

POLS 4326 – INTERNATIONAL LAW AND THE UNITED STATES

Tuesdays and Thursdays: 3:00 – 4:20 pm

Education Building, Room 302

INSTRUCTOR: Dr. Rebecca A. Reid
PHONE: 915-747-7970
EMAIL: rareid@utep.edu
OFFICE: 307 Benedict Hall
OFFICE HOURS: Tuesdays and Thursdays 10:30 – 2:30 pm, or by appt

LAND ACKNOWLEDGMENT

We, the UTEP Department of Political Science, acknowledge that we are in the unceded territories of the Indigenous Peoples who, along with countless generations of ancestors, are the guardians and keepers of this land, both throughout history and in contemporary times: the Tigua, Mansos, Sumas, Ndé, the Piros, Mescalero Apache, Chiricahua Apache, Tarahumara, Yaqui, Jumano, Comanche, Kiowa, Rarámuri, Tohono O’odham, Kickapoo, Diné, Hopi, Zapotec, Mixtec, Aztec-Nahua-Mexica, Huichol, Tepehuan, Coahuilteco, Chichimeca, and the other Native communities who comprise our multinational region. As scholars and people who reside and work in these lands, we respect and honor the millennia-long history of Native peoples on this land and their ongoing presence today.

COURSE DESCRIPTION

This course discusses the role of international law within the United States and how it has changed over time through various political climates. It will include American case law related to international law as well as the role of the United States as a litigant in international dispute settlement.

UTEP EDGE

This course encompasses activities associated with UTEP EDGE, including (1) **problem-solving** and (2) **critical thinking** through class discussion and assignments, including crisis and litigation simulations. This course promotes (3) **creativity** as assignments that challenge students to think in innovative ways to produce original arguments, evaluate real-world problems, and teach substantive material to their peers. (4) **Communication** is emphasized through the completion of written assignments, such as litigant briefs and policy memos, as well as class discussion. Students will enhance their (5) **global awareness** through engaging in international legal systems and the role(s) the United States plays within these systems, and (6) **social responsibility** by critically evaluating the causes and consequences of international law across increasingly interdependent yet diverse communities across the globe. Finally, students develop (7) **teamwork** through working together in generating policy recommendations and legal arguments.

LEARNING OUTCOMES

Over the course of the semester students will have:

- An understanding of the key elements of international law and jurisprudence.
- Become introduced to case law within the United States dealing with international law and become familiar with cases brought against the United States.
- Become familiar with basic social science theories and be able to apply theoretical perspectives to explain political behavior and processes.
- Enhanced the skills necessary to understand judicial opinions.
- Developed the skills necessary to understand and evaluate contemporary problems as well will have learned to think critically and analytically about political issues and articulate arguments in oral and written forms.
- Developed effective teamwork skills for collaborative work while demonstrating respect and value for a diversity of opinions, viewpoints, and perspectives.
- Developed critical and analytical thinking skills necessary to adapt and apply theoretical arguments to specific institutional and environmental contexts.
- Demonstrated the ability to synthesize and evaluate specific arguments into cogent arguments and explanations.
- Demonstrate critical thinking skills to analyze and evaluate multiple perspectives and viewpoints, developing nuanced, independent thinking skills that synthesizes knowledge acquired.
- Demonstrate empathy and open-mindedness to others, demonstrating respect and value of diversity of cultures, backgrounds, viewpoints, and experiences.
- Developed effective teamwork and leadership skills for collaborative work while demonstrating respect and value for a diversity of opinions, viewpoints, and perspectives.

COURSE REQUIREMENTS AND GRADING

Evaluation in this course will be based on the following components:

Attendance and Participation	20%
Crisis Simulation Teamwork	20%
Action/Dissent Memos	20%
Critical and Analytical Reflections	20%
Litigant Briefs	20%

The grading scale is as follows:

90-100	A
80-89	B
70-79	C
60-69	D
59 and below	F

Attendance and Participation

Attendance and participation are essential for this class. Students are responsible for offering their thoughts, opinions, and questions without solicitation from the instructor. Students are expected to contribute to conversations, discussions, and questions as co-equal contributors of knowledge. Classes may involve the need to use internet scholarly resources for class research and teamwork assignments.

Crisis Simulation

This simulation consists of a major international crisis and the legal and political questions it generates, where students will have to answer on behalf of their 'clients' (states, international organizations, or corporations). In this way, students are the consultants for each of their clients, where they have to produce legal and policy advice that recognizes real-world political interest and foreign relations as well as international law and norms.

Students are 'debriefed' on the crisis and background international law concepts, tasked to research and evaluate the applicable international laws and political interests relevant to resolving the crisis. Students work in teams to complete these missions, determining which action they recommend and providing an **Action Recommendation Memo** that summarizes the information obtained, recommended policy action, and justification for that policy recommendation. Students are free to dissent from the rest of their team should they disagree with the team's recommended action. (Dissenting students completed the **Action Recommendation Dissent Memo**.)

Action Recommendation Memos and Action Dissents

At each stage of the crisis, student teams must decide what policy actions to recommend their client(s), based upon their own research, teamwork, and class materials. Each team of students work complete an **Action Recommendation Memo** that summarizes the information obtained (i.e., the information they had to use in their decision), recommended policy action, and justification for that policy recommendation.

Students are free to dissent from the rest of their team should they disagree with the team's recommended action. Dissenting student(s) must complete the **Action Recommendation Dissent Memo**, individually.

Critical and Analytical Reflections

Students are required to complete the simulation reflections, where students individually critically reflect and evaluate their experiences and learning via the simulations. Students evaluate the substantive content of simulations (that is, the application and outcome generated by course themes) as well as engage in self-analysis to evaluate their own learning, teamwork, leadership, creativity, and other skill development and limitations revealed by the simulation.

Litigant Briefs

Students complete one litigant brief, representing their client in an international or domestic court. Students are divided into two teams: the prosecution and the defense. Each team writes a litigant brief, one for the prosecution or one for the defense, that a) identifies the legal question/conflict, b) explains the relevant international and/or domestic laws violated (or not), and c) offers persuasive legal arguments on behalf of their client.

SPECIAL ACCOMODATIONS

If you have a disability and need classroom accommodations, please contact The Center for Accommodations and Support Services (CASS) at 747-5148, or by email to cass@utep.edu, or visit their office located in UTEP Union East, Room 106. For additional information, please visit the CASS website at www.sa.utep.edu/cass. CASS' Staff are the only individuals who can validate and if need be, authorize accommodations for students with disabilities.

ACADEMIC DISHONESTY

Absolutely no form of academic dishonesty will be tolerated. The University of Texas at El Paso prides itself on its standards of academic excellence. In all matters of intellectual pursuit, UTEP faculty and students must strive to achieve excellence based on the quality of work produced by the individual. In the classroom and in all other academic activities, students are expected to uphold the highest standards of academic integrity. Any form of scholastic dishonesty is an affront to the pursuit of knowledge and jeopardizes the quality of the degree awarded to all graduates of UTEP. It is imperative, therefore, that the members of this academic community understand the regulations pertaining to academic integrity and that all faculty insist on adherence to these standards.

Any student who commits an act of scholastic dishonesty is subject to discipline. *Scholastic dishonesty includes, but is not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, and any act designed to give unfair advantage to a student or the attempt to commit such acts.* Proven violations of the detailed regulations, as printed in the Handbook of Operating Procedures (HOP) and available in the Office of the Dean of Students and the homepage of The Dean of Students at www.utep.edu/dos, may result in sanctions ranging from disciplinary probation, to failing a grade on the work in question, to a failing grade in the course, to suspension or dismissal, among others.

COUNSELING AND PSYCHOLOGICAL SERVICES

The center, located at 202 Union West, offers confidential counseling services in English or in Spanish. They also provide group and individual counseling for currently enrolled UTEP students. For more information, go to: <https://www.utep.edu/student-affairs/counsel/>.

ADELANTE CHILD DEVELOPMENT CENTER

Child care is available for children of all students of the University. The Adelante Child Development Center is located at 314 W. Schuster and is managed and operated by Adelante Childcare, Inc. Children aged three months to 12 years are accepted, depending on space availability (Hourly, daily and weekly care are available and the Center offers a Summer Camp for school-age children). Age-appropriate early childhood developmental programs are offered in the curriculum. The Adelante Child Development Center is licensed by the Texas Department of Protective and Regulatory Services. Financial assistance is available for qualifying parents through Child Care Services. For more information, please call: **915-532-1114** or contact: studentaffairs.utep.edu/childcare. If, for any reason, you cannot find a care-taker for your child(ren), you are welcome to bring them to class.

COVID STUDENT RESPONSIBILITIES

Please stay home if you have been diagnosed with COVID-19 or are experiencing COVID-19 symptoms. If you are feeling unwell, please let me know as soon as possible, so that we can work on appropriate accommodations. If you have tested positive for COVID-19, you are encouraged to report your results to covidaction@utep.edu, so that the Dean of Students Office can provide you with support and help with communication with your professors. The Student Health Center is equipped to provide COVID-19 testing.

The Center for Disease Control and Prevention recommends that people in areas of substantial or high COVID-19 transmission wear face masks when indoors in groups of people. The best way that Miners can take care of Miners is to get the vaccine. If you still need the vaccine, it is widely available in the El Paso area, and will be available at no charge on campus during the first week of classes. For more information about the current rates, testing, and vaccinations, please visit epstrong.org.

GENERAL EXPECTATIONS

I expect all students to behave professionally in this class. You will be held responsible for all material covered in the textbooks, articles, videos, and the class discussions. If you miss a class, you are still responsible for the content of that day's information—which you can obtain from classmates and the assignments.

I will not tolerate disruptive behavior, including (but not limited to) inappropriate computer use, reading newspapers, talking during lectures, using cell phones, and disrespecting classmates or the instructor. Additionally, I expect all students to attend class prepared and to show up on time. It is disrespectful to the instructor and the other students when individuals show up late or are not prepared to participate in the class discussion. I allow the use of laptops for class purposes only.

This class is designed to provide information and challenge students with new, and sometimes controversial, ideas and arguments. This class is designed to be a safe, open environment to express ideas, arguments, and opinions for learning purposes. However, safe does not always mean comfortable. This class does not give you knowledge—i.e., knowledge and understanding are not transfused to students by simply

sitting in class. Learning is an interactive process, requiring engagement with the material. Assignments are designed to assist you in learning processes, which consist of understanding material, remembering material, and being able to clearly (and correctly) communicate that material. Learning also entails developing your own insights, and applying them to better your own livelihood and authentic self.

CIVILITY AND RESPECT

Civility in the classroom and respect for the opinions of others is very important in an academic environment. It is likely you may not agree with everything which is said or discussed in the classroom, but courteous behavior and responses are expected. Our campus community reflects and is a part of a society comprising all races, genders, ethnicities, creeds, sexualities, and social circumstances. It is fundamental to our mission to create an unbiased community and to oppose vigorously any form of racism, religious intolerance, sexism, ageism, homophobia, heterosexism, and discrimination against those with disabling conditions. All identity groups (genders, sexualities, races, ethnicities, nationalities, creeds, religions, socioeconomic classes, etc.) must be treated respectfully.

COURSE SCHEDULE

The following is a list of topics to be covered at each class meeting, and the readings, which should be completed in order to fully participate in class that day. You are required to read the material prior to the class. Literature not included in the textbook but listed on syllabus are the responsibility of students to locate and read. Academic articles can often be found via the UTEP library's website under the "Articles and Database" tab, where you can search repositories like JSTOR and Sage as well as individual journal titles. **Under no circumstance should you pay to access an article.** If you need help locating a specific article, email me and I will help you.

Because this course is framed as a "Choose your own adventure", course topics depend upon student choices. Thus, the ordering and dates of each topic or module depends upon student decisions. In general, the modules that are offered in this course, include:

- What is International Law?
- Jurisdiction and Subjects
- Territory, Succession, and Recognition
- Dispute Settlement & State Responsibility
- International Law of the Sea
- International Humanitarian Law
- International Criminal Law
- International Environmental Law
- International Human Rights Law
- International Refugee Law
- Indigenous Peoples in International Law
- International Law and Domestic Law
- International Law in US Courts

