

Spring 2024

HIST 367-002: International Law and Diplmcy

Deborah Morrison-Santana

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International Law and Diplomacy

HIST267

Tuesday and Thursdays 4:00-5:20pm

TIER106

Instructor: Dr. Morrison-Santana

Contact Information: dmorriso@njit.edu or dm838@newark.rutgers.edu

Office: 324 Cullimore Hall

Office Hours: Thursdays 5:20-6:00pm

Course Description: International law is primarily concerned with legal norms that operate among nation/states, but also addresses legal norms that operate between a nation and persons within its jurisdiction and with the norms that regulate the transboundary relationships of individuals. Unlike national law, international law is decentralized: there is no single legislative, judiciary or executive responsible for the initiation, interpretation or enforcement of international law, though the latter, in various ways seeks to perform these functions. Diplomacy is the normative and practical mechanism whereby relations between states are conducted. Essentially it is a process of communication: the formal means whereby states, as conflictual entities, articulate their interactions, mediate clashing interests and regulate the ever-shifting configurations of power within the larger system they comprise. The purpose of this course is to introduce students to the integral synergy between diplomacy and international law—resting on common political dynamics within international society—from their origins to the present. Topics include the rise of modern diplomacy in Renaissance Italy, the emergence of international law and professionalization of diplomacy in early Modern Europe; the development and actualization of both legal norms and diplomatic theory in the 18th and 19th centuries; the codification of international law and adaptation of international law to transnationalism and globalization in the 20th century, the abiding issue of conflict resolution at the interstate level.

Course Outcome Goals:

By the end of the course, students will be able to:

- Understand the complex synergy between state interest, diplomacy, and ever widening global interactions tested against historical evidence.
- Have a deeper appreciation of the normative/moral/ethical dimensions of international politics.
- Appreciate historical conflicts as a reservoir of information and judgment against which modern strategic confrontations can be tested.
- Write effective papers that critically analyze in fluent prose the complexities driving the modern international system set within an in-depth historical context.
- Appreciate the complex nature of interstate relations and the limits of normative regulations.
- Have a better understanding of contemporary problems in world politics and how diplomats deal with them.

Required Texts:

- There are no required purchases for this course. All readings are available on Canvas. Please make sure you have access to the course as soon as possible.

Assignments (rubrics for written assignments will be given out in class):

Participation (150 points)
Treaty Topic Description (25 points)
Midterm Exam (125 points)
Annotated Bibliography (50 points)
Treaty Presentation (50 points)
Final Treaty Paper (100)

Total: 500 points

Formatting Guidelines for ALL written assignments:

- The heading of your assignments should be your name ONLY (no date, title, etc.)
- 12-point Times New Roman font
- Double-spaced
- 1-inch margins all around
- Be specific. I want you to really think about your assignments and your responses to them and how they fit into our overall course.
- Avoid replacing arguments with examples. Use examples to illustrate a general claim, not as a replacement for them. Examples by themselves tend toward selection bias and hasty generalizations.
- I am interested in content, not clever rhetorical flourish. Thus, avoid filler material...
- **PROOFREAD YOUR WORK.** You will be marked off for typos, punctuation errors, and/or major disorganization.
- All papers must be written specifically for THIS CLASS. Any papers submitted from previous courses will automatically receive an F.

***** SUBMIT YOUR PAPER THROUGH TURN-IT-IN ON CANVAS *****
(I will not accept it any other way)

Course Policies:

1. **Attendance** is mandatory and will be taken at each class session. Please plan to attend every class so that you can get all the information of the course needed. If you miss class due to illness, please contact the Dean of Students and submit your doctor's note through them. You will not be able to pass this class without regularly attending it. If you have more than 3 absences, it will affect your participation grade. Repeated lateness will affect participation grade.
2. **No personal technology devices allowed in class.** This means no cell phones, iPads, laptops, or any other kinds of electronic devices (unless needed for medical reasons, with the proper documentation). These devices are distracting not only to you, but to the rest of the class as well. If you are caught using your phone or another device, you will lose participation credit for the day. Continuous use of these technologies may result in being asked to leave the classroom and lose participation credit for the day. If you are caught using any personal technology during an exam, you will receive a zero for the exam, and the matter will be handed over to the Office of Academic Integrity.
3. Students should present official medical or legal documentation if they cannot fulfill any part of the course requirements. Exceptions will only be made under extraordinary circumstances such as serious illness and/or legal obligations.

4. **Open Communication:** I am always available to help you succeed in this course. You may see me during my office hours or reach me through email. Please do not hesitate to contact me with any questions or concerns. Additionally, it is inappropriate for any parents to contact any professor about your grade, and there are laws that prohibit such communication.
5. **Your grade** is your responsibility and is non-negotiable. If you need a specific grade for your GPA, financial aid, academic standing, personal reasons, etc., you need to earn that grade by following the guidelines presented in this syllabus. Please do not contact me after the semester asking/begging for a better grade.
6. **DO NOT HAND IN WORK YOU'VE SUBMITTED IN ANY OTHER CLASS.** Even if you wrote it, it would still be considered plagiarism because you didn't write it specifically for this class.
7. Please be **respectful** of everyone in the class, including me. If you are being disrespectful, you will be warned one time. Any subsequent disrespect will be reported to the university.
8. I cannot predict the future, and as we all know from these past few years, things can change overnight – this includes modality of courses taught, requirements for in person classes, etc. I will do my best to be as honest and upfront with you about what I know and to help ease whatever transitions we may need to make throughout the semester. We should all be prepared for everything.
9. Do not plan a mid-semester vacation that would cause you to miss an exam or leave campus before the end of the university's final exam end date, requiring a different exam date. This will not be accommodated. (Final exam dates will be available sometime in late February or early March, so please plan accordingly).
10. ***Academic Integrity is the cornerstone of higher education and is central to the ideals of this course and the university. Cheating is strictly prohibited and devalues the degree that you are working on. As a member of the NJIT community, it is your responsibility to protect your educational investment by knowing and following the academic code of integrity policy that is found at: <http://www5.njit.edu/policies/sites/policies/files/academic-integrity-code.pdf>. Please note that it is my professional obligation and responsibility to report any academic misconduct to the Dean of Students Office. Any student found in violation of the code by cheating, plagiarizing or using any online software inappropriately will result in disciplinary action. This may include a failing grade of F, and/or suspension or dismissal from the university. If you have any questions about the code of Academic Integrity, please contact the Dean of Students Office at dos@njit.edu***

Spring 2024 - International Law and Diplomacy Schedule (subject to change)			
WEEK	TOPIC	Readings	WRITTEN ASSIGNMENTS DUE
16-Jan	Introductions		
18-Jan	What is International Law?	"Hugo Grotius and the Concept of Grotian Moments in International Law"	
23-Jan	The Westphalian State System	"The Peace of Westphalia of 1648 and the Origins of Sovereignty"	
25-Jan	International Institutions	"What are International Institutions"; "International Norm Dynamics and Political Change"	
30-Jan	What is Diplomacy?	"Practice of Diplomacy"	
1-Feb	The Geneva Conventions	Geneva Conventions (1864, 1906, 1929, 1949)	
6-Feb	The Hague Convention	Hague Convention - 1907	
8-Feb	19th Century Diplomacy - The Concert of Europe	"The Concert of Europe and Great-Power Governance Today"	
13-Feb	The World Wars and Changing International Landscape pt. 1	"Treaty of Versailles"	
15-Feb	The World Wars and Changing International Landscape pt. 2	League of Nations Mandate	Treaty Topic Due
20-Feb	Aftermath of WWII pt. 1 - Human Rights	UN Charter; Universal Declaration of Human Rights; UNGC	
22-Feb	Aftermath of WWII pt. 2 - International Court of Justice (ICJ)	"History of the ICJ"	
27-Feb	The Cold War - Diplomacy vs. Nuclear War: Cuban Missile Crisis	"Cuban Missile Crisis at 30"	
29-Feb	The Cold War - Diplomacy vs. Nuclear War: SALT talks	Strategic Arms Limitation Talks (SALT) documents	
5-Mar	End of the Cold War and The New World Order	"The End of History?"	
7-Mar	NO CLASS		Midterm Exam due by March 8th - 11:59pm on Canvas
12-Mar & 14-Mar	SPRING BREAK - NO CLASSES		
19-Mar	Disasters of the 1990s pt. 1	ICTR Statute	
21-Mar	Disasters of the 1990s pt. 2	ICTY Statute	
26-Mar	Rome Statute and International Criminal Court (ICC)	Rome Statute	
28-Mar	9/11 & the Global War on Terror	"Can International Law Survive the 21st Century?"	
2-Apr	Darfur	ICC Arrest Warrant for Omar al-Bashir	
4-Apr	Nuclear	"START Treaty"	
9-Apr	Russia vs. Ukraine - Putin's International Arrest Warrant (2023)	ICC Arrest Warrant for Putin	Annotated Bibliography Due
11-Apr	South Africa's Referral of Israel to ICJ (2024)	ICJ Application Instituting Proceedings	
16-Apr	student presentations		
18-Apr	student presentations		
23-Apr	student presentations		
25-Apr	student presentations		
30-Apr	student presentations		
Final Papers due by Friday, May 3rd			