



# IRPG857

## International Law and Institutions

S1 External 2019

*Dept of Modern History, Politics & International Relations*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Convenor / Lecturer

Dr Lavina Lee

[lavina.lee@mq.edu.au](mailto:lavina.lee@mq.edu.au)

Contact via email

Level 2, Australian Hearing Hub, 16 University Avenue

Tuesday 10.30-11.30 am

Credit points

4

Prerequisites

Admission to MIntRel or PGDipIntRel or GradDipIntRel or MIntCommMIntRel or MIntBusMIntRel or MIntRelMIntTrdeComLaw or MTransInterMIntRel or MIntPubDip or GradCertIntRel or MPlan or MPPPMIntRel

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, 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.

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	Hurdle	Due
<a href="#"><u>Task 1: Class Participation</u></a>	15%	No	Ongoing
<a href="#"><u>Task 2 - Mid Semester Test</u></a>	15%	No	28 March 2019, 7.30 pm
<a href="#"><u>Task 3 - Long Paper</u></a>	40%	No	Friday 26 April 2019 by 5 pm
<a href="#"><u>Task 4 - Final Exam</u></a>	30%	No	Monday 10 June 2019 by 9 am

### Task 1: Class 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 may also be debates, case studies and scenarios that will require prior preparation. 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 8 contributions to the discussion board throughout the semester – however, more frequent participation is encouraged. Further, at least four contributions must be made to a topic in weeks 1-7, and four for a topic in weeks 8-12. Comments should be around 150 words in length. Longer contributions are welcome.

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.

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, 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.
- 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 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: **28 March 2019, 7.30 pm**

Weighting: **15%**

The mid-semester test will be a 1 hour online examination administered through ilearn in week 5. It will be released on ilearn at 7.30 pm on Thursday 28 March. You have until 7.30 pm on Friday 29 March to login and take the test. 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. Students are responsible for ensuring that they have reliable access to ilearn in order to take the test.

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, 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.
- 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.

## Task 3 - Long Paper

Due: **Friday 26 April 2019 by 5 pm**

Weighting: **40%**

Students are required to submit a research paper of 2,000 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, 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.

- 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: **Monday 10 June 2019 by 9 am**

Weighting: **30%**

This is a **1 day open book** examination. The final examination paper will be **released** onto ilearn on **Sunday 9 June 2019 at 9.00 am** and is due for **submission by 9.00 am on Monday 10 June 2019**. 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 3, 4, 6, 7, 8, 9, 10, 11 and 12.

This is a timed assessment and no late submissions will be accepted.

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, 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.
- 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.

## Delivery and Resources

### 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).

Second hand copies of this textbook are likely to be available. Please ensure that you buy the 2012 edition.

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.

### Tutoring Staff

TBA

## Unit Schedule

### Week 1

Introduction to course; Evolution of International Law

27 February – First Lecture (but **no seminar/tutorial**)

See ilearn materials

### Week 2

The Nature of International Law; Sources of International Law

6 March - First seminar/tutorial

### Week 3

Sources of International Law; Theoretical Approaches Part 1

13 March

**Week 4**

Theoretical Approaches Part 2

20 March

**Week 5**

The Use of Force

27 March

**Mid-Semester Test - Paper released Thursday 28 March 7.30 pm**

**Week 6**

Terrorism

3 April

**Week 7**

**No lectures or Classes - Essay Preparation Week**

10 April

**MID SEMESTER BREAK**

Monday 15 April to Friday 26 April 2019

**Week 8**

International Humanitarian Law

1 May

**Research Essay due Monday 30 April**

**Week 9**

International Crimes and the ICC

8 May

**Week 10**

International Trade and the WTO

15 May

**Week 11**

The Environment

22 May

**Week 12**

The Law of the Sea and Great Power Politics

29 June



## Week 13

Study Week

No Lecture or Tutorials

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### Final Examination – One day take home paper

Released on ilearn at **9.00 am on Sunday 9 June 2019** and due for submission on **Monday 10 June 2019 at 9.00 am**

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>). 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](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

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

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/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)

### **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 IRPG 857, 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 - two (2) marks out of 100 will be deducted per day for assignments submitted after the due date;
- (b) no assignment will be accepted more than seven (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. Please consult with your tutor before handing in any assessment task if you have any questions. 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.

## **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)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@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 undertake independent research and analysis.
- The ability to work collaboratively with ones peers on common projects.

#### Assessment task

- Task 3 - 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, 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.

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

## **Assessment tasks**

- Task 1: Class Participation
- Task 2 - Mid Semester Test
- Task 3 - 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 undertake independent research and analysis.
- The ability to express critical judgment about underlying theories, concepts, assumptions

and arguments in the field.

## **Assessment tasks**

- Task 1: Class Participation
- Task 2 - Mid Semester Test
- Task 3 - 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 3 - 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 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.

## Assessment tasks

- Task 1: Class Participation
- Task 3 - 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 outcomes

- 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 work collaboratively with ones peers on common projects.

## Assessment tasks

- Task 1: Class Participation
- Task 3 - Long Paper