

SPRING 2026 LAWS 665 INTERNATIONAL ECONOMIC LAW

SYLLABUS

TEACHING FACULTY

[Prof. David Linnan](#)

COVERAGE

This international economic law course will be an introduction to four distinct but related areas in modern international economic law, particularly as colored by recent policy, political and cross border market changes. These four areas are (1) traditional multilateral trade law (GATT/WTO), (2) free trade areas or FTAs (like NAFTA originally, now USMCA, but also FTAs more generally incorporating foreign direct investment protections and, potentially, regionalism) as supplemented by traditional bilateral investment treaty or investment law (in arbitrations), (3) international monetary law, plus (4) increasing trade, ownership or technology-based export or similar restrictions claiming a basis in national security, whether in the narrow military sense, or more broadly in the sense of economic security (e.g., gaining a foothold in the “industries of the future” alongside sanctions on the national security side).

The practical aspect is that we shall pay increased attention in this course to general aspects of international economic law, because these recent policy changes reflect for us domestic pressures arising from what is being referred to as something like a new “trade war,” or more recently a new “technology war,” sometimes also a “supply chain” war in terms of cross-border sourcing of rare earths and the like. This general reorientation in transboundary economic law and policy is most evident under the current administration, but in fact US government approaches were already changing 12-15 years ago at this point. It is also affected indirectly by rapid advances in digital commerce and money (e.g., CBDC and Stable Coins).

MEETING TIMES & PLACES

The course is scheduled to meet regularly 2:40-4:45 pm Columbia time Wednesdays in Law School Room 204. Class sessions should be recorded and available on panopto, but that is only for review purposes. I shall hold scheduled Room 320 office hours Monday and Wednesday 10:35 am to 1:00 pm, open door policy otherwise. On request, beyond those times we can schedule a meeting at any mutually available time (via WhatsApp, Zoom, or we just meet physically at the Law School; my e-mail for scheduling an appointment is davidkeithlinnan@yahoo.com). Just email me, or otherwise just catch me in class to schedule a meeting outside office hours.

TEXT, CONTACTS AND APPROACH

The textbook is Choukroune & Nedumpara, International Economic Law: Text, Cases and Materials (Cambridge 2022). We are using a British casebook, because the American ones are still firmly focused on the WTO (somewhat behind the times). That having been said, you can find the text of the relevant GATT/WTO or similar provisions normally on the World Trade Organization (WTO) website (<http://www.wto.org>). Particularly for our fourth area (economic sanctions and restrictive trade and investment measures), we shall simply make such

materials available via emailed URL links (typically Executive Orders, Treasury Regulations, or Big Law client letters). They largely have arisen in conjunction with the on-going Ukraine conflict, or in any case since 2016.

This course is mostly a specialized international economic law course, but is offered without prerequisites knowing that some students will have prior knowledge and training in public international law, while others may not. We shall try to address this via online resources and office hours, but if all else fails, the public international law nutshell and similar black letter law summaries are helpful.

ASSESSMENT AND ATTENDANCE

This is a 2/3 credit course. Grading will be based primarily on either (i) a research paper (minimum 20 pages for two credit hours and 30 pages for three credit hours), or (ii) a 24-hour check-out final exam for two credit hours. If you write a paper, you do not take the exam. Class participation will be taken into account in letting you move up individually up to ½ grade (e.g., from a B to a B+, etc.) under either the 2 or 3 credit course version.

With the instructor's permission a three-credit hour research paper may also be structured to satisfy the USC Law School's graduation writing requirement. Students wishing to write such a thirty-page research paper in satisfaction of the graduate writing requirement should talk early and often with the instructor, since following the Law Student Handbook you will be required to choose a topic in consultation with the instructor, produce an outline, followed by a first draft and then a final version of the paper. Note that you must confer with the instructor at least three times in the process: to choose a topic cooperatively, review your writing outline together, and then for comments between your first draft and the final paper version. We can also organize a help session with the reference librarians to introduce you to international economic law and economics sources, as a way to help you get started.

You will also be required to prepare other problems and projects for class in groups, where we shall employ a self-grading process within groups (meaning your colleagues indicate whether you did your fair share of the work). The concept is that we rotate responsibility for preparing presentations of group problems so you presumably have one to prepare every 2-3 weeks in your group during the semester. Your grade will also reflect self-grading within your groups on the margin (basically, up or down a half letter grade in +/- terms, whether you take the course for two or for three credit hours).

The Law School, and ABA under its rules, care about your diligent pursuit of legal education, regardless of competing concerns. The standard Law School rules apply, so we shall take attendance. Regarding attendance, if you miss more than 25% of the classes you will be graded down irregardless (and also would not be included in any group CALI award, should it be awarded by group and your group be the class winner). It is your responsibility to sign the attendance sheet, and if you come to class more than ten minutes late you are counted as absent and should not sign the attendance sheet. You may not sign the attendance sheet for anyone else.

LEARNING OUTCOMES

This course provides an introduction to international economic law in survey form, on the theory that practicing lawyers in any sort of international or sophisticated business practices

need to better understand the domestic and cross-border frameworks which are coincidentally undergoing rapid change under current circumstances.

This course is designed in particular to assist students in acquiring the following knowledge and skills:

Ability to navigate and understand the broader framework of international economic law, in particular on the business side competing aspects of the WTO and FTA systems, foreign investment regulation particularly as it relates to supply chains and global business enterprise organizations.

Ability to navigate and understand the broader framework of international investment law treaties, in particular on the business side in conjunction with multinational enterprise planning, including supply chains

Ability to navigate and understand the broader framework of international economic law, in particular on both the government and business sides as it affects the digital economy and financial sectors

Ability to navigate and understand the broader framework of international economic law, in particular on both the government and business sides as it entails economic coercion (sanctions) as well as a renewal of traditional approaches to international economic relations as involving both national security as well as economic security concerns

Ability to navigate and understand the broader framework of international economic law, in particular on the governmental side international monetary law as it relates to the financial sector and economic development.

Ability to navigate and understand the broader framework of international economic law, in particular on the governmental side the functional overlap of international trade and international environmental law in the climate change context.