

## INTERNATIONAL LAW AND ORGANIZATIONS

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### FINAL ESSAY (Law and Policy)

The final essay is to be 10-15 pages (double-spaced). Its topic is *Trump and the International System* focusing on the legal aspects of his pronouncements and actions concerning foreign policy and the international system. You should choose **one topic, focus on one particular issue,** and conclude with a **recommendation with a particular policy.** [When possible please identify relevant legal items that we have discussed in class and covered in our casebook, documents book, and / or on our website.] These may concern domestic, constitutional or international legal aspects of his pronouncements or actions. This is due on December 13<sup>th</sup>. The essay should be sent to me as a Word document. The citations can be at the bottom of the page or as end notes. I am particularly interested in how clearly and logically your essay is written.

The issue can include *among others*, such ones as:

- Torture,
- Withdrawal from the Trans-Pacific Partnership agreement (TPP),
- Withdrawal from other international institutions such as the World Trade Organization, NAFTA or NATO,
- The issue of sovereignty concerning the WTO, from the dispute resolution system,
- Policies concerning bilateral and multilateral agreements as a basis for international relations,
- Diplomatic relations and trade with Cuba,
- Diplomatic relations and trade sanctions with Iran,
- New sanctions or lifting of sanctions on the Russian Federation,
- More trade enforcement in the WTO concerning China,
- Joining the International Criminal Court,
- Withdrawing from the International Court of Justice,
- Withdrawing from international climate negotiations and the Paris Treaty,
- His authority to terminate international agreements and recognition of governments,
- Military involvement in Syria,
- Increase use of drones,
- War powers of the president,
- Negotiating claims settlement with Cuba and / or Iran,
- Engaging in the South China Sea and the UN Convention on the Law of the Seas,

- Imposing new tariffs and sanctions on China,
- Declaring China as not a market economy and / or declaring it as a currency manipulator,
- Presidential declaration on a ban of Muslims and ‘terrorists’ from entering the U.S.,
- Internment of Muslims as a risk to national security and / or as a prelude to deportation,
- Failure to provide asylum to those escaping from the Middle East and elsewhere,
- His authority to intervene in ongoing litigation to try to terminate litigation, especially concerning rights of detainees and issues of national security,
- Offensive cyber operations.
- Extraterritorial rendition of terrorists,
- Tax penalties on multinationals hoarding money offshore,
- Barring Chinese direct investment into the U.S.,
- Extending litigation against foreign governments in the US.,
- Extending the state secrets privilege in litigation.

[You may of course choose another issue not listed above if you would like especially as it may emerge over the next week or so.)

The purpose of this essay is for you to identify Trump’s position as much as you can and then assess it in a legal and political context. (Both in the U.S. and international law context.)

Of course, I understand most of Trumps statements so far have been a jumble especially as to anything global. Just do the best you can. The thrust of your essay **is to recommend a policy position for Trump to adopt and why**. It’s the policy proposal and arguments in support of it is your added value to the public discourse. (This is your *value-added component* of your essay. This is crucial.) You should clearly state your reasons for your proposal. This involves raising the arguments against your proposal and then dealing with them. You should use footnotes when you like and hyperlink them as much as possible.

Good Luck ..... Stuart Malawer