

International Law
GSU College of Law
Fall 2009

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Office Hours:
Wed. 3:00-5:00 pm
and by appointment

Overview: This course provides a basic overview of international law in the public domain. After covering the main sources of international law and the institutions which create and enforce it, we will focus on hypothetical problems in four issue areas. These problems are based on real-world situations and will be used to develop written and oral advocacy skills in international law.

Materials:

Required Texts:

Weston, Falk, Charlesworth & Strauss, *International Law and World Order*, 4th ed. (2006)

* you can purchase the documentary supplement or get the documents online

Recommended Material: If you're new to the field, it's helpful to consult one of the many overviews available. Thomas Buergenthal's *Public International Law in a Nutshell* is probably the most basic; David Bederman's *International Law Frameworks* is more descriptive.

Requirements/Grading:

The first five weeks will be devoted to an overview of the field of international law - what it is, where we find it, how is it created, who enforces it. Then, we will see how this law is applied in four areas - the use of force; human rights; economic issues; and environmental/indigenous issues.

Your grade will be determined as follows:

- 10%** short, in-class multiple choice/short answer quiz on the basics
- 15%** submission of 3 issue outlines relating to the problems (5% each)
- 15%** class participation, including one presentation/argument of issues related to an assigned problem
- 60%** take home exam, in the form of a 10-page brief based on the final problem covered in class

Note: the outlines, arguments and final exam will be based on the problems in the text, but the specific questions to be addressed will be provided in class.

Tentative Schedule & Reading Assignments (like all things, subject to change!)

The readings are somewhat front-loaded, in order to allow us to synthesize the materials to address the problems. Please prepare each week's materials in advance.

Instructions & examples will be given in class for the assigned outlines. We will work our way up from a basic outline of issues to the brief which will be your take-home exam.

Page references are to the text unless otherwise specified; you are also responsible for reading the relevant portions of the documents (e.g., treaties) referenced in the text.

<u>Date</u>	<u>Subject</u>	<u>Reading</u>
Aug. 18, 20	<u>Overview; history; institutions</u>	1 -78
Aug. 25, 27	<u>Sources: Treaties & Customary Law</u>	79 -138
Sept. 1, 3	<u>More Sources</u> [J.Greenwood lecture]	139 -178
Sept. 8, 10	<u>Application</u>	179 -255
Sept. 15, 17	** SHORT QUIZ on basics (Sept. 15) <u>Recognition of states & governments;</u> <u>sources & types of conflict</u> <i>also *Neitschmann, "Nations and States" (handout)</i>	266-274 274-288
Sept. 22, 24	<u>Unilateral and multilateral intervention</u>	288-372

** prepare your outline for Problem 4-1: Intervention in Internal Conflicts (pp. 260-264)
[more info will be provided in class on format, issues, etc.]

Sept. 29, Oct. 1 ** 4-1 OUTLINE DUE (Sept. 29)
* in-class oral arguments & follow-up discussions

[note: while we are covering problems in class and there is no new reading, you should be reading ahead so as to be able to write your outline for the next problem]

Oct. 6, 8	<u>International Human Rights Law: Overview</u>	494-579
Oct. 13, 15	<u>International Law in U.S. Courts</u>	662-687
	<i>also</i>	
	* <i>Filartiga v. Peña Irala</i> , 630 F.2d 876 (2 nd Cir. 1980)	
	*Jordan J. Paust, "Customary International Law and Human Rights Treaties are Law of the United States," 20 Mich. J. Int'l L. 301 (1999)	
** Film: One Man's War		
Oct. 20, 22	** 5-4 OUTLINE DUE (Oct. 20) U.S. federal jurisdiction over "disappearances" and "cruel, inhuman, or degrading treatment" as torts in violation of the international law.	660-662
Oct 27, 29	<u>International Economic Law & Institutions</u>	753-828
Nov. 3, 5	** 6-1 OUTLINE DUE (Nov. 3) International structures governing global finance and economic crises	746-752
Nov. 10, 12	<u>The Rights of Indigenous Peoples in International Law</u> *Peter Manus, "Sovereignty, Self-Determination, and Environment-Based Cultures: The Emerging Voice of Indigenous Peoples in International Law," 23 Wis. Int'l L. J. 553 (2005) *UN Declaration on the Rights of Indigenous Peoples	
** Indian Summer in Geneva		
Nov. 17, 19	Problem 7-6: Environmental law & Indigenous Rights	1226-1264

The take-home final will be based on the facts presented in Problem 7-6, but will take the form of a brief addressing specific issues. Detailed instructions will be provided in class.