

POLI 140A – International Law
Summer Session II 2017

MW 5:00 -8:00 pm
HSS 2150

Instructor: Abigail L. Vaughn, alvaughn@ucsd.edu

Office: SSB 352

Office Hours: Mondays, 2:30 - 4:30 pm (and by appointment)

Online Content: <http://TritonEd.ucsd.edu>

Teaching Assistant: Thomas Flaherty, t1flaher@ucsd.edu

Office Hours: by appointment only (SSB 332)

Description of the Course:

This course examines the role of international laws and regulations in world politics. What are international laws, how do they vary, and how are they enforced? Why do states agree to bind themselves to international laws? Are international laws an effective tool at constraining state behavior?

The first part of the course develops tools to classify and analyze variation in international institutions. We will consider different collective action problems that generate the need for cooperation, the role domestic politics play in the cooperation and contracting process, variation in the design of international contracts as well as the process of (and problems associated with) delegating authority to international institutions. The second part of the course develops tools to evaluate the effectiveness of these efforts. We assess whether and how institutions engender compliance with agreements and explore the different ways in which they can affect behavior.

Finally, through participation in the Statecraft simulation, you will have the opportunity to take on the role of a foreign policy decision-maker and grapple first-hand with the trade-offs and responsibilities that characterize problems of global governance. The simulation will provide ample opportunities to apply and assess the knowledge gained in class.

The course emphasizes the development of critical thinking and analytical writing. Your objective is not to become an expert on any particular law or issue area, but rather to acquire the skills you need to understand and analyze any international institution. By the end of the term, you will be expected to:

- understand why countries choose to cooperate through international institutions;
- identify how leaders weigh domestic and foreign policy goals; and
- evaluate the efficacy of international institutions for global governance.

Prerequisites:

This is an advanced undergraduate course and the reading load is not light. There are no course prerequisites. However, students may find it helpful to have taken the introduction to

international relations course and to be familiar with the major theories of international relations.

Course Requirements:

The course requirements consist of participation in class discussions (10%), two response papers (35% each), and participation in the Statecraft simulation (20%).

Discussion Participation: Students are expected to participate in class discussion. At the end of every lecture, I will give students a list of initial discussion questions, but students are expected to come to class prepared with their own questions. The initial discussion questions should serve as a framework to situate the readings for the upcoming class.

Policy Response Papers: Students are required to write two response papers (4 - 5 pages each). The paper topic and instructions will be given to students a week before the due date. Students are expected to use course readings, their simulation experience, and outside research to substantiate their responses. The first response paper will be due Wednesday, August 23rd. The second response will be due Friday, September 8th.

Simulation Participation: Part of your grade will depend on the quality of your participation in the simulation. Your simulation grade consists of your country's achievement of statecraft awards (6%), your individual performance on the simulation manual quizzes (4%), and simulation memos (10%).

1.) Awards

The achievement of statecraft awards is measured by countries' achievement of specific goals, such as signing a non-proliferation agreement or economic development. I will also monitor the world's events and reserve the right to give out extra points to any country that clearly performed better than its point totals indicate.

2) Quizzes

There are two quizzes on the statecraft manual which are administered online. The first quiz will take place during "Turn Zero" and the second quiz will take place during "Turn One."

3) Memos

You must post a simulation memo on Statecraft before each simulation turn ends (starting in Turn 1). These memos must be 300 words in length and the simulation will count them for you. These memos will become your ongoing "journal" for the simulation experience. Late memos and memos shorter than the required length will not be counted. If you complete all memos satisfactorily, you will receive a perfect score. Missing memos will lead to penalties as follows: 1 missed (15%); 2 missed (40%); 3 or more missed

(100%). Please note that I do read your memos and I will not count memos that only include superficial information.

Simulation Turn Schedule:

Turn 0: Wed. 8/9 @ 7 am – Friday 8/11 @ 11:45pm (Quiz 1)

Turn 1: Sunday 8/13 @ 12 am – Tues. 8/15 @ 11:45 pm (Quiz 2; Memo)

Turn 2: Wed. 8/16 @ 7 am – Friday 8/18 @ 11:45 pm (Memo)

Turn 3: Sunday 8/20 @ 12 am – Tues. 8/22 @ 11:45 pm (Memo)

Turn 4: Wed. 8/23 @ 7 am – Friday 8/25 @ 11:45 pm (Memo)

Turn 5: Sunday 8/27 @ 12 am – Tues. 8/29 @ 11:45 pm (Memo)

Turn 6: Wed. 8/30 @ 7 am – Friday 9/1 @ 11:45 pm (Memo)

Academic Dishonesty:

You are expected to do your own work. Students are not permitted to use unauthorized assistance of any kind. Students caught plagiarizing will receive a failing grade for the course and will be reported to the Academic Integrity Office for administrative sanction. If you have questions about what constitutes plagiarism, please contact me or the TA.

Students agree that by taking this course all required essays will be subject to submission for textual similarity review to Turnitin.com for the detection of plagiarism. All submitted essays will be included as source documents in the Turnitin.com reference database solely for the purpose of detecting plagiarism of such papers. Use of the Turnitin.com service is subject to the terms of use agreement posted on the Turnitin.com site.

Attendance: Class attendance is not mandatory but will be important for your performance on the response papers and for the simulation. Much of the material that we will cover in lectures is not covered in the readings.

Late Assignments: It is your responsibility to submit your work on time. Late papers will be penalized half a letter grade for every 24-hour period past the due date. I will waive the late penalty only under valid and documented circumstances.

Grade Appeals: You can expect to be graded solely on your academic performance. This includes clarity of thought, knowledge of the material, composition, spelling, and grammar. Students can appeal grades that they believe are incorrect to me. The appeal will consist of a single typed page that identifies the problem and presents a reasoned argument that the grade fits the appeal criteria listed above.

Disability: If you are a student with a documented disability who will be requesting accommodations in my class, please make sure you are registered with the Office for Students with Disabilities (University Center 202; 858.534.4382) and provide me with documentation outlining your accommodations. I am happy to meet with you privately during my office hours to discuss your needs.

Readings: The course readings will be available on the course webpage. Please note that the readings are subject to change during the course according to the needs of the class. Because there is no textbook required, we will instead be using a software program that implements a simulation of international politics. The course subscription fee is \$35. You will need to sign up and pay at www.statecraftsim.com before August 9th. To sign up, click "create account", create student account, and then type in the simulation code "intl1aw104a" along with your username and password. From here, you will take your foreign policy attitude test and pay through paypal.

COURSE SCHEDULE

PART I – UNDERSTANDING INTERNATIONAL INSTITUTIONS

Class 1 – Introduction to International Law and Overview (Monday, August 7th)

Topics:

- Why do we need theories?
- Rationality, actors, interests
- What is international law and how is it created?
- Statecraft simulation overview
- Reading scientific papers
- Class survey

Readings:

- Statecraft Student Manual (read by August 9th)

Class 2 – Cooperation under Anarchy (Wednesday, August 9th)

Topics:

- Anarchy in the international system
- Collective action under anarchy
- Two-level games
- The role of domestic politics on international cooperation

Readings:

- Oye, Kenneth 1985. "Explaining Cooperation under Anarchy: Hypotheses and Strategies." *World Politics*. 38(1): 1-24
- Putnam, Robert D. 1988. "Diplomacy and Domestic Politics: The Logic of Two-Level Games." *International Organization* 42(3): 427--460.
- Prestowitz, Clyde. "The Trans-Pacific Partnership and the Decline of American Hegemony." *Foreign Policy*. 30 September 2013.
- Solis, Mireya. "The TPP is dead, long live the TPP." *Brookings Institute*. 11 November 2016.

Class 3 – Categorizing and Analyzing International Law (Monday, August 14th)

Topics:

- Legalization
- Hard and soft contracts
- Principal Agent Theory
- Democratic deficit
- Cooperation without legalization

Readings:

- Abbott, Kenneth W., Robert O. Keohane, Andrew Moravcsik, Anne---Marie Slaughter, and Duncan Snidal. 2000. "The Concept of Legalization." *International Organization* 54(3): 17---35.
- Hawkins, Darren G., David A. Lake, Daniel L. Nielson and Michael J. Tierney. 2006. "Delegation Under Anarchy: States, International Organizations and Principal---Agent Theory." In *Delegation and Agency in International Organizations*. Darren G. Hawkins, David A. Lake, Daniel L. Nielson and Michael J. Tierney, eds. Cambridge University Press, 3---23
- Finnemore, Martha J. and Stephen Toope. 2001. "Alternatives to 'Legalization': Richer Views of Law and Politics." *International Organization* 55(3): 743---758.

PART II – EVALUATING INTERNATIONAL INSTITUTIONS

Class 4 – Two Models of Influence (Wednesday, August 16th)

Topics:

- To what extent do international laws bind states?
- State interest
- Norm internalization

Readings:

- Simmons, Beth A. 2000. "International Law and State Behavior: Commitment and Compliance in International Monetary Affairs." *American Political Science Review*. 94(4):819-35.
- Von Stein, Jana. "Do Treaties Constrain or Screen? Selection Bias and Treaty Compliance." *The American Political Science Review*. 99(4): 611---622
- Posner, Eric. "Think Again: International Law." *Foreign Policy*. 17 September 2009.

Class 5 – Compliance with International Law (Monday, August 21st)

Topics:

- Measuring compliance
- Enforcement mechanisms
- Flexibility
- Dispute settlements

Readings:

- Chayes, Abram and Antonia Handler Chayes. 1993. "On Compliance." *International Organization*. 47(2): 175-205.
- Downs, George W., David M. Rocke, and Peter N. Barsoom. 1996. "Is the Good News About Compliance Good News About Cooperation?" *International Organization*. 50(3): 379-406.
- Rosendorff, B. Peter and Helen V. Milner. 2001. "The Optimal Design of International Trade Institutions: Uncertainty and Escape." *International Organization*. 55(4): 829-57.

Class 6 – Overlapping jurisdictions (Wednesday, August 23rd)

Topics:

- Regime Complexity
- Forum Shopping

Readings:

- Alter, Karen J. and Sophie Meunier. 2009. "The Politics of International Regime Complexity." *Perspectives on Politics* 7(1): 13---24.
- Drezner, Daniel. 2009. "The Power and Peril of International Regime Complexity." *Perspectives on Politics* 7(1): 65---70.
- Busch, Marc L. 2007. "Overlapping Institutions, Forum Shopping, and Dispute Settlement in International Trade." *International Organization*. 61(4): 735-61.
- *Recommended:*
 - o Helfer, Laurence. 2009. "Regime Shifting in the Intellectual Property System." *Perspectives on Politics* 7(1): 39---44.
 - o Hofmann, Stephanie. 2009. "Overlapping Institutions in the Realm of International Security: The Case of NATO and ESDP" *Perspectives on Politics* 7(1)45---52

*** Response Paper 1 due**

Class 7 – The influence of non-state actors (Monday, August 28th)

Topics:

- Non-State Actors
- Boomerang Model

Readings:

- Keck, Margaret E and Kathryn Sikkink. 1998. *Activists Beyond Borders*, Cornell University Press, introduction, 1---38.
- Price, Richard. 1998. "Reversing the Gun Sights: Transnational Civil Society Targets Land Mines." *International Organization*. 52(3): 613---644.
- Findley, Michael, Daniel Nielson, and J.C. Sharman. 2015. "The Causes of Non-Compliance with International Law: Evidence from a Field Experiment on Financial Transparency." *American Journal of Political Science*. 59(1): 146–161.

Class 8 – Guest Lecture (Wednesday, August 30th)

Class 9 – NO CLASS- LABOR DAY (Monday, September 4th)

Class 10 – The Future of International Law (Wednesday, September 6th)

Topics:

- Rise of isolationism and Brexit
- Global governance challenges
- Rising powers

Readings:

- Gray, Kevin and Craig N. Murphy. "Introduction: Rising Powers and The Future of Global Governance." *Third World Quarterly*. 2013. 34(2): 183---193.
- Burke---White, W. William. "Power shifts in International law: Structural Realignment and Substantive Pluralism." U. Penn Public Law Research Paper 14(2).

***Response Paper 2 due Friday, September 1st**