

FD 99
Am

POL 374: INTERNATIONAL LAW

SYLLABUS

Wayne M. Tanna, J.D., LL.M.
FALL 1999
Time TR 14:00-15:20

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Textbook: PUBLIC INTERNATIONAL LAW, Ray August

Summary: A study of the origin and development of international law and its place in the world today.

Course Objectives and Student Responsibilities

To learn and refine methods of legal reasoning and analysis, and apply these to problems arising in the "real" world, using the following steps:

- a) Applying the rules of law to specific facts, either real-life or hypothetical;
- b) Discerning the range of possible outcomes or results;

Study methods of analysis and interpretation of international law.

Understand the basic principles of law that are derived from international law and relate them to current situations.

Learn the nature of law, how laws are made, and the complex interactions between law and social, political, and economic forces.

To explain legal terms in simple, plain, and yet accurate English so that such terms will be of use to you.

To develop an increased awareness of the role that international law has in everyday life.

To raise and discuss issues in regard to areas which relate to the ethical or moral considerations behind international law.

Course Competencies: Upon satisfactory completion of the course the student should be able to:

General:

Demonstrate a broad understanding of the role played by international law--its involvement and procedures.

Recognize broad principles of international law.

Specific:

Explain the nature and sources of international law.

Explain the general concepts of public international law.

Understand the basis and purpose of international law.

International law and other law.

The creation of international law.

International legal capacity.

The status and jurisdiction of States.

Persons in international law.

International actions.

International cooperation.

International dispute resolution.

The use of force.

NAFTA.

U. S. laws and the GATT

Licensing and technology transfers.

To achieve the above objectives and competencies, students are expected to attend all classes; complete all written and reading assignments as advance class preparation; take an active part in class discussions; organize and participate in a study group (optional); brief all the assigned cases; and write critical analyses for all assigned problems.

Grades: There will be two (2) essay examinations [one midterm and one final] given throughout the semester. These exams will be cumulative. This comprehensive nature is to assist the student in discerning the interrelationships among legal and societal concepts in the course. Your grade for this course will be determined by the weighted average of these two examinations, in class case briefs and presentations, and class participation.

(If there is any student in this class who has need for special accommodations for test-taking or note-taking, please feel free to come and discuss this with me.)

40%	Final Examination (see final examination schedule for the date and time).
20%	In-class briefs and presentations. (Briefs will be assigned in the second week of class.) Classwork, Participation, and attendance. Expert system will be used.
40%	One (1) Midterm Exam (date to be announced)
<u>100%</u>	

THE POLICY AND REGULATIONS OF THE UNIVERSITY ON ACADEMIC DISHONESTY WILL BE STRICTLY ENFORCED IN THIS COURSE.

ATTENDANCE AND PARTICIPATION: Attendance and participation are required. If you are absent, you must check with the instructor or a fellow student to learn of any changes in assignments or exam schedules, and you will be responsible for any information provided in the missed class.

The instructor reserves the right to issue an automatic "F" grade to any student that is chronically absent (Absences exceeding 20% per calendar month will be considered to be chronic). This will occur if a student neglects to explain to the instructor the reasons for the absences.

Further, please note that a rule in my class is the primacy of the TEXTBOOK. If for some odd reason there happens to be a conflict between what I say in the lecture and what is written in the textbook; the textbook will control. This means that the correct answer for the exam will be that which is found in the textbook and not that given in class. Generally, there is no conflict between the lecture and the textbook.

MAKE-UP EXAMINATIONS will be given only at the option of the instructor; immediate arrangements must be personally made by any student that misses an exam, and there must be a showing of good cause before any make-up test will be allowed.

NO EXTRA CREDIT IN THIS CLASS. To do well in this course, all that is required is to study hard and to do your best on the exams. However, this may be negotiated with your instructor.

THE THIRTY MINUTE RULE: THERE MAY BE TIMES WHERE DUE TO CIRCUMSTANCES THAT ARE BEYOND MY CONTROL I WILL NOT BE ABLE TO START THIS CLASS ON TIME. IF THIS SHOULD OCCUR YOU ARE TO WAIT FOR THIRTY MINUTES BEFORE LEAVING CLASS. IF YOU CHOOSE NOT TO WAIT YOU WILL STILL BE RESPONSIBLE FOR ANY MATERIAL THAT IS DISCUSSED IN CLASS.

HOW WILL THE SUBJECT OF LAW BE PRESENTED BY YOUR INSTRUCTOR?

Lecture will be the main method: This is where the law will be stated for you. However, students will be engaged to participate in class discussions on a daily basis. At the same time, please remember that, in class, the encouragement and allowance of student views are structured so the learning process is maximized for all students and class discussions are not monopolized or dominated by only a few students.

Reading is supplemental to the lecture and advanced preparation of the assigned reading will greatly enhance the student's understanding of the materials presented in the lecture.

The cases and problems that are presented will make the law meaningful. Each student will have the opportunity to brief selected cases or to answer selected problems. These cases will be found in the textbooks or in handouts and will be discussed in class.

There will be times when you may not understand the material being covered in class. If this occurs, please do not be afraid to interrupt the instructor and ask the instructor to repeat or explain the part that you did not understand. If you are not comfortable with interrupting your instructor during the class session, please feel free to see your instructor after class or at the instructor's office. Depending on how you feel about working with others in your class, it may be a good idea to form a study group of three to five of your fellow students to review the subject matter every two weeks or a few days before each examination; you may find that this type of study or support group is a good way to learn from and with one another. You may also find that you study and learn better on your own.

I also encourage the expression of student views in my classes. If you have any suggestions on how to improve the course, even as the course progresses, please feel free to raise those suggestions with me. MAHALO.

A NOTE ON ENGLISH--Whether we like it or not, English is the language of communication in this course. Thus, it is important that correct English Grammar and spelling is used. In our class discussions, informal or "pigeon" English may be used so long as it is designated and recognized as such. However, on exams, formal and correct English will be expected to be used.

Caveat: ALL DISCUSSIONS AND EXAMPLES IN THIS CLASS ARE TO BE USED FOR ACADEMIC PURPOSES ONLY. THE EXPLANATIONS GIVEN BY YOUR INSTRUCTOR ARE NOT TO BE CONSTRUED AS LEGAL ADVISE. AS INDIVIDUAL SITUATIONS ARE UNIQUE, A SOUND LEGAL OPINION WOULD REQUIRE INTENSIVE INVESTIGATION AND RESEARCH. ACCORDINGLY A SOUND LEGAL OPINION CAN NOT BE RENDERED WITHIN THE TIME LIMITATIONS OF A CLASS DISCUSSION. IF YOU HAVE A LEGAL PROBLEM, CONSULT AN ATTORNEY THAT PRACTICES IN THE AREA OF LAW IN WHICH YOU ARE EXPERIENCING DIFFICULTIES. I WILL BE HAPPY TO REFER YOU AN ATTORNEY THAT PRACTICES IN A SPECIFIC AREA SHOULD YOU NEED PERSONAL LEGAL ASSISTANCE.

The sequence that the subject matter will be discussed in class will be addressed as class progresses.

August 31, 1998

Dear Student,

Teaching classes in accounting & law is my vocation. Both accounting & law and my students are important to me. I work hard at teaching and expect my students to work hard at learning. I am a professor, an attorney, a tax and business consultant, an author, and a financial planner.

My office phone number is 739-4606 (Chaminade). Please use these number if you wish to reach me or if you have problems with the homework.

It is your responsibility to learn the material. It is my responsibility to make the learning process as productive as possible. If you miss a class, check the course outline to determine what you must do, read the material in the text, do the homework, and call if you need help.

Tests are like job interviews scheduled weeks in advance: treat them as such. Do not miss a test. If you do miss a test, be sure that I know about it as soon as you do or I will have to assume that you are no longer interested in passing this class.

Being a student is not an easy job. It is work. Plan time to attend class, as well as time to work on the material outside of class. If I can be of help, call me or see me in my office or just after class.

I have one additional thought for you as we start this semester: If you have something to do, in the now immortal words of Nike "JUST DO IT", if not, relax and have some fun.

HAVE A GOOD SEMESTER.

Very truly yours,

Wayne, your instructor

P.S. I have a teaching assistant that usually accompanies me to class. His name is R.P. Orange, the Reasonably Prudent (a term of great legal significance) Orangutan. You may have previously seem or heard of him. In reality, he is a stuffed animal. However, it is what he stands for that is important. There are three things that he is in class to promote: First, there is more to life than what is in any single class or classroom (priorities); Second, grades are not everything (it is what you learn or the knowledge that is gained that really matters); and Third, if you need a hug or something to make you take yourself (this instructor included) less seriously, R.P. Orange is there for you.

Now, write a letter to me, Wayne, your instructor, telling me who you are. Tell me of your strengths, weaknesses, fears, and goals. Discuss your world and how your roles in this world might affect your performance in this class. Speak of your business background. Discuss how this class might play a role in your future.

Tell me what I might do to help you achieve your goals for this class. Include in your letter a statement that you have read and understood the grading for this class and the academic dishonesty policy of the university. This letter must be e-mailed to me at wtanna@chaminade.edu by Tuesday September 7, 1999.

