

International Relations and International Law: Theories and Histories

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MPhil in POLIS 2020-2021

Michaelmas Term

Wednesdays, 3-5pm BST on Zoom

Description

This module focuses on the dialogue, still nascent, about the history and theory of international law between scholars of International Relations, International Law, and International History. Principally anchored in IR, we start out debating some dominant ways of IR scholarly thinking about international law (and in some cases, related organizations) and then place that scholarship side-by-side with prominent contributions from International Law and History. The broad learning goal is to convey the complex, contested, and deeply historical nature of the international legal order, to spark discussion among participants about more or less satisfactory ways to theorize and historicize international law, and to motivate original research in this general area.

Topics of focus include: global governance before the twentieth century, the postwar(s) law and organization of war and peace; the laws of war; human rights law; and international law of trade and development.

Although by now mostly finalized, please note that this is a ‘living’ reading list. If the module organizer decides to make changes, these will be communicated promptly to participants.

Mode of Teaching

This course is conducted as an advanced postgraduate seminar. It will consist of 7 two-hour *discussion-based* seminars with no accompanying lectures.

It is imperative that students attend the seminar ready to engage in constructive debate with others about the topic of discussion. The expectation is that you will devote the time and energy to read the assigned material in a careful and critical fashion, and that you will come with prepared insights and questions for debate. Staying silent is strongly discouraged.

Since this year we will meet via Zoom, I am asking all participants to please keep their cameras on throughout the session, except during our 10 minute break. If there are good reasons why you wish to turn your camera off during a particular session (or part of a session), please be sure to consult with Dr. Mantilla before the session has started.

Dr. Mantilla (or MPhil administrators) will circulate a Zoom link to our seminar session via email.

We will follow University guidance on recordings: <https://www.educationalpolicy.admin.cam.ac.uk/supporting-students/policy-recordings>

The baseline rule for our module is that, given the interactive nature of the seminar, our seminar sessions will **not** be recorded. If you foresee the need for the recording of specific sessions, please

be sure to contact Dr. Mantilla well in advance (at least 3 days before the seminar session), who will then consult the MPhil Directors before proceeding.

Student Presentations

Students will be expected to make one presentation during the module period. Starting on the second class session (October 21), two to three students will be asked to spark discussion through brief reflection essays (of 2-3 double-spaced pages) about the required readings for the week, and by formulating two-three critical questions related to their reflection and the readings. The papers are meant to be *analytical* and *critical*, perhaps threading together and/or contrasting elements from the different readings without simply summarizing them. Presenters' questions are meant to provoke debate among class participants, so please be sure to think about them in those terms. Each presentation should last no longer than 10 minutes to allow for collective discussion. You may -- but are not obligated to -- use power point during your presentation. Please assume that everyone will have read your essay and will be ready to engage with your reflections and questions.

Reflection essays should be emailed in word or pdf format to all seminar participants (Dr. Mantilla included) on the morning of our class session by **9am** at the latest.

Sign up for the reflection essays/presentations will take place during our first session on October 14.

Assessment

Assessment will be conducted via a 3,000-word essay (a book review chosen from a curated list) at the end of term. Dr. Mantilla will discuss the activity in more depth during our first seminar session.

Attendance will be taken at every session. For those taking the course not for full credit (i.e. 'Pass/Fail'), failure to attend more than 2 sessions without prior justification (duly relayed to Dr. Mantilla) will result in a 'Fail' mark. Students opting for this modality are expected to be full participants in the seminar and are committed to class presentations.

Readings

Assigned readings are available electronically either from the University Library's e-journals and e-books provisions or as scanned pdfs provided by Mill Lane Library. In addition to the Required Readings for each week, the syllabus also lists 'Supplementary Reading'. These are intended for students who wish to explore a weekly topic in further depth.

Some Reference Work on Historical IR and International Law

Acharya, Amitav, and Barry Buzan. *The Making of Global International Relations: Origins and Evolution of IR at Its Centenary*. Cambridge University Press, 2019.

- Grovogui, Siba N. 1996. *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law*. Minneapolis: University of Minnesota Press.
- Dunne, Timothy, and Christian Reus-Smit. *The Globalization of International Society*. Oxford University Press, 2017.
- Dunoff, Jeffrey, and Mark A. Pollack, eds. *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*. New York: Cambridge University Press, 2013.
- Koskenniemi, Martti. *The Gentle Civilizer of Nations: The Rise and Fall of International Law, 1870-1960*. Cambridge: Cambridge University Press, 2002.
- Mazower, Mark. *Governing the World. The History of an Idea, 1815 to the Present*. New York: Penguin, 2012.
- Bernstorff, Jochen von, and Philipp Dann, eds. *The Battle for International Law: South-North Perspectives on the Decolonization Era*. New York: Oxford University Press, 2019.
- Peters, Anne, and Bardo Fassbender, eds. *The Oxford Handbook of the History of International Law*. New York: Oxford, 2012.
- Obregón, Liliana. 2019. Peripheral Histories of International Law. *Annual Review of Law and Social Science* 15: 437–451.

SEMINAR SCHEDULE

Week 1. October 14. International Law, Norms, and Institutions in IR Theory

- Krasner, Stephen (1991) “Global Communications and National Power: Life on the Pareto Frontier,” *World Politics* 43 (3): 336-356.
- Koremenos, Barbara. “Institutionalism and International Law.” In *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*, edited by Jeffrey Dunoff and Mark A. Pollack, 59–82. New York: Cambridge University Press, 2013.
- Ikenberry, G. John. *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars*. Princeton University Press, 2000. Chapter 1, pp. 1-20. Skim chapter 6.
- Reus-Smit, Christian, ed. *The Politics of International Law*. Cambridge University Press, 2004. Chapter 2, pp. 14-44.
- Finnemore, Martha, and Kathryn Sikkink. “International Norm Dynamics and Political Change.” *International Organization* 52, no. 4 (1998): 887–917.

Mantilla, Giovanni. "Social Pressure and the Making of Wartime Civilian Protection Rules." *European Journal of International Relations* 26, no. 2 (2020): 443–468.

Supplementary Reading

Hakimi, Monica. "The Work of International Law." *Harvard International Law Journal* 58, no. 1 (2017): 1–46.

Viola, Lora Anne. *The Closure of the International System: How Institutions Create Political Equalities and Hierarchies*. New York: Cambridge University Press, 2020.

Drezner, Daniel W. *All Politics Is Global: Explaining International Regulatory Regimes*. Princeton University Press, 2007.

Krasner, Stephen D. *Sovereignty: Organized Hypocrisy*. Princeton: Princeton University Press, 1999.

Hurd, Ian. *How to Do Things with International Law*. Princeton, NJ: Princeton University Press, 2017.

Brunnée, Jutta, and Stephen J. Toope. *Legitimacy and Legality in International Law: An Interactional Account*. Cambridge University Press, 2010.

Bower, Adam. 2017. *Norms without the Great Powers: International Law and Changing Social Standards in World Politics*. New York: Oxford University Press.

Poole, Thomas. *Reason of State: Law, Prerogative and Empire*. New York: Cambridge University Press, 2015.

Porter, Patrick. *The False Promise of Liberal Order*. Cambridge, MA: Polity, 2020.

Goldsmith, Jack L., and Eric A. Posner. *The Limits of International Law*. Oxford University Press, 2005.

Ohlin, Jens David. *The Assault on International Law*. Oxford University Press, 2015.

Nadelmann, Ethan A. "Global Prohibition Regimes: The Evolution of Norms in International Society." *International Organization* 44, no. 4 (1990): 479–526.

Ikenberry, G. John. *Liberal Leviathan*. Princeton: Princeton University Press, 2011.

Krisch, Nico. "International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order." *European Journal of International Law* 16, no. 3 (2005): 369–408.

Nexon, Daniel H., and Alexander Cooley. *Exit from Hegemony: The Unraveling of the American Global Order*. New York: Oxford University Press, 2020. Especially chapter 2, pp. 18-53.

Reus-Smit, Christian. "Cultural Diversity and International Order." *International Organization* 71, no. 4 (2017): 851–85.

Dimitrov, Radoslav S. "Empty Institutions in Global Environmental Politics." *International Studies Review*, 2019, 1–25. <https://doi.org/10.1093/isr/viz029>.

Ruggie, John Gerard. *Multilateralism Matters: The Theory and Praxis of an Institutional Form*. Columbia University Press, 1993.

Hakimi, Monica. "Constructing an International Community." *American Journal of International Law* 1065, no. 2012 (2017): 1–40.

Keohane, Robert O. "International Relations and International Law: Two Optics." *Harvard International Law Journal* 38, no. 2 (1997): 487-502.

Acharya, Amitav. *Constructing Global Order: Agency and Change in World Politics*. New York: Cambridge University Press, 2018.

Ruggie, John Gerard. *Constructing the World Polity: Essays on International Institutionalization*. London: Routledge, 1998.

Mearsheimer, John J. "Bound to Fail: The Rise and Fall of the Liberal International Order." *International Security* 43, no. 4 (2019): 7–50.

Week 2. October 21. 'Methodenstreit': How Should IR study IL? Should We Pursue Interdisciplinarity?

Pitts, Jennifer. "International Relations and the Critical History of International Law." *International Relations* 31, no. 3 (2017): 282–98.
<https://doi.org/10.1177/0047117817726227>.

Koskenniemi, Martti. "Law, Teleology and International Relations: An Essay in Counterdisciplinarity." *International Relations* 26, no. 1 (2012): 3–34.
<https://doi.org/10.1177/0047117811433080>.

Pollack, Mark A. "Is International Relations Corrosive of International Law? A Reply to Martti Koskenniemi." *Temple International and Comparative Law Journal* 27, no. 2 (2013): 339–75. <https://doi.org/10.2139/ssrn.2273948>.

Capan, Zeynep Gulsah. "Beyond Visible Entanglements: Connected Histories of the International," 2020, 289–306. <https://doi.org/10.1093/isr/viaa029>.

Bianchi, Andrea. “International Relations and Social Science Methodologies.” In *International Law Theories: An Inquiry into Different Ways of Thinking*, 110–34. New York: Oxford University Press, 2016.

Supplementary Reading

Slaughter, Anne-Marie, Andrew S. Tulumello, and Stepan Wood. “International Law and International Relations Theory : A New Generation of Interdisciplinary Scholarship.” *American Journal of International Law* 92, no. 3 (1998): 367–97.

Symposium on Method in International Law. *American Journal of International Law*, Volume 93, Issue 2, April 1999.

Dunoff, Jeffrey, and Mark A. Pollack, eds. *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*. New York: Cambridge University Press, 2013. Chapters 1 and 2, pp. 3-53.

Leira, Halvard, and Benjamin de Carvalho. “Construction Time Again: History in Constructivist IR Scholarship.” *European Review of International Studies* 3, no. 3 (2017): 99–111.
<https://doi.org/10.3224/eris.v3i3.27346>.

Cello, Lorenzo. “Taking History Seriously in IR: Towards a Historicist Approach.” *Review of International Studies* 44, no. 2 (2018): 236–51.
<https://doi.org/10.1017/S0260210517000432>

Orford, Anne. “On International Legal Method.” *London Review of International Law* 1, no. 1 (2013): 166–97. <https://doi.org/10.1093/lril/lrt005>.

Benton, Lauren. “Beyond Anachronism: Histories of International Law and Global Legal Politics.” *Journal of the History of International Law* 21, no. 1 (2019): 7–40.

Koremenos, Barbara. “Institutionalism and International Law.” In *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*, edited by Jeffrey Dunoff and Mark A. Pollack, 59–82. New York: Cambridge University Press, 2013.

Abbott, Kenneth W., Robert O. Keohane, Andrew Moravcsik, Anne-Marie Slaughter, and Duncan Snidal. “The Concept of Legalization.” *International Organization* 54, no. 3 (2000): 401–19.

Koskenniemi, Martti. “Histories of International Law: Dealing with Eurocentrism.” In *Zeitschrift Des Max-Planck-Instituts Für Europäische Rechtsgeschichte*, edited by Thomas Duve, 152–77, 2011.

Lawson, George. “International Relations as a Historical Social Science.” In *The Sage Handbook of the History, Philosophy and Sociology of International Relations*, edited by Andreas Gofas, Inanna Hamati-Ataya, and Nicholas Onuf, 75–89. London: Sage, 2018.

- Arvidsson, Matilda, and Miriam Bak McKenna. "The Turn to History in International Law and the Sources Doctrine: Critical Approaches and Methodological Imaginaries." *Leiden Journal of International Law* 33, no. 1 (2020): 37–56.
<https://doi.org/10.1017/S0922156519000542>.
- Reus-Smit, Christian. "Reading History through Constructivist Eyes." *Millennium - Journal of International Studies* 37, no. 2 (December 1, 2008): 395–414.
- Koskenniemi, Martti. "Histories of International Law: Significance and Problems for a Critical View." *Temple International and Comparative Law Journal* 27, no. 2 (2013): 215–40.
- Koskenniemi, Martti. "Miserable Comforters: International Relations as New Natural Law." *European Journal of International Relations* 15, no. 3 (2009): 395–422.
<https://doi.org/10.1177/1354066109338229>.
- Hafner-Burton, Emilie, David G. Victor, and Yonatan Lupu. "Political Science Research on International Law : The State of the Field." *American Journal of International Law* 106, no. 1 (2012): 47–97.
- Shaffer, Gregory, and Tom Ginsburg. "The Empirical Turn in International Legal Scholarship." *American Journal of International Law* 106, no. 1 (2012): 1–46.
- Voeten, Erik. "Making Sense of the Design of International Institutions." *Annual Review of Political Science* 22, no. 1 (2019): 147–63.
- Finnemore, Martha, and Stephen J. Toope. "Alternatives to 'Legalization': Richer Views of Law and Politics." *International Organization* 55, no. 3 (2001): 743–58.
- Trachtenberg, Marc. *The Craft of International History: A Guide to Method*. Princeton: Princeton University Press, 2006.
- Venzke, Ingo. "What If? Counterfactual (Hi)Stories of International Law." *Asian Journal of International Law* 8, no. 2 (2018): 403–31. <https://doi.org/10.1017/S2044251317000091>.
- Roth-Isigkeit, David. "The Blinkered Discipline?: Martti Koskenniemi and Interdisciplinary Approaches to International Law." *International Theory* 9, no. 3 (2017): 410–35.
<https://doi.org/10.1017/S1752971917000070>.
- Búzás, Zoltán I. "Is the Good News about Law Compliance Good News about Norm Compliance? The Case of Racial Equality." *International Organization* 72, no. 2 (2018): 351–85.

Week 3. October 28. The Historical Governance of International Society: Empires, Concerts, Hierarchies

Pitts, Jennifer. *Boundaries of the International: Law and Empire*. Cambridge, MA: Harvard University Press, 2018. Introduction, pp. 1-27.

Mitzen, Jennifer. *Power in Concert: The Nineteenth-Century Origins of Global Governance*. Chicago: University of Chicago Press, 2013. Chapter 3, 64-101.

Anghie, Antony. "The Evolution of International Law: Colonial and Postcolonial Realities." *Third World Quarterly* 27, no. 5 (2006): 739–53.
<https://doi.org/10.1080/01436590600780011>.

Getachew, Adom. *Worldmaking after Empire: The Rise and Fall of Self-Determination*. Princeton, NJ: Princeton University Press, 2019. Chapters 1 and 2, pp. 14-36; 37-71.

Spanu, Maja. "The Hierarchical Society: The Politics of Self-Determination and the Constitution of New States after 1919." *European Journal of International Relations* 26, no. 2 (2020): 372–396.

Ravndal, Ellen J. "Colonies, Semi-Sovereigns, and Great Powers: IGO Membership Debates and the Transition of the International System." *Review of International Studies* 58, no. 4 (2019): 278–98. <https://doi.org/10.1017/S0260210519000408>.

Supplementary Reading

Keene, Edward. *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics*. New York: Cambridge University Press, 2002.

Gong, Gerrit W. *The Standard of "Civilization" in International Society*. Oxford: Clarendon Press, 1984.

Pitts, Jennifer. "The Critical History of International Law." *Political Theory* 43, no. 4 (2015): 541–52. <https://doi.org/10.1177/0090591715589950>.

Pitts, Jennifer. "Empire and Legal Universalisms in the Eighteenth Century." *The American Historical Review* 117, no. 1 (2012): 92–121. <https://doi.org/10.1086/ahr.117.1.92>.

Grovogui, Siba N. 1996. *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law*. Minneapolis: University of Minnesota Press.

Bourke, Richard. 2020. Review Essay: European Empire and International Law from the Eighteenth to the Twentieth Century. *Historical Journal*.

Yao, Joanne. “‘Conquest from Barbarism’: The Danube Commission, International Order and the Control of Nature as a Standard of Civilization.” *European Journal of International Relations* 25, no. 2 (2019): 335–59.

Aalberts, Tanja E. “Rethinking the Principle of (Sovereign) Equality as a Standard of Civilisation.” *Millennium: Journal of International Studies* 42, no. 3 (2014): 767–89.
<https://doi.org/10.1177/0305829814543731>.

O’Hagan, Jacinta. “The Role of Civilization in the Globalization of International Society.” In *The Globalization of International Society*, edited by Tim Dunne and Christian Reus-Smit, 185–203. New York: Oxford University Press, 2017.

Sylvest, Casper. “‘Our Passion for Legality’: International Law and Imperialism in Late Nineteenth-Century Britain.” *Review of International Studies* 34, no. 3 (2008): 403–23.
<https://doi.org/10.1017/S0260210508008097>.

Benton, Lauren, and Lisa Ford. *Rage for Order: The British Empire and the Origins of International Law, 1800–1850*. Cambridge, MA: Harvard University Press, 2016.

Benton, Lauren. “Law and Empire in Global Perspective.” *American Historical Review* 117, no. 4 (2012): 1092–1100.

Alter, Karen J. “The Empire of International Law?” *American Journal of International Law* 113, no. 1 (2019): 183–99. <https://doi.org/10.1017/ajil.2018.81>.

Parfitt, Rose. *The Process of International Legal Reproduction: Inequality, Historiography, Resistance*. New York: Cambridge University Press, 2019.

Manela, Erez. “International Society as a Historical Subject.” *Diplomatic History* 44, no. 2 (2020): 184–209.

Becker Lorca, Arnulf. *Mestizo International Law: A Global Intellectual History, 1842-1933*. New York: Oxford University Press, 2014. Chapters TBD.

Simpson, Gerry. *Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order*. Cambridge University Press, 2004.

Week 4. November 4. The Postwar International Law of Peace and Organization

Mazower, Mark. *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations*. Princeton, NJ: Princeton University Press, 2009. Introduction pp. 1-27, and Chapter 4, pp. 149-189; Afterword, pp. 190-203.

Claude, Inis (1966) “Collective Legitimization as a Political Function of the UN.” *International Organization* 20 (3): 367-379.

Sinclair, Guy Fiti. *To Reform the World: International Organizations and the Making of Modern States*. New York: Oxford University Press, 2017. Chapter 3, pp. 113-159, skim Introduction, pp.1-25.

Bernstorff, Jochen von, and Philipp Dann. “The Battle for International Law: An Introduction.” In *The Battle for International Law: South-North Perspectives on the Decolonization Era*, edited by Jochen von Bernstorff and Philipp Dann, 1–31. New York: Oxford University Press, 2019.

Hakimi, Monica, and Jacob Katz Cogan. “The Two Codes on the Use of Force.” *European Journal of International Law* 27, no. 2 (2016): 257–91.

Hurd, Ian. “The Permissive Power of the Ban on War.” *European Journal of International Security* 2, no. 1 (2017): 1–18. <https://doi.org/10.1017/eis.2016.13>.

Supplementary Reading

Weitz, Eric D. “From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions.” *The American Historical Review* 113, no. 5 (2008): 1313–43. <https://doi.org/10.1086/ahr.113.5.1313>.

Voeten, Erik. “The Political Origins of the UN Security Council’s Ability to Legitimize the Use of Force.” *International Organization* 59, no. 3 (2005): 527–57.

Hathaway, Oona, and Scott J. Shapiro. *The Internationalists: And Their Plan to Outlaw War*. New York: Simon and Schuster, 2017.

Finkelstein, Lawrence S. “The United Nations: Then and Now.” *International Organization* 19, no. 3 (1965): 367–93. [This entire issue of *IO* is important to understand how IR scholars saw the organization 20 years after created.]

Pedersen, Susan. “Back to the League of Nations.” *The American Historical Review* 112, no. 4 (2007): 1091–1117.

Hurd, Ian. “The Permissive Power of the Ban on War.” *European Journal of International Security* 2, no. 1 (2017): 1–18. <https://doi.org/10.1017/eis.2016.13>.

Fazal, Tanisha M. *State Death: The Politics and Geography of Conquest, Occupation, and Annexation*. Princeton, NJ: Princeton University Press, 2007.

Crawford, Neta C. 2002. *Argument and Change in World Politics*. New York: Cambridge University Press.

Raymond, Mark. *Social Practices of Rule-Making in World Politics*. New York: Oxford University Press, 2019. Chapter 1, pp. 8-43, skim chapter 3, pp. 83-141.

Viola, Lora, Duncan Snidal, and Michael Zürn. "Sovereign (In)Equality in the Evolution of the International System." In *Oxford Handbook of Transformations of the State*, edited by Stephan Leibfried, Evelyne Huber, Matthew Lange, Jonah D. Levy, and John D. Stephens, 1–13. Oxford: Oxford University Press, 2014.

Finnemore, Martha. *The Purpose of Intervention: Changing Beliefs About the Use of Force*. Ithaca, NY: Cornell University Press, 2003.

Bernstorff, Jochen von, and Philipp Dann, eds. *The Battle for International Law: South-North Perspectives on the Decolonization Era*. New York: Oxford University Press, 2019.

Simpson, Gerry. "The Globalization of International Law." In *The Globalization of International Society*, edited by Timothy Dunne and Christian Reus-Smit, 265–83. New York: Oxford University Press, 2017.

Eslava, Luis, and Sundhya Pahuja. "The State and International Law: A Reading from the Global South." *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 11, no. 1 (2019): 118–38. <https://doi.org/10.1353/hum.2019.0015>.

Sinclair, Guy Fiti. "A Battlefield Transformed: The United Nations and the Struggle over Postcolonial Statehood." In *The Battle for International Law: South-North Perspectives on the Decolonization Era*, 257–77. New York: Oxford University Press, 2019.

Hurd, Ian. *How to Do Things with International Law*. Princeton, NJ: Princeton University Press, 2017.

Craven, Matthew, Sundhya Pahuja, and Gerry Simpson, eds. *International Law and the Cold War*. New York: Cambridge University Press, 2019.

Mazower, Mark. *Governing the World. The History of an Idea, 1815 to the Present*. New York: Penguin, 2012.

Claude, Inis L. *Swords Into Plowshares: The Problems and Progress of International Organization*. Random House, 1984.

Eslava, Luis, Michael Fakhri, and Vasuki Nesiah, eds. *Bandung, Global History, and International Law: Critical Past and Pending Futures*. Cambridge: Cambridge University Press, 2017.

Week 5. November 11. The Laws of War

Benvenisti, Eyal, and Doreen Lustig. 2020. Monopolizing War: Codifying the Laws of War to Reassert Governmental Authority 1856-1874. *European Journal of International Law* 31 (1): 127–169.

Fazal, Tanisha M., and Brooke C. Greene. "A Particular Difference: European Identity and Civilian Targeting." *British Journal of Political Science* 45, no. 04 (2015): 829–51.

Morrow, James D. *Order within Anarchy: The Laws of War as an International Institution*. Cambridge University Press, 2014. Chapter 7.

Kinsella, Helen M. "Gendering Grotius: Sex and Sex Difference in the Laws of War." *Political Theory* 34, no. 2 (2006): 161–91.

Mantilla, Giovanni. "Forum Isolation: Social Opprobrium and the Origins of the International Law of Internal Conflict." *International Organization* 72, no. 2 (2018): 317–49.

Mégret, Frédéric. "From 'Savages' to 'Unlawful Combatants': A Postcolonial Look at International Humanitarian Law's 'Other.'" In *International Law and Its Others*, edited by Anne Orford. New York: Cambridge University Press, 2006.

Supplementary Reading

Mantilla, Giovanni. *Lawmaking under Pressure: International Humanitarian Law and Internal Armed Conflict*. Ithaca, NY: Cornell University Press, 2020.

Kinsella, Helen M., and Giovanni Mantilla. "Contestation before Compliance: History, Politics, and Power in International Humanitarian Law." *International Studies Quarterly*, 2020.

Kalmanovitz, Pablo. *The Laws of War in International Thought*. New York: Oxford University Press, 2020.

Barnett, Michael. *Empire of Humanity: A History of Humanitarianism*. Ithaca, NY: Cornell University Press, 2011.

Kinsella, Helen M. "Discourses of Difference: Civilians, Combatants, and Compliance with the Laws of War." *Review of International Studies* 31 (2005): 163–85.

Fazal, Tanisha M. *Wars of Law: Unintended Consequences of the Regulation of Armed Conflict*. Ithaca: Cornell University Press, 2018.

Mantilla, Giovanni. "The Origins and Evolution of the 1949 Geneva Conventions and the 1977 Additional Protocols." In *Do the Geneva Conventions Matter?*, edited by Matthew Evangelista and Nina Tannenwald, 35–68. Oxford: Oxford University Press, 2017.

von Bernstorff, Jochen. 2020. Is IHL a Sham? A Reply to 'Monopolizing War' by Eyal Benvenisti and Doreen Lustig. *European Journal of International Law*
<https://doi.org/10.1093/ejil/chaa050>

Benvenisti, Eyal, and Doreen Lustig. "Beyond the 'Sham' Critique and the Narrative of Humanitarianism: A Rejoinder to Jochen von Bernstorff." *European Journal Of International Law* 31, no. 2 (2020): 1–6. <https://doi.org/10.1093/ejil/cha062>.

Week 6. November 18. International Human Rights Law

Reus-Smit, Christian. "Struggles for Individual Rights and the Expansion of the International System." *International Organization* 65 (2011): 207–42.

Hoffman, Stefan-Ludwig. "Introduction: Genealogies of Human Rights." In *Human Rights in the Twentieth Century*, edited by Stefan-Ludwig Hoffmann, 1–28. Cambridge, UK: Cambridge University Press, 2010.

Jensen, Steven L. B. *The Making of International Human Rights: The 1960s, Decolonization and the Reconstruction of Global Values*. New York: Cambridge University Press, 2016. Chapter 1 and Conclusion, pp. 1-18; 275-281.

Moyn, Samuel. *The Last Utopia: Human Rights in History*. Harvard University Press, 2010. Chapter 5, pp. 176-211.

Sikkink, Kathryn. *Evidence for Hope: Making Human Rights Work in the 21st Century*. Princeton: Princeton University Press, 2017. Chapter 4, pp. 94-136.

Burke, Roland. *Decolonization and the Evolution of International Human Rights*. Philadelphia: University of Pennsylvania Press, 2010. Chapter 4, pp. 93-111.

Supplementary Reading

Simmons, Beth A. *Mobilizing for Human Rights: International Law in Domestic Politics*. New York: Cambridge University Press, 2009. Chapter 1.

Moyn, Samuel. *Not Enough: Human Rights in an Unequal World*. Harvard University Press, 2018.

Hoffmann, Steffan-Ludwig, ed. *Human Rights in the Twentieth Century*. Cambridge University Press, 2010.

Halme-Tuomisaari, Miia, and Pamela Slotte. "Revisiting the Origins of Human Rights: Introduction." In *Revisiting the Origins of Human Rights*, edited by Miia Halme-Tuomisaari and Pamela Slotte, 1–36. New York: Cambridge University Press, 2015.

Tallgren, Immi, and Thomas Skouteris. *The New Histories of International Criminal Law. The New Histories of International Criminal Law*. New York: Oxford University Press, 2019. <https://doi.org/10.1093/oso/9780198829638.001.0001>.

Week 7. November 25. Functional Rules, Equal Rules? International Law in Trade and Development

Helleiner, Eric. *Forgotten Foundations of Bretton Woods. International Development and the Making of the Postwar Order*. Ithaca: Cornell University Press, 2014. Introduction, 1-28, and Conclusion, 258-277.

Pahuja, Sundhya. *Decolonising International Law: Development, Economic Growth and the Politics of Universality*. New York: Cambridge University Press, 2011. Chapter 2, 10-43. Skim chapter 3.

Ogle, Vanessa. "State Rights against Private Capital: The 'New International Economic Order' and the Struggle over Aid, Trade, and Foreign Investment, 1962–1981." *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 5, no. 2 (2014): 211–34.

Fioretos, Orfeo, and Eugénia C. Heldt. "Legacies and Innovations in Global Economic Governance since Bretton Woods." *Review of International Political Economy* 26, no. 6 (2019): 1089–1111. <https://doi.org/10.1080/09692290.2019.1635513>.

Drezner, Daniel W. (2019) "Counter-Hegemonic Strategies in the Global Economy." *Security Studies* 28 (3): 505-531.

Supplementary Reading

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