LSTD306

Course Summary

Course : LSTD306 **Title :** International Law
Length of Course : 8
Prerequisites : IRLS210 **Credit Hours :** 3

Description

Course Description: This course introduces students to the nature, development, principles, and processes of the law that applies among nations. Students will evaluate the various implications of state sovereignty as viewed through the prism of public international law. Specific topics include the sources of international law such as custom and treaty, the role of international organizations such as the United Nations, the bases of international jurisdiction, and international norms governing recognition, nationality, the global environment, protection of human rights, and the use of force. This course introduces the student to the basic principles and practices of international law and legal regimes and examines traditional and emerging topics in the field: human rights, the Law of the Sea, the Law of Armed Conflict, War Crime Tribunals, and the International Criminal Court.

Course Scope:

The purpose and scope of this course is to provide students with a theoretical foundation and issue area knowledge for the study of International Law that facilitates an understanding of international legal norms and regimes. The changing global system has seen the emergence of transnational and international issues that are prompting new legal mechanisms to address these problems. Within this course, the student will investigate the basic structure and actors within the international legal system. Specific issues areas will be covered including: the law of the sea, the law of armed conflict, environmental law, human rights laws, and war crime tribunals.

Objectives

Upon successfully completing this course, students will be able meet the following learning objectives:

- Describe the nature, development, and sources of international law
- Evaluate the legal, economic, political, social, and strategic implications of state sovereignty
- Recognize the meaning and significance of nationality
- Apply the principles of international jurisdiction in a variety of factual contexts
- Identify the legal principles of maritime jurisdiction, boundaries, and navigational regimes.
- Explain the legal principles governing the resort to armed force and the conduct of states and individuals during armed conflict

- Summarize the role and limitations of international law in protecting the global environment
- Articulate the significance of the emergence of the individual as a subject of international law
- Critique the development of the concept of international criminal responsibility
- Analyze contemporary global events utilizing international law as a background

Outline

Week 1:

Topics

The Nature, Development, and Sources of International Law

Objectives

Evaluate the influences on the development of international law and their significance over time.

Describe the evolution and structure of the international system.

Explain the sources of international law and the manner in which international law is created.

Readings

Text, Chapters 1 & 2

Week 1 Lesson

Recommended Reading for Week 1:

Harlan Grant Cohen, *Finding International Law: Rethinking the Doctrine of Sources*, 93 Iowa L. Rev. 65 (2007-2008).

- Available in Nexis Uni in the APUS Library.

[Harold Hongju Koh, *Why Do Nations Obey International Law?* (1997).](#)

- Available at the above link.

Assignments

Introduction

Week 1 Forum

Week 2:

Topics

Statehood and International Organizations

Objectives

Explain the roles of states and their creation. Critique the economic, political, social, legal, and strategic implications of state sovereignty.

Explain international organizations and their role in the development and implementation of international law.

Readings

Text, Chapter 3

Week 2 Lesson

Recommended Reading for Week 2:

Robert Weston Ash, *Is Palestine A "State"? A Response to Professor John Quigley's Article, "The Palestine Declaration To The International Criminal Court: The Statehood Issue*," 36 Rutgers L. Rec. 186 (2009).

- Available in Nexis Uni in the APUS Library.
- You will find this of value when writing your Week 2 forum post.

Assignments

Week 2 Forum

Week 3:

Topics

Relationship Between International and Municipal Law

Treaties and Legal Process

Objectives

Analyze the various methods of international dispute resolution.

Explain international agreements and their role in the development and enforcement of international law.

Readings

Text, Chapters 4 & 5

Week 3 Lesson

Recommended Reading for Week 3:

Frederic L. Kurgis, *Enforcing International Law*(1996), available at: https://www.asil.org/insights/volume/1/issue/1/enforcing-international-law.

- Available at the above link.

Assignments

Week 3 Forum

Research Paper Due (see Assignments tab for details)

Week 4:

Topics

Legal Rights and Duties of International Persons

International Humanitarian Law

Objectives

Articulate the significance of the emergence of the individual as a subject of international law and state responsibility.

Evaluate how international human rights law protects individuals regardless of nationality

Readings

Text, Chapter 6

Week 4 Lesson

Recommended Reading for Week 4:

A Summary of United Nations Agreements on Human Rights, available at: http://www.hrweb.org/legal/undocs.html.

- Available at the above link.

United Nations Human Rights Office of the High Commissioner, *International Human Rights Law*, available at: http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx.

- Available at the above link.

Assignments

MIDTERM EXAM covering all material from Weeks 1-4.

Week 5:

Topics

Foreign Relations Law and the United States

Jurisdiction

Objectives

Evaluate the United States' application, development and enforcement of international law.

Apply the principles of international jurisdiction in various contexts.

Readings

Text, Chapters 7, 8 & 9

Week 5 Lesson

Recommended Reading for Week 5:

[John G. McCarthy, *The Passive Personality Principle and Its Use in Combatting International Terrorism, 13 Fordham Int'l. L. J. 298 (1989).*](#)

- Available in Nexis Uni in the APUS Library and at the above link.

Assignments

Week 5 Forum

Week 6:

Topics

Law of the Sea

Objectives

Analyze the legal principles of maritime jurisdiction, boundaries, and navigational regimes.

Readings

Text, Chapter 10

Week 6 Lesson

Recommended Reading for Week 6:

[Mark Weston Janis, *The Interpretation of International Maritime Conventions in United States Law* (1990).](#)

- Available at the above link.

Assignments

Week 6 Forum

Week 7:

Topics

International Law and Protection of the Environment

Objectives

Articulate the role and conduct of adjudication in international law.

Evaluate global agreements and organizations implementing efforts in response to environmental problems.

Readings

Text, Chapter 11

Week 7 Lesson

Recommended Reading for Week 7:

Joseph DiMento, *International Environmental Law: A Global Assessment,* 33 ELR 10387 (2003).

- Available in Nexis Uni in the APUS Library.

Assignments

Week 7 Forum

Week 8:

Topics

Use of Force

War Crimes and Tribunals

Objectives

Explain the legal principles that govern the resort to armed force and the conduct of states and individuals during armed conflict.

Readings

Text, Chapter 12

Week 8 Lesson

Recommended Reading for Week 8:

Muna Ndulo, *International Lawand the Use of Force: America's Response to September 11*, Cornell Law Faculty Publications, Paper 56 (2002).

- Available in Nexis Uni in the APUS Library and at the above link.

Beth Van Schaack, *The Killing of Osama Bin Laden & Anwar Al-Aulaqi: Uncharted Legal Territory* (2012).

- Available at the above link.

Assignments

FINAL EXAM covering all material from Weeks 5-8.

Evaluation

The grading will be based on seven graded forum assignments, a research paper, as well as an open book midterm and final examination.

1. **Assignments & Forum Participation:** There will be various forums and a research assignment during the course. They are selected to provide the student with hands on experience in applying the law and theories being discussed. Please see the Forums tab and Assignments tab for more information.

2. **Exams:** The midterm and final exams will be taken open book. The exams will be posted in the electronic classroom under "Tests and Quizzes" during the week in which they are due. These examinations will cover selected sections of the textbook and assigned reading. They will consist of True/False, multiple choice, fill in the blank, and essays.

3. **Grades:** See Syllabus link in the classroom. Under "APUS Policies," click on "Grading Policy" for detailed information.

Grading:

Name	Grade %
Forums	40.00 %
Introduction	5.71 %
Week 1 Assignment	5.71 %
Week 2 Assignment	5.71 %
Week 3 Assignment	5.71 %
Week 5 Assignment	5.71 %

Week 6 Assignment	5.71 %
Week 7 Assignment	5.71 %
Exams	50.00 %
Midterm	25.00 %
Final	25.00 %
Research Paper	10.00 %
Research Paper	10.00 %

Materials

Book Title: Bluebook: Uniform System of Citation, 20th ed. - available online through the APUS Online Library: http://ezproxy.apus.edu/login?url=https://www.legalbluebook.com

Author: Harvard, Columbia Law Review

Publication Info: Harvard, Columbia Law Review

ISBN: 9780692400197

Book Title: Public International Law in a Nutshell, 5th ed. - e-book available in the APUS Online Library; link also provided in the clasroom Lessons section

Author: Buergenthal, Thomas

Publication Info: West Academic

ISBN: 9780314279965

Required:

Thomas Buergenthal and Sean D. Murphy, *Public International Law In a Nutshell* (5th ed. 2013).

All assigned chapter readings in the textbook may be found within the Lessons tab of the classroom or via the above link for free. You may also purchase the textbook at your own expense via multiple book sellers.

Recommended Reading for Week 1:

Harlan Grant Cohen, *Finding International Law: Rethinking the Doctrine of Sources*, 93 Iowa L. Rev. 65 (2007-2008).

- Available in Nexis Uni in the APUS Library.

Harold Hongju Koh, *Why Do Nations Obey International Law?* (1997).

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Recommended Reading for Week 2:

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- Available at the above link.

Recommended Reading for Week 5:

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Recommended Reading for Week 6:

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Recommended Reading for Week 7:

Joseph DiMento, *International Environmental Law: A Global Assessment,* 33 ELR 10387 (2003).

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Recommended Reading for Week 8:

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- Available in Nexis Uni in the APUS Library and at the above link.

Beth Van Schaack, *The Killing of Osama Bin Laden & Anwar Al-Aulaqi: Uncharted Legal Territory* (2012).

- Available at the above link.

Additional Resources: *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et. al. eds., 20th ed. 2015). You may access it for free at https://apus.libguides.com/APUS_ePress/bluebook

This may also be purchased at your own expense in hard copy or online at:
http://www.legalbluebook.com/Purchase/Products.aspx It is a recommended resource, but not required.

Web Sites: In addition to the required course texts, the following public domain web sites are useful. Please abide by the university's academic honesty policy when using Internet sources as well. Note web site addresses are subject to change.

Site Name	Web Site URL/Address
United Nations	http://www.un.org/
Electronic Information System for International Law	http://www.eisil.org
U.S. Department of State	http://www.state.gov
American Society of International Law	http://www.asil.org
European Union	http://europa.eu/index_en.htm
North Atlantic Treaty Organization	http://www.nato.int/
International Court of Justice	http://www.icj-cij.org/homepage/
International Criminal Court	http://www.icc-cpi.int/en_menus/icc/Pages/default.aspx
International Monetary Fund	http://www.imf.org/external/index.htm
World Bank	http://www.worldbank.org/
Office of the High Commissioner for Human Rights	http://www.ohchr.org/EN/Pages/WelcomePage.aspx

Course Guidelines

CITATION AND REFERENCE STYLE

The central function of legal citation is to allow the reader to efficiently locate the cited source. All courses in the Legal Studies program require that any narrative essay or composition format follow the legal citation guidelines set forth in *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et. al. eds., 20th ed. 2015). More information can be found in the Web Resources and Course Material links in the classroom.

WRITING EXPECTATIONS

Writing must be well organized and presented in a way that clearly conveys your thoughts, using full sentences, correct spelling, and proper grammar. I prefer that you use the active voice, and ask that you avoid military jargon, slang, abbreviations, and text-speak. All written submissions should be typewritten in Times New Roman 12-point font and submitted inside the electronic classroom (unless classroom access is not possible and other arrangements have been approved by the professor). Top, Bottom, Left Side and Right Side margins should be one inch, with reasonable accommodation being made for special situations and online submission variances.

LATE ASSIGNMENTS

Students are expected to submit classroom assignments by the posted due date and to complete the course according to the published class schedule. As adults, students, and working professionals I understand you must manage competing demands on your time. Should you need additional time to complete an assignment please contact me before the due date so we can discuss the situation and determine an acceptable resolution. Routine submission of late assignments is unacceptable and may result in points deducted from your final course grade.

Deductions:

Late forum posts can be penalized up to 5 points per day

Late assignments can be penalized up to 5 points per day

NETIQUETTE

Online universities promote the advance of knowledge through positive and constructive debate--both inside and outside the classroom. Discussions on the Internet, however, can occasionally degenerate into needless insults and "flaming." Such activity and the loss of good manners are not acceptable in a university setting--basic academic rules of good behavior and proper "Netiquette" must persist. Remember that you are in a place for the fun and excitement of learning that does not include descent to personal attacks, or student attempts to stifle the discussion of others.

- **Technology Limitations:** While you should feel free to explore the full-range of creative composition in your formal papers, keep e-mail layouts simple. The Educator classroom may not fully support MIME or HTML encoded messages, which means that bold face, italics, underlining, and a variety of color-coding or other visual effects will not translate in your e-mail messages.
- **Humor Note:** Despite the best of intentions, jokes and--especially--satire can easily get lost or taken seriously. If you feel the need for humor, you may wish to add "emoticons" to help alert your readers: ;-), :)

DISLCAIMER STATEMENT

Course content may vary from the outline to meet the needs of this particular group.

ONLINE LIBRARY

The Online Library is available to enrolled students and faculty from inside the electronic campus. It provides access to subscription article databases, periodicals, books, video and more to support your research and studies. In addition, the Online Library provides access to special learning resources like tutoring services

and Turnitin.com, which the University has contracted to boost your academic success.

- ***Library Course Guides:*** APUS librarians have created guides for each degree program and many courses. Each guide compiles the most relevant research tools (subscription article databases, journals and ebooks), as well as authoritative websites, multimedia and more. Explore the guides at http://apus.campusguides.com/ .
- ***Ask a Librarian:*** *Librarians are on duty approximately 18 hours per day, 365 days per year. At* http://apus.libanswers.com/*, you can search for answers to library questions, or use the "*Ask*" button to submit a question of your own.*
- ***Speak with a Librarian:*** Librarians are now available on Adobe Connect, so that you may speak live and ask questions. You can speak with a Librarian by logging in here: https://apus.adobeconnect.com/speakwithalibrarian
- ***Electronic Books and Journals:*** You can use the online library to access over 150,000 ebooks and 40,000 journals, which are licensed for use by APUS students and faculty only. Visit the *Licensed Library Databases* guide to explore search options.
- ***Research and Writing Help****: Librarians have created tutorials for college-level research and writing.* Click here to explore them all*.*
- ***Online Tutoring****: AMU and APU students are eligible for up to 10 free hours of online tutoring provided by APUS. Some military students are eligible for additional hours through their Armed Forces education offices. For more information, visit http://apus.campusguides.com/tutor.*
- ***Interlibrary Loan and other services:*** when you need a book or article not held in the APUS Online Library, you may request it via interlibrary loan (ILL). Read more about ILL and other library services.

TURNITIN.COM

Turnitin.com is a tool to improve student research skills that also detects plagiarism. The site provides resources on developing topics and assignments that encourage and guide students in producing papers that are intellectually honest, original in thought, and clear in expression. This tool helps ensure a culture of adherence to the University's standards for intellectual honesty. **Turnitin.com** also reviews students' papers for matches with Internet materials and with thousands of student papers in its database, and returns an Originality Report to instructors and/or students.

University Policies

Student Handbook

- Drop/Withdrawal policy
- Extension Requests
- Academic Probation
- Appeals
- Disability Accommodations

The mission of American Public University System is to provide high quality higher education with emphasis on educating the nation's military and public service communities by offering respected, relevant, accessible, affordable, and student-focused online programs that prepare students for service and leadership in a diverse, global society.