

## Political Science 3201 – International Law

<b>Course Title:</b>	International Law
<b>Day:</b>	Monday
<b>Time:</b>	10:30-12:20
<b>Location:</b>	WIRB-1170

<b>Instructor:</b>	Dan Bousfield
<b>Office Hours:</b>	Monday 8:30-10:20AM, Wednesday 8:30-10:20AM
<b>Office Location:</b>	SSC 4164
<b>Email:</b>	dbousfie@uwo.ca
<b>Text only phone</b>	289-six20-6665
<b>Skype/facetime</b>	danbousfield@outlook.com
<b>Twitter/Periscope</b>	@uwo_teach #P3201
<b>Facebook group</b>	<a href="#"><i>Optional</i></a>

### Prerequisite(s):

Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

Anti-Requisites: POLS 3345, POLS 3369

### Introduction:

This course will help you critically assess the political perspectives on contemporary issues in international law. This course will help you explore the theoretical perspectives on international law, as well as key issues, debates and topics. We will address a range of issues in International law including dispute settlement, terrorism, and international impunity, the law of the sea, environmental protection and human rights. Drawing on insights of international relations, this course will explore both theories and issues of international law in the contemporary world.

### Learning Objectives:

Through this course all students will have the opportunity to:

- Identify the implicit assumptions and ideas of key international legal mechanisms
- Evaluate a specific international court ruling and explain its relevance
- Acquire a historical context of existing international legal decisions
- Identify a specific international legal dilemma and apply a critical framework to assess likely policy outcomes

Through this course some students will have the opportunity to:

- Participate in a community-engaged scholarship opportunity with real world actor dealing with a contemporary international legal issue.

### Course Materials

All readings are available on-line, on 2-hour reserve, or in the periodical section at the Weldon or Law Libraries.

### Methods of Evaluation

Attendance – 10%	Participation 10%
Debate or CEL 12.5% - Mandatory Signup by Jan 20	Essay 40% - Due March 16, 2020
Exam 27.5% - During Exam Period	

Attendance 10% of final course grade. Participation 10% of final course grade.

Students are expected to attend and participate consistently and effectively in the work of their respective groups. Presentation marks cannot be received without attendance marks. Class discussions are an opportunity to engage with the ideas and concepts presented in the course through discussion and presentation. (See 'Guidelines for Success' below). Students have the option of receiving their participation mark for any individual class by writing a single page (250 word) response to one or all of the week's readings. The response should reflect on the content of the readings rather than summarize them, and discuss interesting points of contention or debate. To receive a participation grade for any one class (to a maximum of 10), students must email their summary to [dbousfie@uwo.ca](mailto:dbousfie@uwo.ca) on the exact day of the lecture. Only files received from 12:00am to 11:59pm on day of lecture will be marked (i.e. Jan 6, 13, 20, 27; Feb 3, 10, 24; Mar 2, 9, 16, 23, 30). The subject line of the email MUST read "POLS 3201 Response Paper –Student Name - Student Number" or the assignment will not be marked.

Debate (or CEL; see below): 12.5% of final grade.

Students must sign up for a presentation by January 20<sup>th</sup> or they forfeit their grade.

In teams of two ONLY, students should pick a specific case related to their area of interest from the legal briefs provided on week one. The debate should outline the key issues and points of contention and present each side coherently and convincingly to the class. Each pair should try to convey the perspective of the two sides as well as the actual outcome. MAXIMUM 5 MINUTES.

The presentation should highlight:

1. Key parties involved
2. Relevant context (or legal mechanisms) related to the issue
3. Arguments put forward on each side
4. Cases in support of each side
5. Resolution of the case and the implications

Only one group presentation will be allowed in-class per week. The remaining students will need to upload their presentation in an accessible and clear format (such as a powtoon, youtube or vimeo video) for each week they sign up. Students must present on the week they sign up or else they forfeit their grade. Students are encouraged to think creatively about how they will present the debate and presentations may take alternative formats as long as they accomplish the requirements outlined above. In order to receive an individual mark students must email a short (200 word) summary of their role in the debate preparation and execution, assessing their groups' strengths and weaknesses to [dbousfie@uwo.ca](mailto:dbousfie@uwo.ca) with the Title: '3201 Presentation Summary'.

CEL: 12.5% of final grade (maximum 15 students) A few students will have the option of participating in a Community Engaged Learning (CEL) opportunity with an offsite organization involved in international legal issues. Students must submit an application in-class for the opportunity to participate and will be graded on their completion of the online-check in with the student success center, their successful completion of their placement and a short (750 word) reflective summary that links their work with the CEL to class content.

Essay: 40% of final grade, due March 16, 2020 in OWL under 'assignments'.

Length: 3,000 words, typed and double spaced. Pages should be numbered and the type font should be no smaller than 12 characters per inch (e.g. Arial 12). Drafts may be reviewed by the instructor up to March 13, 2020. After that date, no drafts will be reviewed.

Topics: Students choose their own essay topics but such choices must be approved by the instructor either in-person or over e-mail. If you are thinking of pursuing further legal studies, try to choose a topic that is unique that will differentiate yourself from others. The essay topics should deal with some aspect of an international legal body, a specific incident (either historical or ongoing) and a clear perspective in the essay on why the topic matters given class discussion. The essay must have, as part of its introductory paragraph, a statement of its thesis (central argument) and a clear overview of the issues to be discussed in the paper. Moreover, the paper should reference at least one of the specific cases (i.e. a key ICJ or International legal case) discussed in the student presentations, failure to do so may result in only partial marks provided.

The Department's rules regarding plagiarism and the submission of similar essays to two or more different instructors are appended to this course outline and should be noted. (See 'Criteria for Evaluation of Written Assignments' below). Students must e-mail their final paper to [dbousfie@uwo.ca](mailto:dbousfie@uwo.ca) with the heading "POLS 3201 FINAL Paper –Student Name - Student Number" and all papers may be processed by turnitin.

Final Exam: 27.5% of final course grade. To be held during the scheduled exam period.

The final exam will be cumulative (i.e., will be based on the material covered in lectures, assigned readings, and discussions throughout the whole of the course). The exam may include both a short answer/identification component and questions requiring longer, essay-style responses. Choice of answers and an exam preparation guide may be given.

**Meeting the Requirements of the Assignment:** All written work must be submitted on time, must be of the appropriate length, must use the required number and type of resources, and, most importantly, must address the issues or questions posed in the assignment.

#### **Non-medical and medical accommodation**

Non-medical absences from class, late essays or assignments, will be subject to a 10% penalty per day (weekends included). All assignments must be completed to receive course credit. Further information is found in the Policy on Accommodation for Medical Illness (<https://studentservices.uwo.ca/secure/index.cfm>).

Accommodation for medical illness of work worth less than 10% of the total course grade will require medical documentation. If documentation is required for either medical or non-medical academic accommodation, then such documentation must be submitted directly to the appropriate Faculty Dean's office and not to the instructor. Only the Dean's office can determine if accommodation is warranted.

#### **Statement on Use of Electronic Devices**

Electronic devices will not be allowed during tests and examinations.

### **Statement on Academic Offences**

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site: [http://www.uwo.ca/univsec/handbook/appeals/scholastic\\_discipline\\_undergrad.pdf](http://www.uwo.ca/univsec/handbook/appeals/scholastic_discipline_undergrad.pdf) .

“All required papers **may** be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com ( <http://www.turnitin.com> ).”

### **Guidelines for Success in Class**

Since there seldom are definitive answers to the questions we will be asking about Canadian-US relations, and much of what you will learn in this course will be enhanced by the ideas and perspectives of your colleagues. But for this to work, everyone must participate fully and constructively. Be mindful of the following points, and you will be successful:

- Come to all classes having read the assigned readings for that week and prepared to participate in discussion. It is useful to remember that some week’s readings may be more relevant to your research interests than others, and focusing on readings that are most salient to your interests will ensure maximum usefulness in the course.
- Participate in discussions, but do not over-participate. Everyone must be given an opportunity to take part in discussions. Constructive participation involves the raising of *relevant* points and ideas. Online participation will be considered as well in participation marks.
- Demonstrate respect for the ideas presented by others at all times. This is essential to open discussion and the free exchange of ideas. This does not mean that you must agree with others. Informal debate will teach you even more about your own position while simultaneously exposing you to different viewpoints. Make use of such opportunities, but no disrespectful behavior will be tolerated.
- Raise questions when you have them. Raising useful questions counts as participation. You can use minute papers, online forums, e-mail, facebook or in class lecture to raise questions you encounter throughout the course. Uncertainties are usually shared by others – when you raise your questions in class everyone learns while you build your own participation grade.

### **Criteria for Evaluation of Written Assignments**

These criteria will be used in evaluation of written work and possibly in combination with the checklist below. Please be sure to read them carefully:

**Analytical Content:** Higher grades will be given to work that demonstrates the ability to interpret, critically assess and develop insights of the material. To determine whether or not your argument is analytical, ask yourself "Am I demonstrating to the reader my insights in an academic way?" If you are simply summarizing or describing in detail phenomena, your work is unlikely to have high analytical content.

*Helpful signs you are not developing analytical content: Excessive quotes; beginning or ending a paragraph with a quote; short (fewer than 4 sentences) paragraphs; no sources in a long paragraph; lack of similar argument in introduction and conclusion.*

**Development of an Argument:** Higher grades will be given to work that has a clearly stated argument and a set of logically developed and reasonably comprehensive points in support of that argument. Academic arguments need not be personal (though in certain instances they can be – check with the instructor), rather they demonstrate the logical progression of the position you are developing. The key here is to attempt to convince your reader of the soundness or feasibility of your argument. Nuanced arguments recognize obvious criticisms and seek to address them logically. Consistency of an argument throughout a paper is important.

*Helpful signs your argument may be in trouble: Using the same author or quote more than a few times in successive paragraphs; your introduction and conclusion are not similar; you introduce material in the introduction and the conclusion that cannot be found elsewhere; you have quotes in your conclusion; your attempt to address obvious criticisms contradicts your thesis, you adopt multiple theoretical frameworks; you cannot find any sources that agree with your central claims.*

**Grammar, Spelling, and Style:** Higher grades will be given to written work that is grammatically correct and is clearly and accurately written, while lower grades will be given to work that is difficult to read or understand due to excessive grammatical and/or spelling errors.

*While different approaches work for different people, it is recommended that you try the following every time you have a written assignment: after completing your assignment, put it away for a while (ideally, for a few days); when you pick it up again, read it carefully, slowly, and aloud (when we are familiar with a paper we tend to skim it during proof-reading, thereby missing errors – so make sure you are reading it word for word). Mistakes in grammar may not always look wrong, but they usually sound wrong. If you need some help with writing style or grammar, there are many resources available on campus.*

**Meeting the Requirements of the Assignment:** All written work must be submitted on time, must be of the appropriate length, must use the required number and type of resources, and, most importantly, must address the issues or questions posed in the assignment.

## Important Notices

### General

All students must complete all course requirements. Failure to do so (e.g., by not handing-in an assignment or by missing an examination without due cause) will subject the student to the appropriate University regulations. Students must also keep a duplicate copy of their assignments.

### Late Assignments - Formal Guidelines

Late papers will be accepted, but will be subject to a late penalty of 10 per cent per day to a maximum of 5 days, after which they will not be accepted and a mark of 0 will be recorded. In the interest of fairness to all students, there will be no exceptions to this unless you have arranged in advance for an extension. All extensions must be arranged in advance of the day on which a paper is due. **Papers submitted after deadlines (including excused late papers) will be marked, but comments may not be provided.**

### Examinations

The final course examinations will be held during the regular examination periods. No substitute examinations will be given; therefore students should not make their travel plans until they know their

examination schedules.

3201 SEMINAR TOPICS AND READINGS

Note: The schedule below is subject to change in the event of extenuating circumstances or by mutual agreement between the instructor and the students.

<p>January 6, 2020- No required readings</p>	<p>Optional: Borrows, John. Canada's indigenous constitution. University of Toronto Press, 2010, Chapter 1.</p>
<p>January 13, 2020- Introduction to International Law</p>	<p>Peter Malanczuk, Akehurst's Modern International to International Law, Chapter 3. Louis Henkin, How Nations Behave, 1979, p.39-87. For reference/background (not required reading): Koh, Harold Hongju. "Why Do Nations Obey International Law?" (1997).</p>
<p>January 20, 2020 – The Role of Theory in the Law</p>	<p>Ian Scobbie, "Wicked Heresies or Legitimate Perspectives? Theory and International Law" in Evans, International Law. Course file: "Impact of Westphalia "and "International Economic Law" Not required: Mills, Alex. "The private history of international law." International &amp; Comparative Law Quarterly 55.1 (2006): 1-50. Cutler, A. Claire, ed. The Politics of Private Transnational Governance by Contract. Taylor &amp; Francis, 2017. Chapter 1</p>
<p>January 27, 2020 – Gender and the Law</p>	<p>Jones, Adam. "Genocide and Mass Violence." Gender Matters in Global Politics: A Feminist Introduction to International Relations (2009): 127. Knop, Karen. "Re/Statements: Feminism and State Sovereignty in International Law." Transnat'l L. &amp; Contemp. Probs. 3 (1993): 293. For reference (not required): Diane Otto, "Exile of Inclusion: Reflections on Gender Issues in International Law over the Last Decade" 10 Melbourne Journal of International Law 11 (2009) <b>Or</b> Otto, Diane. "Power and Danger: Feminist Engagement with International Law through the UN Security Council." Austl. Feminist LJ 32 (2010): 97. Kirby, Paul. "Ending sexual violence in conflict: the Preventing Sexual Violence Initiative and its critics." International Affairs 91.3 (2015): 457-472.</p>
<p>February 3, 2020 – Rising Constitutionalism</p>	<p>Course File "International Agreements" Hirschl, Ran "The New Constitutionalism and the Judicialization of Pure Politics Worldwide" 75 Fordham L. Rev. 721 (2006-2007) Kuhner, Timothy K. "Plutocracy and Partyocracy: Oligarchies Born of Constitutional Interpretation." Rev. Const. Stud. 21 (2016): 115. Tully, James, et al. "Introducing global integral constitutionalism." Global Constitutionalism 5.1 (2016): 1. For reference: Hirschl, Ran. "Politics and the Constitution-the Ties That Bind." Rev. Const. Stud. 21 (2016): 3. Hirschl, Ran "The Rise of Constitutional Theocracy" in Constitutional Theocracy, Harvard University Press, 2010. Upendra Baxi "Public and Insurgent reason: adjudicatory leadership in a hyper-globalizing world" in Stephen Gill Global Crises and the Crisis of Global Leadership, 2012. Jung, Courtney, Ran Hirschl, and Evan Rosevear. "Economic and social rights in national constitutions." American Journal of Comparative Law 62.4 (2014): 1043-1094.</p>

<p>February 10, 2020 – The International Court of Justice</p>	<p>Course file “Rights and Duties” Hugh Thirlway, “The International Court of Justice” in Malcolm D. Evans, <i>International Law</i> (2nd Ed.), pp. 561-588. Pick one of the following: Orakhelashvili, Alexander, “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory: Opinion and Reaction” <i>Journal of Conflict and Security Law</i> 11(1)(2006): 119-139. Clapham, Phillip J. "Japan' s whaling following the International Court of Justice ruling: Brave New World—Or business as usual?." <i>Marine Policy</i> 51 (2015): 238-241. Anghie, Antony T. "Politic, Cautious, and Meticulous: An Introduction to the Symposium on the Marshall Islands Case." <i>American Journal of International Law</i> 111 (2017): 62-67.</p> <p>preamble for Israel discussion- reference only: Morgensen, Scott Lauria. "Queer Settler Colonialism in Canada and Israel: Articulating Two-Spirit and Palestinian Queer Critiques." <i>Settler colonial studies</i> 2.2 (2012): 167-190.</p>
<p>February 24, 2020 – The International Criminal Court</p>	<p>William A Schabas "Creation of the Court" in <i>An Introduction to the International Criminal Court</i>, Cambridge: 2011. “International Criminal Justice: Just an Expensive Mirage? <i>International Journal</i> 63(3)(2008): 729-741. Akhavan, Payam. "The Rise, and Fall, and Rise, of International Criminal Justice." <i>Journal of international criminal justice</i> 11.3 (2013): 527-536. Scharf, Michael P. "Universal Jurisdiction and the Crime of Aggression." <i>Harv. Int'l LJ</i> 53 (2012): 357. For Reference: Nerlich, Volker. "The International Criminal Court 2002-2010: a View From the Inside." <i>Criminal Law Forum</i> 22 (2011): 199-214.</p>
<p>March 2, 2020 – Law of the Sea and the South China Sea Dispute</p>	<p>Course file: "Law of the Sea" Beckman, Robert. "The UN Convention on the Law of the Sea and the maritime disputes in the South China Sea." <i>American Journal of International Law</i> 107.1 (2013): 142-163. Gallagher, Marjorie Ellen. "Time Is Now: The United States Needs to Accede to the United Nations Convention on the Law of the Sea to Exert Influence over the Competing Claims in the South China Sea, The." <i>Temp. Int'l &amp; Comp. LJ</i> 28 (2014): 1. For Reference: Rob Hubert, "Climate Change and Canadian Sovereignty in the Northwest Passage" <i>Calgary Papers in Military and Strategic Studies</i>, Occasional Paper Number 4, 2011.</p>
<p>March 9, 2020 – International Humanitarian Law and Refugees</p>	<p>Course file: “IHL”, “HR” Costello, Cathryn. "Human rights and the elusive universal subject: immigration detention under international human rights and EU law." <i>Indiana journal of global legal studies</i> 19.1 (2012): 257-303. For refugees: Dauvergne, Catherine. "International Human Rights in Canadian Immigration Law—: The Case of the Immigration and Refugee Board of Canada." <i>Indiana Journal of Global Legal Studies</i> 19.1 (2012): 305-326.</p>
<p>March 16, 2020 – AI and Drone Warfare</p>	<p>Primer: <a href="http://www.thenewatlantis.com/publications/the-tortured-logic-of-obamas-drone-war">http://www.thenewatlantis.com/publications/the-tortured-logic-of-obamas-drone-war</a> Saura, Juame. "On the Implications of the Use of Drones in International Law." <i>J. Int'l L &amp; Int'l Rel.</i> 12 (2016): 120. Henderson, Ian. "Civilian Intelligence Agencies and the Use of Armed Drones."</p>

	<p>Yearbook of International Humanitarian Law-2010 (2011): 133-173.  Brunstetter, Daniel, and Megan Braun. "The Implications of Drones on the Just War Tradition." <i>Ethics &amp; International Affairs</i> 25.03 (2011): 337-358.  For reference: Gregory, Thomas. "Drones, Targeted Killings, and the Limitations of International Law." <i>International Political Sociology</i> 9.3 (2015): 197-212.</p>
<p>March 23, 2020 –  International Law and  Hacking/Espionage</p>	<p>Course file: "Use of Force"  Schmitt, Michael N., and Sean Watts. "Beyond State-Centrism: International Law and Non-State Actors in Cyberspace." <i>J Conflict Security Law</i>, October (2016).  Brito, J., &amp; Watkins, T. (2011). <i>Loving the Cyber Bomb? The Dangers of Threat Inflation in Cybersecurity Policy</i>.  Schmitt, Michael N., ed. <i>Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations</i>. Cambridge University Press, 2017 (selections)</p>
<p>March 30, 2020 –  Counterterrorism and Exam  Review</p>	<p>Renieris, Elizabeth M. "Combating Incitement to Terrorism on the Internet: Comparative Approaches in the United States and United Kingdom and the Need for an International Solution." <i>Vand. J. Ent. &amp; Tech. L.</i> 11 (2008): 673.  Galli, Francesca, Valsamis Mitsilegas, and Clive Walker. "Terrorism investigations and prosecutions in comparative law." (2016): 593-600.  Scharf, Michael P. "Defining terrorism as the peacetime equivalent of war crimes: Problems and prospects." <i>Case W. Res. J. Int'l L.</i> 36 (2004): 359.  Suggested: Forcese, Craig, and Stephanie Carvin. Comment on "Ep 25 Intelligence, Huh, What Is It Good For? .... Evidence." <i>A Podcast Called Intrepid (audio blog)</i> March 06, 2018.</p>

**APPENDIX TO UNDERGRADUATE COURSE OUTLINES  
DEPARTMENT OF POLITICAL SCIENCE**

**Prerequisite checking - the student's responsibility**

"Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites."

**Essay course requirements**

With the exception of 1000-level courses, most courses in the Department of Political Science are essay courses. Total written assignments (excluding examinations) will be at least 3,000 words in Politics 1020E, at least 5,000 words in a full course numbered 2000 or above, and at least 2,500 words in a half course numbered 2000 or above.

**Use of Personal Response Systems ("Clickers")**

"Personal Response Systems ("clickers") may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning.

Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else's clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence."

**Security and Confidentiality of Student Work** (refer to current *Western Academic Calendar*

<http://www.westerncalendar.uwo.ca/>

**"Submitting or Returning Student Assignments, Tests and Exams** - All student assignments, tests and exams will be handled in a secure and confidential manner. Particularly in this respect, leaving student work unattended in public areas for pickup is not permitted."

**Duplication of work**

Undergraduate students who submit similar assignments on closely related topics in two different courses must obtain the consent of both instructors prior to the submission of the assignment. If prior approval is not obtained, each instructor reserves the right not to accept the assignment.

**Grade adjustments**

In order to ensure that comparable standards are applied in political science courses, the Department may require instructors to adjust final marks to conform to Departmental guidelines.

**Academic Offences**

"Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

[http://www.uwo.ca/univsec/pdf/academic\\_policies/appeals/scholastic\\_discipline\\_undergrad.pdf](http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf)

### **Submission of Course Requirements**

ESSAYS, ASSIGNMENTS, TAKE-HOME EXAMS MUST BE SUBMITTED ACCORDING TO PROCEDURES SPECIFIED BY YOUR INSTRUCTOR (I.E., IN CLASS, DURING OFFICE HOURS, TA'S OFFICE HOURS) OR UNDER THE INSTRUCTOR'S OFFICE DOOR.

**THE MAIN OFFICE DOES NOT DATE-STAMP OR ACCEPT ANY OF THE ABOVE.**

### **Attendance Regulations for Examinations**

EXAMINATIONS/ATTENDANCE (Sen. Min. Feb.4/49, May 23/58, S.94, S.3538, S.3632, S.04-097) A student is entitled to be examined in courses in which registration is maintained, subject to the following limitations: 1) A student may be debarred from writing the final examination for failure to maintain satisfactory academic standing throughout the year. 2) Any student who, in the opinion of the instructor, is absent too frequently from class or laboratory periods in any course will be reported to the Dean of the Faculty offering the course (after due warning has been given). On the recommendation of the Department concerned, and with the permission of the Dean of that Faculty, the student will be debarred from taking the regular examination in the course. The Dean of the Faculty offering the course will communicate that decision to the Dean of the Faculty of registration.

### **Medical Policy, Late Assignments, etc.**

Students registered in Social Science should refer to

[https://counselling.ssc.uwo.ca/procedures/medical\\_accommodation.html](https://counselling.ssc.uwo.ca/procedures/medical_accommodation.html) for information on Medical Policy, Term Tests, Final Examinations, Late Assignments, Short Absences, Extended Absences, Documentation and other Academic Concerns. Non-Social Science students should refer to their home faculty's academic counselling office.

### **University Policy on Cheating and Academic Misconduct**

**Plagiarism:** Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence." (see Scholastic Offence Policy in the Western Academic Calendar).

**Plagiarism Checking:** "All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>)."

**Multiple-choice tests/exams:** "Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating."

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. [https://www.uwo.ca/univsec/academic\\_policies/index.html](https://www.uwo.ca/univsec/academic_policies/index.html)

## PLAGIARISM\*

In writing scholarly papers, you must keep firmly in mind the need to avoid plagiarism. Plagiarism is the unacknowledged borrowing of another writer's words or ideas. Different forms of writing require different types of acknowledgement. The following rules pertain to the acknowledgements necessary in academic papers.

### **A. In using another writer's words, you must both place the words in quotation marks and acknowledge that the words are those of another writer.**

You are plagiarizing if you use a sequence of words, a sentence or a paragraph taken from other writers without acknowledging them to be theirs. Acknowledgement is indicated either by (1) mentioning the author and work from which the words are borrowed in the text of your paper; or by (2) placing a footnote number at the end of the quotation in your text, and including a correspondingly numbered footnote at the bottom of the page (or in a separate reference section at the end of your essay). This footnote should indicate author, title of the work, place and date of publication, and page number.

Method (2) given above is usually preferable for academic essays because it provides the reader with more information about your sources and leaves your text uncluttered with parenthetical and tangential references. In either case words taken from another author must be enclosed in quotation marks or set off from your text by single spacing and indentation in such a way that they cannot be mistaken for your own words. Note that you cannot avoid indicating quotation simply by changing a word or phrase in a sentence or paragraph which is not your own.

### **B. In adopting other writers' ideas, you must acknowledge that they are theirs.**

You are plagiarizing if you adopt, summarize, or paraphrase other writers' trains of argument, ideas or sequences of ideas without acknowledging their authorship according to the method of acknowledgement given in 'A' above. Since the words are your own, they need not be enclosed in quotation marks. Be certain, however, that the words you use are entirely your own; where you must use words or phrases from your source, these should be enclosed in quotation marks, as in 'A' above.

Clearly, it is possible for you to formulate arguments or ideas independently of another writer who has expounded the same ideas, and whom you have not read. Where you got your ideas is the important consideration here. Do not be afraid to present an argument or idea without acknowledgement to another writer, if you have arrived at it entirely independently. Acknowledge it if you have derived it from a source outside your own thinking on the subject.

In short, use of acknowledgements and, when necessary, quotation marks is necessary to distinguish clearly between what is yours and what is not. Since the rules have been explained to you, if you fail to make this distinction your instructor very likely will do so for you, and they will be forced to regard your omission as intentional literary theft. Plagiarism is a serious offence which may result in a student's receiving an 'F' in a course or, in extreme cases in their suspension from the University.

\*Reprinted by permission of the Department of History

Adopted by the council of the Faculty of Social Science, October, 1970; approved by the Dept. of History August 13, 1991

**Accessibility at Western:** Please contact [poliscie@uwo.ca](mailto:poliscie@uwo.ca) if you require any information in plain text format, or if any other accommodation can make the course material and/or physical space accessible to you.

## SUPPORT SERVICES

- The Registrar's office can be accessed for Student Support Services at [www.registrar.uwo.ca](http://www.registrar.uwo.ca)
- Student Support Services (including the services provided by the USC listed here) can be reached at: <https://westernusc.ca/your-services/>
- Student Development Services can be reached at: <http://sdc.uwo.ca/>
- Students who are in emotional/mental distress should refer to Mental Health@Western <https://www.uwo.ca/health/> for a complete list of options about how to obtain help.

## Procedures for Requesting Academic Consideration

Students who experience an extenuating circumstance (illness, injury, or other extenuating circumstance) sufficiently significant to temporarily render them unable to meet academic requirements may submit a request for academic consideration through the following routes:

Submitting a Self-Reported Absence form provided that the conditions for submission are met;

- For medical absences, submitting a Student Medical Certificate (SMC) signed by a licensed medical or mental health practitioner in order to be eligible for Academic Consideration; or
- For non-medical absences, submitting appropriate documentation (e.g., obituary, police report, accident report, court order, etc.) to Academic Counselling in their Faculty of registration in order to be eligible for academic consideration. Students are encouraged to contact their Academic Counselling unit to clarify what documentation is appropriate.

Students seeking academic consideration:

- are advised to consider carefully the implications of postponing tests or midterm exams or delaying handing in work;
- are encouraged to make appropriate decisions based on their specific circumstances, recognizing that minor ailments (upset stomach) or upsets (argument with a friend) are **not** an appropriate basis for a self-reported absence;
- must communicate with their instructors **no later than 24 hours** after the end of the period covered by either the self-reported absence or SMC, or immediately upon their return following a documented absence.

Academic consideration **is not** normally intended for students who require academic accommodation based on an ongoing physical or mental illness (recurring or chronic) or an existing disability. These students are expected to seek and arrange reasonable accommodations with Student Accessibility Services (SAS) as soon as possible in accordance with the Policy on Academic

Accommodation for Students with Disability.

Students who experience high levels of stress related to academic performance (including completing assignments, taking part in presentations, or writing tests or examinations). These students should access support through Student Health and Wellness and Learning Skills Services in order to deal with this stress in a proactive and constructive manner.

## Requests for Academic Consideration Using the Self-Reported Absence Form

Students who experience an unexpected illness or injury or an extenuating circumstance (48 hours or less) that is sufficiently severe to temporarily render them unable to meet academic requirements (e.g., attending lectures or labs, writing tests or midterm exams, completing and submitting assignments, participating in presentations) should self-declare using the **online Self-Reported Absence portal**. This option should be used in situations where the student expects to resume academic responsibilities **within 48 hours or less**.

The following conditions are in place for self-reporting of medical or extenuating circumstances:

Students will be allowed:

- a maximum of two self-reported absences between September and April;
- a maximum of one self-reported absence between May and August.

Any absences in excess of the number designated above, regardless of duration, will require students to present a Student Medical Certificate (SMC) no later than two business days after the date specified for resuming responsibilities.

- The duration of the excused absence will be for a maximum of 48 hours from the time the Self-Reported Absence form is completed through the online portal, or from 8:30 am the following morning if the form is submitted after 4:30 pm;
- The duration of the excused absence will terminate prior to the end of the 48 hour period should the student undertake significant academic responsibilities (write a test, submit a paper) during that time;
- The duration of an excused absence will terminate at 8:30 am on the day following the last day of classes each semester regardless of how many days of absence have elapsed;
- Self-reported absences **will not be** allowed for scheduled final examinations; for midterm examinations scheduled during the December examination period;
- Self-reporting **may not be** used for assessments (e.g. midterm exams, tests, reports, presentations, or essays) worth more than 30% of any given course.
- students must be in touch with their instructors **no later than 24 hours** after the end of the period covered by the Self-Reported Absence form, to clarify how they will be expected to fulfil the academic expectations they may have missed during the absence.

### Request for Academic Consideration for a Medical Absence

Students seeking academic consideration for a medical absence not covered by existing Student Accessibility Services (SAS) accommodation, will be required to provide documentation in person to Academic Counselling in their Faculty of registration in the form of a completed, signed Student Medical Certificate (SMC) where the conditions for a Self-Reported Absence have not been met, including where the student has exceeded the maximum number of permissible Self-Reported Absences.

### Request for Academic Consideration for a Non-Medical Absence

Students seeking academic consideration for a non-medical absence will be required to provide appropriate documentation to Academic Counselling in their Faculty of registration where the conditions for a Self-Reported Absence have not been met, including where the student has exceeded the maximum number of permissible Self-Reported Absences.