

International Criminal Law
40687 POLS 4210
Selected Topics in Public Law
UTC Department of Political Science
Course Syllabus-Fall Semester 2014

Three Credit Hours

Mondays 5:30-8:00 EMCS 232

Recommended for pre-law majors

Prerequisite: POLS 2000 or department head approval

Communication with the Instructor: James K. Mallett, STL, JD, Adjunct Instructor.
The instructor can meet with students at 514 Palmetto, at a mutually convenient time.
Reach him by email first: jim-mallett@utc.edu.
Otherwise, you may text or call him on his cell phone at 423-779-2400.
The student may expect a prompt response to all inquiries.

Course Description:

Introduction to International Criminal Law
The Sources of International Criminal Law
The Courts and Legal Systems Exercising Jurisdiction over International Crimes
The Fundamental Principles of International Criminal Law
War Crimes, Crimes Against Humanity, Genocide, Terrorism, Torture
Superior Responsibility and the Defense of Superior Orders
Jurisdictional and Procedural Issues
Trial Procedures Compared: Adversarial and Inquisitorial
Detailed study of the Statute of the International Criminal Court

Attendance Policy: All students are expected to attend each weekly class. A student may be excused for reasonable cause, and may be asked to make up any work missed. Email or call the instructor as necessary.

Evaluation: 25% of the grade will be based on a written research project (the **paper**) of 12 to 10 pages, 20% on class presentations, 20% on the midterm exam, 20% on the final exam, and 15% on attendance and participation.

Text: International Criminal Law: Cases and Commentary, Antonio Cassese, Oxford University Press (2011) ISBN: 978-0-19-957678-4

Study Assignments: These assignments are subject to change sent to all students by email.

Aug 18 Introduction
Lecture on the Sources of International Criminal Law
Assign 1-45 and Cases

- Aug 25* Lecture on *Nullum Crimen Sine Lege*
Cases on Sources of ICL
Assign 53-76 and Cases
- Sep 8* Lecture on Immunities and *Ne Bis in Idem*
Cases on *Nullum Crimen Sine Lege*
Assign 76-112 and Cases
- Sep 15* Lecture on Crimes Against Humanity
Cases on Immunities and *Ne Bis in Idem*
Assign 154-199 and Cases
- Sep 22* Lecture on Genocide
Cases on Crimes Against Humanity
Assign 200-237 and Cases for Oct. 6
Study for Midterm Exam
- Sep 29* Lecture on the Statute of the International Criminal Court
Mid Term Exam
- Oct 6* Lecture on War Crimes and Aggression
Cases on Genocide
Assign 113-138, 238-255 and Cases
- Oct 13* Lecture on Torture
Cases on War Crimes and Aggression
Assign 256-285 and Cases
- Oct 27* Lecture on Terrorism
Cases on Torture
Assign 286-311, 317-319 and Cases
- Nov 3* Lecture on Superior Responsibility
Cases on Terrorism
Assign 421-458
- Nov 10* Lecture on the Defense of Superior Orders
Cases on Superior Responsibility
Assign 464-472
- Nov 17* Lecture on Jurisdiction and Procedure
Cases on the Defense of Superior Orders
Assign 523-555
- Nov 24* Cases on Jurisdiction and Procedure
Final Exam on the Statute of the International Criminal Court

Research Papers Due Friday Dec. 5 at 6 PM

Course Outcomes: In the first half of the semester, the student is expected to learn the fundamental principles and rules that guide courts in deciding international criminal cases. This expectation will be tested in the midterm exam. In the second half of the semester, the student is expected to master the relevant articles of the Statute of the International Criminal Court, tested in the final

exam. Learning strategies involve primarily lectures on each chapter chosen from the textbook, and student presentations on cases from those chapters. Each student must also demonstrate independent research and writing skills on a topic relevant to this course by submitting a research paper of at least 12 pages of text by December 5th at 6 PM.

Student Participation and Attendance: Each student is expected to attend all class meetings unless excused for reasonable cause by the instructor. The student is responsible for the material presented in missed classes by individual study and through the assistance of other students. The instructor may be asked for assistance if necessary. Students who miss exams must discuss with the instructor reasonable procedures for dealing with this issue. Papers submitted after the due date will be penalized in accordance with the length of tardiness. These policies are secondary to departmental policies and procedures.

Student Presentations: Students will be assigned responsibility for explaining issues and answering questions provided in the course material, especially cases. This will be a major part of the course and will require regular attendance. 20% of the final grade will be based on these presentations, which will begin during the second meeting of the class.

Papers are due on December 5 by 6 PM: The paper must be at least 12 pages of text, not more than 15 (not including the abstract of a case) and formatted according to departmental guidelines. More explanation will be provided during the first class meeting. No exceptions or excuses will be available for failure to meet this deadline except for reasonable cause approved by the instructor.

Teaching/Learning Strategies: The Instructor will convey the general principles to be learned in lectures. The students will be encouraged to prepare for each class by reading the assignment from the schedule and to discuss hypothetical situations and cases to master the application of the principles. Most importantly, students are encouraged to organize their notes from lectures, student presentations and assignments.

HONOR CODE PLEDGE (from the [UTC Student Handbook](#))

I pledge that I will neither give nor receive unauthorized aid on any test or assignment. I understand that plagiarism constitutes a serious instance of unauthorized aid. I further pledge that I exert every effort to insure that the Honor Code is upheld by others and the I will actively support the establishment and continuance of a campus-wide climate of honor and integrity.

ADA STATEMENT: Attention: If you are a student with a disability (e.g., physical, learning, psychiatric, vision, hearing, etc.) and think that you might need special assistance or a special accommodation in this class or any other class, call the Office for Students with Disabilities at 425-4006, come by the office - 102 Frist Hall or see

<http://www.utc.edu/OSD/>

If you find that personal problems, career indecision, study and time management difficulties, etc. are adversely affecting your successful progress at UTC, please contact the Counseling and Career Planning Center at 425-4438 or <http://www.utc.edu/Administration/CounselingAndCareerPlanning/>.

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