COURSE: LAWS 4606 A - International Law of Armed Conflict
TERM: Winter 2007-08
PREREQUISITES: LAWS 3603
CLASS: Day & Time: Tuesdays, 2:30-5:30
            Room: 208 CO (University Commons)
INSTRUCTOR: Professor Trevor Purvis
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Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary letters of accommodation. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is March 14, 2008 for April examinations. For further information, please see, http://www.carleton.ca/pmc/students/accom_policy.html

COURSE DESCRIPTION

The laws governing resort to the use of force (ius ad bellum) and the conduct of hostilities (ius in bello) have a long pedigree, each having been central to the emergence of what we have come to know as public international law. In the Western philosophical, theological, and legal traditions the principles governing the laws of war can be traced to Greek and Roman thought, and the early Christian Church. This course traces the development of each of these branches of the laws of war, from antiquity, through the ostensible efforts to ‘humanize’ warfare that dominated the Eurocentric development of the laws of war through the 19th and 20th centuries. Central to our considerations will be the persistent counterpoint running through this evolution – a counterpoint struck by the dark ‘underbelly’ of humanitarian law: the constant presence of those excluded from law’s reach, from the barbarians at the margins of the ‘universal’ empires of Rome and the Holy Roman Empire, to the ‘terrorist’ outlaws of the 21st century.

The course is arranged as a weekly seminar. Students will be assigned readings from the course reading list to present in class. Presentations should be brief. Their purpose is to draw out the principle points and/or problems/themes arising from the readings, and to create a foundation for broader class discussion of the reading materials.

COURSE ASSESSMENT

Class Participation - 30%
Final Term Paper - 70%

Students will be required to submit a brief paper proposal in class in Week 6 (the class before Reading Week). The proposal should consist of a working title and roughly a half-page (1-2 paragraph) description of how you envisage the paper developing.

Note:
Students are encouraged to check WebCT each week before class for any last-minute announcements.
Week 1  Introduction  

Week 2  From Antiquity to the Margins of Modernity  

**Supplementary Reading** 
Aquinas, *Summa Theologica* II-II, Question 40 ‘On War’

Week 3  19th Century Innovations: *ius in bello, Missions civilizatrice* and the ‘White man’s Burden’  

**Supplementary Reading** 

Week 4  The 20th Century: Civilizing Barbarity?  
Supplementary Reading


Week 5  Ad Hoc Tribunals


Supplementary Reading


Week 6  The International Criminal Court: Universal and Concurrent Jurisdiction


Supplementary Reading

Week 7 Reading Week/No Class

Week 8 ‘The Responsibility to Protect’ or ‘The Burden’ Revisited?

Supplementary Reading

Week 9 Fighting the ‘Good Fight’ - Kosovo and the Just Cause

Week 10 Imperial Outposts Amidst the Barbarians
Supplementary Reading

Week 11 New Wars, New Rules ... Medieval Methods

Supplementary Reading

Week 12 Talibain, Al Qaida, and other assorted ‘Scumbags’ - Humanity and Its ‘Others’

Week 13 Term papers due in class. BREATHE!