RPOS 380 Basics of International Law

Instructor: Youcheer Kim (Patrick)

Office Hours: Wed 2-3pm or by Appointment (B16 Humanities)
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Class
MWF: 10:25 – 11:20
Location: HU 133

Course Description

The objective of this course is to provide an introduction to public international law and a role it plays in international politics. In the era of complex interdependence among states, international law plays a significant role in managing relationship among states and transnational actors. The fundamental anarchical order of the international society, however, makes the rule-making, interpretation, and implementation of international law highly distinguished from domestic law. The analysis on this complex dynamic requires the interdisciplinary approach between international law and politics, which is adopted by this course.

The course is divided into three segments. The first part covers the basic concepts and historical evolution of international law. The second part addresses the fundamental principles of international law. The third part jumps into specific issues, which are regulated by international law.

Course Materials


Course Requirements

**Class Participation:** You are required to attend class regularly and actively participate in class discussions. In addition, you will find the class more enjoyable if you are actively engaged. The readings will serve as the basis for lectures and discussions.

**Readings:** Due to the subject matter of this course, thoroughly reading textbook before and after each class is extremely important.

**4 Quizzes:** 4 Quizzes covers basic concepts, contents of textbook, lecture, and court cases. The lowest or one missed quiz score will be waived. Two points bonus will be given to
students who take all four quizzes.

**Mid-term Exam**: Mid-term will be taken in class.

**Moot Court Competition or 5-6 pages Research Paper**: Students can choose either Moot Court Competition or Research Paper. For the research paper, students can choose one of three research paper topics.

**Final Exam**: Final exam is the 24 hours take-home exam on a hypothetical case. The question will be uploaded on the blackboard and you need to submit it via e-mail.

**Important Dates (Date is subject to change)**

1st Quiz: Feb. 14 Fri  
2nd Quiz: Feb. 28 Fri  
Mid-term Exam: Mar. 12 Wed  
3rd Quiz & Research Paper Draft: April. 11 Fri  
Moot Court Competition: April. 30 Wed  
4th Quiz & Final Research Paper Due: May.2 Fri  
Final (Take-home Exam): TBA

**Grade Break-down**

Class Participation: 15%  
Quizzes: 15%  
Mid-term: 25%  
Moot Court Competition or Research Paper: 20% (Topics will be announced later)  
Final Exam: 25%

**Letter Grades**

A 93-100 A- 90-92.9 B+ 87-89.9 B 83-86.9 B- 80-82.9 C+ 77-79.9  
C 73-76.9 C- 70-72.9 D+ 67-69.9 D 63-66.9 D- 60-62.9 F < 60

**Course Policies**

**Office Hours**: I encourage you to come see me with any questions or difficulties that you have about the readings or class discussions.

**Absences**: Absences will be excused in case family emergency or documented illness. You need to submit doctor’s note to avoid penalty. You are allowed to miss three classes without getting any penalty. More than three absences, however, will result in one lower letter grade than you deserve for each absence. (ex: If you 5 missed classes, your final grade will be B+, even if you deserve to get A)
Honesty: All students will be held to the University at Albany’s Standards of Academic Integrity.

Part I: Theoretical Overview and the Basics of International Law

Week 1 (Jan. 22 Wed; Jan. 24) Introduction
  - Reading: Syllabus; PPT 1
  - Main Questions: 1. What is International Law? 2. Why do we study International Law?

Week 2 (Jan. 27 Mon; Jan. 29 Wed; Jan. 31 Fri) Historical Evolution and Function of International Law
  - Reading: Skim through Cassese pp. 3-46; Ikenberry pp. 3-20 (on blackboard)
  - Main Question: 1. How international law has been evolved? 2. Why states comply with International law?

Week 3 (Feb. 3 Mon; Feb. 5 Wed; Feb. 7 Fri) Legal Sources of International Law
  - Reading: Cassese, pp. 153-213; Nedzel, pp. 21-31 (on blackboard)
  - Main Question: 1. What are the main legal sources of international law and how they are interpreted? 2. How the disputes on the interpretation of treaties can be solved? 3. How to read and analyze court cases?
  - Research Paper Topic 1: Is China’s demarcation of Air-Defense Identification Zone (ADIZ) consistent with widely recognized International Law?

Part II: Fundamental Principles of International Law

Week 4 (Feb. 10 Mon; Feb. 12 Wed; Feb. 14 Fri) Subjects of the International Community 1: State Recognition, State Immunity
  - Main Question: 1. How states are recognized in the international society? 2. What is state sovereignty and state immunity?

*** First Quiz: Feb. 14 Fri

Week 5 (Feb. 17 Mon; Feb. 19 Wed; Feb. 21 Fri- No Class) Subjects of the International Community 2: Diplomatic Relations, Other International Legal Subjects
  - Reading: Cassese, pp. 98-142.
  - Main Question: 1. How the diplomatic relationship among states is regulated under the Vienna Convention on Diplomatic Relations? 2. How insurgents, international organizations, individuals are treated in the international legal system?

Week 6 Fundamental Principles in the UN Charter (Feb. 24 Mon; Feb. 26 Wed; Feb. 28 Fri)
- Reading: Cassese, pp. 46-68, 317-336, 354-374; 375-396
- Main Question: 1. What are the fundamental governing principles in the international legal system? 2. What if those principles conflict each other? 3. To what extent the scope of self-defense can be expanded under the U.N. Charter?
- Research Paper Topic 2: Was Obama Administration’s Threat to Use Force in Syrian Crisis legitimate?

Part III: Main Legal Bodies of the International Community and Specific Issues Regulated by International Law

Week 7 (Mar.3 Mon; Mar. 5 Wed; Mar.7 Fri) International Court of Justice and Landmark Decisions 1, Review Session and Mock-Exam for the Mid-Term Exam

- Reading: Carter, Trimble, and Weiner, pp.301-328, Hurd, Journal Article (on blackboard)
- Main Question: 1. What is the Function of ICJ? 2. How to read and analyze the decision of ICJ? 3. How to read, analyze, and write a research paper?
- Case Reading: Military and Paramilitary in and against Nicaragua; Lockerbie Case

*** 2nd Quiz: Feb. 28 Fri

Week 8 (Mar.10 Mon; Mar. 12 Wed; Mar.14 Fri) Mid-term Exam

Week 9 (Mar.18 Mon; Mar.20; Mar. 22 Fri) Spring Break

Week 10 (Mar.24 Mon; Mar.26 Wed; Mar. 28 Fri) European Court of Justice, European Court of Human Rights, and their Landmark Decisions

- Reading: Webpage of ECJ, ECHR, Moravsic’s journal article (on blackboard)
- Main Question: 1. What is the Function of EC and ECHR? 2. How to read and analyze the decisions of EC and ECHR? 3. How to read, analyze, and write a research paper?

Week 11 (Mar.31 Mon; April. 2 Wed; April. 4 Fri) World Trade Organization and Landmark Decisions

- Reading: Materials from the WTO Webpage; Jackson, pp.494-501, 552-563 (on blackboard)

Week 12 (April.7 Mon; April. 9 Wed; April. 11 Fri) World Trade Organization and Contending Issues: Rule-Making, Interpretation, and Implementation of International Law

- Reading: Materials from the WTO Webpage;
Week 13 (April.14 Mon; April. 16 Wed-NO CLASS; April. 18 Fri) The Repression of International Crime
*** 3rd Quiz: April. 11 Fri

- Reading: Cassese, pp. 435-462.
- Main Question: 1. What are the main principles of jurisdictions? 2. How the international community can more effectively fight against heinous crimes?

Week 14 (April.21 Mon- No Class; April. 23 Wed; April. 25 Fri) Protection of the Environment

- Reading: Cassese, pp. 375-398.
- Main Question: 1. How the transnational environmental problems are regulated by international law?

Week 15 (April.28 Mon; April. 30 Wed; May.2 Fri) International Law in the U.S. Court

- Case Reading: Hamdi v. Rumsfeld, Hamdan v. Rumsfeld
- Main Question: 1. How treaties are incorporated into the U.S. legal system? 2. How treaties affect the ruling of U.S. courts?

***April 30. Moot Court Competition
***4th Quiz: May. 2 Fri

Week 16 (May.5 Mon; May.7 Wed) Review and Mock Exam for the Final