

POL S 422;
add 522

1. Full catalog information for each course to be dual-listed, including the course numbers (or proposed course numbers), title, credits, semester offering (if applicable), prerequisites, and description. Dual-listed courses bear common numbers, e.g., 580 (480).

POL S 522 (422) International Law (430 (3-0) Cr. 3.

Prereq: POL S 215 or POL S 251; junior classification

This course introduce the sources and subjects of international law, state sovereignty, state and diplomatic immunities, treaty law, law of the sea, the use of force and peaceful settlements of international disputes, human rights and humanitarian laws, as well as other legal aspects of international activities. Selected cases will be studied in light of the international norms and principles embedded in the various subjects of international law..

2. Graduate faculty status of the proposed instructor.

Yue Ren is an adjunct associate professor and member of the Graduate Faculty.

3. Number of the dual-listed course credits the department will permit to be used to meet the requirements for an advanced degree. This limit includes dual-listed courses taken in all departments.

Our department does not set a cap other than whatever is deemed appropriate by the POS committee.

4. The differential expectations for graduate students and undergraduates. What additional work will be required for graduate students enrolled in the course? Please describe this work, not in abstract terms (such as "more in-depth participation") but in terms of concrete measurable outcomes or other tangible evidence. Welcome inclusions: specific examples of the additional assignments with details about paper length; the number of additional readings; the length and frequency of oral presentations; portfolio expectations; indications of how these graduate requirements are weighted in the course grade (ex. 40% of final grade); comparisons with undergraduate expectations.

Graduate students are expected to lead the case studies, do additional readings, and have one more class presentation than the undergraduates. Here are the course requirements for the undergraduate and graduate courses:

422 Course requirements

- 1) Two group (max. 3 persons) assignments of 3-5 pages (15% each)
- 2) Class discussion and participation (2% for each discussion, 30% total)

3) A final essay (max. 3000 words) (40%)

522 Course Requirement

- 1) Two assignments of 5 pages (individual work, 15% each)
- 2) Class discussions and participation (2% for each discussion, 30% total)
- 3) One leading case discussion/presentation (5%)
- 4) A research paper on a topic proposed by the student and approved by the instructor (35%)

Reason(s) the course is considered sufficiently rigorous and of such an advanced nature as to challenge graduate students.

The content used by this course on public international law is typically taught at graduate level in law schools.

5. Academic advantages and disadvantages accruing to graduate students taking this course with undergraduates.

Graduate students with upper class undergraduates in the same class would be academically beneficial to both student groups. Also, given the size of a small graduate body, it would not be possible, for enrollment and budgetary reasons, to offer a separate graduate version of this class. Since material covered is suitable for both graduate and undergraduate students, it is a win-win.

6. The place of the course in a graduate student's program of study and why it is not considered a "remedial" undertaking intended to overcome deficiencies in the student's preparation for graduate work.

This could be a core course for a student with an international relations or pre-law focus or an elective for other students.

7. The role of the course in an undergraduate's degree program and the academic qualifications undergraduates must have to take this course.

The course can serve as an upper level course for political science majors, international studies majors, as well as students pursuing a minor or simply taking an elective.

8. The name of the person writing the proposal.

Ren Yue (With a referential help from Alex Tuckness)

**Iowa State University
Department of Political Science
POL S 422 International Law**

**Spring 2017
Office: Rm 521 Ross Hall
MWF 10:00-10:50**

**Prof. Y. Ren (Reny)
Email: reny@iastate.edu Tel.: 4-0976
CURTISS 0108**

Course Description:

This course is mainly for students of international relations who have not been systematically exposed to public international law. It is therefore designed to introduce the sources and subjects of international law, state sovereignty, state and diplomatic immunities, treaty law, law of the sea, the use of force and peaceful settlements of international disputes, human rights and humanitarian laws, as well as other legal aspects of international activities. Selected cases will be studied in light of the international norms and principles embedded in the various subjects of international law.

Aims and Objectives:

This course aims at achieving two general objectives: first, to know the main principles and norms of treaty law, customary law, as well as the general principles of law; second, to familiarize with the applications of those principles and norms in the selected case studies.

Learning Outcomes:

1. Learning the sources, subjects and key concepts of international law.
2. Identifying and applying international law provisions in analyzing the legal aspects of international life.
3. Understanding how and why international actors obey/disobey international law.
4. Familiarizing the norms and principles, key rules and procedures of some of the major international conventions.
5. Differentiating legal from non-legal means in solving international conflicts..

Modus and Assessments:

1. *Each study week, except for the first one, is composed of two parts: the lecture and the discussion.* It is very important that students find and read the related materials *before* each class. This should enable us to optimize the rather limited lecture hours and understand the lectures better.
2. As an integrated part of the course, the discussion session demands ***everyone's active participation***. *Class attendance makes 15% of the final grade. Each absence from class without proper justification and the instructor's approval shall cost 0.5% of your grade.*
3. A list of ***international legal issues for discussion*** shall be distributed in advance, and expert panels, "mock chambers" of ICJ or other judicial/quasi-judicial bodies shall be formed by the students from time to time to render decisions or give advisory opinions on the legal questions concerned. Fridays are allocated for class discussions. *15% of the final grade will be attributed to students' performances in the discussions. Each absence from class discussion without proper reason and the instructor's approval will result in 1% deduction.*
4. There will be ***two assignments*** (3-5 pages), to be distributed at least one week ahead of their due time, in the form of case studies. Students can do the assignments either individually or in a group of no more than three members (15% each). A "grace

period” of no more than 48 hours after the due time may be granted with the instructor’s permission. Late submission of the assignments shall result in a whole-letter grade deduction (e.g., from A to B).

5. **The final essay** accounts for 40% of the final grade. The topic(s) of this essay shall be distributed at least two weeks before the **dead week**, and students should submit their papers via email to the instructor **no later than 23:59 on the scheduled day of final examination for this course**. No late submission shall be accepted except in the events of *force majeure*.
6. **Grade distribution, paper grading criteria, and grading scale:**

Grade Distribution

Class attendance (0.5% x 30)	15%
Class discussion/presentations (1% each)	15%
2 assignments (15% each)	30%
1 term paper/essay	40%
Total	100%

Grading Criteria

Grading Criteria	Excellent (A)	Good (B)	Average (C)	Below Average (D)	Failure (F)
Content	Arguments accurately presented, Innovative, logic, and convincing, backed with proper evidences or examples	Arguments are basically logic and convincing with evidences or examples	Some good arguments with some evidences or examples. Basically logical.	Have some arguments, though not necessarily convincing. Make efforts to provide some evidences and examples	No logical arguments and proper evidences or examples
Format	Fulfill all format requirements with sufficient words and proportionate paragraphs or parts	Basically fulfill all format requirements (may be with a few typos)	Rudimentary format observed and insufficient words	Fragmentary format with insufficient words	Not observing the format and not writing properly

Grading Scale

Letter Grade	Range	Letter Grade	Range
A	93-100	A-	90-92
B+	87-89	B	83-86
B-	80-82	C+	77-79
C	74-76	C-	70-73
D+	67-69	D	64-66
D-	60-63	F	59 and below

Academic Dishonesty

The class will follow Iowa State University's policy on academic dishonesty. Anyone suspected of academic dishonesty will be reported to the Dean of Students Office.
<http://www.dso.iastate.edu/ja/academic/misconduct.html>

Disability Accommodation

Iowa State University complies with the Americans with Disabilities Act and Sect 504 of the Rehabilitation Act. If you have a disability and anticipate needing accommodations in this course, please contact me to set up a meeting within the first two weeks of the semester or as soon as you become aware of your need. Before meeting with the instructor, you will need to obtain a SAAR form with recommendations for accommodations from the Disability Resources Office, located in Room 1076 on the main floor of the Student Services Building. Their telephone number is 515-294-7220 or email disabilityresources@iastate.edu.

Retroactive requests for accommodations will not be honored.

Dead Week

This class follows the Iowa State University Dead Week guidelines as outlined in <http://catalog.iastate.edu/academiclife/#deadweek>

Harassment and Discrimination

Iowa State University strives to maintain our campus as a place of work and study for faculty, staff, and students that is free of all forms of prohibited discrimination and harassment based upon race, ethnicity, sex (including sexual assault), pregnancy, color, religion, national origin, physical or mental disability, age, marital status, sexual orientation, gender identity, genetic information, or status as a U.S. veteran. Any student who has concerns about such behavior should contact his/her instructor, Student Assistance at 515-294-1020 or email dso-sas@iastate.edu, or the Office of Equal Opportunity and Compliance at 515-294-7612.

Religious Accommodation

If an academic or work requirement conflicts with your religious practices and/or observances, you may request reasonable accommodations. Your request must be in writing, and your instructor or supervisor will review the request. You or your instructor may also seek assistance from the Dean of Students Office or the Office of Equal Opportunity and Compliance.

Contact Information

If you are experiencing, or have experienced, a problem with any of the above issues, email academicissues@iastate.edu.

Readings:

There are a *recommended textbook (no compulsory purchase)* and a few suggested readings to help the students to understand the contents of the lectures. Lecture outlines and some reading materials and cases will be provided from time to time. In addition, students are strongly encouraged to read more on the related subjects.

Recommended Textbook (not on library reserve):

Von Glahn, G and James L. Taulbee, *Law Among Nations: An Introduction to Public International Law*, 10th ed. NY: Pearson, 2013. (Hereafter: Glahn/Taulbee)

Suggested Readings (not necessarily found in the library):

1. [Malanczuk, Peter, Akehurst's Modern Introduction to International Law, 7th rev. ed. London: Routledge, 1997](#)
2. Brownlie, Ian. *Principles of Public International Law*. 7th ed. NY: Oxford, 2008.
3. Dixon, M., and Robert McCorquodale, *Cases and Materials on International Law*, 4th ed. NY: Oxford, 2003.

Online resources:

<http://www.asil.org/catalog.cfm>
<http://www.findlaw.com/12international/index.html>
<http://www.un.org/en/law/index.shtml>
<http://www.eisil.org/>

Indicative Content:

- I. Introduction: Is International Law A Law?
Glahn/Taulbee, Ch. 1 & Ch. 2.
Baradaran, Shima, et. al., “Does International Law Matter?” *Yale University, Institute for Social and Policy Studies*, 97 *Minn Law Rev.* 743, (2013).
- II. Sources of International Law
Glahn/Taulbee, Ch. 3.
Thirlway, Hugh, *The Sources of International Law*. NY: Oxford, 2014.
- III. International Law and Municipal Law
Glahn/Taulbee, Ch. 6.
Henkin, Louis, “International Law and Law in the United States,” 82 *Mich Law Rev*, 1955 (1983-1984).
Hathaway, O., and S. McElroy, S. A. Solow, “International Law at Home: Enforcing Treaties in U.S. Courts,” 37 *Yale J. Int'l L.* 51 (2012)
- IV. Subjects of International Law
Glahn/Taulbee, Ch. 7.
Crawford, James, “The Criteria for Statehood in International Law,” *British Yearbook of International Law*, 1977.
Clapham, Christopher, “Degrees of Statehood,” *Review of International Studies*, 24, (1998):143–157.

- V. State Jurisdiction: Territory
 Brownlie, Ian. *Principles of Public International Law*. 7th ed. NY: Oxford, 2008: Ch. 6 & Ch. 7.
 Cohen, Jean L., “Whose Sovereignty? Empire versus International Law” *Ethics and International Affairs*, 18, 3 (2004).
 Lauterpacht, Hersch, *Recognition in International Law*. NY: Cambridge. 2013: Ch 1.
- VI. State Jurisdiction: Nationality and Principles of Jurisdiction
 Glahn/Taulbee, Ch. 9 & Ch. 10. (Ch. 16 for international criminal law)
 Hailbronner, Kay, “Nationality in Public International Law and European Law” Web. 16 Dec 2015. < http://eudo-citizenship.eu/docs/chapter1_Hailbronner.pdf>
- VII. State Immunities and Diplomatic Immunities
 Glahn/Taulbee, Ch. 8 & Ch. 14.
 Dapo Akande and Sangeeta Shah, “Immunities of State Officials, International Crimes, and Foreign Domestic Courts,” *Eur J Int Law* (2010) 21 (4):815-852.
 Chimene I. Keitner, “Foreign Official Immunity after Samantar” *44 Vand. J. Transnat’l L.* 837 (2011)
- VIII. Treaty Law
 Glahn/Taulbee, Ch. 4.
 David Sloss, “Schizophrenic Treaty Law,” *43 Tex. Int’l L. J.* 15 (2007-2008)
 Christina Binder, “Stability and Change in Times of Fragmentation: The Limits of Pacta Sunt Servanda Revisited,” *Leiden Journal of International Law* 25, 4:909-934 (2012)
 Beth Simmons, “Treaty Compliance and Violation,” *Annu. Rev. Polit. Sci.* 2010. 13:273–96
- IX. Law of the Sea (Two Weeks)
 Glahn/Taulbee, Ch. 12.
 Michael A. Becker, “International Law of the Sea,” *43 Int’l Law.* 915 (2009)
 Myron H. Nordquist, Satya N. Nandan, and James Kraska, eds., *UNCLOS 1982 Commentary: Supplementary Documents*. Boston: Martinus Nijhoff Publishers, 2012.
- X. The Use of Force
 Glahn/Taulbee, Ch. 20.
 Christine D. Gray, *International Law and the Use of Force*, 3rd ed. Oxford, UK: Oxford UP, 2008.
- XI. Peaceful Settlement of Disputes
 Glahn/Taulbee, Ch. 5 & Ch. 17.
 Paul K. Huth, Sarah E Croco, Benjamin J Appel, “Does International Law Promote the Peaceful Settlement of International Disputes? Evidence from the Study of Territorial Conflicts since 1945,” *Am Pol Sci Rev*, 105, 2, (2011):415-436.

Hersch Lauterpacht, *The Function of Law in the International Community*. NY: Oxford UP, 2011. [esp. Ch II and Ch VII]

XII. International Courts

Glahn/Taulbee, Ch. 22.

Yuval Shany, "Compliance with Decisions of International Courts as Indicative of their Effectiveness: A Goal-Based Analysis" (online draft paper)

David D. Caron, "International Courts and Tribunals: Their Roles amidst a World of Courts," *Foreign Investment Law Journal*, 26, 2, (2011)

XIII. Human Rights Law and Humanitarian Law

Glahn/Taulbee, Ch. 15 & Ch. 21.

Christian Tomuschat, "Human Rights and International Humanitarian Law," *Eur J Int Law* (2010) 21 (1): 15-23.

Richard Bilder, "An Overview of International Human Rights Law," in Hurst Hannum, ed., *Guide to International Human Rights Practice*, 4th ed. Transnational Pub. (2004):3-18.

XIV. International Economic Law and Environmental Law

Glahn/Taulbee, Ch. 18 & Ch. 19

XV. General Review (Optional)