

ST. LOUIS UNIVERSITY
DEPARTMENT OF POLITICAL SCIENCE
POLS-3640-01/H01 International Law
3 CREDIT HOURS, Fall 2023

Dr. Emmanuel Uwalaka
OFFICE: McGannon 150
Phone: 314, 749-5917
Classroom: Berecha 214

MW 3:10-4:25 p
HOURS MF 1 – 2:10
Tues 9 - 10:00 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. In addition, the course will examine the historical development of international law, contending perspectives and the practice of international law. We will examine the question on why emergent states in Africa and Asia accept international law based on custom? We will also look at the subjects of international law, compliance, and enforcement of international law, and discuss the question, is international law really law.

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
- E. Students will be able to identify and gather information from credible and primary and secondary sources

III. REQUIRED TEXTS

- A. Ohlin, Jens David. International Law: 2021. Evolving Doctrine and Practice.

- Foundation Press, CA. (Required)
- B. Rochester, J. Martin. 2012. *Between Peril and Promise: The Politics of International Law*. Los Angeles, Sage. (Required) A copy at Pius Library Reserve Desk

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

Note: This syllabus is subject to revision when 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. This instructor allows only two unexcused and undocumented class absences after which a student must provide documentation or explanation for being absent from class. Failure to do this will affect points for class participation.

EVALUATION

A. Methods

Midterm and final examinations, two short papers, one on a class discussion topic, a reflection paper, and class participation will be used in evaluating the performance of students. Dates for submission of short papers are on the syllabus. There is a deduction of two points each day a paper is not turned in at due date. Expectations on the short papers will be discussed in class.

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.
4. 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 | 35 |
| 2. | Final Examination | 35 |
| 3. | Two Short Papers | 10 each |
| 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.

Fall 2023 College of Arts & Sciences Policies

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 through which SLU fulfills 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 full University-level Academic Integrity Policy can be found on the Provost's Office website at: https://www.slu.edu/provost/policies/academic-and-course/policy_academic-integrity_6-26-2015.pdf.

Disability Accommodations

Students with a documented disability who wish to request academic accommodations must formally register their disability with the University. Once successfully registered, students also must notify their course instructor that they wish to use their approved accommodations in the course.

Please contact Disability Services to schedule an appointment to discuss accommodation requests and eligibility requirements. Most students on the St. Louis campus will contact Disability Services, located in the Student Success Center and available by email at Disability_services@slu.edu or by phone at 314.977.3484. Once approved, information about a student's eligibility for academic accommodations will be shared with course instructors by email from Disability Services and within the instructor's official course roster. Students who do not have a documented disability but who think they may have one also are encouraged to contact to Disability Services. Confidentiality will be observed in all inquiries.

Note: due to accreditation requirements, regulatory differences, and/or location-specific resources, the School of Law, the School of Medicine, and SLU Madrid have their own standard language for syllabus statements related to disability accommodations. Faculty in those units should seek guidance for syllabus requirements from their dean's office

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 harassment, including sexual assault, stalking, domestic or dating violence, we encourage you to report this to the University. If you speak with a faculty member about an

incident that involves a Title IX matter, **that faculty member must notify SLU's Title IX Coordinator and share the basic facts of your experience.** This is true even if you ask the faculty member not to disclose the incident. 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.

Anna Kratky is the Title IX Coordinator at Saint Louis University (DuBourg Hall, room 36; anna.kratky@slu.edu; 314-977-3886). If you wish to speak with a confidential source, you may contact the counselors at the University Counseling Center at 314-977-TALK or make an anonymous report through SLU's Integrity Hotline by calling 1-877-525-5669 or online at <https://www.lighthouse-services.com/StandardCustomURL/LHILandingPage.asp>. To view SLU's policies, and for resources, please visit the following web addresses: <https://www.slu.edu/here4you> and <https://www.slu.edu/general-counsel>.

IMPORTANT UPDATE: SLU's Title IX Policy (formerly called the Sexual Misconduct Policy) has been significantly revised to adhere to a new federal law governing Title IX that was released on May 6, 2020. Please take a moment to review the new policy and information on the following web address: <https://www.slu.edu/here4you>. Please contact the Anna Kratky, the Title IX Coordinator, with any questions or concerns.

Note: due to accreditation requirements, regulatory differences, and/or location-specific resources, the School of Law, the School of Medicine, and SLU Madrid have their own standard language for syllabus statements related to Title IX. Faculty in those units should seek guidance for syllabus requirements from their dean's office

. 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.

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.

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.

Instructor will record your presence (online) for class from time to time. 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.

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.

Students are reminded that this document is subject to revision(s) where necessary.

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.

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.

COURSE OUTLINE

- Aug. 23** **Course Overview**
What is international law? – A body of rules and norms regulating
Interactions among states
- Aug. 28, 30** **Historical Development**
Sep. 6 Early Development of International Law
From the Law of Nature to the Law of Nations
Impact of Westphalia (1648)
The Nineteenth Century
Ohlin, Jens 1-10
Rochester, 52-54
Study Questions:
1. The authority of a state to govern matters within its own borders free
From external interference is known as?
2. What do you understand by the concept of The Westphalian State
system?
- Sept. 11, 13** **Sources of International Law**
Custom
Ohlin, Jens, 33-59
Jus Cogens and Other Sources
Ohlin, 59-71
Rochester, 52-59
Study Questions:
1. What are the two traditional sources of international law?
2. What is The Vienna Convention on the Law of Treaties?
3. The “adoption” of a treaty means that states have?
4. The two roles of the International Court of Justice (ICJ) are to?
5. What are the characteristics of a treaty
6. What makes a treaty valid?
- Sept. 18, 20** **Sources of International Law (cont’d)**

- Treaties, Ohlin, 75-101
Rochester, 54-59
- Sept. 25** **Self-Executing Versus Non-Self-Executing Treaties**
Case: Foster v. Neilson
Ohlin, 101-103
- Oct. 2, 4** Termination and Modification of Treaties
Ohlin, 122-126
- Oct. 9, 11, 16** **Visions of International Politics**
Realism
Idealism
Constructivism, and
Other schools
Rochester, Chap. 2
- Oct. 18** **MID TERM EXAMINATION**
- Oct. 23, 25** **Presentation: International Law steering from customs began with the European countries sharing the same culture and religion. The question, then, is why emergent states in Africa and Asia accept international law based on custom? Each student will have not more than six minutes for an individual presentation.**
- Oct. 30, Nov. 1** **Subjects of International Law**
States: Attributes as an international legal personality
Ohlin, 131-160
- Oct. 30`** **Turn in a short paper not more than four pages (Honors students not more than 7 pages) -text only on the Oct. 23, 25 presentations.**
- Nov. 6, 8** **States (cont'd)**
Secession
Recognition of Foreign Governments
Consequences of Statehood
Ohlin, 160-185
- Nov. 13, 15** **Relationship between International Law and Municipal Law**
Monism and Dualism: What is the relationship between international and domestic law? (Short reading will be given in class)
Applying international law, 122-139
Case: The Paquete Habana, the Lola,
Ohlin, 649-655
Study Questions:
1. How does international law compare to municipal law?
- Nov. 20** **The Allocation of Competence in International Law**
Nationality
Modes of acquisition
Ways of losing nationality

Multiple nationalities
Statelessness
Nationality of other entities
Lecture notes

Nov. 22 Thanksgiving Breal

Nov. 27, 29 Compliance and Enforcement of International Law

Readings: Ohlin, 325-361

Rochester, 58-64

Study Questions:

1. Why do States obey international law?
2. How are international law enforced?
3. What is the difference between municipal law and international law?

Dec. 4 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

Dec. 6 FINALS REVIEW

Submit your reflection paper- hardcopy in class.

Dec. 11 FINAL EXAMINATION 2-3:50 PM