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 (2ND Ed.) Sean D. Murphy (Thomson-West 2012) [Murphy]

You are also required to read the New York Times (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: www.un.org/depts/treaty
- UN Human Rights www.unhchr.ch
- International Court of Justice www.icj-cij.org
- International Criminal Court www.un.org/law/icc
- Historical documents avalon.law.yale.edu
- Academic and research www.asil.org | www.ridi.org | www.mpil.de
- African Union www.africa-union.org
- Human Rights Watch www.hrw.org
- Amnesty International www.amnesty.org
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