POLI 4041  International Law
Spring Intersession 2010
M-S: 9:00-12:30pm Room 218 Stubbs Hall

Instructor: Dr. Harry Mokeba
Office: 209 Stubbs Hall

Office Hours: 1-3 M&Th
Tel: 578-2143

OBJECTIVE: The course is designed to provide a helpful insight into International Law. This is a sub discipline of political science and it has much controversy and debate surrounding it. We will examine both the Case Law and the politics involved and reflect on how International Law has evolved through time. By the end of this short period of learning, students should have obtained the necessary tools for explaining the continued value of International Law in world affairs.

TEXTBOOKS: There is only one textbook required for the course and should be purchased by everyone.

  Conway Henderson: Understanding International Law

STUDENT RESPONSIBILITIES: You are required to attend all class sessions and to do all assignments on time. Active participation is class discussion is also encouraged.

EXAMS and SHORT PAPER: There will be an early TAKE HOME EXAM (that covers the material from the first day’s lecture); a midterm In-Class Exam (that covers the lectures on Sources and Subjects) and an In-Class final (that will consist of the material covered in the last part of the semester). Finally, you will be required to write a short paper of about 5 pages (on the Problems and Prospects of International Law in the contemporary era).

GRADES: Your final grade will be determined according to the following formula:

<table>
<thead>
<tr>
<th>Component</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class Participation</td>
<td>10 points (daily)</td>
</tr>
<tr>
<td>Early Take Home</td>
<td>10 points (Tues. May 24)</td>
</tr>
<tr>
<td>Mid-Term Exam</td>
<td>20 points (Sat. May 29)</td>
</tr>
<tr>
<td>Short Paper</td>
<td>10 points (Tues. June 01)</td>
</tr>
<tr>
<td>Presentation</td>
<td>10 points (Tues. June 01)</td>
</tr>
<tr>
<td>Final</td>
<td>40 points (Wed. June 02)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grade</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>87-100</td>
</tr>
<tr>
<td>B</td>
<td>86.9-77</td>
</tr>
<tr>
<td>C</td>
<td>76.9-67</td>
</tr>
<tr>
<td>D</td>
<td>66.9-60</td>
</tr>
</tbody>
</table>
LECTURE OUTLINE and READING ASSIGNMENT

Thurs. May 20  
**Course Introduction:**
*Nature & Function: Municipal vrs. International Law
*The Peculiarities – Dualism/History/Politics and Precedents

Reading: Henderson: Chapter 1 & 4

Fri/Sat. May 21/22  
**The Sources of International Law**
*Where does this law come from?
*Role of Art 38
*Article 38 a to d
*Other Sources

Reading: Henderson: Chapter 3

Mon. May 24  
**The Subjects of International Law**
*Legal personality idea
*The state / International Organizations / Individuals

Reading: Henderson: Chapter 2, Chapter 5; pp 132-139; chapter 10

Tues May 25  
**Settlement of International Disputes**
*Definition & Types
*Arbitration in International Law
*Adjudication: The role of the I.C.J. and other Tribunals

Reading: Henderson Chapter 6; pp 163-74

Wed/Th. May 26-27  
**Jurisdiction and Sovereignty**
*Principles of Jurisdiction
*Extradition/Extra Territorial Jurisdiction
*Law on Territory /Maritime Areas/Airspace

Reading: Henderson: Chapter 5

Fri. May 28  
**Laws of War, Diplomacy and Commerce**
*Prohibition of the Use of Force
*Law on Treaties/ Law on Diplomacy
*Law on Nationality/Nationalization

Reading: Chapter 7, 8, 9, & 12
Sat. May 29
In class Exam on Sources and Subject (Midterm 9:00-10:30 am)
Exhaustive Overview for Final (10:30-12:30)

Mon. May 31
**Work on Paper**
Problems and Prospects in Contemporary International Law
Reading: chapter 13

Tues June 01
**Paper Due**
**Presentation of Findings**
**Review Session** (if necessary)

Wed June 02
**In-Class Final Exam**: 9:00-11:30pm