MARQUETTE UNIVERSITY
Department of Political Science

Political Science 4601-101/5601-101
Fall 2011

International Law

Mondays/Wednesdays/Fridays 12:00-12:50 pm, Wehr Chemistry 112

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Office Hours: Mondays/Wednesdays/Fridays 10:50-11:50 am and 1:50-2:50 pm
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COURSE DESCRIPTION

This course introduces students to the theoretical frameworks, empirical cases, and cutting-edge debates in the field of international law. The course is structured in three parts. First, we will focus on the different theoretical perspectives for understanding international law such as realist, liberal, and constructivist approaches. Second, the course will examine the general principles of international law, including actors of international law, the creation and sources of international law, international law interpretation, the problem of compliance, and the relationship between international and national law. Third, we will examine five selected specialized areas of international law such as: human rights, environment, international criminal justice, trade, and the use of force.

COURSE MATERIALS

The following book is required and should be available for purchase at Sweeney’s College Books and the Book Marq.

Sean D. Murphy, Principles of International Law (St. Paul: Thomson/West, 2006).

A number of articles are also required and can be downloaded from Desire2Learn.

COURSE REQUIREMENTS

Requirements:

Attendance and participation: 10%
Mid-term exam: 40%
Final exam: 50%
Your grade is based on several contributions. First, you must do all the reading in time, attend every lecture, and actively participate in the discussion. Choosing to listen in the discussion is not acceptable. Per Marquette University’s Undergraduate Attendance Policy, you may miss no more than six sessions of the course during the semester. Each additional absence after six absences will lower your final course grade by one letter grade.

Second, one mid-term exam and the final exam will be administered on October 17 and December 16, respectively, and only in class. In the exams, you will be tested on all the materials covered in lectures and the readings. Please note that the mid-term exam will cover Part I and II of the course, and the final exam the entire semester. There will be no make-up exams except for medical or family emergencies. No extra credit will be given. I will hold a review session prior to each exam.

Please note that I have zero tolerance for academic dishonesty including cheating, dishonest conduct, plagiarism, and collusion. For more details on Marquette University’s Academic Honesty Policies and Procedures, please see: http://www.marquette.edu/mucentral/registrar/policy_honesty.shtml.

You are expected to arrive in time as late arrivals are disruptive to your fellow students. Please do not use your laptop computer during class for non-class activities (e.g., email or web-surfing unrelated to class) because it detracts from your fellow students’ learning experience.

**Grading Scale:**

- **A:** 93-100
- **AB:** 88-92.9
- **B:** 83-87.9
- **BC:** 78-82.9
- **C:** 73-77.9
- **CD:** 68-72.9
- **D:** 60-67.9
- **F:** 0-59.9

**Dates to Remember:**

- Mid-term exam: October 17.
- Final exam: December 16.
COURSE OUTLINE

PART I. THEORETICAL APPROACHES TO INTERNATIONAL LAW

1. Introduction and Course Overview (August 29)

2. What Is International Law? (August 31)
   

3. International Relations Approaches to International Law (September 2, 7, 9)
   
   (1) Realism
   (2) Liberalism
   (3) Constructivism


4. Critical Legal Studies (September 12)


5. International Law Approaches to International Law (September 14)


PART II. BASICS OF INTERNATIONAL LAW

6. Actors of International Law (September 16, 19, 21)
   (1) States
   (2) International Organizations and Nongovernmental Organizations

   Sean D. Murphy, Principles of International Law (St. Paul: Thomson/West, 2006), Chapter 2, pp. 31-63.

7. Creating International Law (September 26, 28)


8. Interpreting International Law (September 30)

   Sean D. Murphy, Principles of International Law (St. Paul: Thomson/West, 2006), Chapter 4, pp. 109-150.

9. Compliance and Enforcement (October 3, 5)


10. International Law and National Law (October 7, 10, 12)
   (1) General Principles
   (2) American Exceptionalism
   (3) Universal Jurisdiction

   Sean D. Murphy, Principles of International Law (St. Paul: Thomson/West, 2006), Chapters 7 and 8, pp. 199-234, 237-256.


**October 14: Exam Review**

**OCTOBER 17: IN-CLASS, MID-TERM EXAMINATION, 12:00-12:50 PM**

**October 19: Film Screening**


### PART III. TOPICS IN INTERNATIONAL LAW

11. **Human Rights (October 24, 26, 28, 31, November 2)**
   1. The United Nations Human Rights Regime
   2. State Ratification of International Human Rights Treaties
   3. State Compliance with International Human Rights Treaties
   4. The Power of Human Rights International Nongovernmental Organizations
   5. The Torture Debate: The Case of Israel
   6. Regional Human Rights Regimes


12. Environment (November 4, 7)


13. International Criminal Justice (November 9, 11, 14, 16)

(1) General Principles
(2) The Nuremberg and Tokyo Trials
(3) The International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda
(4) The International Criminal Court


14. Trade (November 18, 21)

(1) The General Agreement on Tariffs and Trade and the World Trade Organization
(2) World Trade Organization Dispute over Genetically Modified Organisms


15. The Use of Force (November 28, 30, December 2, 5)

(1) *Jus Ad Bellum*
(2) Humanitarian Intervention
(3) *Jus In Bello*
(4) United States War on Terror, Enemy Combatants, and International Humanitarian Law


16. Conclusion (December 7)

December 9: Exam Review

**DECEMBER 16: IN-CLASS, FINAL EXAMINATION, 3:30-5:30 PM**