



Course program and reading list

Semester 1 Year 2023

School: Lauder School of Government, Diplomacy & Strategy B.A

Perspectives on Law and Security

Lecturer:

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Teaching Assistant:

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Course No.:	Course Type :	Weekly Hours :	Credit:
3489	Lecture	3	3

Course Requirements :	Group Code :	Language:
Final Paper	231348900	English



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, and covering many of the challenges of the 21st century.



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 security crises like 9/11 and the fight against COVID are 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 Baret Shamai (baretshamai@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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Teaching Assistant

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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.

Important: Nov. 1st is Elections Day. There will be no class on this day. Our first class will be on Nov. 8.

Lesson 1 – Introduction and Guest Lecture by Prof. Ruvy Ziegler [Nov. 8]

Lesson 2 – Defining Security: International Relations and International Law [Nov. 15]

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.

- Butros Butros-Gali, *Let's Get Together to Halt the Unraveling of Society*, New York Times (February 10, 1995).
- United Nations General Assembly Resolution 66/290 (10 September 2012).

- Nigel D. White and Auden Davies-Bright, *The Concept of Security in International Law*, *The Oxford Handbook of the International Law of Global Security* (2021), pp. 1-6.

Lesson 3 – Law v. Security [Nov 22]

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?

- W. Michael Reisman, *The View from the New Haven School of International Law*, *Proceedings of the Annual Meeting (American Society of International Law)*, Vol. 86 (April 1-4, 1992), read pp. 118-25.
- David Baldwin, *The Concept of Security*, *23 Review of International Studies* 5 (1997), pp. 14-21.

Lesson 4 – Gender Approaches to Security [Nov. 29]

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 genderbased security and legal issues prior to, during, and post conflict.

- United Nations Security Council Resolution 1325, S/RES/1325 (31 October 2000)
- Aili Mari Tripp, *Toward a Gender Perspective on Human Security*, in *GENDER, VIOLENCE, AND HUMAN SECURITY: CRITICAL FEMINIST PERSPECTIVES* (Tripp A., Ferree M., & Ewig C., eds.), pp. 3-32 (2013).
- Ann Tickner, *GENDER IN INTERNATIONAL RELATIONS* (1992), pp. 54-66.

Part II – Institutional Perspectives on Law & Security

The second part of the class focuses on the question of “who provides security” and evaluates the contribution of various actors – states and non-states – to peace and stability.

Lesson 5 – Domestic or International Security? Police or Military? [Dec. 6]

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

- What 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?

- Who is best equipped to ensure security – the police, the armed forces, or alliances? We will discuss the notion of "agents of 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? We will also discuss the role of formal alliances in ensuring stability and security, including the role of NATO, the use of hybrid police-military forces in and outside Europe, and the Abraham Accords most recently in our region of the world.

- Ron Nixon, *Homeland Security Goes Abroad. Not Everyone Is Grateful*, New York Times (December 26, 2017).
- William C. Banks, *SOLDIERS ON THE HOME FRONT: THE DOMESTIC ROLE OF THE AMERICAN MILITARY* (2016), pp. 225-27.

Lesson 6 – Climate Security [Dec. 13]

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.

- Robert Kaplan, *THE COMING ANARCHY* (The Atlantic, 1994), read uploaded excerpt.
- Francesco Femia and Caitlin E. Werrell, *Climate Change, the Erosion of State Sovereignty, and World Order*, in *Epicenters of Climate and Security* (2017).
- *Recommended reading*: Joyeeta Gupta and Hilmer Bosch, *Climate Change and Security*, *The Oxford Handbook of the International Law of Global Security* (2021).

Lesson 7 – Health Security [Dec. 20]

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)
- Kaleem Hawa, *Health and Climate Security: Interconnected Security Challenges of Climate Change and Infectious Disease*, in *Epicenters of Climate and Security* (2017).

Lesson 8 - Food Security [Dec. 27]

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-10 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.

- Matias Margulis, *The Forgotten History of Food Security in Multilateral Trade Negotiations*, 16 *World Trade Review* 25 (2016), pp. 28-30.
- Leket Food Waste and Rescue Report (2019), available in English and Hebrew at <https://foodwastereport2019.leket.org/en/>, Chapter 10.

Lesson 9 – Water Security [Jan. 3]

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.

- Pierre Thielbörger, *Water Security*, *The Oxford Handbook of International Law of Global Security*, pp. 1-4.
- Scott Moore, *How to Solve the Global Water Crisis* (Foreign Affairs, 2018).

Part IV: Emerging Perspectives on Law and Security

Lesson 10 – Chinese and Russian Perspectives on International Law [Jan. 10]

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.

- *The Declaration of the Russian Federation and the People's Republic of China on the Promotion of International Law*, Ministry of Foreign Affairs of the Russian Federation (June 25, 2016).
- Anthea Roberts, *IS INTERNATIONAL LAW INTERNATIONAL?* (2017) (Preface and Chapter 1).

Lesson 11 – A Chinese Perspective to Security [Jan. 17]

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. 24]

Sample exam and review of course material.