



COURSE MANUAL

Name of the Elective Course:

Course Code: L-EL-1146

Name of the responsible Faculty Instructor:

Prof. Rohini Sen

**FALL 2026
(AY2026-27)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, *Many Faces of International Law*, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: **Many Faces of International Law: Critiques and Limits**

Course Code:

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **4 Credits**

Level: **UG and PG**

Medium of Instruction: **English**

Pre-requisites (if applicable): has completed Public International Law/is currently studying Public International Law

Equivalent Courses: N/A

Part II

1. Acknowledgement of Course Ideators

****All our work is done in conversation with everything that surrounds us. In acknowledgement of that profound truth, I thank everything in nature and the cosmos, uplifting and disenchanting, that makes my intellectual explorations turn into something tangible, such as this course.*

To that end, this course is always an outcome of years of discussion with TWAIL and international colleagues, social sciences and humanities colleagues in and beyond the university, each and ever cohort of students that have participated in its teaching and will in the future.

2. Course Description

Mainstream International Law Scholarship (MILS), despite its Eurocentrism, is often presented as the sole and universal narrative of International Law and its practice. However, while there is robust scholarship on various critical interventions that challenge a singular, a-historic account of the discipline, these counter narratives to MILS are rarely included in its teaching with the same enthusiasm. Critical approaches to International Law (in other words, International Law *as it really is*) are either subsumed into MILS as criticisms of the mainstream or, are introduced as elective courses (such as this) as specialisations ‘following the mainstream’. The risk with such formulations lie in the fact that they:

- a) Conflates criticism with critique
- b) Assume that critique means ‘theory’, reducing theory to something extrinsic to doctrines.
- c) Reifies MILS and its deeply unequal foundations,
- d) Retains the misplaced idea of international law’s universality and ahistoricity.

This course, while categorized as an elective, is an effort to set the story straight and diffuse this false universalism. The idea behind this course is to understand international law for *what it is, what it does and what it can and cannot be.*

The aim is to critically engage with it as a site of ‘critical instability; as a powerful tool of hegemonic politics and control and as a site of change and resistance. With this in mind, the course will ***revisit and reframe some core concepts and ideas of international law(s) through encounters, historic events, institutions and processes, mostly from the vantage of its peripheral subjects.***

Learning/teaching public international law in India treads a fine balance between legal positivism ('learn the law') and critique ('law in context, as a social process'). Keeping these considerations in mind, this course will explore the forms, boundaries and limits of international laws through some illustrative questions:

- What is the relationship between mainstream and critical approaches to international law?
- How can we engage with critical approaches meaningfully?
- Can we reframe core international law concepts more equitably?
- Where does knowledge about international law come from?

As stated before, Many Faces of International Law is a course that re-frames core ideas and concepts of public international law as commonly taught/understood in law school curriculum. While this is usually offered as an elective to those who have completed a MILS course (PIL course), it may be taken as a standalone subject as well and will hopefully, in future, be one of the many ways of teaching international law that is mainstreamed.

3. Course Aims

This course hopes to inculcate critical thinking and the ability to conceptually reorient. Upon completion of this course, students should be able to:

- Display the ability to think critically, reflexively about international legal norms, their histories and contexts.
- Carefully examine the historical forces, political undercurrents and ideological battles that inform the different narratives of international law.
- Have an overall understanding of law as a social process and why it is necessary to think about it through interdisciplinarity.
- Make written/oral/any other mode of creative presentations which are self-reflexive, coherent, demonstrate critical thinking and, offer interesting insights.

4. Teaching Methodology

The course is usually conducted through a combination of lectures, seminar style discussions and embodied learning with group work. Weekly readings are assigned to students for class discussions, reflections and presentations. The instructor introduces every module and core concepts through lectures and base-materials (a journal article, book-excerpts, and cases).

Students are expected to complete 70% of the assigned readings each week.

5. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exam shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter, poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination, the Vice Dean (Examinations) at their discretion assign the “I” grade. If an "I" grade is assigned, the student would appear for the end-semester, or re-sit examination as and when the subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Internal Assessment I: Four Reflection Forms on Four core modules	12*5 = 50	The students will be given 4 weekly reflection forms based on 4 core modules. Each form will contain 2-3 critical questions around the module learnings.
Internal Assessment II: Class Presentation based on assigned readings.	10	Students will be paired up into teams of two and will be required to make a class presentation based on an assigned topic that corresponds to course readings.
Internal Assessment III: Creative Assignment in Groups of 3/4	10	Students will be making a mixed media presentation on a topic assigned to them. The end-semester examination will be based on this.
End Semester Examination (Compulsory)	30 Marks	There will be a compulsory end-semester examination/component for all participants of the course who have successfully met the requisite attendance as per the governing JGU policies.

Part III

Course/Class Policies

Cell Phones, Laptops and Similar Gadgets

Limited usage is permitted in the classroom for reading and taking notes, subject to the instructor's discretion.

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas.

Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavors to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To

make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Part IV

Keywords Syllabus

Critical Approaches to International Law, TWAIL, Feminist Approaches, Colonialism, Capitalism and Imperialism, Knowledge-making, Pedagogy and Concepts

Course Design and Overview (Weekly Plan)

Week	Topics
1.	<p style="text-align: center;">Reading International Law in Context</p> <p>Introducing some popular international law cases and concepts through their historical, social and political contexts.</p>
2.	<p style="text-align: center;">Sources of International Law</p> <ul style="list-style-type: none"> - Critically understanding the ‘traditional’ sources of international law - Evaluating the limits of Doctrine as Method - Engaging with some ‘new’ sources beyond Article 38(1)(d)
3.	<p style="text-align: center;">Imperialism, Empire and Legacy: International Legal Actors and Processes</p> <ul style="list-style-type: none"> - Understanding the framework of ‘Critical Instability’ of International Law - Analyzing three key moments in international law using this framework Decolonization, PSNR, Investor-state relationships
4.	

	<p style="text-align: center;">Imperialism, Empire and Legacy: International Legal Actors and Processes (contd)</p> <ul style="list-style-type: none"> - Understanding the role of development as powerful force in shaping international law - Understanding the role of corporations in shaping international law
5.	<p style="text-align: center;">Critique and Mainstream</p> <ul style="list-style-type: none"> - Understanding the complex relationship between terms such as mainstream and critique through concepts and people. - Introduction to TWAIL as an approach, its journey and future projects
6.	<p style="text-align: center;">TWAIL: Methodology, Projects and Paradoxes</p> <ul style="list-style-type: none"> - Discussing limits and limitations of TWAIL as a project - Understanding its core engagement with Marxist concepts and frameworks - Discussing a different methodological move of International Law in small places.
7.	<p style="text-align: center;">Feminist Approaches to International Law: Toolkit an Toybox</p> <ul style="list-style-type: none"> - Introducing the history and framework of TWAIL Feminisms - Case studies through International Conflict Feminisms
8.	<p style="text-align: center;">Feminist Approaches to International Law: Reading Against the Grain</p> <ul style="list-style-type: none"> - Case studies from the Feminist Judgement Project
9.	<p style="text-align: center;">Unpacking Sovereignty and Territoriality in International Law</p> <ul style="list-style-type: none"> - How does sovereignty work as a process through ideas of gender? - Colonisation and its continued impact on modern sovereignty and territories (case study) - Different imaginations of sovereignty through indigenous legal landscapes (case study)
10.	<p style="text-align: center;">Money, Debt and International Law</p> <ul style="list-style-type: none"> - The role and power of international financial institutions on international law - Odious debt as a legal counterpoint to colonial extraction (case study)
11.	<p style="text-align: center;">Common Heritage of Mankind</p> <ul style="list-style-type: none"> - Understanding the role of oceans in the making of international law - Three legal turns in ocean governance - Learning to see the ocean as an expansive, interconnected force (documentary screening)
12.	<p style="text-align: center;">Knowledge-making in International Law</p> <ul style="list-style-type: none"> - What is knowledge and expertise in international law? - How are dominant narratives produces in such knowledge-making? - What is our relationship to such knowledge? -
13.	<p style="text-align: center;">Religion and International Law</p>

	- How does religion influence the international legal framework? a) historically, b) conceptually, c) materially.
14.	LEGAL FUTURES AND FUTURISM Imagining legal futures through design thinking (class exercise based on readings)

Module Descriptions:

Part V Relevant Readings / Essential Readings

In an effort to provincialize the narrative potential of Eurocentric international law and to avoid making canons out of scholarships, the course does not subscribe to the idea of a prescribed textbook/textbooks. Unlike a positivist international law course, the study of case laws, principles and doctrines will be accompanied by a close reading of their histories, processes and contexts. This is because international law is not just about adjudication and works far beyond courts, well into our everyday lives. Which is why the modules that discuss cases/doctrines are accompanied by exploratory texts.

Please remember - ***This course is not an account of international laws followed by their critique.*** It is a course about how **international law really functions and ways to navigate its deep structural powers.**

Therefore, the course is an assemblage of many faces of the discipline through the eyes of its various interlocutors, institutions and processes. That is why it focuses on competing narratives through the work of interdisciplinary scholars who are working outside/beyond mainstream legal positivist ideas and institutions of the discipline.

Texts and other relevant materials are provided in the course manual and any additional reading/alternate content will be provided a week in advance.

Suggested Reference Text Book(s):

1. Research Handbook on Third World Approaches to International Law (Edward Elgar, 2026)
2. Anthony Anghie, Imperialism, Sovereignty and the Making of International Law (CUP, 2004).
3. Sundhya Pahuja, Decolonising International Law (CUP, 2011)

Anghie, Anthony. Imperialism, Sovereignty and the Making of International Law (CUP,

1.	WEEK 1: Reading International Law in Context Session 1 – (2 hours) Case Discussion:
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	<p>a) The Right of Passage over Indian Territory, Portugal v India, Merits, Judgment, [1960] ICJ Rep 6, ICGJ 174 (ICJ 1960), 12th April 1960, International Court of Justice [ICJ]</p> <p>b) Case concerning the Temple of Preah Vihear (Cambodia v. Thailand), (Merits) 1962 I.C.J. Rep. 6 (June 15)</p> <p>Session 2 – (2 hours) Anghie, A. (2005). Imperialism, Sovereignty and the Making of International Law (Cambridge Studies in International and Comparative Law). Cambridge: Cambridge University Press, Chapter 1</p> <p>C.H. Alexandrowicz, ‘An Introduction to the History of the Law of Nations in the East Indies: (16th, 17th and 18th Centuries)’ (Oxford: Clarendon, 1967), Introduction and Chapter 1</p> <p>Victor Kattan, (2015). The Ghosts of the Temple of Preah Vihear/Phra Viharn in the 2013 Judgment. Asian Journal of International Law, 5(1), 16-25.</p>
2.	<p>WEEK 2 Sources of International Law</p> <p>Session 3 – (2 hours) Selected Excerpts from: Chimni, B. (2018). Customary International Law: A Third World Perspective. American Journal of International Law, 112(1), 1-46. doi:10.1017/ajil.2018.12</p> <p>2Guilherme Del Negro, ‘The Validity of Treaties Concluded under Coercion of the State: Sketching a TWAIL Critique’ (2017) 10(1) <i>European Journal of Legal Studies</i> 39</p> <p>Session 4 – (2 hours) Labenski, S. (2022). ‘The world is not organized for Peace’: Feminist manifestos and utopias in the making of international law. Global Constitutionalism, 1-31. doi:10.1017/S204538172200017X</p> <p>Sultana’s Dream by Rokeya Sakhawat Hossain (Utopia and Dreaming as Critique)</p>
3.	<p>WEEKS 3 and 4 Imperialism, Empire and Legacy: International Legal Actors and Processes</p> <p>Sessions 5 and 6 – (2+2 hours)</p> <p>Selected Excerpts From: Pahuja, S. (2011). Decolonizing International Law: Development, Economic Growth and the Politics of Universality (Cambridge Studies in International and Comparative Law). Cambridge: Cambridge University Press.</p> <ul style="list-style-type: none"> - Chapter 2 - Chapter 3 (page 55 - 69) <p><i>Case study:</i> Tim Mitchell (1999), 'America's Egypt: Discourse of the Development Industry', Middle East Report, 169, pp. 18-36</p> <p>Session 7 and 8 – (2+2 hours) Lustig, D (2020) From the NIEO to the International Investment Law Regime the Rise of the Multinational Corporations as a Subject of Regulatory Concern in International Law in (Chapter 7).</p> <p>Pahuja, Lecture on Corporations: https://www.lpgcil.org/lecturesandinterviews/blog-post-title-one-z9w6x</p> <p>Close Reading:</p> <ul style="list-style-type: none"> - Barcelona Traction, Light and Power Company, Limited (Belgium v. Spain) - Anglo-Iranian Oil Co., U.K. v. Iran - Dabhol Arbitration
4.	<p>WEEK 5 Critique and Mainstream</p>

	<p>Session 9 – (2 hours) Luis Eslava: https://criticallegalthinking.com/2019/04/02/twail-coordinates/</p> <p>EJIL Podcast: https://www.ejiltalk.org/ejil-the-podcast-episode-24-the-third-world-at-the-centre-of-international-law/</p> <p>B.S. Chimni, 'Third World Approaches to International Law: A Manifesto', International Community Law Review, Volume 8, Issue 1, 2006.</p> <p>Session 10 – (2 hours) Karin Mickelson https://twailr.com/wp-content/uploads/2020/11/Mickelson-Hope-in-a-TWAIL-Register.pdf</p>
5.	<p>WEEK 6 TWAIL – Methodology, Projects and Paradoxes</p> <p>Session 11 – (2 hours) Eslava and Pahuja, Beyond the (Post)Colonial: TWAIL and the Everyday Life of International Law Journal of Law and Politics in Africa, Asia and Latin America - Verfassung und Recht in Übersee (VRÜ), Vol. 45(2), 2012, pp. 195-221</p> <p>Session 12 – (2 hours) Rohini Sen, Introduction, NLSIR Special Issue on Jurisdiction (for a discussion on Naz Modirzadeh's work <i>Let us All Agree to Die a Little: TWAIL's Unfulfilled Promise</i>)</p>
6.	<p>WEEK 7 Feminist Approaches to International Law: Toolkit and Toy box</p> <p>Session 13 – (2 hours)</p> <p>Kumari Jayawardena, Feminism and Nationalism in the Third World, Introduction (chapter 1)</p> <p>Rohini Sen, Feminisms, TWAIL Handbook (forthcoming, 2025)</p> <p>Session 14 – (2 hours) Engle, Karen and Nesiha, Vasuki and Otto, Dianne L., Feminist Approaches to International Law (April 6, 2021). U of Texas Law, Public Law Research Paper No. 716</p>
7.	<p>WEEK 8 Feminist Approaches to International Law: Reading Against the Grain</p> <p>Session 15 – (2 hours) - Sahin v. Turkey, Application no. 44774/98, Council of Europe: European Court of Human Rights and rewritten Feminist Judgment - Nesiha, Vasuki (2003). The Ground Beneath Her Feet: "Third World" Feminisms. Journal of International Women's Studies, 4(3), 30-38.</p> <p>Session 16 – (2 hours) - Hatton vs UK, original and rewritten judgment (read in relation to posthumanism)</p>
8.	<p>WEEK 9 Unpacking Sovereignty and Territoriality in International Law</p> <p>Session 17 – (2 hours)</p>

	<p>Kapur, Ratna, Gender, Sovereignty and the Rise of a Sexual Security Regime in International Law and Postcolonial India (2013). Melbourne Journal of International Law, Vol. 14, No. 2, 2013, (pg 6-19)</p> <ul style="list-style-type: none"> - Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965, Advisory Opinion, ICJ GL No 169, ICGJ 534 (ICJ 2019) paras 154-160. - <u>Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)</u> <p>Session 18 – (2 hours)</p> <ul style="list-style-type: none"> - Mabo v Queensland (No. 2) (1992) 175 CLR (https://www.austlii.edu.au/au/journals/ILB/2012/40.pdf) - Watson, Irene, Buried Alive (2002). Watson, Irene (2002) 'Buried Alive', Law and Critique, Kluwer Law International, vol. 13, pp. 253-269, (pg 257-260)
9.	<p>WEEK 10 Money, Debt and International Law Session 19 – (2 hours)</p> <p>Guest Lecture by Kanad Bagchi on Financial Institutions followed by Class Discussion on 'Money as a Social Institution'.</p> <p>Session 20 – (2 hours) Nesiah, Vasuki. "A Double Take on Debt: Reparations Claims and Regimes of Visibility in a Politics of Refusal." <i>Osgoode Hall Law Journal</i> 59.1 (2022): 153-187.</p>
10.	<p>WEEK 11 Common Heritage of Mankind Session 21 – (2 hours) Documentary Movies and Discussion</p> <ul style="list-style-type: none"> - My Octopus Friend. - Against the Tide/https://framerframed.nl/en/court-for-intergenerational-climate-crimes/ <p>Session 22 – (2 hours) Ranganathan, Surabhi, "The Common Heritage of Mankind: Annotations on a Battle", in Jochen von Bernstorff, and Philipp Dann (eds), <i>The Battle for International Law: South-North Perspectives on the Decolonization Era</i>, The History and Theory of International Law (Oxford, 2019; online edn, Oxford Academic, 19 Dec. 2019)</p>
11.	<p>WEEK 12 Knowledge Making in International Law Session 23 – (2 hours) Class exercise: How to think about our own relationships with knowledge and knowledge making.</p> <p>Session 24 – (2 hours) Davies, M., Ethics and Methodology in Legal Theory a (Personal) Research Anti- Manifesto, <i>Law Text Culture</i>, 6, 2002 (Discussion on who is a critical researcher)</p> <p>Sharmila Rege, Education as Trutiya Ratna: Towards Phule-Ambedkarite Feminist Pedagogical Practice, <u>Vol. 45, Issue No. 44-45, 30 Oct, 2010</u></p>
12.	<p>WEEK 13 Religion and International Law – Conceptual Unpacking Session 25 – (2 hours) Akbar Rasulov, The Hidden Theology of International Legal Positivism</p>

	<p>Session 26 – (2 hours) Ratna Kapur, TWAIL and Religion and a close reading of <i>Lautsi vs Italy</i> in relation to <i>Leyla Sabin</i></p>
13.	<p>WEEK 14</p> <ul style="list-style-type: none">- Amanda Perry-Kessaris, Working with legal futures: conceptualising, investigating, imagining and making- Reparations (Andreas von Arnould, The Third World and the Quest for Reparations: Afterword to the Foreword by Antony Anghie, <i>European Journal of International Law</i>, Volume 34, Issue 4, November 2023, Pages 787–800, https://doi.org/10.1093/ejil/chad058)