

# POLS 3362 – INTERNATIONAL LAW AND POLITICS

*MW: 3:00 – 4:20pm in BUSN Rm 304*

INSTRUCTOR: Dr. Rebecca A. Reid  
PHONE: 915-747-7970  
EMAIL: [rareid@utep.edu](mailto:rareid@utep.edu)  
OFFICE: 307 Benedict Hall  
OFFICE HOURS: MW 4:30-6:00pm, or by appointment

## **COURSE DESCRIPTION**

This course provides an introduction to the politics of international law. The class will employ methods that are both traditional (lecture-based) and non-traditional (such as simulations, group work, applied learning, and projects) to enable students to explore and analyze institutions and interactions between law, states, international institutions, and legal systems. This course will survey a broad array of international treaty and customary laws, international legal concepts and sources, current debates within political science concerning international law, international adjudication, compliance, international institutions, the relationship between domestic and international law, and the relationship between politics and law.

## **UTEP EDGE**

This course encompasses activities associated with UTEP EDGE, including 1) teamwork through a variety of group assignments and discussions, 2) communication through class discussion and student presentations, 3) problem-solving and critical thinking through class discussion, working groups, and student presentations applying class themes to real-world situations and events, 4) global awareness as students learn about alternative legal and political systems as well as how nation-states cooperate or conflict, and 5) leadership and entrepreneurship in developing viable solutions to international problems using class themes and outside research.

## **LEARNING OUTCOMES**

Over the course of the semester students will have:

- An understanding of the key elements of international law, including treaty law, human rights law, humanitarian law, criminal law, environmental law, regional and international courts.
- Become familiar with basic social science theories and be able to apply theoretical perspectives to explain political behavior and processes.
- Developed and enhanced the skills necessary to understand contemporary political problems as well as will have learned to think critically and analytically about political issues and articulate arguments.
- Developed the ability to adapt and apply skills, abilities, and theories of international law to current events and new situations.
- Gained an understanding of a variety of areas of law and how courts operate within each jurisdiction.
- Learned to think critically and analytically about legal issues and articulate arguments in response to specific legal questions.
- Learned to evaluate how the rule of law impact democracy, rights, and individual lives.
- Developed effective teamwork skills for collaborative work while demonstrating respect and value for a diversity of opinions, viewpoints, and perspectives.

## REQUIRED READING

- Shaw, Malcolm N. 2014. *International Law*, 7th Edition. Cambridge University Press.

## RECOMMENDED READINGS AND RESOURCES

- The American Society of International Law offers a lot of material as well at <http://www.asil.org/resources/electronic-resource-guide-erg>, including video panels here: <https://www.youtube.com/user/asil1906/videos?view=0&sort=dd&flow=grid>.
- International Law Commission: <http://legal.un.org/ilc/ilcintro.shtml>.
- Aust, Anthony. 2010. *Handbook of International Law*, 2<sup>nd</sup> edition. Cambridge University Press.

## COURSE REQUIREMENTS AND GRADING

Evaluation in this course will be based on the following components:

Attendance/Participation	10%
Group Discussion Papers	15%
Lowest Exam Score	10%
Midterm Exam	15%
Final Exam	20%
Group Project Presentations	30%

The grading scale is as follows:

90-100	A
80-89	B
70-79	C
60-69	D
59 and below	F

***Participation:*** Attendance and participation are essential and thus mandatory. Students are responsible for answering questions as well as offer their thoughts, opinions, and questions without requiring solicitation from the instructor. Needless to say, these thoughts should have merit and be based upon the readings. Students are expected to be in class punctually and stay for the entirety of the class. Students with scheduling conflicts, excused absences, etc. must contact me directly *prior* to class.

***Exams:*** There will be a final exam at the end of this course. The exam is closed book and covers the entirety of the course. The exam will cover class and textbook materials. As a general rule, **make up exams will NOT be offered**; although make up exams will be permitted only under the gravest of circumstances, and I reserve the right to determine whether a make up exam is offered to individuals based upon their situation and timely request. I reserve the right to alter the questions for such make up exams. **Grade challenges must be in written form and submitted within one week of taking the exam.** *I highly recommend consistent studying of all vocabulary and core themes through the use of regularly testing using flash cards.*

***Group Discussion Papers:*** At the start of each class, a real-world or hypothetical situation will be offered. Student groups will discuss whether and which international laws inform the situation and potential outcomes. Each group is responsible for a short paper outlining: 1) whether international law informs the situation or possible outcomes, 2) which international laws affect or are affected by the situation, 3) how international law informs the situations and applying the appropriate laws to generate appropriate political solutions or responses.

***Group Project Presentations:*** In groups of 4, identify either a current political conflict or contemporary (i.e. unresolved) case at an international/regional court. For the selected conflict or case, your group must present 1) what the problem is, 2) how you propose to fix it using international law and political tools, and 3) offer a viable and detailed template for your proposed course of action to solve this conflict or case. In other words, your presentation should identify a real-world conflict or problem as well as apply international law and politics tool to offer a realistic solution to the problem/conflict. Be sure to include consequences of implementing your solution, especially potentially unintended consequences, as well as make a persuasive case for why your solution proposal is superior to alternatives (thereby also addressing what the alternatives are).

***Presentation should be 20 minutes long,*** with roughly 10 minutes of Q/A (question and answer) afterwards.

Each group will be evaluated by the instructor (see rubric on page 9, and each group is responsible for turning in their evaluations of fellow group members on the day of their presentation. Each member within a group will individually submit to me a report grading each member of his/her/their group following the template provided on page 10). The report must include your self-evaluation (consisting of what grade you think you deserve and why) as well as an evaluation of every other group member (including what grade you think each member deserves and why). This report is a venue to reflect free-riding, possible workload distribution issues, and group dynamic issues. ***If any problems of free-riding or group member conflicts arise you MUST inform the instructor immediately.***

If you suspect that you will receive a poor group evaluation, you have an option to write me a short essay paper explaining any extenuating circumstances that I should take into account for. Such an appeal do not guarantee any particular grading outcome; as such, I will evaluate the appeal in relationship with the group member evaluations and other information I have pertaining to group performance and class performance. Making an appeal does not guarantee a good grade. If there are irreparable group conflicts where an individual must be removed from, or decides to remove his/her/theirselves from a group, then I may offer an individual class presentation. Any alteration to grading components and group work are by necessity only and dealt with on a case-by-case basis as determined by the instructor.

For students serving as audience members (i.e. not presenting that day), please follow the below guidelines. ***Failure to comply with these rules will result in having points docked from the presentation grade*** for the noncompliant individual.

- 1) You must attend class, even if your group is not presenting.
- 2) You must be respectful. Do not talk, be on your phone/texting/etc., packing or unpacking your belongings, etc. while the group is presenting. To do so is extremely disrespectful, and I will

dock individual grades for disrespect. Tardiness is also disrespectful to groups presenting, so be on time.

## **SPECIAL ACCOMODATIONS**

If you have a disability and need classroom accommodations, please contact The Center for Accommodations and Support Services (CASS) at 747-5148, or by email to [cass@utep.edu](mailto:cass@utep.edu), or visit their office located in UTEP Union East, Room 106. For additional information, please visit the CASS website at [www.sa.utep.edu/cass](http://www.sa.utep.edu/cass). *CASS' Staff are the only individuals who can validate and if need be, authorize accommodations for students with disabilities.*

## **ACADEMIC DISHONESTY**

**Absolutely no form of academic dishonesty will be tolerated.** The University of Texas at El Paso prides itself on its standards of academic excellence. In all matters of intellectual pursuit, UTEP faculty and students must strive to achieve excellence based on the quality of work produced by the individual. In the classroom and in all other academic activities, students are expected to uphold the highest standards of academic integrity. Any form of scholastic dishonesty is an affront to the pursuit of knowledge and jeopardizes the quality of the degree awarded to all graduates of UTEP. It is imperative, therefore, that the members of this academic community understand the regulations pertaining to academic integrity and that all faculty insist on adherence to these standards.

Any student who commits an act of scholastic dishonesty is subject to discipline. Scholastic dishonesty includes, but is not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, and any act designed to give unfair advantage to a student or the attempt to commit such acts. Proven violations of the detailed regulations, as printed in the Handbook of Operating Procedures (HOP) and available in the Office of the Dean of Students and the homepage of The Dean of Students at [www.utep.edu/dos](http://www.utep.edu/dos), may result in sanctions ranging from disciplinary probation, to failing a grade on the work in question, to a failing grade in the course, to suspension or dismissal, among others.

## **UNIVERSITY WRITING CENTER**

The University Writing Center is a useful tool each of student should take advantage of in for all written/paper assignments. While not required, your paper will be improved following a consultation with the staff. The staff sees students through appointments or walk-ins, though appointments are preferred. For more information, go to: <http://uwc.utep.edu/index.php/hours-location>. For appropriate assignments, I offer up to 10 points extra credit if you consult the writing center. In order to be eligible for this credit, you must show evidence of your consultation and evidence of the revisions suggested and those you made. You must also provide a reflection as to what you learned from the experience (for instance, what types of errors do you systematically make and how can you correct them). Hence, credit will only be possible with adequate evidence and thoughtful reflection of the writing and revision process.

## **COUNSELING AND PSYCHOLOGICAL SERVICES**

The center, located at 202 Union West, offers confidential counseling services in English or in Spanish. They also provide group and individual counseling for currently enrolled UTEP students. For more information, go to: <https://www.utep.edu/student-affairs/counsel/>.

## **ADELANTE CHILD DEVELOPMENT CENTER**

Child care is available for children of all students of the University. The Adelante Child Development Center is located at 314 W. Schuster and is managed and operated by Adelante Childcare, Inc. Children aged three months to 12 years are accepted, depending on space availability (Hourly, daily and weekly care are available and the Center offers a Summer Camp for school-age children). Age-appropriate early childhood developmental programs are offered in the curriculum. The Adelante Child Development Center is licensed by the Texas Department of Protective and Regulatory Services. Financial assistance is available for qualifying parents through Child Care Services. For more information, please call: **915-532-1114** or **contact: [studentaffairs.utep.edu/childcare](http://studentaffairs.utep.edu/childcare)**. If, for any reason, you cannot find a care-taker for your child(ren), you are welcome to bring them to class.

## **GENERAL EXPECTATIONS**

I expect all students to behave professionally in this class. You will be held responsible for all material covered in the textbooks, articles, videos, and the class discussions. If you miss a class, you are still responsible for the content of that day's information. I will not tolerate disruptive behavior, including (but not limited to) inappropriate computer use, reading newspapers, talking during lectures, using cell phones or pagers, and disrespecting classmates or the instructor. Additionally, I expect all students to attend class prepared and to show up on time. It is disrespectful to the instructor and the other students when individuals show up late or are not prepared to participate in the class discussion. I allow the use of laptops for class purposes only; however, should laptop usage become disruptive, I reserve the right to prohibit laptops and other electronic devices.

This class is designed to provide information and challenge students with new, and sometimes controversial, ideas and arguments. This class is designed to be a safe, open environment to express ideas, arguments, and opinions for learning purposes. This class does not *give* you knowledge—i.e. knowledge and understanding is not transfused to students by simply sitting in class. Learning is an interactive process that is the primary responsibility of each student.

### **Late assignments will receive no credit.**

All grades are earned and reflect your reflect the mastery of material through the adequate completion of assignments by their deadline. As such, they do not reflect level of effort, interest, or intention. As a general policy, I do not offer incompletes, and **I will not change final grades for the course under any circumstances**, with the single exception of where an error occurred on my part.

## COURSE SCHEDULE

The following is a list of topics to be covered at each class meeting, and the readings which should be completed in order to fully participate in class that day. You are required to read the material prior to the class. *Literature not included in the textbook but listed on syllabus are the responsibility of students to locate (online) and read.* Academic articles can often be found via the UTEP library's website under the "Articles and Database" tab, where you can search repositories like JSTOR and Sage as well as individual journal titles. Finally, while I give specific days on which certain topics will be discussed, the calendar is subject to change. Any alterations to the course schedule will be clearly announced. As a general rule, the course will follow this order of topics, regardless of date changes, unless otherwise announced.

January	23	Introduction
	28	The Nature and Development of International Law <i>Readings Due:</i> Shaw, Chapter 1 (pg 1-30)
	30	International Law Today <i>Readings Due:</i> Shaw, Chapter 2 (pg. 31-48)
February	4	Sources <i>Readings Due:</i> Shaw, Chapter 3 (pg. 49-91) <b><u>Group Proposals Due</u></b>
	6	Compliance (Part 1) <i>Readings Due:</i> Downs, George W., David Roocke, and Peter N. Barsoom. 1996. "Is the Good News About Compliance Good News for Cooperation?" <i>International Organization</i> 50 (3): 379-406.
	11	Compliance (Part 2) <i>Readings Due:</i> Fariss, Christopher J. 2014. "Respect for Human Rights has Improved Over Time: Modeling the Changing Standard of Accountability." <i>APSR</i> 108 (2).
	13	International Law and Municipal Law <i>Reading Due:</i> Shaw, Chapter 4 (pg. 92- 140)
	18	Subjects of International Law and International Institutions <i>Reading Due:</i> Shaw, Chapter 5 (pg. 141- 193) Shaw, Chapter 23 (pg. 931- 965)
	20	Review for Exam
	25	<b>Exam</b>

- 27 International Protection of Human Rights  
*Reading Due:* Shaw, Chapter 6 (pg. 194- 247)
- March 4 Regional Protection of Human Rights  
*Reading Due:* Shaw, Chapter 7 (pg. 248- 284)
- 6 International Criminal Law  
*Reading Due:* Shaw, Chapter 8 (pg. 285- 320)
- 11 Jurisdiction, Immunities from Jurisdiction  
*Reading Due:* Shaw, Chapter 12 (pg. 468- 505)  
Shaw, Chapter 13 (pages 506- 565)
- 13 Jurisdiction, Immunities from Jurisdiction  
Review for Exam
- 18- 22 Spring Break**
- 25 Exam II**
- 27 Recognition  
*Reading Due:* Shaw, Chapter 9 (pg. 321- 351)
- April 1 Territory and State Succession  
*Reading Due:* Shaw, Chapter 10 (pg. 352- 400)  
Shaw, Chapter 17 (pg. 693-731)
- 3 State Responsibility, Dispute Settlement, ICJ  
*Reading Due:* Shaw, Chapter 14 (pg. 566- 612)  
Shaw, Chapter 18 (pg. 732- 765)  
Shaw, Chapter 19 (pg. 766- 810)
- 8 Law of the Sea  
*Reading Due:* Shaw, Chapter 11 (pg. 401- 467)
- 10 International Environmental Law  
*Reading Due:* Shaw, Chapter 15 (pg. 613- 653)

- 15 Law of Treaties  
*Reading Due:* Shaw, Chapter 16 (pg. 654- 692)
- 17 Use of Force and International Humanitarian Law  
*Reading Due:* Shaw, Chapter 20 (pg. 811- 846)  
Shaw, Chapter 21 (pg. 847- 874)
- 22 United Nations  
*Reading Due:* Shaw, Chapter 22 (pg. 875- 930)
- 24 Class Presentation
- 29 Class Presentation
- May 1 Class Presentation
- 6 Class Presentation
- 8 Class Presentation  
Review for Final Exam
- 13 Final Exam 1:00-3:45 pm**

### **Group Presentation Evaluation Guidelines: (100 points)**

- 1) To what extent does the group know its audience, providing a clear and persuasive template for policy change?  
**(15 points)**
- 2) To what extent does the group present a coherent theme throughout the presentation?  
**(10 points)**
- 3) To what extent does the presentation exhibit clear organizational structure?  
**(10 points)**
- 4) To what extent does the group exhibit well-researched, specific, and realistic policy proposals?  
**(20 points)**
- 5) To what extent does everyone participate?  
**(10 points)**
- 6) To what extent does the presentation capture the audience and hold their attention?  
**(10 points)**
- 7) To what extent is there a clear 'take away' message in the presentation?  
**(15 points)**
- 8) To what extent does the group exhibit familiarity of counter arguments (and are able to preclude/respond to them)?  
**(10 points)**

## Group Work Rubric

**Your name:** \_\_\_\_\_

**Directions:** Rate each of your group members in each of the categories, offer justification for why he/she/they deserve that score, and add up the points for their total group score. Please copy/print page for each group member.

Group Member Name:	All the time 3	Some of the time 2	Never 1	Justification
<b>Participated</b> in group work				
<b>Maintained</b> focus on the task at hand				
<b>Offered</b> help to others, or <b>sought</b> help when needed				
<b>Asked</b> questions that moved the discussion along				
<b>Contributed</b> ideas, opinions, and feelings				
<b>Provided positive</b> feedback to other group members				
<b>Total Score =</b>	_____ /18			