

Attendance, preparation, small group activities, and quality classroom participation (20% of the final semester grade)

MC/FW 450 (International Environmental Law & Policy)

Spring 2021

Quality participation involves comments and questions that advance our collective understanding of concepts discussed in this course. At the very least, you should be prepared to report on your assigned government's position related to each topic we discuss. In past semesters, I have observed a high correlation between quality participation and exam grades, suggesting that classroom participation is an important method for internalizing concepts and lessons from this course.

I will assess preparation and participation each class period and for each D2L discussion forum in order to establish your semester participation grade. On a daily basis:

4.0 indicates that you attended class (or D2L discussion forum), prepared well, participated actively, and contributed important insights to the discussion based on sound preparation for class/discussion and clear evidence supporting statements;

3.0 indicates that you attended class (or D2L discussion forum), prepared well, listened attentively (or incorporated others' comments clearly), and made an occasional limited contribution to the discussion;

2.0 indicates that you attended class (or logged into the forum) but declined to participate or arrived unprepared (or submitted comments not connected to the discussion);

0.1-1.0 indicates that you attended class without paying attention to class activities (e.g., you were sleeping, or focused on an electronic device instead of the class discussion);

0.0 indicates that you did not attend class (or visit discussion forum) or provide a reasonable excuse in advance for your absence.

Most grades will fall between these categories, but this rubric outlines expectations.

As this course is designed for upper-level undergraduates and graduate students, I expect that everyone will remain current with all course readings. However, if there is evidence that the class as a whole is not keeping up with the readings, I may require all students to submit weekly reading notes as part of this participation grade. In addition, the attendance and participation grade may include up to three quizzes on assigned readings and current events.

Reminder for All Assignments

At the end of the semester, grades will be weighted and averaged. Weighted averages of greater than 3.75 will result in a 4.0 reported grade for the semester; 3.25-3.75 = 3.5 reported grade; 2.75-3.25 = 3.0 reported grade; 2.25-2.75=2.5 reported grade; 1.75-2.25=2.0 reported grade; and so forth.

Reminders for Course Meetings (from syllabus)

In-person attendance is strictly optional and never mandatory. Further details about in-person activities will be provided separately.

We will meet twice every week via zoom (with some optional in-person activities that will be available via zoom as well). Class will focus on discussion of assigned readings, and their application to current events. This class is designed to enhance your verbal, as well as written, communication skills. It is essential that all class members contribute to the conversation so that we can learn from different points of view. **You are expected to prepare, be "present", and participate every time we meet. I recognize, however, that our current circumstances may present substantial challenges for attendance (whether remote or in-person). If possible, please contact me in advance if you are unable to join a particular session.**

We will have animated discussions about many controversial topics. You should be prepared to support your position with evidence, and are encouraged to disagree with me and with each other, but **you must pay attention to, and be respectful of, each other's views and experiences**. Moreover, this course addresses many contentious and difficult topics, and it is essential to recognize that experiences (yours and others') may shape the way in which one confronts these topics. The College Statement of Values

(below) provides a useful model for engaging in respectful discourse, and we will develop additional group expectations (including for use of video during our sessions) together for the online environment. Finally, although you will of course need to be online in order to participate in remote class sessions, electronic devices can also provide a major distraction no matter which mode you are using to participate in class. Please make sure you are “present” to the extent possible and focused on the content of our class meetings. In addition, recent research shows that handwritten class notes may be more effective (see “Take Notes by Hand for Better Long-Term Comprehension,” <http://www.psychologicalscience.org/news/releases/take-notes-by-hand-for-better-long-term-comprehension.html>), so I recommend keeping a pen and paper with you during our zoom or in-person discussions.

Country Research Paper Assignment, MC/FW 450 (International Environmental Law & Policy) Spring 2021

For this research paper, you will focus on one country and compare its role across the issue areas we study throughout the semester (**30% of the final grade – 5% for hypotheses; 10% for preliminary table and findings; 15% for final paper**).

Hypotheses and preliminary source list due February 25 at the beginning of class

Preliminary findings and table of evidence due April 1 at the beginning of class (As this course meets the Tier 2 writing requirement, you may also submit a full draft by April 1 for feedback).

Final draft due April 15 at the beginning of class

Assignment Goals

International environmental law and policy is a product of the governments that participate in negotiations and implementation. Therefore, this assignment asks that you *describe* the roles played by one particular government and attempt to *explain* why the government has taken these positions. You will also *apply* your findings to predict the government's behavior in another ongoing negotiation.¹ This assignment is designed to strengthen your comparative research skills, learn about particular international institutions and measures of environmental management success, and enhance your writing skills.

During the first week of class, you will sign up for a country of interest to you. In addition to the writing assignments described below, you will also be expected to provide the class with information about your country's position/role on each international environmental issue we discuss in class.

Assignment Details

This project will take place in three stages. First, you will develop *hypotheses/expectations* about your country's approach to international environmental law and policy. **Hypotheses are due at the beginning of class, February 25.** This assignment should occupy 1-2 pages, and include: a) Whether you expect your country to be a lead, supporting, swing, or blocking/veto state (see Chasek and Downie, chapter 2) and whether/how you expect that role to vary across issue areas (e.g., lead role on biodiversity-related agreements, but blocking cooperation on atmospheric pollution); b) Why you believe the country follows that pattern; and c) At least 2 academic sources outside of the course readings. **PLEASE MAKE SURE TO CITE EACH SOURCE WHEN YOU DRAW UPON FACTS OR IDEAS DRAWN FROM THAT SOURCE** (footnote, endnote, or parenthetical).

Second, *preliminary findings and a completed table of evidence* are **due at the beginning of class, April 1.** The table should summarize the government's interests, participation and compliance *across all issue areas discussed in class*. I will provide an example in advance of this deadline. In preparation for this assignment, it is highly recommended that you keep track of the country's role in each issue area as we cover these topics throughout the semester. At the very least, secretariat websites should be able to provide information regarding whether your country has signed and/or ratified treaties in each area. For more active states and more well-known agreements, a great deal of additional information will be available. On the negotiation side, you should start your search with primary sources such as negotiating documents (available from most treaty secretariats' websites), and also explore reports from the Earth Negotiations Bulletin (<http://www.iisd.ca/voltoc.html> - you can enter country name and each topic area in the search tab). On the compliance/implementation side, many treaty secretariat websites also house compliance reports submitted by participant states. For all information, local news sources and other secondary sources will also be useful. **All sources must be cited – using endnotes, footnotes, or parenthetical documentation – when each piece of information is presented.** The table will

¹ If you are interested in writing a different type of paper for this assignment, *please speak with me early in the semester* to discuss that research idea and why you would like to undertake it. You must adhere to the same timeline and length requirements described here. Even if you select this option, you will still be responsible for reporting on one country's positions throughout the semester.

summarize the empirical evidence for your final paper, so this assignment also asks you to provide a *brief* summary of patterns you observe for your country (i.e., whether initial hypotheses are accurate).

For the table and preliminary findings:

4.0 indicates comprehensive evidence regarding the country's positions across issue areas, as well as a clear preliminary analysis of hypotheses based on this evidence;

3.0 indicates comprehensive evidence for most issue areas, with limited analytical clarity;

2.0 indicates a weak grasp of the country's negotiating positions and compliance results;

0.1-1.0 indicates a lack of evidence regarding the country's actions.

I will provide comments on the table and preliminary findings by April 10 at the latest. The *final paper* is **due at the beginning of class, April 15** (though it may be possible to extend this deadline depending on the timing of my feedback). This paper should synthesize previous parts of the assignment into a coherent complete paper of **no more than 1800 words (not including the revised table of evidence)**. I recommend the following framework for your paper, but you may deviate from this structure if appropriate. As with all other assignments, you must cite the source of all facts and ideas when they are presented, along with reference details in footnotes, endnotes and/or a reference list.

1. Following an introduction, you should briefly present hypotheses, as developed in the earlier assignment.
2. After presenting hypotheses, you should identify the state's behavioral patterns in international environmental negotiations. This section should address the following issues:
 - a. Is this country a lead, supporting, swing, or veto/blocking state? Is that behavior consistent across all negotiations, or does it depend on the issue area? Based on available primary source materials such as negotiating statements and ENB/newspaper reports, can you identify reasons for that behavior pattern?
 - b. Once you have established the country's commitments, you will discuss the government's record in complying with those requirements, and present evidence regarding possible reasons for that pattern. Following from these explanations, discuss what additional evidence – if it is not already available – you would need in order to test these hypotheses.
3. Please include a conclusion discussing:
 - a. The accuracy of your hypotheses. Please note that it is perfectly fine to demonstrate that your hypotheses were not accurate, as long as the evidence supports that result.
 - b. The *application* of your results to an ongoing multilateral process (choose from implementation of the Paris climate change Agreement, bluefin tuna discussions, international forestry negotiations, or another one of your choosing). What position do you expect your country to take in these negotiations, and how can other actors ensure that your country complies with the commitments eventually reached?
4. *In addition to the text, your paper must also include a revised table that summarizes the government's participation and compliance across each issue area discussed in class.* This table does not count towards the word limit of your paper.

You are strongly encouraged to meet and discuss your research with Professor Axelrod and classmates throughout the semester. One goal of this research project is to learn more about a substantive topic. Perhaps more importantly, it is designed to enhance your research and writing skills, including the development of hypotheses and the use of empirical evidence to support or reject those hypotheses. By receiving and integrating instructor and peer feedback along the way, you will strengthen those skills.

For the final paper:

4.0 indicates a clear grasp of the country's negotiating and compliance patterns, supported by strong evidence from a variety of sources, as well as clear analysis and application to an ongoing negotiation;

3.0 indicates a clear understanding of negotiating and compliance patterns, supported by strong evidence from a variety of sources, but with more limited analysis and application;

2.0 indicates a weak grasp of the country's negotiating positions and compliance results;

0.1-1.0 indicates that the paper does not demonstrate an understanding of the country's participation in global environmental governance.

0.0 indicates a failure to cite sources of ideas and/or facts provided in the paper.

Below I have suggested some resources for the final paper (none of these books or websites will contain information for all countries and all are somewhat dated, so you will need to look around). These sources are good starting points, but you will need to look for additional materials as well. All listed books can be found in the MSU main library, unless they are also available electronically.

Brown Weiss, Edith, and Harold K. Jacobson, eds. 1998. *Engaging countries: strengthening compliance with international environmental accords*. Cambridge, MA: MIT Press. [available as an e-book through the MSU library website]

Dwivedi, O. P., and Jordi Díez. 2008. *Global environmental challenges: perspectives from the South*. Peterborough, Ont.: Broadview Press.

Jänicke, Martin, and Helmut Weidner. 1997. *National environmental policies: a comparative study of capacity-building*: Springer.

Schreurs, Miranda A. 2002. *Environmental politics in Japan, Germany, and the United States*. Cambridge, UK ; New York: Cambridge University Press.

Schreurs, Miranda A., and Elizabeth Economy, eds. 1997. *The internationalization of environmental protection*. Oxford: Oxford University Press.

Swanson, Darren, and László Pintér. 2006. *Governance Structures for National Sustainable Development Strategies: Study of Good Practice Examples*. Winnipeg: International Institute for Sustainable Development. (http://www.iisd.org/pdf/2006/measure_gov_structures.pdf)

Swanson, Darren, László Pintér, François Bregha, Axel Volkery, and Klaus Jacob. 2004. *National Strategies for Sustainable Development: Challenges, Approaches and Innovations in Strategic and Co-ordinated Action*. Winnipeg: International Institute for Sustainable Development. (http://www.iisd.org/pdf/2004/measure_nat_strategies_sd.pdf)

Underdal, Arild, and Kenneth Hanf, eds. 2000. *International environmental agreements and domestic politics: the case of acid rain*. Aldershot: Ashgate.

Weidner, Helmut, Martin Jänicke, and Helge Jörgens. 2002. *Capacity building in national environmental policy: a comparative study of 17 countries*. Berlin London: Springer-Verlag.

Reminders for All Assignments

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For all assignments, late papers (unless accompanied by doctor's note or other verified excuse) will receive a reduction of one grade point for every two days after the deadline (i.e., 1 minute to 48 hours late reduces grade by 1.0; 48-96 hours late reduces grade by 2.0). I do recognize that difficulties arise outside of the course, and I will therefore allow a single "life happened" extension on one written assignment (one stage of the country paper assignment, midterm, or the treaty survey). If something happens and you need an extension, you may use this option for a three-day extension, no questions asked. Please email me before the deadline so I know you are using the extension. However, you can only use this option once during the semester, so plan accordingly.

PLEASE NOTE THAT THIS COURSE WILL BE CONDUCTED IN LINE WITH MADISON COLLEGE AND MSU POLICIES ON ACADEMIC DISHONESTY. Among other requirements, that means that you must cite the source of any and all facts or ideas in your written assignments.

The Student Handbook states:

"Academic Honesty: [Article 2.III.B.2](#) of the Academic Freedom Report states: "The student shares with the faculty the responsibility for maintaining the integrity of scholarship, grades, and professional standards." In addition, James Madison College adheres to the policies on academic honesty specified in General Student Regulation 1.0, [Protection of Scholarship and Grades](#); the all-University Policy on [Integrity of Scholarship and Grades](#); and [Ordinance 17.00](#), Examinations. Therefore, unless authorized by your instructor, you are expected to complete all course assignments, including homework, lab work, quizzes, tests and exams, without assistance from any source. You are expected to develop original work for this course; therefore, you may not submit course work you completed for another course to satisfy the requirements for this course. Also, you are not authorized to use the www.allmsu.com Web site to complete any course work in this course unless explicitly authorized by the professor. Students who violate MSU regulations on Protection of Scholarship and Grades may receive a failing grade in the course or on the assignment and be reported for academic integrity violations."

Please also remember that the internet is a powerful source of information. While it may ease your research efforts, it can also lead you to non-reputable resources and help to identify your use of other people's work.

Violations of academic dishonesty principles will result in punishments up to and including a 0.0 grade for the course. Under MSU guidelines, I must report all such incidents to the University. IF IN DOUBT, I WILL BE HAPPY TO DISCUSS THE PROPER COURSE OF ACTION. Past experience has shown that most errors are easily avoidable with a short discussion.

Treaty Research Project, MC/FW 450: International Environmental Law and Policy Spring Semester 2021

For this assignment, you will be responsible for researching one international environmental treaty. Your results will be reported via an online survey and in-class discussion on the negotiation and implementation of that agreement; Online materials are ***due one week before that treaty is discussed in class*** (10% of the final grade – 7% for the online survey and 3% for in-class discussion)

Survey portion is due one week before your treaty is discussed in class

Goals

The purpose of this assignment is two-fold:

First, it is designed to increase familiarity with an important part of the research process. While most class assignments rely on existing data or materials gathered by other researchers, this assignment asks you to collect a variety of information on one international treaty that we will discuss in class. You will have the opportunity to look at your treaty in depth, examining primary source materials (especially the treaty itself), and assessing the effectiveness of that particular institution through empirical assessments.

Second, in addition to the case study approach you will take in completing the project, we will also be creating a dataset for the whole class to use in comparing a wide variety of treaties to each other.

Assignment Details

In order to meet these objectives, you will be responsible for an online survey, as well as in-class discussion of the treaty. In February, you will sign up for one treaty (to be discussed between March 4 – April 1). Before answering the questions below (in survey format), you should read the treaty text, explore the treaty secretariat's website, and consult any available secondary literature. Professor Axelrod will be happy to guide you towards any useful sources of information. One good starting point is the International Environmental Agreements (IEA) Database Project, available online at <http://iea.uoregon.edu>. Online survey answers are ***due one week before our discussion*** of the treaty (though the first week of treaties may have some timing constraints):

1. ***Respond to a survey about your treaty online.*** This survey will include the following categories, and will be linked from our class page in D2L [you will be asked to indicate the treaty provision from which your answer is drawn, so you may want to have the text available while completing this assignment; questions about the rules themselves (questions d, g, h, j-m) require reference to the treaty text; questions about bargaining power (e), beneficiaries (n), and effectiveness (o/p) will require evidence outside of the treaty itself]:
 - a. Name of the treaty (and short title)
 - b. Year of agreement and year of entry into force
 - c. Number of parties
 - d. Parties invited to participate (universal, regional, bilateral)
 - e. Symmetry of bargaining power among the parties negotiating the agreement (similar vs unbalanced power) [provide evidence of this power balance]
 - f. Type of cooperation problem (symmetrical common pool resource, transboundary externality, resource located entirely within countries) [provide explanation of why you categorize the problem in this way]
 - g. Number of substantive rules (i.e., rules that require state actions, not just meeting attendance or financial contributions)
 - h. Brief list of the substantive rules and requirements [limit to the 6 most important rules if there are more than 6 substantive rules]
 - i. Bindingness of the agreement (hard law/soft law) [provide an explanation and evidence for your identification of hard or soft law]

- j. Monitoring procedure (yes/no) and party assigned to conduct monitoring (self, other countries, 3rd party composed of participant countries, independent 3rd party) [for all of these questions, please cite evidence from the treaty itself]
 - k. Positive incentives for compliance or technical/financial support
 - l. Consequences/enforcement procedure (reciprocity, removal from the institution, economic sanctions, military action, other-explain)
 - m. Dispute settlement procedure (bilateral negotiations, ICJ, new tribunal, other)
 - n. Primary beneficiaries of this agreement (developed countries, developing countries, least developed countries)
 - o. Available measures of effectiveness
 - p. Your assessment of effectiveness (scaled 1-8) in terms of countries' behavior change, accomplishing the parties' stated goals, and achieving environmental protection more generally [must rely on sources external to the treaty text itself]
- [Note that your response options will be limited for the sake of comparison to other students' treaties. I am aware that the agreements do not all fit easily into this framework. Please do your best to make them fit as best you can...a recurring challenge for researchers.]
- Grading will be based on analytical clarity of responses to the online survey, particularly the degree to which each response is supported by reputable sources.
2. In addition to the online survey, you will also take a lead role in class discussion of your treaty. In addition to the questions noted above, you should consider the following questions – based on evidence from your research – in preparing for class discussion:
- a. What stakeholders are involved (countries, as well as other individuals/industries/organizations)? What are their preferences? And what are their capabilities for achieving those preferences?
 - b. Do countries comply with the law? Has it been effective in terms of behavior change and enhanced environmental quality? What evidence can you provide regarding these outcomes (if no evidence is available, please consider what evidence would be necessary to assess the treaty's effectiveness)?
 - c. Which countries or groups were harmed and helped by this agreement?
 - d. In what situation(s) could these provisions be useful to you as a resource manager, policy maker, or activist? In which situations might they limit your actions as a resource manager, government official, or private citizen?
 - e. From a science/policy viewpoint, how would you change the current regulations? Is that politically feasible? Why or why not?

For in-class discussion on your assigned treaty:

4.0 indicates a clear understanding of the agreement and its rules, as well as a clear analysis of its impacts on stakeholders and the environment. A 4.0 discussion will provide clear supporting evidence as to why this agreement is effective or not;

3.0 indicates a clear understanding of the agreement with limited support for your legal and effectiveness arguments;

2.0 indicates a weak grasp of the problem and agreement with limited analysis;

0.1-1.0 indicates a lack of understanding of the environmental problem and agreement.

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**Exam Information, MC/FW 450 (International Environmental Law & Policy)
Spring 2021**

1. **Take Home Midterm Exam**, covering all material through February 20 – distributed at the end of class February 25, **due by 5pm, Monday, March 1** (20% of the final semester grade – 2 essay questions, evenly weighted, with a maximum of 1500 words total). This exam will test your knowledge of the class material, as well as your ability to write clearly and succinctly. A sample (previous year) exam, along with the exam gradesheet, will be provided for your reference in advance on D2L.

Grade-scale for midterm exam responses:

4.0 = particularly creative and logical arguments and/or supporting evidence, and ability to reject strongest opposing arguments

3.5 = demonstrates clear grasp of key concepts, with good examples to support clear arguments

3.0 = mixture of strong analysis on some but not all aspects, with supporting evidence

2.5 = accurate statements, but not directly addressing the question

2.0 = does not demonstrate understanding of relevant concepts, but raises interesting points or examples from course materials

2. **Final Exam**, covering the entire semester – **Thursday, April 29, 5:45pm - 7:45pm** (20% of the final semester grade – 2 essay questions, evenly weighted; same grade scale as the midterm exam). A previous exam will be provided on D2L in advance.

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