



Course Outline

Course number	RMC101
Course title	Foundation
Credit points	3 ECTS
Total hours	24 Contact Hours
Lecture hours	24
Course level	Masters
Prerequisites	

COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Ineta Ziemele	Ph.D. (Cantab.)	Professor

COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Daiga Rezevska	Dr.iur.	Professor, UL
Artis Svece	Dr. phil	Assistant Professor, UL
Inese Druviete	Dr.iur.	Docent

COURSE ABSTRACT

The Course consists of four inter-related parts. First, it addresses the notions of State and order of rules from the perspective of political thought. Second, it introduces the notions of law and power from a legal perspective. Third, it examines the emergence of the State centred world order. Finally, it looks at ever closer integration between States and asks the question of the way forward. More specifically the course will explore the foundations of world order and law as follows:

COURSE OBJECTIVES

This is a foundation course which aims to ensure that all students of the Master Programme at the RGSL have same basic understanding of the notions and institutions that will be referred to repeatedly during their studies at the RGSL. The course assists in making the studies more effective and coherent. Current times are characterized by rather narrow and in-depth specializations in different areas of law and that is offered also as a possibility by the Master Programme of the RGSL. The

foundation course recalls the broader ideas, events and studies that are at the basis of law and legal systems. It is important that, while being specialized in a particular field we are able to relate to the sources and evolution of law and relevant concepts, such as State, sovereignty, public order, separation of powers, legitimacy of rules, etc. It is considered that such a foundation course should be interdisciplinary. It is therefore that the students are offered an overview of main historical events and development of political thought leading to the ideas of law and order. Students are offered elements of legal theory, theory of international law and European integration.

GRADING CRITERIA

Criteria	Weighting
Course Essay	100%

COURSE PLAN – MAIN SUBJECTS

No.	Main subjects	Planned hours
1	The Rise of the Nation State	6
2	Sources of Law and Power within a State	6
3	History of International Law	6
4	EU Law – a New Mode of Legal Thinking	6

COURSE PLAN – SESSIONS

Session	Session subjects and readings	Lecturer
1	<p>Law and Order</p> <p>To establish some kind of non-arbitrary order is one of the main functions of societies. History demonstrates a variety of ways how societies have tried to achieve this order and stability. The state is one of the most complicated systems of rules and values that help to maintain complex societies.</p>	Artis Svece
2	<p>Natural law and Natural Rights</p> <p>There are laws that do not depend on human conventions has a long history in the so-called Western culture. It is meant to solve certain puzzles about the nature of law, but unfortunately it also creates new theoretical and practical difficulties with political consequences.</p>	Artis Svece
3	<p>Sovereignty</p> <p>Who or what has the supreme authority in some territory and what makes it legitimate? Both questions have internal and international, normative and practical aspects. Although the focus of this lecture is on international relations, ultimately, all these aspects are intertwined.</p>	Artis Svece

Session	Session subjects and readings	Lecturer
4	<p>Sovereign and Basic Norm</p> <p>How the legal arrangement is created - the notion of the sovereign, what is a basic norm, and what are the consequences of the pronouncement of the basic norm: i) for the legal arrangement; ii) for the sovereign itself;</p>	Daiga Rezevska
5	<p>Unwritten Legal Norms</p> <p>Natural rights - unwritten legal norms existing as a valid and directly applicable legal norms as a consequence of the natural law thinking;</p>	Daiga Rezevska
6	<p>Legal System: Sources of Law, Legal Hierarchy, Methods of Interpretation and Conflict Resolution</p> <p>The sources of law, their hierarchy; legal methods of how the contents of these sources can be found, interpreted, further developed.</p>	Daiga Rezevska

Session	Session subjects and readings	Lecturer
7	<p>Formation of Modern World Order: History of International Law</p> <p>One way to look at theory of international law is to accept that history of international law is part of theory. In this context, one needs to know the characteristics of pre-Westphalian international actors and their relations, keep in mind the Treaty of Westphalia and introduce the post-Westphalian development of international legal order where the abstract notion of State was placed in the centre of that order. Next important development is the formation of international organizations. Why did States decide that such co-operation is important? (This question is the basis for the final part in the course on European integration).</p>	Ineta Ziemele
8	<p>State Consent as a Source of International Law</p> <p>The notion of State consent as the source of rules in international law. What is it? How do we establish State consent? Can it be the ultimate source for the entire legal system or should we look elsewhere?</p>	Ineta Ziemele
9	<p>Is International Law a Law?</p> <p>The criticism of international law as political and serving self-interest of the powerful states will be addressed as the final theme. Rules of International Law: their source, legitimacy, validity</p> <p>Treaties, custom, general principles, judicial decisions and soft law. How do we find legality and legitimacy of rules outside the State consent basis of the rules? Why do we need that?</p>	Ineta Ziemele

Session	Session subjects and readings	Lecturer
10	CJEU Case Law The development and effect of the EU law	Inese Druviete
11	CJEU Case Law The development and effect of the EU law	Inese Druviete
12	European Integration The European integration starting from “a new legal order” to the current #FutureofEurope debate.	Inese Druviete

COURSE LITERATURE

No.	Author, title, publisher
1	Dunleavy, P. The State // Goodin, R. E., Pettit, P., Pogge, T., eds. A Companion to Contemporary Political Philosophy. Oxford: Blackwell, 2007. Pp. 793-803.
2	Canovan, M. The People // Dryzek, J. S., Hobig, B., Phillips, A., eds. The Oxford Handbook of Political Theory. Oxford: Oxford Up, 2006. Pp. 349-362.
3	Weinreb, L. L. Natural Law and Rights // George, R. P., ed. Natural Law Theory: Contemporary Essays. Oxford: Clarendon Press, 1992. Pp. 278-305.
4	H. Kelsen, Principles of International Law (2nd ed., ed. Tucker, Holt, Rhinehart & Winston, 1966) 553-588
5	Samantha Besson et al (eds) The Philosophy of International Law, Oxford University Press, 2010
6	Arnulf, A. (2016) The Effect of EU Law, in A Companion to European Union Law and International Law (eds D. Patterson and A. Södersten), John Wiley & Sons, Inc, Hoboken, NJ. doi: 10.1002/9781119037712.ch5
7	Statute of the International Court of Justice, http://www.icj-cij.org/en/statute
8	White Paper on the Future of Europe https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf