

POL 340Y

2010/2011

International Law

Dept of Poli Sci, University of Toronto

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This course covers international law outside a law faculty, which arguably is the best place to study international law, given that there is no legal jurisdiction that governs public international law per se. Private international law is about how to resolve issues (typically of contract or family law) for individuals or corporations, where there are conflicting legal answers, depending on the different legal jurisdictions. Public international law is about the conduct of states – governments, really; how states treat other states and how they treat individuals. The rules and principles dealing with state conduct, and that of international organizations (of states), is referred to as public international law.

We will cover the basics of how to think like a lawyer, then the fundamentals of public and private international law. Throughout, the customs and conventions of international law will be considered through specific topics, after the introductory classes.

The topics are intended to be contemporary, potentially controversial and inevitably familiar to the two people teaching the class. Michael Bryant will teach in the first term, Irvin Studin the second.

The main text to be used is *International Law: Doctrine, Practice, and Theory* by John H. Currie, Craig Forcece and Valerie Oosterveld (Irwin Law Book). There is a blog that cross-references and augments the text, which we will use where indicated below. www.publicinternationallaw.ca. I will use Blackboard on the U of T Portal to provide information and content. As such, you need to check this out for updates on readings, assignments, etc.

Grading: 10% class participation (8 students assigned to participate per class), 25% short research paper/take-home exam due December 7th; 65% final exam.

Class 1: Introduction to class

Class 2: Thinking like a lawyer: jurisprudence, the language of lawyers, legal rights and communal obligations. Discussion: what is international law? Reading: Currie,

Chapter 1; Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse*, excerpt.

Class 3: Sources of International Law: customs (state practice) and conventions (international treaties). Discussion: where do the rules of international law come from and to whom do they apply? Reading: Currie, Chapter 2.

Classes 4&5: Sovereignty: Treaty of Westphalia, Quebec Secession, treaty law and domestic CAN law, arctic, aboriginal peoples. Reading: Chapters 3 & 4.

Class 6: Wars: Iraq-US wars, laws of armed conflict, Just War Doctrine. Reading: Chapter 14

Class 7: Revolution: Just Revolution Doctrine, Chiapas, Wounded Knee, Oka. Readings: Excerpt.

Class 8: Human Rights: international human rights law, United Nations, Human Rights Watch, Sharia Law in Ontario. Reading: Chapter 9.

Classes 9 Human Rights & Women: violence, human trafficking, rape. Reading: Chapter 9.

Class 10: Guns: UN and organized crime; gun registries; gun violence. Reading: excerpts.

Class 11: Environment: BP oil spill liability. Chapter 11.

Class 12: International Criminal Law: TBC. Chapter 15.

2011 Term: To be provided by Professor Studin.