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Office Hours: T 2:00 – 4:00 pm

University of Washington  
T, TH 8:30 - 10:20 am  
DEN 256  
Winter 2019

**Pol S 447/LSJ 490D: INTERNATIONAL JUSTICE  
Winter 2019**

This is an undergraduate senior seminar and can be applied to the course requirements for the following fields in the Political Science Department: comparative politics and international relations. It also fulfills major requirements for the Law, Societies and Justice Department: seminar requirement and comparative legal institutions sub field.

This course adopts a global justice approach to examine and understand current policy questions. Students are introduced to the concept of global justice through a discussion of three main types: justice as accountability, justice as fairness and justice as equality. The course will apply these concepts to a series of international justice topics including mass atrocity and criminal law, global health rights, international trade, environmental justice, gender equality, refugees and migration. Students will engage these topics as a dynamic process examining in greater detail a main institution of international justice, the European Court of Human Rights (ECtHR) and also the many actors characterizing each justice topic including civil society organizations, state officials, legal activists, prosecutors and judges. The course will raise contemporary challenges in international justice, including the recent exit of countries from the International Criminal Court and questions regarding the ability of international justice institutions to handle issues of mass migration or environmental justice. The topics will also highlight recent innovations such as the expansion in international justice to understand domestic violence as a human rights violation or rape as a form of torture.

There are no exams in this course and assignments will demand active participation in discussion and significant reading, writing and research. Students will be trained in using innovative new databases for international justice research and they will have the opportunity to work in task forces to create multimedia reports on international justice topics. Students will also be required to write and present a final research paper.

### **Readings**

Required readings will be posted on the course website under the Modules link. To maintain flexibility in the course, the readings may change as the course proceeds and students will be informed in advance of these changes. Task Groups will also add readings later in the course.

### **Course Website**

The course website can be located at: <https://canvas.uw.edu/courses/1270847>

### **Expectations and Assignments**

All students are required to come to class having read the assigned readings and be prepared to engage in active discussion. Students will be given the chance to lead discussions and engage the readings at a

deep level. The course will emphasize critical thinking and writing. The course will also actively engage students in doing legal research including case briefing and coding international court case law. Full details on the assignments will be added to the course website as the quarter proceeds. The following gives a general guide of the assignments and assessment for the course.

- 1) Reading Response Brief Assignment and Participation: In preparation for our discussion, students are required to submit a Reading Response Brief (RRB) prior to the class meeting. They are to be **uploaded to the course website under Discussions by 9pm the day before class** (so Monday and Wednesday nights at 9pm). You are meant to raise these points in our class discussion so please bring a copy along if you need to for your reference. RRBs are about a paragraph in length (approximately 200-250 words) and they answer the following two questions: 1) In what you read for today, what did you find most illuminating and why? And 2) In what you read for today, what did you find most surprising and why? In addition to these questions, on some days, I may pose a particular related question for you to respond to in your RRB.
- 2) Discussion Facilitation: Each student will be assigned to be a discussion leader for one class session. Students will be required to give a 5 min presentation for each of the readings/material assigned on that date (longer or shorter depending on the material), offering background information/material, key arguments and 2-3 questions for group discussion. Please feel free to reach out to me if you have any questions or need assistance.
- 3) Task Force Group Participation and Assignments: Each student in the course will be assigned to a Task Force (TF). There will be 4 TF Groups and you will work together as a team the following assignment:
  - ECtHR TF Multi-Media Case Study, Research and Presentation: Each TF Group is assigned to a particular area of European Court of Human Rights case law from the ECtHR Factsheets. TF Groups will be given a set of research assignments including coding case law and also constructing a multi-media case study for their case law topic. TF Groups will then lead a class session in discussing an assigned reading and case and giving a presentation of the multi-media case study. Each group member will present a portion of the case study.
- 4) Individual ECtHR Research Presentation and Paper: Student's will complete a Research Paper and Presentation on a self-selected area of case law from the ECtHR Factsheets. It may be an individual topic that came from the larger topic area that you worked on with your TF Group. The Research Paper is approximately 3,000 words (around 11 pages). The Presentation is a power point based presentation that will bring together research materials on your topic and provide a platform for other's to learn about your topic. Further details will be given when we discuss the assignments.

#### **Assessment:**

- 15% Reading Response Briefs, Discussion Facilitator and Participation
- 20% Task Force Group Multi-Media ECtHR Case Study Presentation and Research
- 25% Individual ECtHR Research Presentation
- 40% Individual ECtHR Research Paper (3,000 words, app.11 pages)

Late assignments will not be accepted other than in catastrophic circumstances. Please contact me immediately if a circumstance arises that prevents you from completing an assignment.

**Academic Conduct:** I will enforce strictly the University of Washington's Student Conduct code, including the policy on plagiarism. The entire code can be found at <http://www.washington.edu/students/handbook/conduct.html>.

**Disability Accommodations.** If you would like to request accommodations due to a disability, please contact the Disability Resources for Students office, 448 Schmitz Hall, 543-8924 (V/TDD). If you have a letter from Disabled Student Services indicating you require accommodations, please present the letter to me as soon as possible so that I can make necessary arrangements.

## CLASS SCHEDULE

**Tuesday, January 8: Introduction to the course**

### PART I: CONCEPTS AND TYPES OF GLOBAL JUSTICE

**Thursday, January 10: Concepts of Global Justice**

- Johnston, *Prologue: From the Standard Model to a Sense of Justice*
- Risse, *Global Justice (read sections 1 and 7-10)*
- Pinker, *The Moral Instinct*, NY Times Magazine

#### Type 1: Global Justice as Accountability

**Tuesday, January 15: Accountability and Mass Atrocity**

- Grant and Keohane, *Accountability and Abuses of Power in World Politics*
- Sikkink, *Justice Cascade (Chap. 1: Introduction)*

**Thursday, January 17: Accountability and ICC Case Study**

- ICC Class Simulation: HKS Multimedia Case Study, *A Delicate Balance: The ICC's Process for Identifying New Cases* (purchase online access)
- Leonard, *Establishing an International Criminal Court*

#### Type 2: Global Justice as Fairness

**Tuesday, January 22: Fairness and International Trade and Public Health**

- Klosko, *Fairness, The Encyclopedia of Political Science*
- Risse, *Chapter 18: Justice and Accountability: The World Trade Organization*
- HRCases Online, *The Treatment Action Campaign in South Africa*

**Thursday, January 24: Fairness and Environmental Justice**

#### **Discussion Facilitator:**

- Schlosberg, *Reconceiving Environmental Justice: Global Movements and Political Theories*
- Chan, *Climate Contribution and Paris Agreement: Fairness and Equity*
- European Court of Human Rights, *Steel & Morris vs. UK*
- *How to Brief a Case Template*

### **Type 3: Global Justice as Equality**

**Tuesday, January 29: Economic Equality**

**Discussion Facilitator:**

- Milanovic, *The Three Concepts of Inequality Defined*
- Piketty, *Introduction and Chap. 15*
- Milanovic, *Chap. 1: The Rise of the Global Middle Class and Global Plutocrats*

**Thursday, January 31: Trends in (In)equality: Gender, Health, Education and others**

**Discussion Facilitator:**

- Dorius and Firebaugh, *Trends in Global Gender Inequality*
- Kenny, *Why Are We Worried about Income?*
- Reid, *Equality to Brutality: Global Trends in LGBT Rights*

### **PART II: INTERNATIONAL COURTS AND THE ECtHR AS INSTITUTIONS OF JUSTICE**

**Tuesday, February 5: International Court Types and Evaluating their Performance**

**Discussion Facilitator:**

- Alter, *The Evolving International Judiciary*
- Squatrito, et al., *Framework for Evaluating the Performance of International Courts and Tribunals*

**Thursday, February 7: International Courts and Political Integration: CJEU**

**Discussion Facilitator:**

- Burley & Mattli, *Europe before the Court: A Political Theory of Legal Integration*
- Garrett, Geoffrey, *The Politics of Legal Integration in the European Union*

**Tuesday, February 12: International Politics as a Process of Legalization**

**Discussion Facilitator:**

- Abbott, et al., *The Concept of Legalization*
- Mowbray, *The Creativity of the European Court of Human Rights*

**Thursday, February 14: International Courts and Legal Mobilization**

**Discussion Facilitator:**

- Cichowski, *Courts, Rights and Democratic Participation*
- Helfer & Voeten, *International Courts as Agents of Legal Change*

**Tuesday, February 19: Non-State Actors and International Courts**

**Discussion Facilitator:**

- Alter, *Private Litigants and the New International Courts*
- Van den Eynde, *An Empirical Look at the Amicus Curiae Practice of the Human Rights NGOs before the ECtHR*

**Thursday, February 21: no class meeting, ECtHR Task Force Group Research Session outside of class**

## **PART III: TASK FORCE GROUP CASE STUDIES AND RESEARCH PRESENTATIONS**

**Tuesday, February 26**

***Task Force 1***

- Readings: TBD by group
- Presentations and Discussion

**Thursday, February 28**

***Task Force 2***

- Readings: TBD by group
- Presentations and Discussion

**Tuesday, March 5**

***Task Force 3***

- Readings: TBD by group
- Presentations and Discussion

**Thursday, March 7**

***Task Force 4***

- Readings: TBD by group
- Presentations and Discussion

**Tuesday, March 12:** Individual Research Presentations

**Thursday, March 14:** Individual Research Presentations

**Friday, March 15:** Research paper due by **4pm to my mailbox in Gowen 101**. Please put both my name and your name on the paper. The paper must also be **submitted electronically to the course website**.