

## JUFN27, Use of Force in International Law, 15 credits

### *Use of Force in International Law, 15 högskolepoäng*

Second Cycle / Avancerad nivå

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### Details of approval

The syllabus is an old version, approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2015-10-07 and was valid from 2015-10-07, autumn semester 2015.

### General Information

Use of Force in International Law is offered as an optional course on the Master of Laws programme. It is to be included in semester 7 or 8 of the programme. The course comprises ten weeks of full-time study.

The language of instruction is English throughout.

#### *Main field of studies*

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#### *Depth of study relative to the degree requirements*

A1N, Second cycle, has only first-cycle course/s as entry requirements

### Learning outcomes

The learning outcomes of the course can in general be described in terms of the five verbs understand, apply, analyse, assess and create (= use creatively). (Compare Anderson and Krathwohl, *A Taxonomy for Learning, Teaching, and Assessing. A Revision of Bloom's Taxonomy of Education* (2001). Also compare with the programme syllabus of Master of Laws programme in which the learning outcomes of the whole programme are described with the six nouns knowledge, understanding, competence, skills, judgement and approach, which is another way of describing the same thing.) In actual practice this means that students and teaching staff share the ambition that students, on completion of the course, shall be able to demonstrate that they are able to

1. *understand* the elements of international law. This includes the ability to identify the international agreements that are relevant to the solution of certain commonly occurring or fundamentally important types of legal problems, the

ability to summarise the contents of key legal provisions and principles, the ability to correctly use certain terms of key importance to international law, the ability to organise and explain the links between general provisions and principles, and the ability to define fundamental terms of international law.

2. *apply* the provisions and principles of international law to new and authentic but still relatively simple cases or problem situations. This includes the ability to identify and specify problems concerning the application of international law, and the ability to communicate problems concerning the application of international law logically and coherently.
3. *analyse* and disentangle difficult and complex problems with regard to the application of international law. This includes the ability to describe actual reality in terms of legally relevant similarities and differences, the ability to explain and justify prevailing theories, the ability to use previous legal decisions as a basis for general conclusions about the contents of international law and as a possible source for new concrete legal arguments, and the ability to explain the relationship between existing legal regulations and the societal context and the interests that the regulations have been created to regulate or operate in.
4. *assess* and critically discuss established legal provisions and arguments. This includes the ability to independently reflect on the role of international law in society, the ability to anticipate or speculate about the outcome of a specific legal dispute or issue of legal policy, and the ability to formulate an appropriate strategy in a specific dispute or problem situation from the perspective of one of the parties.
5. *creatively use* their knowledge of international law. This includes the ability to formulate and perform an appropriate legal strategy in a specific dispute or problem situation from the perspective of one of the parties, the ability to formulate a theory of the coherence of the whole or certain parts of the international legal regime, and the ability to formulate justified proposals of new concepts and principles, or new interpretations or new international legislation.

## Course content

The focus of the course is on the regulation of external state violence in international law (*jus ad bellum*) and on the system promoting collective security established by the UN Charter. The course applies a broad perspective to international law. Unlike introductory courses on international law, which typically focus on the norms created to facilitate the coexistence of states and mutual relations, the present course aims to examine how the interpretation and application of these norms agree with the present-day understanding of international law as a means to promote shared and collective interests. In particular, the course highlights the importance of non-governmental actors such as international organisations, institutions and people in present-day international law. .

The following thematic areas will specifically be addressed:

- Jus ad bellum in a strict sense, i.e. the general prohibition of violence and the right to self-defence
- The international accountability of states and other actors
- The right to self-determination
- International organisations as subjects of international law and their international accountability
- Peace keeping and peace enforcement operations

- International sanctions
- Humanitarian intervention and the responsibility to protect
- The UN and peaceful solutions to international disputes

## Course design

In order to attain the learning outcomes of the course, students are expected to participate actively in the teaching and to conduct independent study of the required reading.

The teaching consists of lectures and seminars. Both types of instruction are intended to work as means to attain the learning outcomes of the course. However, the lectures focus on the following two outcomes: that the students shall be able to *understand* international law in the sense of point 1 of the learning outcomes, and that the students shall be able to *apply* international law in the sense of point 2 of the learning outcomes. The seminars are more focused on the remaining three outcomes: that the student shall be able to *analyse* and disentangle difficult and complex problems with regard to the application of international law in the sense of point 3 of the learning outcomes, that the students shall be able to *assess* international law and its application in the sense of point 4 of the learning outcomes, and that the student shall be able to *creatively use* their knowledge of international law in the sense of point 5 of the learning outcomes.

The language of instruction is English. The required reading and seminar assignments are all in English. The assessment of the course is also executed in English.

## Assessment

Students are assessed on the basis of their performance in the following three course components: the final written exam, the assessed seminars throughout the course, and the marking template that is to be written, submitted and assigned points in the first week of the course.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.  
Pass with Distinction

The student must be able to demonstrate that he or she *understands* international law in the sense of point 1 of the learning outcomes, that he or she is able to *apply* international law in the sense of point 2 of the learning outcomes, that he or she is able to *analyse* and disentangle difficult and complex problems with regard to the application of international law in the sense of point 3 of the learning outcomes, that he or she is able to *assess* international law and its application in the sense of point 4 of the learning outcomes, and that he or she is able to *creatively use* their knowledge of international law in the sense of point 5 of the learning outcomes.

### Pass with Credit

The student must be able to demonstrate that he or she *understands* international law in the sense of point 1 of the learning outcomes, that he or she is able to *apply* international law in the sense of point 2 of the learning outcomes, that he or she is able to *analyse* and disentangle difficult and complex problems with regard to the application of international law in the sense of point 3 of the learning outcomes, and that he or she is able to *assess* international law and its application in the sense of point 4 of the learning outcomes.

### Pass

The student must be able to demonstrate that he or she *understands* international law in the sense of point 1 of the learning outcomes, that he or she is able to *apply* international law in the sense of point 2 of the learning outcomes, and that he or she is able to *analyse* and disentangle difficult and complex problems with regard to the application of international law in the sense of point 3 of the learning outcomes.

### Fail

The student is unable to demonstrate that he or she *understands* international law in the sense of point 1 of the learning outcomes, that he or she is able to *apply* international law in the sense of point 2 of the learning outcomes, and that he or she is able to *analyse* and disentangle difficult and complex problems with regard to the application of international law in the sense of point 3 of the learning outcomes.

## Entry requirements

Students on the Master of Laws programme must have passed semesters 1-4 of the programme and 30 credits from semester 5 and 6. Furthermore, they must have passed course LAGF01 International Law. International students must have passed an introductory course in international law corresponding to at least five weeks of full-time study (7.5 credits).

## Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary action against students for any kind of attempted misconduct in connection with examinations and assessment. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

## Subcourses in JUFN27, Use of Force in International Law

Applies from H15

1501 Use of Force in International Law, 15,0 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction