

Political Science 4601
International Law
Fall Semester, 2009-10

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Office Hours:

TTH 10:00 – 12:00

W 12:00 – 2:00

(or by appointment)

Objectives: The purpose of this course is to introduce advanced undergraduate and graduate students to the origins and development of international law and its role in the conduct of international relations. Specific topics we will discuss throughout the semester include the sources and subjects of international law, international agreements, the importance of international institutions such as international courts and organizations, diplomacy, and the settlement of international disputes. The reading assignments, the essay examinations, and the term paper requirement are intended to encourage the development of analytical, research, and writing skills.

Readings:

- (1) Malcolm Shaw, International Law. Cambridge University Press, 2008 (6th ed.)
- (2) J. Martin Rochester, Between Peril and Promise. CQ Press, 2006
- (3) Recommended Website for Readings and Research: Foreign Affairs Online
(<http://www.people.virginia.edu/~rjb3v/rjb.html>)

Attendance Policy: Strongly Recommended

(Class begins promptly at 8:00 a.m. on T and TH. PLEASE BE ON TIME.)

Requirements: To perform well in this course, students will have to do the assigned readings and attend classes regularly. The examinations will draw on the readings as well as lecture notes. There will be three essay examinations during the semester: one before mid-semester, one after mid-semester, and a final.

In addition, all students must write a paper (12-15 pages), on a topic approved by the instructor, on a subject in international law of interest to them. All students must submit, in writing, their proposed paper topics by class time on Thursday, September 17. Papers are due not later than 5:00 p.m. on Thursday, November 19. Students may choose to work in groups of

two or more on a project approved by the instructor. The same deadlines that apply to individual papers apply to group projects. Students interested in working on group projects should see the instructor as soon as possible, and not later than Thursday, September 17.

Graduate Students: Graduate students enrolled in the course must consult the instructor about special requirements.

Grading Scale: The following scale will apply in assigning grades on the exams and the term paper:

93-100 A	73-77 C
88-92 A/B	68-72 C/D
83-87 B	58-67 D
78-82 B/C	-57 F

Grades for the course will be determined by applying the following formula: 25% of the scores on each of the examinations and the paper.

University Academic Honesty Policy:

In the spring of 2006 the University approved a new policy regarding academic honesty that spells out what actions would be considered dishonest and the sanctions that could apply. You are encouraged to consult pages 40-44 of the 2009-10 Undergraduate Bulletin to familiarize yourself with this new policy. The Bulletin is available on line at the Marquette.edu webpage.

COURSE OUTLINE

- I. Introduction--Major Themes, Theories and Concepts
 - A. The Nature and Development of International Law
 - Shaw, Chapters 1 and 2.
 - Rochester, Preface and Chapters 1, 2.
 - B. The Sources of International Law and the Law of Treaties
 - Shaw, Chapters 3 and 16.
 - Rochester, Chapter 3.
 - C. The Relationship Between International and Municipal Law

Shaw, Chapter 4.

II. The Community of States

A. Statehood

Shaw, Chapter 5.
Rochester, Chapter 6.

B. Recognition of States and Governments

Shaw, Chapter 9.

C. Jurisdiction and Immunities from Jurisdiction

Shaw, Chapters 12 and 13.

D. State Responsibility

Shaw, Chapter 14.
Rochester, Chapter 8.

E. State Succession

Shaw, Chapter 17.

III. International Law and the Individual

A. The Law of Human Rights

Shaw, Chapter 6.
Rochester, Chapter 4.

B. Regional Human Rights Institutions

Shaw, Chapter 7.

C. Individual Criminal Responsibility

Shaw, Chapter 8.

IV. International Institutions

A. The Development and Personality of International Institutions

Shaw, Chapter 23.

B. The United Nations System

Shaw, Chapter 22.

V. Territorial Questions

A. Territory

Shaw, Chapter 10.

B. Environmental Law

Shaw, Chapter 15.
Rochester, Chapter 8.

C. The Sea

Shaw, Chapter 11.
Rochester, Chapter 7.

VI. Settlement of Disputes

A. Peaceful Settlement of Disputes

Shaw, Chapters 18, 19.
Rochester, Chapter 5.

B. The Use of Force and Intervention

Shaw, Chapters 20, 21.

VII. Conclusion

Rochester, Chapter 9.

EVALUATION SHEET FOR TERM PAPER

Course: _____

Semester: _____

1. Table of Contents: _____

2. Clarity of Statement of Purpose: _____

3. Use of Section and Subsection Headings in Body of Paper: _____

4. Conclusion: _____

5. Citations/Footnotes/Endnotes: _____

6. Bibliography/List of References Cited : _____

7. Spelling (see notation "S"): _____

8. Sentence Structure (see notation "SS): _____

9. Word Usage (see notation "U"): _____

10. Paragraph Structure (see notation "PS"): _____

11. Punctuation (see notation "P"): _____

12. General Comments: _____

Grade: _____