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

PSCI 4183
Spring 2018
HUMN 135
MWF 12-12:50pm

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Office Hours: Mon 10am-12pm; Wed 2-4pm; or by appointment

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 is 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 behavior. Can individuals 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 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 (10%) – 20%

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 Monday, 22nd January. 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 three absences without penalty, excused or unexcused. 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 three allowed, each additional absence will result in a loss of 2% points out of the allotted 10% (so five absences beyond the three allowed would equal your entire attendance grade).

Participation points can be gained by asking questions and contributing to class discussions, coming to office hours, and contributing to the group simulation assignment. Additionally, you can participate in discussion forums on D2L (instructions on D2L).

Factors counting against your participation grade include 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 11:45am 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. You will be assigned to three specific cases (to be posted during Week 2). Briefs should be uploaded to the appropriate folder on D2L and turned in as a printed and stapled copy at the beginning of class on the day for which that reading is assigned. You can only brief the case to which you have been assigned. Late case briefs will not be accepted. Detailed guidelines for writing a case brief and assigned briefs will be posted on D2L.

Midterm Exam – 20%

You will complete a two-part midterm exam, with an in-class component and a take-home component. The take-home part should be turned in at the beginning of class, printed and stapled, on **Monday, 26th February**. It should also be uploaded to the D2L midterm folder.

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 six 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 April 2nd.

Final Assignment – 20%

The final assignment relates to the subject matter of the moot court simulation, but is an individual project. Instructions will be given on April 2nd and it is due at the beginning of class (printed as well as on D2L) on April 18th.

Extra Case Briefs (Bonus) – 5%

In addition to the three required case briefs, you may submit up to five additional case briefs throughout the semester (only those denoted with a * in the syllabus). They must be turned in on the day for which that case has been assigned. Each additional brief will be awarded up to 1% on your final grade. Extra briefs may not be substituted for assigned briefs (i.e. if you didn't do one, or got a low score on one). Please mark these assignments as "Extra Credit" somewhere at the top of the paper.

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.

Late Submissions

Exams turned in late will be docked one letter grade (10%) for each day late, starting at the beginning of class on the due date. The exception is case briefs, where no late assignments are 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 a simplified (i.e. less information) version of my slides shortly before class. These are a study tool only and should not be considered a replacement for being in the lecture and taking notes.

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.

Please take responsibility for yourself. I will not be lenient with absences or late work (unless there are exceptional circumstances).

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. Beyond this window, I cannot guarantee your accommodations will be honored. 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 Due
Introduction	Wed Jan 17	-
Overview	Fri Jan 19	<ul style="list-style-type: none"> ▪ Review syllabus and complete quiz [D2L]
What is International Law? / Reading cases in IL	Mon Jan 22	<ul style="list-style-type: none"> ▪ Kerr, "How to Read a Legal Opinion" [D2L] ▪ American Bar Association, "How to Read a Supreme Court Opinion" [D2L]
Sources of International Law	Wed Jan 24	<ul style="list-style-type: none"> ▪ Epps, Ch 1 ▪ <i>The Paquete Habana</i>, pp.6-12 ▪ Quiz 1 [D2L]
Customary International Law	Fri Jan 26	<ul style="list-style-type: none"> ▪ Epps, Ch1 (review pp.21-24) ▪ <i>Abdullahi v. Pfizer</i>, pp.12-20
	Mon Jan 29	<ul style="list-style-type: none"> ▪ <i>North Sea Continental Shelf</i>, pp.24-29* ▪ Quiz 2 [D2L]

Treaties in International Law	Wed Jan 31	<ul style="list-style-type: none"> ▪ Epps, Ch 3 (pp.59-88) ▪ <i>Reservations to the Convention on Genocide</i>, pp.62-67*
	Fri Feb 2	<ul style="list-style-type: none"> ▪ 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	Mon Feb 5	<ul style="list-style-type: none"> ▪ Epps, Ch 4 ▪ <i>Attorney General of the Government of Israel v. Eichmann</i>, pp.122-129*
	Wed Feb 7	<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	Fri Feb 9	<ul style="list-style-type: none"> ▪ Epps, Ch 7 ▪ <i>Reference re Secession of Quebec</i>, pp.274-284*
	Mon Feb 12	<ul style="list-style-type: none"> ▪ <i>Nottebohm Case</i>, pp.287-292* ▪ Quiz 4 [D2L]
Peaceful Settlement of Disputes in International Law	Wed Feb 14	<ul style="list-style-type: none"> ▪ Epps, Ch 9 ▪ <i>Norwegian Loans</i>, pp.390-393*
	Fri Feb 16	<ul style="list-style-type: none"> ▪ <i>Military and Paramilitary Activities in and Against Nicaragua</i>, pp.393-401*
Law of the Sea	Mon Feb 19	<ul style="list-style-type: none"> ▪ Epps, Ch 5 (pp.191-248) ▪ <i>United States v. Conroy, Walker</i>, pp.199-203*
	Wed Feb 21	<ul style="list-style-type: none"> ▪ <i>United States v. Garcia</i>, pp.223-226*
	Fri Feb 23	<ul style="list-style-type: none"> ▪ In-class midterm exam
Human Rights Law	Mon Feb 26	<ul style="list-style-type: none"> ▪ Midterm take home portion due
	Wed Feb 28	<ul style="list-style-type: none"> ▪ Epps, Ch 8 ▪ <i>El Hagog v. Libya</i>, pp.315-322*
	Fri Mar 2	<ul style="list-style-type: none"> ▪ <i>Llantoy Huaman v. Peru</i>, p.322-327*
	Mon Mar 5	<ul style="list-style-type: none"> ▪ <i>McCann v. United Kingdom</i> [D2L]*
	Wed Mar 7	<ul style="list-style-type: none"> ▪ <i>Leyla Sahin v. Turkey</i>, pp.335-353* ▪ Quiz 5 [D2L]
International Criminal Law	Fri Mar 9	<ul style="list-style-type: none"> ▪ <i>Rome Statute of International Criminal Court</i> [D2L] ▪ <i>Prosecutor v. Drazen Erdemovic</i>, pp.451-464*
	Mon Mar 12	<ul style="list-style-type: none"> ▪ <i>Prosecutor v. Aloys Simba</i>, pp.465-472*
Law and the Use of Force	Wed Mar 14	<ul style="list-style-type: none"> ▪ Epps, Ch 10
	Fri Mar 16	<ul style="list-style-type: none"> ▪ <i>Legality and the Threat or Use of Nuclear Weapons</i>, pp.415-417 ▪ Quiz 6 [D2L]
	Mon Mar 19	<ul style="list-style-type: none"> ▪ <i>Military and Paramilitary Activities in and Against Nicaragua</i>, pp.417-425*

	Wed Mar 21	<ul style="list-style-type: none"> ▪ <i>Military and Paramilitary Activities in and Against Nicaragua</i>, pp.433-439*
No class (conference travel)	Fri Mar 23	
No class (Spring break)	Mar 26-30	
IL and World Events	Mon Apr 2	<ul style="list-style-type: none"> ▪ International law and the Syrian civil war [D2L] ▪ Simulation assignment given ▪ Final assignment given
	Wed Apr 4	<ul style="list-style-type: none"> ▪ International law and the South China Sea [D2L]
	Fri Apr 6	<ul style="list-style-type: none"> ▪ International law and the War in Iraq [D2L]
	Mon Apr 9	<ul style="list-style-type: none"> ▪ International law and the Israeli occupation [D2L]
Moot Court Simulation	Wed Apr 11	<ul style="list-style-type: none"> ▪ Meet with team
	Fri Apr 13	<ul style="list-style-type: none"> ▪ Meet with team
	Mon Apr 16	<ul style="list-style-type: none"> ▪ Meet with team
	Wed Apr 18	<ul style="list-style-type: none"> ▪ Meet with team ▪ Final assignment due
	Fri Apr 20	<ul style="list-style-type: none"> ▪ Presentations
	Mon Apr 23	<ul style="list-style-type: none"> ▪ Presentations
	Wed Apr 25	<ul style="list-style-type: none"> ▪ Presentations
	Fri Apr 27	<ul style="list-style-type: none"> ▪ Presentations
	Mon Apr 30	<ul style="list-style-type: none"> ▪ Presentations
	Wed May 2	<ul style="list-style-type: none"> ▪ Presentations