

**HUMAN RIGHTS:
THE POLITICS OF (A *RATIOCINATIVE*) INTERNATIONAL LAW
Fall 2020 (September – December)**

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Contents

Course Description.....	3
Course Objectives	4
Required Materials and Texts	4
Class Format.....	5
Copyright and Recording	6
Course Evaluation – Overview	6
Course Evaluation – Details	6
Seminar Participation (30%)	6
Seminar Presentation (15%).....	6
Research paper (25%), due November 21 st , 2020	8
Take-home Exam (30%), due December 12 th , 2020.....	8
Weekly Course Schedule and Required Readings	8
Week 1 (September 14 th).....	8
Week 2 (September 21 st).....	9
Week 3 (September 28 th).....	9
Week 4 (October 5 th)	10
Week 5 (October 12 th) – Reading Week, No Class – Be safe!	10
Week 6 (October 19 th)	10
Week 7 (October 26 th)	11
Week 8 (November 2 nd).....	11
Week 9 (November 9 th).....	12
Week 10 (November 16 th).....	12
Week 11 (November 23 rd).....	13
Week 12 (November 30 th).....	13

Week 13 (December 7th).....	14
Course Policies	14
Privacy Protection.....	14
Submission of Assignments.....	14
Grades.....	14
Late Assignments	15
Absences, Missed Work, Illness	15
Courses With An On-Line Element.....	15
Online Proctoring.....	15
University Policies	16
Academic Integrity Statement.....	16
Academic Accommodation of Students with Disabilities.....	16
Faculty of Social Sciences E-mail Communication Policy	16
Course Modification.....	17
Academic Accommodation for Religious, Indigenous or Spiritual Observances (RISO)	17
Extreme Circumstances.....	17

Course Description

The aim of the course will be to approach the legal-history of *past* and *present* developments relating to International Law and International Legal Regimes (i.e., human rights and citizenship) by being “anachronic” and “hermeneutically suspicious” when *reading* to deconstruct powerful discourses and legal mechanisms structuring a universalized idea of *law* called *Jus Gentium* (i.e., International Law/ Law of Nations). The importance in analyzing foundational concepts and ideas *making* International Law from the 15th century until our present day (i.e., sovereignty, immanence, citizenship, nation-state, just war, property, etc.) will be made evident with the course emphasizing that the legal doctrines situated in *jus gentium* were formulated during the encounter of “different” cultures informing the Renaissance period (i.e., Age of Discovery) and the Enlightenment period (i.e., Age of Reason). Therefore, the course seeks to emphasize how these particular-concepts-made-universal are continuously (re)asserted and (re)formulated in ways that reaffirm that *jus gentium* continues to be animated by emphasizing a “dynamic of cultural difference” postulating an unbridgeable (temporal) cultural gap between the “Occident” and the “Orient”. Therefore, while this course highlights that International Law is in some cases a channel for justice, this course also seeks to emphasize the difficulty of legal doctrines situated in *jus gentium* in servicing justice.

This disservice will be identified by discussing the scholastic jurisprudent schools of naturalism and positivism and how their jurisprudent legacy continues to structure *jus gentium* by adjudicating laws that are based on, and located in, ideas and experiences that valorize a homogenous temporal cultural evolution. The course elaborates that the primary moral issue with *jus gentium* is related to “temporality” rather than “spatiality” especially when we recall that the “unbridgeable” difference between the “Orient” and the “Occident” is maintained by transforming cultural differences into legal differences thus legally sanctioning “humanitarian interventions” or “missions” employing extrajudicial means (i.e., torture, collateral damage, indiscriminate bombing) ostensibly “aiding” non-conforming bodies to “reach” temporal coordinates characterizing Latin-European philosophical theology. This essential “dynamic of transformation” will be discussed in this course by critiquing teleological narratives such as “development”, “civilization”, and “modernity” in tandem with international liberal institutions and agencies reifying these narratives (i.e., the League of Nations, United Nations, World Health Organization, United Nations High Commissioner for Refugees, and United Nations Commission on Human Rights). These institutions, and their respective agencies, reveal the secret solidarity between “sovereignty and humanitarianism” by continuing to bound the non-European subject to a “particular” law inevitably categorizing them as “vulnerable”, “refugee”, or “suffering” objects in need of “human rights”.

The “secret solidarity” is revealed in how *jus gentium* continues to re-invent itself by reaffirming previous legal doctrines and/or formulating novel doctrines that rejuvenate the “inclusive exclusion” *ethos* of *jus gentium*. This will manifest in the course by analyzing power-relations structuring contemporary international liberal institutions adjudicating legal mechanisms that have developed political and social consequences accompanying demographic and geographic alterations. These sovereign-willed gestures are apparent in the legal vocabulary adopted by the League of Nations in 1920 such as “self-

determination” and “sacred trust of civilization”, which were also maintained with the development of the United Nations in 1945 emphasizing concepts such as “independence”, “decolonization” and “modernization”, and finally, reaffirmed with the war of terror in 2001, and more recently, the “Arab Spring” of 2011 identifying Arabia as in need of a “humanitarian intervention” since it is averse to *reason* but receptive to *terror*. While there are several positivist juridical concepts that deserve attention, the course will critique *sovereignty* as a (ratiocinated) juridical concept using a bio/necropolitical paradigm of analysis in tandem with TWAIL (Third World Approach to International Law) to highlight that it is better understood as a legal technological process that inherently seeks to keep things apart by formulating powerful reductionist discursive binaries (i.e., citizen-refugee, subject-object, modern-primitive, degenerative-progressive) thus maintaining the supposed unbridgeable cultural gap between Arabia and Latin-Europe. The course concludes by emphasizing the need to “remake” and “reconstruct” International Law by adjusting its “moral compass” thus appreciating the richness situated in a world accented by a multiplicity of different cultures.

Course Objectives

By the end of the course students should be able to:

- Navigate core concepts structuring naturalist and positivist jurisprudence by articulating their cognizance in a coherent manner thus increasing fluency in the vocabulary of International Law.
- Become familiar with the members of the international legal order, how it functions, and the limits of (positivist) jurisprudence seeking the transformation of cultural differences into legal differences.
- Examine the historical forces, political undercurrents, and ideological encounters that birthed *jus gentium* while excluding all immediate alternatives.
- Analyze the context and thrust of alternative approaches to international law such as Critical Legal Studies (CLS) and Third World Approaches to International Law (TWAIL) by engaging the ideas of lawyers, legal historians, and political sociologists situated in the weekly inter-disciplinary assigned readings.
- Discuss the political and cultural implications of both “human rights” and “citizenship rights” regime animating international law.
- Employ the foundational knowledge developed during the course by applying it to analyze contemporary social issues.

Required Materials and Texts

- The required textbook for this course is Antony Anghie, *Imperialism, Sovereignty and the Making of International Law*, (Cambridge University Press, 2004). Please note the instructor has the permission from the author to send a copy of the **e-book. Email for a copy.**
- Students are **encouraged**, but not **required**, to purchase Malcolm Evans, ed., *International Law*, 5th ed (Oxford University Press, 2018). This is an excellent

edited volume. It will also be a useful reference for students interested in pursuing an even deeper understanding of international law and/or are interested in pursuing a career in political science and/or law.

Class Format

This Level VI Honors Political Science seminar will take place **online via Zoom**. While the setting and medium of exchanging knowledge is “different” than traditionally practiced, the space emphasizes mutual ethical consideration of knowledge and cultural traffic. As a McMaster student, you have the right to experience, and the responsibility to demonstrate, respectful and dignified interactions within all of our living, learning and working communities. These expectations are described in the Code of Student Rights & Responsibilities (the “Code”). All students share the responsibility of maintaining a positive environment for the academic and personal growth of all McMaster community members, whether in person or online. It is essential that students be mindful of their interactions online, as the Code remains in effect in virtual learning environments. The Code applies to any interactions that adversely affect, disrupt, or interfere with reasonable participation in University activities. Student disruptions or behaviors that interfere with university functions on online platforms will be taken very seriously and will be investigated. Outcomes may include **restriction or removal of the involved students’ access to these platforms**. **Please note** that 24-48 hours before every seminar, a link to our “real time/synchronous” seminar will be forwarded to all students registered including the **password** of the room. The link or password **cannot** and **should not** be sent to anyone who is not registered in the course unless advised by the instructor.

By choosing a **synchronous approach** to teaching and learning the instructor is emphasizing “**active discussion**”, “**dynamic learning**”, and “**instructional depth**”. As a fourth-year seminar dedicating three-hours a week involving critical pedagogy, constructive engagement, and in-depth dialogue, students are expected to play an active role in the teaching and learning process. One of the goals of the course is to prepare students and enhance their communicative and presentation skills if they decide to enroll in higher education (i.e., graduate school) and/or further their personal qualities enhancing their career choices. The role of the instructor will be to help provide the broader context for the material being reviewed and to facilitate class discussion when it is necessary. During the semester, discussions will emphasize theoretical foundations concerned with legal, juridical, and historical literature with students expected to participate in the discussions on a weekly basis. The instructor will contribute to the discussion by adding insights and posing or reframing questions. To have a thoughtful and intellectual discussion, students are required to read the assigned material each week. All students must be prepared for and attentive in class. As broad participation in the discussions is essential and since all students are assumed to have read the material before class, the instructor reserves the right to call on students during the online-seminar without warning to contribute to the discussion. In addition to formal class time, students

are invited to meet with the instructor during regular office hours or by appointment to discuss course content or any other concerns.

Copyright and Recording

Students are advised that lectures, demonstrations, performances, and any other course material provided by an instructor include copyright protected works. The Copyright Act and copyright law protect every original literary, dramatic, musical and artistic work, **including lectures** by University instructors.

The recording of lectures, tutorials, or other methods of instruction **may occur** during a course. Recording may be done by either the instructor for the purpose of authorized distribution, or by a student for the purpose of personal study. It should be noted that the recording of the lecture is permitted, however, the recording of discussions is prohibited unless otherwise requested by the instructor and/or students presenting. Students should be aware that their voice and/or image may be recorded by others during the class. Please speak with the instructor if this is a concern for you.

Course Evaluation – Overview

1. Seminar participation (30%)
2. Seminar presentation (15%)
3. Research paper (25%), due November 21st, 2020
4. Take-home end-of-term examination (30%), due December 12th, 2020

Course Evaluation – Details

Seminar Participation (30%)

It will be determined by attendance and active involvement in class discussions and feedback given to other students during class presentations until the last day of the seminar.

Seminar Presentation (15%)

Students will take responsibility for the introduction and discussion of one of the weekly topics listed in the course outline. During week 1 each student chooses a week that they are interested in. Depending on the size of the class, presentation will include a minimum of 2 students. Presentations include:

- 1) suggested additional readings if necessary;
- 2) summarizing the main points from the corresponding readings;
- 3) raising questions/issues for discussion;
- 4) relating the readings to the course's objectives, and
- 5) asking and answering students' questions.

Presentations should be briefly summarized and should **not** regurgitate readings and leave enough time for discussion. Presentations by students will start week 2. Please

note that if you do not sign-up for a reading during week 1, email the instructor and they will enlist you.

Advice and suggestion for the leader(s) of the discussion (This section is adopted from Alina Sajed's outline):

To prepare for discussion (leadership or participation), first read and study the assigned reading, underlining the more important or interesting points, and making notes in the margins. Then think about and write down some of the main issues that the author raises and a few questions pertinent to the issues. Then go back over your notes and the text and note the key concepts or terms and then try to put the author's argument into your own words.

One word of caution: Start out on a positive note. Avoid beginning with an apology for being poorly prepared or for finding the reading difficult. Treat the day's topic as having real value. Openers like "I didn't get much out of this" or "I don't agree with anything the author said" will stifle, rather than promote, discussion. Remember that a time for critical evaluation will come at the end, but only after the class has worked on its understanding of the author's arguments. If you treat the readings as worthwhile, your classmates will follow your lead, join you in examining the day's assignment, and thus make your job easier.

Sustaining Discussion: Discussions need some urging to keep them moving. A discussion leader can often keep things moving with only modest prodding, giving the class its head when things are going well. Of course, if you can contribute something useful, do so; but other kinds of comments or actions on your part can sustain the discussion just as well as an injection of insight. Here are some suggestions:

- 1) Get students to talk to each other. Ask for a response to the most recent comments. (Anyone have a response to A's opinion?) Or ask a specific student to respond. (A, do you agree with B?)
- 2) Get students to defend or explain their opinions. (D, why do you say that? What's your evidence or reasoning?)
- 3) Encourage an exploration of differing points of view. When you hear conflicting views, point them out and get the holders of those views to discuss their differences. Perhaps ask a third person to sum up the two positions.
- 4) Keep the class on the subject. If you are even halfway familiar with the material, you know when the discussion is no longer connected to it. Just say so. (We've gotten pretty far from the readings; let's get back on the subject.) Or simply consult your list of questions. Any sensible response to one of your questions is bound to be pertinent.
- 5) Try to give as many persons in the class as possible a chance to speak. Keep a list of who wishes to speak. Ensure that all those who have not spoken who are on your list get to speak first before a colleague gets a chance to speak an additional time.

- 6) Point to a particular passage in the text relevant to a comment made by one person, or to a discussion among several. This might be a passage that challenges, or sums up and confirms, the views being expressed.
- 7) Don't fill every silence with your own voice. Any discussion will lapse occasionally. It is not your job as leader to avoid all silence. Some quiet periods are productive.

Students who are not so quick to speak will frequently get the chance they need when others are quiet. If the silence gets too heavy, take advantage of the other students' lists of questions.

Remember: as discussion leader you do not have to be the brains for the class. You are not expected to know it all; the class is full of students who have read the same assignment that you have read. Your job is to give them a chance to talk about it and thus give others the benefits of their thinking. If any one student begins to do all the talking, gently correct this problem by bringing other students into the discussion. You are there to steer, to keep the class reasonably near the center of the path.

Research paper (25%), due November 21st, 2020

It involves submitting a 20-25 page-long paper by Thursday November 21, 2020. An electronic copy of the final paper must be sent to the instructor (alkassk@mcmaster.ca) on the due date. Each submission – on the final page – must include a statement that no plagiarism has been committed in the preparation and delivery of the assignment.

Take-home Exam (30%), due December 12th, 2020

The exam will consist of (2) long-answer questions. Answers should allude to discussions and reading material – both from instructor and student presenters. The exam will be emailed to students on Thursday December 10th, 2020. Return the final exam via email to the instructor in a Microsoft Word format.

Weekly Course Schedule and Required Readings

Week 1 (September 14th)

Introduction to the course, expectations, evaluations, course objectives. Come to class while having heard at least one of these videos!

Required Readings:

- Anghie, A, (2013) “International Law and Justice” retrieve from <https://www.youtube.com/watch?v=928tl5lu3v8&t=874s>
- Koskenniemi, M (2013), “The Politics of International Law” retrieve from <https://www.youtube.com/watch?v=-E3AGVTHsq4>

Week 2 (September 21st)

The Renaissance period and the formative phase of a naturalist jurisprudent school. The Valladolid debate and the distinction between morality and law adjudicating the “Age of Discovery” (Part I)

Required Readings:

- Bowden, B (2013). “Poisons Disguised with Honey: European Expansion and the Sacred Trust of Civilization”, in *European Legacy*, pp. 151-169 (available online)
- Anghie, A (2004), “Francisco de Vitoria and the colonial origins of international law” (chapter 1), in *Imperialism, Sovereignty and the Making of International Law* pp. 13-28 (available online)
- Chang-Uk Byun (2011), “The Valladolid Debate between Las Casas and Sepúlveda of 1550 on the Conquest and the Intellectual-Religious Capacity of American Indians”, in *Korea Presbyterian Journal of Theology* (available online)
- Blanco, R and Delgado, Ana (2019), “Problematizing the Ultimate Other of Modernity: the Crystallisation of Coloniality in International Politics” in *Contexto Internacional* (available online)

Week 3 (September 28th)

The Enlightenment period and the development of positivism as a jurisprudent school. Does positivist law supplant or complement naturalism? What are the legal mechanisms and narratives of positivist jurisprudence? How does the “ideal of civilization” continue to subsume International Law by valorizing a “cultural dynamic of difference”? (Part II)

Required Readings:

- Anghie, A (2006), “The Evolution of International Law: colonial and postcolonial realities” in *Third World Quarterly*, pp. 739-753 (available online)
- Bowden, Brett (2004), “The Ideal of Civilisation: Its Origins and Socio-Political Character” in *Critical Review of International Social and Political Philosophy*, pp.25-50 (available online)
- Koskeniemi, M (2016), “Race, Hierarchy and International Law: Lorimer’s Legal Science”, in *The European Journal of International Law*, pp.415-429 (available online)
- Anghie, A (2004), “Finding the peripheries: colonialism in nineteenth-century international law” (chapter 2), in *Imperialism, Sovereignty and the Making of International Law*, pp.32-114 (available online) or Anghie, A (2017), “[The Standard of Civilization - A History of Continuity](#)”.

Week 4 (October 5th)

International Law in the first half of the 20th century. Sovereignty as a legal process and liberal-secular institutions reaffirm the “cultural dynamic of difference” through “historicism”. The League of Nations and the United Nations - teleological narratives such as civilization, modernity, and development continue to promote a “sacred trust of civilization”

Required Readings:

- Anghie, A (2004), “Colonialism and the birth of international institutions: The Mandate System of the League of Nations” (chapter 3), in *Imperialism, Sovereignty and the Making of International Law* pp. 115-194 (available online)
- Bowden, B (2004), “In the Name of Progress and Peace: The "Standard of Civilization" and the Universalizing Project”, in *Alternatives* pp.43-68 (available online)
- Cunha, C and Afonso, H (2017), “Toward Dystopian Futures? Legal History, Postcoloniality and Critique at the Dawn of the Anthropocene” in *Veredas do Direito, Belo Horizonte* pp.187-213 (available online)
- Pearion, J. (2017). “Defending Empire at the United Nations: The Politics of International Colonial Oversight in the Era of Decolonisation”, in *The Journal of Imperial and Commonwealth History*, pp.525-549 (available online)

Week 5 (October 12th) – Reading Week, No Class – Be safe!

Week 6 (October 19th)

How do we explain the difficulty of Int. Law servicing justice? This week we begin discussing critical approaches aiding in deconstructing “mainstream” legal jurisprudence (i.e., Third World Approaches to International Law – TWAIL). What is the methodology and what are the political commitments of TWAIL?

Required Readings:

- Sunter, A. F. (2007). “TWAIL as Naturalized Epistemological Inquiry”, in *Canadian Journal of Law & Jurisprudence*, 20(2), pp.475–510 (available online)
- Shetty, V. (2011). “Why TWAIL Must Not Fail: Origins and Applications of Third World Approaches to International Law”, in *King's Student Law Review*, 3, 68–82
- Chimni, B.S (2006), “Third World Approaches to International Law: A Manifesto” in *International Community Law Review*, pp.3-27 (available online)
- Orford, A. (2012). [“The Past as Law or History? The Relevance of Imperialism for Modern International Law”](#), in *Institute for International Law and Justice*, pp.1-17.
- Mutua, M. (2000). What is TWAIL? In *Proceedings of the ASIL Annual Meeting*, pp.31–38 (available online)

Week 7 (October 26th)

How does International Law perceive inhabitants of post-colonial spaces (i.e., Third World)? Is the *past* violent nature of positivist jurisprudence still animating the framework and lexicon of (liberal-secular) institutions and legal doctrines?

Required Readings:

- Eslava, L and Pahuja, S, (2012) "Beyond the (Post)Colonial: TWAIL and the Everyday Life of International Law", in *Law and Politics in Africa, Asia and Latin America*, pp.195-221 (available online)
- Mickelson, K. (1998). "Rhetoric and Rage: Third World Voices in International Legal Discourse", *Wisconsin International Law Journal*, pp.353–419. (available online)
- Anghie, A and Chimni, B.S (1999), "Third World Approaches to International Law and Individual Responsibility in Internal Conflicts", in *Chinese Journal of International Law*, pp.77-103 (available online)
- Chimni, B.S. (2007), "The Past, Present and Future of International Law: A Critical Third World Approach" in *Melbourne Law School*, pp.499-514

Week 8 (November 2nd)

How was the Arab *Mashreq* and Arab *Maghreb* perceived after the War on Terror was declared using Pre-Emptive Defense Strategy (PEDS)? How is such legal-historical event reminiscent of past discourses and legal techniques adjudicating intervention?

Required Readings:

- Mutimer, D. (2007). Sovereign Contradictions: Maher Arar and the Indefinite Future (E. Dauphinee & C. Masters, Eds.). In *The Logics of Biopower and the War on Terror* pp. 159-179. *New York: Palgrave Macmillan*. (email me if you cannot find it online) (available online)
- Tuastad, D. (2003). "Neo-Orientalism and the new barbarism thesis: Aspects of symbolic violence in the Middle East conflict(s)". *Third World Quarterly*, pp. 591-599
- Bowden, B. (2002). Reinventing Imperialism in the Wake of September 11. *Turkish Journal of International Relations*, pp. 28-46. (available online)
- Anghie, A. (2009). Rethinking Sovereignty in International Law. *Annual Review of Law and Social Science*, pp. 291-310. (available online)
- Mamdani, M. (2002). Good Muslim, Bad Muslim: A Political Perspective on Culture and Terrorism. *American Anthropologist*, 104(3), 766-775 (available online)
- Bowden, B. (2007). Civilization and Savagery in the Crucible of War. *Global Change, Peace & Security*, pp. 3-16. (available online)

- Anghie, A (2004), “On making war on the terrorist: imperialism as self-defence” (chapter 6), in *Imperialism, Sovereignty and the Making of International Law* pp. 273-310 (available online)

Week 9 (November 9th)

The Arab uprising in 2011 as a momentary “Spring” then an “Islamist Winter”: Neo-Orientalism, Gendering the protest, and Humanitarianism

Requires Readings:

- Mamdani, M. (2010). Responsibility to Protect or Right to Punish? *Journal of Intervention and Statebuilding*, pp.53-67 (available online)
- Ventura, L. (2016). “The ‘Arab Spring’ and Orientalist Stereotypes: The Role of Orientalism in the Narration of the Revolts in the Arab World”. *Interventions*, pp.282-297 (available online)
- Altwaiji, M. (2014). “Neo-Orientalism and the Neo-Imperialism Thesis: Post-9/11 US and Arab World Relationship”. *Arab Studies Quarterly* (available online)
- Kerboua, S. (2016). “From Orientalism to neo-Orientalism: Early and contemporary constructions of Islam and the Muslim world”. *Intellectual Discourse*, pp. 7-34. (available online)
- Khalid, M. (2015). “The Peripheries of Gender and Sexuality in the ‘Arab Spring’” *Mediterranean Politics* pp.161–177 (available online)
- Samiei, M. (2010). “Neo-Orientalism? The relationship between the West and Islam in our globalised world”. *Third World Quarterly*, 31(7), 1145-1160. (available online)

Week 10 (November 16th)

Let us compliment TWAIL by injecting a Bio/Necropolitical paradigm of analysis to further our critique of *jus gentium* and its “regimes of rights”. The original activity of sovereignty requires the production of *homo sacer/living-dead* for modernity as a *telos* to be ontologically coherent

Required Readings:

- Nyers, P. (2006). “Introduction: Body Politics in Motion”, pp. ix-xvii and “On Humanitarian Violence” pp.25-42 in [Rethinking refugees: Beyond states of emergency](#).
- Mbembe, A. (2003). Necropolitics. *Public Culture*, pp.11-40. (available online)
- Chican, D. (2013). “Constructive Anarchy in the Context of the New Middle East”. *Supplement Geostrategic Pulse*, (147), 1-24. (available online)
- Khiabany, G. (2016). Refugee crisis, imperialism and pitiless wars on the poor. *Media, Culture & Society*, 755-762 (available online)
- Perezalonso, A. (2010). The Message of Torture: Biopolitics and Bare Life in the US Discourse of the War on Terror. *Global Discourse*, 1(2), 147-165.
- Isin, E. (2013). "[Two Regimes of Rights](#)" in *Citizenship and Security: The Constitution of Political Being*. Pp.1-16

- Saskia S, (2015). "[Migration Expert on How Capitalism Expels Refugees](#)".

Week 11 (November 23rd)

Resisting and Remaking International Law? The importance of deconstruction rather than “destruction”

Requires Readings:

- Fidler, D (2003), "Revolt Against or From Within the West? TWAIL, the Developing World, and the Future Direction of International Law" in *Maurer School of Law - Chinese Journal of International Law*, pp.29-76 (available online)
- Al Attar and Miller (2010), "Towards an Emancipatory International Law: the Bolivarian reconstruction", *Third World Quarterly*, pp. 347-363 (available online)
- Obiora, O. (2005) "Newness, Imperialism, and International Legal Reform of Our Time: A TWAIL Perspective", *Osgoode Hall Law Journal*, pp.171-191. (available online)
- Philips, V (2007), "Indigenous Peoples and the Role of the Nation-State", *Proceedings of the Annual Meeting (American Society of International Law)*, pp. 319-323 (available online)
- Gathii, J. (2019) "[The Agenda of Third World Approaches to International Law](#)" (TWAIL), in *Jeffrey Dunoff and Mark Pollack (eds) International Legal Theory: Foundations and Frontiers*, Cambridge University Press

Week 12 (November 30th)

Applying a TWAIL methodology to critique and deconstruct events following COVID-19. Are Teleological narratives in danger or were they inherently dangerous? Do we live in a post-9/11 world or a post-Covid world? Or are both worlds an evitable outcome of “necropolitics”?

Required Readings:

- June 12th 2020, "[International Criminal Court condemns US sanctions order](#)"
- Robertson, H and Travaglia, J (2020), "[The Necropolitics of COVID-19: Will the COVID-19 pandemic reshape national healthcare systems?](#)"
- Mamdani, M (2009), "The International Criminal Court's case against the president of Sudan: A critical look", *Journal of International Affairs*, pp. 85-92 (available online)
- Aginam, O. (2006), "International Law, HIV/AIDS, and Human Rights in Africa: A Post-Colonial Discourse" in *Proceedings of the Annual Meeting (American Society of International Law)*, pp. 350-354 (available online)
- Kiyani, A (2016). "[Symposium on TWAIL perspective on ICL, IHL, and Intervention -Third World Approaches to International Criminal Law](#)", in *ASIL* pp. 255-259.
- Corbett, J, (2020). "[Medical Martial Law](#)".

- Arauz, A (2020), "[How the IMF Can Help the Global South Cope with Imminent Economic Crisis](#)".
- Cohen, D (2010), "[Tamiflu \(2010\): Was the pandemic advice given by the WHO compromised?](#)".

Week 13 (December 7th)

Course Wrap up: What Would an Alternative "International Law" seeking Global Justice Involve? A Dialogue Between A Multiplicity of Cultural Differences?

Required Readings:

- "[Holy Roman Emperor Frederick II- A Bridge Between East and West](#)".
- "[ALBA Part One Cuba and Venezuela, when Chavez met Fidel](#)"
- Hassan, F. (1982). "The Sources of Islamic Law" in *American Society of International Law* pp.65-75 (available online)
- Al-Zuhili, W, (2005). "Islam and International Law", in *International Review of the Red Cross*, pp.269-283 (available online)

Course Policies

Privacy Protection

In accordance with regulations set out by the Freedom of Information and Privacy Protection Act, the University will not allow return of graded materials by placing them in boxes in departmental offices or classrooms so that students may retrieve their papers themselves; tests and assignments must be returned directly to the student. Similarly, grades for assignments for courses may only be posted using the last 5 digits of the student number as the identifying data. The following possibilities exist for return of physical graded materials:

1. Direct return of materials to students after class;
2. Return of materials to students during office hours;
3. Students attach a stamped, self-addressed envelope with assignments for return by mail;
4. Submit/grade/return papers electronically.

Arrangements for the return of assignments from the options above will be finalized during the first class.

Submission of Assignments

Assignments should be delivered on the due dates electronically and sent to alkassk@mcmaster.ca in Microsoft Word format.

Grades

Grades will be based on the McMaster University grading scale:

MARK	GRADE
90-100	A+
85-90	A
80-84	A-
77-79	B+
73-76	B
70-72	B-
67-69	C+
63-66	C
60-62	C-
57-59	D+
53-56	D
50-52	D-
0-49	F

Late Assignments

A full-grade mark will be deducted for late papers, up to a maximum of one-week (7 days) delay after such a time the mark for the assignment will be zero unless a legitimate reason is furnished by the student. Medical notes will be verified by the instructor for authenticity.

Absences, Missed Work, Illness

McMaster Student Absence Form (MSAF): In the event of an absence for medical or other reasons, students should review and follow the Academic Regulation in the Undergraduate Calendar "Requests for Relief for Missed Academic Term Work".

Only one absence will not count for the allocation of the participation mark. More than one absence will lead to a deduction for the participation mark. Failure to deliver on the class presentation will be penalized with a zero grade for this assignment.

Courses With An On-Line Element

Some courses may use on-line elements (e.g. e-mail, Avenue to Learn (A2L), LearnLink, web pages, capa, Moodle, ThinkingCap, etc.). Students should be aware that, when they access the electronic components of a course using these elements, private information such as first and last names, user names for the McMaster e-mail accounts, and program affiliation may become apparent to all other students in the same course. The available information is dependent on the technology used. Continuation in a course that uses on-line elements will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

Online Proctoring

Some courses may use online proctoring software for tests and exams. This software may require students to turn on their video camera, present identification, monitor and record their computer activities, and/or lock/restrict their browser or other

applications/software during tests or exams. This software may be required to be installed before the test/exam begins.

University Policies

Academic Integrity Statement

You are expected to exhibit honesty and use ethical behaviour in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity. **It is your responsibility to understand what constitutes academic dishonesty.**

Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behaviour can result in serious consequences, e.g. the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: "Grade of F assigned for academic dishonesty"), and/or suspension or expulsion from the university. For information on the various types of academic dishonesty please refer to the [Academic Integrity Policy](https://secretariat.mcmaster.ca/university-policies-procedures-guidelines/), located at <https://secretariat.mcmaster.ca/university-policies-procedures-guidelines/>

The following illustrates only three forms of academic dishonesty:

- plagiarism, e.g. the submission of work that is not one's own or for which other credit has been obtained.
- improper collaboration in group work.
- copying or using unauthorized aids in tests and examinations.

Academic Accommodation of Students with Disabilities

Students who require academic accommodation must contact [Student Accessibility Services \(SAS\)](#) to make arrangements with a Program Coordinator. Academic accommodations must be arranged for each term of study. Student Accessibility Services can be contacted by phone 905-525-9140 ext. 28652 or e-mail sas@mcmaster.ca. For further information, consult McMaster University's Policy for [Academic Accommodation of Students with Disabilities](#).

Faculty of Social Sciences E-mail Communication Policy

Effective September 1, 2010, it is the policy of the Faculty of Social Sciences that all e-mail communication sent from students to instructors (including TAs), and from students to staff, must originate from the student's own McMaster University e-mail account. This policy protects confidentiality and confirms the identity of the student. It is the student's responsibility to ensure that communication is sent to the university from a McMaster account. If an instructor becomes aware that a communication has come from an alternate address, the instructor may not reply at his or her discretion.

Course Modification

The instructor and university reserve the right to modify elements of the course during the term. The university may change the dates and deadlines for any or all courses in extreme circumstances. If either type of modification becomes necessary, reasonable notice and communication with the students will be given with explanation and the opportunity to comment on changes. It is the responsibility of the student to check his/her McMaster email and course websites weekly during the term and to note any changes.

Academic Accommodation for Religious, Indigenous or Spiritual Observances (RISO)

Students requiring academic accommodation based on religious, indigenous or spiritual observances should follow the procedures set out in the [RISO](#) policy. Students should submit their request to their Faculty Office ***normally within 10 working days*** of the beginning of term in which they anticipate a need for accommodation or to the Registrar's Office prior to their examinations. Students should also contact their instructors as soon as possible to make alternative arrangements for classes, assignments, and tests.

Extreme Circumstances

The University reserves the right to change the dates and deadlines for any or all courses in extreme circumstances (e.g., severe weather, labour disruptions, etc.). Changes will be communicated through regular McMaster communication channels, such as McMaster Daily News, A2L and/or McMaster email.