

International Law & Global Governance

Prof. Ching-Fu Lin
TSMC 834 / Fridays 10:10-12:00

Syllabus* – 2020 Fall ILST

I. Course Description

This seminar addresses emerging challenges of international law and governance in a globalized world. By exploring the concepts of international law, theorizing legal order beyond the State, and reconstructing an informed approach to studying specific issue areas, this seminar leads students to reflect upon normative power wielded by both States and non-State actors in the era of fluid boundary and authority.

II. Assignments and Grading

Each student is required to finish all the assigned readings in advance and participate actively in class. Class participation includes but is not limited to discussion of readings, comments on each other's proposals/papers, and brainstorming/theorizing different international law & global governance approaches, which will account for 50% towards the final grade.

The other 50% of the grade will be given based on the short research paper (of around 8,000 words) each student submits at the end of the semester. Each student will be offered an opportunity to present her/his topic, research questions, methodologies, and outline of the paper in the *first half* of the semester. In the *second half* of the semester, each student will be required to present and criticize in detail another student's full paper. Please noted that such research papers shall be well researched, fully and correctly referenced, and written in a proper format.

II. Class Schedule

| Sessions | Description |
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| 9/18 | Course Introduction <ul style="list-style-type: none">➤ Course description, assignments and grading criteria.➤ List of enrolled students confirmed; sign up weeks for presentations/comments.➤ Distribution of course readings.➤ A special note on academic ethics and the issue of plagiarism. |

* Tentative and subject to further changes.

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| 9/25 | <p>Fundamentals I</p> <ul style="list-style-type: none"> ○ In-depth discussion on selected pieces of literature; no presentation yet active class participation (on the basis of a thorough review of the assigned readings) is <u>mandatory</u>. ○ Jan Klabbers, <i>Theorizing International Organizations</i>, in OXFORD HANDBOOK OF THE THEORY OF INTERNATIONAL LAW 618, 618-34 (Anne Orford & Florian Hoffmann eds. 2016). ○ KENNETH W. ABBOTT ET AL., <i>Orchestration: Global Governance Through Intermediaries</i>, in INTERNATIONAL ORGANIZATIONS AS ORCHESTRATORS 3, 3-36 (2015). ○ SHAHAR HAMEIRI & LEE JONES, <i>Security and Governance: Existing Approaches</i>, in GOVERNING BORDERLESS THREATS: NON-TRADITIONAL SECURITY AND THE POLITICS OF STATE TRANSFORMATION 15, 15-50 (2015). ○ [Optional] AMITAV ACHARYA, <i>Rethinking Demand, Purpose and Progress in Global Governance: An Introduction</i>, in WHY GOVERN? RETHINKING DEMAND AND PROGRESS IN GLOBAL GOVERNANCE 1, 1-27 (2016). |
| 10/2 | Moon Festival – No Class |
| 10/9 | National Day – No Class |
| 10/16* | <p>Fundamentals II</p> <ul style="list-style-type: none"> ○ TERENCE C. HALLIDAY & GREGORY SHAFFER, <i>Transnational Legal Orders</i>, in TRANSNATIONAL LEGAL ORDERS 3, 3-72 (2015). ○ Rachel Brewster, <i>Unpacking the State's Reputation</i>, 50 HARV. INT'L L.J. 231 (2009). ○ [Optional] Harold Hongju Koh, <i>Transnational Legal Process</i>, 75 NEB. L. REV. 181 (1996). |
| 10/23 | <p>Fundamentals III</p> <ul style="list-style-type: none"> ○ Michael P. Vandenbergh, <i>The New Wal-Mart Effect: The Role of Private Contracting in Global Governance</i>, 54 UCLA L. REV. 913 (2007). ○ Burkard Eberlein et al., <i>Transnational Business Governance Interactions: Conceptualization and Framework for Analysis</i>, 8 REG. & GOVERNANCE 1 (2014). |
| 10/30 | <p>Fundamentals IV</p> <ul style="list-style-type: none"> ○ Benedict Kingsbury et al., <i>The Emergence of Global Administrative Law</i>, 68 L. & CONTEMP. PROBS. 15 (2005). ○ JOOST PAUWELYN, <i>Informal International Lawmaking: Framing the Concept and Research Questions</i>, in INFORMAL INTERNATIONAL LAWMAKING 13, 13-34 (2012). |

* There may be a change of date for this session (TBD in class).

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| | <ul style="list-style-type: none"> ○ Kal Raustiala, <i>Form and Substance in International Agreements</i>, 99 AM. J. INT'L L. 581 (2005). |
| 11/6 | <p>Preliminary Discussion on Paper Proposals I</p> <ul style="list-style-type: none"> ➤ Each student is expected to present her/his paper proposal, including its topic/title, research questions, initial literature review, methodologies, and outline. The presentation shall be limited to <u>15 minutes</u>. ➤ All the other students shall give comments and/or raise questions on the presented paper proposals, and engage in subsequent discussions. ➤ Students are encouraged to incorporate the comments and questions received during the session of the class into her/his paper. ➤ 2-3 proposals each week. |
| 11/13 | <p>Preliminary Discussion on Paper Proposals II</p> |
| 11/20 | <p>Midterms</p> |
| 11/27 | <p>Paper Writing</p> <ul style="list-style-type: none"> ➤ No physical attendance to class required. ➤ Students are advised to seek further guidance from the instructor in the process of writing. ➤ A full draft (of at least 6,000 words) shall be finished and submitted <u>a week before</u> the scheduled discussion session so as to allow the commentator to carefully read and formulate critiques on the paper. Any delay will result in deduction of grades. ➤ Additional literature/references are available upon request to the Teaching Assistant. |
| 12/4 | <p>Paper Writing</p> |
| 12/11 | <p>Paper Writing</p> |
| 12/18 | <p>Roundtable Discussion on Papers I</p> <ul style="list-style-type: none"> ➤ Each student will present <u>and</u> criticize in detail another student's full paper. The presentation shall be limited to <u>25 minutes (preferably, 15 minutes for introduction and 10 minutes for critiques)</u>. ➤ All the other students shall engage in subsequent discussion. ➤ Students are encouraged to incorporate the comments and questions received during the session of the class into her/his paper. ➤ 2 papers each week in general. |
| 12/25 | <p>Roundtable Discussion on Papers II</p> |

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| 1/1 | New Year's Day – No Class |
| 1/8 | Roundtable Discussion on Papers III |
| 1/11 | Finals |