

CALVIN COLLEGE
DEPARTMENT OF POLITICAL SCIENCE

POLS 295: Use of Force and International Law

Interim, 2008

[A] Wednesday, 9:00 a.m. – 11:00 a.m.

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COURSE DESCRIPTION

This course explores the relationship between international law and the use of armed force by states. Topics include the various restraints placed on states' resort to armed force under the UN Charter and the manner and extent to which such restraints are being eroded or strengthened over time.

COURSE OBJECTIVES

The course readings and writing assignments are intended to achieve three objectives. Firstly, they are intended to introduce students to basic concepts and theories of international law as they pertain to the use of armed force. Secondly, they are intended to provide students with a basic understanding of the UN Charter system and the means by which it functions as a restraint on military action. Thirdly, they are intended to assist students in developing analytical skills such that they can provide thoughtful and coherent arguments in oral and written form. The first and second objectives are necessary for careers or continued study in the fields of international relations and international law, while the third is essential to the idea of a liberal arts education. All three help to equip students for work as agents of redemption and renewal within the world. *SOLI DEO GLORIA*.

COURSE REQUIREMENTS

Students must complete all assigned readings before each class period and be active participants in each class session. In addition to class participation, there will be four short writing assignments and a term paper.

REQUIRED TEXTS

The following are required texts for this course.

Goldstein, Judith, Miles Kahler, Robert O. Keohane, and Anne-Marie Slaughter, eds. *Legalization and World Politics*. Cambridge, MA: MIT Press, 2001.

Goldsmith, Jack L., and Eric A. Posner. *The Limits of International Law*. Oxford: Oxford University Press, 2005.

Gray, Christine. *International Law and the Use of Force*. Oxford: Oxford University Press, 2004.

Other supplemental journal articles and book sections are **on reserve** or available **online** as noted in the syllabus. Access to certain websites is available only via a Calvin College internet connection.

COURSE READINGS

[Please note the page numbers listed below, as only selected pages of certain articles or book sections are assigned.]

January 4 – An Introduction to International Law

[FRIDAY, 10:00 A.M.]

Abbott, Kenneth W., et al. “The Concept of Legalization” and “Hard and Soft Law.” In *Legalization and World Politics*.
Goldsmith, Jack L., and Eric A. Posner. “A Theory of Customary International Law.” In *The Limits of International Law*.
Finnemore, Martha. “Are Legal Norms Distinctive?” *International Law and Politics* 32 (2000). Available online at
<http://www.nyu.edu/journalss/jilp/issues/32/>.

January 9 – The Basic Legal Framework Governing the Use of Armed Force

Charter of the United Nations. Read Preamble and Chapters I–VIII and XIV. Available online from
<http://www.yale.edu/lawweb/avalon/un/unchart.htm>.

Gray, Christine. *International Law and the Use of Force*. Read pages 1–58, 95–194, and 252–81.

January 16 – The Problem of Compliance

Keohane, Robert O. “International Relations and International Law: Two Optics.” *Harvard International Law Journal*
38 (1997). Available online from <http://library.calvin.edu>.

Goldsmith, Jack L., and Eric A. Posner. “A Theory of International Agreements.” In *The Limits of International Law*.

Henkin, Louis. “The Politics of Law Observance.” In *How Nations Behave: Law and Foreign Policy*. Available on reserve.

Westra, Joel H. *International Law and the Use of Armed Force*. Read pages 1–8, 10–28, and 41–52. Available on reserve.

January 23 – International Law and the Iraq War

“Future Implications of the Iraq Conflict.” In *American Journal of International Law* 97, no. 3 (2003). Read
contributions from Taft/Buchwald, Yoo, Wedgwood, Falk, Franck, Farer, and Stromseth. Available online
from <http://www.jstor.org>.

Westra, Joel H. *International Law and the Use of Armed Force*. Read pages 131–58. Available on reserve.

January 28 – International Law and the Iraq War (cont’d)

[MONDAY, 10:00 A.M.]