

Department of Social and Political Sciences
Fall Trimester 2019

1. Politics Across the Globe
(6 ECTS credits, MA, module-no. 1565)

Lecturer: Dr. Endre Danyi

Time: On Mondays, 15:00 – 16:30

Content:

In the era of rapid climate change, there is a strong and urgent need to develop political processes and institutions that are capable of operating beyond the level of nation states. This lecture series aims to provide an overview of various attempts to conceptualize democracy / democratic politics on a global scale. Through the notions of cosmopolitanism, cosmopolitics and 'the uncommons', the lectures examine how 'difference' has been handled in various practices aiming at doing politics across the world – or, more appropriately, across worlds. They do so by juxtaposing the works of such renowned political theorists, sociologists, philosophers of science and cultural anthropologists as Ulrich Beck, Mario Blaser, Marisol de la Cadena, Philippe Descola, David Held, Bruno Latour, John Law, Isabelle Stengers and Eduardo Viveiros de Castro. This master's course is part of the module 'Globalisation and Mobility' and runs weekly between the 14th October to the 9th December 2019.

Literature:

Beck, Ulrich. 2014. *Cosmopolitan Vision*. Polity Press.

de la Cadena, Marisol, and Mario Blaser. 2018. *A World of Many Worlds*. Duke University Press.

Descola, Philippe. 2013. *Beyond Nature and Culture*. University of Chicago Press.

Latour, Bruno. 2018. *Down to Earth: Politics in the New Climatic Regime*. Polity.

Stengers, Isabelle. 2010. *Cosmopolitics I*. University of Minnesota Press.

Viveiros de Castro, Eduardo. 2004. "Perspectival Anthropology and the Method of Controlled Equivocation." *Tipiti Journal of the Society for the Anthropology of Lowland South America* 2 (1): 3–22.

2. Sociotechnical Aspects of Globalization
(6 ECTS credits, MA, module-no. 1565)

Lecturer: Dr. Endre Danyi

Time: On Tuesdays, 15:00 – 16:30, October 1, 2019 – December 10, 2019

Content:

Globalization has often been discussed as a process of 'scaling up', as if the global was the largest or highest level of analysis of social phenomena. Inspired by a wide range of works in cultural anthropology, human geography and the sociology of science and technology, this course intends to disrupt this line of 'scalar' reasoning by examining how the global can be thought of as the effect of diverse, inherently local sociotechnical practices. More specifically, the seminars discuss what versions of 'the globe' are inscribed into the infrastructures of global modernity, from the management of pandemics through the architecture of the internet to the governance of climate change.

Examination Requirements:

This master's seminar is part of the module 'Globalisation and Mobility', and takes place on a weekly basis from the 1st October to the 10th December 2019. The final grade comprises of regular

attendance and active participation in the seminars (25%), in-class presentations (25%) and a final paper of 6-8000 words.

Literature:

Edwards, Paul N. 2010. *A Vast Machine*. MIT Press.

Latour, Bruno. 2018. *Down to Earth: Politics in the New Climatic Regime*. Polity.

Law, John. 2004. "And if the Global Were Small and Noncoherent? Method, Complexity, and the Baroque." *Environment and Planning D: Society and Space* 22 (1): 13–26.

Merry, Sally Engle. 2011. "Measuring the World." *Current Anthropology* 52 (S3): S83–S95.

Ong, Aihwa, and Stephen J Collier. 2004. *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*. Wiley-Blackwell.

Tsing, Anna Lowenhaupt. 2012. *Friction: an Ethnography of Global Connection*. Princeton University Press.

3. "International Dispute Settlement in Practice – Law, Politics and Power"

(7 ECTS credits, MA, module-no. 3766)

Workload 210 hours

Lecturers: Prof. Christina Binder, Dr. Hofbauer

Time: On Mondays, 11:30 – 14:45

Content:

The course will focus on a legal analysis of several decisions rendered by international courts and tribunals during the last decade and put the legal issues in their political context. International affairs and politics continuously shape international law. Up until the early 20th century, international law in fact was not seen as a separate discipline but rather a continuation of politics at the international level. Yet, international law binds states and creates rights and obligations for its subjects. Can political conflicts be settled by law? To which extent is the power of states curtailed by international dispute settlement? When and how do judges show restraint/activism when deciding disputes pending before them? These questions will be answered by the close reading of international case-law.

Syllabus:

- First session
 - o Introduction to class / distribution of topics
 - o Introduction to international law (English legal terminology)
 - o Introduction to the means of dispute settlement
 - o Reading and materials:
 - Merrills, *International Dispute Settlement* (5th ed, 2011)
 - Ppt

- Second session
 - o The ICJ
 - o The sources of international law
 - o International dispute settlement and the political context
 - o Untangling an ICJ decision
 - o Reading and class discussion:
 - US National Security Adviser John Bolton's remarks to Federalist Society (10 September 2018)

- Third session

- Sovereignty in international law
 - Shift from Westphalian bilateralism to community interests – sovereignty as permissive (Lotus), restrictive role of sovereignty in IL (particular emphasis on dispute settlement)
 - Sovereignty and due diligence
 - Corfu Channel
 - Bannelier/Christiakakis/Heathcote (eds.), *The ICJ and the Evolution of Intern. Law – The Enduring Impact of the Corfu Channel Case*, 2012
 - Sovereignty and methods of warfare
 - Nuclear Weapons
 - Ouchi, 'The Threat or Use of Nuclear Weapons: Discernible Legal Policies of the Judges of the International Court of Justice', 13 *Connecticut Journal of International Law* 107 (1998-1999).
 - Sovereign respect
 - Jurisdictional Immunities
 - Krajewski/Singer, 'Should Judges be Front-Runners? The ICJ, State Immunity and the Protection of Fundamental Human Rights', 16 *Max Planck Yearbook of United Nations Law* 1 (2012).
- Fourth session
- Armed conflict/use of force/interventions in international law
 - Nicaragua
 - Norton, 'The Nicaragua Case: Political Questions Before the International Court of Justice', 27 *Virginia Journal of International Law* 459 (1986-1987).
 - Armed Activities
 - Sinclair, "'The Ghosts of Colonialism in Africa": Silences and Shortcomings in the ICJs 2005 Armed Activities Decision', 14 *ILSA Journal of International and Comparative Law* 121 (2007-2008).
 - Green, 'The Great African War and the Intervention in Uganda and Rwanda in the Democratic Republic of Congo – 1998-2003', in Ruys/Corten/Hofer (eds.), *The Use of Force in International Law – A Case-Based Approach* (2018) 575.
- Fifth session
- Cont. armed conflict/use of force in international law
 - Armed conflict/use of force/interventions as a preliminary/underlying question
 - Tehran Hostages
 - Janis, 'The Role of the International Court in the Hostages Crisis', 13 *Connecticut Law Review* 236 (1981).
 - Forteau/Ying Xiu, 'The US Hostage Rescue Operation in Iran – 1980', in Ruys/Corten/Hofer (eds.), *The Use of Force in International Law – A Case-Based Approach* (2018) 306.
 - Oil Platforms
 - Young, 'Destruction of Property (on an International Scale): The Recent Oil Platforms Case and the International Court of Justice's Inconsistent Commentary on the Use of Force by the United States', 30 *North Carolina Journal of International Law and Commercial Regulation* 335 (2004).
 - Bosnian Genocide
 - Dimitrijevic/Milanovic, 'The Strange Story of the Bosnian Genocide Case', 21 *Leiden Journal of International Law* 65 (2008)
- Sixth session
- Framing a legal question in consideration of political implications
 - Wall
 - Araujo, 'Implementation of the ICJ Advisory Opinion – Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory: Fences (do not) Make Good Neighbors?', 22 *Boston University International Law Journal* 349 (2004).
 - Kosovo

- Christakis, 'The ICJ Advisory Opinion on Kosovo: Has International Law Something to Say About Secession?', 24 Leiden Journal of International Law 73 (2011).
- Seventh session
 - Repetition
 - Discussion
 - Which cases are brought to court and why?
 - How does the Court understand/exercise its judicial function?
 - Which political factors influence "judicial minimalism"?
 - What extra-legal factors play a role in how the court formulates an argument?
 - When does the ICJ display "judicial activism"?
 - How is the development and specification of IL fostered by judicial proceedings?
 - What are the fundamentals of IL and how have they changed?
 - What is the role of compliance in determining the Court's effectiveness?

Examination Requirements:

The course is structured into lectures and exercises, inter alia covering the following topics: politics and international dispute settlement; sovereignty in international law; armed conflict situations in international dispute settlement... Particular focus is placed on the International Court of Justice, as the principal judicial organ of the United Nations. Students are expected to present a case (will be assigned in the first lecture) and participate in discussions. Please note that the class and presentations will take place in English, though the final exam may be written in German.

Students are provided with basic reading materials on their respective cases, but are expected to conduct further research. Reading materials will be made available online. In preparation for class, a basic understanding of international law and dispute settlement is recommended. See inter alia JG Merrills, *International Dispute Settlement* (5th edition, 2011).

Exam: sP-90 (90 min written examination) (70%) and case presentation (30%)

4. "Decolonization in West Africa"
(6 ECTS credits, BA, module-no. 1415)

Lecturer: Dr. Tobias Wolffhardt

Time: On Thursdays, 11:30 – 13:00, October 10, 2019 - December 12, 2019

Content:

The late 1950s and early 1960s saw the end of both the British and French Empires in West Africa. The formation of new nation states during that period was accompanied by the circulation of sometimes conflicting visions of an independent future. Based on an introduction into the process of constitutional decolonization, this seminar will give insights into the history of political ideas connected with these developments. Among the topics discussed will be concepts such as the nation state, imperial citizenship, Pan-Africanism and the idea of post-colonial development.

Examination Requirements:

regular reading (c.30 pages per week); presentation (c.15 min); term paper (4000-6000 words)

Literature (selected):

Adi, Hakim, *Pan-Africanism. A History*. London; New York 2018;

Chafer, Tony, *The End of Empire in French West Africa. France's Successful Decolonization?* Oxford, New York 2002;

Cooper, Frederick, *Citizenship between Empire and Nation. Remaking France and French Africa, 1945-1960*. Princeton 2014;

Cooper, Frederick, *Africa since 1940. The Past of the Present (New Approaches to African History)*. Cambridge; New York 2002.