



FACULTY OF HUMANITIES AND SOCIAL SCIENCES

SCHOOL OF HISTORY, PHILOSOPHY, POLITICAL SCIENCE AND INTERNATIONAL RELATIONS

POLITICAL SCIENCES AND INTERNATIONAL RELATIONS PROGRAMME

INTP 250: Special Topic: International Security and the Law

20 POINTS

TRIMESTER 3 2015

Key dates

Trimester dates: 16 November 2015 to 21 February 2016

Teaching dates: 16 November 2015 to 18 December 2015

Last assessment item due: 18 December 2015

Withdrawal dates: Refer to www.victoria.ac.nz/students/study/withdrawals-refunds. If you cannot complete an assignment or sit a test or examination, refer to www.victoria.ac.nz/students/study/exams/aegrotats.

Class times and locations

Lectures: Tuesdays and Thursdays 15:10-17:00

Venue: HMLT002

Tutorials: Tutorials will immediately follow each class (17:10-18:00).

Names and contact details

Course Coordinator: Mike Asplet

Room No: MY511

Email: mike.asplet@vuw.ac.nz

Office hours: By appointment

Communication of additional information

This course uses Blackboard and presumes that all enrolled students have valid myvuw.ac.nz addresses. Please check that this account is active and you have organised email forwarding. Additional information and any changes to the timetable or lecture and seminar programme will be advised by email, announced in lectures, and posted on the course Blackboard site.

Prescription

This course surveys the political and legal aspects of a number of international security issues. By focusing on specific threats to national and human security – such as interstate conflict, terrorism, human rights abuse, humanitarian crises and mass atrocity - the course considers how politics and law respond to protect states and individuals in the international order.

Course content

Part I: The International Context

Topic 1: International relations and the law

Topic 2: National and human security

Part II: Threats against the State: National Security and the Law

Topic 3: The collective security system

Topic 4: Just and unjust interventions

Topic 5: Terrorism

Topic 6: New Zealand's national security architecture

Part III: Threats against the Individual: Human Security and the Law

Topic 7: The International human rights regime

Topic 8: Human rights *in extremis*: Mass atrocity and humanitarian crises

Topic 9: Human rights *in extremis*: Regulating the conduct of war

Topic 10: Peace, justice and individual accountability

Course learning objectives (CLOs)

Students who pass this course should be able to:

1. Explain contemporary security issues facing the international community
2. Outline the role of international law, politics and institutions in responding to international security threats
3. Analyse the application of the legal and/or political frameworks and reasoning in the development of policy
4. Evaluate contentious international security issues

Teaching format

INTP 250 is delivered as two, two-hour lectures per week and two 50-minute seminars per week.

Lectures: The lectures are a core foundation for learning and will supplement class readings to outline the key legal and political factors and frameworks used in analysing international security issues. The lectures and readings will cover different, mutually reinforcing material, all of which may be covered by assessments. Attendance at all lectures is therefore recommended.

Seminars: The seminars will be used to discuss in more detail specific issues outlined in the lectures and to explore further how to use political and legal reasoning.

Mandatory course requirements

In addition to achieving an overall pass mark of 50%, students must:

1. Submit credible attempts at the written work specified for this course, on or by the specified dates (subject to the provisions for late work)
2. Sit and make a bona fide attempt at the in-class test.

The mandatory course requirements are designed to ensure students maintain active participation and complete the items of assessment in this intensive Trimester 3 course. Any student who is concerned that they have been (or might be) unable to meet any of the MCRs because of exceptional personal circumstances, should contact the course coordinator as soon as possible.

Workload

In accordance with University Guidelines, this course has been constructed on the assumption that students will devote 200 hours to the course throughout the trimester. As this is only a 5-week course the average workload per week is much higher than that of a standard 12-week course. An approximate indication of the hours to be spent on each component of the course is given below:

- attendance at lectures and seminars (30 hours)
- class preparation, including completion of all set weekly readings (70 hours)
- research and writing for assessment tasks (100 hours)

Assessment

Assessment items and workload per item		%	CLO(s)	Due date
1	Policy paper (1500 words)	35%	1, 2	27 November (12 noon)
2	1-hour in-class test	25%	1, 2, 3	10 December
3	Essay (2500 words)	40%	2, 3, 4	18 December (12 noon)

Other assessment information:

In-class test

The test will involve answering three short-answer questions (from a choice of five) on readings and lecture material. The test is closed book.

Policy Paper

Students are required to select one topic from the list below. For their topic, students should write a policy paper, which:

- Outlines the **specific issue or problem** that needs resolving
- Outlines key policy **objectives** in resolving the problem
- Outline and analyse **2 or 3 potential options** for resolving the issue, including costs/benefits and risks of each
- Makes a final **recommendation**, including how it will be implemented.

The paper should be based on empirical data and examples. The paper can draw on academic works where appropriate but it should be theoretical in tone. The requirements for the paper will be discussed in more detail in class 1.

Topics:

- How can international law be better enforced?
- Should the Security Council be reformed? How?
- How should states respond to the declaration of independence of the Donetsk and Luhansk Republics in Ukraine?
- Should there be a military intervention in Syria? If so, who, and how?

Essay

Students are required to select one topic from the list below. The purpose of the essay is to provide a reflective, critical analysis of themes discussed during the trimester. Students should draw on lectures, readings and their own research.

Topics:

- How do law and norms affect state behaviour in international relations?
- Is there a hierarchy of rights in the international order? Should there be?
- How effective is the United Nations as a law or norm-making body in issues of international security?
- How do states' obligations to protect human rights differ in times of war and peace? Should there be a difference?
- In responding to mass atrocity, which is more important, peace or justice?

Submission and return of work

Assignments are due before noon on the due date.

Submission: Assignments must be submitted electronically via Blackboard. Instructions on how to submit your assignments are available on Blackboard. Marked assignments will be returned to you also via Blackboard.

Extensions and penalties

Extensions

Extensions may only be granted in exceptional circumstances, but **all extensions require the student to provide documentation**. If granted an extension, students must agree to a new due date. Contact your course coordinator as soon as a problem emerges. The circumstances under which an extension will be considered are outlined in section 3.2.1 of the Assessment Handbook. (See: www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf).

Penalties

Students will be penalised for late submission of assignments – **a deduction of 5% for the first day late, and 2% thereafter for a maximum of 8 working days**. After 10 days, work can be accepted for mandatory course requirements but may not be marked. Penalties may be waived if there are valid grounds (for example, illness [presentation of a medical certificate will be necessary] or similar other contingencies). In all such cases, prior information will be necessary.

Set texts

The reading list is provided as an attachment to this outline. All readings (other than those where a website is provided) will be available on Blackboard.

Class representative

The class representative provides a useful way to communicate feedback to the teaching staff during the course. A class representative will be selected at the first lecture of the course.

Other important information

The information above is specific to this course. There is other important information that students must familiarise themselves with, including:

- Academic Integrity and Plagiarism: www.victoria.ac.nz/students/study/exams/integrity-plagiarism

- Academic Progress: www.victoria.ac.nz/students/study/progress/academic-progress (including restrictions and non-engagement)
- Dates and deadlines: www.victoria.ac.nz/students/study/dates
- FHSS Student and Academic Services Office: www.victoria.ac.nz/fhss/student-admin
- Grades: www.victoria.ac.nz/students/study/progress/grades
- Special passes: refer to the *Assessment Handbook*, at www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf
- Statutes and policies including the Student Conduct Statute: www.victoria.ac.nz/about/governance/strategy
- Student support: www.victoria.ac.nz/students/support
- Students with disabilities: www.victoria.ac.nz/st_services/disability
- Student Charter: www.victoria.ac.nz/learning-teaching/learning-partnerships/student-charter
- Subject Librarians: <http://library.victoria.ac.nz/library-v2/find-your-subject-librarian>
- Terms and conditions: www.victoria.ac.nz/study/apply-enrol/terms-conditions/student-contract
- Turnitin: www.cad.vuw.ac.nz/wiki/index.php/Turnitin
- University structure: www.victoria.ac.nz/about/governance/structure
- Victoria graduate profile: www.victoria.ac.nz/learning-teaching/learning-partnerships/graduate-profile
- VUWSA: www.vuwsa.org.nz

INTP 250: Class Readings

Part I: Context

Topic 1: International relations and the law – Nov. 17

- Hurd, I. "Legitimacy and Authority in International Politics" 53 *International Organization* 379 (Spring 1999).
- Koh, H. "Why do Nations Obey International Law?", 106 *Yale Law Journal* 2599 (1996-1997).

Topic 2: National and human security – Nov. 19

- Fowler, M. and Bunck. J. "What Constitutes the Sovereign State?", 22 *Review of International Studies* 381 (2004).
- Oberleitner, G. "Human Security: A Challenge to International Law?", 11 *Global Governance* 185 (2005).

Part II: Threats against the State: National Security and the Law

Topic 3: The collective security system – Nov. 24

- Gray, C. "The Charter Limitations on the Use of Force: Theory and Practice" in Lowe, V. et al. eds., *The United Nations Security Council and War* (2010).
- Higgins, R. "Peace and Security: Achievements and Failures" 6 *European Journal of International Law* 445 (1995).

Topic 4: Just and unjust interventions – Nov. 26

- "From Humanitarian Intervention to the Responsibility to Protect", speech delivered by Gareth Evans, 31 March 2006, available at: <http://www.crisisgroup.org/en/publication-type/speeches/2006/from-humanitarian-intervention-to-the-responsibility-to-protect.aspx>
- Bellamy, A. and Williams, P. "The new politics of protection? Cote d'Ivoire, Libya and the Responsibility to Protect" 87 *International Affairs* 825 (2011).
- Doyle, M. "War Making and Peace Making: The United Nations Post-Cold War Record" in Crocker, C. et al. eds., *Turbulent Peace: The Challenges of Managing International Conflict* (2001).

27 November: Policy paper due

Topic 5: Terrorism – Dec. 1

- "Chapter 1: Defining Terrorism" in Hoffman, B. *Inside Terrorism* (2006).
- Wood, G. "What ISIS Really Wants" *The Atlantic*, March, 201, available at: <http://www.theatlantic.com/magazine/archive/2015/03/what-isis-really-wants/384980/>
- Travalio, G. and Altenburg, J. "Terrorism, State Responsibility and the Use of Military Force" 4 *Chicago Journal of International Law* 97 (2003).

Topic 6: Guest Lecture: New Zealand's national security architecture – Dec. 3

- Department of Prime Minister and Cabinet, *New Zealand's National Security System* (May 2011), available at <http://www.dpmc.govt.nz/sites/all/files/publications/national-security-system.pdf>
- "Protecting national security and responding to ISIL" speech delivered by John Key, 5 November 2014, available at <http://www.beehive.govt.nz/release/protecting-national-security-and-responding-isil>

Part III: Threats against the Individual: Human Security and the Law

Topic 7: Human rights - Dec. 8

- Henkin, L. "Human Rights and State Sovereignty" 25 *Georgia Journal of International and Comparative Law* 31 (1995).
- "Chapter 11: International Human Rights Regimes" in Donnelly, J. *Universal Human Rights in Theory and Practice* (2013).

Topic 9: Human rights *in extremis*: Mass atrocity and humanitarian crises - Dec. 15

In class test

"The Political Uses of Massacre and Genocide", in Semelin, J. *Purify and Destroy* (2009)

- Brauman, R. "Médecins Sans Frontières and the ICRC: Matters of Principle" 94 *International Review of the Red Cross* 1523 (Winter 2102), available at <https://www.icrc.org/eng/assets/files/review/2013/irrc-888-brauman.pdf>

Topic 8: Human rights *in extremis*: Regulating the conduct of war – Dec. 10

This topic provides an overview of how combatants and non-combatants are protected in times of armed conflict.

- "Chapter 3: The Rules of War" in Walzer, M. *Just and Unjust Wars* (2006).
- "Chapter 1: The General Framework" in Dinstein, Y. *The Conduct of Hostilities under the Law of International Armed Conflict* (2010).
- Watkin, K. "Controlling the Use of Force: A Role for Human Rights Norms in Contemporary Armed Conflict" 98 *American Journal of International Law* 1 (2004).

Topic 10: Peace, justice and individual accountability - Dec. 17

- Bassouni M. C., "Searching for Peace and Achieving Justice: The Need for Accountability" 59 *Law and Contemporary Problems* 9 (Autumn 1996).
- "Chapter 7: Slouching toward Nemesis" in Robertson, G. *Crimes against Humanity: The Struggle of Global Justice* (2012)
- Snyder J. and Vinjamuri L., "Trials and Errors: Principles and Pragmatism in Strategies of International Justice" 28 *International Security* 5 (Winter 2003/4)

Friday 18 December: Essay due