

NATIONAL SECURITY LAW – Professor Dycus

Spring 2008

Assignments for First Classes

Page references are to STEPHEN DYCUS *et al.*, NATIONAL SECURITY LAW (4th ed. 2007).

Essential Background

Please read for background pp. 1-26, as well as relevant provisions of the United States Constitution found at pp. 1113-1119. These materials are exceedingly important and will be the subject of discussion throughout the course.

Thursday, January 10

Youngstown Sheet & Tube Co. v. Sawyer (The Steel Seizure Case) 27-47

Steel Seizure is the most important separation of powers case. Please review it carefully. You should be prepared to discuss the three different sources of emergency power asserted by the President, as well as the response of each respective Justice to those assertions.

Tuesday, January 15

Dames & Moore v. Regan 47-67
United States v. Curtiss-Wright Export Corp.

These two Supreme Court cases help us to frame the still extremely vigorous debate about the sources and extent of the President's foreign relations powers.

Thursday, January 17

The Prize Cases 67-87
Little v. Barreme
In re Neagle

The cases in this assignment bring sharply into focus the correlative roles of the executive and legislative branches (as well as the courts) in providing for the nation's defense. Their relevance to the ongoing war against terrorism should be immediately apparent.