Teaching International Law

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**Introduction**

The teaching of international law is a topic of interest to most international law educators. The pedagogy employed, the practices favoured and the challenges faced are also of concern to students of international law. And yet, it is notable that there are only relatively few contemporary scholarly contributions dedicated specifically to the teaching of international law. Certainly, much scholarship on international law is implicitly about teaching as it explores an area of contention and considers in which ways these can be made intelligible to a student or professional audience. However, scholarly reflections on *how* to teach are still relatively uncommon. Most contributions on pedagogy and practices begin to emerge in the mid 1990s. Indeed, a break is discernable in the publications dedicated to the teaching of international law since the 1990s. This break before and after the 1990s reflects a change in the discipline of international law. Prior to the 1990s, international law was largely a subject thought mainly to be of interest to the work of foreign ministries. The chief issue that commentators in the teaching of international law have prior to the 1990s is the inattention to international law in law school curricula and the lack of application to practice – many of the pieces read like disgruntled accounts of those seeking status and recognition. Since the 1990s the discipline of international law has globalised its reach (with global universities, a global knowledge economy, and a much-debated juridification of international relations). With the globalisation of international law has also emerged a more technocratic notion of teaching the discipline. Teaching syllabi set out the skills to be acquired and the learning outcomes to be achieved rather than giving attention to the pedagogical orientations which have informed them. However, and somewhat paradoxically, this has also opened up an emerging debate on critical pedagogy in international law, which was almost entirely absent prior to 1990. Indeed, a large part of the contemporary literature is *critical* of the traditional way of teaching international law. This critical flavour to scholarship on teaching international law is sharpened through a debate on the decolonising of the syllabus and a concern about the neoliberalization of the university. There is a separate literature on teaching sub-disciplines of international law which overlaps but deserves a separate analysis.

**General Overviews**

Teaching international law scholarship can be divided into pre-1990s and post-1990s. Prior to the 1990s, contributions are largely preoccupied with *what* (doctrine)to teach rather than *how* to teach. The international law syllabus is generally assumed to be constituted of state practice and judicial decisions, and there is a distinct effort at neutrality. Lachs 1986 aims to depart from this focus on content by shifting the discussion to *teachers* and away from *teachings*, providing an idealised notion of the teacher shaping the minds of students. The vast distinctions in subject-matter become apparent in the collection edited by Bernhardt 1981, which aims at a comparative analysis of the teaching of international law. In Germany, international law in a wider sense is comprised of *Völkerrecht* (the law of nations, or rather *peoples*), European law, private international law, and comparative law. Overviews are included from Switzerland, Austria, France, the UK and the USA, compiled on the basis of questionnaires sent out by the German Society of International Law. The edited collection Cheng 1982 is both typical and unusual. It is typical in the contributions of teachers from the UK, France and Germany, who describe the international law curriculum in their respective countries. It is atypical in the refreshing Epilogue of the editor himself, who describes the prevalent effort at neutrality as ‘doctrinal pantheism … an almost ritualistic recitation of the rival theories’ (Cheng 1982 pp. 203-204). The recurring worry about status can be discerned in the \*\*Roundtable on the teaching of international law\*\* , the published remarks from a 1991 American Society of International Law meeting at which a practitioner from a private law firm deemed the study of international law irrelevant to its practice, adding that students with an interest in global affairs would be better advised to learn a foreign language. John King Gamble, as one of the most prolific contributors to the topic of teaching international law in the 1990s, turned the conversation towards *how* to teach international law. Teaching techniques can be found in Gamble’s co-authored book Gamble and Joyner 1997 as well as in his co-author’s article Joyner 1999. Although Koskenniemi 2001 is not *strictu sensu* about teaching international law, he traces the emergence of international law itself to when it began to be taught at universities, creating a link between teaching and teaching*s* of international law. The most recent edited collection, albeit with only few contributions on the topic of teaching international law, is Klabbers 2008. Klabbers’s own contribution discusses an increasing discomfort with the professionalization of legal education, in line with some recent critiques of the neoliberalization of the university. The ILA Report 2010 provides an overview of discussions on international law in the curriculum, teaching materials, and pedagogical techniques. In a display of existential anxiety, the report (of the now disbanded Committee) goes on to consider whether the existence of the committee itself could be ‘artificially blocking important research’ (p.5). Within the frame of a comparative law approach to international law, Roberts 2017 focuses on academics and textbooks to examine patterns of difference, dominance and disruption in the construction of international law. Her finding, supported through empirical analysis and sociological methodology, supports what many have suspected: that international law itself is parochial, elitist and exclusionary. Perhaps this book might ring in a more reflective and reflexive approach to teaching international law.

Bernhardt, Rudolf, ed. *Das Internationale Recht in der Juristenausbildung.* Karlsruhe: C.F. Müller, 1981.

This collection in German, with additional contributions in English and French, sets out the state of international legal education in Germany, Austria, Switzerland, France and the USA. It was compiled following a commission tasked by the German Society for International Law to examine the discrepancy between the increased significance of international law in international relations on the one hand and the waning attention to the subject in education.

Cheng, Bin, ed. *International Law: Teaching and Practice*. London: Stevens and Sons, 1982.

An edited collection featuring teachers of international law in the early 1980s (including well-known names such as Robert Jennings, Rosalyn Higgins, and Georg Schwarzenberger). The book is both concerned with *what* is taught as well as reflections on *how* international law is taught. Part IV is dedicated specifically to ‘The Teaching of International Law’.

Gamble, John and Joyner, Christopher, eds. *Teaching International Law: Approaches and Perspectives.* ASIL Bulletin No. 11, 1997.

Described by the American Society of International Law as a ‘hands-on, users’ manual for teaching international law drawn from classroom experiences’, this short book is authored by two of the most prolific writers and most fervent supporters in matters concerning the teaching of international law. It includes sample syllabi, exam questions, and suggestions for teaching techniques.

International law Association, The Hague Conference, Committee on the Teaching of International Law, Final Report, 2010. \*International Law Association Committees[<http://www.ila-hq.org/index.php/committees>]\*

The final report before the Committee was disbanded provides an overview of the main discussions in the ten-year existence of the Committee. The status of international law teaching, the ‘internationalist’ versus ‘nationalist’ orientation of teaching international law, innovative teaching techniques, and a possible collective ‘bare bones’ syllabus are discussed.

Joyner, Christopher, “Teaching International Law: Views from an International Relations Political Scientist.” *ILSA Journal of International & Comparative Law* 5 (1999): 377-388.

Addressed to political scientists, this article provides a general overview of tips and tricks for teaching international law. The perspective on international law as a discipline is that it is mainly relevant to government action. A memorable section uses road safety metaphors to explain how governments act, and what kind of government behaviour to be cautious of (pp. 382-383).

Klabbers, Jan and Sellers, Mortimer, eds. *The Internationalization of Law and Legal Education,* Ius Gentium Perspectives on Law and Justice, Volume 2, The Netherlands: Springer, 2008.

A collection of essays written by members of a multi-university international law faculty (student and teacher) exchange, reflecting on the impact of globalization. In his chapter, Klabbers worries about the result-orientation in teaching and the setting up of curricula which produce professional lawyers rather than global citizens. Grossman considers the case method as an outdated teaching mode in international law and advocates for a broader, more culturally diverse, legal pedagogy.

Koskenniemi, Martti, *The Gentle Civilizer* *of Nations. The Rise and Fall of International Law 1870-1960.* Cambridge, UK: CUP 2001.

This influential monograph tracks the emergence of international law as a discipline through an analysis of the biographies and preoccupation of those who taught the subject at universities across Europe.

Lachs, Manfred, *The Teacher in International Law: Teachings and Teaching.* The Hague; London: Martinus Nijhoff Publishers, 1986.

This seminal book, written by the former President of the International Court of Justice, focuses on ‘the teacher’ of international law, considering the teacher an active element in history as influencing law-making, decision-making, and the application of law. It is a study of teaching (singular) rather than teaching*s* (plural)in international law, explained through the lens of a Western-oriented ‘Great Man theory’ history of international law.

Roberts, Anthea, *Is International Law International?* Oxford: OUP 2017.

With its comparative law approach to international law, this book is an important contribution to the topic of teaching. By means of careful empirical analysis, Roberts identifies how different national communities of international lawyers construct their understanding of international law, belying the field’s claim to universality. Although largely situated within the elite in both voice and scope, Roberts identifies the ways in which the academy limits access through exclusivity.

 “Roundtable on the teaching of international law”, 85 *Proceedings of the Annual Meeting (American Society of International Law*), 1991 Annual, pp.102-123

The remarks from this roundtable follow an ASIL survey of the teaching of international law, which show a distinct uniformity in teaching international law at United States law schools. A notable contribution is from David Westin, describing international law a ‘liberal arts’ aspect of a law school. Mary Ellen O’Connell’s brave retort is much-cited as demonstrating the value of teaching international law.

**Teaching International Law through History**

The literature selected for the topic of teaching international law through history spans most of the 20th century. The citations relate to the particular historical context in which they were written, reflecting changing attitudes towards teaching international law. Included are contributions to the topic written at the turn of the century, during World War I, World War II, the post war reconstruction period, the Vietnam War, the deterioration of international relations and its reinvigoration following the end of the Cold War. Gregory 1907 energetically discusses the United States assuming a pivotal role in the discipline to mirror its new position of strength in international relations. Whittuck 1917 is a highly engaging article written towards the end of the First World War; the author sets out where in the UK and the Empire international law is being taught and is at pains to compare the salaries of professors at British universities. The post-World War II reconstruction spirit is detectable in Franklin 1952, which calls for more teaching to produce more professionals who maintain peace through international law. A similar concern, albeit from the view of an ICJ judge and therefore concerned with meeting the demands of the new United Nations, is presented by McNair 1952. Falk 1967 is not only of interest as it shows the very long career of this eminent international lawyer, but also because of the rebellious spirit of the 1960s: It uses the Vietnam War as a case study to position himself against government lawyers. Wetter 1980 discusses the emergence of an interconnectedness of economy, transport and technology which will later be described as globalization. Higgins 1983 is a book review of Myers McDougal’s textbook and picks up on one of the notable changes in teaching international law of the time, namely a fracturing of schools of thought. Portraying the continued sense of marginalisation of international lawyers in the 1980s, Reisman 1986 is concerned about international law’s status as a ‘boutique course’. Just seven years later, the tone has changed with Gamble 1993 being typical of the 1990s exuberance about international law.

Falk, Richard A. “New Approaches to the Study of International Law.” *American Journal of International Law* 61 (1967): 477-495.

With reference to the Vietnam War, and spurred by disappointment in international law scholars calling the intervention in Vietnam legally defensible, Falk draws up the the distinction between international law as contemplative and international law as diplomacy. For the student and teacher of international law, he proposes a decentralised and horizontal view on national legal institutions in generating, enforcing and repudiating the rules and expectations associated with international law.

Franklin, Carl M. “Needed: More and Better Courses in International Law.” *Journal of Legal Education* 4 (1952): 326-328.

In a brief appeal, Franklin argues that more courses and better teachers in international law are needed in the United States for the purposes of more effective ‘waging of the peace’. The author surveys the number of law schools offering international law (50 between 1950-1951), noting an increase after the Second World War to meet the demands of returning veterans.

Gamble, John King. “The Decade’s Emphasis on Education in International Law.” *American Society of International Law. Proceedings of the 87th Annual Meeting* (1993): 362-368

Gamble describes the opportunities for those teaching international law in the ‘UN Decade on International Law’. In particular, he advocates for teaching international law beyond the law school, including the general public.

Gregory, Charles N. “The Study of International Law in Law Schools.” *American Law School Review* 2 (1907): 41-48.

An overview of the teaching of international law in England and the United States. The author enumerates where international law is taught, mentioning Continental Europe and ‘the principal universities of Great Britain’. The author lists the main Ivy League colleges teaching international law, and under whose instruction, and notes that ‘many of the lesser schools’ omit international law in the curriculum.

Higgins, Rosalyn. “On Teaching International Law.” *The Yale Journal of World Public Order* 9 (2) (1983): 409-422

A book review of Myres S. McDougal and W. Michael Reisman’s *International Law in Contemporary Perspective.* It is a personal engagement with the materials from the perspective of a teacher of international law. Issue is taken mostly with the location and categorisation of materials within a syllabus of the ‘policy science approach’ rather than the content.

Reisman, W. Michael. “The Teaching of International Law in the Eighties.” *The International Lawyer* 20 (1986): 987- 995.

International law in the 1980s (in the United States) is described as a ‘boutique course’. Reisman advocates strongly for a higher status of international law, drawing in particular on the demands of an integrated global system. He describes how international law may be an ‘irritating, frustrating, even impossible subject’ for students and teachers who are impatient with uncertainty and ambiguity (p.995).

McNair, Arnold. “The Need for the Wider Teaching of International Law.” *Transactions of the Grotius Society, Problems of Peace and War, Papers read before the Society in the Year 1943* 29 (1943):85-98.

A published speech given during the Second World War on the positive implications of teaching international law and of international legal literacy of the public. Although stating he is not so naïve as to suggest that ‘if Hitler and Mussolini and their fellow-gangsters had in their youth taken Part I of the Cambridge Law Tripos, this world of ours would have been a better place to-day’ (p. 90).

Wetter, J. Gillis. “The Case for International Law Schools and an International Legal Profession.” *International and Comparative Law Quarterly* 29 (1980): 206-218.

As a response to an experience of interdependence of the economy, transport, and technology, Wetter suggests the rethinking of international legal education. No doubt flattering the London audience he was speaking to in the published lecture, Wetter proposes the establishment of an international law school in London.

Whittuck, E. A. “International Law Teaching”, *Problems of the War – Papers Read before the Society in the Year 1917* 3 (1917):43-58.

Whittuck laments the unsatisfactory condition of international law teaching in Great Britain and ‘other countries subject to the Crown’. He compares the teaching of international law in the self-governing colonies of Canada, Australia, New Zealand and South Africa. He bemoans that London, although being the world’s centre of international *relations* is not the world’s centre of international *law*.

**Teaching International Law in Different Geographies**

Different national and regional experiences mean different approaches to teaching international law. In some jurisdictions the teaching of international law is influenced by viewing law as a science, meaning it is a discipline in pursuit of objectivity, a discipline which can be learned through scientific methods (particularly in civil law jurisdictions); in other jurisdictions, international law is taught with more of an emphasis on the international legal practice (particularly in common law jurisdictions). Although in part over-generalised, the concerns of international law teachers in Western states (for want of a better term) tend to be similar, and the concerns of teachers in non-Western states tend to be similar. The latter have shared experiences particularly if they were formerly under colonial rule. A feature which they all share across the board is a common worry about the discipline being an optional rather than a mandatory course on a law curriculum and the marginalisation which accompanies that. All teachers of international law, regardless of geography, seemingly share a concern about status. Many of the accounts are themselves historical accounts, with the majority published in the 1980s and 1990s.

**Teaching International Law in ‘Western’ Law Schools**

There is a shared belief in the neutrality of international law in these country-specific accounts of Western law schools. It stands in stark contrast to the consciousness of the sensibility of its Euro-centric or Western-centric nature in non-Western law schools. The countries included as ‘Western’ are Australia, Finland, France, Germany, the United Kingdom, and the United States. The categorisation is somewhat ambiguous, partly because inequalities within these states means that both Western and non-Western characteristics of privilege and disadvantage are evidenced. Furthermore, Australia, as a former colony of the United Kingdom, shares many of the concerns of the other former colonies, namely the missing country-specific content of its international law curriculum, as set out by Crawford 1981-1983 and Shearer 1983. Scoville and Markovic 2016 finds distinct signs of parochialism in an empirical study of the the teaching of international law in the United States. Nevertheless, the authors declare themselves to be agnostic about this bias. If a bias is found, then it is found in the emphasis on topics, not in international law itself. Parochialism is one of methodology in Germany, according to Kimminich 1986, driven by the German affinity to romantic abstraction. Dutheil de la Rochère 1982 notes interdisciplinarity and broadness as distinct features of French law schools. Complementing the assumption of neutrality is a general assumption of the non-ideological nature of the teaching of international law in Western law schools. Brown 1982, which summarises the results of a questionnaire about teaching international law returned by 25 UK universities, finds that the teaching profession is convinced of its own non-political and non-ideological methods. It notably dismissively references (fictitious) ‘ideology mongers’ (p. 174). Curtis Bradly in Alvarez et. al. 2008 states that personal politics do not belong in the classroom nor in the scholarly analysis of arguments. It is telling that there is an assumption about the neutrality of international legal norms despite the often international student body and despite the explicit mention of relationships of power in international law (Alvarez et. al 2008). This presumed neutrality of international law may be behind the authors’ repeated promotion of the *benefits* of teaching and learning international law. This is implicit in Broms 1994, a comparison of international law teaching in law schools in France, the United Kingdom, the United States, and Finland. It is also implicit in MacDonald 1974, MacDonald 1975, and MacDonald1976, a historical account of teaching international law in Canada, whereby there is an understanding that the maturity of a law school grows with the international law courses it offers.

Alvarez, José, Bradley, Curtis, Weiner, Allen, Cleveland, Sarah. “The Politics of Teaching International Law.” *Proceedings of the Annual Meeting (American Society of International Law)* 102 (2008): 305-318.

A panel discussion revealing the United States-centric way in which international law is taught by these teachers of international law. References of authority are the State Department as well as the United States Constitution, although there is (at least) some push-back against the claim that universal rights emanated from the U.S. Bill of Rights.

Broms, Bengt. “International Law in the Law School Curriculum.” in *Essays in Honour of Wang Tieya*. Edited by Ronald St. John Macdonald, 79-89. The Hague: Martinus Nijhoff, 1994.

An overview of the international law teaching systems in France, the United Kingdom, the United States and Finland (University of Helsinki). The author places particular emphasis on the position of international law in the law school curriculum correlating this with the time it takes to attain a law degree (longer degrees, such as in France and Helsinki mean a higher chance of studying international law).

Brown, Edward D. “The Teaching of International Law in the United Kingdom.” In *International Law: Teaching and Practice*. Edited by Bin Cheng, 167-182. London: Stevens & Sons, 1982.

Mainly of historical interest as it describes the higher education landscape prior to the 1992 Act after which polytechnics and Scottish central institutions became universities. The questionnaire on which this chapter is based revealed that traditional syllabi and traditional teaching methods prevailed. The vast majority of the 25 responding law school stated that they did not design their courses with a methodology/ideology/philosophy of international law in mind.

Crawford, James. “Teaching and Research in International Law in Australia.” *Australian Yearbook of International Law* 10(1981-1983):176-201.

A historical overview of the law schools providing international law courses and the professors teaching these. Crawford observes that, partly due to the training of Australian professors at English universities, the curricula are ‘for the most part without specifically or identifiable Australian elements or even emphases.’ (p. 186).

Dutheil de la Rochère, Jacqueline. “The Teaching of Public International Law in France.” In *International Law: Teaching and Practice*. Edited by Bin Cheng, 183-200. London: Stevens & Sons, 1982.

An overview of the structure, content and methodological approach favoured in French law schools in the teaching of international law. International law is taught broadly and in an interdisciplinary fashion. A specialisation in international law is possible in the optional fourth year of university (after which the *Maîtrise* is attained).

Kimminich, Otto. “Teaching International Law in an Interdisciplinary Context” *Archiv des Völkerrechts* 24 (1986): 143-162.

Kimminich discusses the teaching of international law and international relations as interrelated subjects in the context of the then-Federal Republic of Germany. He discusses the extremely broad optional module of ‘international law, European law, and the general theory of the State’. He warns against too extensive methodological discussions in teaching, particularly in light of ‘the fatal Teutonic weakness for romantic abstraction’ (p. 150).

MacDonald, Ronald St John. “An Historical Introduction to the Teaching of International Law in Canada”, *Canadian Yearbook of International Law* 12 (1974): 67-110; Part II: *Canadian Yearbook of International Law* 13 (1975): 255-280 (Part II); Part III: 14 *Canadian Yearbook of International Law* 14 (1976): 224-256.

This three-part study seeks to describe the main developments in the teaching of international law in Canadian law schools from a historical viewpoint, beginning with the time when international law was first taught in the mid-nineteenth century. The teachers of international law are described in detail (including their backgrounds and personalities), as are the courses taught (including prescribed textbooks and casebooks).

Scoville, Ryan and Markovic, Milan. “How Cosmopolitan are International Law Professors?” *Michigan Journal of International Law* 38(1) (2016):119-135.

In this excellently researched article, Scoville and Markovic direct the view to United States law schools as sites of norm reflection and diffusion. Based on a methodology of comparative international law and on the premise that ‘how professors teach depends in large part on who they are’ (p. 123), they examine curricula vitae and collected data on the professors teaching international law. The empirical research finds a continuing parochialism.

Shearer, Ivan A. “The Teaching of International Law in Australian Law Schools.” *Adelaide Law Review* 9 (1983): 61-78.

The article provides an overview of the teaching of international law in the universities of Adelaide, Melbourne and Sydney from 1855 onwards. It sets out how the teaching of international law was very much dependent on it being a part of, and later resistant to, the British Empire.

**Teaching International Law in ‘non-Western’ Law Schools**

This category includes accounts from broad geographies, such as the former Soviet Union, Asia, and Anglo-phonic Africa, as well as country-specific accounts from China, India, Indonesia, Japan, and South Africa, and city-specific from Bogotá. Former colonised territories mostly teach law, including international law, according to the former colonial legal system, as described by Chimni 2001 on post-colonial India, Li-ann 2001 on post-colonial Asia, and Mahalu 1986 on post-colonial Africa. International law is often taught in a Western-centric manner, with reliance on English textbooks (even in Indonesia, a former Dutch colony), or translated versions of English textbooks. Access to resources, including textbooks, is often problematic as described by Mahalu 1986 and Juwana 2001. The curriculum is often similar to one in Western states, with little geography-specific content. Due to this removed nature of international law, students often struggle to see the relevance of international law as described by Juwana 2001 in regard to the author’s Indonesian students. He explains that lecturers often have to resort to screening Hollywood movies to situate the relevant concepts and histories of international law (he shows Xena: Warrior Princess and Gladiator). The majority of those teaching international law will have attained at least a Masters degree abroad, in either the UK, the US, Canada or (in the case of Asia) Japan. All listed contributions advocate for more geographically-relevant content in the teaching of international law. Butler 1982 is a historical contribution to the category, which includes a Soviet syllabus at the end of his article, which was devised centrally for use across the Soviet Union. Drafters of the syllabus are influential Soviet lawyers, including well-known Soviet international law scholar Grigory Tunkin. Onuma 1986 and Onuma 1990 are also historical pieces, which set out Japanese international law in the pre-war and post-war period. It is regrettable that there are few recent reflective pieces on teaching international law in non-Western states; *The Singapore Journal of International and Comparative Law* should be credited for providing publishing space to a special issue on teaching international law in Asia in 2001. A recent special issue of *Revista Derecho del Estado* on legal education and international law raises important questions on the colonised and potentially decolonised curriculum from the Latin American perspective, including Betancur Restrepo and Prieto-Riós 2017 on teaching international law in Bogotá

Betancur Restrepo, Laura and Prieto-Riós, Enrique 2017. “Educación del derecho internacional en Bogotá: un primer diagnóstico a partir del análisis de los programas de clase y su relación con las epistemologías de no conocimiento.” *Revista Derecho del Estado* 39 (2017): 53-89.

The article is based on the evaluation of 24 international law syllabi from ten universities in Bogotá, Colombia. The research conducted reveals the orthodox and Eurocentric teaching of international law, attributed to anotology, or culturally induced ignorance. The article is intended as a point of departure for developing further research questions into the teaching of international law in Bogotå, Colombia, and Latin America at large.

Butler, W. E. 1982. “The Teaching of International Law in the USSR.” *Socialist Law Review* 8 (1982): 183-202.

This historical account (predating the dissolution of the USSR), provides interesting insights into Soviet teaching of international law. The syllabus includes intriguing topics such as ‘Development of capitalism into imperialism and intensification of reactionary trends in international law from 1884 to 1907’ (p. 187). An English language translation of the international law syllabus of the academic year 1980-1981 is included.

Chimni, B. S. “Teaching, Research and Promotion of International Law in India: Past, Present and Future.” *Singapore Journal of International and Comparative Law* 5 (2001): 368-387.

Writing against the background of a globalization which has benefited the military and economic powerful states, Chimni suggests changes to the teaching and research of international law in post-colonial India. He argues that the use of positivist methodology in teaching and research has confined the task of the international lawyer to addressing normative phenomena, preventing ‘excursions into the world of deep structures’ (p. 371).

Ferguson-Brown, Kevin. “Teaching public international law in South Africa: Problems and possibilities.” *Comparative and International Law Journal of South Africa* 27 (1994):52-58.

The author considers challenges for international law teachers in general, such as the relegation of international law as an optional course, and the decision whether to teach a broad overview of the subject or to delve into depth on only select aspects. He also considers challenges particular to South Africa, including problems with access to materials and the absence of materials and voices from the developing world.

Juwana, Hikmahanto. “Teaching International Law in Indonesia.” 5 *Singapore Journal of International and Comparative Law* 5 (2001): 412-425.

Using materials from seven law faculties across Indonesia, Juwana provides an overview of the fairly rigid teaching of international law across Indonesia. A compulsory law course in Indonesian law schools, curricula tend to be centrally standardized and are handed down from year to year and lecturer to lecturer without many changes.

Li-ann, Thio. “Formalism, Pragmatism and Critical Theory: Reflections on Teaching and Constructing an International Law Curriculum in a New (Post-Colonial) Asia.” *Singapore Journal of International and Comparative Law* 5 (2001) 327-354.

A sweeping overview of the state of the discipline, intermeshed with reflections on colonial legacies in Asia. Rather than suggesting a radical change to the international law curriculum, Li-ann suggests a supplementing of the traditional Anglo-American staples of international law with discussions on events closer to home.

Mahalu, Costa R. “The Teaching of International Law in Anglophonic Africa.” *Archiv des Völkerrechts* 24(1986): 196-214.

In this bold article, Mahalu sets out that the teaching of international law in much of Africa is determined by its colonial history. He claims that there is ‘very little, if any African originality’ (p. 200). Mahalu makes suggestions on how to make the teaching of international law more relevant to Africa and its social, economic, and historical context.

Onuma, Yasuaki. “Japanese International Law in the Prewar Period: Perspectives on the Teaching and Research of of International Law in Prewar Japan.” *Japanese Annual of International Law* 29 (1986): 23-47.

An overview of the history of Japan interwoven with reflections on the discipline of international law. Pre-war conditions of the teaching and research of international law are explained as being ‘practical, statism-oriented, passive and Eurocentric’ (p.30). International law was, according to Onuma, part of the process of a ‘wholesale Westernization’ of the society.

Onuma, Yasuaki. “Japanese International Law in the Postwar Period: Perspectives on the Teaching and Research of International Law in Postwar Japan.” *Japanese Annual of International Law* 33 (1990): 25-53.

In the postwar period, Japan is, according to Onuma, internationalist rather than statist in its research and teaching of international law, but continues to be Eurocentric and passive. Its practical outlook has given way to an isolationist theory-oriented approach. These changes have been accompanied and shaped by a large increase in students and experts of international law.

Tieya, Wang. 1983. “Teaching and research of international law in present day China.” *Columbian Journal of Transnational Law* 22 (1983): 77-82.

An engaging overview of the re-emergence from isolation of the teaching of international law after the end of the Cultural Revolution. 1979 is pin-pointed as the year in which international law was revived in teaching, association, publication and research. The instruction of international law students is understaken with a concrete career path in mind of feeding into either research and teaching positions at universities or government.

**(Critical) Legal Pedagogy**

A relatively recent body of scholarship looks critically at the teaching of international law and its implications for varied forms of knowledge production. Much of the critical literature seeks to displace teaching as a technical act and instead reveal teaching as a political act. The effort to bring to the fore the politics of teaching international law is largely set forth within the context of a call to greater reflexiveness. Concerns of race, gender, sexuality, and class are foregrounded as under-acknowledged issues in the production of legal knowledge. Kennedy 1985 is the earliest critical international legal pedagogy piece. The article is a harbinger of his later work, and a harbinger of critical international law in general. Kennedy sets out, in a distinct personal manner, some of the discomforts he has about the discipline of international law, while combining that with a theoretical frame and concrete suggestions. A more tempered account is provided by Cohen 1993. Much of the critical legal pedagogy work follows Kennedy’s more radical, reflexive pattern. For some time, this work emanates mostly from the Australian universities, with Orford 1995 and Orford 1998 being concerned more explicitly with hegemony and structural critiques. Simpson 1999 and Otto 2000 are further seminal reflexive pieces; they continue the themes of knowledge production and hegemony, teasing out questions of political economy. Al-Attar and Tava 2010 takes up the debate ten years later, proposing a pedagogy inspired by Third World Approaches to International Law (TWAIL). Schwöbel-Patel 2013, like al-Attar and Tava 2010, draws on Paolo Freire’s pedagogy of the oppressed to work through hegemony in international law as well as the constraints and pressures on educators. A concern about the implications of the neoliberalisation of the university is voiced. Amaya-Castro 2017 is similarly concerned with questions of centre and periphery in a rich article which combines theory and personal experience from teaching in Costa-Rica.

Al-Attar, Mohsen & Tava, Vernon. “TWAIL Pedagogy: Legal Education for Emancipation.” *Palestine Yearbook of International Law* 7 (2015) 7-37.

Proposing a TWAIL-inspired approach to legal pedagogy, the authors state that this alternate pedagogy is not only useful for theoretical sensitization but also for practice. Inspired by Brazilian educator Paolo Freire and Kenyan writer Ngugi wa Thiong’o, the authors contend that legalist, positivist and capitalist legal academia is constraining students’ intellectual development.

Amaya-Castro, Juan M. “Teaching International Law: Both Everywhere and Somewhere.” In *Liber Amicorum in Honour of a Modern Renaissance Man Gudmundur Eiríksson*. Edited by Juan Carlos Saínz-Borgo, Helga Gudmunsdottir, Gudrun Gudmunsdottir, Juan M. Amaya-Castro, Mihir Kanade, Yara Saab, Humphrey Sipalia, 521-536. India and Costa Rica: O.P. Jindal Global University and University of Peace, 2017.

In this excellent contribution, Amaya-Castro considers what he calls the ‘emplacement paradox’ and its role in the teaching of international law. The paradox is one of spaciality: international law lacking a place (in its claim to universality) and at the same time having its epistemic and ideological centres. In the classroom, this paradox becomes enacted in the tension between international law’s ‘everywhere-ness’ and the particular legal geography of its authority.

Cohen, Jerome. “Ethnocentricism and the Teaching of International Law.” In *Essays in Honour of Wany Tieya*. Edited by Ronald St. John Macdonald*,* 191-200. The Hague: Martinus Nijhoff, 1993.

A call to recognising, moderating, and challenging ethnocentricism in the teaching of international law. The article is informed by a course ‘International Law – East and West’ taught by Cohen at NYU. Drawing on his knowledge of teaching international law in China and the United States, Cohen suggests uncovering historical, critical, and ideological perspectives. He suggests various teaching techniques, including bi-national, bi-cultural, and bi-ideological.

Kennedy, David. “International Legal Education.” *Harvard International Law Journal* 26 (1985): 361-384.

Laying out the contradictory sense of enthusiasm and scepticism about the field, Kennedy takes a generational view on international law educators. Kennedy calls for new ideas and professional commitment in international legal education to address the prevalent enthusiastic cynicism. He promotes a ‘back to basics’ approachs, suggests international clinical programmes, and a more reflexive orientation.

Orford, Anne. “Citizenship, sovereignty and globalisation: teaching international law in the post-Soviet era.” *Legal Education Review* 6 (2) (1995): 251-261.

This seminal essay considers the implication of international law in the reproduction of inequality, and the status of international lawyers within that process. The article is particularly informed by a feminist ethics in teaching and research, and also one which considers critically North-South relations, imperialism and neo-imperialism. Such an ethics is proposed through the inclusion in legal curricula of materials which question the central notions of citizenship and sovereignty.

Orford, Anne. “Embodying Internationalism: The Making of International Lawyers.” *Australian Yearbook of International Law* 18 (1998): 1-34.

This excellent article concerns a critique of liberal humanitarians who employ the tools of international law for the purposes of intervention. It is a critical take on international lawyers and their constitution of self. The disciplining through legal education as a performative act is argued to re-entrench hierarchies within the discipline and profession.

Otto, Diane. “Handmaidens, Hierarchies and Crossing the Public-Private Divide in the Teaching of International Law.” *Melbourne Journal of International Law* 1 (2000): 36-70.

The article argues that experiencing international law as concerning economic and social justice is impeded if the teaching and learning of international law has been experienced as hierarchy. Otto suggests an exploration of the intersections between the public and private as a strategy for contesting global hierarchies, particularly as a contribution to feminist legal thinking. She worries that legal education is creating handmaidens to the elite interests of global capital.

Schwöbel-Patel, Christine. “’I’d like to learn what hegemony means’. Teaching International Law from a Critical Angle.” *Recht en Methode in oderzoek en onderwijs* 3(2) (2013):67-84.

Drawing on Antonio Gramsci and Paolo Freire, Schwöbel-Patel discusses a culture of hegemony in the teaching of international law. According to her, this culture of hegemony is being created by various pressures, including crucially market pressures.

Simpson, Gerry. “On the Magic Mountain: Teaching Public International Law.” *European Journal of International Law* 10 (1999): 70-92.

In this important article, Simpson diagnoses a critical problem in the teaching of international law, namely that it oscillates between legalism (retreat into rules) and realism (retreat into statist politics). A third ‘unsatisfactory mode’ of teaching is that of romanticism (brief illustrations of far-away places). He proposes the combination of clinical legal education with critical theory as a possible alternative means of teaching international law.

**Teaching Tools**

There is a great extent of coherence in the teaching of international law. In fact, for the most part, the teaching of international law has not changed a great deal in the last seventy years. One could say that there is something of a ‘traditional syllabus’ which centres on the key international legal institutions (particularly the United Nations), and international legal judicial decisions (particularly the International Court of Justice). The traditional way in which this syllabus is taught is through a combination of lectures and smaller group tutorials. Through the decades, many supplementary courses have been introduced, particularly international economic law modules and international human rights law modules. But, the foundational international law course, often referred to as the ‘public international law’ course, is more or less unchanged since the 1950s, sometimes even since the early twentieth century. However, there are some efforts to rethink the traditional syllabus and traditional teaching delivery as well as teaching resources. Some of these rethought syllabi are inspired by a simple desire to bring the syllabus into the 21st century. Other motivations to rethink the teaching of international law are driven by a desire to unsettle the Western-centric aspects of a ‘traditional’ syllabus and its teaching. The same applies to alternative teaching practices: The motivations to introduce mooting, simulations, and law clinics vary from making the discipline more relevant to practice (and training international law students to become proficient professionals in international legal practice) on the one hand, to unsettling the very understanding of law and its biases on the other hand. With the prevalence of the internet as a communication and research tool, some teachers of international law are embracing ‘new’ technologies. The internet is not only used as a research tool, but also a teaching delivery tool, and even a means to coordinate critical approaches to international law.

**Creating an International Law Syllabus**

The vast majority of international law syllabi are strikingly similar, and indeed, there have been repeated suggestions to streamline them entirely (Wetter 1980, Gamble 2002). Many syllabi begin with a brief history of international law (Grotius as the ‘father’ of international law; the Treaty of Westphalia as the starting point of international law); then move to the nature (is international law really law?), status (the relationship between international and municipal law); and scope (what are the sources of international law?). Syllabi then generally continue with subjects of international law (statehood, recognition, non-state actors); jurisdiction and immunity also feature; there will be a section on international human rights law, aspects of international criminal law, and aspects of the law of armed conflict will also be included. These syllabi generally follow textbooks on international law, of which there are, perhaps surprisingly, only a handful. The issues which are addressed in lectures and smaller-group teaching are mostly discussed and answered with the aid of a casebook. Those critical of the perpetuating biases and limitations implicit and created in these syllabi, have suggested ways of re-thinking the structure and content of teaching syllabi. That international law continues to be taught in its traditional, Euro-centric, fashion has been contested both from the global South as well as from critical voices in the global North. Sornarajah 2001 proposes a reconceptualization of the international law syllabus for Asia, which has the shared colonial experience at its centre. Schwöbel-Patel 2016 suggests ways of building a counter-hegemonic syllabus. Lowenfeld 1968 and Fabián 2001 share a concern about flexibility rather than rigidity of the syllabus. Blackett 1998 proposes to lift international law out of its marginal space in the curriculum and integrate it into other fields of law, thereby acknowledging the international outlook required in a globalised world. Schwarzenberger 1951 advocates for considerations of a syllabus of law in context but (nevertheless) places the decisions of the International Court of Justice as the primary teaching material.

Blackett, Adelle. “Globalization and its Ambiguities: Implications for Law School Curriculum Reform.” *Columbia Journal of Transnational Law* 37 (1998): 57-80.

Blackett analyzes globalization talk in legal education. She suggests that international legal themes should not be marginalized as separate fields of study, but rather that international, transnational and global themes should be integrated across the law curriculum.

Gamble, John King. “An Introductory Course: Clear/er Solutions: The Case for a Bare-bones Course in International Law (BBCiIL).” *International Law Forum Du Droit International* 4 (2002): 208-214.

The author suggests a mandatory course in international law, which covers the minimum amount of information the students require. The possibility of a large-scale collaborative project – the ‘BBCilL’, is entertained. It is suggested that such a course would be broadly applicable, region and country neutral yet customizable to many country contexts.

Lowenfeld, Andreas F. “On Teaching International Law.” *New York University Journal of International Law and Politics* 1 (1968): 61-64.

This short article outlines the pedagogical thinking behind developing a book and a course titled *The International Legal Process*, which approaches international law through ’17 or 18 “Problems”’. An early critical take on the teaching international law as a rigid system, the proposal is for teaching which is close to practice, and rather than asking whether a particular action was legal, instead asks ‘What would you advise?’.

Salvioli, Fabián. “Algunas Consideraciones sobre la Enseñanza Contemporánea del Derecho Internatcional Público.” *Revista Relaciones Internatcionales* 11 (22) (2002): 1-20.

The author reflects on redesigning the international law course at his home institution in Argentina. The objective is for a flexible and dynamic syllabus which places the student in an active position.

Schwöbel-Patel, Christine. “Teaching international law critically – critical pedagogy and *Bildung* as orientations for learning and teaching.” In *Academic Learning in Law: Theoretical Positions, Teaching Experitments, and Learning Experiences.* Edited by Bart van Klink and Ubaldus de Vries, 99-120.Cheltenham UK, Northampton USA: Edward Elgar, 2016.

This chapter includes both an account of the hegemonic conditions in teaching international law, as well as some suggestions for creating a learning environment and a syllabus which is counter-hegemonic. She draws on her own experiences of devising and teaching an international law syllabus at the University of Liverpool.

Schwarzenberger, Georg. “On Teaching International Law.” *The International Law Quarterly* 4(3) (1951): 299-306.

Schwarzenberger suggests the inclusion of ‘the sociology of international law’ and ‘reform of international law’ in undergraduate international law courses. Despite this inclusion of law in context, Schwarzenberger advocates strongly for the teaching of international law as a technical law subject – to prevent a ‘degeneration’ into an amalgam of Jurisprudence and Political Science.

Sornarajah, M. “The Asian Perspective to International Law in the Age of Globalization.” *Singapore Journal of International and Comparative Law* 5 (2001): 284-313.

Built on the premise that as Asian perspective to international law is the result of a shared experience of colonialism of the Asian people, Sornarajah suggests a programme for teaching international law to ensure that equity is done to the Asian region in the face of a dominant Western narrative.

Wetter, J. Gillis. “The Case for International Law Schools and an International Legal Profession.” *International and Comparative Law Quarterly* 29 (1980): 206-218.

Wetter proposes the stream-lining of international legal education through a shared curriculum. He suggests the establishment of an international law school in London, where this curriculum will be taught. The proposal is for an ‘eminently international’ faculty to teach at the school paired with and an ‘American pace of studies’ (p. 218).

**Alternative Teaching Practices**

The majority of teaching of international law takes place through traditional lectures in lecture-theatres and smaller group teaching in classrooms. Although there is the odd course teaching the teachers to teach, when it comes to teaching practices, mostly ‘sporadic trial and error continues to prevail’ (Johns and Freeland 2007). These contributions are reflections on the use of alternative teaching practices within an international law course. Teaching practices range from international law clinics with real clients (Edelman and Pistone 2001), to formal mooting competitions (Brown 1978), to classroom-based mooting exercises (Ambrosio 2006, Jefferson 1999), to simulations and role-play of treaty-making (McCormack and Simpson 1999) and negotiation (Johns and Freeland 2007, Joyner 2003). The aim of alternative teaching practices is mostly to provide a more interactive learning environment (Ambrosio 2006), to be closer to practice (Joyner 2003) - or indeed to be directly involved in practice (Edelman and Pistone 2001). Such active and problem-based learning techniques focus on problem-solving. Johns and Freeland 2007 and McCormack and Simpson 1999 do not only suggest that this is useful for a practice-orientation for the sake of a greater expertise in the profession, but also for the sake of creating an awareness of the politicised hierarchies within the profession.

Ambrosio, Thomas. “Trying Saddam Hussein: teaching international law through an undergraduate mock trial.” *International Studies Perspectives* 7 (2) (2006): 159-171.

A reflection on the use of a simulation, a mock war crimes trial, in the teaching of international law. The essay portrays a multi-week, in-depth simulation in which students assumed roles in a mock war crimes trial of former Iraqi leader Saddam Hussein. The students were required to write legal briefs, present arguments in class, and render decisions.

Brown, Craig. “The Jessup Mooting Competition as a Vehicle for Teaching Public International Law.” *Canadian Yearbook of International Law* 16 (1978): 332-341.

The author explains that participation in the Jessup Mooting Competition is commonly motivated by an interest in mooting, and that during the preparation for the competition, an interest in international law is spurred. He adds excitedly that one participant *even* considered postgraduate study of international law as a consequence.

McCormack, Tim and Simpson, Gerry. “Simulating Multilateral Treaty Making in the Teaching of International Law.” *Legal Education Review* 10 (1999): 61-82.

In order to demonstrate the peculiarities of the process of international law-making, and in order to address the over-emphasis on doctrine at the expense of practice, McCormack and Simpson propose the use of simulations in the international law classroom. They detail the simulation of negotiations which led to the adoption of the Rome Statute establishing the International Criminal Court.

Edelman, Diane and Pistone, Michele. “Teaching International Law – ‘The Visible College of International Law Clinicians: Making a Real Difference in Law School and in the World.’” *Proceedings of the Annual Meeting (American Society of International Law)* (2001): 188-195.

A short report by the American Society of International Law’s ‘Teaching International Law Interest Group’, providing an overview of international law clinics in the United States. Written by those who run law clinics, the report includes the types of programmes incorporated into law clinics and the subject-matters dealt with.

Jefferson, Kurt W. “The Bosnian War Crimes Trial Simulation: Teaching Students about the Fuzziness of World Politics and International Law.” *Political Science and Politics* 32(1999):588-592.

Jefferson recounts a two-week simulation exercise with his political science students. The students participated in a simulated war crimes trial in order to better understand the inter-relationship between law and politics, and the newly established work of the International Criminal Tribunal for the former Yugoslavia.

Johns, Fleur and Freeland, Steven. “Teaching International Law Across an Urban Divide: Reflections on an Improvisation.” *Journal of Legal Education* 57 (2007): 539-561.

This excellent article, which brings together theory on pedagogy and reflections on practice, outlines a teaching experiment in the form of a student conference organised between two law schools in Sydney. The declared purpose was to foreground questions on legal education and socio-professional hierarchy within the ‘First World’ and between the ‘First World and Third World’.

Joyner, Christopher C. “Dissecting the Lawfulness of United States Foreign Policy: Classroom Debates as Pedagogical Devices.” *ILSA Journal of International & Comparative Law* 9(2003): 331-344.

Joyner proposes the use of simulations of debates on issues regarding United States policy positions on international issues. The purpose of the role-play is to represent real-world politics in operation. International law is presented as rules which are made by decision-making officials in national governments.

**New Technologies for Teaching**

The use of information technology has come to the international law learning environment fairly late. Although the internet can by no means be described as a ‘new’ technology, as a teaching tool, it is still fairly innovative. While the internet is no doubt the prime research tool, teachers appear to lag behind in utilising it fully. These contributions set out ways in which the internet can be used as an inter-active teaching resource (Beck 2010), and as a critical and collaborative tool (Buchanan and Pahuja 2003). Higgins 2010 is a published lecture in which she launches the United Nations Audiovisual Library of International Law as a teaching tool beyond the international law classroom. Gazzini 2016 lauds the participatory and access benefits of the internet.

Beck, Robert J. “Teaching International Law as a Partially Online Course: The Hybrid/Blended Approach to Pedagogy.” *International Studies Perspectives* 11 (3)(2010): 273-290.

The article discusses ‘hybrid’ or ‘blended’ approaches to teaching international law as an approach which features traditional ‘face-to-face’ teaching as well as internet-based elements. A detailed discussion of the organisation of the author’s international law course including structure, cases, and, as per the purpose of the article, use of information technologies. The use of online materials and software is detailed along with observations and survey results on lessons learned.

Buchanan, Ruth and Pahuja, Sundhya. “Using the Web to Facilitate Active Learning: A Trans-Pacific Seminar on Globalization and the Law.” *Journal of Legal Education* 53 (2003): 578-593.

Surmising their experience from a collaboratively conceptualized and taught module on globalization and law, Buchanan (teaching in Canada) and Pahuja (teaching in Australia) set out ways in which they used technology to enhance their pedagogical objectives. Opting for a case study approach, the authors describe the use of online discussion fora and videoconferencing.

Gazzini, Tarcisio. “A Fresh Look at Teaching International Law – A Few Pedagogical Considerations in the Age of Communications.” *Leiden Journal of International Law* 29 (4) 2016: 971-978.

A broad overview of teaching means and practices. Spanning the old-fashioned blackboard, to social media, to student-edited journals, Gazzini takes a practical approach. Despite the title, little is discussed on pedagogy other than the general benefits of new technologies, which he praises as tearing down space, number, access, and participation restrictions of traditional teaching forms.

Higgins, Rosalyn. “Teaching and Practicing International Law in a Global Environment: Toward A Common Language of International Law.” *Proceedings of the Annual Meeting (American Society of International Law) International Law in a Time of Change* 104 (2010): 196-200.

A strong advocate of wider teaching of international law, also to school children, Higgins speaks of the United Nations Audiovisual Library of International Law as ‘a global training and research centre in international law’.