

SA.650 (INTERNATIONAL LAW)

SA.650.700. Fundamentals of International Law. 4 Credits.

A general introduction to international law, surveying such areas as (among others) the sources of law, the law of treaties and customary international law, statehood and sovereignty, refugees and human rights, the laws of armed conflict, dispute resolution, international organizations, the law of the sea, use of armed force, the role(s) of NGOs, and the law of international trade. The course will consider the differences and similarities between international and domestic legal regimes, and how the two systems interact in theory and in practice. Considerable emphasis will be placed on legal reasoning, exposition, and advocacy. The course is intended for students of all fields of concentration, since it will introduce them to the grammar and syntax of international law: a language with which they will surely need some familiarity whatever their intended career paths. It should be of special interest to potential International Law concentrators, since it will lay the foundation for the exploration of more specialized areas. Examination or paper option, with mid-term writing assignment. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s)

SA.650.709. Law of Armed Conflict. 4 Credits.

Addresses the history, ideals and dilemmas of the law of armed conflict and its enforcement in its traditional and modern settings, including the impact of human rights law, adaptation to new technologies, special difficulties posed by guerrilla conflicts and asymmetric warfare and current debates over the conflict with ISIS and modern terrorism. Looks at modalities of controlling behavior, including the real difficulties in recruitment of international peacekeeping forces, rules of engagement and the classical role of reciprocity. Examines the history of war crimes prosecutions, including the U.N. tribunals for Yugoslavia and Rwanda, the special tribunals for Sierra Leone, Cambodia and Lebanon, and the International Criminal Court. Among the anguishing issues in this field are how to shelter civilians from the effects of conflict, how to fight an opponent who doesn't follow the rules of modern warfare and whether the law should consider the purpose of a war as well as its means. Briefly discusses the use and place of truth commissions after conflicts. This course may be particularly useful to students interested in strategic studies, human rights and conflict resolution. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s)

SA.650.710. International Crises and International Law. 4 Credits.

This seminar will examine how the norms of international law and multilateral structures can contribute to the resolution of acute security crises – and also how they fail. The role of alliances as instruments of deterrence and commitment, the role of national and pooled intelligence, the function of the United Nations in convening negotiations and imposing sanctions, and the unapologetic survival of great power diplomacy and national military strength, will be addressed. We will also look at how atavistic differences – national economic ambition, ethnic competition, and ideological rivalries – can instigate and prolong conflicts. Seminar participants can prepare research papers or take an examination. Contribution to classroom discussions is required. The course will be taught by Jeffrey Pryce, Esq., former senior advisor to the Pentagon's Undersecretary for Policy and counsel at the law firm of Steptoe and Johnson in the field of international arbitration. Close analysis of the role and strategy of international and national institutions in security crises is one way to avoid repeating the mistakes of the past – in the destabilized global situation so much in evidence now. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s)

SA.650.712. Global Forced Migration: Human Rights and State Sovereignty. 4 Credits.

This course explores contemporary issues in refugee and migration policy through the competing lenses of international human rights and the state's construction of national interest. The class provides an introduction to the role of displaced persons in state formation; the concepts of refugee, migrant, and internally displaced person; and the evolution of rules and institutions regarding forced migration. Through historical and contemporary case studies (e.g., Syria, SE Asia), we consider the relative success or failure of global, regional and national attempts to address forced migration. We look at how refugees and migrants have been both used and perceived as security threats (e.g. Kosovo, DRC). We examine the risks facing the displaced today and in the future, and consider the implications of US and other nations' immigration policies for the growing migration challenge. Students will participate in an international negotiation exercise seeking solutions to forced migration in the 21st [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s)

SA.650.713. Transitional Justice and the Rule of Law. 4 Credits.

In the wake of large-scale human rights abuses, can the rule of law become (re)instituted? Will perpetrators be held accountable? Can victims feel "restored"? Is it possible for peace and justice to coexist? These are some of the questions addressed in the field of transitional justice. Transitional justice includes judicial and non-judicial mechanisms, such as criminal prosecutions (international and domestic), truth and reconciliation commissions, memorialization, lustration, institutional reforms, and reparation plans that are used to address past wrongs. This course will examine the goals, tactics, and challenges of transitional justice with particular attention to how politics shapes the viability of legal responses. Through various case studies, we will explore the use of amnesties and pardons as a tool, tensions between the international community and domestic responses, reintegration of perpetrators, capacity building, and the nature of justice itself. The goal of the course is to provide students with the tools to identify and apply transitional justice approaches to active conflict or post-conflict situations, and to promote the rule of law, reconciliation, and long-term stability. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s)

SA.650.730. International Environmental Law: Crisis and Cooperation. 4 Credits.

Explores international environmental law, including human health. Examines international regimes on managing natural resources and controlling pollution—including the international institutions designed to promote cooperation and resolve disputes—and addresses reconciling the interests of developed and developing countries. Examines international watercourses, biodiversity and genetically modified organisms; global warming and the relation between trade/investment and environment; and human rights and the environment. Each student makes an oral presentation of an environmental treaty in class. Paper. (This is a cross-listed course offered by the International Law and Organizations Program that also can fulfill a requirement for the International Policy Program.) Limited to 15 students. Click here to see evaluations, syllabi, and faculty bios

SA.650.732. Constitutional Development & Democratization. 4 Credits.

There have been dramatic constitutional developments and legal reform in recent years in all 'developing' or 'emerging' regions of the world, one just has to think of the 'Arab Spring.' The spread of general principles of human rights and constitutional, representative government based on the rule of law, as either spurs for development or desirable outcomes of development, seems both possible and urgently necessary. The course examines the nature, fate and prospects for constitutional development and democratization in developing states from the perspective of comparative constitutional law, using case studies drawn from different parts of the world. In particular, the course employs the methods typically used in the analysis of comparative constitutional law and focuses on constitution-making and constitutional amendment; forms of state and forms of government; electoral laws; federalism, regionalism and devolution; the role and functions of constitutional and supreme courts; electoral management bodies.

SA.650.740. Intl Investment Law. 4 Credits.

Suitable for non-lawyers, this course analyzes the legal framework for private international investment. It considers: sources of international investment law; conditions for admission of foreign direct investment and its treatment; political risks involved such as expropriation; risk mitigation techniques such as political risk investment insurance; and the settlement of investment disputes between states and investors. We review the rights and responsibilities of foreign direct investors, shareholders' rights and joint ventures. Given the professors' professional focus, we take a particular look at project finance and sovereign wealth funds. The privatization-expropriation cycle is analyzed. The course delves into international anti-corruption treaties and relevant domestic laws. Aspects of the One Belt One Road initiative are discussed. Active class participation is encouraged. Click here to see evaluations, syllabi, and faculty bios

SA.650.743. International Trade Law. 4 Credits.

Examines the law and institutions of the WTO, including its regulation of trade in goods and services, its dispute-settlement system and how it deals with policy issues (such as environment and labor standards) that may affect trade. Provides an overview of the main features of the WTO system and an in-depth examination of critical issues that have emerged in the dispute-settlement process or in negotiations. Click here to see evaluations, syllabi, and faculty bios

SA.650.752. United Nations and International Security. 4 Credits.

What is the role of the United Nations in maintaining minimum public order? Is it capable of effective action in crisis, and how should it work with other multilateral structures such as NATO and regional groups? The course looks at the crisis in Kosovo, the Dayton process in Bosnia and recent wars in Africa, as well as the work of the United Nations on weapons of mass destruction and human rights law. Discusses the current reform process, the competition for power between the General Assembly and Security Council and the role of the secretary-general and International Court of Justice. (This is a cross-listed course offered by the International Law and Organizations Program that also can fulfill a requirement for the Conflict Management and Strategic Studies programs.) Click here to see evaluations, syllabi, and faculty bios

SA.650.755. International Human Rights. 4 Credits.

This is a survey course on international human rights (law) and existing mechanisms to promote and protect them, with particular focus on the more developed European norms and their interpretation in the extensive jurisprudence of the European Court of Human Rights. It deals with the history and philosophy of human rights and their place within the global legal and political system. Using case studies and practical examples, it clarifies the meaning of selected individual and collective human rights. It introduces into the methods and principles of the practical application of human rights. It also deals with the interaction between international/regional and national implementation of such rights. Course requirements include regular class attendance, active participation in class discussion and 2 papers (approx 15 pages each). Class time will be divided between lectures and discussion. Each topic will be introduced by the instructor. The final grade will be determined in the light of the two papers (80%) and of participation in class and discussion (20%).

SA.650.760. Fundamentals of International Law. 4 Credits.**SA.650.765. U.S. Constitutional Law and the International System. 4 Credits.**

The American tradition of judicial review by independent courts has had an enormous influence on the international development of the rule of law in newly emerging democracies. This seminar, taught by a practicing lawyer, reads some of the classic cases of the American constitutional tradition, including cases on school desegregation, separation of powers, foreign affairs, freedom of religion and speech, control of immigration and the right to be left alone. Looks at the indeterminacy of the original constitutional document and how it has developed through the processes of both political and judicial interpretation. Click here to see evaluations, syllabi, and faculty bios

SA.650.766. Corporate Sustainability, Business and Human Rights. 4 Credits.

This course will examine the complexities of transnational and cross-political business practices and strengthen students' ability to counsel corporate clients effectively in a transnational business environment. The class will touch on the legal dimensions of international business and human rights, starting with postwar prosecutions of business leaders in the Nuremberg trials, and continuing through contemporary human rights challenges against corporations and corporate executives based upon their alleged complicity in human rights violations. It will focus on the increasing importance of corporate social responsibility, the creation of shared value for business, and the crucial role of the financial sector, advocacy groups and the internet in rewarding (and penalizing) businesses that do not take human rights and sustainability into account. The class will cover a few sectors that pose specific challenges in the business environment, namely: extractive industries, internet privacy, human trafficking, and health. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s' target='_blank')

SA.650.780. International Human Rights Law Clinic. 4 Credits.

The HR Clinic is a practicum designed to provide hands-on experience in legal mechanisms for the promotion and protection of internationally-guaranteed human rights. The classroom portion of the course will seek to provide students with a solid grounding in human rights principles, treaties, enforcement procedures, and caselaw. The course culminates in a significant report on a case study that will be the principal focus of the entire academic year. The specific topic and subject country for the study will be announced at or shortly before the first class session, but the project this year will explore ways in which domestic legal systems internalize, implement, and enforce human rights norms, making them into legally-enforceable obligations. Students will research more developed systems, to analyze their successes and shortcomings, and will report based on their observation of the subject country, having researched its legal system and conducted interviews with government officials, lawyers, and individuals complaining of human rights violations. There will be an organized fact-finding mission to the subject country during Winter Break, with the report ready for publication by late spring. Students enrolled in the course must register as auditors in the fall semester – meaning that this class will not count towards their full-time status for the fall, but will be in addition to a full course load. They will receive four credits and a grade for the course, in the spring semester. This class has limited enrollment and is by application only. Second year MA ILaw students will be given preference, but all are encouraged to apply. Interested students should email saisilo@jhu.edu for application information and instructions to be sent in August. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s' target='_blank')

SA.650.800. International Criminal Court Moot Competition. 4 Credits.

A moot court team competition provides an introduction to legal research, analysis and advocacy. The course will begin with seminar-style discussions on International Criminal Law with specific attention to the International Criminal Court. The moot court team will write three short memorials requiring research and arguments based on the three participants in ICC prosecutions, typically, the Prosecution, the Defense and the Victims' Advocate. As the teams prepare their written memorials, the course shifts to discussion of legal research and writing techniques. Per the competition rules, academic coaches "are not allowed to give any instruction or information specific to the problem." Once the memorials have been submitted, the class prepares for oral arguments. Each school team will participate in three rounds of oral arguments and have the opportunity of arguing from all three perspectives. Enrollment in the ICC Course is limited to five students. However, each team can only consist of three oralists. Two additional students are permitted by the competition organizers if they are associated with the team as "researchers." "Researchers" can help draft and write the memorials and sit as co-counsel during the competition arguments, but will have a non-speaking role. The problem and the brief schedule for the 2018 competition has not been released yet, but information should be available by November. Oral arguments will be heard in White Plains, NY at Pace Law School on the weekend of March 16 – March 18, 2018. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s' target='_blank')

SA.650.802. Jessup Moot Court. 4 Credits.

The Philip C. Jessup International Law Moot Court Competition is the largest and most prestigious moot court in the world. Begun in 1959, the Jessup currently attracts competitors in over 100 countries, representing well over 600 law schools on six continents. SAIS is one of the only non-law schools in the United States to field a Jessup team. The Competition is based on a fictitious legal dispute between two fictitious countries, which is presented to the International Court of Justice. The dispute generally raises four substantive issues of international law. Teams are responsible for preparing written memorials (briefs) for both sides and on all issues in the case, and to represent both sides in oral pleadings before three-judge panels at the regional level. This course exposes students to the skills and methods of legal research, analysis, and written oral advocacy. It begins with a survey of legal reasoning and institutions, and explores international law from the perspective of an advocate tasked with presenting a client's case to a neutral adjudicator. Students will draft the two memorials for submission in mid-January, which means that there will be work to do over Winter Break. Once the briefs are filed, the next month will feature a very intense schedule of oral advocacy drills, culminating in the regional competition in mid-February. The course is counted for credit in the fall semester, although class requirements will stretch at least several weeks into the spring. Enrollment is limited to 5 students, according to Jessup rules. Second year MA ILaw students will be given preference, but all are encouraged to apply. Interested students should email saisilo@jhu.edu for application information and instructions to be sent in August. [Click here to see evaluations, syllabi, and faculty bios](http://bit.ly/1bebp5s' target='_blank')