

Course Name : History and Theory of International Law							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 403	A	Fall	3.00	1.00	0.00	3.50	6.00
Lecturer		Ferdinand Gjana, Prof. Dr					
Assistant		Arjan Lame, PhD					
Course language		Albanian					
Course level		Master					
Description		This course aims to examine some of the fundamental issues underlying international law, against the background of its history. Attention will be paid both to classical analyses of the nature of international law (positivism and its alternatives) and to some of the recent critiques of international law from perspectives such as critical legal studies, feminist legal theory, international relations theory, etc. Particular topics to be examined will be chosen having regard to the interests of students taking the course.					
Objectives							
Core Concepts							
Course Outline							
Week	Topic						
1	The relevance of theory and history- the essence and origins of international law						
2	Early modern scholarship on international law						
3	Natural law and the law of nations						
4	The transformation of international law in the 19-th century						
5	International human rights law theory						
6	The philosophy of international criminal law						
7	International law and EU law: between asymmetric constitutionalisation and fragmentation						
8	Midterm exam						
9	International law, international politics and ideology						
10	Periodization and international law						
11	The Legal Conscience of the Civilised World						
12	The Move to Abstraction: Kelsen's Pure Theory of Law						
13	Rule of Law and the Rule of Lawyers: Lauterpacht's and the Victorian Tradition						
14	An Alternative Meaning of Liberalism: Carl Schmitt, Hans Morgenthau and the Critique of Universal Moralism						
15	Current Civilising Projects: The Revival of Kantian Theories of International Law						
16	Final exam						

Prerequisites	The student must attend the course at a minimum rate of 75%.		
Literature	• Martti Koskenniemi, The Gentle Civilizer of Nations: the Rise and Fall of International Law 1870-1960. Cambridge: Cambridge University Press, 2002 • Orakhelashvili, Alexander (eds). Research Handbook On The Theory And History Of International Law. UK:Edward Elgar Publishing limited, 2011 • HISTORY OF INTERNATIONAL LAW· FOUNDATIONS AND PRINCIPLES OF INTERNATIONAL LAW· SOURCES OF INTERNATIONAL LAW· LAW OF TREATIES, 1981		
References	• Ku, Charlotte. International Law, International Relations and Global Governance (Global Institutions). Oxford: Routlege, 2011		
Course Outcome			
1	Understand the sources, principles, procedures and institutions of international law		
2	Demonstrate your ability to think critically, to justify your ideas in a reasoned manner, and to evaluate legal theories, in part through a research essay		
3	Recall the origins and evolution of those principles, procedures and institutions		
4	Communicate (orally and in writing) in an effective and scholarly way		
5	Explain the meaning of the legal concepts, doctrines and principles you studied		
Course Evaluation			
In-term Studies		Quantity	Percentage
Midterms		1	30
Quizzes		0	0
Projects		0	0
Term Projects		0	0
Laboratory		0	0
Class Participation		1	10
Total in-term evaluation percent			40
Final exam percent			60
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	6	84
Duties	0	0	0
Midterms	1	1	1
Final Exam	1	2	2
Other	0	0	0
Total Work Load			151
Total Work Load / 25 (hours)			6.04
ECTS			6.00