



RHODES UNIVERSITY

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# **PUBLIC INTERNATIONAL LAW**

## **COURSE OUTLINE**

**LECTURER: M MANGEZI**  
***FEBRUARY 2009***

## **1. OVERVIEW**

Public International Law is a semester course offered in the first part of the year. It is aimed at familiarising the student with the basic principles of the subject and their application to relations between states.

## **2. ASSUMPTIONS OF PRIOR LEARNING**

The following assumptions of prior learning are made:

- the ability to communicate effectively in both spoken and written English;
- the ability to read, interpret and extract legal principles from international agreements, decisions of international tribunals and other source materials;
- the ability to learn independently;
- the ability to apply problem-solving techniques to practical situations.

## **3. OUTCOMES**

### **3.1 Critical Outcomes**

The course will contribute to the student attaining the following critical outcomes:

- collecting, analysing, organising and critically evaluating information conveyed during lectures and contained in the study guide;
- identifying and solving legal practical problems;
- demonstrating an understanding of the world as a set of related systems;
- successfully completing given tasks without supervision;
- use of technology.

### **3.2 Specific Outcomes**

The course is designed to enable the student to achieve the outcomes set out below:

- knowledge and understanding of the function, sources and legal principles of Public International Law;
- ability to identify and distinguish between aspects of domestic law and international law;
- ability to apply the legal principles of Public International Law to specific situations;
- knowledge of the composition, structure and powers of some institutions involved in the field of Public International Law.

#### 4. TEACHING METHODS

The teaching of the course will take the form of formal lecturing and class discussions. Particular importance is attached to the class discussions as one of the aims of the course is to encourage analytical and critical thinking on the part of the student. Pre-reading is recommended and expected to ensure easier understanding during lectures. The student is expected to take responsibility for his/her own learning by reading the course material provided.

#### 5. COURSE CONTENT

1. An introduction to international law
2. Sources of international law
3. Relationship between South African domestic law and international law
4. Recognition and Territory
5. Jurisdiction and international crimes
6. Extradition
7. Immunity from jurisdiction
8. The United Nations
9. The use of force in international law
10. International adjudication
11. International human rights

#### 6. RESOURCES

*Prescribed:*

1. J. Dugard *International Law: A South African Perspective* (2005) 3<sup>rd</sup> ed., Juta and Co: Kenwyn

*Recommended:*

1. M. N. Shaw *International Law* (1997) 4th ed., Cambridge University Press: Cambridge
2. I. Brownlie *Principles of Public International Law* (2003) Butterworths: Durban
3. A. O'Shea *International Law and Organisation – A practical Analysis* (1998) Butterworths: Durban
4. R.M.M. Wallace *International Law* (1997) 3rd ed., Sweet and Maxwell: London

**All of the above sources are in the Law Library. Some of them are dated and efforts are being made to secure the updated editions in the library.**

## ASSESSMENT

The course will comprise of one research essay, one test and one two-hour examination to be written in June 2009. The research essay and test will be the class work component and it amounts to 30% of the final work; the remaining 70% being the exam component. In addition to the summative assessment tasks, there is formative assessment during lectures. Lecture attendance is compulsory and students may not miss more than five lectures over the duration of the course, unless a satisfactory explanation is furnished. It is every student's responsibility to sign the class register circulated during the lecture. The class register will serve as proof of attendance or non-attendance of lectures.

## STUDENT ASSESSMENT

SPECIFIC OUTCOMES	ASSESSMENT CRITERIA	ASSESSMENT TASKS
On completion of this course the student should know:	What evidence must the student provide to show that they are competent? The student must be able to	The evidence will be gathered in:
Know and understand the function, sources and legal principles of Public International Law	<ul style="list-style-type: none"> <li>• Demonstrate an appreciation of the content and nature of Public International Law;</li> <li>• Identify the various sources of Public International Law</li> </ul>	<ul style="list-style-type: none"> <li>• Class Test</li> <li>• Assignment</li> <li>• Examination</li> </ul>
Be able to identify and distinguish between aspects of domestic law and international law	<ul style="list-style-type: none"> <li>• know when aspects of international law become binding or applicable to domestic law</li> <li>• demonstrate understanding of the interlink between domestic law and international law regarding the exercise of jurisdiction</li> </ul>	<ul style="list-style-type: none"> <li>• Class Test</li> <li>• Assignment</li> <li>• Examination</li> </ul>

**STUDENT ASSESSMENT (cont)**

<b>SPECIFIC OUTCOMES</b>	<b>ASSESSMENT CRITERIA</b>	<b>ASSESSMENT TASKS</b>
On completion of this course the student should know:	What evidence must the student provide to show that they are competent? The student must be able to	The evidence will be gathered in:
Be able to apply the legal principles of Public International Law as found in various sources to specific situations	<ul style="list-style-type: none"> <li>• show an understanding of</li> <li>• how the key concepts and</li> <li>• principles found in treaties,</li> <li>• case law etc. are applicable to practical situations</li> </ul>	<ul style="list-style-type: none"> <li>• Class Test</li> <li>• Assignment</li> <li>• Examination</li> </ul>
Know the composition, structure and powers of some major institutions involved in Public International Law	Appreciate the make up and functions of certain international organisations as well as the issues and problems they have faced and continue to face	<ul style="list-style-type: none"> <li>• Class Test</li> <li>• Assignment</li> <li>• Examination</li> </ul>