

**International Law
PS 420
Fanuchan 2024**

Instructor: Alejandro Christian D. Soler, Ph.D.

Course: PS 420: International Law

Time: Mondays/Wednesdays 1100-1220

Location: HSS 303

Credit Hours: 3.00

Office: HSS 219A

Office Hours: Mondays/Wednesdays 1000-1100 and Tuesdays/Thursdays 1100-1200/1400-1500

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COURSE DESCRIPTION

This course examines the purposes, origins, adjudication, and enforcement of international law in emphasizing the practical areas of human rights, transnational maritime, aviation, communications, intellectual property law, and international economic relations.

It is important to note that this is a Political Science class, not a legal studies class, and thus the main focus of this class is examining the politics of international law.

SLO	Learning outcomes linked to the following:		Method of assessment
<i>On completing the course, students will:</i>	<i>Program Learning Outcomes (PLOs)</i>	<i>Institutional Learning Outcomes (ILOs)</i>	
Demonstrate awareness of alternative sources of modern public international law	Mastery PLO2: Apply theories to the study of domestic and international conflict	ILO1: Mastery of critical thinking and problem solving ILO6: An appreciation of the arts and sciences ILO7: An interest in personal development and lifelong learning	- Weekly Moodle Analysis - Class participation

<p>Demonstrate skill in analyzing core assumptions and logic from legal documentation of an international law case</p>	<p>Mastery PLO5: Evaluate political speech and acts for their embedded values.</p>	<p>ILO1: Mastery of critical thinking and problem solving</p> <p>ILO2: Mastery of quantitative analysis</p> <p>ILO3: Effective oral and written communication</p> <p>ILO5: Responsible use of knowledge, natural resources, and technology</p> <p>ILO6: An appreciation of the arts and sciences</p> <p>ILO7: An interest in personal development and lifelong learning</p>	<ul style="list-style-type: none"> - The <i>French African Connection</i> - Topical presentation
<p>Demonstrate competence in describing the competing interests in international law cases from the perspective of international politics</p>	<p>Mastery PLO2: Apply theories to the study of domestic and international conflict.</p>	<p>ILO1: Mastery of critical thinking and problem solving</p> <p>ILO6: An appreciation of the arts and sciences</p> <p>ILO7: An interest in personal development and lifelong learning</p>	<ul style="list-style-type: none"> - Final paper

REQUIRED READINGS

See Weekly Readings section

MOODLE ENROLLMENT KEY: 

TECHNOLOGY EXPECTATIONS AND REQUIREMENTS

There are certain tools you will need for this course. These include access to a computer, ready internet access, access to a word processing program such as Microsoft Word, access to a PDF reader such as Adobe Acrobat or Preview, and ready access to our class Moodle page.

As there are deadlines in the course that require you to upload documents to Moodle, it is my recommendation that you have a backup plan in the case of technology or internet glitches. One suggestion to avoid this is to submit your assignment two hours ahead of any deadline throughout the course. Also, you must use your Triton emails for this course, not your personal emails (see Communication Policy).

Attendance—We will be sharing many lessons in this class and attendance is necessary. Five (5) unexcused absences constitute grounds for failure of the course. Participation means participating in discussions as well as demonstrating a working knowledge of the readings assigned. Students are also required to remain in class for the *entire* period.

Student Evaluation of Instructors—The student course and faculty evaluations for courses will be administered at the completion of the semester within CollegeNet. Student participation is essential and appreciated. Student responses are anonymous and cannot be traced back to individual students. You will need your WebAdvisor login credentials to complete the evaluation. If you experience login issues, please refer inquiries to OIT staff to assist at 735-2630/40.

Late/Missed Assignments—Except in cases of medical or family emergency *documented by an appropriate authority*, no make-ups will be given for missed presentations. *Late essays will be penalized three (3) points out of 100 for each 24-hour period beyond the due date and time up to a maximum penalty of 15%.* After two weeks they will no longer be accepted.

Plagiarism Statement— The term “plagiarism” includes, but is not limited, to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials (UOG Student Handbook, p. 49). Cases of plagiarism are referred to the Student Discipline and Appeals Committee. In this course this penalty for plagiarism is [up to the instructor – the most common penalties are no credit for the assignment or failure in the course].

Communication Policy—University policy states that official communications will be sent using university assigned (@gotriton or @triton) email addresses. University electronic

mail and messaging is to be used to enhance and facilitate teaching, learning, scholarly research, support academic experiences, and to facilitate the effective business and administrative processes of the University. (OIT policy manual, 3.10, p. 36)

In keeping with this policy *all communications from me will come to your @gotriton account*. Check it regularly. You may contact me by email at solera@triton.uog.edu or via Moodle. If you are asking a general question that affects other students and that does not require an immediate response, please do it through the appropriate Moodle Forum. If you need a timely response or the matter is personal sending me a direct email is more likely to receive a prompt response than using the Moodle messages feature.

ADA Policy and Commitment to Student Learning— The University of Guam (UOG) is committed to achieving equal opportunity and full participation of persons with disabilities by providing non-discriminatory access to its services and facilities through the ADA Office. The Mission of the ADA Office is to ensure non-discriminatory access to all benefits, privileges, opportunities and obligations to faculty, staff and community members with disabilities and to ensure a process for full compliance by UOG with the ADA of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, taking into account the economic climate and multi-cultural diversity of the institution.

The ADA Office can be contacted at telephone number (671) 735-2244 or Telephone Device for the Deaf (TDD) number (671) 735-2243. The Enrollment Management & Student Success office provides reasonable accommodations for students in accordance with the UOG Policy and Procedure for student applicants with a disability. The ADA policy can be found on this website.

For individuals covered under the ADA (Americans with Disabilities Act), if you are a student with a disability requiring academic accommodation(s), please contact the Disability Support Services Office to discuss your confidential request. A Faculty Notification letter from the Disability Support Services counselor will be provided to me. To register for academic accommodations, please contact or visit Sallie S. Sablan, DSS counselor in the School of Education, office 110, disabilitysupport@triton.uog.edu or telephone/TDD 671-735-2505/2460.

For applicants or employees with a disability requiring employment or workplace accommodation(s), please contact the Director of EEO/ADA and TITLE IX Office to discuss your specific needs. Please provide documentation concerning your disability and the need for employment or workplace accommodation. Their office is located at the Iya Hami Hall, Dorm2, right side entrance, first floor, Room 104 and their contact numbers are indicated above.

GRADING SCALE

The final course grade will be based on total points the student has received and according to the following criteria.

A+ = 97-100 percent
A = 94-96 percent
A- = 90-93 percent
B+ = 87-89 percent
B = 84-86 percent
B- = 80-83 percent
C+ = 77-79 percent
C = 70-76 percent
D = 60-69 percent
F = <60 percent

GRADE BREAKDOWN

Weekly Moodle Analysis:	15%
<i>The Forgotten Nuclear War: Bombs on Bikini Atoll:</i>	20%
Case presentation:	25%
Final paper:	25%
Class participation:	15%

Weekly Moodle Analysis: At the start of the week (Mondays), I will post a couple of questions on Moodle for you to answer. The questions are intended to jumpstart the week's discussions. You have until the Friday of each week (5 p.m.) to answer the questions.

The Forgotten Nuclear War: Bombs on Bikini Atoll: German network Welt released this documentary (<https://www.youtube.com/watch?v=NjqoiT-RS4A>) in 2020 to reveal the extensive nuclear testing program the United States staged in the Pacific.

Students are tasked to write a four-page, double-spaced essay on the series, in consideration of the following questions:

1. What international law principles does the documentary reveal? How are they related to the case in question?
2. How is international law implicated by the actions of the United States?
3. In what ways does the documentary show the relevance and irrelevance of international law, particularly in cases involving small actors like islands or island-states?

Case presentation: Students will choose one topic per week from the list of available cases and present that case in class. The presentation should not be a mere summary of the case, but rather, a critical and inquisitive examination that involves an analysis of the case, and its relevant background, arguments, decisions/judgments, and similar cases. There

are four sets of cases throughout the semester, so each student will present three cases spread over four weeks.

Final paper: Students will be assigned a final paper between six and eight (6-8) pages long. Below are the guidelines for writing the paper:

1. Students must choose a topic (not a case; the weekly readings contain sample topics that could be chosen) that has specific cases under it.
2. After the topic has been selected, students must synthesize and tie together at least five concepts or ideas relevant to the topic. The synthesis should not be a mere summary of what the concepts are about, but rather, a discussion of the relationships between the concepts/ideas, and how those relationships are made visible by the topic chosen.
3. The synthesis should ideally serve as a springboard to an appraisal of the use or application of international law to the topic chosen. Students should agree with or critique, or both, the application of international law to the topic they selected.

WEEKLY READINGS

WEEK 1 (Aug. 14): Course Introduction

WEEK 2 (Aug. 19 and Aug. 21): What is International Law?

Shaw, Malcolm (2021). *International Law* 9th ed. (Chapter 1)

WEEK 3: (Aug. 26 and Aug. 28): Paradigms and International Law

Rochester, J. Martin (2012). *Between Peril and Promise: The Politics of International Law*. (Chapter 2)

WEEK 4 (Sept. 2 and Sept. 4): Effectiveness of International Law

Rochester, J. Martin (2012). *Between Peril and Promise: The Politics of International Law*. (Chapter 3)

WEEK 5: (Sept. 9): Sources of International Law

Shaw, Malcolm (2021). *International Law* 9th ed. (Chapter 3)

WEEK 5 (Sept. 11): Cases I

Asylum Case (ICJ, 1950)

WEEK 6 (Sept. 16): Cases I

Anglo-Norwegian Fisheries Case

WEEK 6 (Sept. 18): Cases I

Scotia Case

WEEK 7 (Sept. 23): Criminal Responsibility in International Law

Shaw, Malcolm (2021). *International Law* 9th ed. (Chapter 3)

WEEK 7 (Sept. 25): Cases II

The International Criminal Tribunal for the former Yugoslavia

WEEK 8 (Sept. 30): Cases II

United Nations International Criminal Tribunal for Rwanda

WEEK 8 (Oct. 2): Cases II

Extraordinary Chambers in the Courts of Cambodia

WEEK 9 (Oct. 7 and Oct. 9): Fanuchanån Break; no classes

WEEK 10 (Oct. 14): Jurisdiction over Persons in Land, at Sea, in the Air and Outer Space

Rochester, J. Martin (2012). *Between Peril and Promise: The Politics of International Law*.
(Chapter 4)

WEEK 10 (Oct. 16): Cases III

American Banana Co. v. United Fruit Co.

WEEK 11 (Oct. 21): Cases III

Corfu Channel Case

WEEK 11 (Oct. 23): Cases III

Lotus Case

WEEK 12 (Oct. 28): Human Rights

Rochester, J. Martin (2012). *Between Peril and Promise: The Politics of International Law*.
(Chapter 5)

WEEK 12 (Oct. 30): Cases IV

Freedom House

WEEK 13 (Nov. 4): Cases IV

UN Sustainable Development Goals

WEEK 13 (Nov. 6): Cases IV

Avena Case

WEEK 14 (Nov. 11 and Nov. 13): International Economic Relations

Rochester, J. Martin (2012). *Between Peril and Promise: The Politics of International Law*.
(Chapter 7)

WEEK 15 (Nov. 18 and Nov. 20): International Environmental Law

Rochester, J. Martin (2012). *Between Peril and Promise: The Politics of International Law*.
(Chapter 8)

WEEK 16 (Nov. 25 and Nov. 27): International Law and the Postcolonial State

Anghie, Antony (2004). *Imperialism, Sovereignty and the Making of International Law*.
(Chapter 4)

WEEK 17 (Dec. 2 and Dec. 4): Review sessions

WEEK 18 (Dec. 12): SLO activities and final paper deadline (3 p.m.)