Syllabus: International Law (Spring 2016) (Professor Paust)

casebook and Documents Supplement:
meet: T & Th 2:00 - 3:45 p.m.

Chapter One. Nature, Sources and Evidences of International Law

Jan. 19: pages 2-17 and discussion
Jan. 21: pages 17 (Ns & Qs) - 29
Jan. 26: pages 30-54
Jan. 28: pages 54-79
Feb. 2: pages 80 (reservations, etc.) - 95; skim 95-103 (Paquete case)

Chapter Two. Domestic Incorporation

Feb. 4: pages 103-111 and 120-131
Feb. 9: pages 131 (Section 2 B 2 a) - 145
Feb. 11: no class
Feb. 16: pages 145-165 (Section 2 B 2 b - 2 B 4 a)
Feb. 18: pages 165-195 (Section 2 B 4 b, on Judicial Review of Executive Detention of “Terrorists” Without Trial and relevant current events)
Feb. 23: (SKIP pages 195-250 [In re GTMO; Hamdan]) and do pages 250-282 (Section 2 B 4 d, 2 B 5)
Feb. 25: pages 282-327 (Section 2 C 1 a-c)
Mar. 1: pages 327-363 (Section 2 C 1 d)
Mar. 3: pages 363 (Section 2 C 2) - 387
Mar. 8: pages 387-411 (thru Section 2 D 1)
Mar. 10: pages 411 (Section 2 D 2, the ATCA, TVPA, Antiterrorism Act) - 425
Mar. 14-19: Spring Break (no classes)
Mar. 22: pages 425-457
Mar. 24: pages 457-505
Mar. 29: pages 532-557 (Section 2 E 1)
Mar. 31: no class
Apr. 5: pages 557 (Section 2 E 2) - 581 (skip Breard), 588-590 (State powers)

Chapter Three. Jurisdiction and Extradition

Apr. 7: pages 591-611
Apr. 12: pages 611-642
Apr. 14: no class
Apr. 19: pages 642-658 (universal jurisdiction) and pages 658-665 (starting enforcement)
Apr. 21: pages 665-691
Chapter Four.  **Foreign Sovereign Immunity and Act of State**

Apr. 26: read (in the Docs. Supp.) the FSIA, 28 U.S.C. § 1330(a)-(b), and §§ 1602-1605(a)(7) and 1606-1611 (briefing and questions in class).

Apr. 28: read pages 763-774, 777 (Tate Letter) - 787 (thru to end of Section 1 C 4) and pages 787-793 (Section 1 D 1); pages 793-800, 810-812 (2nd extract of Weltover case and Questions)

May 3 – 2:00 p.m. Exam: the three-hour exam will be open book, open notes (bring in any written materials that you prefer, no cell phones or electronic devices other than laptop for writing essays).

Class attendance: class attendance is required (those missing more than 20% will be dropped).

Objectives: to familiarize students with the nature, sources and evidences of international law; past forms of and possibilities for domestic incorporation of international law and the primacy of international or domestic laws in case of conflict; jurisdictional requirements under international law; enforcement competencies under international law; foreign sovereign immunity and its exceptions; the act of state doctrine and its exceptions; to consider relevant professional and ethical issues; and to integrate issues covered with the analytical and practical skills necessary for the practice of international law in domestic fora.