

Spring 2-1-2002

PSC 433.01: International Law and Organizations

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UNIVERSITY OF MONTANA
Department of Political Science

Political Science 433E
Introduction to International Law
Spring Semester, 2002

F.L. Grieves
Office: LA 352
Hrs.:

The course purpose is to provide an introduction to classical principles and contemporary issues of international law.

Course objectives: Upon successful completion of this course, the student should be able to demonstrate 1) factual knowledge of basic principles of classical and contemporary international law, as well as a sense of enduring ethical themes, 2) introductory familiarity with legal research sources, and 3) competence in writing a formal research paper and related exercises, which will be presented orally in class.

Terry Nardin and David Mapel, Traditions of International Ethics (Cambridge University Press, 1992), identify twelve major ethical traditions, five of which receive attention in this course: international law, realism, natural law, liberalism and human rights. Successful completion of this course will provide an upper-division understanding of the following ethics issues from an international legal perspective:

1. a review of ethics themes posed by national sovereignty, the Westphalian system, individual rights, and jus cogens;
2. international political morality as discussed by realists, idealists, communitarians and cosmopolitans;
3. international legal philosophies espoused by naturalist, positivist and eclectic (Grotian) schools of thought, as well as those of monists and dualists;
4. alternative international legal perspectives (world law, transnational law, supranational law);
5. human rights v. states rights under international law; and
6. law v. power (pacifism, amoral realism, principled realism) and just war theory (jus ad bellum and jus in bello)

Achievement of these objectives will be measured by oral case briefings and discussions, a midterm and final reviewing course material and ethical principles covered, a research paper covering an international law topic and examining law as a normative constraint on national power, and an ethics essay taking a position on an international law problem.

1. Basic reading for the course will be assigned from:

W. Slomanson, Fundamental Perspectives on International Law (3rd ed.)

--L. Henkin et al., Intl Law: Cases & Materials (3rd ed) and Wm Bishop, Intl Law casebook (3rd ed)--on reserve in Library

2. Students will be expected to prepare in advance the case materials from the reading as the basis for class discussion. The preparation of case briefs will be explained in class. Regular attendance, preparation and participation will be an important part of the course grade.

3. Writing assignments due (3-5 pages): a) Paraphrase/Summary: due by Feb 22 (Fri); b) Ethics Essay: due April 26 (Fri). Assignments (10 points each) will be explained in class & may be re-written.

4. A 10-15 page term paper will be assigned & explained in class. Topic picked by Feb 22 (Fri); paper due March 27 (Wed) at BEGINNING OF CLASS. Late papers WILL NOT be graded, but are required for completing the course. Style manual: Kate L. Turabian, A Manual for Writers of Term Papers, Theses, and Dissertations (6th ed.). Papers are graded on the basis of use of legal scholarly resources, organization and clarity of prose (incl. grammar, punctuation & spelling) and formal paper mechanics (Turabian manual) (50 points)

5. There will be a 1-hour midterm (100 points) & 2-hour final: (200 points)

MIDTERM: March 8 (Fri)

FINAL: May 17 (Fri)--10:10-12:10

| <u>Course Outline</u> | <u>Reading</u> (Slomanson) |
|---|-------------------------------|
| I. Nature, Sources, History of Intl Law: The State and Human Values | Ch. 1 |
| II. Membership in the Intl Community | Ch. 2 |
| III. Jurisdiction (Land, Sea, Persons) | Ch. 6, 5, 3 |
| IV. Individuals: Protecting People in a World of States | Ch. 4, 11 |
| V. Diplomacy: Statesmanship and Ethical Choices | Ch. 7 |
| VI. Treaties (& other intl agreements) | Ch. 8 |
| VII. Modes of Redress Short of War, War & Neutrality | Ch. 9, 10 |
| VIII. Future of International Law: Ethical Relationships and Choices | Ch. 12, 13 |

Additional materials will be handed out in class.

Grading: Midterm (100 points)--25 % of final grade
Paraphrase/Summary (10 points)
Ethics Essay (10 points)
Research Paper (50 points)
Oral Participation/Attendance (30 points)
Written/oral exercises (100 points)--25 % of final grade
Final (200 points)--50 % of final grade

Grading scale: total score ÷ 4 (90s = A, 80s = B, 70s = C, 60s =
D, 59 & below = F)

NOTE: Mon, Mar 11: last day to drop classes or change grading
option

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