ESSAY INSTRUCTIONS AND GUIDELINES

1. Answer one of the questions listed below in an essay that is not less than 10 double-spaced pages, (excluding front matter and bibliography), with one-inch margin on all sides, double spaced lines, and a font Times News Roman of 11 point size.

2. A minimum of 6 peer-reviewed sources is required (i.e. books, book chapters, academic journal articles, and legal sources); you may supplement these with additional sources from the national or international press and the internet. These supplementary sources should only be in addition to the refereed sources.

3. The essay should reflect your personal effort, rather than a collection of texts copied from books, newspapers, and websites. It will be judged on its originality, the quality of the information and the sources consulted, and the way they are used in an analytical essay driven by an argument.

4. Before you begin your research and writing, consult "Doing Research, Writing Research Papers." It may prove extremely helpful to you in this course and others.

5. For good writing ideas, see The Elements of Style.

6. Include a title page and page numbers. The title should be reflect the question answered.

7. Do not include in your writing contractions (can't, won't, don't) - spell the words out. And do not use 'etc.' anywhere in your paper.

8. Use consistently the APSA citation rule for your references (page 17 of the APSA Style Manual). This citation style requires a List of Works Cited at the end of the essay. Law cases mentioned in the text should be in italics. Legal citations must adhere to legal citation rules. You may add a bibliography containing all items used in the preparation of the essay (not just those cited).

9. Your essay should start with a good introduction which sets the general context of the issue at hand, the question asked, your argument or thesis, references to the evidence that you would use to support it, and the plan of the paper. The conclusion should summarize the key findings of your paper and your argument; it may also include questions that you wish to see addressed by further research, as well as possible solutions to the problems or issues your paper analyzed.

10. Do not get stuck on one single source because it appears to you to deal perfectly with your topic. You must diversify the bibliographical sources you use. If you do not do that, you may just be summarizing that "perfect" source you have found and offer the reader very little beyond that. This, of course, is not acceptable because you will be giving the professor very little of your own work to evaluate.

11. Organize your paper well and articulate your ideas clearly. Use short sentences, each with a single idea only. Stick to the question asked and avoid unnecessary discussion of unrelated topics. Everything you say must be made clearly relevant to the topic discussed or the argument being made.

12. You must observe the anti-plagiarism rules outlined in the syllabus. If you use another person's words, you must enclose them in quotes and cite their source. If you use another person's ideas, you
must cite the source. If you do not, you would be committing plagiarism. Keep the following in mind:

a) If a chunk of text is borrowed and not placed between quotes, that will constitute plagiarism, even if you indicate the source at the end of the copied text.

b) Borrowed and paraphrased text should be kept to a minimum (5% or less of the whole paper) and must be properly attributed.

c) If you reuse a paper, or part of a paper, which you had already submitted in a course (including this one), presented it at a conference, or published it on the internet or in print, you need to acknowledge that. Not doing so, would constitute “self-plagiarism” or “self-stealing.”

d) If caught plagiarizing, you may not claim an “innocent error.” You are hereby warned about this. You will fail the exam and the course.

13. You are required to observe these Guidelines and are urged to consult the Grading Rubrics for Student Papers posted on the course’s Homepage. If you do not follow these guidelines and instructions, you run the risk of submitting a paper that is not up to the standard.

14. Borrowed and paraphrased text should be kept to a minimum (less than 5% of your paper).

15. You cannot claim an “innocent error.” Please note that the professor will be looking for potential plagiarism in all papers. All papers must be uploaded by the students though BB to the website of plagiarism detection service (Turnitin). A copy of the paper must also be sent to the professor by e-mail after it is uploaded on Turnitin.

Unlike previous assignments, this paper will not be accepted beyond the deadline. No incompletes are allowed in this course.

UW-Madison Writer’s Handbook

Assignments vary, and different instructors want different things from student writers. For this course, the APSA style is requested. The following links may also be very helpful.

- Improving Your Writing Style
- Stages of the Writing Process
- Common Writing Assignments
- Grammar and Punctuation
- Cite References in Your Paper
ESSAY QUESTIONS

Read the above guidelines before answering a question and keep them in sight while you write your paper.

State Compliance with the laws of war

1. In many cases, what are considered vital interests can lead a state to break international law by using force. What factors tend to induce state obedience and restraint from the use of force, and thus strengthen international law?

Your essay must address all instances in which states tend to use force—provide examples—and all possible reasons why states refrain from the use of force in circumstances where they may legitimately or illegitimately do so.

2. It is frequently alleged that force is the ultimate arbiter in international politics. However, it has also been argued that even when states use force unilaterally, rules of international law can still play an important role in times of armed hostilities (Jus in Bello). Is there a tangible support for this view in recent history? Discuss this view in light of the laws governing the use of force in international relations.

Kellogg-Brian Pact and its Impact

3. The General Treaty for the Renunciation of War of August 27 1928 (known as the Pact of Paris or the Kellogg-Brian Pact) was binding on 63 countries, including Germany, Italy and Japan at the outbreak of war in 1939. What was its legal effect and long term significance at that time and later? To what extent has limited or not the occurrence of interstate warfare and why? Your answer must be specific and substantive rather than general, hallow and vague and must use actual example in support of your argument. A good essay would not only include an overview of the trend in interstate warfare since 1928, but would also look into how wars are determined to be aggressive or not, and into the relationship that may exist between the observed trend in war occurrence and the criminalization of wars deemed aggressive.

The Courts and Armed Conflict

4. Compare the role attributed to the International Court of Justice to its actual role in dealing with state disputes involving the use of force. Be sure to address in detail the obstacles, if any, faced by the ICJ in this endeavor. The answer should deal with how cases come before the ICJ; how sovereignty affects the ICJ, its case load, and its power. The answer should also outline in detail all of the options available to signatories of the ICJ statute. Make sure you tackle every aspect indicated in the text. Beyond the comparison requested, be sure to address in detail

1. The obstacles, if any, faced by the ICJ in this endeavor;
2. How cases come before the ICJ;
3. How sovereignty affects the ICJ, its case load, and its power;
4. All of the options available to signatories of the ICJ statute.

You are expected to focus on disputes involving the use of force and to illustrate most points with laws, actual examples and court cases.

5. The International Military Tribunal at Nuremberg held that “a war of aggression . . . is the supreme international crime . . . in that it contains within itself the accumulated evil of the whole.” Since there is an “aggressor” in every war, it would seem that to speak of a “law of war” is something of a paradox lacking any real substance. Analyze this apparent paradox or contradiction and how the law of armed conflict has been reconciled with the illegality of war.
6. It is said that the prohibition of the use of force in relations between states has been weakened beyond recognition by three factors:
   a. The rise of wars of national liberation,
   b. The rising threat of total destruction (WMDs),
   c. The increasing authoritarianism and unilateralism of great powers and of the regional organizations they dominate.

These three factors are traced back to a single problem: the lack of congruence between the international legal norm of Article 2(4) and the national interest of states, especially the great powers.

Comment on this statement by tracing the evolution of the prohibition of aggressive war and by discussing the extent to which the interest of states hinders international law.

7. The only rules that count for the armed forces are those that must be applied in war. The question as to who has the right to wage war or not to wage war (Jus ad Bellum) belongs to political leaders, not members of the armed forces. All the armed forces need to know is that their country is at war and that they are obliged to respect the law applicable in armed conflict (Jus in Bello). The respect for jus in bello is not, therefore, dependent on the military’s opinions as to the causes or the justice of the conflict.

Write an essay that discusses this statement and establishes responsibilities in both jus ad bellum and jus in bello. It should also indicate what clusters of laws are applicable in each category, how they were established and how they have fared in reality.

8. On September 22, 2014, the United States and partner states began to bombing strike inside Syria against forces of the Islamic State in Iraq and Syria (ISIS, or ISIL) and other armed groups such as Khorasan (an offshoot of al-Nusra) and the al-Nusra Front. These strikes followed others aimed at ISIS targets in Iraq. While the armed intervention in Iraq was presented as responding to a call by the Iraqi government for international military assistance against ISIS, the one in Syria was not based on a similar invitation. The United States and its partner states based the intervention in Syria mainly on Article 51 of the UN Charter which gives member states the right to individual or collective self-defense.

Write an essay that analyses the legal foundations of the military intervention in Syria by the USA and the coalition of states it leads. This analysis must gather the facts from a variety of independent sources and present them in a succinct fashion, examine relevant jus ad bellum norms, make use of relevant factual and legal precedents, and determine whether the current military strikes in Syria are lawful or unlawful. Regardless of which conclusion you reach on this issue, it must be adequately supported. You must also indicate how such use of force affects the standing of the United Nations, which did not authorize the strikes, the value of international law, and the future behavior of states which may invoke similar justifications for intervening in other countries militarily without the explicit consent of the concerned states and without a mandate from the UN Security Council.

This essay should not be an opinion piece on the current US policy in Syria. It should rather be an objective analysis of the case at hand. As such, it is expected to use the legal terminology and logic with ample support from existing laws and customs as well as relevant precedents.

9. For some international law thinkers and practitioners, neutrality is no longer an option for states during conflict. For others, neutrality is still—and should remain—an option for states to use and benefit from. Trace the evolution of the concept of wartime neutrality and discuss the factors that may have changed its nature over time. Make sure to distinguish wars involving the United Nations and wars that do not. Your answer must be specific and substantive rather than general, hallow and vague.

10. In situations of war between two or more states, non involved states may have the status of either “non-belligerent state” or “neutral state.” Each has a different legal meaning and consequences. What are they and under what circumstances do the belligerent states extend to non-belligerent states neutral rights and refrain from reprisal against them?
Write and essay on this issue, with a focus on the distinction that exists between the two kinds of non-involvement in hostilities between other states. Your discussion should include your supported argument on the question and must use actual examples and more than one academic source on this issue.