



International Law

Syllabus for POL 470

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Classroom: 8:00 – 9:25 TR

Course Description

In the field of Political Science, there are no fewer than six subfields: American Political System, Law and Legalism, Normative Theory, Methodology, International Relations, and Comparative Politics. The two introductory courses you took, POL 101 and POL 102, gave broad brush strokes over all of these topics. POL 365 (Introduction to International Relations) delved into the topic of international relations more deeply. It offered what amounted to broad brush strokes of the entire IR subfield. This course examines one specific aspect of international relations — that of law between and among the states and their citizens. This course is first and foremost an International Relations course, but it adds definite aspects of Law and Legalism.

The underlying question for this year's course is 'What are the right questions?'. That is what education, at its most basic and most important level, teaches each of us. It is also that for which we should strive with our every waking breath. Once the right questions are asked, the answers usually follow quickly.

Primary Texts

The *required* book for this course:

Slomanson, William R. 2007. *Fundamental Perspectives on International Law*, 5th edn.
Belmont, CA: Thomson-Wadsworth. (ISBN: 0-495-00745-5).

The *recommended* book is:

American Political Science Association. 2001. *Style Manual for Political Science*.
Washington, DC: American Political Science Association. (ISBN: 1-878-14733-1)

The required book is available from the UT Bookstore and from neighboring bookstores. It will be used extensively in the class, so it would behoove you to get them. The Slomanson text will serve as our primary textbook.

The Style Manual is optional. It appears as though the APSA is readying itself to publish an updated edition. As such, the bookstore has limited copies of the current edition. In lieu of having you purchase the entire style manual, I have distilled the necessary portions into a document called APSA References, accessible from the website. This document provides examples of reference lists so that you format them correctly.

Class Policies and Expectations

Taking Notes

Note-taking is an essential part of any course, and in particular of any course that is introductory in nature. Not only does the act of taking notes reinforce the material in question (it is not merely read and heard, but physically reproduced), it creates a record essential to preparation for quizzes and exams. If you are forced by circumstance to miss class, you will be expected to catch up on all missed notes. Make friends in the class; they will be there if you miss a day.

Attendance

Attendance will be checked daily, on way or another. As participation is such a large part of your grade, it is very important that you show up for class and participate. Your participation indicates that you have read the assignment, applied it, and have grappled with some of the more obvious themes. I would strongly urge you to come to class with deep questions on the readings.

Behavior

All students are at all times expected to be attentive, to take part in class discussions, and above all else to be courteous and sensitive towards their fellow students. Impropriety will not be tolerated. Further, emotionally charged subject material may be dealt with in this course (ethical, bioethical, religious, political, etc.); such material requires maturity and openness to views which may conflict with ones own. Under no circumstances will racial, religious, or ethnic slurs be accepted in this course.

Writing

All assignments need to follow the style sheet for this class. All writings reflect you and your ability (thus, plagiarism will be *strongly* punished). Make sure that *you* are satisfied with your finished product. Your grade partially depends upon how well you write.

The University of Tennessee does have a Writing Center located in the Humanities (and Social Science) building. If you are unsure about your abilities, please make extensive use of them.

Disabilities

If you need course adaptations or accommodations because of a documented disability, contact the Office of Disability Services. Their phone number is (865) 974-6087. Also, as soon as reasonable, inform me of their response.

Athletics

Notify me as soon as possible if there is a conflict between an athletic performance and a class requirement. If notice is not made in a timely manner, no adjustments will be made. As an athletic calendar already exists, such notice should be forthcoming within the first week of classes. In any case, last-minute notification will not be accepted. It is your responsibility. Club athletics do not count as excused absences.

Cheating, Plagiarism, & Academic Dishonesty

Any instance of cheating, plagiarism, and/or academic dishonesty will result in an automatic failure of the course and will be dealt with according to those rules outlined in Hilltopics (pages 11, 12, 14, and 41 in the 2005/06 version). If you have yet to read the relevant sections, I strongly urge you to read them now.

Accumulation

All final drafts of papers and other assignments will be compiled into a single file for distribution to all members of the class early in the next semester. As such, all final drafts need to be handed in both hard copy and emailed to me as an attachment.

Making-up Quizzes and Exams

Quizzes and in-class activities cannot be made up under any circumstances. If you miss a test, you must speak to me on the day of return to arrange for a time and place to take the make-up test. If you fail to do this, you may receive a zero for the test. The make-up test may be different than the original test.

Preparation and Participation

You are expected to have not only done the homework, but also all of the readings. Furthermore, you are to have thought deeply about the readings. Your participation grade will depend on how well you impress me with your thoughts and shares.

Evaluation

Your grade will be based on your performance in the class. There will be just one take-home exam, and that following chapter eight. That exam is worth 100 points towards your total grade. There will be several unscheduled quizzes testing your knowledge of the readings and of current events. Participation, based on attendance and involvement, totals 100 points. The presentation/debate will also be worth 100 points.

Finally, homework assignments also contribute to the total grade. Each chapter has one 'Chapter Assignment' with two due dates. The first due date is for the rough draft of the assignment and is usually due on the day we begin talking about that chapter. The second due date is for a final draft and is usually the Tuesday following the last class period we spend on the chapter. Each student is also expected to brief *three* legal cases. There may be a few additional assignments assigned during the semester. I will let you know as the semester progresses.

Graduate Students

Graduate students will have to do a *fourth* legal brief. This brief must be of a case decided within the past two years.

Additionally, graduate students will have a second take-home exam. The exam will be distributed the class period before Thanksgiving. It is due on the date of the final exam. There is a 7500-word upper limit to your answer. This includes footnotes and reference list. On that day, you will turn in an electronic copy of your answer in Microsoft Word 'doc' format.

Grades

Grades will be posted to the website at intervals throughout the semester. They will be based on the following percentage scale:

90 – 100%	A
88 – 90%	B+
80 – 88%	B
78 – 80%	C+
70 – 78%	C
60 – 70%	D

You are responsible for tracking your grades and ensuring that what I have posted is correct.

Brief Course Outline

Chapter One: What is International Law?

- Definition of International Law
- Scope Of Intl Law
- Sources of Intl Law
- Related Disciplines
- National-Intl Law Nexus
- Is Intl Law Really Law?

Chapter Two: States

- Legal Personality
- Shifting State Infrastructure
- Recognition
- State Status and Its Changes
- State Responsibility
- Sovereign Immunity

Chapter Three: International Organizations

- Legal Personality
- Organizational Classification
- United Nations
- European Union
- Other Organizations
- Organizational Immunity

Chapter Four: Individuals and Corporations

- Legal Personality
- Nationality, Statelessness, and Refugees
- Corporate Nationality
- Injury to Aliens

Chapter Five: Extraterritorial Jurisdiction

- Definitional Setting
- Jurisdictional Principles
- Extradition
- Judicial Assistance

Chapter Six: Range of Sovereignty

- Categories of Territory
- Dominion over Land
- Law of the Sea
- Airspace Zones

Chapter Seven: Diplomatic Relations

- Diplomatic and Consular Functions
- Extraterritoriality; Diplomatic Asylum
- Immunities
- Abuses of Immunity

Chapter Eight: Treaty System

- Treaty Classification Schemes
- Treaty Formation and Cessation
- Treaty Performance
- US Treaty Practice

Chapter Nine: Arbitration and Adjudication

- Blueprints
- Alternative Dispute Resolution
- Arbitral Classifications
- Tribunals
- International Court of Justice
- International Criminal Court
- Regional Court Adjudication

Chapter Ten: Use of Force

- Definitions of Force
- UN Principles on Force
- Peacekeeping Operations
- Multilateral Agreements
- Humanitarian Interventions
- Laws of War
- Just War Theory

Chapter Eleven: Human Rights

- United Nations in Promotion of Human Rights
- Regional Approaches
- Human Rights Actors

Chapter Twelve: Environment

- UN Environmental Development Program
- Contemporary Applications

Chapter Thirteen: Economic Relations

- Economics and International Law
- World Trade Organization
- Regional Economic Associations
- New International Economic Order
- Corrupt International Transactions

End Matter

Changes and Supremacy

I reserve the right to alter anything on this document. Should it become necessary to change the syllabus, an announcement in class will be made that the new syllabus is posted on the class web site. In the event of a discrepancy between this printed syllabus and the website's syllabus, the website will take precedence.

Class Website

All classroom documents can be found at the classroom website. This website will also contain supplemental notes and documents. Anything posted to the website will be assumed read by every member of the class. Its address is: <http://web.utk.edu/~oforsber/>.