

ST. LOUIS UNIVERSITY
DEPARTMENT OF POLITICAL SCIENCE
POLS-3640 International Law
3 CREDIT HOURS, Spring 2020

Dr. Emmanuel Uwalaka
OFFICE: McGannon 150
Phone: 977-3035/**3039**
Class Room: Morrissey Hall 0002

MWF 12:00-12:50.
HOURS: MW 2 - 3
T: 10- 11:00 am
And by Appointment

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 sources, international agreements, subjects of international law, jurisdiction, the law of the sea, international law human rights, 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

111. 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

III. REQUIRED TEXTS

- A. Von Glahn, Gerhard, and Taubee, J, Larry. 11th edition. 2017. Law Among Nations: An Introduction to Public International Law, New York, Routledge. (Required)
- B. Rochester, J. Martin. 2012. Between Peril and Promise: The Politics of International Law. Los Angeles, Sage. (Required)

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

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. Students are expected to adhere to the University policy on attendance as incorporated on this syllabus.

EVALUATION

A. Methods

Examinations, a writing assignment (on analyzing a case in international law), 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. 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 POINTS

1.	Mid-term Examination	40
2.	Final Examination	40
3.	Writing Assignment	10
3.	Class Participation	10

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 POLICIES ON ...

Attendance (An University policy on Attendance has been copied here)

Students must meet course objectives and attendance policies as outlined in the course syllabus.

In cases where absences prevent students from meeting course objectives, students may be required to drop the course or be administratively dropped or withdrawn.

Additionally, students are responsible for:

1. Being on time and attending all class meetings for courses in which they are registered.
2. Making every effort to schedule classes that will minimize conflicts caused by foreseeable activities and related travel.
3. Monitoring their attendance and absences throughout the term.
4. Reviewing course syllabi with regard to the instructor's policy on absences and consulting the instructor if any portion of the attendance policy outlined in the syllabus is not understood.

In regard to absences, whether excused as an authorized activity or at the instructor's discretion, students are responsible for:

1. All material covered in class and must work with each individual instructor to complete any required work and obtain any class notes or other course material missed due to these absences.

2. Coordinating with instructors prior to any examination or presentation in order to explore the impact of the missed assignments and options.
3. Providing written notification, as outlined below, of all other absences as soon as possible, for events not foreseen at the beginning of the semester. (See [Authorized Absence Activities](#) below and the [Bereavement Policy](#) for additional information)

Absences

In addition to authorized absences, instructors have the authority to excuse absences for other reasons.

Documentation for short-term absences may be required at the instructor's discretion.

In the event that several classes have been missed and students are unable to meet course objectives they should consult with the instructor and academic advisor about course extensions (see the [Incomplete Course](#) policy) or a course withdrawal (see [Course Withdrawal](#) policy).

Medical documentation may be required in cases of serious illness or medical conditions which impact a student's ability to participate in courses for an extended period.

In the event of a chronic medical condition or disability, students are strongly advised to contact the Dean of Students and/or the Office of Disability Services to explore potential accommodations.

Authorized Absence Activities

As previously stated, in the event that several classes have been missed and students are unable to meet course objectives they should consult with the instructor and academic advisor about course extensions (see the [Incomplete Course](#) policy) or a course withdrawal (see [Course Withdrawal](#) policy).

Each instructor will excuse students from class for authorized activities (see below) and provide an opportunity to complete missed exams, quizzes, and other required work.

Students are responsible for all material covered in class and must work with each individual instructor as soon as they return to complete any required work.

Missed required work may be replaced by alternative assignments at the instructor's discretion.

Authorized activities and required documentation are defined as:

Participation in Division 1 athletic games and associated travel (excluding practices);

Appearances required as part of a Saint Louis University investigation/hearing; Short-term service with the military and/or First Responder (see the Military Policy for additional information and notification timeline)

Legal obligation (e.g jury duty, required court appearance);

Official notification of required appearance.

Religious Holiday Observance

1. The Office of the Provost, in consultation with Campus Ministry and the Office of the University Registrar, will publish a list of religious holidays likely to affect students.

2. Students must notify instructors in writing by the end of the first week of the semester of all religious holidays they observe that conflict with their course meetings and activities

3. Instructors will notify students promptly if these absences will prevent the student from meeting the course objectives so that the student may drop the course during the add/drop period.

Bereavement

Official notification from the Dean of Students or Academic Dean.

Upon request to and approval by the Dean of Students Office, students shall be given up to five (5) consecutive days (not including weekends or holidays) of excused absence for bereavement.

In addition, this instructor requires students to sign the roll at each session, and a record of attendance will be maintained. Students will be expected to complete assigned readings before the next day's class, participate in class discussions and prepare for case studies. Students should be aware of how politics affects their everyday lives. Most of the time, the instructor will begin class by asking "what is the latest?" The idea is to allow you express yourself on what you have observed or read about politics at the local, state, national or international level. Your participation efforts at this level will be recorded toward class participation points. During class, **cell phones must be turned off or to vibrate mode.** If you need to respond to a call, please step outside the room. Use of laptop computers during class is only allowed to take lecture notes.

Title IX

Saint Louis University and its faculty are committed to supporting our students and seeking an environment that is free of bias, discrimination and harassment. If you have encountered any form of sexual misconduct (e.g. sexual assault, sexual harassment, stalking, domestic or dating violence), we encourage you to report this to the University. If you speak with a faculty member about an incident of misconduct, that faculty member must notify SLU's Title IX coordinator,

Anna R. Kratky (DuBourg Hall, room 36; anna.kratky@slu.edu; 314-977-3886) and share the basic facts of your experience with her. The Title IX coordinator will then be available to assist you in understanding all of your options and in connecting you with all possible resources on and off campus.

If you wish to speak with a confidential source, you may contact the counselors at the University Counseling Center at 314-977-TALK. To view SLU's sexual misconduct policy and for resources, please visit the [Office of the General Counsel](#).

Disability Services

Students with a documented disability who wish to request academic accommodations must contact [Disability Services](#) to discuss accommodation requests and eligibility requirements. Once successfully registered, the student also must notify the course instructor that they wish to access accommodations in the course.

Please contact Disability Services, located within the Student Success Center, at Disability_services@slu.edu or 314-977-3484 to schedule an appointment. Confidentiality will be observed in all inquiries. Once approved, information about the student's eligibility for academic accommodations will be shared with course instructors via email from Disability Services and viewed within Banner via the instructor's course roster.

Note: Students who do not have a documented disability but who think they may have one are encouraged to contact Disability Services.

Academic Integrity

Academic integrity is honest, truthful and responsible conduct in all academic endeavors. The mission of [Saint Louis](#) University is "the pursuit of truth for the greater glory of God and for the service of humanity." Accordingly, all acts of falsehood demean and compromise the corporate endeavors of teaching, research, health care, and community service via which SLU embodies its mission. The University strives to prepare students for lives of personal and professional integrity, and therefore regards all breaches of academic integrity as matters of serious concern.

The governing University-level Academic Integrity Policy was adopted in Spring 2015, and can be accessed on the Provost's Office website at: https://www.slu.edu/provost/policies/academic-and-course/policy_academic-integrity_6-26-2015.pdf.

Additionally, each SLU College, School, and Center has adopted its own academic integrity policies, available on their respective websites. All SLU students are expected to know and abide by these policies, which detail definitions of violations, processes for reporting violations, sanctions, and appeals. Please direct questions about any facet of academic integrity to your faculty, the chair of the department of your academic program, or the Dean/Director of the College, School or Center in which your program is housed.

Student Success Center

In recognition that people learn in a variety of ways and that learning is influenced by multiple factors (e.g., [prior experience](#), study skills, learning disability), resources to support student success are available on campus. The Student Success Center assists students with academic-related services and is located in the Busch Student Center (Suite, 331). Students can visit the [Student Success Center](#) to learn more about tutoring services, university writing services, disability services, and academic coaching.

University Writing Services

Students are encouraged to take advantage of University [Writing Services](#) in the Student Success Center; getting feedback benefits writers at all skill levels. Trained writing consultants can help with writing projects, multimedia projects, and oral presentations. University Writing Services offers one-on-one consultations that address everything from brainstorming and developing ideas to crafting strong sentences and documenting sources. For more information, visit the [Student Success Center](#) or call the Student Success Center at 314-977-3484.

Basic Needs Security

Students in personal or academic distress and/or who may be specifically experiencing challenges such as securing food or difficulty navigating campus resources, and who believe this may affect their performance in the course, are encouraged to contact the Dean of Students Office (deanofstudents@slu.edu or 314-977-9378) for support. Furthermore, please notify the instructor if you are comfortable in doing so, as this will enable them to assist you with finding the resources you may need.

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

- | | |
|--------------------|---|
| Jan. 13 | Course Overview |
| Jan. 15, 17 | Historical Development
Early Development of International Law
Impact of Westphalia (1648)
The Nineteenth Century
Von Glahn and Taulbee, 24-51 |
| Jan. 20, 22 | Nature of International Law
Visions of international politics
Why do states obey international law?
Extralegal factors that promote compliance
Von Glahn and Taulbee, 1-10 |

Rochester, 59-64

Jan. 24, 27, 29 Sources of International Law

- 31** International Treaties (Convention)
International Custom
Case: The Scotia, 59-60 in main text
Von Glahn & Taulbee, 52-73
Rochester, 52-59
Sources of International Law Cont'd
General principles of law
Judicial decisions
Writings of publicists
Equity
Resolutions and declarations of International Organizations
Von Glahn & Taulbee, 69-72

Feb. 3, 5, 7 Visions of International Politics

- Realism
Idealism
Constructivism, and
Others schools
Von Glahn & Taulbee, 11-16
Rochester, Chap. 2

Feb. 10 Discussion: 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?

Feb. 12, 14, 17 International Agreements

- Types to declarations 74-81
Formation to special problems, 82-98
Termination, 98-103

Feb. 19 Guidelines for the Writing Assignment

Feb. 21, 24 Relationship between International Law and Municipal Law

- 26, 28** 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, 125
Case: Asakura v. City of Seattle, 135
Discussion of these two cases

Feb. 28 MID TERM REVIEW

Mar. 2 MID TERM EXAMINATION

Mar. 4, 6 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. 9, 11, 13 SPRING BREAK

Mar. 16, 18 Subject of International Law

Recognition to special cases, Von Glahn & Taulbee, 142-150
Case: The Sapphire, 150-151
State succession, 172-175

Mar. 20, 23 The Allocation of Competence in International Law

25 Modes of acquisition
Ways of losing nationality
Multiple nationalities
Statelessness
Nationality of other entities
Von Glahn & Taulbee, 204-225
Case: US v. Wong Kim Art, 209

**Mar. 27, 30 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, 257-285

April 1, 3, 6 The Law of the Sea

8 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
Case: Regina v. Leslie, 289-290
Case: Mali v. Keeper of the Common Jail (Wildenhus), 294-295

Apr. 10, 13 EASTER BREAK

Apr. 15, 17 The Individual and International Law

20 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, 397-399
Von Glahn & Taulbee, 380-408

- Apr. 22, 24** **Human Rights: What happened to Sovereignty?**
Treatment of aliens
Treatment of citizens
Human rights challenges in the twenty-first century
Rochester, chap. 5
- Apr. 27, 29** **International Environmental Law**
Protecting the biosphere
Rochester, chap. 8
- May 1** **The Future of International Politics, International Law, and Global Governance**
Rochester, chap. 9
- May 4** **Last Day of Class/ Review for Finals**
- May 8** **FINAL EXAMINATION 12-12:50**