



COURSE MANUAL

Global South and International Law

Name of the Course Instructor:

Bhupinder Singh Chimni

Assistant Instructor:

Spring 2026

Elective

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 intends and purposes as far the elective course, *Global South and 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: **Global South and International Law**

Course Code:

Course Duration: **One Semester (13 Weeks)**

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

Level:

Medium of Instruction: **English**

Pre-requisites: **None**, although prior exposure to Public International Law is helpful. Equivalent Courses: **None**

Part II

A. Course Aim

The aim of the course will be to look at the history, structure and process of public international law from the perspective of peoples and nations of the Global South. It will introduce the students to different approaches to international law and will seek to problematize and explore, especially from the standpoint of third world approaches to international law (TWAIL), the doctrines, principles and practices of international law. The course will also attempt to identify and understand the concerns of Global South vis-à-vis particular international legal regimes (investment, environment, human rights, refugees). Finally, it will raise and discuss the question whether international law can be reformed to help achieve global justice.

B. Assessment and Grading of Student Achievement

To pass this course, you must obtain a minimum of 50% over the entire spread of internal assessment, class participation, and the end-term examination, taken together. Internal assessment would be in the form of a research paper, whilst the end of semester exam will be a traditional written exam and will carry 50 marks.

The overall division of the assessment for this course would be as follows:

1. Research Paper: 40 Marks (Maximum 3000 words including footnotes)
2. End Semester Exam: 50 Marks
3. Class Participation: 10 Marks

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

Letter Grade	Percentage Of marks	Grade Definitions	
O	80% and above	Outstanding	Outstanding work with strong evidence of knowledge of the subject matter, excellent organizational capacity, ability to synthesize and critically analyse and originality in thinking and presentation.
A+	75 to 79.75%	Excellent	Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize critically and analyse
A	70 to 74.75%	Good	Good understanding of the subject matter, ability to identify issues and provide

			balanced solutions to problems and good critical and analytical skills.
A-	65 to 69.75%	Adequate	Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
B+	60 to 64.75%	Marginal	Limited knowledge of the subject matter, irrelevant use of materials and poor critical and analytical skills.
B	55 to 59.75%	Poor	Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials.
B-	50 to 54.75%	Pass	“Pass” in a pass-fail course. “P” indicative of at least the basic understanding of the subject matter.
F	Below 50%	Fail	Fails in the subject

Part III

A. Course Outline and Readings

A key objective of the course is to critique mainstream international law scholarship (MILS). This scholarship is found and summarized in standard textbooks of international law. While you can consult any of these, I would recommend Malcolm Shaw, *International Law* (Latest Available Edition)

B. Course Policies

a. *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.

“Plagiarism” means the practice of taking someone else’s work or idea and passing them as one’s own. The plagiarism policy for this course has been kept identical to the one provided in the JGU Student Handbook for the Academic Year 2020–2021.

Therefore, 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 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.

b. Disability Support and Accommodation Requirements

JGU endeavors to make all its courses accessible to students. All students with a known disability needing academic accommodations are required to register with the Disability Support Committee dsc@jgu.edu.in. The Committee has so far identified the following conditions that could possibly hinder student's overall well-being. These include physical and mobility related difficulties; visual impairment; hearing impairment; medical conditions; specific learning difficulties e.g. dyslexia; mental health.

The Disability Support Committee maintains strict confidentiality in its discussions. The students should preferably register with the Committee in the month of June/January as disability accommodation requires early planning. DSC will approve and coordinate all the disability related services such as appointment of academic mentors, specialized interventions and course related requirements such as accessible classrooms for lectures, tutorials and examinations.

All faculty members are required to refer students with any of the above-mentioned conditions to the Disability Support Committee for addressing disability-related accommodation requirements.

c. Safe Space Pledge

This course will 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 troubled due to either the contents of the course, or the conduct of the discussions, 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 inhibition and fear. This responsibility lies not only on students, but also the instructor.

d. Office Hours

It will be notified when the time-table is clear.

Part IV

A. Lecture Programme

Week	Lecture Topic
1	Introduction: Global South, Third World and Task of International Lawyers
2	History of International Law
3	Theoretical Approaches
4	Sources of International Law
5	Jurisdiction in International Law
6	International Law of State Responsibility
7	International Human Rights Law
8	International Environmental Law
9	International Economic Law
10	International Refugee Law
11	International Institutions
12	Use of Force in International Law
13	Reform or Revolution

Part V

A. Weekly Readings

Week 1

Introduction: Global South, Third World and Task of International Lawyers

- Siba Grovogu, 'A Revolution Nonetheless: The Global South in International Relations' *The Global South*, Vol. 5, No. 1, Special Issue: The Global South and World Dis/Order (Spring 2011), pp. 175-190.
- Nour dados and Raewyn Connell, 'The Global South' Key Concepts in Social Research' pp. 12-13 available at <https://journals.sagepub.com/doi/pdf/10.1177/1536504212436479>
- James Thuo Gathii, *The Promise of International Law: A Third World View* 36 AM. U. INT'L L. REV. 377 (2021).
- B.S.Chimni, *International Law and World Order: A Critique of Contemporary Approaches* (Cambridge University Press, 2017) 2nd edn pp. 506-509

Week 2

History of International Law

- Malcolm Shaw, *International Law* (Cambridge University Press, (2003) pp. 13-41.
- Antony Anghie, *Sovereignty, Imperialism and International Law* (Cambridge University Press, 2005) pp.1-13
- B. S. Chimni, 'The Grotian Tradition, Grotian Moment, and Decolonization: A TWAIL Perspective', *Grotiana* 42 (2021) 252-276.
- C.H. Alexandrowicz, *The Law of Nations in Global History* David Armitage and Jennifer Pitts eds., (Oxford University Press, 2017) pp.62-71, 113-121.

- **Christopher Weeramantry, Dissenting Opinion *Legality of the Threat or Use of Nuclear Weapons case I.C.J Reports (1996) pp. 478-482.***
- Nagendra Singh, *International Law in Ancient and Mediaveal India* (S. Chand, Delhi, 1973)
- **V.S.Mani, ‘International Humanitarian Law: An Indo-Asian Perspective’, RICR MARS IRRC MARCH 2001 VOL. 83 N° 841 pp. 59-75.**
- **B.S.Chimni, Retrieving ‘Other’ Visions of the Future: Sri Aurobindo and the Ideal of Human Unity"** in Branwen Gruffyd Jones ed., *Decolonizing International Relations* Lanham: Rowman and Littlefield 2006 pp.197-219.
- B.S.Chimni, ‘International Law Scholarship in Post-Colonial India: Coping with Dualism’ *Leiden Journal of International Law*, (2010) 23(1), 23-51.

Week 3

Some Theoretical Approaches

- Ratner, Steven R and Slaughter, Anne-Marie (2004) *The Methods of International Law* Washington D.C: American Society of International Law pp.1-23.
- B.S.Chimni, *International Law and World Order: A Critique of Contemporary Approaches* (Cambridge University Press, 2017) 2nd edn Chapter 1 and Chapter VI.
- Hilary Charlesworth, and Christine Chinkin, "Feminist Approaches to International Law," 85 (1991) *American Journal of International Law* 613-645.

Week 4

Sources of International Law

- Jean D’Aspremont, *International Law as a Belief System* (Cambridge University Press, 2018) 1-30, 55-70.
- **B.S.Chimni, ‘Customary International Law: A Third World Perspective’, *American Journal of International Law* (2017) 1-39**
- Charlesworth, Hilary and Chinkin, Christine (2000) *The boundaries of international law: A feminist analysis* Manchester: Manchester University Press pp.62-96.
- Steve Charnovitz, “Nongovernmental Organizations and International Law” *American Journal of International Law*, vol. 100 (2006) pp. 348-372.

Week 5

Jurisdiction in International Law

- **B.S.Chimni, ‘The International Law of Jurisdiction: A TWAIL Perspective’, *Leiden Journal of International Law* (2022).**
- Turan Kayaoglu, *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire and China* (Cambridge University Press, 2010) 1-17, 191-205.
- Richard T. Ford, *Law’s Territory: A History of Jurisdiction*, 97 MICH. L.R. 843 (1999)

Week 6

International Law of State Responsibility

- Judge Padillo Nervo, (1970) *Barcelona Traction* case Separate Opinion, I.C.J Reports pp.247-250.
- **James Crawford, “The ILC’s Articles on Responsibility of States for Internationally Wrongful Acts: A retrospect”, *American Journal of International Law*, 96 (2002), pp.874- 890.**
- B.S. Chimni, ‘The Articles on State Responsibility and the Guiding Principles of Shared Responsibility: A TWAIL Perspective, *European Journal of International Law* (March 2021) Advance Access.
- Dinah Shelton, ‘Righting Wrongs: Reparations in the Articles on State Responsibility’, *The American Journal of International Law*, 96 (2002), pp. 833-856.
- John Gerard Ruggie, ‘Multinationals as global institution: Power, authority and relative autonomy’ *Regulation & Governance* (2018) 317-333.

Week 7

International Human Rights Law

- Yasuaki Onuma, (1997) “Towards an Inter-civilizational Approach to Human Rights”, *Asian Yearbook of International Law*, vol. 7, pp.21-81.
- Amartya Sen, *Development as Freedom* pp.3-34, 227-248.
- David Kennedy, ‘The International Human Rights Movement: Part of the Problem?’, 15 (2002) *Harvard Human Rights Journal* pp. 101-126.
- Annan, K (1999) “Two Concepts of Sovereignty”, *The Economist*, 18 September 1999.
- Mill, John Stuart (1984) “A Few Words on Non-Intervention” in J.S.Mill, *Essays on Equality, Law and Education* Toronto: University of Toronto Press pp.118-124.
- Ramina, Larissa, TWAIL – Third World Approaches to International Law and Human Rights: Some Considerations, 5 *Revista de Investigacoes Constitucionais* 261 (2018).

Week 8

International Environmental Law

- **Gaps in international environmental law and environment-related instruments: towards a global pact for the environment: Report of the Secretary-General, UNGA, A/73/419, November 2018 at <https://wedocs.unep.org/handle/20.500.11822/27070>.**
- **Kishan Khoday, Usha Natarajan, 'Locating Nature: Making and Unmaking International Law' *Leiden Journal of International Law* (2014) 573-593.**
- Sara L. Seck, 'Relational Law and the Reimagining of Tools for Environmental and Climate Justice' *Canadian Journal of Women and Law* 31 (2019)
- Karin Mickelson, 'The Maps of International Law: Perceptions of Nature in the Classification of Territory' *LJIL* 27 (2014), pp. 621-639
- Dipesh Chakrabarty, 'The Politics of Climate Change is More Than the Politics of Capitalism', *Theory, Culture & Society* 34 (2017) 24-37.
- Eric Brandstedt, 'Non-ideal climate justice', *Critical Review of International Social and Political Philosophy*, 22 (2019) 221-234.
- **J. Peel & J. Lin, *Transnational Climate Litigation: The Contribution of the Global South*, 113 *AM. J. INT'L L.* 683 (2019)**

Week 9

International Economic Law

- **B.S. Chimni, "International Economic Law: A Third World Approaches to International Law (TWAIL) Perspective" in John Linarelli ed., *Global Justice and International Economic Law* (London: Edward Elgar, 2013).**
- **M. Sornarajah, 'The Unworkability of Balanced Treaties and the Importance of Diversity of Approaches among the BRICS', *AJIL Unbound* (2018)**
- **Prabhash Ranjan and Prahars Gour, 'The TRIPS Waiver Decision at the World Trade Organization: Too Little Too Late!', *Asian Journal of International Law* (2023), 13, 10-21**
- Congyan Cai, 'Balanced Investment Treaties and BRICS' *AJIL Unbound* (2018) file:///I:/CANGYON%20CAI%202018%20balanced_investment_treaties_and_the_brics.pdf
- James Gathii, 'Africa and the Disciplines of International Economic Law: Taking Stock and Moving Forward', https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3002108

Week 10

International Refugee Law

- Goodwin-Gill Guy and Jane McCadam (2007) *The Refugee in International Law* pp.15- 41.
- B.S. Chimni, “The Geopolitics of Refugee Studies: A View from the South”, *Journal of Refugee Studies*, 11 (1998) pp.350-74.
- B.S.Chimni, ‘Three Approaches to 1951 Convention: The Case for a Dialectical Approach’, *Journal of Refugee Studies* (Forthcoming)
- James Hathaway, ‘Global Cop-Out on Refugees’, *International Journal of Refugee Law* 30 (2018) pp.599-604

Week 11

International Institutions

- Antony Anghie, ‘Colonialism and the Birth of International Institutions: Sovereignty, Economy, and the Mandate System of the League of Nations’, 34 *N.Y.U. J. INT’L L. & POL.* 513 (2002).
- B.S. Chimni, ‘International Institutions Today: A Global Imperial State in the Making’, *EJIL* (2004) 1-39.
- Power: Decision of Pre-Trial Chamber (PTC) of ICC in Afghanistan Case

Week 12

Use of Force in International Law

- International Law Association Final Report on Use of Force (2018) available at <file:///C:/Users/BS1358~1.CHI/AppData/Local/Temp/Conference%20Report%20Sydney%202018..pdf>
- B.S.Chimni, “Peace through Law: Lessons of 1914”, *London Review of International Law* 3 (2015) pp.245-265.
- Gina Heathcote, ‘Feminist perspectives on the Law on the Use of Force’ (2014) available at <file:///C:/Users/BS1358~1.CHI/AppData/Local/Temp/Conference%20Report%20Sydney>

[%202018..pdf](#)

- Anne-Charlotte Martineau, Concerning Violence: A Post-Colonial Reading of the Debate on the Use of Force, 29 *Leiden J. Int'l L.* 95 (Spring 2016)

Week 13

Reform or Revolution

- Obiora Okafor, 'Newness, Imperialism, and International Legal Reform of Our Time: A TWAIL Perspective', *Osgoode Hall Law Journal*, 43 (2005) 171-191.
- B.S.Chimni, "Crisis and International Law: A TWAIL Perspective" in J. J'Aspremont and M. Mbengue eds., *Crisis Narratives in International Law* (Brill, 2021) Chapter 4.
- B.S. Chimni, *International Law and World Order* pp. 517-525
- Mohammed Bedjaoui, (1979) *Towards a new international economic order* Holmes and Meir: UNESCO pp. 97-115, 125-193.
- Joel M. Ngugi, 'Making New Wine for Old Wineskins: Can the Reform of International Law Emancipate the Third World in the Age of Globalization?' 8 *Univ. Cal. J. Int'l L. & Pol'y* 73 (2002)