FIRST ASSIGNMENT—PUBLIC INTERNATIONAL LAW

Fall 2013
Professor Roger C. Wilson

Our first class will be an overview session in which we shall define our subject for the coming semester—public international law—including a little historical background and its current nature, definition, and sources. Our focus will be on the question, "What is 'public international law'?" And, "Is it the same now as it always has been?"

Here are the reading assignments that we shall discuss in the first class. Please be prepared to discuss all of them to the various extents indicated below.

      A.   Sources of International Law. Carter, pages 1-5--read carefully, including the Notes and Questions at the end.
      B.   Brief Post-War History of International Law. Carter, pages 5 - 22.
      C.   Nature/Status of International Law. Carter, pages 22-44.
      D.   Two judicial opinions (both attached) for general introductory discussion:
          Hanley v. Roy, 485 F.3d 641 (11th Cir. 2007);
          Filartiga v. Pena-Irala, 630 F.2d 876 (2nd Cir. 1980).
          Are these opinions "international law"?
          N.B. Just read these opinions informally, for general, relaxed discussion, not to learn them in all their details or to be grilled on them. In particular, Filartiga is a long opinion. Just read it casually, though attentively.

Optional: If you care to do so, you may enjoy listening to the oral arguments before the U.S. Supreme Court in Hamdi v. Rumsfeld, involving issues regarding what due process rights, if any, are applicable to an American citizen who had moved to Afghanistan and was captured during the war there and subsequently sent to Guantanamo and detained there. The arguments are at the following link:

      http://www.oyez.org/cases/2000-2009/2003/2003_03_6696/argument

If you listen, be sure to listen all the way to the end (*i.e.*, through the rebuttal arguments), both for exposure to a discussion of legal principles involved in an important area of U.S. international relations, and to hear appellate oral arguments done at a very high level.