

Chapter 4: Upholding International Law

Worksheet

4.1 Case Study: Argentina's \$20 Million Standoff in Ghana

- In your own words, briefly summarize important facts about the case. Include important actors and events.
- What are the important legal and political questions raised by this case?

4.2 International Legal Enforcement

Major Bodies

- What is the ICJ? What kinds of cases does it hear? What are its major stages of litigation?
- What other international institutions help uphold international law?

Refusing to Rule

- What is jurisdiction? How is it created at the ICJ?
- What is admissibility? What are some common situations in which a court will find a case inadmissible?
- How do judicial economy and judicial propriety affect international court rulings?

Access to Non-State Actors

- How do individuals, groups, and NGOs gain access to international legal enforcement?
- How are the interests of the international community represented in international legal enforcement?

4.3 Domestic Legal Enforcement

Jurisdiction

- What are the common bases of jurisdiction for domestic courts?

- How do jurisdictional rules sometimes create political conflicts?

State Immunity

- What are the two kinds of state acts?
- What are the two theories of state immunity? How are they similar/different?
- Why have changing trends in state immunity created political disagreements?

Diplomatic, Consular, and Official Immunity

- What is the difference between a diplomat and a consular official?
- What major protections are provided by international law on diplomatic and consular relations?
- How do these rules extend to other government officials (like presidents, prime ministers, and foreign ministers)?

4.4 Political Enforcement

Coercion

- What are the various forms of coercion that are used to uphold international law?
- What limits (if any) does international law place on each form of coercion?
- Provide 2—3 examples to illustrate each form.

Persuasion

- What are the various forms of persuasion that are used to uphold international law?
- Provide 2—3 examples to illustrate each form.

4.5 Case Study Revisited: Who Won the Argentine Debt Dispute?

- How do the topics discussed in this chapter help you to understand this case?
- How would *you* answer the legal and political questions that are raised by this case?¹

¹ *Note: Some of these questions may require that you express an opinion or make a value judgment. There is no inherently correct or incorrect opinion/value, but you should be able to support your answer (and argue against alternative opinions/values) using basic facts and logic.*