

Monday and Wednesday from noon to 1:15 p.m., Sever Hall 214

Instructor: Prof. Christoph Mikulaschek

Office: CGIS Knafel K215

Email: mikulaschek@gov.harvard.edu

Office hours: Monday at 1:30 p.m. You can schedule them (even at very short notice) [at this link](#).

Discussion sections:

- Wednesday from 4:30 - 5:30 p.m., CGIS K050.
- Thursday from 3 - 4 p.m., Tozzer 416.
- Thursday from 4:30 - 5:30 p.m., Tozzer 416

Teaching Fellow: Ruofan Ma

- **Email:** ruofan_ma@g.harvard.edu
- **Office Hours:** Wednesday and Thursday from 2:00 - 3:00 at CGIS (Knafel) Cafe. Please sign up in advance [here](#).

Course website: <https://canvas.harvard.edu/courses/107240>

Enrollment and class size: All undergraduate students' petitions to enroll will be approved. Class size is not capped.

Course description

This lecture is an introduction to international law and international organizations for students of international relations. Why do states conclude treaties and establish international organizations and what determines their institutional design? When and how do international institutions promote cooperation between states? What is their effect on domestic politics? We survey recent international relations scholarship on these and other questions and conduct case studies on trade, human rights, military interventions, and other issue areas. Interactions with guest speakers, a simulation exercise, and group discussions provide ample active learning opportunities.

Course aims

In this course, we will read and discuss a mix of classic theories on international institutions, cutting edge research articles, practitioner accounts by diplomats and lawyers, and journalistic works. We will critically engage with a diverse set of theoretical arguments, empirical findings, and their normative implications. We will also relate the course materials to major events and developments of the past fifteen years, such as the creation of the International Criminal Court, the emergence of the Responsibility to Protect (R2P) norm, the growing contestation of institutions that support free trade (e.g., WTO), the United Kingdom's departure from the European Union (Brexit), and the war in Ukraine. Guest speakers will share their experiences with the law and politics of international institutions, and a simulation exercise will enable students to experience the tradeoffs faced by participants in intergovernmental negotiations.

The goal is to develop a nuanced understanding of how states, political leaders, and domestic interest groups leverage international agreements and international organizations to pursue their political objectives. The course will also help students develop an informed opinion about the tradeoffs involved in the creation and use of international institutions and about the latter's future prospects and potential. An additional goal is to introduce students to the practice of social science research.

Performance will be evaluated on the basis of comprehension of and critical engagement with the reading materials, active participation in the discussion sections and lectures, and written exams.

Course policies and expectations

You are expected to have read all required readings before class and to actively engage in discussion section discussions. You should come prepared to defend or question arguments presented in the readings. Take notes as you read and bring any questions you have on the readings to class. Clarifying questions as well as well-documented counterarguments “ from other classes or readings you have done outside of class ” are welcome and encouraged. Regular attendance is essential. If you have a valid reason to miss a discussion section (with prior excuse) you need to submit a response essay (two pages, 1-inch margins, 12-point font, double-spaced) about the material covered in the missed class, due by the beginning of the following discussion section. This essay will count toward your participation grade. The purpose of this essay is to synthesize the week’s readings succinctly and to scrutinize how they complement or contradict each other. You are encouraged to critique the readings and to adopt and defend a clear position on the main debate(s) in the week’s readings. Your response essay has to address each reading (except for further reading suggestions).

In order to fully understand the readings for this course you should be familiar with key concepts of international relations (such as anarchy, liberalism, and realism). If this is your first international relations course, I recommend that you read one or both of the two readings listed below. The first book chapter is more concise but also more dense than the second one.

Slaughter, Anne-Marie and Thomas Hale. 2013. "[International Relations, Principal Theories](#)." In: *Max Planck Encyclopedia of Public International Law* (Wolfrum, Rüdiger, ed.). Oxford University Press.

Grieco, Joseph, G. John Ikenberry, and Michael Mastanduno. 2015. [Introduction to International Relations: Enduring Questions & Contemporary Perspectives](#). Palgrave: chapter 3.

Materials and access

Book chapters and articles can be accessed through the links on this syllabus. It will not be necessary to purchase any books.

Assignment and grading procedures

Grades will be composed of:

- Participation: 25%
- Presentations: 25%
- Mid-term exam: 25%
- Final exam: 25%

Participation: You are expected to attend all lectures and discussion sections and to actively participate in the discussion of the readings. Student participation in class is one of the primary factors influencing the quality of a course.

Presentations: Together with a colleague you will prepare and deliver a ten-minute presentation on a specific international organization or agreement. You will conduct and present independent research on the structure, process, and politics of this institution. The use of slides is encouraged. Since the skill to deliver effective presentations is invaluable in many settings, you will receive constructive feedback both on the substance and the style of the presentation. You can choose a topic from a list of international organizations and agreements posted [on Canvas](#).

Take-home exams: You will take two exams in mid-October and during the final examination period. Both exams require you to write two essays, which respond to two multi-part questions. Each exam prompt contains three questions, and you choose two of them. The exams will be designed to take three hours and can be taken during any consecutive four-hour period between October 18 at 9 a.m. and October 20 at 11:59 p.m. and during any consecutive four-hour period between December 15 at 9 a.m. and December 18 at 2 p.m.

Research paper option: Students may substitute a research paper on some aspect of international law and international organizations for the final exam. For this research paper you will conduct independent research and rely on the readings for this course to analyze a research question of your own choice. The paper should be exactly as long as needed to address the issue it studies, but no less than 10 pages. Papers will be due on December 18 at 2 p.m. Late submission of papers will be penalized. By October 25 you need to send me a two-page outline summarizing your argument, the evidence you plan to gather, and where you intend to find it. This outline will not be graded, but you will be penalized for not submitting it

on time.

Assignments for graduate students: Graduate students who intend to enroll in this course should seek the instructor's permission. They will write a 20-25 page independent research paper (70% of grade), and write three response essays on the required readings of three weeks of this course (each 10% of grade).

All written assignments and presentation slides should be submitted through the course website.

Collaboration and academic integrity policy

The exchange of ideas is critical for academic work. Collaboration on the presentations is required, and dialogue and debate among course participants before working on an assignment is encouraged. At the same time, you are not allowed to discuss an exam with others or to seek their help once you download the prompt. All work you submit for evaluation must be the result of your own research and writing and reflect your own ideas and arguments. After all, one key objective of the course is for you to develop your own arguments and practice your critical thinking and writing. You must adhere to the standard citation practices in political science and clearly cite any books, articles, or speeches you refer to. The [Harvard Guide to Using Sources](#) provides guidance on this topic. If you choose to write a research paper and receive help with your writing, such as for example feedback on drafts, you should clearly acknowledge it.

Special accommodations

Students needing academic adjustments or accommodations because of a documented disability must present their Faculty Letter from the Accessible Education Office (AEO) and should speak with the instructor by the end of the second week of the term in order to make sure that the arrangements can be implemented on time.

Course schedule

PART I. CROSS-CUTTING ISSUES

Week 1. Introduction

September 6

Pevehouse, Jon and Inken von Borzyskowski. 2016. "[International Organizations in World Politics](#)." In: *The Oxford Handbook of International Organizations* (Jacob Cogan, Ian Hurd, and Ian Johnstone, eds.). Oxford University Press. *Read pp. 3-21*.

Crawford, James. 2019. *Brownlie's Principles of Public International Law*. Oxford University Press. 9th edition: [Part I Preliminary Topics. 1 Introduction](#) and [Part II Personality and Recognition 4 Subjects of International law](#).

Olson, Mancur. 1965. [The Logic of Collective Action Download The Logic of Collective Action](#). Harvard University Press: chapter 1. *Familiarize yourself with the main argument and feel free to disregard the math. Alternatively, you can read this [summary of chapter 1](#).*

Week 2: Why do states use international organizations and international law?

September 11

Keohane, Robert. 1984. [After Hegemony: Cooperation and Discord in the World Political Economy](#). Princeton University Press. *Read pp. 85-98*.

Abbott, Kenneth and Duncan Snidal. 1998. "[Why States Act through Formal International Organizations](#)." *International Organization* 42(1): 3-32.

September 13

Moravcsik, Andrew. 2000. "[The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe](#)." *International Organization* 54(2): 217-252.

Thompson, Alexander. 2006. "[Coercion Through IOs: The Security Council and the Logic of Information Transmission](#)." *International Organization* 60(1): 1-34.

See whether the argument that international institutions tie governments' hands applies here: Embury-Dennis, Tom. 2017. "[Trump could cause world trade system to freeze up after vetoing appointment of judges, diplomats fear](#)." *The Independent*. 28 Nov. Brunsden, Jim. 2020. "[Brussels builds alliance to bypass US block on WTO judges](#)." *Financial Times*. 24 January.

Optional further reading

Ikenberry, G. John. 2001. [After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars](#). Princeton University Press: chapter 3.

Getachew, Adom. 2019. [Worldmaking after Empire: The Rise and Fall of Self-Determination](#). Princeton University Press: chapter 3.

First meeting of sections in week 2

[Week 3: What explains the institutional design of international organizations and international law?](#)

September 18

Koremenos, Barbara, Charles Lipson, and Duncan Snidal. 2001. "[The Rational Design of International Institutions](#)." *International Organization* 55(4): 761-799.

Downs, George, David Rocke, and Peter Barsoom. 1998. "[Managing the Evolution of Multilateralism](#)." *International Organization* 52(2): 397-419.

Lipson, Charles. 1991. "[Why are Some International Agreements Informal?](#)" *International Organization* 45(4): 495-538.

September 20

Davis, Christina. 2004. "[International Institutions and Issue Linkage: Building Support for Agricultural Trade Liberalization](#)." *American Political Science Review* 98(1): 153-169.

Optional further reading

Helfer, Lawrence. 2013. "[Flexibility in International Agreements](#)." In: *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art* (Jeffrey Dunoff and Mark Pollack, eds.). Cambridge University Press: 175-196.

Koremenos, Barbara and Timm Betz. 2013. "[The Design of Dispute Settlement Procedures in International Agreements](#)." In: *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art* (Jeffrey Dunoff and Mark Pollack, eds.). Cambridge University Press: 371-393.

[Week 4: When and why do states and other actors comply with international agreements and rules?](#)

September 25

von Stein, Jana. 2013. "[The Engines of Compliance](#)." In: *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art* (Jeffrey Dunoff and Mark Pollack, eds.). Cambridge University Press: 477-501.

Chayes, Abram and Antonia Handler Chayes. 1993. "[On Compliance](#)." *International Organization* 47(2): 175-205.

Downs, George, David Rocke, and Peter Barsoom. 1996. "[Is the good news about compliance good news about cooperation?](#)" *International Organization* 50(3): 379-406.

Optional further reading

Finnemore, Martha and Kathryn Sikkink. 1998. "[International Norm Dynamics and Political Change](#)." *International Organization* 52(4): 887-917.

Johnston, Alastair Iain. 2001. "[Treating International Institutions as Social Environments](#)." *International Studies Quarterly* 45(4): 487-515.

Week 5: What carries more weight: the power of rules or rules of power?

September 27

Tallberg, Jonas. 2008. "[Bargaining Power in the European Council](#)." *Journal of Common Market Studies* 46(3): 685-708.

Mearsheimer, John. 1994. "[The False Promise of International Institutions](#)." *International Security* 19(3): 5-49. *You may skim this article.*

October 2

Stone, Randall. 2011. [Controlling Institutions: International Organizations and the Global Economy](#). Cambridge University Press: chapter 2.

Barnett, Michael and Martha Finnemore. 2004. [Rules for the World: International Organizations in Global Politics](#). Princeton University Press: chapter 2.

Optional further reading

Mikulaschek, Christoph. 2021. "[The Power of the Weak: How Informal Power-Sharing Shapes the Work of the UN Security Council](#)." *Working Paper*. *You may skip the appendix.*

Voeten, Erik. 2001. "[Outside Options and the Logic of Security Council Action](#)." *American Political Science Review* 95(4): 845-858.

Week 6: How do domestic politics and international institutions interact?

October 4

Allee, Todd and Paul Huth. 2006. "[Legitimizing Dispute Settlement: International Legal Rulings as Domestic Political Cover](#)." *American Political Science Review* 100(2): 219-234.

October 11

Pevehouse, Jon. 2002. "[Democracy from the Outside In? International Organizations and Democratization](#)." *International Organization* 56(3): 515-549.

Davis, Christina. 2012. [Why Adjudicate? Enforcing Trade Rules in the WTO](#). Princeton University Press: chapter 1.

Keck, Margaret and Kathryn Sikkink. 1998. [Activists beyond Borders: Advocacy Networks in International Politics](#). Cornell University Press: chapter 1.

For an illustration of the domestic politics of trade disputes before the WTO see these three articles (the second and third are optional): Becker, Elizabeth. 2003. "[U.S. Tariffs on Steel are Illegal, World Trade Organization Says](#)." *New York Times*. Nov. 11. Winestock, Geoff and Neil King Jr. 2002. "[EU to Target GOP's Swing States In Payback for Bush Steel Tariffs](#)." *Wall Street Journal*. March 22. Porter, Eduardo and Karl Russell. 2018. "[Firing Back at Trump in the Trade War With Tariffs Aimed at His Base](#)." *New York Times*. Oct. 3. [\(PDF\)](#)

Optional further reading

Dai, Xinyuan. 2007. [International Institutions and National Policies](#). Cambridge University Press: chapter 5.

Caraway, Teri, Stephanie Rickard, and Mark Anner. 2012. "[International Negotiations and Domestic](#)

[Politics: The Case of IMF Labor Market Conditionality.](#) *International Organization* 66(1): 27-61.

No lecture on October 9 (holiday)

Week 7: Are international institutions anti-democratic?

October 16

Kyl, Jon, Douglas Feith, and John Fonte. 2013. "[The War of Law: How New International Law Undermines Democratic Sovereignty](#)." *Foreign Affairs* 92(4): 115-125.

Koh, Harold, and Michael Doyle. 2013. "[The Case for International Law](#)." *Foreign Affairs* 92(6): 162-165.

Keohane, Robert, Stephen Macedo, and Andrew Moravcsik. 2009. "[Democracy-Enhancing Multilateralism](#)." *International Organization* 63(1): 1-31.

Gartzke, Erik and Megumi Naoi. 2011. "[Multilateralism and Democracy: A Dissent Regarding Keohane, Macedo, and Moravcsik](#)." *International Organization* 65(3): 589-598.

Colgan, Jeff and Robert Keohane. 2017. "[The Liberal Order is Rigged: Fix It Now or Watch it Wither](#)." *Foreign Affairs* 96(3): 36-44.

Optional further reading

Moravcsik, Andrew. 2004. "[Is there a 'Democratic Deficit'™ in World Politics? A Framework for Analysis](#)." *Government and Opposition* 39(2): 336-363.

Dorsen, Norman. 2005. "[The relevance of foreign legal materials in U.S. constitutional cases: A conversation between Justice Antonin Scalia and Justice Stephen Breyer](#)." *International Journal of Constitutional Law* 3(4): 519-541.

No lecture on October 18 (mid-term exam)

PART II. WAR, RIGHTS, AND TRADE: THE ROLE OF INTERNATIONAL INSTITUTIONS IN SPECIFIC ISSUE AREAS

Week 8: Warfare and peace operations

October 23

Case study: Are the U.S. airstrikes in Iraq and Syria consistent with international law?

Weller, Marc. 2014. "[Islamic State crisis: What force does international law allow?](#)" *BBC*. September 25.

Daskal, Jennifer, Ashley Deeks, and Ryan Goodman. 2014. "[Strikes in Syria: The International Law Framework](#)." *Just Security* (blog). September 24.

Scharf, Michael. 2016. "[How the War Against ISIS Changed International Law](#)." *Case Western Reserve Journal of International Law* 48(1-2): 1-54.

Bellinger, John. 2017. "[What Was the Legal Basis for the U.S. Air Strikes Against Syria?](#)" *Lawfare* (blog). April 6.

October 25

Fortna, Page. 2008. [Does Peacekeeping Work? Shaping Belligerents' Choices after Civil War](#). Princeton University Press: chapter 4.

Carnegie, Allison and Christoph Mikulaschek. 2020. "[The Promise of Peacekeeping: Protecting Civilians in Civil Wars](#)." *International Organization* 74(4): 810-832.

Optional further reading on the war between Israel and Hamas

Peel, Michael. 2023. "[Rules of war: international law and the Israel-Hamas conflict](#)", *Financial Times* October 13.

For a more in-depth analysis see: Goodman, Ryan, Michael Meier, and Tess Bridgeman. 2023. "[Expert Guidance: Law of Armed Conflict in the Israel-Hamas War](#)", *Just Security* (blog) October 17.

Week 9: Human rights

October 30

Case study on the emergence and trajectory of the Responsibility to Protect (R2P) civilians from mass atrocities

Luck, Edward. 2010. "[Building a Norm: The Responsibility to Protect Experience](#)." In: *Mass Atrocity Crimes: Preventing Future Outrages* (Robert Rotberg, ed.). Brookings Institution Press: 108-127.

Bolton, John. 2011. "[Irresponsible: Against a 'responsibility to protect' in foreign affairs](#)." *The National Review* 63(7): 32-34.

Doyle, Michael. 2016. "[The Politics of Global Humanitarianism: R2P before and after Libya](#)." In: *The Oxford Handbook of the Responsibility to Protect* (Alex Bellamy and Tim Dunne, eds.). Oxford University Press: 673-691.

November 1

Simmons, Beth. 2009. [Mobilizing for Human Rights: International Law in Domestic Politics](#). Cambridge University Press: chapter 1.

Lebovic, James and Erik Voeten. 2006. "[The Politics of Shame: The Condemnation of Country Human Rights Practices in the UNCHR](#)." *International Studies Quarterly* 50(4): 861-888.

Optional further reading

Sikkink, Kathryn and Hun Joon Kim. 2013. "[The Justice Cascade: The Origins and Effectiveness of Prosecutions of Human Rights Violations](#)." *Annual Review of Law and Social Science* 9: 269-285.

Hollyer, James and Peter Rosendorff. 2011. "[Why Do Authoritarian Regimes Sign the Convention Against Torture? Signaling, Domestic Politics and Non-Compliance](#)." *Quarterly Journal of Political Science* 6(3-4): 275-327.

Week 10: Peace v. justice? International criminal law and tribunals

November 6

Case study on the International Criminal Court

Wippman, David. 2004. "[The International Criminal Court](#)." In: *The Politics of International Law* (Christian Reus-Smit, ed.). Cambridge University Press: 151-188.

Jo, Hyeran and Beth Simmons. 2016. "[Can the International Criminal Court Deter Atrocity?](#)" *International Organization* 70(3): 443-475.

Bass, Jonathan. 2000. [Stay the hand of vengeance: the politics of war crimes tribunals](#). Princeton University Press: chapter 1.

Allison, Simon. 2016. "[African revolt threatens international criminal court's legitimacy](#)." *The Guardian*. 27 October.

November 8

Simulation exercise: Intergovernmental negotiations at the United Nations

Optional further reading

Chapman, Terrence and Stephen Chaudoin. 2020. "[Public Reactions to International Legal Institutions: The ICC in a Developing Democracy](#)." *Journal of Politics* 82(4): 1305-1320.

Kelley, Judith. 2007. "[Who Keeps International Commitments and Why? The International Criminal Court](#)

[and Bilateral Nonsurrender Agreements.](#)" *American Political Science Review* 101(3): 573-589.

Week 11: Trade

November 13

Bown, Chad. 2010. [Self-Enforcing Trade: Developing Countries and WTO Dispute Settlement](#). Brookings Institution Press: chapter 1.

Steinberg, Richard. 2002. "[In the Shadow of Law or Power? Consensus-Based Bargaining and Outcomes in the GATT/WTO](#)." *International Organization* 56(2): 339-374.

November 15

Pelc, Krzysztof. 2010. "[Constraining Coercion? Legitimacy and Its Role in U.S. Trade Policy, 1975-2000](#)." *International Organization* 64(1): 65-96.

Case study on the current trade dispute between the United States and China

Wu, Marc. 2014. "[A Free Pass for China](#)." *New York Times*. April 2. ([PDF](#))

Lester, Simon and Huan Zhu. 2018. "[Disciplining China at the WTO](#)." *Cato at Liberty* (blog). March 22.

Miles, Tom. 2018. "[U.S. and China tussle at WTO over legality of Trump tariffs](#)." *Reuters*. March 27.

Davis, Bob and Lingling Wei. 2020. "[How the U.S. and China Settled on a Trade Deal Neither Wanted](#)." *Wall Street Journal*. January 13.

Optional further reading

Allee, Todd and Jamie Scalera. 2012. "[The Divergent Effects of Joining International Organizations: Trade Gains and the Rigors of WTO Accession](#)." *International Organization* 66(2): 243-276.

Greenhill, Brian, Layna Mosley and Aseem Prakash. 2009. "[Trade-Based Diffusion of Labor Rights: A Panel Study, 1986-2002](#)." *American Political Science Review* 103:4: 669-690.

Week 12: Regional cooperation

November 20

Peterson, John and Elizabeth Bomberg. 1999. [Decision-Making in the European Union](#). Macmillan Press: chapter 1.

Alter, Karen. 1998. "[Who Are the 'Masters of the Treaty'? European Governments and the European Court of Justice](#)." *International Organization* 52(1): 121-147.

Staab, Andreas. 2013. [The European Union Explained](#). Indiana University Press: chapter 9.

Cohen, Benjamin. 2015. "[Why can't Europe save itself? A note on a structural failure](#)." *Contemporary Politics* 21(2): 220-230.

Chassany, Anne-Sylvaine. 2022. "[Age of 'permacrisis' teaches EU that solidarity is arduous but worth it](#)." *Financial Times*. July 31.

November 27

Case study on Brexit

BBC. 2017. "[Brexit: What are the options?](#)" *BBC*. June 12.

Barker, Alex. 2018. "[Brexit treaty: what the EU and UK have agreed](#)." *Financial Times*. November 14.

BBC. 2019. "[Brexit: What is in Boris Johnson's new deal with the EU?](#)" *BBC*. October 21.

Fleming, Sam and Jim Brunsden. 2020. "[How UK-EU trade deal will change relations between Britain and Brussels](#)." *Financial Times*. December 24.

Optional further reading

Acharya, Amitav and Alastair Johnston. 2007. "[Conclusion: institutional features, cooperation effects, and the agenda for further research on comparative regionalism](#)." In: *Crafting Cooperation: Regional International Institutions in Comparative Perspective* (Alastair Iain Johnston and Amitav Acharya, eds.). Cambridge University Press.

Khong, Yuen Foong and Helen Nesadurai. 2007. "[Hanging together, institutional design, and cooperation in Southeast Asia: AFTA and the ARF](#)." In: *Crafting Cooperation: Regional International Institutions in Comparative Perspective* (Alastair Iain Johnston and Amitav Acharya, eds.). Cambridge University Press.

No lecture on November 22 (Thanksgiving recess)

PART III. CONCLUSION

Week 13: Which future for international law and international organizations?

November 29

Goddard, Stacie. 2018. "[Embedded Revisionism: Networks, Institutions, and Challenges to World Order](#)." *International Organization* 72(4): 763-797. *You may skim or skip the case studies.*

Nye, Joseph. 2017. "[Will the Liberal Order Survive? The History of an Idea](#)." *Foreign Affairs* 96(1): 10-16.

Walt, Stephen. 2016. "[The Collapse of the Liberal World Order](#)." *Foreign Policy*. June 26.

December 4

Kagan, Robert. 2017. [The twilight of the liberal world order](#). Brookings Institution.

Ikenberry, G. John. 2017. "[The Plot Against American Foreign Policy: Can the Liberal Order Survive?](#)" *Foreign Affairs* 96(2): 2-9.

Rachman, Gideon. 2018. "[America rejects the world it made](#)." *Financial Times*. January 29.

Optional further reading

Pompeo, Michael. 2018. "[Restoring the Role of the Nation-State in the Liberal International Order](#)." *Speech delivered to the German Marshall Fund in Brussels*. Dec. 4.

Alter, Karen. 2014. "[International Law's Legacy vs. The Cases of Ukraine and Syria](#)." *Huffington Post*. March 27.

Feltman, Jeffrey. 2020. [China's Expanding Influence at the United Nations - And How the United States Should React](#). Brookings Institution.