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. LEARNING OUTCOMES

After taking this course, students will be able to:
A. Recognize and apply major concepts and theories in the study of international law
B. Demonstrate an understanding of the role of power relations in the development and application of international law
C. Develop critical thinking, including respect and tolerance of different perspectives in an argument
D. Evaluate evidence to test theories and to make persuasive arguments
E. Students will be able to identify and gather information from credible and primary and secondary sources

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, a research proposal, and class participation 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.
3. The research proposal will be on a topic agreed upon between student and instructor. A guide to writing the proposal will come as a separate document. The proposal will be due May 1.
4. Class participation includes but not limited to class attendance, constructive engagement during lectures, for example, asking and answering questions, respect of other students’ perspectives, “rightful” use of computers and cell phones, etc.

B. GRADING SCALE AND DISTRIBUTION OF PERCENTAGES

1. Mid-term Examination 35%
2. Final Examination 35%
3. Literature Review 20%
3. Class Participation 10%

The numerical equivalents of letter grades are:

- 93-100 = A
- 83-86 = B
- 90-92 = A-
- 80-82 = B-
- 87-89 = B+
- 77-79 = C+
- 73-76 = 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.

COURSE OUTLINE
Aug. 26  Course Overview

Aug. 31 & Sept. 2  Historical Development
Early Development of International Law
Impact of Westphalia (1648)
The Nineteenth Century
Rochester, 24-48
Von Glahn and Taulbee 24-39

Sept. 7  Nature of International Law
Why do states obey international law?
Extralegal factors that promote compliance
Von Glahn and Taulbee, 1-22
Rochester, 59-64

Sept. 9 & 14  Sources of International Law
International Treaties (Convention)
International Custom
Case: The Scotia, 57-58
General principles of law
Judicial decisions
Writings of publicists
Equity
Resolutions and declarations of International Organizations
Von Glahn & Taulbee, 52-73
Rochester, 52-59

Sept. 16 & 21  Visions of International Politics
Realism
Idealism
Constructivism, and
Others schools
Von Glahn & Taulbee, 11-15
Rochester, Chap. 2

Sept. 23  Submit topic for Literature Review/ UNIT EXAMINATION

Sept. 28 & 30  International Agreements
Types to declarations 74-82
Formation to special problems, 82-97
Termination, 98-102

Oct. 5  Guide to Writing Literature Review

Oct. 7 & 12  Relationship between International Law and Municipal Law
Monism and Dualism: What is the relationship between international and domestic law? 121-122
Applying international law, 122-139
Case: The Paquete Habana, the Lola,
Case: Asakura v. City of Seattle,

Oct. 14  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

Oct. 19  Mid Term Review and Writing Literature Review cont’d

Oct. 21  Mid Term EXAMINATION

Oct. 26  Writing Literature Review Cont’d

Oct. 28  Fall BREAK

Nov. 2 & 4  Subjects of International Law
  Recognition to special cases, Von Glahn & Taulbee, 142-150
  Case: The Sapphire, 150-151
  State succession, 172-175

Nov. 9 & 11  The Allocation of Competence in International Law
  Nationality
  Modes of acquisition
  Ways of losing nationality
  Multiple nationalities
  Statelessness
  Nationality of other entities
  Von Glahn & Taulbee, 204-225

Nov. 16 & 18  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, 257-284

Nov. 23 & 30  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, 286-316

Dec. 2  The Law of the Sea Cont’d
Dec. 7    Review of Second Unit Examination (Take-Home) and Final Issues on Literature Review
Dec. 9    SUBMIT LITERATURE REVIEW
Dec. 17   Submit Second Unit Examination