

PSCI 4183: INTERNATIONAL LAW
CLRE 207
TTH 2:00 - 3:15
FALL 2015

Professor: Megan Shannon
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Email: meganlshannon@gmail.com or Megan.L.Shannon@colorado.edu
Office hours: Tuesdays and Thursdays, 11:00am - 12:15pm
During office hours, I'll be located on the first floor of Norlin Library, at a table as close to the Laughing Goat as possible.

Teaching Assistant: Erin Huebert
Office: Chem 370
Email: erin.huebert@colorado.edu
Office hours: Tuesdays and Thursdays, 1:00 - 2:00pm

Erin will be responsible for grading assignments and keeping records, so all grade inquiries should first be directed to her.

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 provide for 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?

What This Class Promises to You

This class introduces you to the study of international law. You will learn and understand the legal principles that govern global cooperation on issues such as human rights, the oceans, and the use of force. You will be able to apply these principles and assess the legality of ongoing events in the world. You will evaluate and defend a particular policy position on international law, even if you don't necessarily agree with the position. By semester's end, you will have a solid understanding of the implications and limits of international law.

What You Bring to the Class

As part of the University of Colorado community, we strive to find truth. We are a research 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 conduct research.

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.

Books and Readings

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

All other required readings are posted to D2L.

Grades

Participation, 5% of overall grade

To function as a class, your participation is needed. You can participate by asking questions and making quality contributions to class discussion. You'll also participate in small groups with two or three of your classmates. Your participation is assessed by how much you engage the assigned readings. I will call on students to identify and discuss various aspects of the readings. If you seem attentive in class, but do not say a word, you can expect a C minus for this portion of the grade.

Attendance, 5% of overall grade

Absences are excused in case of university-related events. Attendance will start counting toward your course grade on Thursday, September 3. For the attendance portion of the grade, two or less absences = 100%, three absences = 90%, four absences = 80%, five absences = 70%, six absences = 60%, seven absences = 50%, eight or more absences = 0%.

Reading and Teaching, 10%

You will be responsible for carefully reading and dissecting two legal cases, and then teaching them to a small group in class. This assignment requires you to answer a number of questions about a particular article and provide a summary to fellow group members.

Midterm Writing Assignment, 10%

We have a writing assignment in the middle of the term that will help you understand the material. It will be around 5 pages, and is due Tuesday, October 20. You will have the opportunity to receive feedback on the written assignment and rewrite it for a higher grade.

Quizzes on D2L, top 7 grades, 20%

We will have ten quizzes posted on D2L that are designed to help you understand the material before coming to class that day. The quiz will be posted by 2:00pm the day before class, and will be available until 1:45pm the day of class. Once you begin the quiz, you will have 30 minutes to

complete it. You may take as many of the quizzes as you would like throughout the semester, and the top 7 quizzes will count towards your grade.

International Moot Court, 25%

We will simulate an international legal trial. 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 20% 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. It will be assigned by 4:00pm on Sunday, December 13. A printed copy must be turned in by Thursday, December 17, at 4:00pm.

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 from scholarly works and reputable sources 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 is given to students who are on time to class and are fully engaged in class discussion. The student consistently demonstrates strong understanding of the assigned readings, behaves in a professional manner, and offers helpful analysis of classmates' work.

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 or does not strongly support the story.

A grade of B can identify and explain legal principles, but may exhibit some 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 is given to students who are not always on time to class and are only somewhat engaged in class discussion. The student often demonstrates understanding of the assigned readings, but may at times offer factually inaccurate insights.

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 clear 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.

A grade of C 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 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.

Academic Integrity

Both you and I are responsible for upholding academic integrity. By my writing this syllabus, and by your enrolling in this course, we agree to uphold the CU Academic Honor Pledge, which says:

As citizens of an academic community of trust, CU-Boulder faculty and students do not lie or cheat whether they are on campus or acting as representatives of the university in surrounding communities. Neither should they suffer by the dishonest acts of others. Honor is about academic integrity, moral and ethical conduct, and pride of membership in a community that values academic achievement and individual responsibility. Cultivating honor lays in the foundation for lifelong integrity, developing in each of us the courage and insight to make difficult choices and accept responsibility for actions and their consequences, even at personal cost.

All incidents of academic misconduct should be reported to the Honor Code Council (honor@colorado.edu and 303-735-2273). Students who are found to be in violation of the academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion)." Other information on the Honor Code can be found at <http://www.colorado.edu/policies/honor.html> and at <http://honorcode.colorado.edu>

Attendance and Religious Observances

Campus policy requires that faculty deal reasonably with students who, because of religious obligations, will miss scheduled exams, assignments or required attendance. Please discuss with me in advance if you will miss class because of a religious obligation.

Classroom Behavior

Students and faculty each have responsibility 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 differences of race, color, culture, religion, creed, politics, veterans status, sexual orientation, gender, gender identity and gender expression, age, disability, and nationalities. Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. See policies at

<http://www.colorado.edu/policies/classbehavior.html>

and at

http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code

Discrimination and Harassment

The University of Colorado Boulder (CU-Boulder) is committed to maintaining a positive learning, working, and living environment. The University of Colorado does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religion, sexual orientation, or veteran status in admission and access to, and treatment and employment in, its educational programs and activities. (Regent Law, Article 10, amended 11/8/2001). CU-Boulder will not tolerate acts of discrimination or harassment based upon Protected Classes or related retaliation against or by any employee or student. For purposes of this CU-Boulder policy, "Protected Classes" refers to race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, or veteran status. Individuals who believe they have been discriminated against should contact the Office of Discrimination and Harassment (ODH) at 303-492-2127 or the Office of Student Conduct (OSC) 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://hr.colorado.edu/dh/>

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 D2L. 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.

Introduction to International Law

Tue Aug 25

- Review Syllabus
- Can we follow laws without an authority to make us do so?

Thu Aug 27

- McCann v United Kingdom [Reading posted on D2L]

Sources of International Law

Tue Sep 1

- Textbook, Ch 1
- Case: The Paquete Habana, pp 6-12 [Quiz posted on D2L]

How to Read and Write About Legal Cases

Thu Sep 3

- Kerr, "How to Read a Legal Opinion" [Reading posted on D2L]

Treaties in International Law

Tue Sep 8

- Textbook, Ch 3, pp 59-88
- Case: Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, pp 62-68 [Quiz posted on D2L]

Thu Sep 10

- Textbook, Ch 3, pp 88-106
- Avena and Other Mexican Nationals, pp 71-82. [Read and teach case]

Customary International Law

Tue Sep 15

- Textbook, Ch 1, review pp 21-24

Thu Sep 17

- Case: Abdullahi v Pfizer, pp 12-20 [Read and teach case]
- Case: North Sea Continental Shelf, pp 24-29 [Quiz posted on D2L]

Relationship between International and Domestic Law

Tue Sep 22

- Textbook, Ch 4

Thu Sep 24

- Case: United States v Fawaz Yunis, pp 112-116
- Case: United States v Bin Laden, pp 117-121 [Quiz posted on D2L]

Legal Personality of Actors Under International Law

Tue Sep 29

- Textbook, Ch 7

Thu Oct 1

- Reference regarding secession of Quebec, pp 274-284 [Read and teach case]

Tue Oct 6

- Case: Nottebohm (Liechtenstein v Guatemala), pp 287-292 [Quiz posted on D2L]
- Midterm Writing Assignment given

Thu Oct 8

- Case: Reparations for Injuries Suffered in the Service of the United Nations, pp 293-301 [Read and teach case]

Peaceful Settlement of Disputes and International Law

Tue Oct 13

- Textbook, Ch 9
- Case: Norwegian Loans, pp 390-393 [Quiz posted on D2L]

Thu Oct 15

- Case: Military and Paramilitary Activities in and Against Nicaragua, pp 393-401

Human Rights Law

Tue Oct 20

- Midterm Writing Assignment Due
- Textbook, Ch 8
- Case: El Hagog v Libya, pp 315-322
- Case: Llantoy Huaman v Peru, pp 322-327

Thu Oct 22

- Case: Atala Riffo and Daughters v Chile [Quiz posted on D2L]

Tue Oct 27

- Case: Leyla Sahin v Turkey [Read and teach case]

International Criminal Law

Thu Oct 29

- Rome Statute of International Criminal Court [Reading posted on D2L]
- Prosecutor v Drazen Erdemovic, pp 451-464 [Read and teach case]

Tue Nov 3

- Prosecutor v Aloys Simba, pp 465-472 [Quiz posted on D2L]

Thu Nov 5

- Prosecutor v Akeyesu [Reading posted on D2L]
- Koomen, Jonneke. "Without These Women, the Tribunal Cannot Do Anything," [Reading posted on D2L]

Law and the Use of Force

Tue Nov 9

- Textbook, Ch 10
- Case: Legality of the Threat or Use of Nuclear Weapons, pp 415-417 [Quiz posted on D2L]

Thu Nov 12

- Case: Military and Paramilitary Activities in and against Nicaragua, pp 417-425 [read and teach case]
- Case: Military and Paramilitary Activities in and against Nicaragua, pp 433-439 [read and teach case]

Environmental Law

Tue Nov 17

- Textbook, Ch 6
- Case: Trail Smelter, pp 255-256
- Case: Corfu Channel, pp 205-206 and 252-254 [Quiz posted on D2L]

Law of the Sea

Thu Nov 19

- Textbook, Ch 5
- Case: United States v Conroy and Walker, pp 199-203

Moot Court Simulation, Dec 1, 3, and 8

Wrap-Up Class, Dec 10

Final Examination: The final examination is take-home. A printed copy must be turned in by Thursday, December 17, at 4:00pm.