

Rethinking the Topics and Issues in International Law Teaching

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No States, even corporations or individuals, can be free from the impact of globalization. Without a slightest doubt, International Law plays a significant role in the development of international regime. However, in practice, neither States nor law schools take International Law seriously, whether in dealing with international affairs or in legal education. The reason for this mainly concerns the concept of International Law. In this connection, the question whether International Law is really “law” comes up and affects the normativity of international law. In fact, legal scholars in general are used to conceptualize International Law, by analogy, from municipal law; consequently, International Law is weakened especially vis-à-vis the insufficiency of institutional rules in international regime. The most concerned issues such as the sources of International Law, the relations between International Law and Municipal Law and the enforcement mechanism of International Law all reflect the indeterminacy and ineffectiveness of International Law. Obviously, it explains why International Law is of consensual nature.

Consequently, there is much need for international lawyers, researchers and practitioners, to rethink seriously the issues and topics of International Law. In this connection, International Law teaching should take into account the ontological and epistemological perspectives in relation to the objective and purpose of International Law in intra-states’ relations. Further to that, in consideration of the era of globalization, new values or conflicts emerged in international regime, the methodology of International law should come to the fore in respect of the recognition of the institutional rules. Finally, and the last question, “Who is afraid of International Law?”; whereas there needs International Law in addressing intra-states’ affairs, it fails to satisfy some requirements of the “inner morality” of international law-making if it is to be called the law.