

**Politics 160B – International Law**  
**Summer 2024**  
**Location: Remote (asynchronous)**  
**Instructor: Dr. Shawn Nichols**  
**Contact: slnichol@ucsc.edu**  
**Office hours: via Zoom, Mondays, 9-11am (or by appt)**

**Teaching Assistants:**

Rowan Powell: roapowel@ucsc.edu

Nicholas Gallagher: npgallag@ucsc.edu

**Course Overview:**

The course will provide a rich theoretical and critical introduction to the theory and practice of international law, including its origins, development and institutional structure. Using an interdisciplinary approach, we'll explore a wide range of political and legal phenomena in broader historical, cross-national, and cross-cultural context. In doing so, we'll draw on both academic and public policy debates, examining how theory is translated into practice through the study of both historical and current events and cases.

By the end of the course, students should be able to demonstrate familiarity with various theoretical approaches to the study of international law and their application in different areas. Successfully completed assignments will demonstrate a critical evaluation of arguments about political and legal ideas, practices, and institutions based on logic and evidence. By the completion of the course, students should also be able to develop coherent written and oral arguments regarding political and legal phenomena, theories, and values, based on appropriate empirical and/or textual evidence and logic.

**Note:** This course assumes some prior knowledge and understanding of course topics to have been acquired in lower division courses. If you are feeling lost or confused at any point, *please* contact me or your TA **as soon as possible**. Do not wait until the end of the summer session, as it will inevitably be too late.

**Office Hours:**

My office hours are Monday from 9-11am. The first hour (9-10:00) will be reserved for individuals who have signed up in advance for an appointment (sign-up link at top of syllabus). The second hour (10-11:00) will be "drop-in" and held as a group session.

**Required Materials:**

There is one required book, below. Please make sure to order it ASAP to avoid being without once the (short) quarter begins. All other materials will be posted to Canvas.

*-Principles of International Law, 3rd Edition; Author: Sean D. Murphy; Publisher: West Academic; ISBN: 9781683286776*

\*You must also keep up with the news as it pertains to international law. Examples of acceptable sources include: *The Guardian*, *The New York Times*, *Washington Post*, *Economist*, *BBC News*, *Le Monde Diplomatique (in English)*, *Financial Times*

As you read through the news, think about how current events relate to the theories you are learning in this course. Feel free to post any relevant articles of interest to Canvas.

You are also encouraged to peruse the following online resources:

Treaties: [www.treaties.un.org](http://www.treaties.un.org)

UN Human Rights: [www.icj-cij.org](http://www.icj-cij.org)

International Court of Justice: [www.icj.cij.org](http://www.icj.cij.org)

International Criminal Court: [www.icc-cpi.int](http://www.icc-cpi.int)

African Union: [www.au.int](http://www.au.int)

Organization of American States: [www.oas.org](http://www.oas.org)

Human Rights Watch: [www.hrw.org](http://www.hrw.org)

Amnesty International: [www.amnesty.org](http://www.amnesty.org)

#### **Course Requirements/Miscellaneous:**

The pre-recorded (asynchronous) course lectures and assigned readings are complementary. It is, therefore, *essential* that you read the assigned materials before watching the pre-recorded lecture segments and completing the weekly course activities and assignments.

#### **Grade assessment:**

##### **Participation – remote sections, office hours (15%)**

Evaluation will be based on participation in online Canvas discussions and remotely held TA-led discussion sections (Weeks 2-5).

##### **Course activities & exercises (15%)**

This component of the grade is based on the completion of exercises posted to Canvas each week (number of exercises varies and should be thought of as part of the course lectures).

##### **Weekly quizzes (after each asynchronous lecture) (15%)**

Students will take quizzes each week on Canvas (after each lecture component/set of readings).

##### **Weekly reading responses (20%)**

Reading responses of approximately 2-3 pages, addressing a weekly prompt, must be submitted on Canvas

**Final paper (35%) – due September 1<sup>st</sup>**

Completing a final paper of 6 pages (minimum) to 8 pages (maximum) is required in lieu of a final exam. Doing well on the paper will require demonstrating having completed the assigned readings and having watched/engaged with the pre-recorded lectures.

**Late assignments:**

The weekly course activities, quizzes, and response papers must be submitted on time, as we cannot re-open them on Canvas, individually. Please plan ahead and make sure to submit them by the due date set on Canvas. Final papers are due on September 1<sup>st</sup> and will be marked down a half letter grade for each day it is late since final grades are due a few days later.

**Grading Scale:**

A+ (97-100); A (93-96); A- (90-92); B+ (87-89); B (84-86); B- (80-83) C+ (77-79); C (74-76); C- (70-73); D (60-69); F <60

**Grade Appeals:**

Requests for grade re-assessments on essays or exams may be made *after* 24 hours, but *before* 5 days after it was handed back (no exceptions). This will allow you to think about the evaluation of your work and compose a justification for the request, but it also ensures that such issues do not surface at the end of the quarter. If you feel that your work has been inappropriately evaluated, you must explain in writing to your TA why this is so, highlighting, *specifically*, how you directly addressed the points in question, but did not receive credit. Appropriate justifications must focus on the work itself and *not* what grade is needed to pass (or what is typically made on assignments in other courses). The written explanation must be stapled to the original assignment and should be submitted to your TA during the period. Your TA will respond within a week. If you still feel the assignment was graded inappropriately, you may bring it to me, but **only** after you have gone through this initial process. Moreover, the entire assignment will be re-graded, and I reserve the right to adjust the grade **either up or down**, depending on the quality of the work that has been brought to my attention. Computational errors (ie- simple addition) of your grade should, on the other hand, be brought to your TA's attention for adjustment immediately after the work is handed back to you.

**Academic Integrity:**

Any student found cheating or plagiarizing will be failed and possibly reported for academic misconduct. The Politics Department has chosen MLA formatting for in-text citations and Chicago style for footnotes. All sources must be cited according to these guidelines (depending on which style you choose) in all papers and assignments. Failure to cite an article, book, or other source that you use will be treated as plagiarism. It is the student's responsibility to understand what constitutes plagiarism and to avoid committing it. Please refer to the following websites for specific information on plagiarism and academic dishonesty. If you have still have questions as to whether or

not you have cited correctly, please come see me before turning in your assignment.  
[http://www1.ucsc.edu/academics/academic\\_integrity/undergraduate\\_students/](http://www1.ucsc.edu/academics/academic_integrity/undergraduate_students/)  
<http://guides.library.ualberta.ca/content.php?=62200&sid=457651>

**IMPORTANT:** The purpose of this course – indeed any Politics course – is to develop and sharpen your critical thinking and writing skills so that they can be effectively mobilized for engaging in the realm of politics. Indeed, such skills are *essential* for effectively participating in political deliberation of any type. The purpose of this course is *not* to demonstrate your skill in entering prompts into ChatGPT and copying (or paraphrasing) the response as if you wrote it. Such tactics, which perhaps seem expedient in the moment, serve only to cheat you out of your educational experience – and are a substantial waste of both your time and that of your instructor and classmates. Basically, you only hurt yourself – and, if/when such work is detected (or suspected), it communicates a great deal about the value you place on your own ideas and work – at best, that machine learning-generated ideas are better (and more original) than your own and, at worst, should be blindly accepted as truth. **For these reasons, ChatGPT is not allowed for assignments in this course.** If you choose to violate this basic course requirement and such material is detected, your work will receive a grade that reflects the quality of the original contribution that *you* are making (or rather not making). If undetected, while your work may mistakenly receive the grade sought, the cost will come at the expense of the learning and broader educational experience for which you have devoted significant time – and financial – resources. In the realm of the social and political, however, the consequences are even more nefarious, as it cedes debate around crucial questions impacting everything related to human security (from the allocation of basic resources to rules of engagement during violent conflict) to machines, which are nothing more than facilitators of the aims of human beings. Do you simply want to parrot what others, including those with power, want you to repeat – or do you prefer to be an active participant in actually steering the conversation?

**Writing guidelines:**

Standards for essays in this course will be evaluated according to the following criteria:

**Thesis:** Is the thesis clear and interesting? Does it address an identifiable problem? Does it shed light on something that is not common knowledge and/or readily apparent?

**Organization:** Does the paper develop a logical framework to support the thesis? Are ideas presented in an order that makes sense? Is it clear how each idea relates to the thesis and follows from the previous idea? Are there any ideas that seem out of place? Do the introduction and conclusion speak to the thesis and express why it is interesting, what other ideas or issues might be related, and what other implications exist that might not be discussed directly in the paper?

**Evidence:** Does the paper make the best use of the texts and sources to support the thesis? Are citations and quotations appropriately introduced and explained? Does the

paper avoid block quotes? Does the paper have an appropriate balance between direct quotations and paraphrasing?

**Style:** Will the reader enjoy the paper? Is terminology used appropriately and effectively? Are the ideas presented clearly? Is the language choice appropriately formal for academic writing, devoid of contradictions, colloquialisms, and non-useful anecdotes?

**Mechanics:** Is the paper free of grammatical and spelling errors? Is punctuation used correctly? Are sources cited correctly?

**Grading Guidelines:**

The following guidelines/standards will be used to evaluate writing:

A: Excellent work, with clear, identifiable thesis that is original and supported by sufficient, appropriate, logically interpreted evidence. The essay engages the reader, convincingly addresses opposing views, and is well-organized and free from errors. The 'A' paper is outstanding in ideas and presentation.

B: Good to very good work, with a clear thesis supported by sufficient, appropriate evidence that is organized and interpreted logically. The 'B' essay may have some outstanding qualities, but suffers from flaws which prevents it from being an 'A'; or, it may be good work all around, but lacking the deeper insight considered to be an 'A' paper.

C: Satisfactory work; The 'C' essay meets the basic requirements, including a thesis supported by interpretation of evidence, but it needed additional work in thinking through the ideas and/or presentation. There may be a lack of clarity, the evidence may be insufficient or inappropriate, or the interpretation may suffer from logical flaws. The essay may have organizational or mechanical issues that keep it from being good. The 'C' essay may be good in some respects, but poor in others. Or, it may simply be adequate, but not overall noteworthy.

D: Barely passing work that demonstrates some effort, but is marred by serious problems. Essays lacking an identifiable thesis are likely to be evaluated as 'D'.

F: Failing work that might be, among other things, hastily written, showing little thought to the issue under consideration and/or little familiarity with the text. The 'F' paper fails to respond adequately to the given topic.

**Disabilities:**

UC Santa Cruz is committed to creating an academic environment that supports its diverse student body. I generally receive accommodation letters directly from the DRC. I

encourage anyone who would like to discuss their accommodations in more detail to make an appointment to talk with me during office hours, preferably within the first week of the quarter.

**Title IX:**

Title IX prohibits gender discrimination, including sexual harassment, domestic and dating violence, sexual assault, and stalking. If you have experienced sexual harassment or sexual violence, you can receive confidential support and advocacy at the Campus Advocacy Resources & Education (CARE) Office by calling (831) 502-2273. In addition, Counseling & Psychological Services (CAPS) can provide confidential, counseling support, (831) 459-2628. You can also report gender discrimination directly to the University's Title IX Office, (831) 459-2462. Reports to law enforcement can be made to UCPD, (831) 459-2231 ext. 1. For emergencies call 911.

---

**COURSE OUTLINE**

**Week 1**

**Course Introduction**

**Pt. 1 - Perspectives on International Law**

Required readings:

-Murphy, Chapter 1

-Ntina Tzouvala, *Capitalism as Civilization*, (2022), Chapter 1

**Pt. 2 – Foundations of International Law**

Required readings:

-Murphy, Chapter 2

-Ntina Tzouvala, *Capitalism as Civilization*, Chapter 2

-Montevideo Convention

**Week 2**

**Pt. 1 - Sources of International Law: Treaties & Customary**

Required readings:

-Murphy, Chapter 3

-Ntina Tzouvala, *Capitalism as Civilization*, Chapter 3

-*The Paquete Habana* 175 U.S. 677 (1900), Available at:

<https://supreme.justia.com/cases/federal/us/175/677/>

## **Pt. 2 - Dispute Resolution**

Required readings:

- Murphy, Chapter 4
- Boggs, "War Crimes Tribunals: Imperial Justice"

## **Week 3**

### **Pt. 1 – Enforcement, Compliance, and Coercion in International Law**

Required readings:

- Murphy, Chapter 5
- Alter, "International Law Enforcement" (2014)

### **Pt. 2 – International Law in Practice: Human Rights and Responsibility to Protect (R2P)**

Required readings:

- Murphy, Chapter 14
- Samantha Power, "Bystanders to Genocide," *The Atlantic*

## **Week 4**

### **Pt. 1 – International Law in Practice: Trade and Commerce**

Required readings:

- Goldsmith & Posner, "International Trade"
- Celeste Drake, "Disparate Treatment for Property and Labor Rights in US Trade Agreements?"
- Shawn Nichols, "Investor-State Dispute Settlement Mechanisms and Imperialism," in *Palgrave Encyclopedia of Imperialism and Anti-Imperialism* (2019)

### **Pt. 2 – International Law in Practice: The Environment**

Required readings:

- Murphy Ch. 12
- Ntina Tzouvala, *Capitalism as Civilization*, Chapter 6
- United Nations Framework Convention on Climate Change (Handbook), pp. 21-43, Available at: <https://unfccc.int/resource/docs/publications/handbook.pdf>

## **Week 5**

### **Pt. 1 – Limitations & Critiques of International Law**

- Ntina Tzouvala, *Capitalism as Civilization*, Chapter 4

-Makau Mutua and Antony Anghie, "What is TWAIL?"

**Pt. 2 - Conclusions: International Law in Perspective and Opportunities for Reform**

Required readings:

-Hiroshi Fukurai, "Original Nation Approaches to 'International' Law (ONAIL): Decoupling of the Nation and the State and the Search for New Legal Orders," (2019)

-Antonio Cassese, "Gathering up the Main Threads," in *Realizing Utopia*

**Final essay due:** September 1<sup>st</sup>