

# POSC 4470 INTERNATIONAL LAW

SPRING 2019

SECTION 001: TUES/THURS 2:00-3:15PM

212 BRACKETT

**PROFESSOR:** Dr. Amber Curtis

**OFFICE:** 230-C Brackett

**EMAIL:** [acurti2@clermson.edu](mailto:acurti2@clermson.edu)

**OFFICE HOURS:** Tues/Thurs 12:00-1:30pm<sup>1</sup>

**PHONE:** 864-656-0213

& by appointment

**\*\*\* 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.

**CRITICAL THINKING:** This course is part of the Clemson Thinks<sup>2</sup> (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 consumers, attractive employees, and effective world citizens. To this end, we will clearly delineate what critical thinking means and students will complete multiple assignments to refine their personal critical thinking skills. (These assignments will then comprise a series of artifacts demonstrating their CT proficiency.) 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

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<sup>1</sup> Drop by anytime within this time; 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. Email is always the best way to get ahold of me, but please allow up to 48 hours for a response.

- 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

**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.

**REQUIRED TEXTS:**

- Janis, Mark W., and John E. Noyes. 2014. *International Law: Cases and Commentary. Fifth Edition*. St. Paul, MN: Thomson West Publishing. ISBN: 978-0314280411.
- 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%)<sup>2</sup>***

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; there is no need to “excuse” an absence.<sup>3</sup> 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.

***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.<sup>4</sup> Part of your grade will be determined by your groupmates’ assessment your contributions (i.e., peer grading).

***Digital Position Project (20%)***

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. An initial outline proposal (using required format; worth 5%) is due by Tuesday, February 26<sup>th</sup>. 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 three “Project Work Days” where students are expected to use class time to work on the project in place of normal lecture. Final position projects (worth 15%) must be uploaded to Canvas by 2:00pm on Thursday, April 18<sup>th</sup>. A -10 points per day late penalty will be strictly enforced for both components. Please note: given the closeness between this due date and the end of class, students will not know their project grade before the final exam! If this is important to you, I must receive your final project no later than Thursday, April 11<sup>th</sup>.

***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

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<sup>2</sup> I reserve the right to change this at any time if students start taking advantage of this policy.

<sup>3</sup> As described below, my grading policies already build in flexibility for instances when you are sick, the bus ran late, your alarm doesn’t go off, family emergencies, etc.

<sup>4</sup> 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.

end of the semester, students will submit a short reflection paper illuminating their own individual stance on this debate. 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 2:00pm on Thursday, December 6<sup>th</sup>. Further instructions to be provided.

### ***Quizzes (15%) & Exams (55%)***

There will be four short multiple choice quizzes; the lowest score will be dropped (making the remaining three each worth 5% of your final course grade). Quizzes may not be made up for any reason; dropping the lowest score is designed to automatically account for absence or poor performance. The midterm (worth 25%) will take place on Thursday, February 28<sup>th</sup>; the final exam (worth 30%) will take place in our normal classroom at the University-scheduled time of Thursday, May 2<sup>nd</sup> 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.<sup>5</sup> (See more on this below.)

### **GRADE RECAP:**

Attendance & Participation – 0%
Case Discussion Leadership & Brief – 5%
Best 3/4 Quizzes – 15%
Midterm I – 25%
Project Proposal – 5%
Final Digital Position Project – 15%
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

**NO ELECTRONICS POLICY:** The use of laptops, cell phones, smart watches, etc. is not allowed during class! Doing *anything* on an electronic device during class time is prohibited. If you violate this policy, I retain the right to confiscate your device until class is over and/or ask you leave so your rudeness no longer disrupts your classmates’ right to learn.

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

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<sup>5</sup> Be sure to reference p. 27-28 of the Undergraduate Announcements for more detail, particularly the section on what constitutes a “medical” excuse ([http://www.registrar.clemson.edu/publicat/catalog/2017/2017\\_UG.html](http://www.registrar.clemson.edu/publicat/catalog/2017/2017_UG.html) - click on “Academic Regulations”). Note also p. 4 of the 2018 Spring Term 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.”

**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 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."

**ACADEMIC HONESTY 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" module on Canvas, as well as the plethora of information on Clemson Library's "Avoiding Plagiarism" website.<sup>6</sup> 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/plagiarism.html> for more information.

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<sup>6</sup> <http://clemson.libguides.com/AvoidingPlagiarism>

**ACCESSIBILITY POLICY:** Clemson University values the diversity of our student body as a strength and a critical component of our dynamic community. Students needing accommodations for disabilities should make an appointment with the office of Student Accessibility Services ASAP to discuss their specific needs. (See contact info below.) Qualified students must then provide me with a Faculty Notification Letter within the first three weeks of classes to ensure your needs are met in a timely manner. I cannot guarantee accommodations for students who notify me of a disability request after this date! Please be aware that accommodations are not retroactive and that new Faculty Notification Letters must be presented to each instructor each semester. Please also note that if you require a special testing environment and/or extended time on exams, it is your responsibility to complete the online request to do so through the Test Proctoring Center a minimum of 5 business days in advance of the test date specified on the class schedule below.<sup>7</sup>

Student Disability Services  
Suite 239  
Academic Success Center Building  
836 McMillan Rd.  
Box 344060  
Clemson, South Carolina 29634-4060  
Phone: 864-656-6848  
Fax: 864-656-6849  
E-mail: [studentaccess@lists.clemson.edu](mailto:studentaccess@lists.clemson.edu)  
Website: <https://www.clemson.edu/academics/studentaccess/>

**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 policy is located at <http://www.clemson.edu/campus-life/campus-services/access/title-ix/>. Ms. Alesia Smith is the Clemson University Title IX Coordinator, and the Executive Director of Equity Compliance. Her office is located at 110 Holtzendorff Hall, 864.656.3181 (voice) or 864.656.0899 (TDD).

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<sup>7</sup> <https://www.clemson.edu/academics/studentaccess/test-center.html>

## CLASS SCHEDULE & ASSIGNMENTS

(Subject to change. Please check Canvas & your Clemson email daily for important updates. All readings refer to Janis & Noyes unless otherwise noted and should be completed prior to class on the day they are listed.)

### Thursday 1/10: Introduction to International Law (IL)

- Review: Syllabus, Canvas, Plagiarism Packet
- Read:
  - “Our Conception of Critical Thinking”  
(<http://www.criticalthinking.org/pages/our-conception-of-critical-thinking/411>)
  - “A Brief History of the Idea of Critical Thinking”  
(<http://www.criticalthinking.org/pages/a-brief-history-of-the-idea-of-critical-thinking/408>)
- Ponder: What does it mean to think critically? In what kinds of areas does critical thinking come easily for me? What are some of my personal biases? For what kind of topics do I find it more difficult to be “critical” (i.e., objective)? How can I apply and improve my critical thinking skills in this particular course?

### Tuesday 1/15: Sources of International Law

- Last day to register, add a class, or declare Audit*
- Read:
  - “How to Brief A Case” handout (on Canvas)
  - “The History of Int’l Law” (p. 1-3)
  - McCann v. United Kingdom (p. 3-18)
- 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 1/17: Sources of International Law, Cont’d

- FILARTIGA CASE BRIEF DUE (hard copy at beginning of class)
- Read:
  - Filartiga v. Pena-Irala (p. 18-28)
- Review: ICJ Statute Art. 38(1)(a-d) (p. 1113)
- 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 1/22: Treaties

- Read:
  - “Treaties” (p. 29-54)
  - Reservations to Genocide Convention Case (p. 65-75)
- Ponder: How do treaties come about? What law/instrument governs treaties? May states opt out of (parts of) a treaty? If so, when?

**Wednesday 1/23: Last day to drop a class or withdraw from the University without a W**

### **Thursday 1/24: Treaties, Cont'd**

- Read:
  - Gabcikovo-Nagymaros Case (on Canvas)
  - Eastern Greenland Case (p. 96-105)
- Review: Vienna Convention on the Law of Treaties (p. 1125)
- Ponder: How are treaties validly terminated? Must treaties be in written form? Who may conclude a treaty?

### **Tuesday 1/29: Customary International Law**

- QUIZ 1
- Read:
  - Paquete Habana (p. 107-119)
  - Asylum Case (p. 119-122)
- 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 1/31: Customary International Law, Cont'd**

- Read:
  - Lotus Case (p. 122-136)
  - Prosecutor v. Furundzija (p. 172-174)
  - Michael Domingues Case (p. 174-179)
- 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 2/5: General Principles of International Law & Soft Law**

- Read:
  - AM&S Case (on Canvas)
  - Corfu Channel Case (to be distributed)
  - “Soft Law” (p. 180-183)
- Ponder: Who’s considered a “civilized nation”? How do general principles differ from CIL? What are some established principles? What is equity?

### **Thursday 2/7: The Relationship between International & Domestic Law**

- Read:
  - Foster & Elam v. Neilson (p. 216-220)
  - Missouri v. Holland (p. 228-233)
  - Whitney v. Robertson (p. 233-235)
  - United States v. Belmont Case (p. 235-239)
- 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?

### **Tuesday 2/12: Jurisdiction**

- Read:
  - “The Principles of Jurisdiction” (p. 909-910)
  - American Banana v. United Fruit Co. Case (p. 910-914)
  - Blackmer v. United States Case (p. 914-917)

- “Other Principles of Jurisdiction” (p. 923-925)
- 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?

#### **Thursday 2/14: State Sovereignty & Recognition**

- Read:
  - Tinoco Claims Arbitration (p. 577-588)
- Review: Montevideo Convention (p. 556-560)
- 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?

#### **Tuesday 2/19: International Dispute Resolution; State Responsibility**

- QUIZ 2
- Read:
  - “Public International Arbitration” (p. 331-339)
  - Rainbow Warrior (p. 348-359)
- 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 2/21: NO CLASS OR OFFICE HOURS (Project Work Day #1)**

#### **Tuesday 2/26: IN-CLASS REVIEW FOR MIDTERM**

- PROJECT PROPOSALS DUE (hard copy at 2:00pm)

#### **Thursday 2/28: MIDTERM (Bring Bluebook)**

#### **Tuesday 3/5: The International Court of Justice**

- Read:
  - “The International Court” (p. 359-361)
  - Diplomatic & Consular Staff Case (p. 373-392)
  - “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory” (p. 403-422)
- Review: ICJ Website <http://www.icj-cij.org/homepage/index.php?lang=en>
- Ponder: What does the ICJ do? How is it organized? What are advisory opinions? Are they effective? Why or why not?

#### **Thursday 3/7: International Organizations & International Law**

- Read:
  - “International Organizations” (p. 621-631)
  - Reparations Case (p. 631-642)
  - “Nongovernmental Organizations” (p. 650-663)
- Review: <http://www.un.org> (see ‘Main Bodies’ section; also: 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 3/12: Individuals & International Law**

- Read:
  - “International Human Rights Law” (p. 475-491)
  - Soering Case (p. 517-534)
  - Nottebohm Case (p. 441-452)
- 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 3/14: NO CLASS OR OFFICE HOURS (Project Work Day #2)**

*Friday 3/15: Last day to drop a class or withdraw from the University without final grades*

### **Tuesday 3/19: NO CLASS OR OFFICE HOURS (Spring Break)**

### **Thursday 3/21: NO CLASS OR OFFICE HOURS (Spring Break)**

### **Tuesday 3/26: International Criminal Law**

- QUIZ 3
- IN-CLASS MOVIE
- Read:
  - “International Criminal Law” (p. 534-539)
  - The info at <https://www.unric.org/en/responsibility-to-protect/26981-r2p-a-short-history>
- Review & Print:
  - ICISS’s Responsibility to Protect (on Canvas)

### **Thursday 3/28: The International Criminal Court**

- Read:
  - “Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo” (p. 539-549)
- Review & Print:
  - Rome Statute of the ICC: <http://www.un.org/law/icc/index.html> (Under the bolded “Documentation” heading, click on the “Rome Statute of the International Criminal Court” link, then on the page that comes up click the “English PDF” link in the far-left column)<sup>8</sup>
- 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?

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<sup>8</sup> You’ll want to print ALL 63 pages, however feel free to print front/back & multiple pages per sheet—just make sure you can still read it. ☺

### **Tuesday 4/2: 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?

### **Thursday 4/4: NO CLASS OR OFFICE HOURS (Project Work Day #3)**

### **Tuesday 4/9: International Law & the Use of Force**

- Read:
  - “International Law & the Use of Force” (p. 701-717)
  - Caroline Dispute (p. 737-741)
  - Nicaragua Case (on Canvas)
  - UN & Use of Force (on Canvas)
  - “Article 2(4) and the Use of Force: The Cold War” (p. 741-747)
- 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 4/11: International Law & the Use of Force, Cont'd**

- Read:
  - “The Security Council & Iraq’s 1990 Invasion of Kuwait” (on Canvas)
  - “The Use of Force After the Cold War” (p. 764-766)
  - “Security Council Resolution 687” (p. 771-774)
  - “The Security Council & the 2003 Invasion of Iraq” (p. 774-785)
- Ponder: In what way(s) was the 2003 war in Iraq justified under IL or not?

### **Tuesday 4/16: International Environmental Law**

- QUIZ 4
- Read:
  - Trail Smelter Case (on Canvas)
  - Shrimp Turtle Case (p. 423-439)
- 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?

### **Thursday 4/18: International Environmental Law, Cont'd**

- DIGITAL POSITION PROJECTS UPLOADED TO CANVAS BY 2:00PM**
- COMPLETE COURSE EVALUATIONS 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>

- Ponder: What kinds of countries does current IEL (e.g., the Kyoto Protocol) cover? Why has the U.S. not joined the Kyoto Protocol?

**Tuesday 4/23: International Environmental Law, Cont'd**

- Read:
  - Hufbauer & Kim (2010): "Reaching a Global Agreement on Climate Change: What are the Obstacles?" (on Canvas)
- Review & Print:
  - Paris Agreement (on Canvas)
- Ponder: 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 4/25: 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: Thursday, 5/2 from 8:00-10:30am (Bring Bluebook)**

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

Looking forward to a great semester,  
Dr. Curtis