

**PSCI 3183: INTERNATIONAL LAW**  
**CLRE 207**  
**MWF 10:00 - 10:50**  
**SPRING 2020**

Professor: Megan Shannon  
Office: 124 Ketchum  
Email: Megan.L.Shannon@colorado.edu  
Office hours: Mondays and Fridays, 11am - noon (no appointment necessary)

Teaching Assistant: Sam Moya  
Office: 234 Ketchum  
Email: Samantha.Moya@colorado.edu

**Class Description**

Does international law change how countries behave? If so, how? People have strong opinions about the effectiveness of international law. Some say that international law changes how countries act, and that countries will even do what's not in their interest so that they can honor international law. Others say that countries only act in their own interest, and that international law has little ability to meaningfully change how countries behave. Who's right? This class explores if and how countries abide by legal principles in a world where no government can force them to do so.

Some of the questions we address have clear answers, such as: does international law allow countries to provide assistance to rebel groups during civil wars? Other questions have less clear answers, such as: is it legal for countries to ban headscarves to foster secularism and religious freedom? This class will teach you how to read, interpret, and apply legal principles to a wide variety of political situations - some straightforward, others more complex.

Grappling with questions about international law encourages us to think about deeper questions of human nature and global society. Can individuals sometimes forgo their own interests to follow rules, norms, and principles that benefit humankind? Can we adhere to laws that provide and protect common global resources? Or, are we so self-interested that international cooperation is impossible?

**What This Class Promises to You**

This class introduces you to the study of international law. You will read legal decisions made by domestic and international courts legal bodies. From these decisions and from class discussion, you will learn and understand the legal principles that govern global cooperation on issues such as human rights and the use of force. You will be able to apply these principles to assess the legality of ongoing events in the world. By semester's end, you will understand the power and limits of international law. You will also gain experience in reading legal decisions and understanding their implications for domestic and international politics.

**What You Bring to the Class**

As part of the University of Colorado community, we strive to find truth. We are a learning community that seeks to understand the world around us. CU cannot achieve those goals without the engagement of its undergraduate students. That means your participation in this class

is valuable. You have unique gifts, skills, and insights that advance our search for truth and knowledge. If you withhold participation, it stifles and hinders the ability of the community to learn.

By enrolling in this class, you have the opportunity to develop, enhance, and contribute knowledge in political science. As members of this class, you and I commit to:

- Being in class, and being on time
- Doing the readings in advance
- Engaging in class discussion and using technology only to further that discussion

This class stresses active learning and is taught in a seminar style as much as possible. We engage in a great deal of discussion in small groups and as a class.

### **Required Materials**

- Textbook: Epps, Valerie, John Cerone, and Brad Roth. 2019. International Law, 6th edition. Durham: Carolina Academic Press. ISBN: 978-1531013912.
- All other required readings are posted to Canvas.
- Clicker, which can be purchased from CU bookstore. Register the clicker at <http://www.colorado.edu/oit/tutorial/cuclickers-iclicker-remote-registration>.

### **Grades and Policies**

#### *Attendance and Participation, 10% of overall grade*

Your participation is highly valued in this class. We will assess attendance and participation with clickers. Attendance will be taken by clicker every class meeting. You will receive two free absences during the semester; after that, points will be deducted for every class missed. Participation points can be gained by asking questions, contributing to the class discussion, and being engaged in small groups. Participation points can be lost by using laptops and cellphones during class, failing to engage in small group discussion, arriving late consistently, and leaving early consistently.

#### *Three Written Legal Briefs, 20%*

You will be responsible for carefully reading three legal cases, and teaching the cases to a small group. This assignment requires you to write a two-page legal brief summarizing the case. You also must be present in class to teach your case to the group to receive credit, and distribute copies of the brief to your group. Your brief must be posted to the appropriate folder on Canvas by 10:00am the day of class. No late briefs will be accepted.

#### *Midterm Writing Assignment, 15%*

We have a writing assignment in the middle of the term that will help you understand the material. You will have the opportunity to receive feedback on the written assignment and rewrite it for a higher grade.

#### *Quizzes on Canvas, top 6 grades, 10%*

There will be approximately 10 quizzes posted on Canvas designed to help you understand the material before coming to class that day. The quiz will be on a particular case, it will be posted 48 hours in advance, and it is available until 10:00am the day of class. Once you begin the quiz, you have 30 minutes to complete it. You may take as many of the quizzes as you would like, and the top 6 quizzes will count towards your grade. You may use your book or notes when taking the quizzes.

#### *International Moot Tribunal, 20%*

We will simulate an international legal tribunal. Each student will represent a different actor in the simulation. To prepare for the simulation, you will research and write a paper. The paper accounts for 15% of your overall grade. The simulation also requires you to work with a group to draft legal arguments. Your participation in the group and the overall simulation accounts for 5% of your grade. Students who participate often in the moot court, as well as represent the law accurately, earn higher grades for participation.

#### *Final Examination, 25%*

The final exam is comprehensive. It is a take-home exam that requires the use of class notes and case summaries.

#### *Written Work Policy*

Written work turned in late will be docked one letter grade for each day late, beginning at the end of class on the day the written work is due. The exception is written case briefs, because no late case briefs are accepted.

#### *Clicker Policy*

Clicker questions are graded for participation only, and there is no penalty for getting a clicker question wrong. Don't panic if your clicker dies, but fix it quickly because this an important way to earn participation credit. If you forget your clicker but you are in class, you may write down your name and answers on a sheet of paper and give it to me. However, you may not do this repeatedly throughout the semester.

#### *Electronic Device Policy*

Electronic devices, including computers, tablets, and mobile phones, are not allowed in class. This policy is aimed at providing the best learning environment for all students. Computers, phones, and other devices must be put in airplane mode or turned off and put away during lecture. If you need to make a call, send a text, or use an electronic device during class, leave the classroom and return when you are finished. Students will receive a warning when violating this policy. Students who repeatedly violate this policy will be asked to leave. Exceptions to this policy are at the instructor's discretion.

#### *Grading Scale*

	B+ 89 - 87	C+ 79 - 77	D+ 69 - 67	
A 93 - 100	B 86 - 83	C 76 - 73	D 66 - 63	F 59 - 0
A- 92 - 90	B- 82 - 80	C- 72 - 70	D- 62 - 60	

#### *The Grade of A*

The grade of A is given to work that expresses clear, cogent, and logical arguments. Work that receives an A uses evidence and logic from the class readings to back up its conjectures. Work receiving an A is clearly written and organized, in a manner that is accessible to people outside of the class. Someone on the street should be able to read the argument and know exactly the story that is being told.

A student receiving an A grade is able to clearly identify and discuss legal principles. The student can apply those principles to events in international politics, and discuss what implications the principles have for international politics. The student can also compare legal principles across a number of cases.

An A grade for participation is given to students who are on time to class, and frequently and fully engage in class discussion. The student consistently demonstrates strong understanding

of the assigned readings and behaves in a professional manner. The student is not distracted from the class discussion by technology.

#### *The Grade of B*

The grade of B is given to work that makes arguments, but the argument is not logically consistent. It provides some evidence for its conjectures, but the evidence is not always relevant. It is not able to fully and clearly explain the reasoning and logic behind rulings of legal cases.

A grade of B can identify and explain legal principles, but exhibits confusion over the implications of those principles. It is not able to critically assess the limits of international law. B work may also be somewhat confused about the extent to which legal principles apply to particular events.

A grade of B for participation is given to students who are not always on time to class and only occasionally participate in class discussion. The student often demonstrates understanding of the assigned readings, but may at times offer factually inaccurate insights. The student occasionally uses a laptop or cell phone for purposes other than class.

#### *The Grade of C*

The grade of C is given to work that expresses unclear and muddled arguments. It avoids taking a definite position and tries to straddle a number of different stories. The work does not provide evidence for its conclusions. It relies on emotions or personal opinion to support its conjectures. Finally, the writing is unclear and disorganized.

Work receiving a C has trouble identifying and applying legal principles. It does not engage in much critical assessment of the assigned readings and legal cases. It contains numerous errors regarding the facts and circumstances of legal cases.

A grade of C for participation is given to students who are often late to class, are unengaged, and do not often behave professionally. A C grade reflects general lack of knowledge about the readings. The student often uses a laptop or cell phone for purposes other than class. If you attend every class, but never say a word, you can expect a C for participation.

#### *The Grade of D*

Work receiving a grade of D is unable to identify legal principles. It may give facts or information received in class, but it cannot relate that information to particular cases. Like a grade of C, work receiving a grade of D uses emotions and personal conjectures rather than facts or evidence to support a particular argument.

#### *The Grade of F*

The grade of F is given to work that makes no attempt to incorporate information from this class to answer puzzles or questions. It bases its argument solely on emotions or opinions that were not developed through research. It uses street knowledge or conventional wisdom to make a case. F work may also be factually inaccurate. Taking another scholar's direct words and passing them off as one's own (plagiarism) also constitutes F work. Finally, a grade of F is given to work that is not turned in or completed.

## Schedule of Lecture Topics and Readings

The reading schedule will be modified as needed to reflect the pace of the course, so you'll want to check it frequently on Canvas. Readings may be added or subtracted. Complete the readings listed for each day before coming to class. When a chapter is assigned, you should read the content 'in between cases.' Then, you should thoroughly read the cases that are specifically listed and assigned. Skim the other cases unless otherwise noted.

### Week of January 13: Introduction to International Law

- Monday, 1/13: Review Syllabus
- Wednesday, 1/15: "McCann v United Kingdom" [Reading posted on Canvas]
- Friday, 1/17: Kerr, "How to Read a Legal Opinion" [Reading posted on Canvas]

### Week of January 20: Sources of International Law

- Monday, 1/20: No class
- Wednesday, 1/22: Textbook, Ch 1
- Friday, 1/24: "The Paquete Habana," pp 6-12 [Quiz available on Canvas until beginning of class]

### Week of January 27: Customary International Law and Treaties

- Monday, 1/27: "Abdullahi v Pfizer," pp 14-24 [Case Brief due]
- Wednesday, 1/29: "North Sea Continental Shelf," pp 28-34 [Quiz available on Canvas until beginning of class]
- Friday, 1/31: Textbook, Ch 3, pp 71-103

### Week of February 3: Treaties in International Law

- Monday 2/3: "Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide," pp 75-82 [Case Brief Due]
- Wednesday 2/5: "Avena and Other Mexican Nationals," pp 86-102 [Case Brief due]
- Friday 2/7: "Medellin v Texas" [Reading posted on Canvas, Quiz available on Canvas until beginning of class]

### Week of February 10: Relationship between International and Domestic Law

- Monday 2/10: Textbook, Ch 4, pp 129-174
- Wednesday 2/12: "Attorney General of the Government of Israel v Eichmann," pp 146-154 [Case Brief due]
- Friday, 2/14: "United States v Bin Laden," pp 140-145 [Quiz available on Canvas until beginning of class]

### Week of February 17: Legal Personality of Actors Under International Law

- Monday, 2/17: "United States v Fawaz Yunis," pp 135-139
- Wednesday, 2/19: Textbook, Ch 7
- Friday, 2/21: "Reference regarding secession of Quebec," pp 339-350 [Case Brief due] and Midterm Writing Assignment given

### Week of February 24: Legal Personality of Actors Under International Law

- Monday, 2/24: "Nottebohm (Liechtenstein v Guatemala)," pp 355-361 [Quiz available on Canvas until beginning of class]
- Wednesday, 2/26: "Reparations for Injuries Suffered in the Service of the United Nations," pp 363-371 [Case Brief due]

- Friday, 2/28: Catch-up day

**Week of March 2: Human Rights Law**

- Monday, 3/2: Textbook, Ch 8 and Midterm Writing Assignment Due
- Wednesday, 3/4: “El Hagog v Libya,” pp 388-395 [Quiz available on Canvas until beginning of class]
- Friday, 3/6: “Llantoy Huaman v Peru,” pp 396-401 [Case Brief Due]

**Week of March 9: Human Rights Law**

- Monday, 3/9: “Atala Riffo and Daughters v Chile,” pp 440-455 [Quiz available on Canvas until beginning of class]
- Wednesday, 3/11: “Leyla Sahin v Turkey,” pp 410-431 [Case Brief due]
- Friday, 3/13: Textbook pp 497-502

**Week of March 16: International Criminal Law**

- Monday, 3/16: Rome Statute of International Criminal Court [Reading posted on Canvas] and “Prosecutor v Drazen Erdemovic,” pp 554-571 [Case Brief due]
- Wednesday, 3/18: “Prosecutor v Aloys Simba,” pp 578-586 [Case Brief due]
- Friday, 3/20: “Prosecutor v Akeyesu” and Koomen, Jonneke, “Without These Women, the Tribunal Cannot Do Anything,” [Readings posted on Canvas, Quiz available on Canvas until beginning of class]

**Week of March 30: International Law and the Use of Force**

- Monday, 3/30: Textbook, Ch 10
- Wednesday, 4/1: “Legality of the Threat or Use of Nuclear Weapons,” pp 592-617 [Quiz available on Canvas until beginning of class]
- Friday, 4/3: “Military and Paramilitary Activities in and against Nicaragua, pp 512-521 [Case Brief due] and “Military and Paramilitary Activities in and against Nicaragua,” pp 532-539 [Case Brief due]

**Week of April 6: Peaceful Settlement of Disputes and International Law**

- Monday, 4/6: Textbook, Ch 9
- Wednesday, 4/8: “Norwegian Loans,” pp 481-484 [Quiz available on Canvas until beginning of class]
- Friday, 4/10: “ICJ Advisory opinion on the wall in Israel,” pp 126-127

**Week of April 13: International Legal Tribunal Simulation**

- Simulation paper and roles assigned
- Work on the simulation in small groups

**Week of April 20: International Legal Tribunal Simulation**

- Monday, 4/20: Applicant Team and Amicus Brief submitters present arguments
- Wednesday, 4/22: Respondent Team and Amicus brief submitters present arguments
- Friday, 4/24: Closing arguments and questions from the Tribunal

**Monday, April 27: International Legal Tribunal Simulation Wrap-Up**

- Simulation papers due

- Ruling from the Tribunal and debriefing

**Wednesday, April 29: Final Examination Assigned**

The final examination is take-home. It will be assigned on Wednesday, April 29 and is due Saturday, May 2 at 7:00pm.

## Other Course Policies

### Honor Code

By my writing this syllabus, and by your enrolling in this course, we agree to uphold the CU Honor Code. Violations of the Honor Code may include: plagiarism, cheating, fabrication, lying, bribery, threat, unauthorized access to academic materials, clicker fraud, submitting the same or similar work in more than one course without permission from all course instructors involved, and aiding academic dishonesty. All incidents of academic misconduct will be reported to the Honor Code (honor@colorado.edu); 303-492-5550). Students who are found responsible for violating the academic integrity policy will be subject to nonacademic sanctions from the Honor Code as well as academic sanctions from the faculty member. Additional information regarding the Honor Code academic integrity policy can be found at <https://www.colorado.edu/sccr/honor-code>.

### Attendance and Religious Observances

Campus policy regarding religious observances requires that faculty make every effort to deal reasonably and fairly with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. Students should use their free absences from class to accommodate religious holidays. If you have any religious conflicts with scheduled exams in this class, please see me immediately. <https://www.colorado.edu/policies/observance-religious-holidays-and-absences-classes-andor-exams1>.

### Classroom Behavior

You and I are responsible for maintaining an appropriate learning environment. Those who fail to adhere to such behavioral standards may be subject to discipline. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation or political philosophy. For more information, see the policies on classroom behavior at <https://www.colorado.edu/policies/student-classroom-and-course-related-behavior>.

**Preferred Student Names and Pronouns** CU Boulder recognizes that students' legal information doesn't always align with how they identify. Students may update their preferred names and pronouns via the student portal; those preferred names and pronouns are listed on instructors' class rosters. In the absence of such updates, the name that appears on the class roster is the student's legal name.

### Accommodation for Disabilities

If you qualify for accommodations because of a disability, please submit your accommodation letter from Disability Services to me in a timely manner so that your needs can be addressed. Disability Services determines accommodations based on documented disabilities in the academic environment. Information on requesting accommodations is located on the Disability Services website <https://www.colorado.edu/disabilityservices/students>. Contact Disability Services at 303-492-8671 or dsinfo@colorado.edu for further assistance. If you have a temporary medical condition or injury, see Temporary Medical Conditions under the Students tab on the Disability Services website.

### Sexual Misconduct, Discrimination, Harassment, and/or Related Retaliation

The University of Colorado Boulder (CU Boulder) is committed to fostering a positive and welcoming learning, working, and living environment. CU Boulder will not tolerate acts of sexual misconduct (including sexual assault, exploitation, harassment, dating or domestic violence, and

stalking), discrimination, and harassment by members of our community. Individuals who believe they have been subject to misconduct or retaliatory actions for reporting a concern should contact the Office of Institutional Equity and Compliance (OIEC) at 303-492-2127 or [cureport@colorado.edu](mailto:cureport@colorado.edu). Information about the OIEC, university policies, anonymous reporting, and the campus resources can be found on the OIEC website <https://www.colorado.edu/oiec/>. Please know that faculty and instructors have a responsibility to inform OIEC when made aware of incidents of sexual misconduct, discrimination, harassment and/or related retaliation, to ensure that individuals impacted receive information about options for reporting and support resources.