Public International Law  
Course Syllabus  
Fall 2012

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:


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 Relation of International Law and International Politics?
   Reading: DRW, Pgs. 1-33

II. The Sources of International Law

2. Creating International Law I: Treaties and Other Agreements
   Reading: DRW, Pgs. 35-52

3. Creating International Law II: Treaties and Other Agreements
   Reading: DRW, Pgs. 53-73  BOYD

4. Creating International Law III: Customary International Law
   Reading: DRW, Pgs. 73-92. Also skim Pgs. 92-105  BRUNS

III. Participants in the International Legal System

5. What is a State?
   Reading: DRW, Pgs. 107-145  DAVENPORT

6. What are International Organizations? What can they do?
   Reading: DRW, Pgs. 159-187. Also skim DRW, Pgs. 189-222  FRIDOVICH
IV. International Law and Domestic Law

Reading: DRW, Pgs. 239-249; 269-288           GILLIS

8. Including and Excluding International Law
Reading: DRW, Pgs. 298-314           GUIN

V. Jurisdiction and its Limits

9. Jurisdiction Generally, and the Special Case of Capturing Criminals Abroad
Reading: Skim over DRW, Pgs. 325-352; then read more carefully DRW, Pgs. 356-377           HEINTZELMAN

VI. The Challenge of Collective Action Problems

10. The Law of the Sea: Territorial Sea and EEZ
Reading: DRW, Pgs. 651-679

11. International Environmental Law
Reading: DRW, Pgs. 729-756; 757-774           JANICH

12. International Trade and Investment
Reading: DRW, Pgs. 775-793; 806-824

VII. Protecting Human Dignity

13. International Human Rights Law I: Torture
Reading: DRW, Pgs. 399-435           JONES

14: International Human Rights Law II: ICCPR & ICESCR
Reading: DRW, Pgs. 436-463           KERBY

15. International Humanitarian Law I: Legality of Nuclear Weapons
Reading: DRW, Pgs. 489-513

16. International Humanitarian Law II: Protection of Non-Combatants
Reading: DRW, Pgs. 513-534           MAHMOOD
17. International Humanitarian Law III: Law of Occupation  
Reading: DRW, Pgs. 546-563  
MEGINNISS

18. International Criminal Law I  
Reading: DRW, Pgs. 565-604  
MOHR

19. International Criminal Law II  
Reading: DRW, Pgs. 604-622  
MURPHY

VIII. International Use of Force Law

20. The U.N. Charter System and Iraq I  
Reading: DRW, Pgs. 825-865  
PARNELL

21. The U.N. Charter System and Iraq II  
Reading: DRW, Pgs. 825-865  
RAJAVUORI

22. Humanitarian Intervention  
Reading: DRW, Pgs. 887-906  
SIMMONS

IX. International Law and the Proliferation of Weapons of Mass Destruction

23. Nonproliferation Law and Counterproliferation Policy  
Reading: TBA

24. The Nuclear Nonproliferation Treaty  
Reading: TBA

X. Conceptual Challenges

25. Legitimacy  
Reading: DRW, Pgs. 907-932  
TATE

26. Relevance  
Reading: DRW, Skim over Pgs. 932-1031, then read more carefully Pgs. 984-996