MARQUETTE UNIVERSITY  
Department of Political Science  

Political Science 4601-101/5601-101  
Fall 2012  

International Law  

Mondays/Wednesdays/Fridays 2:00-2:50 pm, Olin Engineering 202  

Instructor: Dongwook Kim  
Office: William Wehr Physics Building 415  
Office Hours: Mondays 12:45-1:45 pm and 2:50-4:40 pm, Wednesdays 12:45-1:45 pm and 2:50-4:00 pm, Fridays 12:45-1:45 pm  
Email: dongwook.kim@marquette.edu  

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 relationship between international and national law, and the problem of compliance. 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 the Book Marq.  


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

COURSE REQUIREMENTS  

Requirements:  

Participation: 15%  
On-call presentation and one response paper: 10%  
Research paper: 25%  
Mid-term exam: 20%
Final exam: 30%

Your grade is based on several contributions. First, you must do all the reading on time, attend every session, and actively participate in the discussion. Choosing to listen in the discussion is not acceptable. In case you do not feel comfortable speaking in class, you may post your comments on each session’s discussion questions at the Discussions of Desire2Learn as a substitute for your class participation. Your comments should be about 200 words in length. Please post your comments by 11:59 pm of the day of that session. Late posting will not be acceptable.

Per Marquette University’s Undergraduate Attendance Policy, you may miss no more than six sessions of the course during the semester. In case you have more than six absences, you will make no bonus participation grade.

Second, you must facilitate the class discussion once during the semester. This entails preparing five minutes of remarks to get us started discussing the reading (specifically, composing three or four discussion questions about the reading and explaining why you think they are important). In general, your task is to get your fellow students riled up about the reading. I will assign two students to each session. You are welcome to meet me for advice at least one week before your presentation. You must email your discussion questions to your fellow students by 9:00 pm one day before your presentation.

You must also write one response paper that critically evaluates the reading of your presentation. The paper should not summarize the reading, but instead it should critically evaluate the argument and/or evidence, such as the reading’s strengths, weaknesses, and implications. Assuming 12 point, Times New Roman, double-spacing, and standard one-inch margins, your response paper must be at least three pages long. The paper is due at the beginning of class on the day of your presentation. Please upload a copy of your paper at the Dropbox of Desire2Learn and hand in a hard copy of your paper by that time. No late submissions will be accepted.

Third, you must write a research paper on a topic of your choice and relating to the themes of the course. In your paper, you will write about international law (but not about international organizations or nongovernmental organizations) by making a theoretically-informed argument and supporting it with empirical evidence. A critical book review will not be accepted. In case your paper topic overlaps with empirical case studies covered in the course, your paper must demonstrate substantial independent research. You are welcome to meet me for advice on your paper topic.

Assuming 12 point, Times New Roman, double-spacing, and standard one-inch margins, your paper must be no longer than 10 pages of text. Please do not cite any online sources (e.g., Wikipedia). Articles and books should be your main references. Your paper should cite at least five different outside references that are not assigned in the course.

The paper is due at the beginning of class on December 5. Please upload a copy of your paper at the Dropbox of Desire2Learn and hand in a hard copy of your paper by that time.
Late papers will be penalized one letter grade per day including weekends and holidays if turned in after class on December 5. **Note** that you have the entire semester to work on your paper. Thus, time management is your responsibility. **No** extensions. No exceptions.

Fourth, one mid-term exam and the final exam will be administered on October 15 and December 12, respectively, and only in class. Please **note** that both exams will also include a take-home essay exam. As for the mid-term exam, the essay question(s) will be distributed only in class during the exam review on October 12 and due at the beginning of class on October 17. As for the final exam, the essay question(s) will be distributed only in class during the exam review on December 7 and due at the beginning of the in-class, final exam on December 12. **No** late submissions. No exceptions. In the exams, you will be tested on **all** the materials covered in lectures and the readings. 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](http://www.marquette.edu/mucentral/registrar/policy_honesty.shtml).

All the handouts, if any, will be distributed only in class. They will be neither emailed nor posted at Desire2Learn nor kept after each class.

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:**

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<th>Grade</th>
<th>Percentage</th>
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<tr>
<td>A</td>
<td>93-100</td>
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**Dates to Remember:**

- Mid-term exam: October 15.
- Take-home essay exam: October 17.
- Research paper: December 5.
- Final and take-home essay exam: December 12.
COURSE OUTLINE

PART I. THEORETICAL APPROACHES TO INTERNATIONAL LAW

August 27: Course Overview

August 29: Introduction: What Is International Law?


August 31: Realist Approaches to International Law


September 3: No Class. Labor Day Holiday.

September 5: Case Study of Realism: Universal Jurisdiction, the International Criminal Court, and Humanitarian Intervention


September 7: Liberal Approaches to International Law


September 10: Case Study of Liberalism: Territorial Disputes


September 12: Constructivist Approaches to International Law

September 14: Case Study of Constructivism: The Mine Ban Treaty


**PART II. BASICS OF INTERNATIONAL LAW**

September 17: Actors of International Law: States


September 19: Actors of International Law: International Organizations and Nongovernmental Organizations


September 21. Creating International Law: Treaties


September 24. Creating International Law: Customary International Law and Other Sources of International Law


September 26. Interpreting International Law


September 28. International Law and National Law: General Principles


October 1: International Law and National Law: American Exceptionalism

October 3: International Law and National Law: Jurisdiction under International Law


October 5: Compliance and Enforcement


**PART III. TOPICS IN INTERNATIONAL LAW**

October 8: Human Rights: The United Nations Human Rights Regime


October 12: Exam Review

**OCTOBER 15: IN-CLASS, MID-TERM EXAMINATION, 2:00-2:50 PM**

October 17: Film Screening


**TAKE-HOME ESSAY EXAMS DUE AT THE BEGINNING OF CLASS**

October 19: No Class. Midterm Break.

October 22: Human Rights: The Death Penalty Debate

October 24: Human Rights: The Convention Against Torture and Universal Jurisdiction


October 26: Human Rights: The Dilemmas of Human Rights International Nongovernmental Organizations

Clifford Bob, “Merchants of Morality,” *Foreign Policy* 129 (March/April, 2002), pp. 36-45.

October 29: Environment: General Principles


October 31: Environment: Ozone Layer Depletion and Global Warming


November 2: Environment: Nuclear Waste


November 5: Trade: The General Agreement on Tariffs and Trade


November 7: Trade: The World Trade Organization


November 9: Trade: The Dispute over Genetically Modified Organisms

November 12: International Criminal Justice: General Principles


November 14: International Criminal Justice: The Nuremberg Trial


November 16: International Criminal Justice: The International Criminal Tribunal for the former Yugoslavia


November 19: International Criminal Justice: The International Criminal Court


November 21, 23: No Class. Thanksgiving Holidays.

November 26: The Use of Force: *Jus Ad Bellum*


November 28: The Use of Force: Humanitarian Intervention


November 30: The Use of Force: *Jus In Bello*

December 3: The Use of Force: Critical Legal Studies and International Humanitarian Law


December 5: The Use of Force: The War on Terror, Enemy Combatants, and International Humanitarian Law


RESEARCH PAPERS DUE AT THE BEGINNING OF CLASS

December 7: Conclusion and Exam Review

DECEMBER 12: IN-CLASS, FINAL EXAMINATION, 1:00-3:00 PM

TAKE-HOME ESSAY EXAMS DUE AT THE BEGINNING OF THE IN-CLASS, FINAL EXAM