

LAWS70403 Statehood in International Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2012, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None.
Corequisites:	None.
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None.
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>The State has come to assume a profoundly ambivalent form in contemporary international legal thought. While it remains the centrepiece of international legal thought and practice, it has long been regarded both as a vehicle for authoritarian rule and as an increasingly marginal political form in the context of globalisation. Despite these tendencies, it also remains the primary mode of 'emancipation' for communities around the world, for whom 'selfdetermination' and 'statehood' stand as the supreme objects of political action. In this subject, various legal dimensions of this apparent paradox will be explored.</p> <p>Alongside an analysis of the traditional doctrines of statehood, recognition and self-determination, will be an analysis of their effective stakes understood in terms of the political economy of independence. In the subject of discussion, attention will be given to various casestudies, such as Southern Sudan, Kosovo, Palestine and Somalia.</p> <p>Principal topics will include:</p>

	<ul style="list-style-type: none"> # States and statehood: A historical excursus # Doctrinal forms: Statehood; recognition; self-determination # The critics of statism: Anti-authoritarianism, globalisation, nationalism and post-colonial radicalism # Emancipatory statism: Self-determination, decolonisation and anti-imperialism # The stakes of statehood: Autonomy, succession and the political economy of emancipation # Failed states, post-colonial and developmental states # Case studies: Southern Sudan, Kosovo, Palestine and Somalia.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Have a thorough understanding of the historical and contemporary legal debates surrounding the question of statehood and sovereignty. # Show knowledge of, and be able to critically engage with, the relevant legal doctrine on questions such as statehood, recognition, self-determination and succession. # Be able to deploy such legal analysis in relation to particular case studies. # Show awareness of the various economic, political, social and cultural dimensions of such analysis.
Assessment:	10,000 word research paper (100%) (5 July) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5245