

PS 8330/LAW 0912-021
INTERNATIONAL LAW COLLOQUIUM

Fall 2011

Professor Jeffrey L. Dunoff

Laura H. Carnell Professor of Law
Director, Institute for International
& Public Policy
Temple University Beasley School of Law
Office Hours: 808 Klein Hall
Thursday 2:30 – 5:30 p.m.

Professor Mark A. Pollack

Jean Monnet Chair
Professor of Political Science
Temple University
Department of Political Science
Office Hours: 461 Gladfelter Hall
T 4:15-5:15, R 2:00-3:00, 4:30-5:30

Course Description

This course is designed to introduce students to literature that bridges the international law/international relations divide, as well as to cutting-edge work in that literature. The course is genuinely interdisciplinary, bringing together students and faculty from law and political science. The course is organized in four parts: the first will introduce the interdisciplinary field of international law and international relations (IL/IR) and explore theories from both disciplines, while the remaining sections will examine the making, interpretation, and enforcement of and compliance with international law. During the course of the semester, we will host four prominent IL/IR scholars who will present works-in-progress or recently published articles. Students will generate written critiques of the presented papers.

The course format and structure is modeled on graduate-level seminars in the humanities. Hence, the course will require a high level of student participation and will be analytically rigorous. The course presupposes a mastery of the fundamentals of either international law or international relations; hence successful completion of either the International Law course or a graduate-level international relations course is a prerequisite to registering for this course.

Course Requirements

There are three requirements for this course:

First, students enrolled in the course must submit 4-5 page (1000-1200 word) reaction papers to each of the works-in-progress presented by outside speakers. Papers should undertake a critical analysis of any aspect of the work to be presented. A successful paper will typically bring a focused perspective on an aspect of the presented work. Papers should not simply summarize the presented work, but rather should extract some element of the work for critique. Although research beyond the assigned readings is not expected, students are encouraged to draw on other knowledge sets, from either law or political science, that they may bring to the course. Papers must be completed and posted to the discussion forum of course Blackboard page by noon on the Monday preceding

each session; late papers will not be accepted. Students should read other posted reaction papers prior to the class session (44% of the course grade, or 11% each).

Second, students enrolled in the class must submit shorter (1 to 2 page) papers reacting to assigned readings each week that we do not host an outside speaker. (36% of the course grade, or 4% each). Students are *not* expected to submit a short paper for the first class meeting.

Third, all students are required to attend all meetings of the seminar, and participate actively in class discussion on the basis of the course reading (20% of the course grade).

Professors Dunoff and Pollack will meet with each student approximately one-half way through the course to provide feedback on the student's performance and writings. Course faculty will also be available to meet with students at other times to discuss student papers.

Successful completion of the course requirements will satisfy the law school's serial writing requirement

Course Readings

All of the **required readings** listed below will be made available on Blackboard – please print these readings and bring them to class, and be prepared to discuss specific points from the readings in class discussion.

All **works in progress by our outside speakers** will be distributed in advance of our meeting via the class list-serve, and posted on-line.

By contrast with the required readings, the **recommended readings** are there only for students who wish to learn a bit more about topics that are not well covered in the required readings. Feel free to look up the recommended readings if you like, but it is not necessary to read any of the recommended readings to do well in the course!

Attendance

Attendance is mandatory. For law students, the course will follow the general Law School attendance policy, which is set out in the Wise Guide.

Students are expected actively to participate in the class sessions, which will be discussion oriented. Class participation will be taken into account for grading purposes. We ask that laptops not be used during class meetings in this seminar.

Disability Statement

This course is open to all students who met the academic requirements for participation. Persons with disabilities are entitled to reasonable accommodations and academic adjustments. Any student who has a need for accommodation based on the impact of a disability should contact the instructor privately to discuss the specific situation as soon as possible. Any law student who requires accommodation based on the impact of a disability should contact the Law School Office of Student Affairs (215.204.8574) located in Barrack Hall. Any CLA student who requires accommodation based on the impact of a disability should contact Disability Resources and Services at 215-204-1280 to coordinate reasonable accommodations for students with documented disabilities.

Academic Conduct

Temple University has adopted standards on academic conduct, and all students are expected to comply fully with those standards, including with reference to the important issue of plagiarism. All students should, in all assignments, fully and unambiguously cite sources from which they are drawing important ideas and/or sizable quotations (for example, more than eight consecutive words or more than 50% of a given sentence or paragraph). Failure to do so constitutes plagiarism, which is a serious act of academic misconduct and will result in a failing grade for the course and notification of the infraction to the Dean of Students. Similarly, cheating during exams, copying written assignments from other students, or providing answers to others during exams are considered acts of academic misconduct. If you are unfamiliar with policies about plagiarism or other types of academic misconduct, you may wish to consult the useful handouts available at the Temple Writing Center (<http://www.temple.edu/writingctr/handouts/researchandplagiarism/index.html>), or if you still have remaining doubts or specific questions, raise them directly with one of the instructors.

Statement on Academic Freedom

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The University has adopted a policy on Student and Faculty Academic Rights and Responsibilities (Policy # 03.70.02) which can be accessed through the following link: http://policies.temple.edu/getdoc.asp?policy_no=03.70.02.

SCHEDULE OF COURSES AND READINGS

Week 1: Introduction – One Discipline or Two? (August 30)

Required Readings

Anne-Marie Slaughter, "International Law & International Relations Theory: A Prospectus," in *The Impact of International Law on International Cooperation: Theoretical Perspectives* (Eyal Benvenisti and Moshe Hirsch, eds, 2004).

Robert O. Keohane, "International Relations and International Law: Two Optics," *Harvard International Law Journal*, Vol. 38, No. 2 (Spring 1997), pp. 487-502.

Brunnée, Jutta and Stephen Toope, "Constructivism," in IL/IR volume.

Abbott, Kenneth. Robert Keohane, Andrew Moravcsik, Anne-Marie Slaughter, and Duncan Snidal, "The Concept of Legalization," *International Organization*, Vol. 54, No. 3 (2000), pp. 401-419.

Recommended Readings

Beth Simmons, "International Law and International Relations," in Keith E. Whittington, R. Daniel Kelemen, and Gregory A. Caldeira, eds., *The Oxford Handbook of Law and Politics* (New York: Oxford University Press, 2008), pp. 187-208.

Jeffrey L. Dunoff, Steven R. Ratner, and David Wippman, *International Law: Norms, Actors, Process: A Problem-Oriented Approach*, second edition (Aspen Law and Business Publishers, 2006), pp 1-33.

David Armstrong, Theo Farrell and Hélène Lambert, *International Law and International Relations* (Cambridge: Cambridge University Press, 2007), Chapters 1 and 3, pp. 1-5, 69-113.

Finnemore, Martha and Stephen Toope. 2001. "Alternatives to 'Legalization': Richer Views of Law and Politics." *International Organization*, 55:3, 743-58.

Goldstein, Keohane, Kahler, Slaughter. 2001. "Response to Finnemore and Toope," *International Organization* 55:3, 759-60.

Week 2: International Legal Theories (September 6)

Required Readings

Jeffrey L. Dunoff, Steven R. Ratner and David Wippman, *International Law Norms, Actors, Process* (3d ed. 2010), pp. 358-361; 362-367; 370-372.

Steven R. Ratner and Anne-Marie Slaughter, "Appraising the Methods of International Law: A Prospectus for Readers," *American Journal of International Law*, Vol. 93, No. 2 (April 1999), pp. 291-302 (skim pages 295-298).

Sean D. Murphy, *Principles of International Law* (St. Paul: Thomson/West, 2006), pp. 10-28.

W. Michael Reisman, Seigfried Wiessner, and Andrew W. Willard, "The New Haven School: A Brief Introduction," *Yale Journal of International Law*, Vol. 32 (2007), pp. 575-582.

Jack L. Goldsmith and Eric A. Posner, *The Limits of International Law* (New York: Oxford University Press, 2005), Introduction and Chapter 1, pp. 3-43.

Oona A. Hathaway and Ariel N. Lavinbuk, "Rationalism and Revisionism in International Law," *Harvard Law Review*, Vol. 119 (2006), pp. 1404-1407, 1420-37.

Recommended Readings

Jeffrey H. Dunoff & Joel P. Trachtman, "Economic Analysis of International Law," 24 *Yale Journal of International Law* 1, 31-33 (1999).

Guzman, Andrew (2006). "The Promise of International Law," *Virginia Law Review*, Vol. 92, No. 3, pp. 533-564.

Kal Raustiala, "Refining *The Limits of International Law*," *Georgia Journal of International and Comparative Law*, Vol. 34 (2005-2006), pp. 423-444.

Andrew T. Guzman, *How International Law Works: A Rational Choice Theory* (New York: Oxford University Press, 2008), Chapters 1-2, and 6, pp. 3-69, 211-218.

Makau Mutua, "What Is TWAIL [Third World Approaches to International Law]?" 94 *Proc. Am. Soc. Int'l. L.* Vol. 31 (2000), pp. 31-38.

Gregory Shaffer, "A New Legal Realism: Method in International Economic Law Scholarship," University of Minnesota Law School, Legal Studies Research Paper Series, Research Paper No. 09-01.

Tom Ginsburg and Gregory Shaffer, "Empirical Work in International Law," University of Minnesota Law School Legal Studies Research Paper Series Research Paper No. 09-32, Electronic copy available at: <http://ssrn.com/abstract=1444448>.

Week 3: Making International Law I: Rational Design and the Form of International Legal Agreements (September 13)

Required Readings

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

Kal Raustiala, *Form and Substance in International Agreements*, 99 AM. J. INT'L L. 581-610(2005).

Meredith Crowley, *Why Are Safeguards Needed in a Trade Agreement?*, in LAW AND ECONOMICS OF CONTINGENT PROTECTION IN INTERNATIONAL TRADE 379 (Bagwell, et al, eds. 2009).

Jeffrey L. Dunoff, *How Not to Think About Safeguards*, in *LAW AND ECONOMICS OF CONTINGENT PROTECTION IN INTERNATIONAL TRADE 401* (Bagwell, et al, eds. 2009).

Laurence R. Helfer, "Flexibility in International Agreements" in *IL/IR* volume.

Recommended Readings

Edward T. Swaine, "Reserving," *Yale Journal of International Law*, Vol. 31, No. 2 (2006), pp. 307-366.

Laurence R. Helfer, "Not Fully Committed? Reservations, Risk and Treaty Design," *Yale Journal of International Law*, Vol. 31, No. 2 (2006), pp. 367-82.

Week 4: Outside Speaker (September 20)

Professor Timothy L. Meyer
Assistant Professor of Law
University of Georgia Law School

Professor Meyer earned his J.D. and Ph.D. in Jurisprudence and Social Policy from the University of California, Berkeley. Before joining the Georgia faculty, he practiced law for several years in the Office of the Legal Adviser, U.S. State Department. His research focuses on questions of institutional design, and he will present a paper discussing the codification of customary international law.

Prof. Meyer's discussant will be Jessica Stanton (Assistant Professor of Political Science, University of Pennsylvania).

Week 5: Making International Law III: International Organizations and the Delegation of Law-Making Authority (September 27)

Required Readings

Bradley, Curtis A., and Judith Kelley (2008). "The Concept of International Delegation," *Law and Contemporary Problems*, Vol. 71, No. 1, pp. 1-36.

Darren G. Hawkins et al., eds., *Delegation and Agency in International Organizations* (New York: Cambridge University Press, 2006), introduction by the editors, pp. 1-38, selections TBA.

Michael Barnett and Martha Finnemore, *Rules for the World* (Ithaca: Cornell University Press, 2004), chapters 1-2 [pp. 1-44]

Kenneth W. Abbott and Duncan Snidal, "The Governance Triangle: Regulatory Standards Institutions and the Shadow of the State," in Walter Mattli and Ngaire Woods, *The Politics of Global Regulation* (Princeton: Princeton University Press, 2009), pp. 44-88.

Recommended Readings

José E. Alvarez, *International Organizations as Law-Makers*, pp. 17-45 (New York: Oxford University Press, 2006).

Pollack, Mark A. (1997). "Delegation, Agency and Agenda Setting in the European Community," *International Organization*, [Vol. 51, No. 1 \(Winter\)](#), pp. 99-134.

Week 6: Outside Speaker (October 4)

Professor Claire Kelly
Professor of Law
Brooklyn Law School

Professor Claire R. Kelly focuses her scholarship primarily on public and private international law. Her numerous articles have appeared in leading law reviews and she has presented her work at such prominent organizations as the American Society of International Law. Before joining the faculty at Brooklyn Law School, she practiced as an associate at Coudert Brothers, where she advised companies on governmental compliance and litigated a broad variety of international trade matters.

Prof. Kelly's discussant will be Andrew Strauss (Professor of Law, Widener Law School).

Week 7: Interpreting International Law I: Why International Courts? (October 11)

Required Readings

Benedict Kingsbury, "Is the Proliferation of International Courts and Tribunals a Systemic Problem?" 31 *New York University Journal of International Law and Politics*, 679 (1999).

Robert O. Keohane, Andrew Moravcsik, and Anne-Marie Slaughter, "Legalized Dispute Resolution: Interstate and Transnational," *International Organization*, Vol. 54 (2000), pp. 457-488.

Barbara Koremenos, "If Only Half of International Agreements Have Dispute Resolution Provisions, Which Half Needs Explaining?" *Journal of Legal Studies*, Vol. 36 (2007), pp. 189-211.

Laurence R. Helfer, *Why States Create International Tribunals: A Theory of Constrained Independence*, in *INTERNATIONAL CONFLICT RESOLUTION* 255-276 (Stefan Voigt, et al. eds., 2006)

Benedict Kingsbury, *International Courts: Uneven Judicialization in Global Order*, in *CAMBRIDGE COMPANION TO INTERNATIONAL LAW* (James Crawford & Martti Koskeniemi, eds. forthcoming, 2012).

Cesare P.R. Romano, *A Taxonomy of International Rule of Law Institutions*, 2 *JOURNAL OF INTERNATIONAL DISPUTE RESOLUTION* 241 (2011).

Recommended Readings

Eric A. Posner and John C. Yoo, "Judicial Independence in International Tribunals," *California Law Review*, Vol. 93 (2005), pp. 1-74.

Laurence Helfer and Anne-Marie Slaughter, "Why States Create International Tribunals: A Response to Professors Posner and Yoo," *California Law Review*, Vol. 93 (2005), pp. 899-956.

Eric A. Posner and John C. Yoo, "Reply to Helfer and Slaughter," *California Law Review*, Vol. 93 (2005), pp. 957-974.

Helfer, Laurence, and Anne-Marie Slaughter. 1997. "Toward a Theory of Effective Supranational Adjudication," *Yale Law Journal* 107 (2): 273-391.

James McCall Smith, "The Politics of Dispute Settlement Design: Explaining Legalism in Regional Trade Pacts," *International Organization*, Vol. 54 (2000), pp. 137-180.

Allee, Todd L., and Paul K. Huth (2006). "Legitimizing Dispute Settlement: International Legal Rulings as Domestic Political Cover," *American Political Science Review*, Vol. 100, No. 2, pp. 219-234.

Koremenos dispute settlement chapter from IL/IR project.

Week 8: Interpreting International Law II: International Judicial Behavior (October 18)

Required Readings

Karen J. Alter (1998). "Who are the Masters of the Treaty? European Governments and the European Court of Justice," *International Organization*, 52: 125-52.

Posner, Eric, and Michael de Figueiredo (2005). "Is the International Court of Justice Biased?" *Journal of Legal Studies*, Vol. 34, pp. 599-630.

Voeten, Erik (2008). "The Impartiality of International Judges: Evidence from the European Court of Human Rights," *American Political Science Review*, Vol. 102, No. 4, pp. 417-434.

Pauwelyn, Joost & Manfred Elsig, "The Politics of Treaty Interpretation: Types and Explanations Between and Across International Tribunals," in IL/IR volume.

Erik Voeten, "International Judicial Independence," in IL/IR volume.

Recommended Readings

Alter, Karen J. (2008). "Agents or Trustees? International Courts in their Political Context," *European Journal of International Relations*, Vol. 14, No. 1, pp. 33-63.

Manfred Elsig and Mark A. Pollack. "Delegation Theories and International Courts: Design, Agent Selection and Control in the World Trade Organization," paper prepared for presentation at the International Studies Association Annual Conference, Montreal, 17-20 March 2011.

Daniel Terris, Cesare P.R. Romano, and Leigh Swigart, *The International Judge: An Introduction to the Men and Women Who Decide the World's Cases* (Lebanon, New Hampshire: Brandeis University Press, 2007).

Clifford J. Carrubba, Matthew Gabel, and Charles Hankla (2008). "Judicial Behavior under Political Constraints: Evidence from the European Court of Justice," *American Political Science Review*, Vol. 102, No. 4, pp. 435-52.

Stone Sweet and Brunell response to CGH.

Lisa Conant, "Judicial Politics," in Knud Erik Jorgensen, Mark A. Pollack and Ben Rosamond, eds., *The Handbook of European Union Politics* (New York: Sage, 2007), pp. 213-29.

Voeten, Erik (2007). "The Politics of International Judicial Appointments: Evidence from the European Court of Human Rights," *International Organization*, Vol. 61 (Fall 2007), pp. 669-701.

Week 9: Outside Speaker (October 25)

Professor R. Daniel Kelemen
Associate Professor of Political Science
Director, Center for European Studies
Rutgers University

Dan Kelemen's research interests include the politics of the European Union, law and politics, comparative political economy, and comparative public policy. His publications include [*The Rules of Federalism: Institutions and Regulatory Politics in the EU and Beyond*](#) (Harvard University Press, 2004); [*Eurolegalism: The Transformation of Law and Regulation in the European Union*](#) (Harvard University Press, 2011), and the *Oxford Handbook of Law and Politics* (coeditor, Oxford University Press, 2008). He serves on the editorial boards of the *Journal of European Public Policy* and *West European Politics*.

Kelemen has been a Fellow in Politics, Lincoln College, University of Oxford, a Member of the Institute for Advanced Study at Princeton, a Fulbright Fellow in European Union Studies at the Centre for European Policy Studies in Brussels and a visiting fellow at the Woodrow Wilson School of Public and International Affairs at Princeton University. He was educated at Berkeley (A.B. in Sociology) and Stanford (M.A. and Ph.D. in Political Science).

Prof. Kelemen's discussant will be Fernanda Nicola (Associate Professor of Law, American University).

Week 10: Enforcing International Law I: Why Comply? Overview, Theories, and International Factors (November 1)

Required Reading

Thomas Franck, "Legitimacy in the International System," 82 Am. J. Int'l L. 705 (1988)

Jana Von Stein, "Compliance with International Law: Taking Stock of What We Know and Don't Know," from IL/IR volume.

Robert Howse and Ruti Teitel, "Beyond Compliance: Rethinking Why International Law Really Matters," 1 *Global Policy* 127 (2010)

Lisa Martin, "Against Compliance" from IL/IR volume

Recommended Reading

Abraham Chayes and Antonia Handler Chayes, "On Compliance," *International Organization*, Vol. 47, No. 2 (1993), pp. 172-205 [skim for core argument].

George W. Downs, David M. Rocke, and Peter M. Barsoom, "Is the Good News About Compliance Good News About Cooperation?" *International Organization*, Vol. 50, No. 3 (Summer 1996), pp. 379-406 [skim for core argument].

Kal Raustiala and Anne-Marie Slaughter, "International Law, International Relations and Compliance," in Walter Carlsnaes, Thomas Risse and Beth A. Simmons, eds., *Handbook of International Relations* (Thousand Oaks, CA: Sage, 2002), pp. 538-558.

Andrew T. Guzman. "A Compliance-Based Theory of International Law," *California Law Review* 90 (2002): 1826-1887.

Rachel Brewster, "Unpacking the State's Reputation," 50 *Harv. Int'l L. J.* 231 (2009).

Oona A. Hathaway, "Do Human Rights Treaties Make a Difference?" *Yale Law Journal*, Vol. 111 (2001-2002), pp. 1935-2042.

Goodman, Ryan, and Derek Jinks, "Measuring the Effects of Human Rights Treaties," *European Journal of International Law*, Vol. 14, No. 1 (2003), pp. 171-183.

Oona Hathaway, "Testing Conventional Wisdom," *European Journal of International Law*, Vol. 14, No. 1 (2003), pp. 185-200.

Colter Paulson, "Compliance with Final Judgments of the International Court of Justice since 1987," *The American Journal of International Law*, Vol. 98, No. 3 (2004), pp. 434-461.

Week 11: Enforcing International Law II: Internalization and Domestic Enforcement of IL (November 8)

Required Readings

A) For CLA students:

Curtis A. Bradley and Jack L. Goldsmith, *Foreign Relations Law: Cases and Materials*, third edition (New York: Wolters Kluwer, 2009), pp. 569-609 [on customary international law in US courts, and the Alien Tort Statute], and pp. 657-69 [on the use of foreign and international sources in constitutional interpretation].

Jeffrey L. Dunoff, Steven R. Ratner, and David Wippman, *International Law: Norms, Actors, Process: A Problem-Oriented Approach*, 3d edition (Aspen Law and Business Publishers, 2010), pp. 269-288 [on Breard and consular cases].

B) For all students:

Harold Hongju Koh, "Bringing International Law Home," *Houston Law Review*, Vol. 35, No. 3 (Fall 1998), pp. 623-681.

Robert O. Keohane, "When Does International Law Come Home?" *Houston Law Review*, Vol. 35, No. 3 (Fall 1998) pp. 699-713.

Ryan Goodman and Derek Jinks, "How to Influence States: Socialization and International Human Rights Law," *Duke Law Journal*, Vol. 54, No. 3, pp. 621-703, read pp. 621-656, 702-703.

Alvarez, José E. (2005). "Do States Socialize?" *Duke Law Journal*, Vol. 54, pp. 961-74.

Recommended Readings

Anne-Marie Slaughter and William Burke-White, "The Future of International Law is Domestic (or, the European Way of Law)," *Harvard International Law Journal*, Vol. 47, No. 2 (2006), pp. 327-352.

David Zaring, "The Use of Foreign Decisions by Federal Courts: An Empirical Analysis," *Journal of Empirical Legal Studies*, Vol. 3, No. 2 (July 2006), pp. 297-331.

Harold H. Koh, "Why Do Nations Obey International Law?" *Yale Law Journal*, Vol. 106, No. 8 (1997), p. 2599.

Ginsburg, T., Chernykh, S. and Elkins, Z. 2008. "Commitment and Diffusion: Why Constitutions Incorporate International Law " *University of Illinois Law Review* 2008: 201-38.

Harold Hongju Koh, "Paying Decent Respect to International Tribunal Rulings," *Proceedings of the American Society of International Law* (2002), pp. 45-53.

Kimberly A. Moore, "Xenophobia in American Courts," 97 *Nw. U.L. Rev.* 1497 (2003).

Week 12: Outside Speaker (November 15)

Anthea Roberts

Lecturer in Law, London School of Economics and Political Science
Visiting Professor, Harvard Law School

Anthea Roberts is a Lecturer in Law, teaching Public International Law, International Dispute Resolution and Investment Treaty Law. Anthea joined the LSE in 2008 and is one of the co-founders of LSE's [Transnational Law Project](#). She had served as an Associate to the Chief Justice of the High Court of Australia, the Hon. A.M. Gleeson AC, and as an intern for the Hon. Judge Simma at the International Court of Justice, before spending five years as an attorney in the International Dispute Resolution Group at Debevoise & Plimpton LLP in New York and London.

Prof. Roberts was awarded the 2011 Francis Deák Prize by the American Society of International Law for her article '[Power and Persuasion in Investment Treaty Interpretation: The Dual Role of States](#)' 104 *AJIL* 179 (2010) and the 2002 Francis Deák Prize for her article '[Traditional and Modern Approaches to Customary International Law](#)' 95 *AJIL* 757 (2001).

Prof. Roberts' discussant will be William Burke-White (Professor of Law, University of Pennsylvania).

Week 13: The Fragmentation of International Law I: Regime Complexity and Forum-Shopping (November 29)

Required Readings

Raustiala, Kal, and David G. Victor (2004). "The Regime Complex for Plant Genetic Resources," *International Organization*, Vol. 58, No. 2, pp. 277-309 [skim theoretical argument, don't worry about empirics].

Laurence R. Helfer, "Regime Shifting: The TRIPS Agreement and New Dynamics of International Intellectual Property Lawmaking," *Yale Journal of International Law*, Vol. 29, No. 1, pp. 1-83, read pp. 1-26 [for basic argument].

Jupille, Joseph, and Duncan Snidal (2006). The Choice of International Institutions: Cooperation, Alternatives and Strategies," unpublished paper, <http://sobek.colorado.edu/~jupille/research/20060707-Jupille-Snidal.pdf>, accessed on 15 January 2008.

Karen J. Alter and Sophie Meunier, "The Politics of International Regime Complexity," *Perspectives on Politics*, Vol. 7, No. 1 (2009), pp. 13-24.

Daniel W. Drezner, "The Power and Peril of International Regime Complexity," *Perspectives on Politics*, Vol. 7, No. 1 (2009), pp. 65-70.

Week 14: The Fragmentation of International Law: Regime Interaction and Legal Pluralism (December 6)

Required Readings

Jeffrey L. Dunoff, [Steven R. Ratner](#), David Wippman, *International Law: Norms, Actors, Process: A Problem-Oriented Approach*, 3d edition (Aspen Law and Business Publishers, 2010), pp. 916-923 (Kadi, Behrami, Al-Jedda cases)

Martti Koskenniemi & Paivi Leino, "Fragmentation of International Law? Postmodern Anxieties," 15 *Leiden J Int'l L.* 553 (2002)

Martti Koskenniemi, Hegemonic Regimes, in *Regime Interaction in International Law: Facing Fragmentation* (Margaret Young, ed., Cambridge Univ Press (forthcoming, 2012)

Berman, Paul, "Global Legal Pluralism," *Southern California Law Review*, Vol. 80 (2007), pp. 1155-1237, read 1155-1169 [basic argument]

Jeffrey L. Dunoff, "A New Approach to Regime Interaction," in *Regime Interaction in International Law: Facing Fragmentation* (Margaret Young, ed., Cambridge Univ Press (forthcoming, 2012)

Kal Raustiala, Regime Interaction Paper for IL/IR volume.