

**PS123A: The Politics of International Law
Course Syllabus
Spring 2016**

Professor Leslie Johns
ljohns@polisci.ucla.edu
Bunche Hall, office #3381

Teaching Assistants:

Naveed Mansoori	avemisreadnoon@gmail.com
Anthony Norton	adnorton266@ucla.edu

LOCATION and TIME:

Royce 190
TR 9:30 – 10:45 am
Office hours for Professor Johns: Wednesdays 10-11 am and by appointment

COURSE DESCRIPTION:

This course will blend legal and political science approaches to international law.

- We will survey the major principles, issue-areas, and institutions of international law, with a special focus on investment, trade, human rights, and criminal law.
- We will examine how politics affects the creation and development of international law, and the willingness of states to comply with and enforce law.

This is an upper-level course designed for juniors and seniors.

ASSIGNMENTS and GRADING

Your grade in this course is based on the following:

Participation: 15%

Attendance at lectures, active participation in discussion sections, and demonstrated preparation and understanding of readings.

Quizzes: 15%

Short quizzes will be administered most weeks at the beginning of section meetings. These quizzes will consist of simple factual questions about the section readings. The two lowest quiz grades will be automatically dropped. Make-up quizzes are not

permitted: students who do not attend the section in which the quiz is administered will be given an automatic zero grade for that week's quiz.

Midterm Exam (April 28): 30%

Final exam (June 8): 40%

There will be no make-up exams. If you miss an exam, you will receive a grade of zero. There will be no exceptions to this policy.

TEXTS

Required texts:

Johns, Leslie. (2015) *Strengthening International Courts: The Hidden Costs of Legalization*. Ann Arbor: University of Michigan Press.

Shaw, Malcolm. (2008 or 2014) *International Law*. Cambridge: Cambridge University Press. 6th or 7th Edition.

New copies of the Shaw text in paperback sell for around \$75.00. Cheaper used copies are widely available from internet retailers. You can also rent the textbook through Amazon for about \$24. Relatively little content changed between the 6th and 7th edition, so you may use either. Please do not use any version before the 6th edition.

Copies of both books will be placed on reserve in Powell College Library.

Other required readings:

These will be made available on the course web-site at:

<https://moodle2.sscnet.ucla.edu/course/view/16S-POLSCI123A-1>

ACADEMIC INTEGRITY

All UCLA students are bound by UCLA's Student Conduct Code, which is available at: <http://www.deanofstudents.ucla.edu>. As required by UCLA procedures, any suspected or alleged misconduct---including plagiarism and cheating---will be automatically reported to the Dean of Students. If you have any questions or concerns about what constitutes plagiarism, you should consult with your TA, professor, or the Office of the Dean of Students.

TOPICS and READINGS

Week 1: Institutions and Sources (Mar 29 & 31)

Readings: Shaw, Chapter 3: "Sources"

Shaw, Chapter 19: "The International Court of Justice" (skim)

Section: No materials. Sections will be administrative.

Week 2: Legalization and International Politics (Apr 5 & 7)

Readings: Johns, Chapters 2 & 3

Section: Johns, Chapter 4

Week 3: Customary Law and Treaties (Apr 12 & 14)

Readings: Shaw, Chapter 3: "Sources"

Shaw, Chapter 16: "The Law of Treaties"

Section: Materials on custom in maritime delimitations: *North Sea*
- Summary of case in *Rosenne's*
- Redacted majority opinion
- Redacted dissenting opinion of Judge Lachs
- Text of the Geneva Convention on the Continental Shelf of 1958 (for reference)

Week 4: Diplomatic Law and Immunity (Apr 19 & 21)

Readings: Shaw, Chapter 13: "Immunities from Jurisdiction"

- Day 1: diplomatic law--read pp. 545-565
- Day 2: immunity--read pp. 469-545

Section: Redacted majority opinion from *Jurisdictional Immunities*

Week 5: Review/Overflow and Midterm Exam (April 26 & 28)

Readings: None

Section: None.

Midterm Exam: Thursday, April 28 in lecture

Week 6: Investment Law (May 3 & 5)

Readings: Guzman, Andrew. (1998) "Explaining the Popularity of Bilateral Investment Treaties: Why LDCs Sign Treaties that Hurt Them." *Virginia Journal of International Law*. 38: 639-688. Edited

Section: Krauss, Michael I. (2000) "NAFTA Meets the American Torts Process: *O'Keefe v. Loewen*." *George Mason Law Review*. 9: 69-98. – Read pages 69-91 only.

Week 7: Trade Law (May 10 & 12)

Readings: Johns, Chapter 5

Milner, Helen V., B. Peter Rosendorff, and Edward D. Mansfield. (2004) "International Trade and Domestic Politics: the Domestic Sources of International Trade Agreements and Institutions." In *The Impact of International Law on International Cooperation*. Cambridge: Cambridge University Press.

Section: Materials on *US-Shrimps*

- Redacted Panel report of 15 May 1998 -- Skim for background info
- Redacted Appellate Body report of 12 October 1998
- General Agreement on Tariffs and Trade (GATT 1947): preamble and Article XX (for reference)

Week 8: Human Rights Law (May 17 & 19)

Readings: Shaw, Chapter 6: "The International Protection of Human Rights"

Moravcsik, Andrew. (2000) "The Origins of International Human Rights Regimes: Democratic Delegation in Postwar Europe" *International Organization*. 54: 217-252. – Read pages 217-243 only.

Section: Materials on freedom to manifest religion:

- Redacted majority opinion from the "*Teacher Headscarf*" case (2003), German Constitutional Court.

- Redacted majority opinion from *Sahin v. Turkey* (2005), European Court of Human Rights.

Week 9: Domestic and International Law (May 24 & 26)

Readings: Shaw, Chapter 4: "International Law and Municipal Law"

Section: Redacted majority opinion from *Obligation to Prosecute* (Habre trial)

Week 10: Criminal Law (May 31 & June 2)

Readings: Shaw, Chapter 8: "Individual Criminal Responsibility in International Law"

Guest Speaker: Gen. Wesley Clark on June 2

Section: Final review session