Public International Law
Course Syllabus
Fall 2019

University of Alabama School of Law
Professor Dan Joyner

A. Course Summary:

This course will provide an introduction to public international law (PIL). PIL was classically that body of law regulating the relations between sovereign states, through substantive rules comprising, *inter alia*, the Law of the Sea, the Law of State Territory, and the Law of Diplomatic Relations. PIL has evolved in the post-World War II era, however, to additionally include bodies of law regulating the treatment of individuals by the state (Human Rights Law) and some of the most serious crimes committed by individuals against other individuals (International Criminal Law). Other notable post-World War II additions to the formal corpus of public international law include the United Nations Charter, codifying International Use of Force law; the 1949 Geneva Conventions codifying the Law of War; and the 1994 Agreement Establishing the World Trade Organization. This course will provide an overview of the sources, institutions and fundamental dynamics of public international law, as well as provide more detailed contextual introduction to a number of substantive areas of the law.

B. Logistics
My office is on the West end of the third floor. My telephone number is 205/348-5831, and my email is djoyner@law.ua.edu. My assistant is Donna Tucker (Rm. 350, 205/348-7656). I am in my office pretty much all the time, so feel free to drop by any time the door is open. If you want to make sure I'll be there, please email me and we can set up an appointment. Students with learning disabilities are encouraged to meet with me early in the semester so we can discuss any special needs that you may have.

C. Required Texts:
1. Dunoff, Ratner & Wippman, *International Law: Norms, Actors, Process: A Problem-Oriented Approach* (4th ed., 2015)("DRW")
2. Additional readings may be distributed periodically.

D. Grading:
Your grade will be based primarily on a comprehensive final exam. However, as participation in class discussions is essential, your grade may be raised or lowered a half level based on the quality of your class participation. I encourage you to ask questions and make comments in class. I will also call on students at random to answer questions, and to brief and examine cases and problems. You should come to class having read and thought about the assigned material, including the problems in the text.

E. Tentative Schedule (may be modified as necessary):

I. Introduction
1. What is International Law? What is the Relationship Between International Law and International Politics? Reading: DRW, Pgs. 1-31

II. The Sources of International Law
2. Creating International Law I: Treaties and Other Agreements (Reading: DRW, Pgs. 33-68)

3. Creating International Law II: Customary International Law (Reading: DRW, Pgs. 68-89. Also skim Pgs. 89-100)

III. Participants in the International Legal System
4. What is a State? (Reading: DRW, Pgs. 105-130)

5. What are International Organizations? What can they do? (Reading: DRW, Pgs. 142-167. Also skim DRW, Pgs. 169-178)

IV. International Law and Domestic Law
6. Breaking International Law: Consular Notification and the Arrest of Foreign Nationals
(Treaties in U.S. Law)
(Reading: DRW, Pgs. 205-249)

7. Opening and Closing the Courthouse Door
(CIL in U.S. Law)
(Reading: DRW, Pgs. 249-262)

V. Jurisdiction and its Limits
8. Jurisdiction Generally, and the Special Case of Capturing Criminals Abroad
(Reading: Skim over DRW, Pgs. 273-294; then read more carefully DRW, Pgs. 295-314)

VI. The Challenge of Collective Action Problems
9. The Law of the Sea (Reading: DRW, Pgs. 543-574. Then skim DRW, Pgs. 574-601).

10. International Environmental Law (Reading: DRW, Pgs. 603-605; 626-663)

11. International Trade and Investment Law (Reading: DRW, Pgs. 665-709)

VII. Protecting Human Dignity
12. International Human Rights Law I: Torture (Reading: DRW, Pgs. 335-366)

13: International Human Rights Law II: ICCPR & ICESCR (Reading: DRW, Pgs. 367-391)

14. International Humanitarian Law I: Legality of Nuclear Weapons (Reading: DRW, Pgs. 415-436)

15. International Humanitarian Law II: Protection of Non-Combatants (Reading: DRW, Pgs. 436-458)

16. International Humanitarian Law III: Law of Occupation (Reading: DRW, Pgs. 458-474)

17. International Criminal Law I (Reading: DRW, Pgs. 475-500)

18. International Criminal Law II (Reading: DRW, Pgs. 524-542)

VIII. International Use of Force Law
19. The U.N. Charter System and Iraq (Reading: DRW, Pgs. 713-746)

20. Self-Defense and Humanitarian Intervention (Reading: DRW, Pgs. 746-793)

IX. Conceptual Challenges
21. Relevance (Reading: DRW, Pgs. 863-876)