

# International Law

Politics/Legal Studies 160B  
Summer 2014

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Office Hours: Monday 12:30-130 in Science Café and by Appointment

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## Course Overview

This course is an introduction to international law. It takes an interdisciplinary approach to the subject, rooted in politics and law.

Students will be graded on a midterm (25%), a 4-page response paper (10%), an 8-page research paper (25%), final (25%) and class participation/daily quizzes (15%).

## Readings

The following two books are required and available for purchase at the Bookshop Santa Cruz (1520 Pacific Ave). Each book is also on reserve at McHenry Library.

Principles of International Law (2<sup>ND</sup> Ed.) Sean D. Murphy (Thomson-West 2012) [Murphy]

The Limits of International Law Jack L. Goldsmith and Eric A. Posner (Oxford University Press, 2005) [G&P]

You are also required to read the New York Times ([www.nytimes.com/collegerate](http://www.nytimes.com/collegerate)) Monday-Friday. There will be quizzes in each class to make sure you are keeping up.

Other required and recommended readings will be posted to eCommons [eC]. Additional readings may be assigned in class. Additional documents may be distributed in class, via email or eCommons.

You are also encouraged to examine the following online resources:

Treaties:	<a href="http://www.un.org/depts/treaty">www.un.org/depts/treaty</a>
UN Human Rights	<a href="http://www.unhchr.ch">www.unhchr.ch</a>
International Court of Justice	<a href="http://www.icj-cij.org">www.icj-cij.org</a>
International Criminal Court	<a href="http://www.un.org/law/icc">www.un.org/law/icc</a>
Historical documents	<a href="http://avalon.law.yale.edu">avalon.law.yale.edu</a>
Academic and research	<a href="http://www.asil.org">www.asil.org</a>   <a href="http://www.ridi.org">www.ridi.org</a>   <a href="http://www.mpil.de">www.mpil.de</a>
African Union	<a href="http://www.africa-union.org">www.africa-union.org</a>
Human Rights Watch	<a href="http://www.hrw.org">www.hrw.org</a>
Amnesty International	<a href="http://www.amnesty.org">www.amnesty.org</a>

## Syllabus

\*This schedule is subject to change.

### **July 28: Class 1 Introduction to International Law, Readings, and Assignments**

No required readings in advance of the first day of class.

### **July 30: Class 2: Foundation of & Actors in International Law**

Murphy Ch. 1 & 2

G&P, "Introduction"

NY Times

- Understand the debates over whether and the extent to which international law is "law."
- Describe the evolution of international law and its relationship to great powers, weak states, and development.
- Explain the differences between the major approaches to international law.
- What defines a state and how is a state formed?
- What are international organizations and how are they formed?

### **August 4: Class 3: Sources of International Law: Custom & Treaties**

Murphy, Chapter 3

G&P Ch. 1-3

*The Paquete Habana* 175 U.S. 677 (1900)

NY Times

- What are treaties, how are they formed, and how do treaties differ from other sources of international law?
- What roles do reservations, understandings, and declarations play?
- How do rational-choice theorists understand the limits of treaties?

### **August 6: Class 4: Fidelity to Law, Breach, and Non-Compliance**

Murphy Ch. 4-6

G&P Ch. 8

NY Times

#### **RESPONSE PAPER DUE**

- Why do most countries obey international law most of the time?
- Critically evaluate theories that explain why countries say they obey international law.
- What obligations do states have to follow international law?
- To what extent do the principles of liberal democracy conflict with the duty to comply with international law?

### **August 11: Class 5: MIDTERM**

**August 13: Class 6: Approaches to Human Rights & Criminal Law**

Murphy Ch. 10 & 13;

G&P Ch. 4

NY Times

- Understand the evolution of global human rights treaties and institutions. How effective are they? What are their philosophical and political sources?
- Why do countries comply with human rights treaties?
- Critically evaluate whether human rights is the only approved language of development and resistance.
- What are the general elements of crimes and international crimes, and how do they differ?
- Explain the differences between available forums for trying international crimes (ICC, ad hoc tribunals, hybrid courts) and the relative advantages and disadvantages of each.

**August 18: Class 7: War, The Use of Force, and Its Limits**

Murphy Ch. 14

G&P Ch. 6-7

NY Times

- What is force and how does the UN seek to limit its use?
- What are the different rules of engagement in going into, or while fighting, war?
- Critically evaluate rationales for the use of force, including humanitarian intervention.

**August 20: Class 8: International Environmental Law & Summary**

Murphy Ch. 12

NY Times

**RESEARCH PAPER DUE**

- What are the major principles of international environmental law and how is liability imposed?
- How is “hard” law different from “soft” law and how can soft-law alternatives be effective?
- What explains the successes and failures of international legal efforts to combat the effects of global warming?

**August 25: Class 9: Catch up & Review**

**August 27: Class 10: FINAL EXAM**