International Law and Global Governance

Session 1, In person-scheduled-weekday, North Ryde 2022

*Macquarie School of Social Sciences*

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#### Disclaimer

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## General Information

Unit convenor and teaching staff

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Credit points

10

Prerequisites

Admission to MIntRel or MSecStrategicStud or MCrim or MIntell or MCyberSecAnalysis or MCTerrorism or MPPP or MPASR or GradCertPPP or PGDiplIntRel or GradDiplIntRel or MIntPubDip.

Corequisites

Co-badged status

Unit description

This unit examines why international law and global governance institutions have increasingly become instruments of choice for states as they attempt to solve common problems and express common values. Difficult questions will be addressed, including: is international law really law? Can the use of force between states really be constrained by either law or institutions? Can an impartial international court exist in the absence of a world government? Can states collectively agree on rules that accommodate divergent interests in areas such as climate change, world trade and international crime? Are powerful states above the law? To answer these questions, we first explore the sources of international law, the nature of international law and institutions, the historical and political context in which they have developed, and the role of law and global governance institutions in core theories of international relations. 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 on international law and global governance institutions as well as the problem of legitimacy.

## 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:

**ULO1:** Reflect upon and analyse the ethical, political and cultural context which informs and influences the operation of international law and institutions.

**ULO2:** 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.

**ULO3:** Formulate and defend policy recommendations on important issues regarding international law and institutions.

**ULO4:** Apply skills required to conduct independent research and analysis.

**ULO5:** Understand fundamental rules and concepts on: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, the sea, 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 international organisations with responsibility for collective security, world trade, the environment, and the prosecution of international crimes.

**ULO6:** 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.

## General Assessment Information

**The Mid-Semester Test** is in the form of a 1 hour online quiz. The quiz will be open for a 24 hour period from the start time.

**The Final Exam** paper will need to be completed in a 24 hour period (see due dates). Further details will be provided on ilearn.

### 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 (link below) for an in-depth explanation of what constitutes plagiarism. Plagiarism is taken very seriously by the Convenor and the Department generally and will result in a range of penalties, including a zero grade for an assessment task. Serious instances of plagiarism will be reported to the Faculty Discipline Committee.

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.
6. Work that has been previously submitted and assessed in other units that is then re-submitted for assessment in POIR8570, in whole or part, will receive a fail grade. This is defined as '**self-plagiarism**' under the Academic Honesty Policy.

### **Examination**

The only exception to sitting an examination at the designated time (above) is where a student has experienced 'unexpected, unavoidable and serious circumstances' that prevented them from taking the exam, which can be documented. In these circumstances, the student should consider applying for 'Special Consideration'. Consult the Special Consideration Policy (below) for further information about what criteria must be met.

If a Supplementary Examination is granted as a result of the Special Consideration 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**

Any student seeking an extension of time to submit their research essay must apply formally for 'special consideration' using the ask.mq.edu.au system. Applications should be made before the due date for the assignment.

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 early in the semester leaving sufficient 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**

Unless a Special Consideration request has been submitted and approved:

- (a) a penalty for lateness will apply - 10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and
- (b) no assignment will be accepted more than 7 days (including weekends) after the original submission deadline;
- (c) No late submissions will be accepted for timed assessments - e.g. quizzes, online tests.

### **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 for the research essay and quiz will be set up there. Comments and grades will also be available online.

### Turn-it-in

All written work in this course is required to be uploaded using the Turnitin link provided on the ilearn website for this unit. Turnitin is a type of anti-plagiarism software used by the university. Work that is not uploaded using the Turnitin link on ilearn will not be graded and will receive a mark of zero.

### Re-submission of assessment tasks

Re-submission of assessment tasks is not possible in this unit. If you have any questions about an assessment task, please consult with your tutor or the Convenor before handing it in. Also, see the section below titled 'student support' for details about workshops on research skills, essay writing, and plagiarism available to all students in the first weeks of the semester.

## Assessment Tasks

| Name                            | Weighting | Hurdle | Due   |
|---------------------------------|-----------|--------|---|
| <u>Tutorial Participation</u>   | 10%       | No     | Ongoing   |
| <u>Mid-Semester Test</u>        | 20%       | No     | 19.30 hrs on 24/03/22                                   |
| <u>Research Essay</u>           | 40%       | No     | 17.00 hrs on 4/05/22                                    |
| <u>Final Examination online</u> | 30%       | No     | 09.30 hrs Saturday 11/06/22 to 9.30 hrs Sunday 12/06/22 |

### Tutorial Participation

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 36 hours

Due: **Ongoing**

Weighting: **10%**

In class tutorial participation will be assessed. Details will be provided on ilearn. Zoom classes may be offered depending on university Covid safe policy at the time the unit is taught.

On successful completion you will be able to:

- Reflect upon and analyse the ethical, political and cultural context which informs and influences the operation of international law and institutions.

- 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.
- Formulate and defend policy recommendations on important issues regarding international law and institutions.
- Understand fundamental rules and concepts on: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, the sea, 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 international organisations with responsibility for collective security, world trade, the environment, and the prosecution of international crimes.
- 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.

## Mid-Semester Test

Assessment Type <sup>1</sup>: Quiz/Test

Indicative Time on Task <sup>2</sup>: 16 hours

Due: **19.30 hrs on 24/03/22**

Weighting: **20%**

### Mid-Semester Test

On successful completion you will be able to:

- Reflect upon and analyse the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- Understand fundamental rules and concepts on: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, the sea, 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 international organisations with responsibility for collective security, world trade, the environment, and the prosecution of international crimes.

## Research Essay

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 31 hours

Due: **17.00 hrs on 4/05/22**

Weighting: **40%**

### Research Essay

On successful completion you will be able to:

- Reflect upon and analyse the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- 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.
- Formulate and defend policy recommendations on important issues regarding international law and institutions.
- Apply skills required to conduct independent research and analysis.
- Understand fundamental rules and concepts on: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, the sea, 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 international organisations with responsibility for collective security, world trade, the environment, and the prosecution of international crimes.
- 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.

## Final Examination online

Assessment Type <sup>1</sup>: Examination

Indicative Time on Task <sup>2</sup>: 31 hours

Due: **09.30 hrs Saturday 11/06/22 to 9.30 hrs Sunday 12/06/22**

Weighting: **30%**

### Final Examination online

On successful completion you will be able to:

- Reflect upon and analyse the ethical, political and cultural context which informs and influences the operation of international law and institutions.
- 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.
- Understand fundamental rules and concepts on: the nature and sources of international law; international law with respect to the use of force, terrorism, war, international crimes, the sea, 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 international organisations with responsibility for collective security, world trade, the environment, and the prosecution of international crimes.
- 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.

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<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

### Required Reading

We will be using the following **textbook**: Nicole Scicluna, *The Politics of International Law*, Oxford University Press 2021.

Please purchase a textbook before semester starts. The textbook is available in hardcopy, as an ebook or you can also rent the ebook at a discount (see [oup.com.au/findmybook](http://oup.com.au/findmybook)). There are multiple online sellers of the book such as Booktopia and Book Depository.

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

### Technologies Used

This unit has an online presence in ilearn. Students will require reliable internet access and a computer.

Lectures and Tutorials are expected to be on campus at this stage. Please look up the ilearn site on the first day of semester in case there are any changes due to COVID restrictions.

## **Unit Schedule**

### **Week 1**

Introduction to the course; The Nature of IL; Compliance and II

21 February – **First Lecture and Tutorials**

Read the following before the first lecture:

- Textbook Chapter 1: What is International Law and Why does it Matter for International Relations?
- Textbook Chapter 5: pages p. 91-104 only on Compliance and International Law

### **Week 2**

International Law and International Relations Theory

28 February

### **Week 3**

Locating Law in the International System

7 March

### **Week 4**

International Organisations, States and Global Governance

14 March

### **Week 5**

International Law and the Use of Force

21 March

**Mid-Semester Test - Paper released Thursday 24 March 7.30 pm**

### **Week 6**

War and Law in the 21st Century: New Threats and New Approaches

28 March

### **Week 7**

International Humanitarian Law

4 April

## **MID SEMESTER BREAK**

Monday 11 April to Friday 22 April

### **Week 8**

International Criminal Justice

25 April

### **Week 9**

**Research Essay due Wednesday 4 May at 5 pm**

No Lectures or Classes

### **Week 10**

Global Economic and Trade Governance

9 May

### **Week 11**

Global Environmental Governance and Climate Change

16 May

### **Week 12**

The Law of the Sea; Great Power Politics and International Law

23 May

### **Week 13**

Study Week

No Lecture or Tutorials

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## **Final Examination – One-day online paper**

The exam paper will be released on ilearn at **9.30 am on Saturday 11 June 2022** and is due for submission on **Sunday 12 June 2022 at 9.30 am**

## **Policies and Procedures**

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)

- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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](https://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

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

## The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

## Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)

## Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

## 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.