

# International Law Syllabus

Fall 2015

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I am generally available to meet after class on Tuesdays or Thursdays at 5:30. In addition, I am happy to schedule a mutually convenient time to meet. (Just e-mail me.)

## TEXT

JANIS & NOYES, INTERNATIONAL LAW: CASES AND COMMENTARY (5<sup>th</sup> ed. 2014).

### On Reserve:

DAVID BEDERMAN, INTERNATIONAL LAW FRAMEWORKS (3<sup>RD</sup> ED. 2010)  
MARK JANIS, INTRODUCTION TO INTERNATIONAL LAW (6<sup>TH</sup> ED. 2012)

## ATTENDANCE POLICY AND CLASS PARTICIPATION

Attendance is required. Students are expected to attend every class, and to be on time for every class. Each class will begin promptly. Class participation is an important part of your grade, as set out below.

At the start of each class, I will circulate a sign-in sheet. It is your responsibility to make sure that you have signed the attendance sheet. Any student who is not signed in will be conclusively considered absent for the day. Any student who misses more than 20% of the class hours for this course is not in good and regular attendance and may be required to withdraw from the course or receive a failing grade. Please note that I do not draw any distinction between “excused” and “unexcused” absences; this policy is not about fault, but about whether or not you have been present in class. Every class will be recorded and podcasts will be posted on the law school web site.

Students should also be prepared for every class. This means completing the assigned readings before class, understanding the cases, and being able to discuss the questions accompanying the assignment (“Advance Organizers.”)

You should not be on the internet during class.

### No Laptops During Class

This course does not lend itself to laptop note-taking. Surveys at other schools report that students are more satisfied with the learning environment in no-laptop courses. Although some students prefer to use laptops, a larger number of students in the surveys say that classrooms are quieter, they can hear the teacher and other students better, and they feel more engaged in the classroom experience with fewer distractions. *Accordingly, in International Law you may not use a laptop, iPad, smart phone or any other electronic device, during class. If these devices are on your desk during class, or in your lap, I will assume you are using them.*

## LEARNING OUTCOMES

At the end of the course, students will have acquired a basic understanding of:

- International law, including major policy concerns
- Doctrinal analysis of source materials, including close reading of cases and treaties, and application to facts
- The historical development of international law and international legal institutions

## EXAM AND GRADES

Your final grade for this class will be based on the final exam (75%) and your class participation (25%). The final exam will consist of a 1-1/2 hour multiple choice section (70% of your exam grade) and a 1 hour essay (30% of your exam grade.) You may use your text, class notes, handouts and any outlines from these materials which you have prepared, alone or with classmates. No other outlines, including commercial outlines, may be used.

Sample exam questions (and answers) will be distributed and discussed in class.

Class #1  
pp. 29-54

### Chapter 2. Treaties

- A. The Sources of International Law
- B. A Treaty Sampler
  - The Treaty Between the Jews and the Romans (Circa 160 B.C.)
  - The Peace of Westphalia (1648)
  - The Treaty of Paris (1783)
  - The Cession of Alaska (1867)
  - The Kellogg-Briand Pact (1928)

1. Why do states continue to make treaties?
2. What sanctions or features make states willing to comply with treaty terms?
3. Treaties often serve the same purposes or functions that contracts, statutes, constitutions, and aspirational statements ('We hold the following truths to be self-evident—that all men are created equal;' 'I pledge allegiance to the flag...') serve in domestic law. What exactly *are* those purposes or functions?
4. Which of these purposes or functions are addressed in the treaties in the Sampler?
5. How are treaties entered into? What is the point of ceremony and formality? When are they useful?