

## **International Legal Structure**

### **Credits: 2 ECTS**

#### **Contents**

**Overview.** International relations are part of our daily lives. The news, the movie industry, and how we live our lives are all impacted by international relations and how these are governed. Although our nations remain organized as states that are bound by national and international laws, we have emerged as a 'connected globalized world'. Many scholars and activists argue against this globalization and try to understand what it means and to what extent it has and still affects our daily lives as citizens, consumers, and citizens of the world.

This course will shed light on what are the legal instruments governing the international relations checkerboard and governing our international and national institutions. As future journalists, you need to understand the numerous narratives that are crafted by different stakeholders, parties, bodies, states, etc... We will review how the international legal framework is organized, managed, influenced, and implemented to understand its strengths and weaknesses.

#### **Sovereignty and the state within international relations**

The state remains the main actor in international relations. In this session, we will analyze the history of the concept and its transformation as a result of globalization.

#### **The role of the United Nations and regional bodies in the making process of international law**

The main source of modern international legal structure is international custom, mainly state custom. However, there are other sites of legal production. Bodies such as the United Nations and the Organization of American States play important roles in today's world.

#### **War and Law: international humanitarian law**

We live in a world where new actors are launching new wars. Traditional legal systems do not allow us to simply qualify these new actors or their wars. In this session, we will study the rules of war and how they see the new actors in the international arena. We will see how conflicts narratives and the types of conflicts have evolved and how they are portrayed, discussed, and dealt with.

#### **International Terrorism and International Law**

This session will cover the narratives that have evolved around what is defined as 'terrorism', vs 'freedom fighters'. We will review what legal instruments are in place to tackle terrorism and how humanitarian law and concepts like the Responsibility to Protect have emerged in the last two decades. We will review how they are narrated in the press and their limitations.

#### **Human Rights and transitional justice**

Transitional justice is a rather new concept that emerged in the late 80s in international law. It is the concept that societies need reconciliation, and transitional processes to move from a conflict-war to a more peaceful and post-conflict setting. Transitional justice is a complex multi-faceted process that goes from Truth and Reconciliation Tribunals and other mechanisms to address human rights violations and the horrors committed during a war. This session will seek to explain the key processes, the challenges, and the expected outcomes of TJ.

#### **Professors**

Emmanuelle Diehl, Cristian Oró.

#### **Methodology of the class**

This class is interactive. Most of the reading will be articles based that will be discussed in class. Preferably, the articles will be read prior coming to the class so the discussion can start right away. Other reading materials are expected for the elaboration of the individual assignments.

## Evaluation

**Individual work.** Two assignments will be distributed during the course.

- One will be a **medium-length essay** (60% of the final grade)
- One will be **press-review with a specific theme** and narrative analysis (40%)

## Recommended readings

- Biersteker, Th. J. et al. 'International Law and International Relations'. Bridging theory and practice, London: Routledge
- Booth K. and Dunne T. (2002), 'Worlds in collision- terror and the future of global order', Palgrave MacMillan
- Boyle, A. and Chinkin, Ch. (2007), 'The making of International law', Oxford: Oxford University Press
- Burgis T. (2015), 'The looting machine', Public Affairs NY.
- Cassese, A. (2005), 'International Law ' (2nd edition), Oxford: Oxford University Press
- Crawford, N. (2003), 'Just War Theory and the US Counter Terror War', Perspectives on Politics 1.01 (2003), pp. 5 – 25.
- Cooley J.H (2000), 'Unholy wars- Afghanistan, America and international terrorism', Pluto Press
- Guelke A. (1998), 'The age of terrorism and the international political system', I.B Tauris Publisher
- Levinson, S. (2003), "The Debate on Torture: war against virtual states", Dissent (Summer, 2003), pp. 79 – 90.
- Munkler, H. (2003), "The wars of the 21st Century", International Review of the Red Cross Vol. 85 No. 849 (2003), pp. 7 – 22.
- Tomuschat, Ch. (2003), Human Rights: between idealism and realism. Oxford: Oxford University Press
- Weiss, T. G. and Daws, S. (eds.) (2007), The Oxford Handbook on the United Nations, Oxford: Oxford University Press
- Zifcak, S. (2010), "The responsibility to protect" in Evans, M.D., International Law, Oxford: Oxford University Press, pp. 505 – 527.