

Course Outline

COURSE:	LAWS 4605A — History and Theory of International Law
TERM:	Winter 2024
PREREQUISITES:	LAWS 2908 or PAPM 3000, LAWS 2601, and fourth-year Honours standing
CLASS:	Day & Time: Thursday, 2:35 — 5:25 (online synchronous)
INSTRUCTOR:	Prof. Umut Özsu
CONTACT:	Office Hours: Wednesday, 11:00 — 1:00 (drop-in online office hours) Email: Umut.Ozsu@carleton.ca

CALENDAR COURSE DESCRIPTION

Topics vary from year to year and are announced in advance. May include transnational environmental issues; the international law of armed conflict, peacekeeping and neutrality; the law of international treaties and transnational agreements; state responsibility under international law.

COURSE DESCRIPTION

Public international law has a complex history, one that lends itself to conflicting interpretations. It has also been the object of a variety of competing theoretical projects, most of which diverge radically on questions of form and substance. This course provides an introduction to the history and theory of international law, particularly public international law, through close engagement with select texts on empire, decolonization, and international law.

REQUIRED TEXTS

The principal required text for this course is Umut Özsu, *Completing Humanity: The International Law of Decolonization, 1960–82* (Cambridge: Cambridge University Press, 2023) (“Özsu”). Copies of the text will be available at the university bookstore from early January.

Electronic copies of all other required texts will be made available to students.

EVALUATION

Standing in a course is determined by me subject to the approval of the Department of Law and Legal Studies and the Dean of Faculty of Public Affairs. This means that grades submitted by me may be subject to revision. No grades are final until they have been approved by the department and dean.

There are three formal evaluation components to this course:

Research paper: 40% (due by midnight on Monday, April 8, 2024)

Response note: 20% (due by midnight on Friday, February 16, 2024)

Presentation: 20%

Class participation: 20%

These evaluation components operate as follows:

1. Research paper: The research paper must be between 3500 and 4000 words in total (including notes). It must have a clear thesis, be driven by a structured argument, and provide a sustained analysis of at least one of the issues or debates that we have examined in the course. While you must engage with some of the literature that we have studied, you will be expected to conduct independent research. For detailed guidelines, please consult the “Advice on Writing Assignments” document with which you have been provided alongside this syllabus. (This document is also available on Brightspace.)

Do not submit the research paper late. A grade reduction of 5% will apply for every 24 hours that the paper is late. (This includes weekends.) Extensions will be accorded only under appropriate circumstances, such as illness or death of a family member. Whenever applicable, appropriate documentation must accompany requests for extensions.

2. Response note: The response note must be 1500 words in total (including notes). It is intended to give you an opportunity to analyze—carefully but concisely—one of three pieces of scholarship with which you will be provided. You are not expected to recapitulate the author’s various points at great length. Indeed, limiting yourself to such recapitulation will almost certainly result in a grade reduction. Rather, you are expected to engage critically with the author’s theoretical approach and central argument in light of the materials that we have studied, and to do so with a view to evaluating their strengths and weaknesses. For detailed guidelines, please consult the “Advice on Writing Assignments” document with which you have been provided alongside this syllabus. (This document is also available on Brightspace.)

Do not submit the response note late. A grade reduction of 5% will apply for every 24 hours that the note is late. (This includes weekends.) Extensions will be accorded only under appropriate circumstances, such as illness or death of a family member. Whenever applicable, appropriate documentation must accompany requests for extensions.

3. Presentation: You are required to prepare and deliver a fifteen-minute-long presentation. Your presentation must relate to one of the required pieces of assigned reading that we will be discussing.

(You will choose the piece of assigned reading that you will be presenting during our first or second session.) You will be expected to outline the article's central argument and theoretical orientation, discuss its various strengths and weaknesses, and pose questions for general class discussion.

4. Class participation: Class participation will be assessed on the basis of your attendance in class and demonstrated familiarity with assigned readings, as manifested through the frequency with which you engage in serious and sustained discussion.

SUPPLEMENTARY NOTE

Please note that there will be no "make-up" or "grade booster" assignments under any circumstances. Deferrals are granted by the Registrar's Office.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is determined by me. For requests for extensions of less than two days, please send me an email. For requests for extensions of more than two days, please complete [this form](#) and send it to me with an accompanying email prior to the relevant deadline.

SCHEDULE

<u>Lecture</u>	<u>Topic and Reading Assignment</u>
Thursday, January 11, 2024	General introduction
Thursday, January 18, 2024	Self-Determination (Özsu, ch. 1)
Thursday, January 25, 2024	<i>Jus Cogens</i> (Özsu, ch. 2)
Thursday, February 1, 2024	Permanent Sovereignty over Natural Resources (Özsu, ch. 3)
Thursday, February 8, 2024	Common Heritage of Humanity (Özsu, ch. 4)
Thursday, February 15, 2024	Right to Development (Özsu, ch. 5)
Thursday, February 22, 2024	[Winter break, no classes]
Thursday, February 29, 2024	Empire I (readings on Brightspace)
Thursday, March 7, 2024	Empire II (readings on Brightspace)
Thursday, March 14, 2024	Empire III (readings on Brightspace)
Thursday, March 21, 2024	Decolonization I (readings on Brightspace)
Thursday, March 28, 2024	Decolonization II (readings on Brightspace)
Thursday, April 4, 2024	Decolonization III (readings on Brightspace)

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as “presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own; and
- failing to acknowledge sources through the use of proper citations when using another’s work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a university student, you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

Emergency Resources (on and off campus):

- <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>

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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>. For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>