**Introduction:**

This July, Israel invaded southern Lebanon in response to Hezbollah rocket attacks and the abduction of two of its soldiers. Is such action legal? Who decides? What repercussions may ensue as a result, and who will enforce them?

Since 2001, the United States has been holding foreign enemy combatants and terrorism suspects in a detention center at its military base in Guantanamo Bay, Cuba, in lieu of due process and against the protests of most other countries. How can they do that?

This summer, the European Court of Human Rights made its first ruling against the Russian government concerning the disappearance of ethnic Chechens by the Russian military. If the court cannot enforce its decision, what then is the point of this decision?

At this very moment, former President of Liberia, Charles Taylor, is sitting in a jail cell in the Netherlands awaiting trial on 11 counts of crimes against humanity relating to the attacks of rebels in Sierra Leone. How is that possible, and how did he get there in the first place?

These current developments all hit at the very core of international law. Yet despite the widespread invocation of the concept of “international law,” there is a surprising amount of disagreement as to both its effectiveness, and even some of its foundational principles. The purpose of this course is to explore the general principles of—and current debates surrounding—international law in order to more fully understand its roles both as an instrument of, and a constraint on, state action.

**Assignments and Grading:**

The grade breakdown for the course is as follows, with each assignment explained in greater detail below:

- **Section participation:** 10%
- **Mid-term exam:** 30%
- **First case-study:** 10%
- **Second case-study:** 10%
- **Final project:** 40%

All assignments will be graded based upon the standard UW 100-point scale, with grades assigned as follows:

- **A:** 93-100
- **AB:** 88-92.9
- **B:** 83-87.9
- **BC:** 78-82.9
- **C:** 70-77.9
- **D:** 60-69.9
- **F:** 59.9 and below

**Section Participation (10%):**

The TA (Amy) will determine your section participation based upon classroom attendance and participation. It is necessary that you regularly attend both lecture and section. *Missing a class does not exempt you from the materials covered on that day.* You may want to exchange e-mail addresses with some of your classmates to get notes and other materials you might have missed. Just showing up to class...
will not ensure that you receive a satisfactory class participation grade. You will be expected to come to
class having read all of the assigned readings for that week, and had time to think critically about them.
Ensuring that everyone is familiar with the arguments put forth in the various readings is the minimum
condition for developing an effective classroom environment.

Mid-Term Exam (30%):
The midterm will be held in class on Thursday, October 19, 2006, and will count for 30% of
your final grade. The exam will be a combination of multiple-choice, short answer and a choice of a
variety of longer, analytical essay questions that will require you to use the class materials to think
critically about a question that may have not been directly addressed in class. Lecture and discussion
materials, as well as topics covered in the assigned readings—whether addressed directly in lecture—are
all fair game for exam questions. More details will be given as the exam approaches.

If you require additional time to complete the exam with a McBurney visa or other considerations
(such as using English as a second language), I have no problem in accommodating your needs as long as
you contact me at least a week beforehand so that I can make the necessary arrangements.

Note: Make-up exams will only be granted under extreme circumstances, resulting either from 1)
genuine family emergencies, 2) travel associated with university obligations (academic or athletic), or 3)
severe illness or injury. If you are traveling due to university obligations, you must inform us at least one
week prior to the event. If you are genuinely ill or injured, you will need proper documentation from your
physician. These regulations will be rigorously enforced!!!

Case Studies (2 x 10%):
Perhaps the most frustrating element of the study of international law is that authors and experts
often make references to a myriad of different legal cases in a rather flippant and offhand manner,
amsuming that you, of course, know all about each of these disputes and the implications of their
resolution. We do not expect that you know the ins and outs of every case that you come across in the
assigned readings, but these case study assignments will help you to become at least somewhat more
familiar with the substance of international law by delving into some detail into two particular cases of
your choice.

Each assignment will require you to write a 1-2 page (single spaced) executive summary of a
major dispute in international law from a list of about 500 such cases that I will provide for you. It goes
without saying that you cannot use the same case for both assignments, and we will try to minimize any
repetition of cases by students in order to ensure the greatest breadth of coverage. The summary should
include the following elements:

1) The litigants
2) A brief background of the dispute
3) The form of dispute resolution (ICJ, third party arbitration, etc.)
4) Some discussion of jurisdiction (Why is this court empowered to judge this matter?)
5) The judgment
6) Whether (or how) the judgment was enforced
   And most importantly, 7) Why we should care (or alternately, what precedent or lasting impact
does this case decision have for the development of international law?)

These case studies will help you to develop some expertise in an area of international law of your
choosing, and facilitate more in-depth participation in discussion section. The first case study will be due
in lecture on Thursday, November 2, 2006, and the second will be due in lecture on Thursday,
November 16, 2006. As will be explained in more detail below, breaches of academic integrity, including
plagiarism, will be dealt with severely.
Final Project:
In lieu of an in-class final exam, you will have a choice of two options for an 8-10 page final paper, which is to be handed-in no later than the scheduled final exam period (7:25pm, Tuesday, December 19, 2006). Regardless of the option chosen, you must submit both a hard-copy and electronic version of your final project. (This is so that we can grade the paper version to be handed back to you, while retaining an electronic copy which can be run through a computer program to uncover possible plagiarism of print and electronic sources, including other students’ submissions in this class and papers from so-called paper “mills” used at other colleges and universities. This may seem like a draconian measure, but I can assure you that it is well-justified.)

A good paper will be both persuasive and factually accurate—meaning that not only should the facts be correct, but also your argument should be comprehensive (meaningfully addressing potential rival explanations), balanced, well-organized and well-written, making appropriate use of a wide range of supporting information and evidence.

Option 1:
Following the midterm, I will distribute a topic question for you to answer. It will not require additional outside research to answer, but it will require combining and synthesizing multiple topics covered in the second half of the course with a substantial amount of original analysis.

Option 2:
The second option will allow you to further your interests in specific topics of international law (environmental law, human rights, war initiation, intellectual property rights, etc.) covered in a given week of the second section of class. After choosing a topic area, you should read both the required and recommended readings for that topic as a beginning-point for your subsequent research into the evolution, present state and possible future trajectories of international law as it relates to your chosen topic.

Questions on Assignments:
Invariably throughout the semester, students have questions about the grade they received on a particular assignment that goes beyond the given comments on the paper or exam. If you feel that you did not deserve the grade you received on a given assignment, I am certainly open to discussing the matter. However, I will insist upon the following:

1) A 48-hour “cooling off” period. Please do not approach Amy or me with questions about “why did I receive this grade” within 48-hours of having your assignment returned to you. This will allow you time to re-read the comments, and understand whatever shortcomings may be in question.
2) Come to office hours. Amy and I will not discuss individual grades during, before or after either discussion section or lecture. Questions about grades will only be considered in face-to-face discussions with Amy or myself. In the end, it is exceedingly rare that a grade will be altered—but if you can persuade me that the evaluation was in error, I am not opposed to re-evaluating the grade.
3) You have ten calendar days after an exam or paper to challenge a grade. After that, we will assume that you have accepted the grade.

Readings:
The reading schedule that follows may at first appear overwhelming, but do not panic: there are many more materials listed in the syllabus than you will be required to read. This is due to the nature of the course: in the first section of the course, there is a set list of readings required for all students, followed by a list of supplemental materials for each week which will be required reading for students enrolled for graduate credit. In the second section of the course, the recommended readings listed in the
syllabus should provide a good start for research into the particular topics addressed in each week, for those who choose to do the research paper (option 2).

All required reading materials will be included in a course reading packet that will be available for purchase at StudentPrint at Memorial Union, as well as being available on electronic reserve through Helen C. White College Library.

Words of Advice:

Keep up!

International law is one of the more difficult courses for students to take, because it spans the divide between two distinct scholarly traditions—one housed in the Department of Political Science, and the other in the Law School. Even students well-versed in one often have troubles with the other. In short, there is a lot of information to be mastered here, so don’t fall behind in the readings. In fact, it is usually helpful to take notes on each of the assigned readings in addition to the lecture notes.

Also, some international law courses require that you subscribe to the New York Times or Washington Post in order to keep abreast of relevant international developments. While you needn’t go quite that far, it would behoove you to keep up with current events. I would recommend BBC World, Jim Lehrer, or at minimum, checking-in with CNN International.

Keep clean!

Breaches of the University Code on Academic Integrity, such as cheating on exams and plagiarism are serious business. Not only are such activities contrary to your entire purpose in attending college and official university policy, I also consider such breaches a personal affront to me as both an instructor and a competent human being—so consider this your prior warning: if I discover breaches of academic integrity, I will prosecute them to the fullest extent.

According to http://www.wisc.edu/students/conduct01.htm, the University of Wisconsin defines academic misconduct in the following terms:

“Academic misconduct is an act in which a student:

a) seeks to claim credit for the work or efforts of another without authorization or citation;
b) uses unauthorized materials or fabricated data in any academic exercise;
c) forges or falsifies academic documents or records;
d) intentionally impedes or damages the academic work of others;
e) engages in conduct aimed at making false representation of a student’s academic performance
f) or assists other students in any of these acts.”

Examples of such misconduct may include, but are not limited to: cutting and pasting text from internet resources without quotation marks or proper citation; cutting and pasting text from the internet or other sources and simply changing a few words to make the plagiarism seem somehow less blatant; paraphrasing from the web without crediting the source; using notes, cell phones or other personal electronic devices during an exam; and presenting another person’s ideas, research, or words as one’s own by not properly crediting the originator.

The penalties for breaches of the University Code on Academic Integrity are steep, and you should be aware of them: at a minimum, you will flunk the assignment, and most likely the entire class. Moreover, you will be brought before an ethics review tribunal, where it will be recommended that you be suspended not only from UW—Madison, but the entire University of Wisconsin system. Note will be made of your transgressions in your UW file—which will be made known to any other university that you may look to enroll in. Needless to say, most universities would be reluctant to accept a known cheater or plagiarizer to their institutions, and many employers would be reluctant to hire someone with such marks in their file. So, long story short: don’t waste my time, don’t waste your time—just don’t do it.
Schedule of Lectures and Readings:

Section I: International Law Concepts and Theories

Week 1: Course Introduction: International Law Today
   Tuesday, September 5  
   Thursday, September 7

Required Readings:

Recommended Readings:

Week 2: International Law: Evolution, Concepts, Sources
   Tuesday, September 12  
   Thursday, September 14

Required Readings:

Recommended Readings:
PS316: Principles of International Law


Week 3: Approaches to International Law

Tuesday, September 19
Thursday, September 21

Required Readings:

Recommended Readings:

Week 4: International Law Meets Mainstream International Relations Theories

Tuesday, September 26
Thursday, September 28

Required Readings:
**PS316: Principles of International Law**


**Recommended Readings:**


- Chapter 4, “Classical Realism (including George F. Kennan’s ‘Diplomacy in the Modern World’ and Dean Acheson’s “Remarks”),” 94-109.


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**Week 5: Cooperation and Compliance with International Law**

**Tuesday, October 3**

**Thursday, October 5**

**Required Readings:**


**Recommended Readings:**


Downs, George W., David M. Rocke, and Peter N. Barsoom. 1996. “Is the Good News about Compliance...
Week 6: The Problem of Borders and Jurisdiction
Tuesday, October 10
Thursday, October 12
Required Readings:
Recommended Readings:

Week 7: Review and Midterm
Tuesday, October 17: In-class review
Thursday, October 19: Midterm

Section II: Topics in International Law, Old and New

Week 8: War Initiation and Terrorism
Tuesday, October 24
Thursday, October 26
Required Readings:
International Court of Justice. 2004. “Advisory Opinion: Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory.”
Recommended Readings:
Meron, Theodor. 1992. “Shakespeare's Henry the Fifth and the Law of War.” *American Journal of...
Week 9: Sanctions and Military Intervention
Tuesday, October 31 (Happy Halloween!)
Thursday, November 2 (First Case Study Due)

Required Readings:

Recommended Readings:

Week 10: War Crimes, Crimes against Humanity and Genocide
Tuesday, November 7
Thursday, November 9

Required Readings:
**PS316: Principles of International Law**


**Recommended Readings:**


**Week 11: Human Rights**

**Tuesday, November 14**

**Thursday, November 16 (Second Case Study Due)**

**Required Readings:**


**Recommended Readings:**


Week 12: Arms Control

Tuesday, November 21

Thursday, November 23 (No class—Thanksgiving recess)

Required Readings:


Recommended Readings:


Week 13: Prisoners of War

Tuesday, November 28

Thursday, November 30

Required Readings:


Recommended Readings:


Week 14: Environmental Protection  
Tuesday, December 5  
Thursday, December 7  
Required Readings:  
Recommended Readings:  
Ibid., Chapter 10, “Freshwater Resources,” 459-498.  
Ibid., Chapter 12, “Hazardous Substances and Activities,” 618-674.  
Ibid., Chapter 14, “The Polar Regions: Antarctica and the Arctic,” 710-731.  
Week 15: Free Trade and Intellectual Property Rights  
Tuesday, December 12  
Thursday, December 14  
Required Readings:  
Recommended Readings:  
Final Exam: 7:25pm, Tuesday, December 19, 2006: 22 Ingraham Hall