ST. LOUIS UNIVERSITY  
DEPARTMENT OF POLITICAL SCIENCE  
POLS-364-01H International Law  
3 CREDIT HOURS, Spring 2015

Dr. Emmanuel Uwalaka  
OFFICE: McGannon 150  
Phone: 977-3035/3039  
Class Room: MCG 122

I. COURSE DESCRIPTION

This course examines the nature of the international legal system, how the law is made and applied, and the challenges presented by global society. It studies the main components of this body of law such as jurisdiction, the law of the sea, law of treaties, settlement of disputes and the laws of war.

II. COURSE OBJECTIVES

The objectives of the course are as follows:

A. To explain how international law has developed over time
B. To examine the conflicts between theory and practice in the enforcement of international law
C. To understand the role of power relations in the formation, application and enforcement of international rules
D. To understand the position of the developing world in the formation, application and enforcement of international law, and
E. To provide students with the intellectual capability to understand the utility of international law in the conduct of international relations

III. REQUIRED TEXTS


Additional reading assignments will be placed in the reserve collection of the University library.

IV. CLASS ATTENDANCE

1. Students are required to attend class sessions regularly and punctually.
2. Students are required to sign the roll at each session and a record of attendance will be maintained.
3. Students will be expected to complete assigned readings before coming to class and participate constructively in class discussions. During class, cell phones must
be turned off or vibrate mode. If you need to respond to a call, please step outside the room.

4. This instructor allows only two unexcused and undocumented class absences after which a student must provide documentation or explanation for being absent from class. Failure to do this will affect points for class participation.

EVALUATION

A. Methods

Examinations will be used in evaluating the performance of students.

1. There will be Midterm and Final Examinations.
2. Students are required to take all examinations as scheduled. Exams are primarily essays. Exams are not cumulative, that is, only the material since the last exam is included.

B. GRADING SCALE AND DISTRIBUTION OF PERCENTAGES

1. Mid-term Examination  40%
2. Final Examination 40%
3. Class Participation 20%

The numerical equivalents of letter grades are:

93-100 = A  83-86 = B
90-92 = A-  80-82 = B-  73-76 = C
87-89 = B+  77-79 = C+  60-69 = D
Below 60 = F

NOTE: Final grades will not be changed unless there is an error in computation.
OFFICE VISITS

Students are encouraged to visit the instructor during office hours in connection with their work in this class, or to discuss any career-related problems. If unable to visit during posted hours, an appointment will be made convenient to both the student and the instructor.

IT IS IMPORTANT THAT YOU GET TO KNOW YOUR TEACHERS AND TO MAKE YOURSELF KNOWN TO THEM. IT IS THE ONLY WAY TEACHERS CAN BE OF HELP TO YOU OUTSIDE THE CLASSROOM.

COLLEGE OF ARTS & SCIENCES
POLICY ON ACADEMIC HONESTY

Academic Integrity and Honesty

The University is a community of learning, whose effectiveness requires an environment of mutual trust and integrity. Academic integrity is violated by any dishonesty such as soliciting, receiving, or providing any unauthorized assistance in the completion of work submitted toward academic credit. While not all forms of academic dishonesty can be listed here, examples include copying from another student, copying from a book or class notes during a closed book exam, submitting materials authored by or revised by another person as the student’s own work, copying a passage or text directly from a published source without appropriately citing or recognizing that source, taking a test or doing an assignment or other academic work for another student, securing or supplying in advance a copy of an examination without the knowledge or consent of the instructor, and colluding with another student or students to engage in academic dishonesty.

Any clear violation of academic integrity will be met with appropriate sanctions. Possible sanctions for violation of academic integrity may include, but are not limited to, assignment of a failing grade in a course, disciplinary probation, suspension, and dismissal from the University. Students should review the College of Arts and Sciences policy on Academic Honesty, which can be accessed on-line at http://www.slu.edu/colleges/AS/ under “Quicklinks for Students” or in hard copy form in the Arts and Sciences Policy Binder in each departmental or College office.

Students with Special Needs - Disability Services

Any student who feels that he/she may need academic accommodations in order to meet the requirements of this course - as outlined in the syllabus - due to presence of a disability, should contact the Office of Diversity and Affirmative Action. Please telephone the office at 314-977-8885, or visit DuBourg Hall Room 36. Confidentiality will be observed in all inquiries.

COURSE EVALUATION

As part of class participation, during the last week of the semester students will be reminded to complete an on-line course evaluation. Students will be notified when screens will be accessible for students to submit the evaluation.

V. COURSE OUTLINE
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<tr>
<th>Date</th>
<th>Topic</th>
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<td>Jan. 13</td>
<td><strong>Course Overview</strong></td>
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<td>Jan. 15</td>
<td><strong>Nature of International Law</strong></td>
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<td>Definitions</td>
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<td>Why do states obey international law?</td>
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<td>Extralegal factors that promote compliance</td>
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<td></td>
<td>Von Glahn and Taulbee, 1-10</td>
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<td>Rochester, 59-64</td>
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<td>Jan. 20 &amp; 22</td>
<td><strong>Visions of International Politics</strong></td>
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<td>Constructivism, and</td>
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<td>Others schools</td>
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<td>Von Glahn &amp; Taulbee, 10-15</td>
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<td>Early Development of International Law</td>
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<td>Impact of Westphalia (1648)</td>
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<td>Glahn von &amp; Taulbee, 24-48</td>
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<td>Feb. 3 &amp; 5</td>
<td><strong>Sources of International Law</strong></td>
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<td>International Treaties (Convention)</td>
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<td>International Custom</td>
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<td>Case: The Scotia, 57-58</td>
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<td><strong>Sources of International Law Cont’d</strong></td>
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<td>General principles of law</td>
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<td>Writings of publicists</td>
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<td>Equity</td>
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<td>Resolutions and declarations of International Organizations</td>
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<td>Von Glahn &amp; Tualbee, 62-71</td>
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<td><strong>Discussion:</strong> International Law steering from customs began with the European countries sharing the same culture and religion. The question, then, is how emergent states in Africa and Asia accept international law based on customs?</td>
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<td><strong>Question:</strong> Critically examine the nature, sources and utility of international law in the conduct of international relations.</td>
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<td>Feb. 12 &amp; 17</td>
<td><strong>International Agreements</strong></td>
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<td>Types to declarations 72-75</td>
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<td>Formation to special problems, 79-91</td>
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<td>Termination, 95-99</td>
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Question: What rules and principles govern the interpretation, suspension, modification and termination of treaties? Cite relevant case laws and authorities to support your points.

Feb. 19 and 24 Relationship between International Law and Municipal Law
Monism and Dualism: What is the relationship between international and domestic law? 117-118
Applying international law, 118-133
Case: The Paquete Habana, the Lola, 121-122
Case: Asakura v. City of Seattle, 130-131

Feb, 26 & Mar. 3 Is International Law Really Law, or a Charade?
The breaking of international law: How is the law enforced?
The adjudicating of international law: Who are the judges?
Rochester, 1-48

Mar. 5 Mid Term EXAMINATION

Mar. 10 & 12 SPRING BREAK

Mar. 17 & 19 Subject of International Law
Recognition to special cases, Von Glahn & Taulbee, 142-150
Case: The Sapphire, 146-147
State succession, 172-177

Mar. 24 & 26 The Allocation of Competence in International Law
Modes of acquisition
Ways of losing nationality
Multiple nationalities
Statelessness
Nationality of other entities
Von Glahn & Taulbee, 208-230
Case: US v. Wong Kim Art, 212-213
Case: US ex rel steinworth v. Watkins, 226-227

Mar. 31& Apr. 7 State Responsibility: Responsibility for Injuries to Aliens: Apr. 7
Responsibility for Injuries to Aliens
Circumstances precluding wrongfulness
The Rainbow Warrior
International claims
Responsibility of states for the actions of rebels and insurgent governments
Von Glahn & Taulbee, 271-297
Case: Janes Claim, 285-286

April 9 & 14 The Law of the Sea
Freedom of the sea
The issue of land-locked states
Jurisdiction over vessels
Fishing
Protection of the marine environment
Resources of the deep seabed
Dispute settlement
Von Glahn & Taulbee, 299-333
Case: Regina v. Leslie, 303
Case: Mali v. Keeper of the Common Jail (Wildenhus), 307-308

Question: Critically examine the provisions of the United Nations Convention on the Law of the Sea. How would the convention affect the following:
(a) industrialized countries,
(b) developing countries, and
© landlocked countries?

Apr. 16 & 21 The Individual and International Law
Human Rights
Background
Theory and practice
The UN and Human Rights
Difficulty of Implementation (See, the “UN Convention against Torture,” in the case of Somalia
Case: Caesar v. Trinidad and Tobago, 421-422
Case: Rreshpja v Gonzales, 428-429
Von Glahn & Taulbee, 404-434

Apr. 23. Human Rights: What happened to Sovereignty?
Treatment of aliens
Treatment of citizens
Human rights challenges in the twenty-first century
Rochester, chap. 5

Apr.28 International Environmental Law
Protecting the biosphere
Rochester, chap. 8

Apr. 30 The Future of International Politics, International Law, and Global Governance
Rochester, chap. 9

May 7 12:00 – 1:50 FINAL EXAMINATION