

POLITICS OF INTERNATIONAL LAW (POLS 5384-001)

PROFESSOR A.B. BAYRAM

Office Location: 405 University Hall

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E-mail is the best way to reach me. Please allow 48-hour response time.

Faculty Profile: <https://www.uta.edu/mentis/public/#profile/profile/view/id/10606/category/1>.

Time and Place of Class Meetings: T 4:00-6:50 PM UH 14

The Syllabus:

It is essential that you carefully read and understand all parts of the syllabus. The syllabus should be regarded as a contract between us. Reading and understanding the syllabus is your homework for the first week. Please take the time to understand course policies and requirements explained in the syllabus.

Description of Course Content:

International law lies at the center of international politics. This graduate seminar examines the interaction between law and politics in the international system. What is international law and how does it compare to domestic law? What is the difference between international law and non-legal norms? Why do states create international legal agreements? How does international law shape state behavior? When and why do states comply with international law? Are international law and institutions democratic? This course will explore these questions in a number of substantive issue areas such as use of force, human rights, environmental law, and criminal law. This is not a law course. Students are not expected to have any background in law or legal theory.

Student Learning Outcomes:

Upon completing this course, students will have a comprehensive understanding of the role international law plays in international relations and be familiar with the theoretical and political debates regarding the politics of international law. Students will also acquire an understanding of the distinctive features of international law, the similarities and differences between legal and non-legal norms, the reasons underlying states' compliance with international legal agreements, and the constitutionality of international law. Finally, students will develop the ability to engage in critical debates, conduct research, and deliver research findings to an audience.

Course Format:

This is a seminar course. Students should come to class prepared to participate in seminar discussions having already done the assigned readings. I will make introductory remarks to provide a sense of the big

picture; however, I will not lecture. Discussion leaders will take the lead and highlight the strengths and weaknesses of the piece they were assigned in their oral reports.

It is okay if you do not understand everything in the readings before class. This is our collective learning experience, and I am here to help. We will use the classroom environment to make sense of the course material. However, you should not treat this class as a “take-notes-and-leave” type of course.

All students must complete the assigned readings. I reserve the right to give pop quizzes on the readings and assign a discussion leadership role to a randomly chosen student on the spot.

Readings:

*Journal articles as listed under the schedule of sessions. All of the journal articles are available online. It is the student's responsibility to be familiar with electronic journal services of the university and download the journal articles.

All readings are required.

Description of Course Requirements and Major Assignments (More info will be provided)

Participation: 25%

Paper Proposal: 15%

Paper Presentation: 15%

Paper: 35%

Discussion Leadership: 10%

Discussion Leadership

Each week a group of students will serve as discussion leaders after my introductory remarks. The purpose of this assignment is to facilitate collegial discussion in the class, develop leadership and public speaking skills, and motivate you to take ownership of your learning. Discussion leaders will provide a 6-8 minute critical assessment of the material they were assigned and help initiate the discussion by asking questions to the class. Students will be judged on the merits of their individual presentations and the quality of the questions they raise.

Attendance:

At the University of Texas at Arlington, taking attendance is not required. Rather, each faculty member is free to develop his or her own methods of evaluating students' academic performance, which includes establishing course-specific policies on attendance. As the instructor of this section, I expect you to attend all sessions. Class attendance and active participation in class discussions are critical to succeed in this course.

Participation:

This is a graduate seminar. I expect you to do the readings and be prepared to discuss them in class. Participation is an important component of your grade and plays a critical role in learning. Participation includes, among others, asking and answering questions, commenting on the readings and on other students' points, being engaged in all class discussions and class activities as well as taking ownership of your own learning by asking for my help if you need assistance. You will receive a mid-semester progress grade and a final grade for participation.

Absences:

Missing class due to illness, family emergency or similar extraordinary situations will not affect your grade. Consistently missing class will negatively reflect upon your grade.

Grading:

Students are expected to keep track of their performance throughout the semester and seek guidance from available sources (including the instructor) if their performance drops below satisfactory levels; see “Student Support Services,” below. I will not post every single grade on Blackboard. I expect you to have your own grade file to keep track of your grades.

I will occasionally send out e-mails encouraging students to see me during office hours so that we could figure out a strategy for success. I am committed to facilitating everyone’s learning. If you have concerns about anything, please do not hesitate visit with me.

There is one extra-credit work in this course. Completion of the extra credit assignment is optional.

All written assignments must be typed, double spaced, and submitted in class to me. More information on the writing assignments will be provided.

It is your responsibility to turn in the assignments on time and as instructed. It is my responsibility to grade fairly and provide timely and useful feedback.

Letter grades will be assigned as follows:

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

Make-up Exams/Assignments:

No make-up exams/assignments will be given except in cases of documented medical or family emergencies. There are no exceptions to this rule. Documentation must be submitted as required by the university and is subject to verification.

Work Submission Policy:

I do not accept late work unless in cases of documented medical or family emergency. Please do not even ask. All work must be submitted as indicated by the syllabus and/or by me in class.

Etiquette:

Cell phones and other gadgets should be turned off or switched to silent in the classroom. Computers should not be used for surfing the internet or for extra-curricular activities.

Civility in discussions and discourse is expected at all times.

We will engage in critical analysis in this class. We will pound on many ideas; ideas of the authors we read, your ideas and my ideas. Our discussions are always intellectual. No comment or criticism is ever personal. Please always remember this.

The classroom is an open forum. We value and respect all opinions.

Student Feedback:

If you have questions, comments, concerns, or suggestions, please feel free to contact me. If you happen to experience difficulties with understanding the material, do not hesitate to see me during office hours. I am here to help you and love what I do.

E-mail Policy:

Please conform to proper e-mail etiquette and address me as your professor. Make sure to include your name and the course you are taking. It is important that your e-mail provides sufficient context. Please note that coming to my office hours may serve you better if you have a complex question. Please write your emails carefully even if you are using a mobile device or are in a hurry. All email communication between us must be understood as official communication.

I will normally respond to e-mails within two business days. This means e-mailing me a few hours before class will not work. If you have an emergency, please inform the Department of Political Science Administrative Office.

When you e-mail me, please try to have a somewhat formal subject line so that I do not accidentally miss your e-mail or confuse it with junk mail. (For example: POLS Course Number: Your reason for e-mailing (E.g. POLS ###: Question about the assignment)).

Communication:

Students are responsible for regularly checking their university e-mail and Blackboard for announcements. When I send an e-mail to the class or post an announcement on Blackboard, I will assume that everyone got the message. Failure to be aware of course news may have negative consequences.

Drop Policy:

Students may drop or swap (adding and dropping a class concurrently) classes through self-service in MyMav from the beginning of the registration period through the late registration period. After the late registration period, students must see their academic advisor to drop a class or withdraw. Undeclared students must see an advisor in the University Advising Center. Drops can continue through a point two-thirds of the way through the term or session. It is the student's responsibility to officially withdraw if they do not plan to attend after registering. Students will not be automatically dropped for non-attendance. Repayment of certain types of financial aid administered through the University may be required as the result of dropping classes or withdrawing. For more information, contact the Office of Financial Aid and Scholarships (<http://web.uta.edu/aao/fao/>).

Americans with Disabilities Act:

I rely on the Office for Students with Disabilities for accommodations.

The University of Texas at Arlington is on record as being committed to both the spirit and letter of all federal equal opportunity legislation, including the Americans with Disabilities Act (ADA). All instructors at UT Arlington are required by law to provide "reasonable accommodations" to students with disabilities, so as not to discriminate on the basis of that disability. Any student requiring an accommodation for this course must provide the instructor with official documentation in the form of a letter certified by the staff in the Office for Students with Disabilities, University Hall 102. Only those students who have officially documented a need for an accommodation will have their request honored. Information regarding diagnostic criteria and policies for obtaining disability-based academic accommodations can be found at www.uta.edu/disability or by calling the Office for Students with Disabilities at (817) 272-3364.

Title IX:

The University of Texas at Arlington is committed to upholding U.S. Federal Law “Title IX” such that no member of the UT Arlington community shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity. For more information, visit www.uta.edu/titleIX.

Academic Integrity:

I rely on the Office of Student Conduct for addressing academic misconduct. Academic misconduct will not be tolerated. It is the student’s responsibility to know what constitutes academic misconduct and be aware of the university’s honor code.

All students enrolled in this course are expected to adhere to the UT Arlington Honor Code:

“I pledge, on my honor, to uphold UT Arlington’s tradition of academic integrity, a tradition that values hard work and honest effort in the pursuit of academic excellence. I promise that I will submit only work that I personally create or contribute to group collaborations, and I will appropriately reference any work from other sources. I will follow the highest standards of integrity and uphold the spirit of the Honor Code.”

UT Arlington faculty members may employ the Honor Code as they see fit in their courses, including (but not limited to) having students acknowledge the honor code as part of an examination or requiring students to incorporate the honor code into any work submitted. Per UT System Regents’ Rule 50101, §2.2, suspected violations of university’s standards for academic integrity (including the Honor Code) will be referred to the Office of Student Conduct. Violators will be disciplined in accordance with University policy, which may result in the student’s suspension or expulsion from the University.

Student Support Services:

UT Arlington provides a variety of resources and programs designed to help students develop academic skills, deal with personal situations, and better understand concepts and information related to their courses. Resources include tutoring, major-based learning centers, developmental education, advising and mentoring, personal counseling, and federally funded programs. For individualized referrals, students may visit the reception desk at University College (Ransom Hall), call the Maverick Resource Hotline at 817-272-6107, send a message to resources@uta.edu, or view the information at www.uta.edu/resources.

Writing Center:

The Writing Center, 411 Central Library, offers individual 40 minute sessions to review assignments, Quick Hits (5-10 minute quick answers to questions), and workshops on grammar and specific writing projects. Visit <https://uta.mywconline.com/> to register and make appointments. For hours, information about the writing workshops we offer, scheduling a classroom visit, and descriptions of the services we offer undergraduates, graduate students, and faculty members, please visit our website at www.uta.edu/owl/.

In my experience, students greatly benefit from using the services of the writing center. I encourage you to take advantage of this opportunity.

Electronic Communication:

UT Arlington has adopted MavMail as its official means to communicate with students about important deadlines and events, as well as to transact university-related business regarding financial aid, tuition, grades, graduation, etc. All students are assigned a MavMail account and are responsible for checking the

inbox regularly. There is no additional charge to students for using this account, which remains active even after graduation. Information about activating and using MavMail is available at <http://www.uta.edu/oit/cs/email/mavmail.php>.

Student Feedback Survey:

At the end of each term, students enrolled in classes categorized as lecture, seminar, or laboratory shall be directed to complete a Student Feedback Survey (SFS). Instructions on how to access the SFS for this course will be sent directly to each student through MavMail approximately 10 days before the end of the term. Each student's feedback enters the SFS database anonymously and is aggregated with that of other students enrolled in the course. UT Arlington's effort to solicit, gather, tabulate, and publish student feedback is required by state law; students are strongly urged to participate. For more information, visit <http://www.uta.edu/sfs>.

Final Review Week:

A period of five class days prior to the first day of final examinations in the long sessions shall be designated as Final Review Week. The purpose of this week is to allow students sufficient time to prepare for final examinations. During this week, there shall be no scheduled activities such as required field trips or performances; and no instructor shall assign any themes, research problems or exercises of similar scope that have a completion date during or following this week unless specified in the class syllabus. During Final Review Week, an instructor shall not give any examinations constituting 10% or more of the final grade, except makeup tests and laboratory examinations. In addition, no instructor shall give any portion of the final examination during Final Review Week. During this week, classes are held as scheduled. In addition, instructors are not required to limit content to topics that have been previously covered; they may introduce new concepts as appropriate.

Emergency Exit Procedures:

Should we experience an emergency event that requires us to vacate the building, students should exit the room and move toward the nearest exit. When exiting the building during an emergency, one should never take an elevator but should use the stairwells. Faculty members and instructional staff will assist students in selecting the safest route for evacuation and will make arrangements to assist handicapped individuals.

Disclaimer

I reserve the right to make changes to the syllabus and/or course content as needed.

SCHEDULE OF SESSIONS

Aug 26: Welcome and introduction to the course

- Discussion of course format and requirements
- Time to discuss student expectations

Sept 2: Cooperation in the Shadow of Anarchy

- Discussion leadership assignments
- Stein, Arthur A. "Coordination and collaboration: regimes in an anarchic world." *International Organization* 36.02 (1982): 299-324.
- Milner, Helen. "The assumption of anarchy in international relations theory: a critique." *Review of International Studies* 17.01 (1991): 67-85.

Sept 9 : Introduction to International Law

- Please take a look at the 100 ways IL shapes our lives at <http://www.asil.org/education/100-ways>
- Goldsmith, Jack, and Daryl Levinson. "Law for States: International Law, Constitutional Law, Public Law." *Harvard Law Review* (2009): 1791-1868.
- d'Amato, Anthony. "Is International Law Really Law." *Nw. UL Rev.* 79 (1984): 1293.
- Tamanaha, Brian Z. "Socio-Legal Positivism and a General Jurisprudence." *Oxford Journal of Legal Studies* 21.1 (2001): 1-32.

Sept 16: Extra Credit Assignment

- Write a 2-page report on the 2014 Gaza conflict and international law, using news sources, articles, credible commentary, academic blogs, UN reports etc.

Sept 23: Legalization in World Politics

- Abbott, Kenneth W., et al. "The concept of legalization." *International organization* 54.03 (2000): 401-419.
- Lutz, Ellen L., and Kathryn Sikkink. "International human rights law and practice in Latin America." *International Organization* 54.03 (2000): 633-659.
- Abbott, Kenneth W., and Duncan Snidal. "Hard and soft law in international governance." *International organization* 54.03 (2000): 421-456.

Sept 30: Richer views on Legalization

- Finnemore, Martha, and Stephen J. Toope. "Alternatives to "legalization": richer views of law and politics." *International Organization* 55.03 (2001): 743-758.
- Finnemore, Martha. "Are legal norms distinctive." *NYUJ Int'l L. & Pol.* 32 (1999): 699.
- Brunnée, Jutta, and Stephen J. Toope. *Legitimacy and legality in international law: an interactional account*. Vol. 67. Cambridge University Press, 2010. Introduction. (On Blackboard)

-International Theory Symposium on Brunnée, Jutta, and Stephen J. Toope. Volume 3 - Issue 02 - 20 June 2011. Authors' introduction, Koskenniemi, Dunoff, Reus-Smit, and Authors' response.

Oct 7: Compliance with International Law: Concept and Theories

-Paper proposals are due today

-Hard copies submitted to me in class

-Simmons, Beth. "Treaty compliance and violation." Annual Review of Political Science 13 (2010): 273-296.

-Kingsbury, Benedict. "Concept of Compliance as a Function of Competing Conceptions of International Law, The." Mich. J. Int'l L. 19 (1997): 345.

-Downs, George W., David M. Rocke, and Peter N. Barsoom. "Is the good news about compliance good news about cooperation?." International Organization 50.03 (1996): 379-406.

-Goldsmith, Jack, and Eric A. Posner. "New International Law Scholarship, The." Ga. J. Int'l & Comp. L. 34 (2005): 463.

-Chayes, Abram, and Antonia Handler Chayes. "On compliance." International Organization 47.02 (1993): 175-205.

-Franck, Thomas M. "Legitimacy in the international system." American Journal of International Law (1988): 705-759.

Oct 14: Compliance in Practice

-Hafner-Burton, Emilie M., and Kiyoteru Tsutsui. "Justice lost! The failure of international human rights law to matter where needed most." Journal of Peace Research 44.4 (2007): 407-425.

-Simmons, Beth A. "International law and state behavior: Commitment and compliance in international monetary affairs." American Political Science Review (2000): 819-835.

-Kelley, Judith. "Who keeps international commitments and why? The International Criminal Court and bilateral nonsurrender agreements." American Political Science Review 101.03 (2007): 573-589.

-Hatcher, Aaron, et al. "Normative and social influences affecting compliance with fishery regulations." Land Economics (2000): 448-461.

-Yoo, John. "International law and the war in Iraq." American Journal of International Law (2003): 563-576.

Oct 21: Democracy and International Law

-Nye Jr, Joseph S. "Globalization's Democratic Deficit: How to Make International Institutions More Accountable." Foreign Aff. 80 (2001): 2.

-Kumm, Matthias. "The legitimacy of international law: a constitutionalist framework of analysis." European Journal of International Law 15.5 (2004): 907-931.

Oct 28 Paper Writing Day

-Work on papers

Nov 4: Student Presentations Group I

Nov 11: Student Presentations Group II

Nov 18: Student Presentations Group III

-Papers for all groups are due today

-Hard copies submitted to me in class

Nov 25

-TBA

Dec 2

-Review & Wrap Up