Course Description

Perspectives on Law and Security offers a groundbreaking, unique, and multi-disciplinary take on the relationship between law and security by combining international law and international relations approaches to security. The class consists of four parts:

1. **Part I: Academic Perspectives** (IR, international law, New Haven School, gender approaches, Copenhagen School),
2. **Part II: Institutional Perspectives** (domestic, regional, police military, IOs, MNCs, NGOs, formal alliances),
3. **Part III: Drivers of (in)Security** (climate change, health, water, food),
4. **Part IV: Emerging Perspectives on Law and Security** (with a focus on China and Russia).
Perhaps unsurprisingly, different actors hold different views on how to resolve law and security dilemmas - depending on their security priorities, mandates, and constituencies. To make matters more complicated, "security" is a contested term - and we will explore its different meanings and interpretations. We will take stock, in particular, of the evolution of the meaning of "security" from "state security" to "human security" - with the latter providing a useful analytical framework for the course.

Course Goals

Building on a solid knowledge of international law and government studies, this course promotes a multi-disciplinary approach to security and introduces students to critical issues of our time (climate security, food security, etc.). Students will also better understand how different actors (domestic, regional, international) interpret the commands of the law and the requirements of security, and how different values and priorities guide decision-makers. They will also be able to think critically about the roles these actors play in enhancing or, on the contrary, impeding human security. We will discuss, for example, whether the fight against COVID is better managed by law enforcement or military actors.

Understanding the relationship between law, security, and other seemingly unrelated concepts such as culture, public health, and water scarcity constitutes an essential goal of this course. It seeks to broaden the students' own perspective on security, and the multi-layered ramifications of this concept. It complements, without repeating it, the teachings they have received in previous years on security issues.

Grading

The components of the grade are as follows:

- **Final Paper**: 75% TBD
- **Midterm assignment**: 25% Write about a global phenomenon threatening human security – it does not have to address a topic or issue covered in class. Guidelines will be posted on the course website.

- **Bonus Points**: Students may volunteer to discuss readings/relevant concepts during class. If you would like to volunteer, you need to sign up ahead of time with Bareket Shamai (bareketshamai@gmail.com). Students who volunteer will get bonus points, one for each of the times they volunteer. Students may also earn bonus points by winning Kahoots (top three spots) and attending class regularly. This will be explained by Dr. Daphne Richemond- Barak in greater detail at the beginning of the semester. Regardless of how they earned their bonus points, students cannot get more than 5 bonus points in total for this class.
Lecturer Office Hours
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Reading List

[Please note (1) the order of the following sessions might be modified based on the availability of guest speakers. You will of course receive updates via Moodle/"What's New" messages; (2) all material posted on the course website, including videos, is also part of the mandatory course material for this class.]

Part I – Academic Perspectives on Security
This part of the class (lectures 1 to 3) provides the conceptual and theoretical framework for the rest of the course and it is critical that you familiarize yourself with the relevant concepts.

Lesson 1 – International Relations and International Law on Security [Oct. 10]
What does “security” mean? In this lesson, we will examine various academic perspectives on security and how those have evolved over the years under the leadership of the UN and leading scholars who challenged traditional views on security in the 1990s. In both IR and international law, the meaning of security has expanded beyond state security.

• United Nations General Assembly Resolution 66/290 (10 September 2012).

Lesson 2 – Gender Approaches to Security [Oct. 17] - Guest Speaker: TBD
This lesson presents another academic perspective on the meaning of security. A feminist strand of security studies argues that gender-neutral approaches to security fail to capture the fact that gender permeates many aspects of international peace and security. This perspective further enriches our understanding of security, and highlights how (in)security might be experienced differently by men and women – from the role of women in armed conflict to the use of sexual violence as a weapon of war or
the unique experience of women as prisoners of war or refugees. This class introduces key principles and writings, challenges gender-neutral assumptions about security, and maps gender-based security and legal issues prior to, during, and post conflict.


This lesson focuses on the role of the law. What role does the law play in ensuring security? Does law influence state behavior in matters of security? The New Haven School offers a unique perspective on the role international law plays in decision-making. Is security a policy goal? A value? If so, is it the core value?


Part II – Institutional Perspectives on Law & Security

The second part of the class focuses on the question of “who provides security” – police, military forces, international and regional organizations, NGOs, corporations – and evaluates the contribution of these actors to peace and stability.


This lesson kicks off our study of institutional perspectives on law and security.

- National security and international security: Is it possible to focus on domestic security in today’s age? Is there even such a thing as “domestic” security issues? All crises, whether caused by immigration or natural disasters, have global effects. How have states reacted to the internationalization of security?
- The relationship between law and security from the perspective of the military: Who is best equipped to ensure security – the police or the armed forces? We will discuss the notion of “agents of (in)security” – what actors influence security and how? National militaries, for example, conceive of their roles as providers of security. When should states deploy military forces on their national territory? How does the population perceive such deployment in times of emergency?
- Military cooperation has the potential of significantly enhancing how the military does its job. This can be done, inter alia, via formal alliances. We will examine the role of NATO in promoting stability via cooperation on its 70th anniversary, and the use of hybrid police-military forces in and outside Europe (reflect upon the militarization of police forces: does it breed security or insecurity? Does it enhance or impede the rule of law?).

Lesson 5 – Peripheral or Critical Actors? The Impact of IOs and MNCs on Security [Nov. 7]

This lesson takes a critical look at the role of international organizations and multi-national corporations in security (both human security and “hard” security). Their contribution has been heavily contested. Take international organizations, for example, whose intervention in conflict has been said to delay peace. As for multi-national corporations, most of the legal literature deplores their participation in human rights violations in developing countries (when, for example, MNCs fail to provide adequate work standards or evade the laws of the countries in which they operate). However, economic scholars have argued that MNCs serve as “engines of development” by promoting economic and social rights. This debate also resonates in developed countries, where governments have turned to corporations to assist in their counter-terrorism efforts. Take, for example, the US government’s request to Apple in the wake of the 2015 San Bernardino attack to unlock the cell phone of one of the suspected attackers. This, too, raises the question of the role that large corporations play in security affairs.

We will examine each of these (non-state) actors and discuss their role as enablers of security, or impediments to it.


Part III – What Breeds (In)Security?

Part III looks at security via a broader set of determinants - what enhances or, on the contrary, impedes security? These determinants already form an integral part of how states conceive of security and shape their security priorities.

Lesson 6 – Climate Security [Nov. 14]

Environmental changes, such as the disappearance of territories and mass migration due to natural disasters, can lead to insecurity. States have been reluctant to regulate transnational disasters, yet they must come together to face these threats in a comprehensive and concerted fashion. In the context of security, climate change acts as a threat multiplier – adding a layer of vulnerability in already fragile areas such as the Sahel.

Climate change also threatens military bases located in areas prone to rising sea levels, and agents posted abroad by making them more vulnerable to infectious diseases. How does a sophisticated military power like the US perceive and adapt to such threats?

Finally, we will reflect on whether the post-WWII normative order, centered around the UN Security Council and the avoidance of war, might need to be adjusted as a result of mounting climate-induced disasters.

Lesson 7 – Health Security  [Nov. 21]

Just a few years back, I had to spend a long time explaining why health fits into this course. Most students found it off to study health as part of a course on Law and Security. COVID-19 obviously changed this completely. As we broaden our perspective on the meaning of “security”, come to terms with the wide range of determinants that affect security (beyond military and strategic considerations), and cope with COVID, the role health plays in achieving security becomes evident. States increasingly view health (and preventing epidemics, antimicrobial resistance, and health disasters) as a foreign policy issue. They understand that health disasters – whether man-made or naturally provoked – can spread panic across boundaries, infecting thousands if not millions of people, and trigger mass movements of population.

For this reason, the international community has developed an agenda to promote and safeguard global health. We will discuss how the Sendai Framework for Disaster Risk Reduction seeks to enhance preparedness and resilience in the face of health disasters, regardless of what caused them. This is known as the multi-hazard approach.

- The Sendai Framework for Disaster Risk Reduction (read paras. 1-19)

Lesson 8 – Food Security  [Nov. 28] -  Guest Speaker: Naama Yardeni, Director of Research, LATET

Food security refers to a global challenge and one of the Sustainable Development Goals of the United Nations. It is a pillar of human security, and one that has received heightened attention since COVID-19 struck. But food security also resonates here in Israel, with large non-governmental organizations like LATET and Leket playing a significant role in creating political engagement around food (in)security, and encouraging civil society to play a role. We will explore the nexus of food security to poverty, COVID, international cooperation, global governance, human rights, climate change, and conflict.


Hanuka Break  [Dec. 5]  There will be no class on this day.


Water plays a crucial and often overlooked role as a vector of (in)security. Water scarcity can cause the outbreak of violence as the population competes over limited resources. Conflicts can also exacerbate the need for water, particularly when water shortages lead populations to migrate or when the arrival of significant numbers of refugees creates tensions over water sources. As the world's population grows, demand for water increases – including massive amounts in order to grow food – and yet water comes in shorter and shorter supply. We will discuss the concept of water security, and the qualification of certain states as “water insecure”.

We will explore the relationship between water and conflict, discuss the future of water wars, and discover how Israel uses technology to overcome the threat of drought. Israel also offers and valuable example of water diplomacy, using water to enhance cooperation with its neighbors.
Part IV: Emerging Perspectives on Law and Security


We move from the influence of culture and history on security to international law. How do states like China and Russia understand “security”? Do they embrace the concept of human security, and why? We delve into their interpretation of basic norms of international law, and discuss the importance of understanding their approach in a changing world.


Lesson 11 – A Chinese Perspective to Security [Dec. 26]

China’s engagement with international law takes many forms – from formal declarations to membership in the UN Human Rights Council. How are we to read this engagement and commitment to multilateralism? Is China filling the gap left by the US or is something deeper at play? China’s take on law and security also manifests itself – albeit very differently – in its treatment of minorities, censorship, and violations of privacy. What does security mean to China and how far can it go in the name of security?

- “Alternative” Strategic Perceptions in US-China Relations (East West Institute, 2017).

Lesson 12 – Exam Preparation [Jan. 2]

Sample exam and review of course material.