

INTERNATIONAL LAW

Political Science 308 | 3 credits | Spring Semester 2023
TTh, 9:40-11:10am | Sage 2212

“Almost all nations observe almost all principles of international law and almost all of their obligations almost all of the time.” –Louis Henkin

BULLETIN COURSE DESCRIPTION

This course introduces students to the key components of the international legal system and its primary institutions. Does international law matter? Does it constrain state behavior? When does it apply? Can it be enforced? Students will answer these questions as they not only read about principles of international law but put those principles to use wrestling with problems based on actual cases. The course concludes with a multi-week moot court competition based on materials used by law school students all over the world each spring.

PROFESSOR TRACY H. SLAGTER

Ph.D., University of Iowa

Office Location: Sage Hall 4626

Office Hours: M, 1-3pm; Th 11:30-12:30

Email: slagtert@uwosh.edu

DEPARTMENT MAIN OFFICE

Contact: Ms. Angelee Hammond

Office Location: Sage 4631

Office Phone: (920) 424-3456

Email: hammond@uwosh.edu

TEXTBOOK

The following textbook (an e-book) can be purchased at University Books & More or via online retailers. Any additional materials will be posted on Canvas.

Slagter, Tracy H. and John D. Van Doorn. *Fundamental Perspectives on International Law*, 7e. (New York: Cambridge University Press, 2023). E-book.

You should also bookmark the textbook’s companion website, which we will use frequently. It is noted in your book and there is a link to it on Canvas.

PREREQUISITES

This is an upper-division course in Political Science that relies heavily on class participation, close reading, and consistent attendance. Students who have taken Political Science 115 (Introduction to International Relations), 313 (Politics of Genocide), 323 (Comparative Constitutional Law) or 253 (Introduction to Law) may find that background useful in this course, although none of these courses are required in order to take this one. Please see me immediately if you discover that you are having difficulty with the course material at any point.

GLOBAL SCHOLAR

This course bears the **Global Scholar** designation. Global Scholar courses build upon the knowledge, skills and perspectives that students gain in their (required) **USP Global Citizenship (GC)** course (formerly known as the Non-Western Culture requirement). Together, GC and GS courses aim to provide students with the knowledge of nations, cultures or societies beyond the U.S.; the recognition of how interaction, interdependence and inequity among diverse geographical, social, political, or economic systems have shaped historical and contemporary global challenges and opportunities; and the skills needed to engage with the responsibilities of informed citizenship in a complex, interdependent and changing world.

STUDENT LEARNING OUTCOMES

After completing this course, you should be able to:

- *Identify and explain* core principles of international law and their impact on state behavior;
- *Describe and explain* the differing impact of international law on states;
- *Recognize and analyze* the impact of different state systems on the development and interpretation of international law;
- *Brief* complicated court cases accurately and succinctly;
- *Extract and apply* international law principles to new (real and hypothetical) cases;
- *Analyze* case scenarios efficiently in order to craft a persuasive argument;
- *Synthesize* course material and outside resources for use in a moot court proceeding.

GRADING

The following grading scale will apply to all assignments in this course:

A	94-100
A-	90-93
B+	87-89
B	84-86
B-	80-83
C+	77-79
C	74-76
C-	70-73
D+	67-69
D	65-66
F	0-64

ASSIGNMENTS

Present & Prepared (15%): I use the “present & prepared” method in this course, which I will explain in class. I will often ask class members to orally brief cases or answer questions about them; this is difficult to do without a good set of notes in front of you. I will teach you how to brief cases so that you are prepared and confident in class. This portion of your grade will reflect any absences as well as those times when I call on you and you are obviously un- or under-prepared. Unexcused absences (i.e., absences without medical documentation or university approval) will have a negative impact on your grade.

Midterm Examination (25%): The midterm examination will consist of several short answer questions, case identifications, and scenarios designed to test your knowledge of foundational international law principles and cases.

Problem Panels (15%): International law principles are best learned when applied to real-world and hypothetical scenarios. You will work in small teams to present on problems I assign in class. More details will follow in class.

Jessup Moot Court Competition (45%): We will be modifying Jessup International Moot Court Competition materials in this course to put your new international law skills to the test this semester. This is a major course project and will require a significant time commitment from you, but I assure you the intellectual reward will be worth it. Keep in mind that *this project is in lieu of a final examination and/or research paper*, but the work will be spread out over several weeks. Many more details will be

provided in the first weeks of the course. **NOTE:** Because this project is such a significant part of your grade, *you must be present for all days of the moot court*. Please plan accordingly. No exceptions.

GENERAL COURSE POLICIES

Canvas & Email: Please be sure you read all Canvas announcements or receive them as emails. That is the easiest way for me to contact you. Please also check your email regularly or have it forwarded to the email address you use the most.

Cell Phones: Please be courteous and set your phone to silent during class. I will do the same. It is disruptive to all of us if it rings during lecture or discussion. *I ask that all phones be out of sight during our class time.*

Other Distractions: Please refrain from reading the newspaper, listening to music, or frantically completing your reading or assignments for other classes while you're in mine. It's disrespectful to me and to your classmates. If you cannot give this class your full attention, you probably shouldn't come.

Food & Drink: It's absolutely OK with me if you bring snacks to class. Please be respectful of our beautiful building and our custodians and do not leave a mess on or around your table/seat. The only forbidden food is Doritos because I cannot tolerate how they smell!

ACADEMIC DISHONESTY

A college education is intended to develop your skills, knowledge, and confidence. Graded assignments are designed to work on these items. Thus, to gain the skills, knowledge, and confidence of a college-educated person all graded work is to be your own. When you are directed to work alone, an assignment or test must be done by you, its primary ideas are to be your own, and any outside materials should be dealt with properly (quoted when using someone's words and cited when quoting or referencing them in any other way). When your instructor directs you to work in teams, the work is to be done by the team. More information can be found here:

<https://uwosh.edu/politicalscience/wp-content/uploads/sites/14/2020/08/Academic-Honesty.pdf>

GRIEVANCES

The Department of Political Science is committed to offering you a high-quality classroom or online experience, and we take your feedback very seriously. If you have concerns about anything related to this course, assignments, or teaching method, you are encouraged to first speak with your instructor directly. If you are not comfortable speaking with the instructor, you are invited to speak with the Chair of the Department of Political Science, Dr. James Krueger. He can be reached at kruegerj@uwosh.edu. Should he be unable to resolve your concerns, he will guide you to appropriate resources within the College of Letters and Science.

STUDENTS WITH DISABILITIES

If you have or think you may have a learning difference or a disability—a mental health, medical, or physical impairment—that would limit your access to learning or demonstrating your knowledge in this course, please contact the Dean of Students Office. If you already have an accommodation, please let me know in the first week of class. Note that this class *may* be recorded for accommodation purposes.

NOTE TO POLITICAL SCIENCE MAJORS

Political Science majors should take Political Methodology (245) in either their sophomore year or the first semester of their junior year. If you have questions about this requirement, your course schedule, possible internships, or career preparation please reach out to your faculty adviser. Students are encouraged to meet with their faculty advisers at least once per year. If you are unsure who your adviser is, you can check Titanweb or email Ms. Angelee Hammond at hammond@uwosh.edu.

STUDENT RIGHT TO KNOW ACT (1990)

Students are advised to see the following URL for disclosures about essential consumer protection items required by the Students Right to Know Act of 1990: <https://uwosh.edu/financialaid/consumer-information/>

WANT TO KNOW MORE?

After completing this course, you might want to know more—you'll see that politics impacts everything you do, no matter what your future career plans are. I encourage you to explore our department further and am happy to answer any questions you might have or connect you with my colleagues in the department. We also have a deep network of Political Science alumni who are eager to help

you understand what a major or minor in Political Science has to offer. Take a look:

<https://politicalscience.uwosh.edu/for-students/>

CHANGES

I reserve the right to change any portion of this syllabus at any time in the semester in order to accommodate the needs and pace of this particular group.

SCHEDULE OF READINGS AND ASSIGNMENTS

Note: *This schedule is ambitious and we will almost certainly fall behind a bit at some point or have to shift material around. This is nothing to worry about! I will make sure to end every class by letting you know what to prepare for the following session. This is one of the many, many reasons why your consistent attendance is critical.*

WEEK ONE

- January 31 Introduction to Course; IRAC Case Brief Method; Moot Court Project introduction (The Jessup Compromis)
- February 2 What IS International Law?
READ: Slagter & Van Doorn, Chapter 1 (read through page 34)

WEEK TWO

- February 7 What IS International Law?
READ: Slagter & Van Doorn, Chapter 1 (read from page 35 to the end)
CASES: *Flores vs. Southern Peru Copper Corporation, Paquete Habana, Australian Mining & Smelting*
- February 9 States in International Law
READ: Slagter & Van Doorn, Chapter 2 (read from page 53-88)
CASES: *Cyprus v. Turkey, East Timor*

WEEK THREE

- February 14 States in International Law
READ: Slagter & Van Doorn, Chapter 2 (read from page 88-103)
CASES: *Jurisdictional Immunities of the State, Regina v. Bartle., Case Concerning the Arrest Warrant, Saudi Arabia v. Nelson*
- February 16 Connecting States and Individuals
READ: Slagter & Van Doorn, Chapter 2 (finish the chapter)
CASES: *Perez v. IOC, Loewen*

WEEK FOUR

- February 21 Treaties
READ: Slagter & Van Doorn, Chapter 3 (read pages 134-167)
CASES: *Medellin v. Texas, Fisheries Jurisdiction, Gabcikovo-Nagymaros*
- February 23 Diplomacy
READ: Slagter & Van Doorn, Chapter 3 (read pages 167 to end)
CASES: *Avena, Asylum Case*

WEEK FIVE

- February 28 Range of Sovereignty
READ: Slagter & Van Doorn, Chapter 4 (read through page 241)
CASES: *Mali v. Keeper of the Common Jail..., Maritime Dispute Judgment, Application for Prompt Release*
- March 2 Extraterritorial Jurisdiction
READ: Slagter & Van Doorn, Chapter 5 (all)
CASES: *Blackmer v. United States, Soering v. United Kingdom*

WEEK SIX

- March 7 International Organizations
READ: Slagter & Van Doorn, Chapter 6 (read through page 324)
CASES: *Behrami & Behrami v. France, Center for Reproductive Law & Policy v. Bush*
- March 9 International Organizations
READ: Slagter & Van Doorn, Chapter 6 (read the UN and EU sections; skim the sections on the other organizations)
CASES: *Weiss, et al.*
RELEASE: Midterm Examination Prompt

WEEK SEVEN

- March 14 🕯 **Midterm Examination DUE to Canvas (NO CLASS)**
- March 16 Introduction to Jessup Project and Problem, Teams Assigned
READ: Jessup Compromis (Canvas)

SPRING BREAK WEEK

- March 21 **NO CLASS** | Spring Break
- March 23 **NO CLASS** | Spring Break

WEEK EIGHT

- March 28 Human Rights
READ: Slagter & Van Doorn, Chapter 7 (read to page 402)
- March 30 Human Rights
READ: Slagter & Van Doorn, Chapter 7 (finish the chapter)
CASES: *Lautsi v. Italy, APDF & IHRDA v. Mali, Prosecutor v. Nahimana*

WEEK NINE

- April 4 **NO CLASS** | Dr. Slagter traveling with Model UN Team
Please use this time to meet with your groups and start outlining your arguments!
- April 6 **NO CLASS** | Dr. Slagter traveling with Model UN Team
Please use this time to meet with your groups and start outlining your arguments!

WEEK TEN

- April 11 Use of Force
READ: Slagter & Van Doorn, Chapter 8 (read to page 475)
CASES: *U.S. v. Calley*
- April 13 International Environmental Law
READ: Slagter & Van Doorn, Chapter 10 (read to page 584)
CASES: *Urgenda Foundation*

WEEK ELEVEN

- April 18 Team Meetings
- April 20 International Environmental Law
READ: Slagter & Van Doorn, Chapter 10 (finish the chapter)
CASES: United Nations Compensation Commission on "F4" Claims

WEEK TWELVE

April 25

Human Security

READ: Slagter & Van Doorn, Chapter 9 (all)

April 27

Final Team Meetings and Overall Moot Court Briefing

WEEK THIRTEEN

May 2

Jessup Moot Court (ATTENDANCE REQUIRED)

May 4

Jessup Moot Court (ATTENDANCE REQUIRED)

WEEK FOURTEEN

May 9

Jessup Moot Court (ATTENDANCE REQUIRED)

May 11

Jessup Moot Court (ATTENDANCE REQUIRED)