

Department of Political Science
INTERNATIONAL LAW AND ORGANIZATIONS
POLS*3020 [0.50]

Adam Kochanski
Fall 2023

SYLLABUS

Professor:	Dr. Adam Kochanski adam.kochanski@uoguelph.ca
Meetings:	T/TH, 2:30-3:50 JTP 2266
Office Hours:	MCKN 532 T/TH, 4:30-5:30 (or by appointment) <i>Please send me an e-mail to schedule a meeting outside my regular office hours</i>
Graduate TAs:	Sophie Greco – sgreco@uoguelph.ca <i>GAs should only be contacted regarding essay feedback and grade appeals</i>

Inquiries sent via e-mail will typically receive a response back within two working days (weekends excluded).
NOTE: Inquiries must respect a principle of courteous, appropriate, and non-threatening communication.

Prerequisites: 1 of IDEV*2400, POLS*2200, POLS*2350

Restrictions: None

Required Texts: Johns, Leslie. (2022). *Politics and International Law: Making, Breaking, and Upholding Global Rules*. Cambridge University Press.
Companion Website:
<https://www.cambridge.org/core/resources/politics-international-law>

Additional Texts: Additional texts/notes are available on CourseLink or via the University of Guelph's online library catalogue

CALENDAR DESCRIPTION

The course explores the nature of international law and organizations and critically analyzes theories and evidence about the relationship between international law and state and non-state actors. Topics covered may include international criminal law, use of force, the environment, trade, human rights, and aid and development.

DETAILED COURSE DESCRIPTION

"Insofar as international law is observed, it provides us with stability and order and with a means of predicting the behavior of those with whom we have reciprocal legal obligations."

(J. William Fulbright, United States Senator from 1945 to 1974)

This lecture-based course offers an introduction to the principles and processes of making, contesting, and upholding international law. Essential to our analysis will be the exploration of the interplay between law and politics as an essential feature of international relations. On the one hand, the political actions of states and non-state actors create, inform, and influence international law. Yet, on the other hand, states have constructed an international legal system that reflects global power dynamics within which the law works to structure and discipline politics in several ways. Learning how international law and politics intersect is, therefore, essential for understanding international conflict, cooperation, and governance in world politics. Following upon the introductory session, the remainder of the course is organized into three main sections:

- I. Fundamentals
- II. Issues and Arenas
- III. Emerging Challenges

Part I unpacks the fundamentals of international law. We will explore the sources of international law and evaluate competing perspectives on international law and politics. **Part II** investigates the key issues and arenas of international law, focusing on (a) property rights and economic exchange, and (b) peace and war. Emphasis in this part of the course will be not only on surveying salient topics in international law ranging from the law of the sea to trade to human rights to the law of war, but on the international organizations in which these bodies of law are made, contested, and upheld. **Part III** analyzes emerging challenges, such as criminal responsibility and environmental protection. To illuminate key concepts, frameworks, and interactions between the state, law, and politics, the professor will draw on current events and case studies.

LEARNING OBJECTIVES

The main learning objective of this course is to provide a basic understanding of international law and organizations. Students taking this course will (1) improve their global understanding by acquiring knowledge about the historical and political context in which international law arose and the different actors, structures, and processes involved in this domain, (2) develop their legal literacy through examination of international case law and jurisprudence, (3) ameliorate their oral and written communication skills, (4) strengthen their capacity to integrate information, arguments, and analysis succinctly and accurately, and reading comprehension skills, (5) develop their teamwork and personal organization and time management skills through group exercises, and (6) enhance their capacity to identify implications for policy, preparing them for senior-level seminars.

TEACHING METHODS

This is a **lecture-based course** that will be taught in-person. Weekly lectures will usually be 50 minutes to 1 hour in length and may be supplemented with audiovisual materials (e.g., pictures, short video clips). Each meeting will include time for questions and/or make use of smaller breakout group discussions to promote student engagement. At times lectures may be substituted with other audiovisual materials (e.g., movies) or they may be animated by a guest speaker. PowerPoint slides will normally be made available prior to class.

EMAIL COMMUNICATION

As per university regulations, all students are required to check their <uoguelph.ca> e-mail account regularly: e-mail is the official route of communication between the University and its students.

WHEN YOU CANNOT MEET A COURSE REQUIREMENT

When you find yourself unable to meet an in-course requirement because of illness or compassionate reasons, please advise the course instructor (or designated person, such as a teaching assistant) in writing, with your name, id#, and e-mail contact. See the Undergraduate Calendar for information on regulations and procedures for [Academic Consideration](#).

DROP DATE

Courses that are one semester long must be dropped by the end of the last day of classes; two-semester courses must be dropped by the last day of classes in the second semester. The regulations and procedures for [Dropping Courses](#) are available in the Undergraduate Calendar.

COPIES OF OUT-OF-CLASS ASSIGNMENTS

Keep paper and/or other reliable back-up copies of all out-of-class assignments: you may be asked to resubmit work at any time.

ACCESSIBILITY

The University promotes the full participation of students who experience disabilities in their academic programs. To that end, the provision of academic accommodation is a shared responsibility between the University and the student.

When accommodations are needed, the student is required to first register with Student Accessibility Services (SAS). Documentation to substantiate the existence of a disability is required, however, interim accommodations may be possible while that process is underway.

Accommodations are available for both permanent and temporary disabilities. It should be noted that common illnesses such as a cold or the flu do not constitute a disability.

Use of the SAS Exam Centre requires students to make a booking at least 14 days in advance, and no later than November 1 (fall), March 1 (winter) or July 1 (summer). Similarly, new or changed accommodations for online quizzes, tests and exams must be approved at least a week ahead of time.

More information: www.uoguelph.ca/sas

ACADEMIC MISCONDUCT

The University of Guelph is committed to upholding the highest standards of academic integrity and it is the responsibility of all members of the University community – faculty, staff, and students – to be aware of what constitutes academic misconduct and to do as much as possible to prevent academic offences from occurring. University of Guelph students have the responsibility of abiding by the University's policy on academic misconduct regardless of their location of study; faculty, staff and students have the responsibility of supporting an environment that discourages misconduct. Students need to remain aware that instructors have access to and the right to use electronic and other means of detection.

Please note: Whether or not a student intended to commit academic misconduct is not relevant for a finding of guilt. Hurried or careless submission of assignments does not excuse students from responsibility for verifying the academic integrity of their work before submitting it. Students who are in any doubt as to whether an action on their part could be construed as an academic offence should consult with a faculty member or faculty advisor.

The [Academic Misconduct Policy](#) is outlined in the Undergraduate Calendar.

USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (AI)

Students are not permitted to use generative AI in this course. Please refer to the University of Guelph-issued [statement on artificial intelligence systems, ChatGPT, and academic integrity](#) from March 2023 and regulations and procedures around academic misconduct in the [undergraduate](#) and [graduate](#) calendars.

RECORDING OF MATERIALS

Presentations which are made in relation to course work—including lectures—cannot be recorded or copied without the permission of the presenter, whether the instructor, a classmate or guest lecturer. Material recorded with permission is restricted to use for that course unless further permission is granted.

RESOURCES

The [Academic Calendars](#) are the source of information about the University of Guelph's procedures, policies and regulations which apply to undergraduate, graduate and diploma programs.

ILLNESS

Medical notes will not normally be required for singular instances of academic consideration, although students may be required to provide supporting documentation for multiple missed assessments or when involving a large part of a course (e.g., final exam or major assignment).

COURSE REQUIREMENTS

(In the event of extraordinary circumstances beyond the University's control, the content and/or evaluation scheme is subject to change.)

Table 1. Components of the Final Grade

Assessment	Weight	Due Date
News Item Posts	10 %	Weekly as of Week 2
Group Presentation	30 %	Weekly as of Week 3
Midterm Exam (sit down)	30 %	October 19
Essay	30 %	December 1

Note: All assignments must use Times New Roman, 12-point font and double-line spacing. All margins must be set to 2.54cm ("Normal") and the page size to "US Letter". Pages must be numbered. The use of condensed fonts is not permitted. Please submit all written assignments in PDF format. The [APA citation style](#) (in-text) must be used for assignments requiring citations/a bibliography (see [Department of Political Science Writing Guide](#)). Failure to adhere to these style and format guidelines may result in a %5 deduction.

ASSESSMENT METHODS

News Item Posts (10%)

One of the objectives of this course is to encourage students to connect the subject matter to the real world. Starting in **Week 2**, students will post a **recent news item** (the event must have happened during term) to CourseLink along with a short, thoughtful response (~100 words). The response must (1) summarize the news item (1-2 sentences), and (2) connect the occurrence with topics and/or concepts raised in that week's material. No bibliography or citations are required given that you will be using only readings in the syllabus. Please upload your news item posts via CourseLink on **Wednesdays** by 11:59 p.m. EST. They will receive a pass/fail grade (pass for completing the response; fail for late submissions, responses that do not meet the guidelines or no submission). Some of the most interesting items might be used to animate our lectures. There will be 11 opportunities to post news items throughout term. Because things happen, you may miss one without being penalized.

The post must use the following formatting:

“Title of News Item” (Source/Outlet, Date of News Item)
Link/URL

[100-word response: 1-2 sentences summarizing the item, 1-2 sentences relating the occurrence to that week’s assigned readings.]

Example:

“Armenians face genocide in Azerbaijan, former International Criminal Court prosecutor warns” (Associated Press, 9 August 2023)
<https://apnews.com/article/armenia-azerbaijan-nagorno-karabakh-blockade-2a9fb9852534ab38656a99b435f0ba86>

A new report by former ICC chief prosecutor, Luis Moreno Ocampo, cautions that there are reasonable grounds to believe that Azerbaijan may be preparing a genocide against ethnic Armenians in the disputed Nagorno-Karabakh region. The report warns starvation may be the “invisible genocide weapon,” pointing to Azerbaijan’s blockade of the only road linking Armenia to Nagorno-Karabakh, hindering the movement of food and other essentials. The news item connects to our Week 12 readings where we learn that genocide is a “core international crime” in the Rome Statute of the International Criminal Court. The news item also discusses one of the trigger mechanisms we learn about in the readings for referring a situation to the ICC (i.e., through the UN Security Council).

Group Presentation/Video (30%)

At the start of the semester, I will divide the class into groups into groups of ~6 students. Each group will be assigned a supplementary case study. Your task is to prepare a (maximum) 10-minute video presentation that will be played in class in that week’s lecture starting in **Week 3**. Your oral remarks must be accompanied by visual aids, such as PowerPoint slides or similar. After showing the video, the discussion might be opened for a Q&A, which the group members should be prepared to respond to. While I know that some students dislike group work, you will be working in teams throughout your careers, so it is a crucial way to prepare you for your professional pursuits. Groups will be assessed on the content and delivery of the presentation, the effectiveness of their visual aids, and teamwork. In addition to the video, students are required to submit a copy of their presentation slides and a one-page (max) bibliography listing their sources (these should be predominantly scholarly sources) by 11:59 p.m. EST on the date prior to your presentation (e.g., if you are presenting on Tuesday, Sept. 19, your presentation must be uploaded to CourseLink by Monday, Sept. 18 at 11:59 p.m. EST. To promote peer-to-peer learning, your video will be posted in that week’s content tab.

Your presentation will:

- Provide a high-level background of the case (**careful: do not get bogged down in detail** – max 2 min)
- Specify the relevant law (about 1 min)
- Connect the case to that week’s readings and concepts (about 3 min)
- Explain the ruling and legal reasoning (about 2 min)
- Explain the implications of the case study for jurisprudence and international governance (about 2 min)

Midterm Exam (sit down) (30%)

One-hour long, closed book, sit down exam. The exam will consist of **50 multiple-choice questions** and several short answer questions. The midterm will take place **in class** on **October 19** at **2:30 p.m. EST**.

Essay (30%)

This ~6-8-page paper (roughly 2,500 words; no title page, word count does not include the bibliography) will give students an opportunity to examine a specific issue relating to international law and organizations in more depth. Additional guidelines, including [the list of essay questions](#), will be circulated on CourseLink after Week 5 and discussed in class on Tues., October 17 in Week 7. While writing styles differ, the hallmark of a good essay is a well-structured paper with a clear and identifiable thesis statement that is supported by compelling research and analysis. Please submit your essays via CourseLink on **Dec. 1** by 11:59 p.m. EST.

ASSESSMENT POLICIES AND ADDITIONAL INFORMATION

POLICY ON LATE SUBMISSIONS

There is a penalty for late submissions. Exceptions may be made for illness (supported by a medical note), or other extenuating circumstances deemed as such by the professor.

Presentations: This is a time-sensitive assignment – your peers are counting on your presentation to be ready for class. Presentations not delivered during the meeting they were scheduled will receive a grade of 0 (zero).

Written Assignments:

- News item posts received by 11:59 p.m. EST will receive a pass/fail grade. Posts not submitted by that time will receive a 0 grade.
- Late final essays will be accepted up to one week after the original deadline with a 10% deduction. Final essays will not be accepted after that time (11:59 p.m. EST on **December 8**).

Midterm: The exam must be completed *in person on the scheduled date*. There will be no available make-up date.

LANGUAGE QUALITY

While the content of written assignments will ultimately be the main determinant in assessments, the quality of writing will inevitably play a role. Students who are not proficient in the English language are encouraged to take advantage of McLaughlin Library's [Writing Services](#) and [Learning Services](#).

HOW TO READ AND PREPARE FOR THIS COURSE

Students are expected to come to class prepared to discuss the materials. As a guide, you might ask yourself some of the following questions when you have finished each reading:

1. The author's argument is ...
 2. The following are the key concepts and terms that I noticed were in the reading ...
Are any of these unclear?
 3. Has this article introduced any new ideas or made me think differently about a particular topic?
 4. Do I agree or disagree with the argument? Why or why not?
 5. What additional questions does the article raise?
 6. How does this reading relate to the other assigned readings and/or concepts discussed in class?
 7. How does the author support their conclusions? Is their evidence convincing?
 8. What are the implications of the article for research and practice?
 9. The key takeaway from the reading is ...
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COURSE OUTLINE

(§ available for download on CourseLink)

Week 1 September 7

Introduction to the Course

I. Fundamentals

Week 2 September 12 & September 14

Competing Perspectives on International Law and Politics

- Johns, Chapter 1.
- Michael Byers, *Custom, Power and the Power of Rules: International Relations and Customary International Law* (Cambridge University Press, 1999), Chapter 3 “Power and International Law.” §

Week 3 September 19 & September 21

Making International Law

- Johns, Chapter 2.
- Kenneth W. Abbott & Duncan Snidal, “Hard and Soft Law in International Governance,” *International Organization* 54 (3) (2000): 421–56. §

Week 4 September 26 & September 28

Breaking International Law

- Johns, Chapter 3.
- Krzysztof J. Pelc, *Making and Bending International Rules: The Design of Exceptions and Escape Clauses in Trade Law* (Cambridge University Press, 2016), Chapter 3 “A Brief Intellectual History of Flexibility in Law.” §

Week 5 October 3 & October 5

Upholding International Law

- Johns, Chapter 4.
- Jutta Brunnée & Stephen J. Toope, *Legitimacy and Legality in International Law: An Interactional Account* (Cambridge University Press, 2010), Chapter 4 “Interactional law and compliance: law’s hidden power.” §

Week 6 Reading Week (no class)

Week 7 October 17 & October 19

Part I Review and Exam

- **Midterm Exam** is on **Thu., Oct. 19** in class at **2:30 p.m. EST**.

II. Issues and Arenas

Week 8 October 24 & October 26

Law of the Sea

- Johns, Chapter 5.
- Tullio Treves, “Historical Development of the Law of the Sea,” in *The Oxford Handbook of the Law of the Sea*, eds. Donald Rothwell, Alex Oude Elferink, Karen Scott & Tim Stephens (Oxford University Press, 2015), 2–23. §

Week 9 October 31 & November 2

Trade and Investment

- Johns, Chapter 6.
- Johns, Chapter 7.

Week 10 November 7 & November 9

Human Rights

- Johns, Chapter 8.
- Christine Chinkin, “Human Rights,” in *Conceptual and Contextual Perspectives on the Modern Law of Treaties*, eds. Michael J. Bowman & Dino Kritsiotis (Cambridge University Press, 2018), 509–37. §

Week 11 November 14 & November 16

Use of Force and Armed Conflict

- Johns, Chapter 9.
- Johns, Chapter 10.

Note/reminder: **Essay is due on Fri., Dec. 1 at 11:59 p.m. EST.**

III. Emerging Challenges

Week 12 November 21 & November 23

Criminal Responsibility

- Johns, Chapter 11.
- David Scheffer, “The International Criminal Court,” in *Routledge Handbook of International Criminal Law*, eds. William A. Schabas & Nadia Bernaz (Routledge, 2011), 67–83. §

Week 13 November 28 & November 30

Environmental Protection

- Johns, Chapter 12.
- Lavanya Rajamani & Jacqueline Peel, “International Environmental Law: Changing Context, Emerging Trends, and Expanding Frontiers,” in *The Oxford Handbook of International Environmental Law*, eds. Lavanya Rajamani & Jacqueline Peel (Oxford University Press, 2021), 1–30. §

Note/reminder: **Essay is due tomorrow (Fri., Dec. 1 via CourseLink, by 11:59 p.m. EST).**