

**Global Legal History  
AS.100.453 (01)  
Johns Hopkins University  
Fall 2024**

**Syllabus  
(Rev. 8/13/24)**

**Tuesday, 3:00pm - 5:30pm  
Latrobe 120**

Instructor: Prof. James Loeffler

Office: Gilman 394

<https://history.jhu.edu/directory/james-loeffler/>

Office hours: Tuesdays, 1:30-3PM and by appointment

### **Course Description**

Where does our law come from? Can we speak of law's past in terms of a single global story? Does the recent rise of modern international law reflect a triumph of universal human ethics over state power or a displacement of politics and hierarchy into new forms? This course explores these and other questions about the nature of law in global perspective. Our focus is on the intertwined stories of the globalization and formal legalization of the world from the eighteenth century to the present. We will focus on nationalism and empire, war and atrocity, economics and ideology as drivers of legal change. Our goal will be to understand how law is understood by different historical actors across the world and down through time.

The conceptual goals of the course are two-fold: (1) to introduce students to critical historical methods of examining the past and its relationship to present-day legal, political, and moral questions; and (2) to guide students through the process of developing and completing individual research projects on subjects of their own choosing. Working closely with the instructor, students will learn to develop methods and skills for advanced academic research, project design, and scholarly writing.

### **Requirements and Grading**

This course will be conducted seminar style. Students are expected to come prepared to engage reading assignments in detail and will take turns presenting specific readings to the class. This will be chosen by week 2. Besides active class participation, students will post one paragraph each week in which you discuss the week's theme/reading, either reflecting on some of the major points or posing a thoughtful question about the readings. Finally, students will work on a research project culminating in a ~5000-word

essay on a topic of legal history selected in consultation with the instructor due on the last day of class.

Student Class Participation 30%

One-page, single-spaced paper proposal, due Oct. 8 5%

One-page bibliography, due Nov. 5 5%

Reading Responses 10%

Research Paper 50%

The above notwithstanding, to pass the course it is necessary to complete all assignments, including acceptable papers on approved topics, and to attend all class sessions. Multiple repeated absences will be grounds for failure. Students who need to miss class for religious holidays, family emergencies, athletic commitments or other reasons must obtain permission from the instructor prior to the date in question. The same applies to the submission of written assignments and exams. Late assignments will be penalized.

If you have a recognized accommodation, please let me know. If you are experiencing difficulties that affect your ability to participate in this course, you should feel free to discuss it with me at any time.

Grading Guide:

A+ 99-100 A 94-98 A- 90-93

B+ 87-89 B 84-86 B- 80-83

C+ 77-79 C 74-76 C- 70-73

D+ 67-69 D 64-66 D- 60-63

F Below 60

### **Required Reading**

The books listed below are available for purchase and also on E-Reserves.

### **Class Schedule**

#### **Week 1: Aug. 26 Global / Legal / History – Three Words**

Hendrik Hartog, "Pigs and Positivism" *Wisconsin Law Review*

Berg, *Writing the History of the Global*, Introduction

**Week 2: Sep. 3 Encounter**

Thomas Duve, "Global Legal History: A Methodological Approach" *Oxford Handbooks Online*

Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900*

**Week 3: Sep. 10 Diffusion**

Lauren Benton and Lisa Ford, *Rage for Order: The British Empire and the Origins of International Law, 1800–1850*

Emmanuelle Tourme Jouannet, "International Law as History and Culture," in E.T. Jouannet, *A Short Introduction to International Law*, 4-21

**Week 4: Sep. 17 Agency**

Jessica Marglin, *The Shamama Case*

**Week 5: Sep. 24 Advocacy**

Martii Koskeniemmi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law, 1870–1960*

**Week 6: Oct. 1 Space**

Fahad Bishara, *A Sea of Debt: Law and Economic Life in the Western Indian Ocean, 1780-1950*

**Week 7: Oct. 8 Temporality**

Natasha Wheatley, *The Life and Death of States: Central Europe and the Transformation of Modern Sovereignty*

**Week 8 Oct. 15 Harmony**

Francine Hirsch, *Soviet Judgment at Nuremberg: A New History of the International Military Tribunal after World War II*

**Week 9 Oct. 22 Imagination**

Samuel Moyn, *The Last Utopia*

Ingrid Wuerth, "International Law in the Post-Human Rights Era," *Texas Law Review*

**Week 10 Oct. 29 Sovereignty**

Mira Siegelberg, *Statelessness: An International History*

Anne Orford, “Neoformalism and the Turn to History in International Law,” in *International Law and the Politics of History*

**Week 11 Nov. 5 Inheritance**

Leora Bilsky, *The Holocaust, Corporations, and the Law: Unfinished Business*

**Week 12 Nov. 12 In-Class workshop**

**Week 13: Writing Week – No Class**

**Week 14: Nov. 26**

**Fall Break – No Class**

**Week 15: Dec. 3 Conclusions**