POLS 366-03: International Organization & Law

Spring 2017 Mon., Wed., & Fri. 9:00-9:50 in Carnell Learning Center 373

Professor: Dr. Lucas McMillan Phone: 864-388-8275

Office: Carnell Learning Center M61 E-mail: smcmillan@lander.edu

Office Hours: Mondays 10:00-11:00 Tuesdays 8:30-9:30; 1:30-2:30

Wednesdays 10:00-11:00 Thursdays 8:30-9:30; 1:00-2:00 *For appointments only*: Mon. & Wed., 2:15-3:15, and Fri., 10:00-11:00

I am happy to make individual appointments with students. If I am not in my office, please leave me a voicemail message or send me an e-mail. Feel free to ask me questions about assignments and expectations. Students should bring the syllabus and the day's required readings to each class.



COURSE DESCRIPTION

This course examines the ordering principles of world politics including international institutions, regimes, norms, and law. The course will look primarily at the historical evolution, functions, and policies of the United Nations and the development of international law. *fulfills global issues/non-western studies general education requirement

RATIONALE FOR THE COURSE

You may be taking this course for one or more of the following reasons:

- as an elective course for the major in political science
- as a course for a minor in political science, international studies, pre-law, or public administration
- to complete the three hour General Education requirement in global issues
- to learn about international law, the U.N., non-governmental organizations, engage as a citizen, and/or develop your personal orientation toward politics.

This course is part of Lander's General Education program, designed to expose students to a wide variety of course content. The goals are for students to develop:

- university-level knowledge and comprehension shown through identifying key officials, groups, and agencies within the U.N. system; identifying key sources of international law and actors that shape it; understanding non-governmental organizations; and recognizing key events that have shaped today's globalized world.
- the ability to apply course material to today's policy problems and international issues;
- the ability to analyze the information, especially within the decision-making context of the U.N. Security Council; and,
- the ability to communicate effectively and appropriately, both orally and in writing.

COURSE OBJECTIVES

After taking this course, the student will be able to:

- *Describe* and *explain* the primary actors, sources, and principles of international law.
- Describe the organs of the United Nations and the major moments in political and economic history that have contributed to changes in the UN and its policies since 1945.
- *Describe* non-governmental organizations' place in global governance and world order.

Evaluate how international law, international organizations, non-governmental organizations, and international law impact today's world and contribute to policymaking at national and international levels.

LANDER UNIVERSITY POLICIES

STUDENTS' CLASSROOM RESPONSIBILITIES:

All Lander students will...

- read and follow their professors' syllabi, including course guidelines and procedures, to be prepared for class
- check their Lander e-mail accounts daily and check Blackboard daily for class announcements, assignments, etc.
- be aware of each professor's absence and tardy policies
- communicate concerns about classes to their professors, including asking for clarification if the student does not understand an assignment or expectations
- be courteous to peers, professors, and the learning environment, avoiding the following disruptive classroom behaviors: sleeping, inappropriate talking, inappropriate laptop use, rudeness, doing homework for other classes, text messaging, or answering cell phones
- not give, use, or receive unauthorized aid in academic activities because these are serious violations of academic integrity
- know and accept the consequences of committing plagiarism, which could include receiving a failing assignment grade, failing the course, or being suspended from the University.

CELL PHONE POLICY: Cell Phones are to be turned off before entering the class and shall remain off for the duration of the class. If there is an extenuating circumstance which requires the cell phone to be on during a class, the student must obtain permission prior to the class from the instructor to leave the phone on vibrate. Cell phones are not to be visible or used at any time, especially during quizzes or exams. Each instructor reserves the right to further restrict use of cell phones in class and to determine the consequences of not following this policy.

ACADEMIC HONOR CODE AND PLAGIARISM: Lander University is reliant upon all members of its academic community to maintain proper standards of honesty. You are responsible for understanding the possible consequences of violating Lander's Academic Honor Code. I will strongly uphold the Academic Honor Code and any evidence of academic dishonesty or plagiarism will result in my pursuit of the strongest punishment—i.e. failing the course—under the guidelines explained in the *Lander University Student Handbook*.

STUDENTS WITH DISABILITIES: If you have now or develop during this semester a physical or learning disability and you want me to make reasonable accommodations for that, you must contact the Lander University Student Wellness Center at 388-8885 or studentwellness@lander.edu. Once the Wellness Center has received appropriate documentation, they will inform your instructors. Students with documented disabilities are required to meet with Dr. McMillan by the third week of the semester to review their requests for accommodation so that both parties can be clear.

INCLEMENT WEATHER: I encourage you not to risk traveling to campus if weather conditions are hazardous and prevent safe travel. If you miss a class due to travel conditions and the University is not closed you are responsible for all material covered in class during your absence. Whenever classes are canceled, Lander will inform local TV and radio stations. In addition information will be posted at the Lander website. A recorded message will also be provided at 864-388-8000.

DISCRIMINATION AND TITLE IX STATEMENT: It is the policy of Lander University to prohibit illegal discrimination on the basis of age, color, disability, gender, national origin, race, pregnancy, religion, sex, veteran's status, and genetic information in regard to the administration of all campus programs, services, and activities including athletics, admission, employment, and or sponsored activities and programs as included in Title VII and Title IX. Students who believe they have been harassed, discriminated against, or involved in sexual violence should contact the Vice President of Student Affairs/Deputy Title IX Coordinator (864-388-8293) or Director of Human Resources/Title IX Coordinator (864-388-8053) for information about campus resources and support services, including confidential counseling services. Faculty are legally obligated to share information with the University's Title IX coordinator in certain situations to help ensure that the student's safety and welfare is being addressed, consistent with the requirements of the law. These disclosures include but are not limited to reports of sexual assault, relational/domestic violence, and stalking. Please refer to Lander University's site for contact information and further details.

http://www.lander.edu/Business-Administration/Human-Resources/titleix

SPECIFIC COURSE INFORMATION

REQUIRED READINGS

- Bederman, David J., and Chimene I. Keitner. 2016. International Law Frameworks. 4th ed. New York: Foundation Press.
- All assigned articles, essays, and book chapters posted on Lander Blackboard, on reserve in the Jackson Library, or sent to student's e-mail accounts.

GRADING

| • | Online Quizzes (5) | 10% |
|---|---|-----|
| • | Mid-Term Exam | 20% |
| • | Country Report | 15% |
| • | Policy Position Paper for UN Simulation | 15% |
| • | Draft Resolutions for UN Simulation | 10% |
| • | UN Simulation Participation | 5% |
| • | Final Exam | 25% |

Students are graded on the level of understanding they demonstrate. In all written assignments students should answer questions completely, providing facts and evidence, and constructing sound arguments that provide analysis and show critical thinking. Below is a breakdown of grades by percentage of points earned on assignments:

| • | \mathbf{A} | 90-100% | excellent understanding |
|---|--------------|-----------|----------------------------|
| • | В | 80-89% | good understanding |
| • | \mathbf{C} | 70-79% | satisfactory understanding |
| • | D | 60-69% | poor understanding |
| • | F | below 60% | marginal understanding |

ASSIGNMENTS

Five online quizzes will be given through the Quizzes tab on Blackboard. They will usually consist of five questions covering main topics from assigned readings or previous class material. If a student cannot take a quiz during the assigned time, a grade of zero is given. Students with 2 absences or less may drop their two lowest quizzes grade.

A mid-term exam and final exam will consist of some multiple-choice questions, but primarily be composed of short answer and essay-style questions covering course material. Exams will be cumulative and should display a mastery of information and concepts from assigned readings and class discussions. All students are required to take the Final Exam.

Assignments related to the simulation of the United Nations Security Council: Students have three different writing assignments related to simulation activities: a Country Report, Policy Position Paper, and Draft Resolutions are part of the UN Security Council simulation activities. As shown above, these three assignments have different weights.

The Country Report aims to get students familiar with their assigned country and must include relevant (not all) information describing your country's (a) geography and history (b) economics (c) government and politics (d) society and culture (e) national security and foreign policy; and (f) role within the UN. In the *Policy Position Paper* you assume the role of your country's Permanent Representative to the United Nations and write policy recommendations your government would offer to solve specific issues. This paper describes your country's interests in the situation at hand, any connections your country has with the disputing parties and the major powers of the world, and analyzes how interdependencies of your country impact its view of the proper solution to this policy problem. In the *Draft Resolution*, students will sum up the arguments in the policy position paper in a specific format. These resolutions provide the debate in the simulation. After day one of the simulation, students must edit their draft resolutions so as to take into account the debate and present new resolutions on day two before a final resolution can be reached by the UN Security Council.

Our Department has adopted the APA citation method for all writing assignments.

More information about these three writing assignments, such as details about style and the APA citation method, will be posted on <u>Blackboard</u> and discussed during the semester. Use Lander's Writing Center for assistance with papers. Its tutors can help proofread your paper and have a copy of the assignment. Visit their website or LC 347 for more information.

CLASS PARTICIPATION & COURSE EXPECTATIONS:

Students are expected to be present for all classes and to complete assigned readings prior to class meetings. Students should come to class prepared to discuss all assigned material and are strongly encouraged to participate in class discussions. Since this is a seminar-style class, it is vital that students actively engage in class discussions because it will help you (and others) better understand course material. Participation in the simulation amounts to 5% of the final grade. The professor reserves the right to add up to two additional points to the course average for those students who consistently participate and add to class discussions.

Students are also expected to keep up with major current events in international politics through periodic reading of *The New York Times*. Other sources of news are encouraged such as (a) watching an evening news program, (b) reading news magazines in print or online, and (c) listening to National Public Radio (NPR). A global perspective can be retrieved from BBC News or *The Economist*, and the United Nations also provides news and commentary through the

United Nations News website, UN Documentation Centre, or the http://www.un.org/documents/. Another superb source for information on international organizations is Northwestern University's library website. Other resources are available online and at the Jackson Library. I will occasionally send e-mails to students' Lander e-mail accounts with reminders about assignments. Therefore, students should check their Lander e-mail accounts regularly.

ATTENDANCE

- Class begins promptly at <u>9:00am</u> and students are accountable for all learning that takes place. Students are expected to attend all classes and are responsible for all coursework, lectures, announcements, and assignments whether present or not.
- After missing 15% of classes (6 classes or two weeks), a student's final grade will be penalized by a loss of two points off their final grade with each absence thereafter. Students are responsible for keeping up with their absences.
- Students who engage in behavior disruptive to the learning process will be asked to leave the classroom. Depending upon the nature of the offense, students may be required to see a member of the student affairs staff before returning to class. Any absence due to the obstruction of instruction results in a student counted absent.
- Students with two absences or less may drop their two lowest quiz grades.

LATE POLICY & MAKE-UP ASSIGNMENTS:

- Students are not allowed to take make-up exams or turn in assignments late without either (1) an excuse pre-approved by the professor or (2) an extraordinary circumstance such as an illness or family emergency. Students should make every effort to inform the professor about such circumstances before the day of the scheduled exam or when assignment deadline. In these causes, the burden of proof rests with the student, and the decision to give a make-up exam or accept a late assignment is within the professor's discretion.
- Essentially, this means that assignments MUST be turned in by the deadline.
- Written assignments will be collected in class, typically after the role is called.

SPECIAL EVENTS & SPEAKERS: Lander periodically offers special events and speakers discussing topics related to politics in general or specifically international politics. When events arise, I will make the class aware of them and may offer some extra credit points for response papers to the topics of discussion.

My Teaching Philosophy

International law and international organizations—especially the United Nations—are frequently in the news, but not adequately explained and understood. An appreciation for world history and knowledge about the actors and processes involved in the development of international institutions, regimes, norms, and law will build a greater understanding how global governance has evolved and how theories of international relations can be applied. It is also very important to see and understand the increased role of non-governmental organizations (NGOs) in world politics, particularly humanitarian affairs and the workings of international business. I seek to create an environment in which students rigorously examine the readings and apply current events to course topics.

While reading assigned material, students should constantly ask themselves these questions:

- What is the major theme or purpose of this writing?
- What is the argument and how compelling is it?

- What relevant historical events, concepts and information apply?
- How can the readings be related together?

Lectures will be used to explain complex material and raise questions to consider, but I hope students will generously participate in discussions to provide new insights about how globalization works. Active learning can increase our general interest and understanding. With class discussions, I hope students will leave the course with the ability to think critically about the challenges faced by policymakers and apply the concepts we learn to make policy assessments and recommendations.

IMPORTANT DATES TO REMEMBER

| • | Quizzes | Announced by professor |
|---|--------------------------------------|--------------------------|
| • | Country Report Papers due | Friday, Feb. 3 |
| • | Mid-Term Exam | Monday, Feb. 20 |
| | Policy Position Paper due | Friday, Mar. 17 |
| | UN Simulation/Draft Resolution due | Monday, Mar. 20 |
| • | UN Simulation/Revised Resolution due | Friday, Mar. 24 |
| • | Final Exam | Wed., Apr. 26, at 8:00am |

Please feel free to ask me questions about assignments and expectations. Students should bring the syllabus and the day's required readings to each class.

COURSE SCHEDULE*

*Subject to change with prior notice by the professor.

(Bb) = posted on Lander Blackboard (R) = on reserve in the Jackson Library Bederman and Keitner = *International Law Frameworks*

The Course Schedule overviews the main topics we consider each week and all assigned readings.

PART I: FOUNDATIONS OF GLOBAL GOVERNANCE, ORDER, AND LAW

Week 1: Course Introduction and Overview

Jan. 9 **Course Introduction**

Jan. 11 Historical Overview of International Law

Bederman and Keitner, Chapter 1 – "Nature and History of International Law, 3-13

From the Treaty of Westphalia to Today in International Law and Order Jan. 13

Peace of Westphalia [1648] (R) (Bb) The Nuremberg Principles [1950] (Bb)

Convention on the Prevention and Punishment of the Crime of Genocide [1951] (Bb)

Week 2: The Theory and Practice of World Order and International Law

No class—Holiday honoring The Reverend Dr. Martin Luther King, Jr. Jan. 16

How does Order Exist in World Politics? Jan. 18

> Hedley Bull. 1977. The Anarchical Society: A Study of Order in World *Politics.* New York: Columbia University Press. chapters 1 and 6. (Bb) (R)

Jan. 20 Subjects of International Law: States

Montevideo Convention [1933] (Bb)

Bederman and Keitner, Chapter 6 – "States: Identity, Recognition, and Succession," 83-96

PART II: INTERNATIONAL LAW

Week 3: Subjects of International Law

Subjects of International Law: Non-State Actors Jan. 23

> Bederman and Keitner, Chapter 8 – "International Organizations," 113-124

Subjects of International Law: Individuals Jan. 25

Bederman and Keitner, Chapter 9 – "Individuals in International Law,"

Universal Declaration of Human Rights [1948] (Bb)

The International Military Tribunal at Nuremberg Jan. 27

Watch "Nuremberg: Tyranny on Trial" (The History Channel, 1995) For more info., see the website of the PBS documentary here.

Week 4: Nuremberg's Legacies, Sources of Intl. Law and the "Law of Treaties"

Jan. 30 Discussion about the Nuremberg Tribunal and its legacies

Feb. 1 Sources of International Law

> Statute of the International Court of Justice (Bb) Third Restatement [Foreign Relations] § 102 (Bb)

Feb. 3 Treaties and Customary International Law

Vienna Convention on the Law of Treaties (VCLT) [1969] (Bb)

***Country Reports due in class and on Blackboard

Week 5: Treaties, Customary International Law, and General Principles

Treaties and Customary International Law Feb. 6

Bederman and Keitner, Chapter 3 – "Treaties," 27-44

Bederman and Keitner, Chapter 2 – "General Principles and Customary

International Law," 17-26

General Principles, Court Decisions, and Opinions of Scholars Feb. 8

Bederman and Keitner, Chapter 2 – "General Principles and Customary

International Law," 15-17

Bederman and Keitner, Chapter 4 – "Other Sources and Evidence,"

45-56

Feb. 10 A Case Concerning Sources of International Law The Paguete Habana and The Lola [U.S. Supreme Court] (Bb)

Week 6: Analyzing International Law Cases; Human Rights and Migration

Cases Concerning Individuals and Jurisdiction Feb. 13

Harry Roberts Claim [United States v. Mexico, heard before the General Claims Commission] (Bb) The LaGrand Case [ICJ] (R) (Bb)

Cases Concerning Individuals and Jurisdiction Feb. 15

The LaGrand Case [ICJ] (R) (Bb)

United States v. Alvarez-Machain [U.S. Supreme Court] (Bb)

International Law on Human Rights and Migration Concerns Feb. 17

Bederman and Keitner, Chapter 10 – "Human Rights and Global

Migration," 143-168 Review for the Mid-Term Exam

Week 7: The Laws of War

Mid-Term Exam Feb. 20

Feb. 22 The Laws of War

Bederman and Keitner, Chapter 16 – "Laws of War," 251-262

The Laws of War Feb. 24

Bederman and Keitner, Chapter 16 – "Laws of War," 251-262

PART III: THE UNITED NATIONS

Week 8: Challenges to International Law and Global Governance

Feb. 27 United Nations 101

> Kelly-Kate Pease. 2009. International Organizations: Perspectives on Global Governance. New York: Pearson. 15-40. [chapter 2] (Bb)

Mar. 1 Global Governance and its Challenges

> Margaret P. Karns and Karen A. Mingst. 2009. "The Challenges of Global Governance." In *International Organizations: The Politics* and Processes of Global Governance. 2nd ed. Boulder, CO: Lynne

Rienner. 3-33. [chapter 1] (Bb) (R)

Mar. 3 Historical and Conceptual Overview of the UN and State Sovereignty

Margaret P. Karns and Karen A. Mingst. 2009. "The United Nations:

Centerpiece of Global Governance." In International

Organizations: The Politics and Processes of Global Governance. 2nd ed. Boulder, CO: Lynne Rienner. 95-143. [chapter 4] (R) (Bb)

^{***}Spring Break – no classes Mar. 6-10

Week 9: Collective Security and the U.N.'s Political and Institutional Challenges

Historical and Conceptual Overview of the UN and State Sovereignty Mar. 13 Margaret P. Karns and Karen A. Mingst. 2009. "The United Nations: Centerpiece of Global Governance." In International *Organizations: The Politics and Processes of Global Governance.*

2nd ed. Boulder, CO: Lynne Rienner. 95-143. [chapter 4] (R) (Bb)

- Mar. 15 Understanding Collective Security and the UN Charter Charter of the United Nations [1945] (Bb)
- Political and Institutional Challenges in the U.N. System Mar. 17 Somini Sengupta. 2013. "New Diplomatic Avenue Emerges, in 140-Character Bursts." The New York Times. Oct. 3. A8. (Bb) [Web] Review of Rules to Know for the Simulation

***Policy Position Papers due in class

Week 10: U.N. Security Council Simulation

- Day One of Simulation held in ITS conference room on library's lower level Mar. 20 ***Draft Resolution due in class
- Mar. 22 Day Two of Simulation – held in ITS conference room
- Day Three of Simulation held in ITS conference room Mar. 24 ***Revised Resolution due in class

PART IV: NON-GOVERNMENTAL ORGANIZATIONS

Week 11: Non-Governmental Organizations

- Post-Simulation Debriefing and Evaluation Mar. 27
- Mar. 29 NGOs in World Politics

William E. DeMars. 2005. "Your NGO Starter Kit." In NGOs and Transnational Networks: Wild Cars in World Politics. London: Pluto Press. 6-33. [chapter 1] (Bb)

NGOs in World Politics Mar. 31

> William E. DeMars. 2005. "Your NGO Starter Kit." In NGOs and Transnational Networks: Wild Cars in World Politics. London: Pluto Press. 6-33. [chapter 1] (Bb)

Week 12: NGOs and the UN and in the World: Cooperative or Conflictual?

- Humanitarian Emergencies, the UN, and NGOs: Conflict or Cooperation? Apr. 3 Andrew S. Natsios. 1995. "NGOs and the UN System in Complex Humanitarian Emergencies: Conflict or Cooperation." Third World Quarterly 16(3): 405-419. (Bb)
- Apr. 5 NGOs in World Politics

William E. DeMars. 2005. "Partners in Conflict: A Structural Theory of NGOs." In NGOs and Transnational Networks: Wild Cars in World

Politics. London: Pluto Press. 34-63. [chapter 2] (Bb)

Apr. 7 The UN and NGOs

Jessica T. Mathews. 1997. "Power Shift: The Rise of Global Civil Society." *Foreign Affairs*. Vol. 76 (January/February). 50-66. (Bb)

PART V: INTERNATIONAL RELATIONS THEORIES & GLOBAL GOVERNANCE

Week 13: International Relations Theory and Global Governance

Apr. 10 IGOs, NGOs, and International Relations Theories

Kelly-Kate Pease. 2009. *International Organizations: Perspectives on Global Governance*. New York: Pearson. 1-14. [chapter 1] (Bb)

Apr. 12 Realism and Liberalism

Margaret P. Karns and Karen A. Mingst. 2009. "The Theoretical Foundations of Global Governance." In *International Organizations: The Politics and Processes of Global Governance*. 2nd ed. Boulder, CO: Lynne Rienner. 35-50. [chapter 2] (Bb) (R)

Apr. 14 Social Constructivism, Critical Theories, and Organizational Interaction
Margaret P. Karns and Karen A. Mingst. 2009. "The Theoretical
Foundations of Global Governance." In *International*Organizations: The Politics and Processes of Global Governance.
2nd ed. Boulder, CO: Lynne Rienner. 50-60. [chapter 2] (Bb) (R)

Week 14: Debates about the Future of Global Governance

Apr. 17 Applying IR Theories to International Law, IGOs, and NGOs

**DEBATE*: how understandings of international law, the U.N., and NGOs

use and apply Realism, Liberalism, Constructivism, and Critical Theories

Apr. 19 The Future of International Law

Bederman and Keitner, Chapter 17 – "International Law and Domestic Law," 265-276

Apr. 21 Contemporary Challenges: Public Health, Cyberspace, Global Inequality
Bederman and Keitner, Chapter 21 – "Contemporary Challenges," 331338

Week 15: Big Questions for the Future

Apr. 24 Conclusions about International Organizations and International Law

Council on Foreign Relations. 2014. "Global Governance Report Card." [Web]

Council of Foreign Relations/Council of Councils. 2016. Global Think Tanks' Reactions to a Trump Presidency. [Web]

Final Exam Review

FINAL EXAM

Apr. 26 Final Exam (held from 8:00 – 10:00am)