

George Mason University School of Law
International Law
Section 248-001
Patrick A. Mulloy
Fall Semester 2006

Overview:

This three-credit course provides an introduction to international law and will explore legal elements underlying relations and obligations among nation states and their rights and responsibilities to each other and to their citizens. This course will explore the major issues of international legal studies such as sources and subjects of international law, problems of international jurisdiction, international claims, international organizations, economic sanctions, environmental protection, the law of the sea, and the use of force in the international system.

Class Attendance and Preparation:

Our class will meet Mondays and Wednesdays from 6:15 pm to 7:30 pm in Room 332. GMUSL academic regulations require regular and punctual class preparation and attendance for academic credit to be earned. The academic regulations further state:

“If a student is absent more than two clock hours of classes for each credit hour assigned to the course, the student has not satisfactorily completed the work of the course, and no credit can be awarded unless the reason for absence is beyond the student’s control. If absences for good reason exceed 20 per cent of the scheduled sessions of a course, the student is not eligible for credit.”

The academic regulations provide that in cases having merit, substitution of work equivalent to class attendance is permissible at the instructor’s sole discretion and within certain parameters. Regular absences from class will significantly limit the benefits you gain from the course, and will most likely diminish your ability to do well in it.

It is *very important* that students do the assigned readings before coming to class. We will use class sessions to discuss issues that arise from the readings, supplement the readings with different perspectives or recent developments, and respond to questions you may have. If for any reason you deem sufficient you are not prepared when you come to class, you may give me a written slip of paper with your name on it asking not be called on. I will honor these, assuming that the same student will not submit such requests frequently.

Methods of Evaluation:

Exam: The examination will be a completely closed-book exercise and will be 150 minutes in length. A portion of the exam will be shorter questions requiring rather specific answers while another section will feature longer questions requiring essay-type responses.

Class Participation: Instructors have discretion to add or subtract not more than five points (or a half-step, e.g. B- to B) to a student's grade for "Classroom Performance". I will not subtract points. All students will benefit from discussion based on adequate preparation, and active participation in class discussions will be awarded.

Contacting Me: I will try to be available after each class for questions and discussion. I can also be contacted via email at pamulloy@aol.com or by phone at 202-624-1412. You may leave voice-mail for me at the latter number if I am not available, and I will get back to you.

Course Materials:

- Required Casebook: Carter, Trimble, and Bradley, International Law (4th Edition)
- Required Documents Supplement: Carter, Trimble, and Bradley, International Law – Selected Documents 2005-2006 Edition.
- Additional Materials: Materials relevant to particular classes will be distributed on a regular basis.
- An awareness of current developments in international affairs is an immeasurable asset, and you are strongly encouraged to read on a regular basis at least one newspaper that reviews such matters, such as the *New York Times*, the *Wall Street Journal*, the *Financial Times*, or the *Washington Post*.

Assignments:

Following below are the materials from the casebook I expect us to cover in each class. You should read or skim, as appropriate, the relevant documents in the Document Supplement as well. The text of the casebook will usually refer to them.

Chapter 1 – “What is International Law?”

1. August 21 (M) Overview Lecture and Discussion of Purposes and Organization of the Course; Casebook, Chapter 1, pp. 1-20.
2. August 23 (W) Casebook, Preface/First Edition and Chapter 1, pp. 25-32; 62-83.
3. August 28 (M) Chapter 1, pp. 83-92; Chapter 11, pp. 1026-1039.
4. August 30 (W) Chapter 11, pp. 1040-1071.

September 4 (M) No Class: Labor Day Holiday

Chapter 2 – “The Creation of International Norms”

5. September 6 (W) Chapter 2, pp. 93-114; Documentary Supplement, skim Vienna Convention of the Law of Treaties, pp. 49-75.
6. September 11 (M) Chapter 2, pp. 115-137; pp. 150-154.

Chapter 3 – International Law in the United States”

7. September 13 (W) Chapter 3, pp. 157-176 (but not Note 10); pp. 176-178, 182 (Notes 1-2).
8. September 18 (M) Chapter 3, pp. 185-212.
9. September 20 (W) Chapter 3, pp. 212-244.
10. September 25 (M) Chapter 3, pp. 244-270.

Chapter 4 – “International Dispute Settlement”

11. September 27 (W) Chapter 4, pp. 271-277; pp. 283-298 (through para. 65); pp. 303-308.
12. October 2 (M) Chapter 4, pp. 308-312; pp. 318-339.
13. October 4 (W) Chapter 4, pp. 385-415; Documentary Supplement, pp. 185-208.

Chapter 5 – “States and Other International Entities”

14. October 10 (M) Discuss materials that will be handed out on the Alien Tort Claims Act and NAFTA Articles 11 & 19.
15. October 11 (W) Chapter 5, pp. 431-461.

16. October 16 (M) Chapter 5, pp. 466-477; pp. 483-489; pp. 498-505
17. October 18 (W) Chapter 5, pp. 508-538.

Chapter 6 – “Foreign Sovereign Immunity and the Act of State Doctrine”

18. October 23 (M) Chapter 6, pp. 547-571.
19. October 25 (W) Chapter 6, pp. 571-579; pp. 582-586; pp. 588-592; pp. 606-611.
20. October 30 (M) Chapter 6, pp. 618-640.

Chapter 7 – “Allocation of Legal Authority Among States”

21. November 1 (W) Chapter 7, pp. 647-681; pp. 686-687 (Notes 1-5).
22. November 6 (M) Chapter 7, pp. 688-699; pp. 710-721 (Notes 1-4); pp. 724-728.
23. November 8 (W) Chapter 7, pp. 728-742; Documentary Supplement, pp. 466-473.

Chapter 9 – “Law of the Sea”

24. November 13 (M) Chapter 9, pp. 835-849; pp. 854-860; pp. 870-871; pp. 876-882; pp.886-890; pp. 893-896; pp. 905-908.
See these articles of the Convention of the LOS:
2, 3, 5, 8, 9, 10(2) & (14), 11, 17, 18, 20, 33, 46, 52(1), 55,
56(1)(a), 57, 76(1) & (5), 78, 87, 91, 94(1) & (2), 95, 101, 121,
136.

Chapter 10 – “International Environmental Law”

25. November 15 (W) Chapter 10, pp. 911-928; pp. 934-944; pp. 949-952; Notes & Questions on pp. 957-958.

Chapter 11 – “Use of Force and Arms Control”

26. November 20 (M) Chapter 11, pp. 961-983.
27. November 27 (M) Chapter 11, pp. 983-1000; pp. 1077-1084.
28. November 29 (W) Chapter 11, pp. 1084-1089; pp. 1094-1106; and Course Review.

(Exam will be on Tuesday December 12, 2006 at 6:00 p.m.).