

# Minnesota State University Moorhead

## POL 363: Public International Law

### A. COURSE DESCRIPTION

Credits: 3

Lecture Hours/Week: 3

Lab Hours/Week: 0

OJT Hours/Week: \*.\*

Prerequisites:

POL 120 - American National Government and Politics; OR

POL 160 - International Relations

Corequisites: None

MnTC Goals: None

This course covers the history, codification and progressive development of international public law. It examines issues such as the sources of public international law, legal personality, state responsibility for breaches, judicial and non-judicial remedies, territory, the law of the sea, air and outerspace, treaty law, decisions of the ICJ and other international institutions and the role of international law in U.S. courts.

**B. COURSE EFFECTIVE DATES:** 04/16/2001 - Present

### C. OUTLINE OF MAJOR CONTENT AREAS

1. What IS international law? traditional notions, history of international law.
2. Subjects of international law---the nation state, unitary and federal states, permanent neutral states, confederations, colonies, international legal personality of states and international organizations
3. Sources of international law---international treaties and customs, judicial decisions, scholarly opinions, official and unofficial codification before and under the auspices of the United Nations.
4. Structure of public international law---norms, jus cogens, state sovereignty, self-determination and equal rights, defining aggression
5. Legal personality of sovereign states; recognition, state succession, personal jurisdiction of sovereign states, nationality, concept of alienage, law of treaties
6. Institutions of international law---law of the sea, air navigation, outerspace, dispute settlement, international environmental law, diplomatic and consular law

### D. LEARNING OUTCOMES (General)

1. Students shall consider the essentials of positive international law against the background of the realities of international relations and normative requirements of international law.
2. Students shall understand and be able to accurately place international law between moral theory and sociological descriptions of law; e.g. distinguish international laws place between idealism and skepticism.
3. Students shall learn the subject, sources, and structure of international law, formal and informal and how international law interacts with U.S. domestic law and treaty formation.
4. Students shall learn and practice the use of case methodology to improve their oral presentation and argumentation skills in discussing and advocating international law policies and case precedents.

### E. Minnesota Transfer Curriculum Goal Area(s) and Competencies

None

**F. LEARNER OUTCOMES ASSESSMENT**

As noted on course syllabus

**G. SPECIAL INFORMATION**

None noted