

-
-
-

Welcome to BOR 3340: Legal Issues in International Relations

Course Description/Overview

Since September 11, 2001, leaders in the U.S. Government have focused significant resources on preventing another terrorist attack against U.S. citizens, both in the U.S. and abroad. Along with a massive realignment of government organizations, Federal law enforcement authority was appreciably expanded by the USA PATRIOT Act. These changes are not without Constitutional challenges, however. The balance between protecting national security and recognizing personal freedoms has been difficult to achieve.

Students receive an in-depth overview of laws, policy, strategy, organization, and plans for dealing with various natural, accidental, and premeditated threats to homeland security. Students review the respective and relative roles and responsibilities of government agencies, non-government organizations, and individual citizens for U.S. national security. Students discuss various policy and strategy issues, including balancing security and civil liberties, and information sharing and protection, and the USA PATRIOT Act. Students will also learn how the Constitution has been challenged in various circumstances arising out of recent changes, to included airport security, detention and trials of terror suspects, searches of business records, and situations in which anti-terrorism law intersects with humanitarian aid efforts.

Course Bibliography and Required Readings:

Smith, Cary Stacy, and Li-Chung Hung. The Patriot Act: Issues and Controversies. Springfield, Illinois: Charles C. Thomas, Ltd. 2010.

All other readings supplied through online sources or supplied articles and videos.

Prerequisites

There are no prerequisites for this course.

Technical skills required for this course

As with all online courses, students must be able to operate a computer and have the necessary technical skills to

navigate around a web page. Additional technical skills are not a prerequisite for this course, however your computer must meet certain [minimum requirements to operate Blackboard](#).

Time spent on this course

Students can expect to spend a minimum of 6 hours per week to complete all the readings and assignments. The lessons themselves take as long as the student will require to read the materials and watch or listen to media presentations.

Goals, Objectives, and Outcomes

Course Goals

To give students a foundational knowledge for understanding the balance between protecting national security and recognizing personal freedoms by reviewing our laws, policy, strategy, organizations and plans for dealing with various natural, accidental and premeditated threats to homeland security.

Course Objectives

1. Be familiar with the significant government reorganization which took place after September 11, 2001, including the creation of the Department of Homeland Security
2. Understand the political climate in which the USA PATRIOT Act was created and how the Act now affects law enforcement agencies, U.S. citizens and non-citizens
3. Be familiar with Constitutional rights as they are applied to detaining terror suspects and trying them of Federal crimes, personal searches in airports, Federal law enforcement searches of business records, and situations in which people or organizations desire to provide humanitarian aid to different groups.
4. Be able to analyze the different sides of a legal issue and demonstrate an understanding of the justification for each side and the legal and social policy reasoning used to defend one side or the other

Learning Outcomes

1. Explain the mission and organizational structure of the Department of Homeland Security (DHS), and how each component within DHS contributes to accomplishing the mission
2. Be familiar with the justification for enacting the USAPATRIOT Act and the political and national security concerns during the early years of this legislation. Understand use of this legislation in the U.S. war on terror and the ongoing struggle to balance national security concerns with personal freedoms
3. Understand the Constitutional rights afforded under the Fourth Amendment from unreasonable government searches. Be familiar with the debate over national security concern with airline travel and the invasion of personal privacy rights
4. Understand the current case law governing the right for citizen and non-citizen detainees to challenge their detention using a writ of habeas corpus
5. Understand the national security justifications for keeping potential terror suspects detained
6. Become familiar with one of the debates surrounding the decision to extend or repeal Section 215 of the USA PATRIOT Act, namely the authority for federal law enforcement agencies to request an order to obtain any relevant, tangible item connected with business records
7. Understand why the American Library Association and other organizations are opposed to Section 215 of the Act, based on a concern to protect Constitutional freedoms
8. Understand the options available to government prosecutors in attempting to secure convictions for detainees charged with terrorist activities
9. Understand the difference between trying cases in military tribunals and civilian criminal courts
10. Understand how the U.S. Supreme Court interprets Federal criminal laws addressing the provision of material support to terrorist organizations
11. Understand the limits of First Amendment protections when interacting with foreign terrorist groups

Student learning outcomes will be assessed through a combination of written assignments and active participation in the cohort discussions established through discussion board questions each week.

One consistent skill which you will need in any future career is that of effective writing and the ability to clearly communicate your thoughts. Therefore, you will be assigned several short writing projects throughout the course. Your instructor will grade your assignment on technical skills, such as clear organization, spelling and grammar usage, as well as a subjective assessment of whether or not you are able to think critically and analyze both sides of a legal or social issue.

Grading Policies

The grades are based on participation in the discussion boards, writing assignments and completion of the final exam. There is only one (1) exam scheduled, the final exam. The final exam is due no later than Friday on the 8th week of class.

Assignment	Percent of Grade	Due
Discussion Board	30%	Weeks 1, 3, 5, and 7
Written Assignments	36%	Weeks 2, 4, and 6
Final Exam	34%	Week 8

- Your participation in the online class discussions will count for a total of 30% of your grade, with each discussion worth 7.5% of your grade.
- There are three writing assignments. Each assignment counts for 12% of your overall grade, totaling 36% of your course grade.
- The final exam will total 34% of your overall grade. It is a 25 question, true/false and multiple choice exam. You have sixty (60) minutes to complete the exam once you start.

Grades

Angelo State University employs a letter grade system. Grades in this course are determined on a percentage scale:

- A = 90 – 100 %
- B = 80 – 89 %
- C = 70 – 79 %
- D = 60 - 69 %
- F = 59 % and below.

Discussion Guidelines

Each week in which there is not a writing assignment due there will be a discussion topic posted. Students are expected to critically think about the presented topic and apply what they've learned to that topic. Each student will make an initial, robust posting of 250 words or more that addresses the topic. Students will also offer critical responses to the postings of two or more other students. The intent is to establish a discussion between students over the proposed topic. Discussion board posts will be graded using the discussion rubric.

Writing Guidelines

This course utilizes writing assignments. The papers counts for 36% of the student's overall grade. It will be graded using

the Writing Assignment Rubric. The paper should be 3 full pages to 4 pages in length, with 1 inch margins, using Times New Roman 12 point font. Length is exclusive of the cover page and references. Papers **MUST** have a separate cover/title page and a separate reference page. These papers are due in weeks 2, 4, and 6.

Formal academic writing uses standardized styles and citation formats. The preferred format is the APA style. To access the APA writing guidelines go to this link:

<http://owl.english.purdue.edu/owl/resource/560/01/>.

Should you wish to use CHICAGO style, that will be acceptable. The Chicago Style guide can be found at <http://www.chicagomanualofstyle.org>.

Papers should have 1-inch margins all around. You are expected to use a standardized font - preferably Times New Roman, 12 point. Cite your references in EVERY instance and include a properly formatted reference list and cover page with every assignment. **An abstract is not necessary in this class.**

Every writing assignment should be submitted as a WORD document. If you do not have Microsoft Office then copy the text you have written directly into the assignment section of Blackboard during the appropriate week. **DO NOT** submit writing assignments in a PDF, Word Perfect, Microsoft Works, or some e-mail format. They will not be accepted.

While I do not enforce a strict policy on grammar, I do reserve the right to stop reading your paper if spelling errors, sentence construction, or grammar is below the minimum for the assignment. If I stop reading a particular paper you have written, for reasons listed above, the paper will be returned to you with a failing grade.

Rubrics

Discussion forums and writing assignments will be graded using a standardized rubric. It is recommended that you be familiar with these grading criteria and keep them in mind as you complete the writing assignments. There are two rubrics. Click the link to download the PDF document:

[Discussion Rubric](#)

[Writing Assignment Rubric](#)

Final Exam

The final exam is due no later than Thursday by 11:59 pm on the 8th week of class.

Course Organization:

This is an eight (8) week course. You have limited time to complete all assigned readings, discussion boards and writing assignments for each week, so please keep this in mind as you schedule your work. You do not want to fall behind, particularly in the assigned reading materials.

Lesson 1: We will begin the course by reviewing the most extensive reorganization of our government in decades: the creation of the Department of Homeland Security. You will learn why the DHS was created, which government agencies were absorbed into the DHS, and the mission is has been tasked with accomplishing.

Class Discussion 1

Lesson 2: In Lesson 2, you will learn about the creation and application of the USA PATRIOT Act. We will discuss justification for enacting this legislation, considering the political and national security concerns at the time it was created, and then consider if these concerns continue to be valid. We will also consider the ongoing struggle to balance

national security concerns with personal freedoms as it arises in the context of the USA PATRIOT Act. Thus producing the USA FREEDOM Act.

Writing Assignment 1

The USA PATRIOT Act has been applied and extended to various circumstances over the past 10 years. In Lessons 3 through 6, we will look at specific areas of national security concern and how the law is being applied in these areas.

Lesson 3: The application of Fourth Amendment rights to airport security is a recently contested issue. The threat of terrorist attacks is most often considered when we think of air travel, given the use of private airlines as the weapon of choice in the 9/11 attacks. However, privacy and the right to be free from unreasonable searches apply to all travelers within the United States. This week will focus on the debate over the Constitutionality of airport screening.

Class Discussion 2

Lesson 4: Since 9/11, the detention of suspected terrorists has been necessary to reduce the terrorist threat and guarantee the opportunity for interrogation. Detainees were often held without being charged of crimes, many were not informed why they were being held, and many did not have access to an attorney. Detainees challenged the U.S. Government's authority to detain them by filing a writ of habeas corpus. The Executive Branch, however, has maintained that detention is a military necessity, is essential to continuing the fight against terrorism, and that enemy combatants do not have the same rights as U.S. citizens in a federal court. We will look at several U.S. Supreme Court cases addressing this issue.

Writing Assignment 2

Lesson 5: This lesson focuses on Section 215 of the USA PATRIOT Act, which expanded the law under the Foreign Intelligence Surveillance Act to extend the authority of law enforcement agencies to obtain business records from various sources. The American Library Association and public libraries across the United States expressed concern that patron loan records and computer use records are now included under the new law. We will also take a look at how National Security Letters are used to obtain information from public libraries, among other businesses and organizations.

Class Discussion 3

Lesson 6: Once the U.S. Government has detained a possible terror suspect, the next question is how we proceed in trying this person of any crimes charged. Initially, it looked as though all detainees would be tried in specially-created military tribunals, but President Obama later changed the plan and declared that Federal civilian criminal courts will be used. This week will be a comparison of military tribunals and civilian criminal courts for terrorist trials. We will also look at the exclusionary rule and the possible consequences of not having this rule of evidence available in a military tribunal.

Writing Assignment 3

Lesson 7: This lesson looks forward in to possible future application of Federal criminal anti-terrorism law and the area of humanitarian assistance to groups designated by the State Department as terrorist groups. Persons and organizations can be criminally liable for providing not only material support such as money or military training, but also for humanitarian aid such as medical care or training on peaceful dispute resolution. We will consider the implications of this type of law on future humanitarian aid efforts.

Class Discussion 4

Lesson 8: Final Exam

Administration

Communication

Students are expected to participate regularly through the course discussion forum. Students may receive occasional emails from the course instructor and are expected to respond promptly. Asynchronous communication (i.e. face-to-face or "real-time" communication is not required for this course, however your professor is available for phone

conversation, chat sessions, or video conferencing via Blackboard Collaborate during the published office hours, or during other times with prior arrangement.

In this class ***everyone***, brings something to the table. Your ideas and thoughts do count, not only to me, but the entire class. Feel free to ask questions either via e-mail or the discussion board. **Check the discussion board regularly.** Many student questions are applicable to the class as a whole, as are the responses. You may be surprised how many of your classmates have the same questions and concerns as you. I may simply post your particular question on the discussion board and allow your classmates to provide the answer through their own posts.

To some, this may be their first online class and naturally, it could seem somewhat intimidating. As a class, we are together to help each other with this learning process and share our collective knowledge on how best to communicate; how to resolve technical issues that may arise (if we have the expertise), and to assist each other to find answers to our questions.

Courtesy and Respect are essential ingredients to this course. We respect each other's opinions and respect their point of view at all times while in our class sessions. The use of profanity & harassment of any form is strictly prohibited (Zero Tolerance), as are those remarks concerning one's ethnicity, life style, race (ethnicity), religion, etc., violations of these rules will result in immediate dismissal from the course.

We will learn and work as a team.

Attendance

This is an online course and attendance is not taken. However, failure to participate in the discussion board, to communicate or respond to e-mails from the professor, is an indication something is wrong. Therefore, we have made both a significant component of the course grade as an enticement to keep you engaged in the learning process. Failure to participate or communicate on the part of a student will result in an appropriate reduction of your grade and possibly in your failure of this course.

Late Work

Late work will be accepted, however 10 points will be deducted from the assignment grade for every day it is late.

You must contact your professor before the assignment is due if you believe it will be late. Failure to do so will result in a zero for the assignment.

Incompletes

The University policy on grades of "Incomplete" is that the deficiency in performance must be addressed satisfactorily by the end of the next long (16 week) semester or the grade automatically becomes a "F". Grades of "Incomplete" will only be awarded to students who have demonstrated sufficient progress to earn the opportunity to complete the course outside of the normal course duration. The award of an "Incomplete" will only be made in rare circumstances, with the concurrence of the student and the professor on what specific tasks remain and when they are due for the grade to be changed to a higher grade. The determination of the need to award an "Incomplete" is entirely up to the professor's personal judgment.

Add/Drop dates

Students may add this course up to the last Friday of the first week of class.

Students may drop this course up to the 6th day of the class or the last drop date as specified by the University Administration.

University Policies

Academic Integrity

Angelo State University expects its students to maintain complete honesty and integrity in their academic pursuits. Students are responsible for understanding and complying with the university [Academic Honor Code](#) and the [ASU Student Handbook](#).

Accommodations for Disability

ASU is committed to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs or activities of the university, or be subjected to discrimination by the university, as provided by the Americans with Disabilities Act of 1990 (ADA), the Americans with Disabilities Act Amendments of 2008 (ADAAA), and subsequent legislation.

Student Affairs is the designated campus department charged with the responsibility of reviewing and authorizing requests for reasonable accommodations based on a disability, and it is the student's responsibility to initiate such a request by emailing studentservices@angelo.edu, or by contacting:

Office of Student Affairs
University Center, Suite 112
325-942-2047 Office
325-942-2211 FAX

Student absence for religious holidays

A student who intends to observe a religious holy day should make that intention known in writing to the instructor prior to the absence. A student who is absent from classes for the observance of a religious holy day shall be allowed to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence.

Title IX at Angelo State University:

Angelo State University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. The University prohibits discrimination based on sex, which includes pregnancy, sexual orientation, gender identity, and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination including: sexual assault, sex-based discrimination, sexual exploitation, sexual harassment, public indecency, interpersonal violence (domestic violence and/or dating violence), and stalking. As a faculty member, I am a Responsible Employee meaning that I am obligated by law and ASU policy to report any allegations I am notified of to the Office of Title IX Compliance. This is done in order to connect students with resources and options in addressing the allegations reported. As a student, you are encouraged to report any incidents of sexual misconduct directly to ASU's Office of Title IX Compliance and the Director of Title IX Compliance/Title IX Coordinator. You may do so by contacting:

Michelle Boone, J.D.
Director of Title IX Compliance/Title IX Coordinator
Mayer Administration Building, Room 210
325-942-2022
michelle.boone@angelo.edu