

New Jersey Institute of Technology

[FA25-HSS404003](#)

**International Law and the American Superpower
Influence, Accountability, and Representation in the
Age of Extremes**

Fall 2025

TR: 4:00-5:20 am

Professor Elektra Kostopoulou



Communication:

Office | #323 Cullimore Hall

Office Hours

Wednesdays: 12:00-3:00 pm

Zoom | For zoom meetings we will be using the link provided via Canvas.

Academic Calendar:

<https://www.njit.edu/registrar/calendars>

Sep 2: First day of classes

Dec 11: Last day of classes

Course Description:

This course compares U.S. constitutional law to international legal frameworks and analyzes questions of legitimacy and enforcement regarding global responses to regional conflicts.

Specifically, it engages with legal ambiguity and the inner contradictions of the American system from the perspective of history.

Through selected regional case-studies centered on Southeast Europe and the Middle East, we will discuss the reality of 'legal ambiguity' as a strength and weakness of American hegemony as it has evolved throughout the 20th century.

In class, we will analyze U.S. legal attitudes towards International Humanitarian Law (IHL) by exploring,

- a) the historical emergence of the U.S. constitutional legacy vis-a-vis global intergovernmental frameworks.
- b) the debate on whether international law is constitutional law.
- c) the application of U.S. versus IHL in addressing modern regional conflicts in the regions under scrutiny.

Additional Note: *This course engages actively with current--often controversial political issues--drawing connections between historical trajectories, legal frameworks, and today's headlines.*

Our aim is to cultivate a learning environment where all students feel empowered to voice their questions, concerns, and ideas, no matter how sensitive or challenging the topic might seem. The course is committed to fostering respectful yet brave debates and encourages you to critically examine diverse perspectives, and to articulate clearly your own viewpoints.

Accessibility and Student Support:

- All course materials, including readings and videos, are accessible via the Canvas platform.
- Captions and transcripts will be provided for all multimedia elements.
- Students are encouraged to use the Canvas discussion fora as instructed for questions and clarifications.

Course Policies:

- **Academic Integrity:** Students are expected to adhere to NJIT's academic integrity policies.
- **Communication:** Instructor will respond to messages within 24 hours during weekdays.
- **Late Submissions:** Assignments submitted late will receive a 10% deduction per day unless prior arrangements are made.

Course Navigation and Expectations:

This course is organized into weekly modules, each focusing on specific themes and topics related to International Humanitarian Law. To navigate the course effectively, please follow these guidelines:

1. **Weekly Modules:** Each week, a new module will become available. The module includes readings, multimedia materials, assignments, and activities. You can access these modules through the "Modules" tab on Canvas.
 - All course materials will be made available online, including readings, assignments, and multimedia elements.
2. **Assignments and Due Dates:** Assignments, discussions, and relevant rubric assessments are listed in each weekly module. Due dates are clearly marked, make sure to submit your work on time by following the guidelines to avoid penalties.

3. **Weekly Expectations:** To be successful, you should:
 - Complete all assigned readings and watch any multimedia content.
 - Participate actively in discussions and group activities.
 - Submit assignments by the stated deadlines.
 - Review the weekly overview to understand how each activity contributes to the course learning outcomes.

Learning Outcomes:

By the end of the course, students will be able to:

1. **Describe** the core principles and origins of U.S. constitutional law and IHL.
2. **Analyze** the debate on international diplomacy and legal jurisdiction in the contemporary era.
3. **Evaluate** the role of international institutions and U.S. legal frameworks in the enforcement of IHL.
4. **Assess** the challenges of applying U.S. laws and IHL in different regional contexts and propose potential solutions.
5. **Compare and contrast** the effectiveness of state/national versus international laws through reference to different regional case studies.
6. **Practice** their comprehension/ analytical skills and learning potential via oral debates, autonomous research, and writing assignments.

Assessment Methods:

Participation and Group Activities (40%): Regular participation in discussions and group debates to foster peer interaction and understanding of diverse perspectives.

In-Class Debates/Case Study Analysis (15%): Written analysis of case studies focusing on the regional application of IHL based on the readings.

Annotated Bibliography (15%)

Final Research Paper (30%): A comprehensive research paper analyzing the future challenges of IHL and U.S. influence. Choose a case study from the regions under scrutiny.

Generative AI

For this course, students are encouraged to engage with emerging technologies, including AI tools, as part of their learning experience. However, the use of AI-generated content (e.g., text, code, images) in assignments, projects, or any form of assessment must be approached with caution and integrity.

It is crucial that AI tools are used as supplementary aids and not as replacements for original thought or individual effort.

Before incorporating AI tools into your work, you are required to consult with the course instructor to ensure that such use aligns with the academic objectives and integrity standards of this course. Unauthorized or inappropriate use of AI tools may be considered academic misconduct and subject to disciplinary action.

Students are encouraged to develop their own analytical and critical thinking skills and to use AI tools in a manner that supports, rather than undermines, their educational growth.

The goal of this policy is to foster a learning environment that promotes critical thinking, originality, and ethical engagement with technology. Always prioritize your understanding and skill development, and use AI tools to complement, not replace, your efforts.



Course Structure and Schedule

Part One

Introduction to U.S. Constitutional Law and International Law Through History and Practice.

1. Overview of U.S. Constitutional Principles and International Law.
2. Emergence and Evolution of International Humanitarian Law.
3. Intergovernmental Globality: From the League of Nations to the United Nations.

Weeks One, Two & Three Law and the Turn on Empire

Readings:
<p>Edlin, Douglas E. “The Rule of Recognition and the Rule of Law: Departmentalism and Constitutional Development in the United States and the United Kingdom.” <i>The American Journal of Comparative Law</i> 64, no. 2 (2016): 371–418.</p> <p>Ferguson, Niall. “Complexity and Collapse: Empires on the Edge of Chaos Essay.” <i>Foreign Affairs</i> 89, no. 2 (2010): 18–32. https://heinonline.org/HOL/P?h=hein.journals/fora89&i=197.</p> <p>Hardt, Michael, and Antonio Negri. <i>Empire</i>. Harvard University Press, 2000, 1-42.</p> <p>Throntveit, Trygve. “The Fable of the Fourteen Points: Woodrow Wilson and National Self-Determination.” <i>Diplomatic History</i> 35, no. 3 (June 1, 2011): 445–81.</p>

Primary Sources
President Woodrow Wilson’s 14 Points (1918)
Thomas Jefferson to James Madison (1809)
Hannah Arendt, On Revolution (1963)
Covenant of the League of Nations (1923)

Weeks Four, Five & Six

International Law, Genocide, and the U.S. Constitution

Readings:

Dubinsky, Paul R. "International Law in the Legal System of the United States." *The American Journal of Comparative Law*, 58, no 1 (2010): 455–478.

Balakian, Peter. "Raphael Lemkin, Cultural Destruction, and the Armenian Genocide." *Holocaust and Genocide Studies* 27, no. 1 (April 1, 2013): 57–89.

Jacobs, Dov. "Jumping Hurdles Backwards: The Armenian Genocide and the International Criminal Court." *International Criminal Law Review* 14 (2014): 274-290.

Monger, David. "Networking Against Genocide During the First World War: The International Network Behind the British Parliamentary Report on the Armenian Genocide." *Journal of transatlantic studies* 16, no. 3 (2018): 295–316.

Jordan Koopmans, "The Armenian Genocide, Customary International Law, and U.S. Recognition," *Intercultural Human Rights Law Review* 89 (2022).

Primary Sources

Lemkin, Raphael. "Genocide." *The American Scholar* 15, no. 2 (1946): 227–30.

The Genocide Convention (1948).

United Nations Charter | Geneva Conventions I-IV.

Loder, B. C. J. "The Permanent Court of International Justice and Compulsory Jurisdiction." *British Year Book of International Law* 2 (1921,1922): 6–26.

- Additional Links:

<https://www.archives.gov/milestone-documents/president-woodrow-wilsons-14-points>

https://www.icrc.org/sites/default/files/document/file_list/handout_2_the_main_sources_of_international_humanitarian_law.pdf

<https://www.un.org/en/>

<https://www.un.org/en/>

https://legal.un.org/avl/lis/Durham_LAC.html?_gl=1*con8za*_ga*MTc3MDk3NjM4MS4xNzMzMTY5NDE2*_ga_TK9BQL5X7Z*MTczMzE2OTQxNi4xLjEuMTczMzE2OTQ3MC4wLjAuMA.

<https://constitution.congress.gov/constitution/>

Part Two

Enforcement of International Law. Institutional Mechanisms, Obstacles, Compliance, and Violations

1. Overview of the relations between the ICRC, the ICJ, the ICC, and the Global superpower.
2. Enforcing the Protection of Human Rights According to the U.S. Constitution versus International Humanitarian Law.
3. War, Conflict Resolution, Humanitarianism, and the Law.

Weeks Seven, Eight & Nine

The Lawlessness of the Law

Readings:

Jordan J. Paust, "The US and the ICC: No More Excuses," *Washington University Global Studies Law Review* 12 (2013): 563–580.

Diane Marie Amann and M.N.S. Sellers, "The United States of America and the International Criminal Court," *The American Journal of Comparative Law* 50, no. 1 (October 1, 2002): 381–404.

Jamie Mayerfeld, "Who Shall Be Judge?: The United States, the International Criminal Court, and the Global Enforcement of Human Rights," *Human Rights Quarterly* 25, no. 1 (2003): 93–129.

Fitzmaurice, Andrew. "Scepticism of the Civilizing Mission in International Law." In *International Law And Empire: Historical Explorations*, 335-. Oxford: Oxford University Press, 2016.

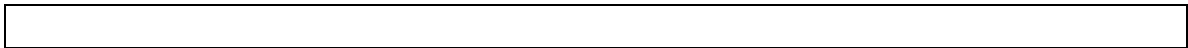
Weeks Ten & Eleven

The Middle East and the (Un)Making of the Global Superpower

Readings:

Walt, Stephen. *The Hell of Good Intentions: America's Foreign Policy Elite and the Decline of US Primacy*, Farrat, Strauss and Giroux, 2018, New York, USA.

- Gamal M. Selim. “The United States and the Arab Spring: The Dynamics of Political Engineering.” *Arab Studies Quarterly* 35, no. 3 (2013): 255–72.
<https://doi.org/10.13169/arabstudquar.35.3.0255>.
- Khelfa, Nouha. 2023. “The War on Terror: The Neo-American Manifest Destiny”. *Indonesian Journal of Counter Terrorism and National Security* 2 (1), 21-62.
<https://doi.org/10.15294/ijctns.v2i1.64687>.
- Jaising, Shakti. "War on Terror Westerns and the specter of imperial decline." *Jump Cut: A Review of Contemporary Media* 60 (2021).



Primary Sources	Description	Website
International Court of Justice (ICJ)	Principal judicial organ of the United Nations, settles legal disputes and gives advisory opinions.	https://www.icj-cij.org/node/203454
International Criminal Court (ICC)	Permanent international criminal court with jurisdiction over war crimes, genocide and crimes against humanity.	https://www.icc-cpi.int/palestine
International Tribunal for the Law of the Sea	Adjudicates disputes amongst signatory states dealing with the law of ocean space, its uses and resources.	
International Criminal Tribunal for the former Yugoslavia	Hears cases related to war crimes committed during the Balkans conflict in the 1990's.	https://nuremberg.law.harvard.edu/
Forensic Architecture	Investigation into a cartography of genocide.	https://forensic-architecture.org/investigation/a-cartography-of-genocide

