

## Nationals Abroad

It is a fundamental term of the social contract that people trade allegiance for protection. In the nineteenth century, as millions of people made their way around the world, they entangled the world in a web of allegiance that had enormous political consequences. Nationality was increasingly difficult to define. Just who was a national in a world where millions lived well beyond the borders of their sovereign state? As the nineteenth century gave way to the twentieth, jurists and policymakers began to think of ways to cut the web of obligation that had enabled world politics. They proposed to modernize international law to include subjects other than the state. Many of these experiments failed. But, by the mid-twentieth century, an international legal system predicated upon absolute universality and operated by intergovernmental organizations came to the fore. Under this system, individuals gradually became subjects of international law outside of their personal citizenship, culminating with the establishment of international courts of human rights after the Second World War.

Christopher A. Casey received his BA, MA, Ph.D., and JD at the University of California, Berkeley.

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*Globalization, Individual Rights, and the  
Making of Modern International Law*

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For my parents, sister, and grandfather

Men of no importance, born in an obscure rank, go to sea; they go to places which they have never seen before; where they can neither be known to the men among whom they have arrived, nor always find people to vouch for them. But still, owing to this confidence in the mere fact of their citizenship, they think that they shall be safe. . . . Take away this hope, take away this protection from Roman citizens, establish the fact that there is no assistance to be found in the words “I am a Roman citizen;” that a praetor, or any other officer, may with impunity order any punishment he pleases to be inflicted on a man who says that he is a Roman citizen . . . and at one blow, by admitting that defense, you cut off from the Roman citizens all the provinces, all the kingdoms, all free cities, and indeed the whole world, which has hitherto been open most especially to our countrymen.

Marcus Tullius Cicero, *In Verrem*, 70 BCE

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## Acknowledgments

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I always like to stay through the credits of movies. I probably do it, in part, for the closure and because my parents always stay. But when my friends tug (literally or metaphorically) at my shirtsleeve to go, my need for closure or my long-held habits seem like weak justifications to demand an extra five minutes of their patience. Instead, I tell them that my desire to stay is about politics. Credits, which recognize many (although certainly not all) of those who contributed to creating a film, make it one of the more democratic media. As with movies, so it should be with books.

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This was a long project, and the list of names above should make it clear that I didn't build it, but, nevertheless, all faults are my own.

## Abbreviations

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<i>AJIL</i>	<i>American Journal of International Law</i>
ASIL	American Society of International Law
BITs	bilateral investment treaties
GATT	General Agreement on Tariffs and Trade
ICC	International Chamber of Commerce
ICJ	International Court of Justice
ICSID	International Centre for Settlement of Investment Disputes
IIL	Institute of International Law (Institute de Droit International)
ILA	International Law Association
ILC	International Law Commission
ILO	International Labour Organization
IMF	International Monetary Fund
ITO	International Trade Organization
LN	The League of Nations
LN Doc.	League of Nations Document (published)
LNA	League of Nations Archives
<i>LNOJ</i>	<i>League of Nations Official Journal</i>
LNTS	League of Nations Treaty Series
NAFTA	North American Free Trade Agreement
NARA	National Archives and Records Administration
PCA	Permanent Court of Arbitration
PCIJ	Permanent Court of International Justice
UKNA	The National Archives of the United Kingdom
UN	The United Nations
UN Doc.	United Nations Document (published)
UNTS	United Nations Treaty Series