National Security Law
Law 7413

PRELIMINARY SYLLABUS

OFFICE HOURS: Office hours may be arranged by appointment. Please e-mail me to set up an appointment: lhogue@gsu.edu


EVALUATION: Grades in the course are based entirely on a paper to be submitted no later than the end of the final examination period. The topic must be approved by the instructor.

CLASS ATTENDANCE: Roll is taken at each class. Students are responsible for signing the roll. Students bear the burden on this. The roll is conclusive and irrefutable as to whether you were present for class or not.

CLASS PARTICIPATION: Students are expected to come to class prepared to discuss the materials assigned for the class that day.

CLASSES: Tuesdays from 1:15 – 2:30 PM in Room 330.

LAPTOP COMPUTER POLICY: Students are not to use laptops for anything other than note taking or other work directly related to what is happening in class at the time. The only exception is brief answers to occasional emails that need immediate attention. Students who use their laptops for purposes other than class in excess of these limitations should indicate on the roll that they are absent from class. Failure to do so is an Honor Code violation.

SYLLABUS UPDATES:

The field of National Security Law continues to evolve rapidly. The 2009-2010 Supplement to National Security Law (4th edition) published by Aspen in August contains materials for classroom use that reflect the most important developments – through mid-July when the book went to press – but further updating will be required to reflect developments since the Supplement was published. The Syllabus will be updated to reflect changes as needed. Please consult the web-based version of the Preliminary Syllabus for the most current class assignments.
READING ASSIGNMENTS
(N.B. tentative and subject to revision)

PART I Introduction and Framework

1. Jan. 11 read pp. xxxi – xxxiii and 1 – 26 (Preface and Chaps. 1 – 2)
2. Jan. 13 read pp. 27 – 58 ((Chap. 3)

January 18 MLK HOLIDAY – No Class

3. Jan. 20 read pp. 59 – 92 (Chap. 4)
4. Jan. 25 read pp. 93 – 156 (Chaps. 5 -- 6)
5. Jan. 27 read pp. 157 – 198 (Chap. 7)

PART II Using Force Abroad

6. Feb. 1 read pp. 201 – 239 (Chap. 8)
7. Feb. 3 read pp. 240 – 283 (Chaps. 9 – 10)

Part III Conducting Intelligence Operations Abroad

10. Feb. 15 Assignment continued
11. Feb. 17 Assignment continued

PART IV Fighting Terrorism

12. Feb. 22 Assignment continued
13. Feb. 24 Assignment continued

DEADLINE NOTICE: Paper topics together with a brief, one-page outline, and a brief bibliography are due not later than today. Please submit in hard copy and e-mail me a copy as well. All paper topics must be approved by the March 3 class.


Mar. 8 - 12 SPRING BREAK


Justice David E. Nahmias of the Georgia Supreme Court will be with us to discuss difficult choices involved in investigation and detention of terrorism suspects and the role of lawyers in giving advice on these issues. He will be using the Jose Padilla case, which he worked on while at the Justice Department, so pay particular attention the the Padilla case excerpts. The class format will be primarily question and answer, so come prepared to ask questions. As further background, Justice Nahmias has asked that you read the following:

“Remarks Prepared for Delivery by Attorney General Michael B. Mukasey at the 2008 Annual Meeting of the Federalist Society”
and

William J. Haynes II, “‘We Were at War’ The Legal Consequences of 9/11.” (June 16, 2009)
http://www.weeklystandard.com/Content/Public/Articles/000/000/016/638vmrbw.asp?pg=1

18. Mar. 22 CLASS BEGINS AT NOON. We will watch and discuss the film “The Battle of Algiers,” a case study of counterterrorism policy. (You may bring your lunch.


22. Apr. 5 read pp. 848 – 875 (Chap. 29) and Supp. pp. 265 – 289

23. Apr. 7 read pp. 876 – 906 (Chap. 30) and Supp. pp. 290 – 304


Part V Obtaining and Protecting National Security Information


27. Apr. 21 read pp. 1020 – 1050 (Chap. 35) and Supp. pp. 318 – 339

26. Apr. 26 read pp. 1051 – 1111 (Chaps. 36 and 37) and Supp. pp. 318 – 352