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Diplomacy Syllabi

School of Diplomacy and International
Relations

Fall 2020

DIPL 6031 International Environmental Policy

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International Environmental Policy
DIPL 6031
Professor Moremen
Fall, 2020
[Preliminary Syllabus]

This course will address the nature, content, and structure of international environmental law. The course will first familiarize students with international environmental problems and basic principles of international law and environmental regulation. The course will then take up various specific topics, such as global warming, stratospheric ozone depletion, trade and environment, and biodiversity and biosafety. Throughout, the course will apply interdisciplinary tools to help understand the international environmental regulatory system. The course will explore the roles of different actors in that system, as well as the difficulties of negotiating and implementing agreements that form the rules of the system.

In terms of the learning goals and student outcomes the School's Faculty have identified as key for students, students will:

- increase their knowledge and understanding of
 - key concepts, models, theories, and debates in international relations
 - the institutional backdrop underpinning international politics, including international organizations and international law
 - the normative aspect of international relations as reflected in international law, including human rights
 - the prevailing global issues, such as international conflict, global health, and environmental challenges.
- develop skills to
 - collect, sort, and evaluate information
 - analyze complex situations and synthesize information
 - integrate different fields of study in analysis of a complex world
 - communicate effectively in oral and written form.
- develop a sense of global citizenship and to employ a global perspective to:
 - recognize and understand differences among a diversity of cultures and viewpoints
 - employ a global perspective and self-awareness regarding their own culture and responsibility as world citizens
 - demonstrate leadership qualities and other essential skills of diplomacy.

The course will include several requirements, more fully described below: (a) completing assigned readings before class and participating in class discussions; (b) preparing journal entries; (c) participating in an in-class exercise; (d) writing a 15 page research paper, and (e) taking a final exam. Class participation and the journal entries together will be worth 15% of your grade, the exercise will be worth 20%, the paper will be worth 35%, and the final 30%.

- a. Readings and Participation. Please read the assigned readings before class and be prepared to discuss them in class. Class participation is a required part of the course and will be considered in determining your grade. I will select several students to lead discussion in each class.
- b. Journal Entries. **For seven of the class sessions (not including the in-class exercise), you will submit a 2-page typed, double-spaced journal entry on some aspect of that week's reading. Please submit journal entries through the assignment link on Blackboard. Late entries will be penalized ½ a mark; entries not submitted by the next class will not be graded.**
- c. In-Class Exercise. **Please be prepared to participate in the class exercise scheduled for class on October 28 and to participate in group activities and negotiation during the previous week or two; please plan your schedule accordingly.** Your group will submit two position papers during the week preceding the exercise and a six-page individual analysis on the day of the exercise. Further information will be provided.
- d. Research Paper. You will write a 15-page paper on an international environmental topic. **You will submit a one-page paper proposal, together with an annotated bibliography, in class on October 14. Please make an appointment to meet with me at least a week before that date to discuss your proposed paper topic and provide me with a rough draft of your topic before our meeting. Your paper proposal and annotated bibliography will be worth 5 points of the final grade on the paper. The paper will be due Tuesday, November 24, at 4 p.m. through our class Blackboard site.** If you have trouble with Blackboard, you may submit your paper by e-mail to "beat the clock," but you will need to submit through Blackboard ASAP. Submissions through Blackboard will go through SafeAssign, a plagiarism detection software. **Late papers will be penalized 1/3 of a grade; papers late more than a week will receive an additional penalty, absent a medical or family emergency or COVID-related problems.**
- e. Final Exam. The final exam will be a take-home exam that you will have two days to complete, on dates TBA during finals week or the week before. The limited time for the exam and the format of the exam will reward students who have kept up with the reading and have participated consistently in class activities.

COURSE MATERIALS: All students are expected to purchase the following book:

-David Hunter, James Salzman, & Durwood Zaelke, INTERNATIONAL ENVIRONMENTAL LAW AND POLICY (5th ed., 2015).

-Supplemental readings will be posted on the course Blackboard site or are available online.

OFFICE HOURS AND CONTACT INFORMATION. I will hold virtual office hours through Teams on Thursdays 9:30-12:30, or by appointment. I am also available after class. Please send me an email to set up a meeting during office hours or at another mutually convenient time. I may set up a sign-in sheet later and will inform you about that. My e-mail address is philip.moremen@shu.edu.

GRADING SCALE. The grading scale used for most assignments will be: 93 and above=A; 90-92=A-; 87-89=B+; 83-86=B; 80-82=B-; 77-79=C+; 73-76=C; 70-72=C; 67-69=D+; 63-66=D; 60-62=D-; Below 60=F. Journal entries will be graded on a check, check plus, and check minus basis.

POLICY ON INCOMPLETES. Incompletes will be given only in exceptional cases for emergencies. Students wishing to request a grade of Incomplete must provide documentation to support the request accompanied by a Course Adjustment Form (available from the Diplomacy Main Office) to the professor *before* the date of the final examination. If the incomplete request is approved, the professor reserves the right to specify the new submission date for all missing coursework. Students who fail to submit the missing course work within this time period will receive a failing grade for all missing coursework and a final grade based on all coursework assigned. Any Incomplete not resolved within one calendar year of receiving the Incomplete or by the time of graduation (whichever comes first) automatically becomes an "FI" (which is equivalent to an F). It is the responsibility of the student to make sure they have completed all course requirements within the timeframe allotted. Please be aware that Incompletes on your transcript will impact financial aid and academic standing.

MORE ABOUT JOURNAL ENTRIES. Journal entries are graded as a check, check minus, check plus, check plus plus (rare). Journal entries are included in the portion of the grade dedicated to class participation. Satisfactory performance would consist of a mix of checks and check plusses. Superior or inferior performance could make a difference in your grade if you are between grades. **Failure to submit journal entries will affect your grade negatively.** Late journal entries will be penalized as described above.

I will try to provide comments on the first journals and in early classes to provide direction, but generally will not provide lengthy comments on journal entries. Rather than a summary of the readings, the journal entry should express your critical thoughts and reactions to the issues and the readings. Is there a point of view that you agree or disagree with and why? Can you bring in outside knowledge or experience to illustrate a point in a particularly telling way? You should strike a balance between broad coverage of the readings and a focused analysis. A summary of the readings generally will receive a check, unless it is very well done, e.g., identifying main themes in a sophisticated way. A journal entry consisting of general moral prescriptions without more (e.g., "people should be more concerned about the environment") will not be well-received.

CITATIONS IN PAPERS. Papers should utilize one of the *Chicago Manual of Style* citation formats: Author-Date or Notes and Bibliography. The guidelines for these formats are on the course Blackboard page. You do not need to use formal citations in journal entries.

PLAGIARISM AND OTHER SERIOUS ABUSES OF ACADEMIC INTEGRITY. **All forms of dishonesty, whether by act or omission, including, but not limited to, cheating, plagiarism, and knowingly furnishing false information to the University, are prohibited.** Work submitted in courses must be the product of the efforts of the

student presenting the work, and contributions of others to the finished work must be appropriately acknowledged. The presentation of another's work as one's own is a serious violation of the academic process. Plagiarism and other forms of academic dishonesty will be reported to the administration and may result in a lowered or failing grade for the course and up to possible dismissal from the School of Diplomacy. See University and School standards for academic conduct here:

<<https://www.shu.edu/student-life/upload/Student-Code-of-Conduct.pdf>>

<<http://www.shu.edu/academics/diplomacy/academic-conduct.cfm>>

More particularly: In a paper, where you quote language word for word, you must place it in quotation marks or in a block quote and give the exact source for each quoted passage. Where you paraphrase something, you must cite the source. Where you refer to or use an author's insight or idea, you must cite the source. Lifting language from a web site without indication and citation is plagiarism.

STUDENTS WITH DISABILITIES. It is the policy and practice of Seton Hall University to promote inclusive learning environments. If you have a documented disability you may be eligible for reasonable accommodations in compliance with University policy, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and/or the New Jersey Law against Discrimination. Please note, students are not permitted to negotiate accommodations directly with professors. To request accommodations or assistance, please self-identify with the Office for Disability Support Services (DSS), Duffy Hall, Room 67 at the beginning of the semester. For more information or to register for services, contact DSS at (973) 313-6003 or by e-mail at DSS@shu.edu.

CORONAVIRUS SAFETY. In accordance with the Seton Hall pledge, students must wear a mask in class, maintain required social distancing, and not come to class if you are ill. No mask, no class. The pledge can be found here: <https://www.shu.edu/health-intervention-communication/seton-hall-pledge.cfm>

CAPS. As part of our commitment to the health and well-being of all students, Seton Hall University's Counseling and Psychological Services (CAPS) offers initial assessments, counseling, crisis intervention, consultation, and referral services to the SHU community. The CAPS office is located on the second floor of Mooney Hall, room 27. Appointments can be made in-person or by calling 973-761-9500 during regular business hours, Monday-Friday, 8:45 a.m. - 4:45 p.m. In case of a psychological emergency, call CAPS (973-761-9500) at any time to speak to a crisis counselor. For more information, please visit: <https://www.shu.edu/counseling-psychologicalservices/index.cfm>

CURRICULUM AND READINGS

Text=Hunter, Salzman, Zaelke. The reading assignments listed below are subject to modification.

Session 1: [8/26] Course Introduction

Session 2: [9/2] Population, Consumption, and Technology; Historical Overview, part I.

- Text: Ch. 1, 1-25 [skim, paying particular attention to climate change]; pp. 25-38.
- Text: Ch. 2, 39-97.
- Text: Ch. 4, 133-138; 140-155; 158-160.
- [Blackboard] Wattenberg, Never Mind the Population Explosion, The American Enterprise, Jan/Feb 2005.
- [Blackboard]: De Sombre, Individual Behavior and Global Env'tl Problems, 18 Global Env'tl Politics, Feb, 2018.

Session 3: [9/9] Sustainable Development and Economics; Historical Overview, part II

- Text: Ch. 4, 166-173; 177-188.
- Text: Ch. 3 [All—101-132]
- Text: Ch. 8, 460-463 [intergenerational equity], 485-489 [Polluter pays].
- [Blackboard] Menell & Stewart, Environmental Law & Policy, 45-63 [read to familiarize with basic concepts].

Session 4: [9/16] International Environmental Law I: Treaties and the Ozone Regime.

- Text: Ch. 6, 285-309.
- Text: Ch. 10, 537-606 [except 569-573; 578-581, 586-588].

Session 5: [9/23] International Environmental Law II.

- Text: Ch. 6, 282-284 [notes 3-6]; 309-359 [except 327-335].
- Text: Ch. 4, 141-142 [Stockholm Decl.]; 160-165 [Rio Decl.]
- Text: Ch. 8, 433-445 [Overview of EIL principles; Sovereignty]; 466-472 [State Responsibility]; 472-478 [obligation not to cause harm]; 510-521 [Trail Smelter case]. Skim the rest of Ch. 8 so you can identify principles and refer to these pages when those principles come up.
- [Blackboard] Read & O'Riordan, The Precautionary Principle Under Fire, 59 Environment, Sept./Oct. 2017, at 4.

Session 6: [9/30] Climate Change I

- Text: Ch. 11, 607-678
- [Online] [skim for charts/graphs] National Academy of Sciences, Climate Stabilization Targets, In Brief, available [here](#)
- Recommended: [Blackboard] Ken Conca, Is There a Role for the UN Security Council on Climate Change?, 61 Environment, Jan/Feb 2019, at 4.

ARRANGE CONFERENCE FOR PAPER TOPIC

Session 7: [10/7] Climate Change II

- Text: Ch. 11, 678-738.
- [Blackboard] Bodansky, The Paris Climate Change Agreement: A New Hope?, 110 Am. J. Int'l L., 288 (2016).
- [Online] Paris deal: a year after Trump announced US exit, a coalition fights to fill the gap, Jun 1, 2018. Available [here](#).

FINAL PAPER TOPICS DUE IN CLASS OCTOBER 14

Session 8: [10/14] Trade and Environment

- Text: Ch. 17, 1219-1308.
- Text: Ch. 10, 578-581.

Session 9: [10/21] Forests

- Text: Ch. 16, 1176-1196.
- [Blackboard] Hunter et al., International Environmental Law & Policy (3d. ed., 2006) pp. 1188-1190 (Forest Principles); 1202-1207 (financing for conservation); 1210-1221 (indigenous peoples).
- [Blackboard] Lopez-Carr & Burgdorfer, Deforestation Drivers, 55 Environment Jan/Feb 2013, at 3.

Session 10: [10/28] Forests Exercise [SUBMIT ISSUE BRIEF/GROUP POSITION PAPER]

- See Text, pp 1195-1196.

Session 11: [11/4] CITES and Habitat Protection

- Text: Ch. 15, 1091-1123 [CITES]
- Text: Ch. 16, 1125-1158. [Polar Regions].
- Blackboard: [Two articles on the Arctic] 60 Environment, Nov/Dec, 2018.

Session 12: [11/11] Environmental Justice and Transboundary Shipment of Hazardous Wastes

[Readings TBA]

Session 13: [11/18] Implementation and Compliance

- Text: Ch. 7 [all—363-432].
- Review pp: 569-573 [Montreal Protocol Compliance Procedure]

PAPER DUE TUESDAY, NOVEMBER 24, AT 4:00 P.M. IN BLACKBOARD

THANKSGIVING WEEK—NO CLASS

Session 14: [12/2] Wrap-up