Instructor & Tutor: Dr. YUEN Hau-yin, Raymond
Telephone: 3943-9835
Email: raymond.hyuen@cuhk.edu.hk
Lecture Time & Venue: Tuesday, 14:30-17:15@ Wu Ho Man Yuen Bldg 405
Office Location: Faculty Office of Social Science, Room 517B, 5/F, Chen Kou Bun Building, Chung Chi College, CUHK
Office Hours: Tuesday / Thursday 1730-1830 OR by appointment through E-mail

Instructor & Tutor: Mr. FUNG Ka-shing, Kalvin (PhD Candidate, Waseda)
Email: kalvinfung@hotmail.com
Office Location: CKB516, Faculty Office of Social Science, CUHK
Office Hours: by appointment through E-mail

Course Aims and Intended Learning Outcomes (CILOs)

This course aims to provide students with the analytical skills and critical knowledge over the concepts, theories, and cases relating to the scholarship of international relations (IR) and international law (IL) (Liberalism, Realism, Constructivism and Neo Colonialism, etc.), which govern the world order and structure the states’ behavior in the twenty-first century. This course will particularly explore a number of theoretical debates in IR literature, and the practice of international law in different political arenas, for instances, human rights, global trade, environmental governance and territorial administration. This course will also cover the historical evolution of the international system after the Second World War, especially the issues of global governance deriving from the emergence of non-state actors and the growing interdependence of states. These phenomena blur state's characteristics and subsequently challenge the Westphalian-centric international law which primarily addresses inter-state and border
GLSD3301 Int’l Relations & Int’l Law  

Spring 2020

issues and thus leading to the rising advocacy of establishing regional and global institutions in resolving transnational issues, reshaping the nature of global policy and international law. Finally, the course will be concluded with the discussion of latest development of international relations. Relevant real-world examples and case studies will be adopted to illustrate the big ideas and key concepts of international law and global governance.

This course intends to offer students a more comprehensive idea of international relations and international law. This course prepares students a deeper insight into not only on study of global politics and international law, and but also provide a farsighted idea of todays’ issues and to meet future challenges. The course is designed to introduce essential concepts, major theoretical perspectives and basic mechanisms of international relations and international law, allowing students to communicate issues in world politics effectively in group work and individually, in oral as well as written forms.

Upon successful completion of this course, students should be able to:

1. demonstrate a comprehensive understanding over the major concepts, theories, and cases in the development of international relations and international law;
2. describe and analyze the evolution of the international system, and transformation of the international law in the 21st Century;
3. critically assess different theoretical approaches to international relations and apply various concepts into the practice of the international laws;
4. engage into the debates of those controversial cases in international politics and present their distinctive viewpoints with evidence-based knowledge;
5. situate international laws in the context of international relations and global governance.

If possible, seminar by invited guest will be arranged to provide students with insights into the debates and controversies in contemporary global political order.
Teaching Pattern and Methods

The class includes both **ELEVEN lecture sessions** and **SIX presentation sessions**:

a. **Lectures (2-3 hours/session, 11 sessions in total)** focus on the introduction and explanation of key concepts, theoretical frameworks and critical analysis of global political order, with illustrations by referring to current issues and examples in local, regional and international level whenever appropriate. In order to draw students’ attention on the scholarship of IR and IL, course instructor will first introduce the history, concepts and theories about IR and IL. Following the introduction, the course instructor will then begin to discuss the cases in different selected areas. Case studies on online platforms and communities are included.

b. **Presentation Sessions (1 hour/session, 6 sessions in total)** provide students with the opportunity to review the concepts and theories acquired in lectures to real-life current issues and debates in contemporary global political order. Students are required to give a small group presentation, and a class discussion of cases and problems will be held afterwards. Students have to form groups with **4-5 students** and work out their presentation questions / case analysis under the **assigned topics of study**. Each short presentation will last for **about 25-30 minutes**.

Learning Materials

a. **PowerPoint Slides** - The PowerPoint slides for the lectures will be uploaded on Blackboard **before the lectures scheduled**. Students are required to read the PowerPoint slides before the lecture so as to establish a basic understanding of the lecture topic.

b. **Required Readings** - Required readings will be available for downloading from the Blackboard. Students are advised to read and study all the assigned readings.

c. **Supplementary Lecture Notes (on Selected Topics)** - Lecture notes on selected topics will be uploaded on Blackboard **after the lectures**. Students are required to study the lecture notes in details which would provide a good basis or preparing tutorial presentation, group paper and final examination.

d. **External Resources** - Students should read quality report of current issues and to keep close touch with the latest developments in global politics. Students are also advised to read the international newspapers and periodicals, such as **Economists** and **Financial Times** etc. regularly to make themselves aware the latest controversies and debates in modern world economy.
### Lecture and Presentation Schedule

**a) Lecture Schedule and Indicative Content**

**Time & Venue:** Tuesday, 14:30-17:15 @ Wu Ho Man Yuen Bldg 405

<table>
<thead>
<tr>
<th>Week</th>
<th>Date</th>
<th>Lecture Theme</th>
<th>Indicative Content</th>
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<tbody>
<tr>
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<tr>
<td><strong>Part I: A Theoretical Framework in Understanding International Law</strong></td>
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<tr>
<td>1</td>
<td>7 Jan (Tue)</td>
<td>Housekeeping</td>
<td>- Course Introduction</td>
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<tr>
<td>2</td>
<td>14 Jan (Tue)</td>
<td>The Nature and Sources of International Law (by Kalvin Fung)</td>
<td>- Sources of International Law</td>
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<td>- Customs and Treaties</td>
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<td>3</td>
<td>21 Jan (Tue)</td>
<td>Major IR Theories on International Law (by Raymond Yuen)</td>
<td>- ‘Realism’, ‘Liberalism’ ‘Social Constructivism’</td>
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<td>- State Compliance</td>
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<td><strong>Part II: Substantive Issues in International Relations and International Law</strong></td>
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<td>4</td>
<td>28 Jan (Tue)</td>
<td>Chinese New Year Public Holiday</td>
<td>- NO CLASS</td>
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<tr>
<td>5</td>
<td>04 Feb (Tue)</td>
<td>Sovereignty in Post-Westphalian Order (by Raymond Yuen)</td>
<td>- The ‘Westphalian’ and ‘Post-Westphalian’ Order</td>
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<td></td>
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<td>- Sovereignty, Statehood &amp; Recognition</td>
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<td>- ‘Separatism’ and ‘Self-Determination’</td>
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<td>6</td>
<td>11 Feb (Tue)</td>
<td>Human Right Regime (by Kalvin Fung)</td>
<td>- Sovereignty and Human Right</td>
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<td>- From Humanitarian Intervention to “R2P” (Responsibility to Protect) in the post-Cold War era</td>
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<td>- Diffusion and Institutionalization of Human Rights</td>
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<td>7</td>
<td>18 Feb (Tue)</td>
<td>International Organization and Global Governance (by Kalvin Fung)</td>
<td>- Global Governance</td>
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<td>- Evolution of ‘World Government’</td>
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<td>- Structures and capacities of IOs</td>
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<td>- United Nations: a success or failure in promoting international law</td>
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<td>8</td>
<td>25 Feb (Tue)</td>
<td>Regional organizations (by Kalvin Fung)</td>
<td>- Legal status of regional organizations</td>
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<td>- Regional Organizations: law/norm-taker or law/norm-maker?</td>
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<td>- Comparing Inter-governmental Organizations (e.g. ASEAN) and Supra-national Organizations (e.g. EU)</td>
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<td>9</td>
<td>03 Mar (Tue)</td>
<td>The Law of the Sea (by Kalvin Fung)</td>
<td>- Importance of Territorial Integrity</td>
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<td>- UNCLOS and South China Sea disputes</td>
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<td>- Territorial Disputes: Diaoyutai Islands / Senkaku Disputes</td>
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<td>- <strong>Group A: Sovereignty in Post-Westphalian Order</strong></td>
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### Session 10: 10 Mar (Tue)

**ICJ and Peaceful Settlement of Territorial Disputes (I)**  
*by Raymond Yuen*

- Interstate Disputes & Their Settlement  
- The Role and Jurisdiction of International Court of Justice  
  ❖ **Group B: Diffusion of Human Right Regime**

### Session 11: 17 Mar (Tue)

**ICJ and Peaceful Settlement of Territorial Disputes (II)**  
*by Raymond Yuen*

- The Politics of ICJ on Territorial Disputes  
  ❖ **Group C: International and Supranational organizations**

### Session 12: 24 Mar (Tue)

**Global Environmental Governance**  
*by Raymond Yuen*

- Global Climate Change Regime: Conference of Parties (COP) & UN Framework Convention on Climate Change (UNFCCC)  
- Multilateral Environmental Agreements: Kyoto Protocol & Paris Agreement  
- Climate Finance and Innovation  
  ❖ **Group D: The Law of the Sea**

### Part III: Revision and Final Quiz

#### Week 13: 31 Mar (Tue)

**Reading Week**

- NO CLASS

#### Week 14: 07 Apr (Tue)

**Presentation and Revision Session**

❖ **Group E: ICJ & Peaceful Settlement of Territorial Disputes**  
❖ **Group F: Global Environmental Governance**

#### Week 15: 14 Apr (Tue)

**Final Quiz**

- ALL TOPICS

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**b) Areas and Sample Topics for Group Presentation and Report**

Students are expected to form groups and give presentations for assessing critical policy, incident and governance issues confronting the global political order by applying relevant concepts and approaches in the study of global politics.

<table>
<thead>
<tr>
<th>Session</th>
<th>Lecture Topic / Project Area</th>
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<tbody>
<tr>
<td>Week 09</td>
<td>Sovereignty in Post-Westphalian Order</td>
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<tr>
<td>Week 10</td>
<td>Diffusion Human Right Regime</td>
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<tr>
<td>Week 11</td>
<td>International &amp; Supranational Organizations</td>
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<tr>
<td>Week 12</td>
<td>The Law of the Sea</td>
</tr>
<tr>
<td>Week 14</td>
<td>The ICJ &amp; Peaceful Settlement of Conflict</td>
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<tr>
<td>Week 14</td>
<td>Global Environmental Governance</td>
</tr>
</tbody>
</table>
Assessment: Grading and Requirements

Students are required to make presentations or to have other forms of contributions as well as to participate in group discussions during the class. Generally, assessment of student performance will be based on the following TWO parts:

**Formative Assessments: 60%**

This part includes ‘oral presentation’ (20%), ‘written report’ (30%) and ‘attendance & participation’ (10%). It is **MANDATORY** for students to attend all presentation sessions and attempt all the coursework assignments.

1. **Oral Presentation (*Group) (15%) + Discussants (5%)**

   Group project aims to allow the students to put their knowledge to practice. Students will form groups to work on presentation and final project (each team comprising around 3 to 4 members), they have **to critically and thoroughly analyze a global problem or dispute and the relevant international laws** in relation to one of the selected topics. Each team is required to give a **30-minute oral presentation** on an assigned topic in English, followed by a question and answer session and further discussion in the class. Apart from the presentation team, another team of students is assigned as **Discussants**. The role of the discussants is to critically review the presentation by questioning and commenting upon the ideas presented by the presentation team. Following this **question and answer session** by the discussants (around 15 minutes), there is an open discussion by the whole class.

2. **Written Report (*Group) (30%)**

   Following the oral presentation, the presentation team submits a **group project paper** on the presentation topic. The paper should be not less than **3500-4000 words** in length (excluding footnotes, bibliographies and appendices) and typed in one-and-a-half line spacing. It should be properly referenced according to established academic rules and plagiarism is strictly prohibited. A table setting out the division of work amongst the presentation team should also be attached at the end of the paper for individual assessment. Students should submit their paper (in hard copy) two weeks after the group presentation. Late submission will be penalized unless prior permission has been obtained from the lecturer or tutor.

3. **Class Attendance and Participation (*Individual) (10%)**

   Students can learn from each other that how their classmates think on specific global issues and broaden their scope of perspective in order to learn how to analyze global issues through the international legal framework. Up to 10% can be given to students with **active, outstanding and quality participation in lectures and class discussions**!

   Students are encouraged to be active in class discussions, debates, classmates’ presentations and other activities. Participation will also be a factor of consideration in rounding up or down students’ grade in borderline cases in other components of assessment. Attendance in class is mandatory, roll call for every class, but mere attendance without participation will lead to low score (≤3).
Final Quiz: (to be held on Week 15): 40%

TWO hours; the final quiz will take the form of **multiple-choice questions** and **essay-typed questions**. Details in due course. You must take the final quiz in order to pass this course. It aims to test students’ understanding of **basic concepts and theories about international relations and international law**, and more importantly, students’ ability to **analyze international legal issues** of in a systematic and critical way.

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**Required / Essential Readings**

**(a) Textbooks:**


**(b) More advanced texts**

[ALL of these books contain discussion beyond the level expected of this course. For your further study.]

• Besson, Samantha and Tasioulas, John, eds. The Philosophy of International Law, (Oxford: Oxford University Press, 2010).

(c) Useful references:
You may also find the following Internet resources useful:

Academic journals (available in CUHK Library) - You may find the journals with asterisks (*) contain relatively easy and non-technical (i.e. non-quantitative) articles.
- Asian Survey* [contains mostly qualitative/historical analysis on international and domestic politics in Asia]
- International Affairs* [published by Royal Institute of International Affairs, UK]
- International Organization [a renowned journal on world politics]
- International Relations of Asia Pacific [full text available in EBSCOhost]
- Issues and Studies* [a journal published in Taiwan; note English and Chinese versions have different content]
- Journal of East Asia* [specialized journal on the political issues of East Asia]
- The Pacific Review* [a journal that specializes on IR and political economy in the Asia-Pacific region]
- World Politics [this journal covers not just IR but also comparative politics]
- Global Governance [full text available in EBSCOhost]
- Global Society [full text available in EBSCOhost]

News – note that no media are completely impartial or neutral
- BBC World News: http://www.bbc.co.uk
- The Huffington Post: http://www.huffingtonpost.com

Magazines – the following considered authoritative, but not necessarily impartial
- Newsweek: http://www.newsweek.com
- Time Magazine: http://time.com
- The Economist: http://www.economist.com [see esp. their special reports, under print edition on the website]
- Foreign Affairs: http://www.foreignaffairs.com
- Foreign Policy: http://foreignpolicy.com

Databases and encyclopedia – useful starting points for research
- LexisNexis Academic (Newspapers Database - full text available)
- Google Scholar: http://scholar.google.com [useful search engine for academic articles]
- WiseNews / WiseSearch at CUHK library

Organizations – check especially their sections on “research” and “publications”
- Brookings Institution: http://www.brookings.edu
- Carnegie Endowment for International Peace: http://carnegieendowment.org [The above two are arguably the most influential US think tanks; Carnegie specializes international affairs.]
- Royal Institute of International Affairs (Chatham House): http://www.chathamhouse.org
- Woodrow Wilson Centre to International Scholars: http://www.wilsoncenter.org [Very useful one-stop website in IR: region-by-region with commentaries, news clip and background information]
- World Trade Organization: http://www.wto.org
- International Monetary Fund: http://www.imf.org
- Bretton Woods Project: http://www.brettonwoodsproject.com
- World Health Organization: http://www.who.int
- International Labour Organization: http://www.ilo.org
- Asia Pacific Economic Cooperation: http://www.apec.org
- Association of South East Asian Nations http://aseanec.org
- The Glocal: http://www.glocal.org.hk [supported by Roundtable]
Teaching Plan and Readings

The following required readings only serve as the recommended references for this subject and you are encouraged to go to the library to explore other references on your own. Please feel free to consult the instructor as and when necessary. **Readings with asterisk** are **required references** that are most pertinent to part of the final quiz.

Notes:
1. This is a tentative keyword syllabus. We may adjust the pace and coverage based on your progress.
2. Always start with Dixon and Janis, and then read the rest as much as you can.
3. For full citations of the publications, please refer to the above.

### Part I: A Theoretical Framework in Understanding International Relations and International Law

#### Week 01: Housekeeping
Focus: To introduce course logistic and topics on IRIL

Suggested readings:
- *Dixon (2007), Ch.1.*
- Klabbers (2013), ch.1.

Optional readings:

#### Week 02: The Nature and Sources of International Law
Focus: To introduce major sources of international law, e.g. customs and treaties

Suggested readings:
- *Dixon (2007), Ch.2, 3 & 4.*
- *Janis (2003), Ch.2-3.*
- Malanczuk (1998), Ch.3-4.
- Klabbers (2013), ch.2-3.

Optional readings:
- James Rosenau, Governance Without Government, Cambridge University Press, 1992,
Chapter 1.
- Vienna Convention, Arts. 19-22.

**Week 03: Major Theories on International Law and State Compliance**

Focus: ‘Realism’, ‘Liberalism’ and ‘Social Constructivism’

Suggested readings:

Optional readings:

**Part II: Substantive Topics in International Law**

**Week 05: Sovereignty in Post-Westphalian Order**

Focus: Sovereignty, Statehood and Recognition

Suggested readings:
- **Dixon (2007), Ch.5, 6 & 7.**
- **Janis (2003), Ch.6 & 10.**

Optional readings:

Week 06: Human Right Regime
Focus: Diffusion and Institutionalization of Human Rights

Suggested readings:
• *Dixon (2007), ch.12.
• Klabbers (2013), ch.6.
• Universal Declaration of Human Rights.

Optional readings:
Week 07: International Organizations and Global Governance
Focus: Global Governance, United Nations and its limitations

Suggested readings:
- *Janis (2003), ch. 7(A).
- Malanczuk (1997), ch. 21, 22.
- Klabbers (2013), ch. 4.

Optional readings:

Week 08: Regional Organizations
Focus: Supranational Laws: EU Law as an example, Comparing ASEAN and EU

Suggested readings:
- Klabbers (2013), ch. 4, 16.

Optional readings:

**Week 09: The Law of the Sea**
Focus: The Diaoyutai / Senkaku Dispute as a Case Study

Suggested Reading:
- *Dixon (2007), ch.8.*
- *Janis (2003), ch. 7(B).*

Optional readings:

**Week 10&11: ICJ & Peaceful Settlement of Territorial Disputes (I&II)**
Focus: The International Court of Justice, Humanitarian Intervention and “R2P” (Responsibility to Protect)

Suggested readings:
- Klabbers (2013), ch.8, 10-11.
- UN General Assembly Resolution 3314 (on the definition of aggression) (including annex).

Optional readings:
**Week 12: Global Environmental Governance**

Focus: Global Climate Change Regime, Multilateral Environmental Agreements and Climate Finance and Innovations

Suggested readings:
- *Malanczuk (1997)*, ch.16.

Optional readings:
Academic Dishonesty and Plagiarism Policy

Attention is drawn to University policy and regulations on honesty in academic work, and to the disciplinary guidelines and procedures applicable to breaches of such policy and regulations. Details may be found at http://www.cuhk.edu.hk/policy/academichonesty/.

With each assignment, students will be required to submit a signed declaration that they are aware of these policies, regulations, guidelines and procedures.

In the case of group projects, all students of the same group should be asked to sign the declaration, each of whom is responsible and liable to disciplinary actions should there be any plagiarized contents in the group project, irrespective of whether he/she has signed the declaration and whether he/she has contributed directly or indirectly to the plagiarized contents.

For assignments in the form of a computer-generated document that is principally text-based and submitted via VeriGuide, the statement, in the form of a receipt, will be issued by the system upon students' uploading of the soft copy of the assignment.

Assignments without the properly signed declaration will not be graded by teachers. Only the final version of the assignment should be submitted via VeriGuide.

The submission of a piece of work, or a part of a piece of work, for more than one purpose (e.g. to satisfy the requirements in two different courses) without declaration to this effect shall be regarded as having committed undeclared multiple submission. It is common and acceptable to reuse a turn of phrase or a sentence or two from one’s own work; but wholesale reuse is problematic. In any case, agreement from the course teacher(s) concerned should be obtained prior to the submission of the piece of work.

Course Rules and Communication

- Students are required to visit the Blackboard platform and check their CUHK E-mail accounts on a regular basis for on-going communications and instructions from the Instructor.
- Please upload all your assignments through the Veriguide system. In addition, please submit a hardcopy to the instructor via the general office of global studies section.
- Attendance requirement: students are required to attend classes. Failure to attend classes on a regular basis may result in failure of the course.

BSSc Programme in Global Studies (GLSD),
Faculty of Social Science, CUHK
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