

POSC 4470 INTERNATIONAL LAW

SPRING 2023

SECTION 001: TUES/THURS 9:30-10:45AM

131 BRACKETT

PROFESSOR: Dr. Amber Curtis

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OFFICE: 230-C Brackett

OFFICE HOURS: Tues & Thurs 12:30-1:30pm
& by appointment²

***** Students are strongly urged to have passed POSC 1020 before taking this course!*****

COURSE DESCRIPTION: What is international law? How has it come about? Who and what does it govern? How effective is it? What obstacles does it face? How can it be improved? This course employs both a positive and normative approach to surveying issues and developments in international law. While not all-inclusive, it introduces students to the main concepts, institutions, and methodology that serve as the foundation of current international legal practice. Through detailed analysis of international conventions, customs, cases, and current events, students will acquire an understanding of the sources of international law, the relationship between international and domestic law, principles of jurisdiction, international dispute resolution, state sovereignty and responsibility, human rights law, international criminal law, international organizations, the legal use of force, and international environmental law. More importantly, once a firm understanding of the international legal process has been established, students will then assess for themselves how *effective* international law is in various policy areas, devise specific suggestions for ways it could/should be improved, and identify obstacles that prevent its theoretical benefits from being maximized.

STUDENT RESPONSIBILITIES: Personal responsibility is imperative. All readings and assignments should be done before class on the day they are listed to facilitate lecture and discussion. Though heavy, it's a good idea to bring your textbook to class. Please check Canvas and your Clemson email daily for important updates and announcements, as you will be accountable for all information transmitted via these electronic resources. Everyone is expected to pay attention, take good notes, participate actively during class discussions, and be courteous to others. In addition, a portion of this course entails group work, requiring you to communicate effectively and respectfully with fellow students.

CRITICAL THINKING: This course is part of the Clemson Thinks² (CT2) program and, as such, is designed to not only convey the necessity and utility of thinking critically, but also to measurably improve students' critical thinking abilities to make them independent thinkers, judicious

¹ Email is the best way to get ahold of me but I do not work evenings & weekends so always allow up to 48 hours for a response.

² Drop by anytime within this window; no appointment is necessary and students are received on a first-come, first-served basis. Everyone should plan to come to office hours *at least once* during the semester! Please note that office hours may change some weeks due to faculty meetings and other conflicting obligations.

consumers, attractive employees, and effective world citizens. For more information on the CT2 initiative, see <http://www.clemson.edu/academics/programs/thinks2/>.

OBJECTIVES: Through active engagement in class, students will:

- Comprehend the basic principles, practices, and instruments of international law
- Evaluate the strengths and weaknesses of the international law process
- Assess the effectiveness of international law in today’s global system
- Build digital literacy and storytelling skills through use of Adobe Cloud programs in order to convey (in professional audiovisual form) an original answer to an existing legal question
- Develop practical, transferrable skills such as reading comprehension, critical thinking, analytical research, and persuasive writing
- Articulate clear and evidenced-based arguments while acknowledging applicable counterarguments
- Cooperate and communicate with one another to share knowledge and expertise
- Recognize where the course material fits into scholarly dialogue and analyze strengths/weaknesses within an argument
- Identify applicability of course material to personal interests and real-world events
- Learn to differentiate between extrinsic and intrinsic motivations/value/etc.
- Cultivate a strong sense of personal responsibility and the associated pride that results from setting clear goals, being challenged beyond comfort and pushed to excel, overcoming “obstacles”, and truly *earning* the outcome they receive

REQUIRED TEXTS:

- Janis, Mark W., and John E. Noyes. 2020. *International Law: Cases and Commentary. Sixth Edition*. St. Paul, MN: Thomson West Publishing. ISBN: 978-1642425864.
- Selected treaties (accessible in book or online—see links below).
- Other assigned readings accessible through Canvas.

OPTIONAL TEXTS: For those who need more clarification or want to pursue the information in greater depth...listed in order of recommendation:

- Garner, Bryan A. 2006. *Black’s Law Dictionary*. Pocket Edition. St. Paul, MN: Thomson West. ISBN: 978-0314275448. [available at Clemson bookstore or from your online vendor of choice]
- Henriksen, Anders. 2017. *International Law*. New York: Oxford University Press.
- Bradley, Curtis A. 2015. *International Law in the U.S. Legal System*. Second edition. Oxford University Press. ISBN: 978-0190217778.
- Epps, Valerie. 2013. *International Law*. Fifth Edition. Durham, NC: Carolina Academic Press. ISBN: 978-1611632286.
- Ohlin, Jens David. 2015. *The Assault on International Law*. Oxford University Press. ISBN: 978-0199987405.

REQUIREMENTS: The course is structured as follows:

Attendance & Participation (0%)

Note well that there is no “grade” for attendance or participation in this course. That said, it is *impossible* to do well without coming to class every day and being actively engaged. I do not need to know why you are gone on any given day. Just know that missing even a single class can have an extremely detrimental effect on your final course grade via its impact on your comprehension of the course material. Class format will vary between discussion, group activities, multimedia presentations, case studies, and lecture. Preparation and participation are critical as the course builds cumulatively upon all earlier material. Should you miss class for any reason, it is your responsibility to get notes from a study buddy and/or attend office hours to clarify questions.

Case Discussion Leadership & Brief (5%)

In this “flipped classroom” exercise, students will work in small groups to demonstrate that they comprehend complicated, hard-to-read legal cases by leading class on one of the cases designated by the professor. Two days before their case is due, each group must email me a typed case brief (format to be provided) as well as a minimum of five thought-provoking discussion questions. I will make copies to distribute to the rest of the class. Groups should then be fully prepared to summarize their case and answer classmates’ questions about it in lecture.³ Part of your grade will be determined by your groupmates’ assessment your contributions (i.e., peer grading).

Digital Position Project (25%)

Students will research an international legal issue that applies class concepts to a new subject not directly covered in class. (See suggested topics on Canvas; first come, first served!) Students are strongly encouraged to meet with me ahead of time to discuss their ideas. After selecting a topic, they will 1) identify a specific legal issue associated with it; 2) analyze both sides of the issue (affirmative v. negative); 3) make a clear, efficacious argument in favor of one side; and 4) make specific recommendations for how international law can—and *should*—be improved in order to clarify the legal boundaries surrounding this topic and prevent similar issues from arising in the future. A stapled hard copy of your initial outline proposal (using required format; worth 5%) is due by 9:30am on Tuesday, February 14th. Your final findings and argument must then be conveyed in the form of a digital Adobe Spark® Page. (More detailed instructions to follow.) To underscore the importance of this assignment, there are five “Project Work Days” where students are expected to use class time to work on the project in place of normal lecture. Final digital position projects (worth 20%) must be uploaded to Canvas by 5:00pm on Friday, April 14th. A -10 points per day late penalty will be strictly enforced for both components.

Personal Opinion Paper (5%)

International law exists in many different forms covering many different areas. But how effective and efficacious is it really? Do sovereign states abide by it, or do they ultimately just do what they want? At the end of the day, *does international law matter???* Should it? Why or why not? At the end of the semester, students will submit a short reflection paper illuminating their own individual stance on this debate; further instructions to be provided. There is no “correct” answer, but students are required to engage class readings and use a minimum of 3 pieces of evidence to support their opinion. Hard copies are due by 9:30am on Thursday, April 27th.

³ It is entirely YOUR responsibility to remember the date for which you sign up to present. No reminders will be sent and no rescheduling or makeups will be allowed without a legitimate, documented, University-approved excuse.

Quizzes (15%) & Exams (55%)

There will be four short multiple choice quizzes to be taken *online* via Canvas; the lowest score will be dropped (making the remaining three each worth 5% of your final course grade). Quizzes may not be made up; dropping the lowest score is designed to automatically account for absence or poor performance. The midterm (worth 20%) will take place on Thursday, March 2nd; the cumulative final exam (worth 30%) will take place in our normal classroom at the University-scheduled time of Wednesday, May 3rd from 8:00-10:30am. Mark your calendars now, as exams may only be made up in the rare event of a legitimate, University-approved, and *appropriately documented* circumstance.⁴ (See more on this below.)

GRADE RECAP:

Attendance & Participation – 0% (BUT ESSENTIAL TO PASS THE CLASS)
Case Discussion Leadership & Brief – 5%
Best 3/4 Quizzes – 15%
Midterm I – 20%
Project Proposal – 5%
Final Digital Position Project – 20%
Personal Opinion Paper – 5%
Cumulative Final Exam – 30%

GRADING POLICY: This is a letter-graded course. At the very end of the semester, grades ending in .5 to .9 will be rounded up to the nearest whole number; those below .5 will not.

- 90-100 = A; 80-89 = B; 70-79 = C; 60-69 = D; 0-59 = F

CLASSROOM POLICY: It should go without saying students are to adhere to proper and respectful conduct at all times, particularly if/when sensitive material is presented and/or conflicting opinions arise.

BEWARE: YOU are responsible for holding yourself accountable for being prepared, paying full attention, and seeking help as you need it. Succumbing to the temptation to “multi-task” by checking social media or browsing the internet during class time will have a severely negative impact on your grade. I highly, *highly* recommend you put your devices away during class time and take only handwritten notes instead.

EXAM POLICY: Exams may only be made up under extreme circumstances and require appropriate documentation presented to the instructor prior to the date of absence. In cases where

⁴ Be sure to reference the Undergraduate Announcements for more detail, particularly the section on what constitutes a “medical” excuse. Note also the Undergraduate Class Regulations: “In the event of an emergency, the student should make direct contact with the course instructor, preferably before a class or an exam takes place. Students should speak with their course instructors regarding any scheduled absence as soon as possible and develop a plan for any make-up work. It is the student’s responsibility to secure documentation of emergencies, if required. A student with an excessive number of absences may be withdrawn at the discretion of the course instructor.” **Any quiz or exam taken online will require the use a computer with a working webcam so the Respondus Lockdown Monitor + Browser can monitor their activity during the test period.**

advance notification is not feasible (e.g. unanticipated illness, accident, or emergency) documentation must be provided upon return to class. For illness, documentation should include an official note from a doctor or clinic. If the instructor approves a make-up exam, it must then be taken within one week of the original test date listed in the syllabus, except under extreme circumstances approved by the instructor.

CANCELLATION POLICY: If, for some reason, I am more than ten minutes late to class, a volunteer student should call the main Political Science office (864-656-3233) for an update or check with the POSC office staff in 232 Brackett. If class or office hours need to be cancelled unexpectedly, I will send an email and post a notice on Canvas in advance. In the event of inclement weather or power outages, we will follow the University’s protocol as follows: “Any exam that was scheduled at the time of a class cancellation due to inclement weather will be given at the next class meeting unless contacted by the instructor. Any assignments due at the time of a class cancellation due to inclement weather will be due at the next class meeting unless contacted by the instructor. Any extension or postponement of assignments or exams must be granted by the instructor via email or Canvas within 24 hours of the weather related cancellation.”

ACCESSIBILITY POLICY: Clemson University values the diversity of our student body as a strength and a critical component of our dynamic community. Students with disabilities or temporary injuries/conditions may require accommodations due to barriers in the structure of facilities, course design, technology used for curricular purposes, or other campus resources. Students who experience a barrier to full access to a class should let me know within the first two weeks of class, and make an appointment to meet with a staff member in Student Accessibility Services as soon as possible. You can make an appointment by calling 864-656-6848 or by emailing studentaccess@lists.clemson.edu. Students who have accommodations are strongly encouraged to request, obtain and send these to their instructors through the AIM portal as early in the semester as possible so that accommodations can be made in a timely manner. It is the student’s responsibility to follow this process each semester. More information is available at <https://www.clemson.edu/academics/studentaccess/index.html> and the Accessibility Portal <https://www.clemson.edu/accessibility/access/accommodations-services.html>.

EXTENDED TIME ON EXAMS: Note that if your documented accommodations include extended time on exams, it is your responsibility to *complete* your exam with the University Testing and Education Center (UTEC) **at or before the exact same time as the in-class exam is given**. See <https://www.clemson.edu/academics/studentaccess/test-center.html> to sign up and note that the UTEC recommends students make these arrangements *at least* 5 business days in advance of the test date—and even earlier for the final exam.

COMMITMENT TO DIVERSITY (AKA TITLE IX POLICY): Clemson University is committed to a policy of equal opportunity for all persons and does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender, pregnancy, national origin, age, disability, veteran’s status, genetic information or protected activity in employment, educational programs and activities, admissions and financial aid. This includes a prohibition against sexual harassment and sexual violence as mandated by Title IX of the Education Amendments of 1972. This [Title IX policy](#) is located on the Campus Life website. Ms. Alesia Smith is the Clemson University Title

IX Coordinator, and the Executive Director of Equity Compliance. Her office is located at 223 Brackett Hall, 864-656-0620. Remember, email is not a fully secured method of communication and should not be used to discuss Title IX issues.

Clemson University aspires to create a diverse community that welcomes people of different races, cultures, ages, genders, sexual orientation, religions, socioeconomic levels, political perspectives, abilities, opinions, values and experiences.

ACADEMIC INTEGRITY POLICY: Violations of academic honesty, including cheating or plagiarism, are unacceptable and will be seriously prosecuted. Plagiarism includes—but is not limited to—borrowing ideas and paraphrasing them within a paper without properly citing them, copying passages directly from sources without enclosing them in quotation marks, purchasing or stealing another person’s paper to turn in, or having someone else write an assigned paper. Note that I also consider plagiarism to include submitting your own identical work for more than one assignment or course (aka “double dipping” or “self-plagiarism”) without prior approval from both instructors. I highly recommend that you review the “Plagiarism Packet” posted in the “Resources” folder on Canvas, as well as the plethora of information on Clemson Library’s “Avoiding Plagiarism” website.⁵ If you have any further questions, you should consult Clemson University’s current Undergraduate Announcements catalog for information on rules and regulations related to academic integrity. If you have any doubt about what is or is not permissible, ask first.

Clemson University’s official statement on academic integrity is as follows: “As members of the Clemson University community, we have inherited Thomas Green Clemson’s vision of this institution as a “high seminary of learning.” Fundamental to this vision is a mutual commitment to truthfulness, honor, and responsibility, without which we cannot earn the trust and respect of others. Furthermore, we recognize that academic dishonesty detracts from the value of a Clemson degree. Therefore, we shall not tolerate lying, cheating, or stealing in any form.” See <https://www.clemson.edu/academics/integrity/> for more information.

EMERGENCY PREPAREDNESS: Emergency procedures have been posted in all buildings and on all elevators. Students should be reminded to review these procedures for their own safety. All students and employees should be familiar with guidelines from the Clemson University Police Department. See <https://www.clemson.edu/cusafety/index.html> for more information.

⁵ <http://clemson.libguides.com/AvoidingPlagiarism>

FAQ's

Are you an easy professor?

Absolutely not. That said, I *love* teaching and am committed to helping students learn not only the material, but life-long skills they can apply far beyond the classroom. My teaching philosophy involves challenging students to grow beyond their comfort zones so that they realize the pride that comes from doing things they didn't previously believe possible. As invested as I am in all my students' success, they must take personal responsibility for whatever outcome they obtain in this course.

How many students typically receive an "A" in this course?

Given the difficulty and high expectations of this course, most semesters no more than 10% of students receive an "A" grade.

How much time should I expect to spend on this course?

This is a 3-credit hour course. That means that for every hour you spend in class, you should expect to spend another three or more outside of it.

What would you recommend I do to be successful?

Beyond full attendance and engagement, you must come to class prepared each day having done all necessary assignments and readings. More importantly, it is crucial that you meet with me during office hours to clarify questions, get additional help if necessary, and keep me apprised of how things are going for you. I highly, *highly* recommend you treat this (and all your courses) as your job: have a set time and location that you routinely prepare and study so that not only get in the habit of doing the work, but also have more definitive boundaries to protect your *non-work* time.

What are office hours and how do they work?

Office hours are a first-come, first-served opportunity for private 1:1 interaction between the student and professor. The structure of these meetings is very informal and you do not even need a specific reason to schedule an appointment. (However, if you do have questions or concerns, then it's all the more important you reach out to set up a meeting.)

What should I do if I'm sick?

I do not need to know that you are sick unless it interferes with your ability to complete assignments on time or take the regularly-scheduled exams. In that case, you must email me (not just rely on the Notification of Absence system!) AND an official doctor's note (or equivalent) is required to be able to make up anything that was missed. To the best of your ability, please notify me well in advance of due dates and exam times so that we can accommodate your needs. Any assignments or exams missed must be made up within a week of the original due date unless a specific situation precludes it.

Do you offer extra credit?

I do not. Students are expected to do what it takes to do well from the beginning and to immediately seek help from me if they do not believe their performance on assessments reflects their true knowledge/capability. While I am looking for overall improvement during the course of the semester, the percentages each assessment is weighted already take into account the fact that students should progress in their comprehension of course material over the full semester.

Why do you assign a group project?

Knowing how to work well with others is an essential life skill. Furthermore, two+ heads are always better than one! The policy brief project is an extremely in-depth, comprehensive assignment that is best broken up among multiple individuals so they can divide the labor while producing an even better quality product than they could have achieved on their own.

What if I run into problems with my group while working on the group project?

The life skills acquired from working in a group will benefit you long after the course ends. While it is extremely rare for major issues to arise, the challenges of coordinating different schedules, making space for all voices to be heard, accommodating different learning preferences and preferred project completion timeframes, deciding on a final course of action, equitably distributing work, etc. are both real and to be expected. If other, more serious problems occur then please first work amongst yourselves to resolve the conflict in as “adult” a manner as possible. If the group remains at an impasse or you think there is more that I should know, then of course please bring that to my attention and I will intervene as needed.

What is ‘critical thinking’ and why is it emphasized in this course?

The Oxford Dictionary defines critical thinking as, “The objective analysis and evaluation of an issue in order to form a judgment.” This skill is important not only because political science requires the non-biased application of the scientific method in an attempt to isolate generalizable explanations of political phenomena, but also because it equips students to be more critical consumers of information, more inquisitive decision makers in both their personal and professional lives, and better citizens at both the national and global levels.

CLASS SCHEDULE & ASSIGNMENTS

(Subject to change. Please check Canvas & your Clemson email daily for important updates!

All readings refer to the Janis, Noyes, & Sadat textbook unless otherwise noted; most other things are accessible through the Modules > Readings section on Canvas. All reading should be completed prior to class on the day it is listed!

Thursday 1/12: Introduction to International Law (IL)

- Review: Syllabus, Canvas, Plagiarism Packet

Tuesday 1/17: Sources of International Law

- Read:
 - “How to Brief A Case” handout (on Canvas)
 - “The History of Int’l Law” (p. 1-3)
 - McCann v. United Kingdom (p. 3-17)
- Ponder: What is international law (IL)? How is it made? Who are the main subjects of international law? What are the differences between public and private IL? Has international law seemed to become more or less important over time?

Thursday 1/19: Sources of International Law, Cont’d

- FILARTIGA CASE BRIEF DUE (hard copy at beginning of class)
- Read:
 - Filartiga v. Pena-Irala (p. 17-27)
- Review: ICJ Statute Art. 38(1)(a-d) (p. 1189)
- Ponder: What are the main sources of international law? How many different kinds are there? Which are binding or not? Is there a ‘hierarchy’ of international law sources? What are the pros/cons of each source?

Tuesday 1/24: Treaties

- Read:
 - “Treaties” (p. 29-68)
 - Reservations to Genocide Convention Case (p. 68-78)
- Ponder: How do treaties come about? What law/instrument governs treaties? May states opt out of (parts of) a treaty? If so, when?

Thursday 1/26: Treaties, Cont’d

- Sign up for a research project topic (only 1 person per topic; 1st come, 1st served)
- Read:
 - Gabcikovo-Nagymaros Case (on Canvas)
 - Eastern Greenland Case (p. 102-112)
- Review: Vienna Convention on the Law of Treaties (p. 1209)
- Ponder: How are treaties validly terminated? Must treaties be in written form? Who may conclude a treaty?



Tuesday 1/31: Customary International Law

- QUIZ 1
- Read:
 - Paquete Habana (p. 113-126)
 - Asylum Case (p. 126-130)
- Ponder: How do we find evidence of an international “custom”? What different types/levels of custom are there? How many states must participate in a custom and for how long before it is considered binding? Can states ever opt out of CIL? How?

Thursday 2/2: Customary International Law, Cont’d

- Read:
 - Lotus Case (p. 130-142)
 - Prosecutor v. Furundzija (p. 177-179)
 - Michael Domingues Case (p. 179-185)
- Review: Jus Cogens handout (on Canvas)
- Ponder: Are all customs equal, or are some more important than others? What are erga omnes obligations, and how are they related to jus cogens norms?

Tuesday 2/7: General Principles of International Law & Soft Law

- Read:
 - AM&S Case (p. 156-166)
 - Corfu Channel Case (on Canvas)
 - “Soft Law” (p. 185-188)
- Ponder: Who’s considered a “civilized nation”? How do general principles differ from CIL? What are some established principles? What is equity?

Thursday 2/9: NO CLASS OR OFFICE HOURS; PROJECT WORK DAY #1

Tuesday 2/14: The Relationship between International & Domestic Law

- PROJECT PROPOSALS DUE (hard copy at 9:30am)
- Read:
 - Foster & Elam v. Neilson (p. 222-228)
 - Missouri v. Holland (p. 236-240)
 - Whitney v. Robertson (p. 241-243)
 - United States v. Belmont Case (p. 243-247)
- Ponder: Why does domestic law matter for IL? How can we categorize different states’ participation in and willingness to incorporate IL? What is the United States’ relationship to IL? What happens when IL and domestic law conflict?

Thursday 2/16: Jurisdiction

- Read:
 - “The Principles of Jurisdiction” (p. 987-988)
 - American Banana v. United Fruit Co. Case (p. 988-992)
 - Blackmer v. United States Case (p. 992-995)
 - U.S. v. Aluminum Co. of America (p. 995-1001)
 - “Other Principles of Jurisdiction” (p. 1001-1003)
- Ponder: What are the various bases or principles of jurisdiction? Are they mutually exclusive? When they conflict, which principle(s) prevail? Why does jurisdiction matter? Has the weight placed on certain principles of jurisdiction changed over time?

Tuesday 2/21: State Sovereignty & Recognition

- QUIZ 2
- Read:
 - “States and International Law” (p. 573-583)
 - “The Recognition and Succession of States and Governments” (p. 583-587)
 - Tinoco Claims Arbitration (p. 607-618)
- Review: Montevideo Convention (p. 584-587)
- Ponder: How do we define a “state”? What are the different theories of statehood? To what extent is recognition by other states required? When a government is contested, is IL made by that government still legally valid and binding?

Thursday 2/23: NO CLASS OR OFFICE HOURS; PROJECT WORK DAY #2

Tuesday 2/28: International Dispute Resolution; State Responsibility

- In-class review for midterm
- Read:
 - “Public International Arbitration” (p. 339-353)
 - Rainbow Warrior Case (p. 358-374)
- Review & Print:
 - ILC’s Draft Articles on State Responsibility (on Canvas)
- Ponder: How can IL help states resolve their issues with one another? When and why will states choose one particular type of dispute resolution over others? Are states always responsible for the actions of their nationals and governments? What obligations do states have towards one another?

Thursday 3/2: MIDTERM

Tuesday 3/7: The International Court of Justice

- Read:
 - “The International Court” (p. 374-376)
 - Diplomatic & Consular Staff Case (p. 389-407)
 - “Advisory Opinions at the International Court” (p. 410)
 - “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory” (p. 410-430)
- Review: ICJ Website www.icj-cij.org/en
- Ponder: What does the ICJ do? How is it organized? What are advisory opinions? Are they effective? Why or why not?

Thursday 3/9: International Organizations & International Law

- Read:
 - “International Organizations” (p. 661-673)
 - Reparations Case (p. 673-686)
 - “Nongovernmental Organizations” (p. 686-700)
- Review: <https://www.un.org/en/> (see ‘About Us’ > ‘Main Bodies’ section)
- Review & Print: UN Chart (on Canvas)
- Ponder: Where do international organizations (IOs) fit in IL? Which IOs have international personality? What are the main differences between intergovernmental

organizations (IGOs) and nongovernmental organizations (NGOs)? Does IL apply equally to both? Should it?

Tuesday 3/14: Individuals & International Law

- Read:
 - “Individuals as Objects of International Law” (p. 465)
 - Nottebohm Case (p. 465-476)
 - “Individuals as Subjects of International Law” (p. 491-495)
 - “International Human Rights Law” (p. 495-508)
 - Soering Case (p. 536-554)
- Review & Print:
 - International Bill of Human Rights: <http://www.un-documents.net/a3r217.htm>
- Ponder: Why do we have human rights law? Which types of states protect human rights (HR)? What can IL do if a state violates its citizens’ HR? Where do individuals fit in IL? How has their position changed/evolved over time? Is current IL regarding individuals sufficient? Why or why not?

Thursday 3/16: NO CLASS OR OFFICE HOURS; PROJECT WORK DAY #3

Tuesday 3/21: NO CLASS OR OFFICE HOURS; SPRING BREAK

Thursday 3/23: NO CLASS OR OFFICE HOURS; SPRING BREAK

Tuesday 3/28: International Criminal Law

- QUIZ 3
- IN-CLASS MOVIE
- Read:
 - “International Criminal Law” (p. 554-560)
 - The info at <https://www.un.org/en/chronicle/article/responsibility-protect>
- Review & Print:
 - ICISS’s Responsibility to Protect (on Canvas)

Thursday 3/30: The International Criminal Court

- Read:
 - “Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo” (p. 560-571)
- Review & Print:
 - Rome Statute of the ICC: on Canvas⁶
- Ponder: Why was the ICC established? How is the ICC different from the ICJ? What cases have been referred to the ICC? Which cases are the ICC currently investigating?

Tuesday 4/4: NO CLASS OR OFFICE HOURS; PROJECT WORK DAY #4

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⁶ You’ll want to print ALL 65 pages, however feel free to print front/back & multiple pages per sheet—just make sure you can still read it. ☺

Thursday 4/6: The ICC, Cont'd

- Read:
 - Scheffer (1999): “The United States & the ICC” (on Canvas)
 - Goldsmith (2003): “The Self-Defeating ICC” (on Canvas)
 - Thompson-Flores (2010) update on ICC (on Canvas)
- Ponder: What objections does the United States have to the ICC? Should the US join?

Tuesday 4/11: International Law & the Use of Force

- Read:
 - “International Law & the Use of Force” (p. 739-754)
 - “Traditional Limits on Resort to Force” (p. 768-770)
 - Caroline Dispute (p. 775-779)
 - “Article 2(4) and the Use of Force” (p. 779-787)
 - Nicaragua Case (p. 790-807)
- Ponder: When is the use of force permitted in IL? Who may use force and when? What qualifications must be met to claim self-defense? What happens when states are *not* justified in using force? What are the differences between *jus ad bellum* and *jus in bello*?

Thursday 4/13: NO CLASS OR OFFICE HOURS; PROJECT WORK DAY #5

Friday, 4/14: PUBLISHED DIGITAL POSITION PROJECT LINKS MUST BE UPLOADED TO CANVAS NO LATER THAN 5:00PM

Tuesday 4/18: International Law & the Use of Force, Cont'd

- Read:
 - UN & Use of Force (on Canvas)
 - “Security Council Practice After the Cold War: Iraq (p.807-823)
- In what way(s) was the 2003 war in Iraq justified under IL or not?

Thursday 4/20: International Environmental Law

- QUIZ 4
- Read:
 - Trail Smelter Case (on Canvas)
 - Shrimp Turtle Case (p. 431-447)
- Review & Print:
 - “Stockholm Declaration” (on Canvas)
 - “Rio Declaration” (on Canvas)
 - Montreal Protocol (on Canvas)
- Ponder: How has international environmental law (IEL) evolved over time? What areas does it predominantly cover? Is most IEL binding or not?

Tuesday 4/25: International Environmental Law, Cont'd

- COMPLETE COURSE EVALUATIONS ON CANVAS
- Read:
 - Hufbauer & Kim (2010): “Reaching a Global Agreement on Climate Change: What are the Obstacles?” (on Canvas)
- Review & Print:
 - UN Framework Convention on Climate Change:
<http://unfccc.int/resource/docs/convkp/conveng.pdf>

- Kyoto Protocol: <http://unfccc.int/resource/docs/convkp/kpeng.pdf>
- Paris Agreement (on Canvas)
- Ponder: What kinds of countries does current IEL (e.g., the Kyoto Protocol) cover? Why has the U.S. not joined the Kyoto Protocol? What does the future of international environmental law look like (e.g., what does the Paris Agreement aim to do)? Will it be effective? Why or why not?

Thursday 4/27: Debating the Effectiveness of International Law

- PERSONAL OPINION PAPERS DUE BY 2:00PM
- Last day of class
- Review for Final
- Read:
 - Goldsmith & Posner (2005): *The Limits of International Law* (on Canvas)
 - O'Connell (2008): *The Power and Purpose of International Law* (on Canvas)
 - Findley, Nielson, & Sharman (2014): "Causes of Noncompliance with International Law" (on Canvas)
 - Ohlin (2015): *The Assault on International Law* (on Canvas)
- Ponder: Does IL matter? When and why? Who abides by IL? What punishment(s) do states incur if they violate IL?

FINAL EXAM: Wednesday, 5/3 from 8:00-10:30am

**PLEASE REMEMBER TO EMAIL ME ASAP
WITH ANY QUESTIONS OR CONCERNS!**

Looking forward to a great semester,
Dr. Curtis