

ST. LOUIS UNIVERSITY
DEPARTMENT OF POLITICAL SCIENCE
POLS-3640 International Law
3 CREDIT HOURS, Fall 2022

Dr. Emmanuel Uwalaka
OFFICE: McGannon 150
Phone: 314, 749-5917
Classroom: McG 260

MWF 11:00-11:50
HOURS MWF 2:15 - 3
Tues 10-11:00 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 contending perspectives and 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, law of the sea, 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. Von Glahn, Gerhard, and Taulbee, J, Larry.2017. Law Among Nations: An Introduction to Public International Law, New York, Routledge. (Required)

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

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

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

Examinations, two short papers on two class discussion topics, and class participation will be used in evaluating the performance of students. Dates for short papers will be discussed and set during the semester. Each will preferably follow after class discussion. There is a deduction of two points each day a paper is not turned in at due date.

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 | 25 |
| 2. | Final Examination | 25 |
| 3. | Two Short Papers | 20 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 2022 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.

Additionally, each SLU College, School, and Center has its own academic integrity policies, available on their respective websites.

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.

Syllabus Statement on In-Person Class Attendance and Participation

The health and well-being of SLU's students, staff, and faculty are critical concerns, as is the quality of our learning environments. Accordingly, the following University policy statements on in-person class attendance are designed to preserve and advance the collective health and well-being of our institutional constituencies and to create the conditions in which all students have the opportunity to learn and successfully complete their courses.

1. Students who exhibit any [potential COVID-19 symptoms](#) (those that cannot be attributed to some other medical condition the students are known to have, such as allergies, asthma, etc.) shall absent themselves from any in-person class attendance or in-person participation in any class-related activity until they have been evaluated by a qualified medical official. Students should contact the [University Student Health Center](#) for immediate assistance.
2. Students (whether exhibiting any of potential COVID-19 symptoms or not, and regardless of how they feel) who are under either an isolation or quarantine directive issued by a qualified health official must absent themselves from all in-person course activities per the stipulations of the isolation or quarantine directive.
3. Students are responsible for notifying their instructor of an absence as far in advance as possible; when advance notification is not possible, students are responsible for notifying each instructor as soon after the absence as possible. Consistent with the [University Attendance Policy, students also are responsible for all material covered in class and must work with the instructor to complete any required work. In situations where students must be absent for an extended period of time due to COVID-19 isolation or quarantine, they also must work with the instructor to determine the best way to maintain progress in the course as they are able based on their health situation.](#)
4. Consistent with the [University Attendance Policy, students may be asked to provide medical documentation when a medical condition impacts a student's ability to attend and/or participate in class for an extended period of time.](#)
5. As a temporary amendment to the current [University Attendance Policy](#), all absences due to illness or an isolation/quarantine directive issued by a qualified health official, or due to an adverse reaction to a COVID-19 vaccine, shall be considered "Authorized" absences

Mandatory Statement on Face Masks (until further notice)

Throughout the COVID-19 pandemic, key safeguards like face masks have allowed SLU to safely maintain in-person learning. If public health conditions and local, state, and federal restrictions demand it, the University may require that all members of our campus community wear face masks indoors.

Therefore, any time a University-level face mask requirement is in effect, face masks will be required in this class. This expectation will apply to all students and instructors, unless a medical condition warrants an exemption from the face mask requirement (see below).

When a University-wide face mask requirement is in effect, the following will apply:

- Students who attempt to enter a classroom without wearing masks will be asked by the instructor to put on their masks prior to entry. Students who remove their masks during a class

session will be asked by the instructor to resume wearing their masks.

- Students and instructors may remove their masks briefly to take a sip of water but should replace masks immediately. The consumption of food will not be permitted.
- Students who do not comply with the expectation that they wear a mask in accordance with the University-wide face mask requirement may be subject to disciplinary actions per the rules, regulations, and policies of Saint Louis University, including but not limited to those outlined in the *Student Handbook*. Non-compliance with this policy may result in disciplinary action, up to and including any of the following:
 - dismissal from the course(s)
 - removal from campus housing (if applicable)
 - dismissal from the University
- To immediately protect the health and well-being of all students, instructors, and staff, instructors reserve the right to cancel or terminate any class session at which any student fails to comply with a University-wide face mask requirement.

When a University-wide face mask requirement is not in effect, students and instructors may choose to wear a face mask or not, as they prefer for their own individual comfort level.

ADA Accommodations for Face Mask Requirements

Saint Louis University is committed to maintaining an inclusive and accessible environment. Individuals who are unable to wear a face mask due to medical reasons should contact the Office of Disability Services (students) or Human Resources (instructors) to initiate the accommodation process identified in the University's [ADA Policy](#). Inquiries or concerns may also be directed to the [Office of Institutional Equity and Diversity](#). Notification to instructors of SLU-approved ADA accommodations should be made in writing prior to the first class session in any term (or as soon thereafter as possible).

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. 24** **Course Overview**
What is international law? – A body of rules and norms regulating
Interactions among states
- Aug. 26, 29** **Historical Development**
30 Early Development of International Law
Impact of Westphalia (1648)
The Nineteenth Century
Von Glahn and Taulbee 24-39
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. 2, 7, 9** **Sources of International Law**
International Treaties (Convention)
International Custom
Case: The Scotia, 57-58
General principles of law
Judicial decisions
Writings of publicists
Equity
Resolutions and declarations of International Organizations
Von Glahn & Taulbee, 52-73
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. 12, 14 Compliance and Enforcement of International Law

Readings: Magstadt, pp. 606-610

Mingst, pp. 250-257

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?

Sept. 16, 19 Visions of International Politics

21

Realism

Idealism

Constructivism, and

Others schools

Von Glahn & Taulbee, 11-15

Rochester, Chap. 2

Sept. 23, 26 International Agreements

Types to declarations 74-82

Formation to special problems, 82-97

Termination, 98-102

Sept. 30

Discussion: International Law steering from customs began with the European countries sharing the same culture and religion. The question, then, is how emergent states in Africa and Asia accept international law based on custom?

Oct. 3, 5, 7

Relationship between International Law and Municipal Law

Monism and Dualism: What is the relationship between international and domestic law? 121-122

Applying international law, 122-139

Case: The Paquete Habana, the Lola,

Case: Asakura v. City of Seattle,

Study Questions:

1. How does international law compare to municipal law?

Oct. 10, 12

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

Oct. 14 17

Subjects of International Law

Recognition to special cases, Von Glahn & Taulbee, 142-150

Case: The Sapphire, 150-151

State succession, 172-175

Oct. 24, 26 The Allocation of Competence in International Law

Nationality
Modes of acquisition
Ways of losing nationality
Multiple nationalities
Statelessness
Nationality of other entities
Von Glahn & Taulbee, 204-225

Oct. 19 MID TERM EXAMINATION REVIEW

Oct. 21 MID TERM EXAMINATION

Oct. 24, 26 The Allocation of Competence in International Law

Nationality
Modes of acquisition
Ways of losing nationality
Multiple nationalities
Statelessness
Nationality of other entities
Von Glahn & Taulbee, 204-225

Oct. 28 FALL BREAK

**Nov. 2, 4 State Responsibility: Responsibility for Injuries to Aliens: Apr. 7
Responsibility for Injuries to Aliens**

Circumstances precluding wrongfulness
The Rainbow Warrior
International claims
Responsibility of states for the actions of rebels and insurgent governments
Von Glahn & Taulbee, 257-284

Study Questions:

1. What do you understand by the term “international personality”?
Give two examples
2. How is international law linked to international legal personality?
3. Identify two important characteristics/attributes of a state. In what sense is the state of Missouri different from the U.S?

Nov. 7, 9, 11 The Law of the Sea

Freedom of the sea
The issue of land-locked states
Jurisdiction over vessels
Fishing
Protection of the marine environment
Resources of the deep seabed
Dispute settlement
Von Glahn & Taulbee, 286-316
Study Questions:

1. The fact that Law of the Sea treaties codify maritime practices that had been adopted by the United States and United Kingdom for decades before shows that?

- Nov. 14, 16 18 The Individual and International Law
Human Rights**
Background
Theory and practice
The UN and Human Rights
Difficulty of Implementation (See, the “UN Convention against Torture,”
in the case of Somalia
Case: Caesar v. Trinidad and Tobago, 421-422
Case: Rreshpja v Gonzales, 428-429
Von Glahn & Taulbee, 404-434
- Nov. 21, 28 Human Rights: What happened to Sovereignty?**
Treatment of aliens
Treatment of citizens
Human rights challenges in the twenty-first century
Rochester, chap 5
- Nov. 23, 25 THANKSGIVING BREAK**
- Nov. 30, Dec. 2 Ukraine-Russia Conflict: A case on human rights**
Students will do individual research and bring to class alleged cases of human rights violations.
- Dec. 5, 7 The Future of International Politics, International Law, and Global Governance**
Rochester, chap. 9
- Dec. 9 FINALS REVIEW**
- Dec. 14 FINAL EXAMINATION 8:00-9:50 AM**