**Special Silesia Seminar**

**Introduction to International Law**

**May 8-19, 2023**

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**Syllabus**

**Introduction, Course Description and Purpose:** All introductory courses in International Law have been dramatically refocused in the months since Russia’s February 24, 2022, invasion of Ukraine. Undoubtedly, you have already seen far too many images of the human toll that has been exacted by the destruction of this war, and you will soon discover the fracture it has caused in the advance of peaceful international governance, human rights, and international law.

Welcome to this special, relevant seminar: first, because we will examine the basic legal framework and general principles of international law, and second, because we will have the opportunity to examine these principles in the context of the ongoing legal and political struggles about Ukraine, Russia, China, Africa, and other major pressing issues around the globe today.

The course will also lead its participants to engage in individual and group research and discussions/study projects among our seminar group. We will use no formal textbook - you will need to bring your computer for in-class research and collaboration.

Our international world is complex, and it has never been more so than today. Yes, the invasion of Ukraine exploded our presumptions of order at the grander level of international relations, and we can look further to China, a Middle East in turmoil, nationalistic populism twisting the rhetoric of ideology, a Taliban controlled Afghanistan, an Africa with much military conflict and human suffering, human rights threatened across the globe, displaced refugees and other immigrants flowing in the millions, and a climate disaster looming. International Law today overflows with vital issues that engage international lawyers, law students, and thinkers everywhere.

The good news is that we do have a system of international law – our nations have not descended into “World War Three**.”** In the face of all these challenges, the basic global order has remained functional, though we would wish more effective. The United Nations, the World Trade Organization, the Council of Europe, the European Union, and other constructive international organizations still function, economies are not in depression, and we enjoy reasonable market competition. Human Rights are widely promoted and humanitarian aid does flow, though sometimes with burdensome obstacles.

What brings this level of order to the seeming chaos of 195 competing “States” and their innumerable competing interests and businesses? In today’s increasingly interdependent world, why is our global system of “sovereign” nation states reasonably functional? Why are today’s global supply chains, production, and purchasing patterns for goods and services reasonably dependable, even through successive waves of Covid and massive economic sanctions?

Surely the answer to these unsettling questions is that there is a legal web of principles and rules that are generally respected and followed to promote a reliable environment in which we may live, do business, and do good for others.

This introductory seminar will present the fundamentals of today’s ***International Law***, what it is and how it works. We will explore the sources, legal framework, and mechanics for ***International Law***, why “most of the rules are followed most of the time by most of the legal actors,” and what happens when they are not. We will investigate how the global rules are enforced, interpreted, and litigated. We will see when nations are allowed to resort to force to protect themselves or their “rights,” and what is legal in war, as well as what is forbidden.

**Course Text and Other Resources**: All materials needed for this course are available on the Internet or will be provided in the class. Some form of Internet access will be important.

**Course Schedule**: Classes meet in the designated classroom on week days, starting Monday, May 8 through Friday, May 19, specific time to be determined. Afternoon session on these days will be available for consultation with the course professor.

**Class Format:** This course is being offered in the traditional, “in-person” format.  Students are invited to attend the regular class sessions in-person, each day at the law faculty building. The course will also use the Team Based Learning approach for some group research and reporting.

**Class Participation:** The quality of our class research projects and discussions is vital to our course. Our goal for our break-out research groups is to create an environment in which we can stimulate authentic learning, as well as to get to know each other, and have thoughtful, productive conversations. And each participant will be asked to prepare and present a) a US style case brief of a landmark International Law judicial decision, arbitration, or such (usually a ten-minute Power Point presentation), and (b) each team group will research and present to the class a team report on a current issue in international law today (such as the China-Taiwan conflict or the War in Syria).

**Office Hours:** Prof. Hugg will be happy to meet with students after class each day, and by special appointment (which can be arranged via email at [hugg@loyno.edu](mailto:hugg@loyno.edu).).

**Briefing Judicial Opinions:** During the seminar, students will be assigned to “brief” various landmark cases in International Law. Briefing the case adds a dynamic element to the course.

**Expected Student Learning Outcomes:**  First and foremost, students completing this course can expect to understand the unique nature of ***International Law*** and its fundamental operation in the world today. Particular emphasis will be placed on inquiry into the coherence and philosophical underpinnings of the governmental and legal institutions, processes, and values advanced by International Law today.

Further course objectives and learning outcomes include:

1. understand the interplay among the key historical, legal, political, ethical, and other factors that have influenced the evolution of international law;
2. become familiar with the leading fora, institutions and actors that contribute to international law, and learn the vocabulary they employ;
3. know the basic procedures for creating, interpreting, and applying treaties, custom, and other sources of international law;
4. learn some of the basic substantive rules of international law that currently do, or should, govern the behavior of states;
5. appreciate the pluralism of international law, where different modes of analysis, different types of tribunals, and different rules of engagement can lead to different solutions to shared problems;
6. explore the idea that international law (like domestic law) is highly contingent upon particular historical, political, and social facts, so law is made or chosen, not received, or discovered;
7. become more comfortable with the uncertainty, incompleteness, and contestability of international law, where “black letter” rules are less dominant;
8. understand the role of international law in the U.S. legal system and how the United States organizes itself to participate in international life;
9. understand the legal aspects of emerging international current events;
10. participate in policy and legal debates in a manner both rigorous and respectful;
11. be exposed to some of the typical challenges and tasks of a lawyer in the international field and have some simulated practice in the modes of analysis, argumentation, advocacy.

**Course Daily Plan**

Please note that the course plan will adjust according to the number of students in the course and the students’ previous studies and experience in International Law. Also, Prof. Hugg will be available for consultation and discussion each afternoon and on Days 9 and 10, as scheduled and on request of students.

**Day 1**

Monday, May 8

Introduction to International Law and the Course; Defining International Law; History of International Law; Public International Law; Sources of International Law.

Workshop: Case Brief Selections, First Group Meeting & Project Topic Submissions.

**Day 2**

Tuesday, May 9

Customary International Law, General Principles, International Conventions, Treaties; Workshop: Case Briefs Begin

**Day 3**

Wednesday, May 10

United Nations,

Workshop: Individual Case Briefs Continue

**Day 4**

Thursday, May 11

International Dispute Resolution; International Tribunals

Workshop: Individual Case Briefs Continue;

**Day 5**

Friday, May 12

International Tribunals, continued

Workshop: Case Briefs continue and Group Report on First Topic

**Day 6**

Monday, May 15

International Humanitarian Law; War Crimes

Workshop: Case Briefs continue and Group Report on 2d Topic

**Day 7**

Tuesday, May 16

Intergovernmental International Organizations, Council of Europe, African Union, ASEAN, Introduction to the World Trade Organization

Workshop: Case Briefs and Group Reports continue

**Day 8**

Wednesday, May 17

Supranational International Organizations, European Union, Law of the Sea; Environmental Law; Space Law:

Workshop: Case Briefs and Group Reports continue

**Day 9**

Thursday, May 18

Consultations

**Day 10**

Friday, May 19

Consultations