

Course Outline

COURSE:	GINs 1010A – International Law and Global Politics
TERM:	Fall 2019
PREREQUISITES:	Enrolment in B.G.In.S.
LECTURES:	TUESDAYS and THURSDAYS 12.05 p.m.-12.55 p.m. <u>Room: Loeb C264</u>
INSTRUCTOR: (CONTRACT)	Jay Ramasubramanyam
TEACHING ASSISTANTS:	Bridget Healy (BridgetHealy@cmail.carleton.ca) Alexandra Hunt (AlexandraHunt@cmail.carleton.ca)
CONTACT:	Office: TBA Office Hrs: TBA Email: Jay.Ramasubramanyam@carleton.ca
CULEARN:	Essential: Students must be able to access and use CUlearn for this course. Email to Instructor, lecture slides, assignments and many video resources are hosted on cuLearn. Contact CCS for assistance if required at www.carleton.ca/ccs

Section	Teaching Assistant	e-mail	Day	Time	Room
A1	Alexandra Hunt	alexandrahunt@cmail.carleton.ca	W	4:35-5:25	RB 3110
A2	Alexandra Hunt	alexandrahunt@cmail.carleton.ca	R	8:35-9:25	CO 208
A3	Bridget Healy	bridgetwhealy@cmail.carleton.ca	F	8:35-9:25	SA 615
A4	Bridget Healy	bridgetwhealy@cmail.carleton.ca	R	8:35-9:25	RB 3110

CALENDAR COURSE DESCRIPTION

Introduction to the evolution of the international system, including the rise of the state, sovereignty, and the challenge of international cooperation. The role of international law in addressing global issues such as human rights, security and trade.

COURSE DESCRIPTION

This is an introductory course in international law and politics. The primary aim is for students to be able to engage with topics in and develop critical analyses on international law and politics. The goal is to explore both legal and political approaches to the study of states. This will be done through the study of the key concepts of sovereignty and the nation state. We will begin with an introduction to mainstream international law and by examine the histories and philosophical foundations related to the emergence and rise of modern state sovereignty. We will then challenge this history and foundation by critically interrogating these concepts. Through this you will learn about the

foundations of both international law and international politics.

COURSE THEME

The course is organized around the theme ***Critical Approaches to International Law***. Mainstream and Eurocentric foundations of international law have often been viewed as the sole narrative of the international legal discipline. Historically, the international legal system was established and implemented by states in the Global North that have often overlooked colonial histories in the development of this system. Therefore, it is key to discuss the significance of integrating the 'alternate histories' and counter narratives to the development of the international legal system. The Eurocentrism of international institutions are deeply entrenched and there is a need to decolonize and integrate critical approaches to international law.

This course is designed to project a sense of plurality in perspective with respect to what constitutes international law and global politics as opposed to an assumed universality of mainstream narratives. This approach will enable students to understand the significance of such narratives from the Global South and envisage to highlight major developments that have occurred in Third World Approaches to International Law (TWAIL).

Therefore, an important piece of this course will be to develop a more comprehensive approach to discussing core principles of international law and enable constructive dialogue that draws several perspectives together so as to provide a more far-reaching understanding of the subject. Such an understanding could provide to be steps in the right direction in overcoming hegemonic approaches and in mitigating significant gaps in historical narratives and discourses.

With the help of this curriculum, guest speakers, and other approaches to the classroom set up, students will be better equipped to understand the importance of such defiant or alternate voices that have existed in the world stage for many decades. It is critical to articulate this voice and arrive at a coherent understanding on the development of international law. Lectures and tutorials will draw on material related to several perspectives on international law and global politics.

The theme provides a general backdrop to the material and will involve discussions on the following:

- Boundaries and Limits to International Law
- Third World Approaches to International Law
- Perspectives of International Law from the Global South
- International Law from Below

COURSE FORMAT

Our classes will consist of twice weekly lectures and one tutorial. Lectures will provide the background for each class, including clarification of key concepts and exploration of their application. Despite the size of the class, students will be expected to participate in lecture discussions.

Tutorials will provide an opportunity to review and discuss course material, and develop specific academic skills in smaller group contexts.

Tutorials will begin in the second week of class. You must be enrolled in a tutorial section and you will be expected to attend your section.

Please read all required readings for specified lecture classes prior to attending class lectures as well as tutorials. Students are expected to attend both lectures and tutorial sections. If you miss a lecture or a tutorial you will still be held responsible for all course material discussed on that day.

If you are absent, please arrange to borrow notes from a classmate, as it is your responsibility to ensure that you catch-up on missed material.

LEARNING OBJECTIVES

Students who successfully complete this course should be able to:

1. Have an overall understanding of challenges and debates surrounding this topic;
2. Move beyond the rudimentary, universalist, and Eurocentric notions of international law;
3. Critique notions advanced by hegemonic and mainstream approaches to international law;
4. Recognize how to effectively use interdisciplinary approaches to this subject area;
5. To identify and apply international legal and political principles to current issues of global importance

In order to enable you to achieve the learning objectives I will do my best to do the following:

- Organize the course material and undertake the requisite research to prepare coherent and engaging lectures and tutorials
- Encourage and motivate you engage in lively interactions in a respectful and tolerant manner in the classroom
- Maintain regular office hours for those students who wish to meet with me in person and be available on appointment
- Respond to electronic communication in a timely manner (usually within 1-2 business days)
- Prepare evaluations (tests, assignments, presentations etc.) that fairly assess your ability to engage with the content of the course and your developing skills as a university student
- Ensure your assignments are marked fairly and in a timely manner (usually within two weeks) and that you receive adequate meaningful feedback where appropriate
- Seek appropriate feedback about the course and its content, and reflect and act upon this feedback to improve the course when appropriate

In order to achieve the learning objectives, you should be able to:

- Complete assigned readings and attend class regularly
- Avoid distractions while in class (such as social media) in order to maximize your ability to interact and engage with the material, fellow students and the instructor
- **Ensure that your interaction with other students and the instructor is respectful and tolerant of opposing views, different ways of learning or participating (This is absolutely critical)**
- Ask questions (in person, or electronically) when you are having difficulty understanding the material or any course relevant questions
- Manage your schedule to ensure that you have adequate time to prepare for class and complete assignments in a manner that reflects your best work (this includes time for research, writing, reviewing and editing written submissions).
- Ensure that the work that you submit for evaluation is of good quality and is your own; please make sure that you reference aspects of your work that is not your own to clearly identify where you have relied upon the work of others to support your own ideas and arguments
- Read and carefully consider the evaluation and feedback provided on your assignments by TAs and instructor

COURSE MATERIALS

A. REQUIRED READINGS:

Journal articles, chapters from books, and editorials/op-eds/opinion pieces from magazines and newspapers:

There is no required textbook for this class. Instead, the required readings will consist of journal articles, chapters from books, newspaper articles, and other editorial and op-ed pieces. These resources are meant to give you an unbiased and fuller picture of the issues at hand. These will be available through links on the cuLearn home page. Some of these readings are indicated on the Schedule of Lectures and Tutorials (posted on cuLearn). Students will be expected to retrieve copies of these readings and read them in preparation for the appropriate lectures and tutorials.

B. OTHER WEB-BASED RESOURCES:

The lectures and tutorials in this class are supported by a variety of materials available through cuLearn. These supporting materials include, captivating videos, YouTube videos, lecture notes and power-point slides. Students are responsible for reviewing these supporting materials before the lectures or tutorials they are meant to support.

EVALUATION

This course is DEMANDING AND INTENSIVE. It will require considerable ongoing attention every week. Generally, there is something DUE EVERY WEEK. These components are explained in detail below. Please review carefully and note all requirements and due dates.

We know that this is a lot of work for you (and for us) and that the course may seem heavier than your other courses. However, this course is foundational in your Program. It is designed to provide you with the opportunity to develop skills and understanding of the topic at hand which will serve you well in your other courses. The course is also designed to encourage you to stay engaged with the material being covered each week. Notably, the evaluation of the course rewards students who stay engaged, submit the weekly exercises on time, attend and participate in tutorial.

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

LATE PENALTIES

ASSIGNMENTS

Late Assignments will be penalized as follows:

- Deduction of 3% marks per day of delay in handing the assignment after the due date
- If an Assignment is handed in more than seven days late, it will be accepted towards course completion but will receive **zero** marks.

EXTENSIONS FOR THE ASSIGNMENTS

Students can request an extension on Assignments for serious illness or family and personal emergencies. They will be required to provide official supporting documentation. Students requesting an extension **MUST** contact the course Instructor prior to the assignment deadline. Your TA cannot grant extensions.

Extensions will not be granted for computer problems of any kind. We **URGE** you to back up your work as you go along: email a draft to yourself whenever you finish a segment of work on it or copy it to a USB thumb-drive or an external hard drive.

Evaluation Component	Value	Due Dates
<p><u>ASSIGNMENTS</u> There are THREE Assignments and one ongoing weekly assignment in the course. All assignments must be submitted as hard copies in-class to your instructor or TA. Full instructions will be provided closer to time.</p>		
<p><u>Weekly News Assignment</u> Each week you will be expected to submit a news article from the past week’s current events that covers the topics of international law or international politics. These stories must come from a newspaper, the website of a TV network or other established, fact checked news source. If you have a question about your source’s fact checking, check their policy online or choose another article. JURIST, New York Times, The Economist, and BBC News are available online and available free of cost.</p> <p><u>Reading critiques</u> Reading critiques should be 4to 5 pages long, double-spaced and referenced (justified alignment). Critiques should summarise the key arguments of the chosen readings, contrast the perspectives of the readings, and respond to the readings within the context of the course. More detailed instructions will be provided closer to time.</p> <p><u>Research Paper</u> This assignment will require students to research on and engage with a given topic. This topic must use the key pieces of literature provided in the course.</p>		
Weekly News Assignment	20%	Weeks 2-11
Reading Critique 1	20%	October 10, 2019
Reading Critique 2	20%	November 14, 2019
Research Paper	40%	December 5, 2019
<p><u>Important Notes on Evaluation:</u> You must complete all components of Evaluation to receive a passing mark in the course. Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean. You must provide meticulously correct citations compliant with the Canadian Guide to Uniform Legal Citation, 8th edition (the McGill Guide) in Assignments. Marks will be deducted in each assignment if citation is not fully correct. Marks will also be allocated for effective writing.</p> <p>Feedback: You will receive a marking feedback and evaluation sheet with comments when your Assignment marks are posted. You should wait 48 hours before emailing your TA if you have questions on your marks. Please make your queries specific and detailed so that the TA can review your points and get back to you. If necessary, your TA will set up an appointment to meet with you.</p> <p>Timelines:</p> <ul style="list-style-type: none"> • Marks for other submissions will be input by your TA using Grade Book. These are likely to be posted ‘en bloc’ near the end of the semester. You will know if you have obtained the associated marks in any case, by submitting on time. <p>Grade Book: Initially, you will obtain your mark through the Assignments Tab on cuLearn. After a short time, we will also release the marks onto grade book. Please check from time to time so we can catch any errors or omissions early and make corrections.</p> <p>Keep a copy: Keep a copy of all assignments and other submissions until your final grade is confirmed.</p> <p>Individual work only! See discussion of Academic Integrity.</p>		

COURSE SCHEDULE: LECTURES, TUTORIALS, DUE DATES FOR EVALUATION**Subject to revision.** Please review carefully and mark down due dates in particular.

Week		Lecture
1.	Topic	September 5 Introduction to the course
	Material	Course outline
2.	Topic	September 10 Foundations of International Law This lecture, we will lay the foundation for the rest of the course by looking at some mainstream perspectives of international law.
	Material	Shaw, Malcolm. 2008. "The Nature and Development of International Law," in: <i>International Law</i> . Cambridge: Cambridge University Press. 1-40.
	Topic	September 12 Foundations and history of international law We will continue our discussions from last week and begin looking at the history of the development of international law.
	Material	SC Neff, "A Short History of International Law" in MD Evans, <i>International Law</i> , 3rd edition, (Oxford: OUP, 2010), 3.
3.	Topic	September 17 What is International Politics? We will begin looking at elements of international politics to begin some discussions on sovereignty.
	Material	Bartelson, Jens. 2009. "In the beginning was the world," in: <i>Visions of World Community</i> . Cambridge: Cambridge University Press. 46-85.
	Topic	September 19 Sovereignty, international law and international politics We will continue our discussions from last week before moving on the implications of our understanding of sovereignty.
	Material	Bartelson, Jens. 2009. "Nationalizing Community," in: <i>Visions of World Community</i> . Cambridge: Cambridge University Press. 86-114.

4.	Topic	<p style="text-align: center;">September 24 Critiquing Sovereignty</p> <p>This week we will attempt to deconstruct some mainstream narratives on sovereignty and bring together discussions on colonialism and its relationship to this aspect.</p>
	Material	Anghie, Antony. "Finding the Peripheries: Sovereignty and Colonialism in Nineteenth-Century International Law." <i>Harvard International Law Journal</i> 40, no. 1 (1999): 1.
	Topic	<p style="text-align: center;">September 26 Critiquing Sovereignty</p> <p>We will continue to look at critical perspectives on sovereignty by looking at a short case study.</p>
	Material	KATTAN, Victor. "The Ghosts of the Temple of Preah Vihear/Phra Viharn in the 2013 Judgment." <i>Asian Journal of International Law</i> 5, no. 1 (2015): 16-25.
5.	Topic	<p style="text-align: center;">October 1 Sovereignty and colonialism: regional examples (Africa)</p> <p>By drilling down to the specific regions of the global south, we will bring together some discussions on the implications of mainstream narratives on sovereignty.</p>
	Material	Okafor, Obiora Chinedu. "After Martyrdom: International Law, Sub-State Groups, and the Construction of Legitimate Statehood in Africa." <i>Harvard International Law Journal</i> 41, no. 2 (2000): 503.
	Topic	<p style="text-align: center;">October 3 Sovereignty and colonialism: regional examples (South Asia)</p> <p>This class, we will continue our discussions by looking at examples from South Asia.</p>
	Material	Sen, Sudipta. "Unfinished Conquest: Residual Sovereignty and the Legal Foundations of the British Empire in India." <i>Law, Culture and the Humanities</i> 9, no. 2 (2013): 227-242.
6.	Topic	<p style="text-align: center;">October 8 Hierarchy in international legal order</p> <p>Based on previous weeks' discussions, we will clarify the inherent hierarchy in the international legal order.</p>
	Material	Simpson, Gerry. 2004. "Legalised Hierarchies," in: <i>Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order</i> .

		Cambridge, UK; New York, NY: Cambridge University Press. 62-88.
	Topic	<p style="text-align: center;">October 10 Critical Approaches to International Law</p> <p>We will continue to discuss the inherent hegemony and hierarchy in international law by grounding colonialism within the discussion.</p>
	Material	Anghie, Antony. "The Evolution of International Law: Colonial and Postcolonial Realities." <i>Third World Quarterly</i> 27, no. 5 (2006): 739-753.
	Due In-class: October 10	DUE: October 10 READING CRITIQUE 1
7.	Topic	<p style="text-align: center;">October 15 Third World Approaches to International Law (TWAIL)</p> <p>We will begin discussing elements of Third World Approaches to International Law. TWAIL will form the backbone for our discussions for the <u>next couple of weeks</u></p>
	Material	Baxi, Upendra. "What may the 'Third World' Expect from International Law?" <i>Third World Quarterly</i> 27, no. 5 (2006): 713-725.
	Topic	<p style="text-align: center;">October 17 TWAIL – continued...</p>
	Material	Bhupinder Chimni, "Third World Approaches to International Law: A Manifesto" in Antony Anghie, Bhupinder Chimni, Karin Mickelson, and Obiora C. Okafor, (eds.). (2003) <i>The Third World and International Order: Law, Politics, Globalization</i> . (Leiden, The Netherlands: Nijhoff, 2003).
		<p style="text-align: center;">October 21-25 Mid-Term Break No Classes</p>
8.	Topic	<p style="text-align: center;">October 29 Subalternity and International Law</p> <p>Within our discussions on TWAIL, we will integrate aspects on subalternity and Eurocentricity inherent in international law.</p>
	Material	Otto, Dianne. "Subalternity and International Law: The Problems of Global Community and the Incommensurability of Difference." <i>Social & Legal Studies</i> 5, no. 3 (1996): 337-364.
	Topic	<p style="text-align: center;">October 31 Eurocentricity and International Law</p>

	Material	Gathii, J. T. "International Law and Eurocentricity." <i>European Journal of International Law</i> 9, no. 1 (1998): 184-211.
9.	Topic	<p style="text-align: center;">November 5 Feminist critiques of International Law</p> <p>We will spend this week talking about Feminist critiques to international law and its intersection with TWAIL.</p>
	Material	Kapur, Ratna. "Gender, Sovereignty and the Rise of a Sexual Security Regime in International Law and Postcolonial India." <i>Melbourne Journal of International Law</i> 14, no. 2 (2014): 1.
	Topic	<p style="text-align: center;">November 7 Instructor away (TBD)</p>
	Material	TBD
10.	Topic	<p style="text-align: center;">November 12 Intersection of TWAIL and feminist critiques of international law</p>
	Material	Nesiah, Vasuki. "The Ground Beneath Her Feet: "Third World" Feminisms." <i>Journal of International Women's Studies</i> 4, no. 3 (2003): 30.
	Topic	<p style="text-align: center;">November 14 International Law and Human rights</p> <p>This class, we will focus on critiquing international law discipline's preoccupation with human rights.</p>
	Material	Mutua, Makau. "Savages, Victims, and Saviors: The Metaphor of Human Rights." <i>Harvard International Law Journal</i> 42, no. 1 (2001): 201.
	Due In-class: November 14	<u>DUE: November 14 READING CRITIQUE 2</u>
11.	Topic	<p style="text-align: center;">November 19 Resistance to hegemony</p> <p>Within our discussions on TWAIL, we will integrate aspects on resistance to hegemony and Eurocentricity inherent in international law.</p>
	Material	Rajagopal, B. "Counter-hegemonic International Law: rethinking human rights and development as a Third World strategy" in Falk, R. (Ed.), Rajagopal, B. (Ed.), Stevens, J. (Ed.). (2008). <i>International Law and the Third World: Reshaping Justice</i> . London: Routledge-Cavendish.
	Topic	<p style="text-align: center;">November 21 Critical perspectives to international law</p>

		We will continue our discussions on international human rights and provide some points to think about its historical development.
	Material	Quataert, Jean H. "International Law and Human Rights: Diverging and Converging Histories." <i>New Global Studies</i> 6, no. 3 (2012).
12.	Topic	November 26 Limits and Boundaries to International Law: outliers and outsiders We cap off our discussions on critical approaches to international law by discussions on 'others', 'outliers', and 'outsiders' with respect to the mainstream.
	Material	Frédéric Mégret. "From 'Savages' to 'Unlawful combatants': A Post-colonial Look at International Humanitarian Law's 'Other'" in Orford, Anne. <i>International Law and its Others</i> . Cambridge;New York;: Cambridge University Press, 2006.
	Topic	November 28 Limits and Boundaries to International Law: outliers and outsiders
	Material	Antony Anghie. "On critique and other" in Orford, Anne. <i>International Law and its Others</i> . Cambridge;New York;: Cambridge University Press, 2006.
12.	Topic	December 3 WORKSHOP: Discussions and Q&A on research essay **In-class discussions**
	Due In-class: December 5	DUE: December 5 RESEARCH ESSAY

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation:

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Religious obligation:

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities:

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://carleton.ca/studentaffairs/academic-integrity/>

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>