

GOVT 326: International Law

Fall 2022 – Tuesdays and Thursdays
CRN 15897 – 02:00 to 03:20 PM | CRN 16765 – 03:30 to 04:50 PM
Chancellors Hall 134

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Office hours: In person outdoors or via Zoom on Tu/Th from 05:00 to 06:30 PM. You can schedule an appointment via calendly.com/wm-profzvobgo or drop in via [my Zoom room](#) if there is a slot available.

Beginnings

William & Mary is located on the traditional and ancestral territory of the Powhatan,¹ land that was stolen by English settlers and on which enslaved Africans and their descendants were forced to labor for centuries. As we study international law – how it is made, broken, and upheld – it is vital that we acknowledge broken legal agreements between sovereign Indigenous nations and the government of the United States of America, and violations of international treaties and customary international law.

Acknowledgement is an important decolonial practice. It renders visible historically marginalized groups, in our context Indigenous and Black Americans, and challenges us to grapple with the complexity and contradictions of a U.S.- and Western-led international legal order, amid violations of domestic and international laws, historically and presently. This is a difficult and uncomfortable, even painful, exercise but we can have no future without it.

In that vein, we recognize the forced occupation and theft of Indigenous land and the genocide of Indigenous peoples, and we honor and respect Indigenous Americans in our midst today. We also recognize the history and legacy of slavery at William & Mary,² in the Commonwealth of Virginia, and throughout the United States, and we remember and honor the enslaved people who helped build and enrich all three. We are privileged to live, learn, and work here.

Finally, we recognize that the histories of the College, the Commonwealth, and the nation have been and remain inextricably tied. The first colony in English North America was established in 1607 at Jamestown, less than five miles from campus, and the first enslaved Africans were brought to Point Comfort, roughly

¹ Namely, the Cheroenhaka, Chickahominy, Eastern Chickahominy, Mattaponi, Monacan, Nansemond, Nottoway, Pamunkey, Patowomeck, Rappahannock, and Upper Mattaponi.

² For a longer treatment of this topic, read Slavery at William & Mary: A Brief Overview, available at <https://www.wm.edu/sites/enslavedmemorial/slavery-at-wm/index.php>

thirty miles from campus. What happens here has always mattered for what happens elsewhere. Thus we commit ourselves to advance law and justice.

Welcome to “International Law.”

Course Description

This course will weave together legal and political science perspectives on and approaches to international law. We will explore the philosophical, political, and institutional foundations of international law, and examine diverse international legal institutions and issues, including in human rights, trade, environmental protection, and criminal law. We will study the relationship between politics and international law, and assess states’ willingness and ability to comply with and enforce it.

Learning Objectives

By the end of the course, students will be able to:

- Describe the philosophical, political, and institutional foundations of international law.
- Define core concepts, delineate differences and similarities, and provide illustrative examples.
- Identify key challenges to making and upholding international law.
- Evaluate the extent to which domestic and international political factors influence legal compliance and enforcement.

Teaching Philosophy

The primary goal of my teaching is to develop student interest in political institutions and political behavior, and create a safe learning environment in which students are empowered to critically inquire into, de-construct, and re-construct the political world around them. Enhancing substantive knowledge, data literacy, oral and written communication, and teamwork are focal points of my teaching. These are critical for students’ personal and academic development, and post-baccalaureate endeavors.

Logistics

We will meet twice weekly at the days and times specified above. I expect you to attend the sections for which you are registered.

To foster an inclusive environment and to properly identify participants, I encourage students to share their preferred gender pronouns during introductions.

I will hold office hours twice weekly at the days and times specified above to discuss class materials and assignments. I am offering two office-hour modalities: online via Zoom or in-person over a walk, starting

in front of Chancellors Hall. You can reserve an appointment using my Calendly scheduler or you can drop in if there are any open slots. Of course, students with appointments will be prioritized. If you need to make an appointment outside my office hours, please email me at least seven days in advance.

I will aim to reply to emails in one to two business days.

Expectations

I will maintain high expectations for you, as you should for me. This class will be challenging. Believe me – or ask my former students. But, if you take me, your peers, and the course materials and assignments seriously, you will do well. I encourage you to seek help when you need it, whether from me or your peers. Remember, learning is a collective enterprise. If at any point you feel like you are falling behind, please reach out to me so that we can devise a solution. The sooner you do, the better I can help.

Course Materials

There is one required book for this class: Dr. Leslie Johns's *Politics and International Law: Making, Breaking, and Upholding Global Rules* (Cambridge University Press, 2022). I strongly encourage you to take advantage of the book's [companion website](#), which contains a document library with the complete text of every legal document discussed in the book; supplemental cases; study aids; and news stories.

Course Requirements

Assignments

Attendance and Participation (10%)

This is a discussion-forward class. So I expect you to carefully read the assigned course materials; attend class regularly; and pose and answer analytical questions. I expect you to always be respectful to other participants. Please share time, listen to understand not to respond, allow the person speaking to finish their thought, and give credit where credit is due. If you want to build on a point made by a classmate, reference that person. Don't simply repackage what they said and present it as your own insight. Please also note that, while we may argue ideas, we will not argue each other.

Short Quizzes (20%)

There will be regular short quizzes, generally consisting of factual questions about the previous two weeks' readings. I will drop the lowest quiz score. As such, there will be no make-ups.

Midterm Exam (30%)

The midterm exam will be held on Tuesday, October 11. A closed-book exam, it will consist of multiple choice and short answer questions covering cases, readings, and lecture material. Make-up exams will only be offered in the rarest and most exceptional of circumstances.

Final Exam (40%)

The final exam will be held on Monday, December 12 (CRN 15897) and Wednesday, December 14 (CRN 16765). A closed-book exam, it will consist of multiple choice, short answer, and essay questions covering cases, readings, and lecture material from the semester, with an emphasis on content since the midterm. Make-up exams will only be offered in the rarest and most exceptional of circumstances.

Extra Credit

Extra credit is available for students who attend the International Justice Lab's Nexus Series, which brings scholars and practitioners working in the areas of human rights, transitional justice, and international law to campus for lectures, discussions, and professional networking. You may also run by me other campus events on human rights topics. To qualify for one percentage point of extra credit toward your final grade, you must both attend a session and ask the presenter a question during the Q-and-A. Students may earn up to two percentage points of extra credit. For example, if your final grade is 88% (B+) and you attended two sessions and asked a question at each one, I will raise your grade to 90% (A-).

I will base final course grades on the following scale: A 100-93, A- 92-90, B+ 89-88, B 87-83, B- 82-80, C+ 79-78, C 77-73, C- 72-70, D+ 69-68, D 67-63, D- 62-60, F <60.

I take grading seriously and I do it carefully. Not long ago, I was standing where you are, fretting over every letter, plus, and minus. So I understand where you're coming from. Here's my view: if you produce excellent work, you will earn an excellent grade. If you don't, you won't. If ever you feel there has been an error in my assessment of your work, you are welcome to submit a grade appeal. I just need a couple things from you. The first thing is a 300-word memo (sent via email) explaining why you think your assignment merits a higher grade. Please submit this no less than two days and no more than seven days after the assignment has been returned. For example, if an assignment is returned on a Tuesday at 5:00 PM, you can send your appeal anytime after Thursday at 5:00 PM but before the following Tuesday at 5:00 PM. The second thing is an office hours appointment. Please schedule this with me as soon as you have sent your memo. I will caution that, just as your grade may go up upon a second grading, it may also go down. Two last points, I will not discuss grades over email and I do not round grades up.

There will be no make-up sessions. And office hours will not substitute for class. If you miss class, you are responsible for reaching out to a classmate and getting yourself caught up on the material you missed.

I invite you to send questions related to your assignments that I may not have covered in the syllabus or in the assignment instructions. As a reminder, I aim to answer emails in one to two business days.

Other Items

Health Policies

All of us will follow W&M Covid-19 requirements – vaccinations and boosters, as well as quarantine and isolation when ill. That last part is really important: for those who test positive, W&M's requirements must be fulfilled before class can be attended in person.

If you are sick, please do not come to class. You do not owe me personal details about your health (physical or mental). Just give me a heads-up via email ahead of class. In all cases, you are responsible for getting yourself caught up with what you missed in class.

Mental Health and Well-being

William & Mary recognizes that students juggle many different responsibilities and can face challenges that make learning difficult. There are many resources available at W&M to help students navigate various concerns. Asking for help is a sign of courage and strength. If you or someone you know is experiencing any of these challenges, we encourage you to reach out to the following offices:

- For psychological/emotional stress, please consider reaching out to the W&M Counseling Center at wm.edu/offices/wellness/counselingcenter), by phone at 757-221-3620, or in person at 240 Gooch Drive. Services are free and confidential.
- For physical/medical concerns please consider reaching out to the W&M Health Center at wm.edu/offices/wellness/healthcenter, by phone at 757-221-4386, or in person at 240 Gooch Drive.
- If you or someone you know is in need of additional supports or resources, please contact the Dean of Students by submitting a care report at wm.edu/offices/deanofstudents/services/caresupportservices/index.php, by phone at 757-221-2510, or by email at deanofstudents@wm.edu.

As your professor, I also ask you to reach out to me if you are facing challenges inside or outside the classroom; I will help guide you to appropriate resources on campus.

Accommodations

William & Mary accommodates students with disabilities and qualifying diagnosed conditions in accordance with federal and state laws. Any student who feels they may need an accommodation based on the impact of a learning, psychiatric, physical, or chronic health diagnosis should contact Student Accessibility Services staff at 757-221-2512 or at sas@wm.edu to determine if accommodations are warranted and to obtain an official letter of accommodation.

Writing Resources Center

The Writing Resources Center, located on the first floor of Swem Library, is a free service provided to W&M students. Trained consultants offer individual assistance with writing, presentation, and other communication assignments across disciplines and at any stage, from generating ideas to polishing a final product. The WRC's goal is to help you become a better writer and communicator. To make an appointment, visit the WRC webpage at www.wm.edu/wrc.

Academic Misconduct

Please familiarize yourself with the College's policies for academic integrity. Answers to questions on cheating, plagiarism, or other types of academic dishonesty are available on the [William & Mary Honor Council's website](#) and the [Honor Code section of the Student Handbook](#). If I discover any misconduct, I will initiate an Honor Council proceeding and, at the very least, recommend an F for the course.

The International Justice Lab

I will be advertising open positions in my lab for continuing students next academic year. Subscribe to the Global Research Institute digest to be notified when the position is posted in the summer.

Course Schedule

Week 1 – Introduction and welcome

Thursday, September 1

- Syllabus review. Open discussion: What is international law? Does it matter?

PART I: FUNDAMENTALS

Week 2 – Competing Perspectives on International Law and Politics

Tuesday, September 6

- Johns, Chapter 1

Thursday, September 8 (Note: Monday, September 12 is the add/drop deadline.)

- [The Paris Agreement](#), 2015
- Koremenos, Barbara. 2016. *The Continent of International Law: Explaining Agreement Design*. Cambridge University Press. “5. Escape Clauses and Withdrawal Clauses” [\[PDF\]](#)

Week 3 – Making International Law

Tuesday, September 13

- Johns, Chapter 2

Thursday, September 15

- W&M Libraries training session with Librarian Mary Oberlies during class time. Meet in our normal classroom. Attendance will be taken.

Week 4 – Breaking International Law

Tuesday, September 20

- **Quiz #1**
- Johns, Chapter 3

Thursday, September 22

- [International Court of Justice](#), [International Criminal Court](#), [European Court of Human Rights](#)

- Siddiqui, Zoha, Nathaniel Liu, Daniel Posthumus, and Kelebogile Zvobgo. “Could Putin Actually Face Accountability at the ICC?” *Foreign Policy*. 03/04/2022. [\[PDF\]](#)
- Posthumus, Daniel, and Kelebogile Zvobgo. “The ICJ ordered Russia to stop military operations in Ukraine. What comes next?” *The Washington Post*. 03/25/2022. [\[PDF\]](#)
- Siddiqui, Zoha, and Kelebogile Zvobgo. “The Council of Europe expelled Russia. That hurts people, not Putin.” *The Washington Post*. 04/12/2022. [\[PDF\]](#)

Week 5 – Upholding International Law

Tuesday, September 27

- Johns, Chapter 4

Thursday, September 29

- [The Vienna Convention on Diplomatic Relations of 1961](#)
- [The Vienna Convention on Consular Relations of 1963](#)
- Case Study: Iran Hostages [\[DOC\]](#)

PART II: PROPERTY RIGHTS AND ECONOMIC EXCHANGE

Week 6 – Law of the Sea

Tuesday, October 4

- [Quiz #2](#)
- Johns, Chapter 5

Thursday, October 6

- Mitchell, Sara McLaughlin, and Andrew P. Owsiak. 2021. “Judicialization of the Sea: Bargaining in the Shadow of UNCLOS.” *American Journal of International Law* 115(4): 579–621. [\[PDF\]](#)
- Case Study: Arctic Sunrise [\[DOC\]](#)

Week 7 – Midterms

Tuesday, October 11

- [Midterm Exam](#)

Thursday, October 13 – Fall Break (NO CLASS)

Week 8 – Trade and Investment

Tuesday, October 18

- Johns, Chapter 6

Thursday, October 20

- Johns, Chapter 7

PART III: PEACE AND WAR

Week 9 – Human Rights

Tuesday, October 25

- Quiz #3
- Johns, Chapter 8

Thursday, October 27 (Last day to withdraw from a full-term course is Monday, October 31.)

- Simmons, Beth A. 2009. *Mobilizing for Human Rights: International Law in Domestic Politics*. Cambridge University Press. “1. Introduction” [\[PDF\]](#) and “2. Why International Law?” [\[PDF\]](#)

Week 10 – Use of Force

Tuesday, November 1

- Johns, Chapter 9

Thursday, November 3 – Peace Science Society (International) Annual Meeting (NO CLASS)

Week 11 – Election Week

Tuesday, November 8 – Election Day (NO CLASS. Go Vote!)

Thursday, November 10 – Concordia University (Canada) Political Science Speaker Series (NO CLASS)

PART IV: NEW CHALLENGES

Week 12 – Armed Conflict and Criminal Responsibility

Tuesday, November 15

- Quiz #4
- Johns, Chapter 10

Thursday, November 17

- Johns, Chapter 11

Week 13 – Thanksgiving Week (NO CLASS)

Week 14 – Environmental Protection

Tuesday, November 29

- Johns, Chapter 12

Thursday, December 1 – University of Chicago International Politics Workshop (NO CLASS)

Week 15 – Conclusion

Tuesday, December 6 – Exam review session

- No assigned reading

Thursday, December 8 – Last meeting and discussion

- No assigned reading

Post-classes

Monday, December 12 – Final exam for CRN 15897

Wednesday, December 14 – Final exam for CRN 16765