
I N T E R N A T I O N A L L A W

PSCI 4183
Fall 2017
HUMN 1B80
T/TH 3:30 – 4:45

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Office Hours: Wed 10-12pm // Thu 1-3pm

1. 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: for example, 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.

It is important to study the power of international law, because it provides us with insight into human nature. Can human beings sometimes forgo their own interests to follow rules, norms, and principles for the good of the world? Can we adhere to laws that provide and protect common global resources? Or, are we so self-interested that international cooperation is impossible?

2. REQUIRED MATERIALS

Textbook: Epps, Valerie. 2013. International Law, 5th edition. Durham: Carolina Academic Press. ISBN: 978-1611632286.

All other required readings are posted to D2L.

Clicker, which can be purchased from CU bookstore. Register the clicker at <http://www.colorado.edu/oit/tutorial/cuclickers-iclicker-remote-registration>.

3. WHAT YOU GET FROM THIS CLASS

In this class you will gain a foundational understanding of international law. You will read legal decisions involving international actors such as states, international institutions, individuals, and domestic and international courts. Based on these cases, you will gain an understanding of the legal principles that govern global cooperation and how they interact with domestic law and state interests. This class will challenge you to think analytically and critically, both through studying the logic behind case decisions and offering your own opinions and critiques of the cases. The assigned activities are designed to enhance your analytical abilities involved in reading, dissecting arguments, and forming your own arguments.

4. WHAT YOU BRING TO THIS CLASS

Your engagement in this class is key to our goal as an academic community of finding truth and understanding the world around us. You are encouraged to bring your gifts, skills, and insights to our classroom and use them for everyone's benefit. Do not think of yourself as a spectator, passively learning from a professor. Think of yourself as an integral part of the learning process for everyone in this class.

5. COURSE EVALUATION

Attendance (10%) and Participation (5%) – 15%

Your success in this class depends heavily on being present and actively participating in class. Attendance will be taken through clicker questions every class period, starting on Tuesday, 5th September. If you forget your clicker or it stops working during class,

you may submit your answers to the questions on a piece of paper at the end of class. You may only do this two times.

Everyone is allowed up to two free clicker days to account for absences. Absences thereafter will count against your attendance grade, with no distinction between excused or unexcused absences. Official university events or religious observances are the exception, and documentation is required for such absences. Beyond the two allowed, each additional absence will result in a loss of 2% points (up to 10).

Participation points can be gained by asking questions and contributing to class discussions, coming to office hours, and contributing to the group assignment. Participation points are lost by not doing these things, as well as using a phone during class, improper use of a laptop, arriving to class late or leaving early.

Quizzes – 15%

Six quizzes are spread over the semester, based on one of the assigned readings for that day. At the end of the semester I will drop your lowest quiz score. The quiz will be posted to D2L 48 hours before class begins, and you will have until 3:15pm on the day of class to complete it. Once you begin, you will have 30 minutes to finish it. You won't be able to start again, retake it, or make up missed quizzes at a later date.

Case Briefs – 15%

You will write three two-page briefs summarizing a case you have read. Deadlines are posted on the schedule. You may brief any case leading up to that deadline (but not from previous deadlines). Briefs should be posted to the appropriate folder on D2L and turned in as a printed and stapled copy at the beginning of class on the due date. Late assignments will not be accepted. Guidelines for writing a case brief are posted on D2L.

Midterm Assignment – 20%

You will complete a written midterm in the middle of the semester that will synthesize the assigned readings and require you to make an argument based on a prompt. The assignment will consist of around 5 pages. It will be distributed on October 12th and due on October 24th, both posted to the D2L folder and turned in as a printed, stapled copy at the beginning of class.

Moot Court Simulation – 10%

At the end of the semester we will hold an international moot court simulation. Students will be assigned to one of seven teams representing an actor to a legal dispute. You will work with your team to draft legal arguments, and then present them in the simulation. Your grade will be based on your participation in group preparations, the quality of your individual presentation in the simulation, and your participation in the simulation during discussions. Instructions will be distributed on November 16th.

Final Assignment – 25%

The final assignment relates to the subject matter of the moot court simulation, but is an individual project. Instructions will be given on November 16th and it is due at the beginning of class (printed and stapled, as well as on D2L) on December 5th. This assignment is in lieu of a final exam during finals week.

Brief Portfolio (Bonus) – 5%

In addition to the three required case briefs, you may submit a case brief portfolio prior to the final assignment deadline (Dec 5). For each additional brief you include in your portfolio, based on the other cases assigned, I will add up to 0.5% to your overall grade up to a maximum of 5% (10 briefs). These will be graded for content but I will not give feedback.

6 . C L A S S R O O M P O L I C I E S

Reading and Other Assignments

Careful reading is central to your success in this class. Posted readings are required, not recommended. Assignments listed on the schedule are due that day. If a chapter from the textbook is assigned, read the main material and skim over the cases, except where cases are assigned reading.

Written Work

Written work turned in late will be docked one letter grade (10%) for each day late, starting at the end of class on the due date. The exception is case briefs, where no late work is accepted.

Plagiarism

I have no tolerance for cheating in my class. If there is any indication that you try to pass off as your own work that is not, you will receive an immediate failing grade for the class and be referred to the Honor Code Council. This includes, but is not limited to, using sources without proper citation, copying and pasting from another source (unless cited properly), submitting any portion of a paper you submitted for another course, submitting a paper written in part or whole by someone else, or excessive collaboration with other members of the class on individual assignments.

Punctuality

Please arrive to my class on time and do not leave early. If you have a reason to do either of these, please let me know in advance, unless it is an emergency.

Technology

Keep your phones out of sight at all times. You'll be okay without it. I highly discourage the use of laptops. Studies show it inhibits the learning of the user and those around the

user, and misuse (e.g. messaging, Facebook) are rude and distracting to the instructor. You want to be someone who the instructor likes.

If you feel you must use a laptop, I highly encourage you to sit at the back of the classroom and disable your wifi connection.

Class Slides

I will post slides from lecture on D2L shortly after class. These are a study tool only and should not be considered a replacement for being in the lecture.

Other items

Please be respectful of me and your peers when making comments during class.

Please raise your hand to ask or answer a question.

Please do not talk to others during lecture.

Please do not bring noisy or smelly food to class.

7. UNIVERSITY POLICIES

Students with Disabilities

If you qualify for accommodations due to a disability (general or only for exams), please provide a letter from Disability Services within two weeks of the start of class so that your needs can be addressed. Disability Services determines accommodations based on documented disabilities. Contact Disability Services at 303-492-8671 or by e-mail at dsinfo@colorado.edu. If you have a temporary medical condition or injury, see Temporary Injuries under Quick Links at Disability Services website (<http://disabilityservices.colorado.edu/>) and discuss your needs with your professor.

Religious Observances

I will make every effort to reasonably and fairly deal with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. If applicable, please let me know in a timely manner.
http://www.colorado.edu/policies/fac_relig.html.

Discrimination and Harassment

The University of Colorado Boulder policy on Discrimination and Harassment, the University of Colorado policy on Sexual Harassment, and the University of Colorado policy on Amorous Relationships apply to all students, staff and faculty. Any student, staff or faculty member who believes s/he has been the subject of discrimination or harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status should contact the Office of Discrimination and Harassment (ODH) at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550. Information about the ODH, the above referenced policies and the campus resources

available to assist individuals regarding discrimination or harassment can be obtained at <http://www.colorado.edu/odh>.

Grading Scale

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

8 . S C H E D U L E O F T O P I C S A N D A S S I G N M E N T S

Should the need arise to make adjustments to the schedule, I will inform you by email and distribute an updated schedule.

Topic	Date	Assignment
Introduction	Tue Jan 29	-
<i>No class</i>	Thu Jan 31	▪ Review syllabus
What is International Law? / Reading cases in IL	Tue Sep 5	▪ Kerr, "How to Read a Legal Opinion" [D2L] ▪ American Bar Association, "How to Read a Supreme Court Opinion" [D2L]
Sources of International Law	Thu Sep 7	▪ Epps, Ch 1 ▪ <i>The Paquete Habana</i> , pp.6-12 ▪ Quiz 1 [D2L]
Customary International Law	Tue Sep 12	▪ Epps, Ch1 (review pp.21-24) ▪ <i>Abdullahi v. Pfizer</i> , pp.12-20
	Thu Sep 14	▪ <i>North Sea Continental Shelf</i> , pp.24-29 ▪ Quiz 2 [D2L]
Treaties in International Law	Tue Sep 19	▪ Epps, Ch 3 (pp.59-88) ▪ <i>Reservations to the Convention on Genocide</i> , pp.62-67 ▪ Case brief 1 due
	Thu Sep 21	▪ Epps, Ch3 (pp.88-106) ▪ <i>Avena and Other Mexican Nationals</i> , pp.71-82 ▪ <i>Medellin v. Texas</i> [D2L]
Relationship between International and Domestic Law	Tue Sep 26	▪ Epps, Ch 4 ▪ <i>Attorney General of the Government of Israel v. Eichmann</i> , pp.122-129

	Thu Sep 28	<ul style="list-style-type: none"> ▪ <i>United States v. Fawaz Yunis</i>, pp.112-116 ▪ <i>United States v. Bin Laden</i>, pp.117-121 ▪ Quiz 3 [D2L]
Legal Personality of Actors Under International Law	Tue Oct 3	<ul style="list-style-type: none"> ▪ Epps, Ch 7 ▪ <i>Reference re Secession of Quebec</i>, pp.274-284
	Thu Oct 5	<ul style="list-style-type: none"> ▪ <i>Nottebohm Case</i>, pp.287-292 ▪ Quiz 4 [D2L]
Peaceful Settlement of Disputes in International Law	Tue Oct 10	<ul style="list-style-type: none"> ▪ Epps, Ch 9 ▪ <i>Norwegian Loans</i>, pp.390-393 ▪ Case brief 2 due
	Thu Oct 12	<ul style="list-style-type: none"> ▪ <i>Military and Paramilitary Activities in and Against Nicaragua</i>, pp.393-401 ▪ Midterm assignment given
Law of the Sea	Tue Oct 17	<ul style="list-style-type: none"> ▪ Epps, Ch 5 (pp.191-216) ▪ <i>United States v. Conroy, Walker</i>, pp.199-203
	Thu Oct 19	<ul style="list-style-type: none"> ▪ Epps, Ch 5 (pp.216-248) ▪ <i>United States v. Garcia</i>, pp.223-226 ▪ <i>Wildenhus' Case</i>, pp.226-228
Human Rights Law	Tue Oct 24	<ul style="list-style-type: none"> ▪ Epps, Ch 8 ▪ <i>El Hagog v. Libya</i>, pp.315-322 ▪ Midterm assignment due
	Thu Oct 26	<ul style="list-style-type: none"> ▪ <i>McCann v. United Kingdom</i> [D2L] ▪ <i>Llantoy Huaman v. Peru</i>, p.322-327
	Tue Oct 31	<ul style="list-style-type: none"> ▪ <i>Leyla Sahin v. Turkey</i>, pp.335-353 ▪ Quiz 5 [D2L]
No class	Thu Nov 2	<ul style="list-style-type: none"> ▪ [Catch up on reading/briefs]
International Criminal Law	Tue Nov 7	<ul style="list-style-type: none"> ▪ <i>Rome Statute of International Criminal Court</i> [D2L] ▪ <i>Prosecutor v. Drazen Erdemovic</i>, pp.451-464
	Thu Nov 9	<ul style="list-style-type: none"> ▪ <i>Prosecutor v. Aloys Simba</i>, pp.465-472 ▪ <i>Prosecutor v. Akeyesu</i> [D2L] ▪ Case brief 3 due
Law and the Use of Force	Tue Nov 14	<ul style="list-style-type: none"> ▪ Epps, Ch 10 ▪ <i>Legality and the Threat or Use of Nuclear Weapons</i>, pp.415-417 ▪ Quiz 6 [D2L]
	Thu Nov 16	<ul style="list-style-type: none"> ▪ <i>Military and Paramilitary Activities in and Against Nicaragua</i>, pp.417-425 ▪ <i>Military and Paramilitary Activities in and Against Nicaragua</i>, pp.433-439 ▪ Simulation assignment given ▪ Final assignment given

<i>No class (Fall Break)</i>	Tue Nov 21	
	Thu Nov 23	
Moot Court Simulation	Tue Nov 28	▪ Meet with team
	Thu Nov 30	▪ Meet with team
	Tue Dec 5	▪ Meet with team ▪ Final assignment due
	Thu Dec 7	▪ Presentations
	Tue Dec 12	▪ Presentations
	Thu Dec 14	▪ Presentations