Robert H. Smith Seminar
Terrorism: Constitutional, Historical and Social Science Perspectives

DESCRIPTION:
This seminar focuses on historical, legal and social science perspectives that bear on the problem of terrorism and the response of nation-states to threats of terror. Among the topics to be considered are the rise of the market-state and market-state terrorism; the impact of the market-state on theories of sovereignty and international law; the effectiveness, constitutionality, legality, and morality of criminal justice, intelligence and militarization responses involving detention, interrogation and trial; and government accountability to domestic and international institutions. The seminar concludes with a session devoted to policy proposals.

TOPICS AND READINGS:

Sept. 1  The Idea of a War on Terror  Bobbitt (Pious to comment)
Bobbitt, Terror and Consent pp. 22-235

Sept. 7  The Domestic Theatre  Bobbitt (Pious to comment: Executive Accountability)
Bobbitt, Terror and Consent pp. 239-396
Padilla v. Yoo (edited and abridged Version), or Padilla v. Yoo (unedited version)
Status of OLC Opinions as of 2009
OLC: Margolis Memo

Sept. 14 Enhanced Interrogation, Torture  Pious (Bobbitt to comment)
Pious, “Torture of Detainees”
Pfiffner, “US Obligations”
Rumsfeld, Counter Resistance Techniques
CRS Treatment of Battlefield Detainees
DOD Investigations of Detainee Abuse
DOJ Narrative on CIA-Techniques

Sept. 21 Courts Martial, Military Commissions and Courts Pious (Bobbitt to comment)
Pious, Military Tribunals
DOJ Philbin Memo on Military Commissions
CRS Analysis of Tribunals after MCA
NYU Terrorist Trials Report Card

Sept. 28  The International Theatre  Bobbitt (Pious to comment)

Bobbitt, *Terror and Consent* pp. 426-451, 484-520
Blair, “A Battle for Global Values” available online at
http://www.foreignaffairs.org/20070101faessay86106/tony-blair/a-battle-for-global-values.html

Oct. 5  Bush and Obama: Continuity or Change  Pious (Bobbitt to comment)
       Policy Proposals  Bobbitt (Pious to comment)

Pious, “Continuity and Change in the War on Terrorism”