The end of the Cold War in 1989 heralded the advent of a new international order including a renewed emphasis on and concern with international law. U.S. President George Bush and others identified international relations “governed by the rule of law” as the defining feature on the emerging world order. The Report on the Commission on Global Governance published in 1995 notes also that the respect for the rule of law is thus a basic neighborhood value. And one that is certainly needed in the emerging global neighborhood. “It distinguishes a democratic from a tyrannical society; it secures liberty and justice against repression; it elevates equality above dominion; it empowers the weak against the unjust claims of the strong.” Yet acts of genocide in Bosnia and Rwanda, together with the failure of the United Nations to meet renewed expectations, have left us with a world in which rules and norms are not clearly defined nor carefully observed.

Yet international law is deeply rooted in the USA experience. It is part of this country’s constitutional and common law heritage. It is inscribed in Article I, section 8, clause 10 of the Constitution where Congress is given the power to “define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.” It is embodied in the area of common law known as Foreign Relations Law of the United States of America, and it is recognized in congressional acts that seek to implement the treaty obligations of this country. This broad potential for implementation of international law through the domestic courts of the USA must be tempered by the realization that the courts have incorporated international law quite sparingly.

Course Objectives
1) To teach the essentials of positive international law against the background of the realities of international relations and the normative requirements of international law.
2) To examine attempts jurists have made to create identity for international law between moral theory and sociological descriptions or idealism and skepticism.
3) To look at the realms of legal practice, doctrine and theory in order to elucidate the relations of law and politics in international relations and particularly the question of the limits of international law.
4) To improve the students’ analytical ability and capacity for effective oral presentation through the modified form of the “case method” followed in law schools.
5) To highlight the role and importance of international law in contemporary society and its role in global governance.

Course Description
In light of the vast changes in international relations in the past decade, there has been an increasingly intense interest in normative questions pertaining to international law – among others, do principles of justice apply to international relations? Is international law really “law”? What rights, if any, are universal human rights and how can universal rights be justified? To what extent can states intervene in the affairs of other states in order to uphold human rights and when, if ever, are they obligated to intervene? Furthermore, the following aspects of international law are covered: the creation and the development of international law, custom and treaties, state responsibility for breaches, judicial and non-judicial remedies, international criminal law, jurisdiction and immunities, acts of state doctrine, territory, the laws of the sea, air and outer space, the role of international law in U.S. courts, decisions of the International Court of Justice and the roles of the United Nations and other international institutions and the use of force. From time to time, we shall discuss the legal aspects of major current international disputes. We will consider the views of leading philosophers and theorists, including Michael Walzer, Lea Brilmayer, Charles Beitz, Thomas Pogge, Liam Murphy, Allen Buchanan and others.
The course will employ a variety of learning methods: lectures, case studies, discussion groups, simulations and debates. The discussion group format will be used to explore new ideas and approaches and the various points of view held by course participants on issues of theory, method and policy. There will be as well individual report presentations. The main emphasis in this course is an active participation. A major aim of this course is to encourage active discussion and exchange of ideas, in and outside of the formal sessions, among all members, students and other faculty.

**Students’ Responsibility**

I) Attendance at all lectures is mandatory. The instructor should be notified directly if a student is unable to attend a lecture.

II) Students are expected to arrive on time for lectures to avoid disrupting the class.

III) Students are expected to have done all the required readings for each session and come fully prepared.

IV) In the first two weeks of the semester students will develop a draft outline of their research essay proposal. Students prepare an individual research paper for presentation to the class in the closing weeks of the semester.

V) All written work will be graded, not only for content, but also for grammar, writing style, organization, and presentation of material.

VI) Submission of substantially the same piece of work to two or more courses (unless approved in advance by the faculty concerned) is subject to a penalty.

VII) Deadlines for submission of completed work will be stipulated on assignment. All work must be submitted to the instructor by the time and date assigned.

VIII) Computer, printer or floppy disk failures are not acceptable excuses for a late assignment. It is your responsibility to make back-up copies of your computer files, to maintain multiple diskettes, and to print out the draft of your hand-out early and often.

**Plagiarism**

Is the copying out verbatim of parts of a work without citation. If you wish to quote the works of others, please make sure you use quotation marks and footnotes indicating your source. Where plagiarism is suspected the student will be interviewed. If the case is established beyond the reasonable doubt the piece of work in question will be given a mark of ZERO.

**A NOTE ON OFFICE HOURS**

At this level the onus of responsibility for managing course material and acquiring the necessary weekly readings rests solely with the individual student. Students encountering difficulty must take the initiative to seek out and consult with the instructor. This is what the posted office hours are for. Students are encouraged to come forward with their concerns earlier rather than later in the semester so as to ensure effective progress and successful completion of the course.

**Disability Services**

Students with disabilities who believe they may need an accommodation in this class are encouraged to contact Greg Toutges, Coordinator of Disability Services at 477-5859 (Voice) or 1-800-627-3529 (MRS/TTY), FR 154 as soon as possible to ensure that accommodations are implemented in a timely fashion.”

**Evaluation**

Students will be evaluated according to the following scheme:

<table>
<thead>
<tr>
<th>Category</th>
<th>Points</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Class Participation</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>FIRST Examination</td>
<td>20</td>
<td>September 24, 2015</td>
</tr>
<tr>
<td>SECOND Examination</td>
<td>20</td>
<td>October 29, 2015</td>
</tr>
<tr>
<td>FINAL Research Paper</td>
<td>20</td>
<td>November 24, 2015</td>
</tr>
<tr>
<td>RESEARCH PRESENTATION</td>
<td>10</td>
<td>To be determined at a later date</td>
</tr>
<tr>
<td>FINAL Examination</td>
<td>30</td>
<td>According to the Fall 2015 Final Class Schedule</td>
</tr>
</tbody>
</table>

If a student is forced to miss an examination for a medical reason they MUST supply a signed medical documentation from a physician. Students may NOT take the make-up exam(s) unless they have secured prior approval from the instructor.
Format of Research Paper

A research paper should conform to the following standards:

a) A title page and abstract of 100-150 words.
b) A statement of the problem, which identifies the major problem, addressed and how it fits into public international law.
c) A research question, which identifies the specific research questions associated with the problem or topic.
d) A theoretical framework, which identifies the underlying method of analysis that underlies your paper.
e) Hypothesis which identify possible findings.
f) A methodology, which is to be used to answer the research questions.
g) The argument or substance of the main paper from case law.
h) Conclusions which identify the findings of your research.
i) A bibliography, which refers to materials actually used in your research paper using generally accepted standards.

Research Presentation Length

You should strive to complete your research presentation within TEN (10) minutes. Under no circumstances should your presentation exceed 12 minutes. Students exceeding that limit can expect their grades to be reduced.

Hand-out Length and Distribution

Your research presentation must be supplemented by a hand-out not to exceed three (3) typed pages of text in length (only 250 per page – strictly enforced). Your hand-out should also feature a bibliography section in which you list all sources consulted or cited.

ATTENTION PLEASE

1) It is the responsibility of every student to furnish his/her own BLUE BOOK(S) for each of the above mentioned examinations.
2) All exams are assessed essays. (No multiple choices or true/false).
3) All written exams are scheduled during regular lecture hours. (No take-home exams).
4) Students are required to demonstrate familiarity with primary sources and appropriate court decisions.
5) Use of LEAD PENCILS or RED INK PENS during any of these exams is categorically prohibited.

PRESCRIBED TEXT

1) Peter Malanczuk, Modern Introduction to International Law, Seventh Revised Edition.
3) Ian Brownlie, Basic Documents in International Law, Oxford University Press.

CASES AND MATERIALS