

GEORGETOWN UNIVERSITY LAW CENTER CURRICULUM GUIDE FOR NATIONAL SECURITY LAW CERTIFICATE STUDENTS

This *Curriculum Guide for National Security Law Certificate Students* is designed to help students select offerings listed under “National Security Law Certificate Courses” (referred to collectively in this *Guide* as “National Security” courses) in the Course Schedule of Georgetown University Law Center. Designed primarily to assist candidates for the Certificate in National Security Law, the *Guide* also may prove useful to other students in selecting courses in this area. The *Guide* complements but does not supersede course registration materials provided in print and on line.

Contents

The *Guide* consists of three parts. Part I provides introductory information. Part II lists the courses which meet the certificate requirements. Part III suggests additional courses outside of the certificate that may prove useful.

Part I: Introductory Information

Academic Counseling

To schedule an appointment to discuss courses in this area of law, please contact John Stephens, Director, LL.M. Academic Services, 202-662-9036 or jts26@law.georgetown.edu.

Course Prerequisites

In General. Many National Security courses list one or more courses as prerequisites. If you have taken the listed course at Georgetown or an equivalent course or courses at another school, then you have met the prerequisite and you do not have to request a waiver. If you have trouble registering, please contact the Registrar’s Office at lawreg@law.georgetown.edu and ask for their help in registering. If you have not taken the prerequisite course or courses but believe you nonetheless possess the requisite knowledge, you will need to request a waiver from the professor. For courses as to which you need to request a waiver, if you are registering over the summer, you may tentatively select the course. Please note, however, that you will need to get the professor’s written approval to waive the prerequisite and submit it to the Office of the Registrar before the end of the first week of classes. Waivers may be sought and obtained via e-mail. You may contact a professor by going to the “Faculty and Administration” section of www.law.georgetown.edu or by contacting our office at (202) 662-9036. If you are trying to reach an adjunct faculty, it is often faster to call our office as they sometimes do not put their contact information on our website.

International Law I. Some National Security courses list *International Law I* as a prerequisite. National Security students who received their J.D. from a law school in the United

States are required to have taken *International Law I* or its equivalent before matriculating in Georgetown's Program or within their first year of the program. Students who received their basic law degree from a law school outside the United States ("international students") must also satisfy this prerequisite, but these students are more likely to have already taken a basic course in public international law and may seek a waiver if they have done so.

This course deals with public international law, sometimes called "the law of nations." It is a prerequisite because many areas of National Security Law have international aspects and deal with sovereignty, treaties, executive agreements, and other sources of international law. Other topics include the role of non-governmental organizations and the role of international law within the U.S. legal system. Due to the limited availability of seats in the evening sections of *International Law I*, part-time students have the option of either taking the course later in their studies or substituting the course *International Agreements*, which covers treaties and executive agreements in depth. Students in the certificate program who wish to elect one of these two options should contact John Stephens so that he can inform the Registrar's Office of the course substitution.

Required Course:

To obtain a Certificate in National Security Law, students must complete one of two sections of the required course, *National Security Law*. Both of these sections are offered in the fall semester only, and both are scheduled in the evening so as to accommodate part-time students. Both sections cover the roles of Congress, the President, and the Courts in National Security Law. One section is taught by Professor John Norton Moore from the University of Virginia on Friday evenings. Professor Moore both taught the first law school class in National Security Law and co-authored the first casebook on the subject. He is often credited as being the first to define the scope of this area of law. This course goes over a number of case studies of past conflicts.

The other section of *National Security Law* is taught by Judge Robert Nolan Davis from the U.S. Court of Appeals for Veterans Claims. Judge Davis also has an extensive academic background, having taught a number of law schools in the U.S. and abroad. Prior to joining the bench, Judge Davis taught at University of Hawaii, University of Memphis, Makerere University School of Law in Uganda, Africa, and Downing College, Cambridge University, England, and American University. Prior to academia, Judge Davis had experience as special assistant U.S. attorney for the District of Columbia, general attorney at the U.S. Department of Education, and an attorney at the Office of the General Counsel, U.S. Commodity Futures Trading Commission. His section may focus more on current issues than Professor Moore's does and he sometimes employs short student presentations into his teaching.

A student who has taken the substantial equivalent of either this course or International Law I during his or her J.D. program may request permission from John Stephens (jts26@law.georgetown.edu) to substitute an elective for this required course.

The Academic Bulletin sets forth all degree requirements (in addition to required courses).

Researching Your Course Selections

Students will normally begin their course selection process with the Course Schedule, either the online or print version. Find the “National Security Law Certificate Courses” section of the Course Schedule (in the April 4, 2007 print edition, the Fall Graduate Schedule begins on page 89. The Spring Graduate Schedule begins on page 101. There is a list of all the National Security Law courses (current as of the April 4, 2007) on page 88.) When you see a course that you are interested in, note the meeting time, any prerequisites or recommended courses, and whether the course requires an exam or a paper. You should then review the description of the course, using the online curriculum guide (http://www.law.georgetown.edu/curriculum/tab_courses.cfm). Next, you may wish to click on the name(s) of the faculty teaching the course to get an idea of their background. The Law Center’s adjunct faculty are extremely accomplished and each brings a unique perspective to his or her subject. It may be that the faculty have had work experience in an organization which you are interested in, and this is a good way to find that out.

Finally, some students find it helpful when selecting courses to consult student evaluations of faculty and courses that have been offered in previous years. The evaluations are available online at <http://www.law.georgetown.edu/curriculum/evaluations/>. A university NetID is required to log in and view these evaluations, and NetIDs were mailed to admitted students in the first half of June. These numerical evaluations rank faculty and courses on a number of criteria that take the form of statements like, “The instructor taught the course well.” Responses can range from 5 (the most favorable evaluation) to 1 (the least favorable evaluation). The tabulations indicate the number and percentage of enrolled students who provided responses to each question and provide an average score for each course. Hard copies of these evaluations are also available for your review at the circulation desk of the Edward Bennett Williams Law Library or in the Graduate Programs Office.

Papers, Seminars and Writing Requirements

National Security Law Certificate students are not required to write any papers for the certificate program or the LL.M. degree. However, students are strongly encouraged to take at least one course – preferably, more than one – that will hone their legal writing skills. Clear and persuasive legal writing is the most important single ingredient for success in practice. Further, getting a paper published or winning a writing competition can be very helpful to your career. Courses that require a paper or registering for Graduate Independent Research are the two best vehicles to this end.

The Law Library website has produced a helpful guide to researching National Security Law at: http://www.ll.georgetown.edu/guides/national_security.cfm. You may find it helpful to refer to this guide when looking for a paper topic or for sources. There are also additional International Law guides on related subjects (e.g., War Crimes and the International Criminal Court here: <http://www.ll.georgetown.edu/research/index.cfm>).

Finally, the Writing Center offers a number of resources on honing your writing skills here: <http://www.law.georgetown.edu/writingcenter/>. You may also make an appointment with a senior

writing fellow (generally a J.D. student who is a “Senior Writing Fellow”) to discuss a paper that you are working on and get suggestions to improve clarity and organization. Both the law librarians and the Writing Center can act as a resource to help you find an appropriate publication or writing contest for your submission. I welcome you to take some time and explore their respective websites to learn a bit about what they can offer you.

Part II: Courses Which Count Towards the Certificate

To see the Fall and Spring semester courses which count towards the certificate, go to the online curriculum guide under the “Schedules” tab, select the Fall or Spring schedule, and select National Security Law Certificate from the dropdown menu. [Here](#) is the link. The courses are as follows:

NATIONAL SECURITY LAW CERTIFICATE

The following courses count towards the required number of credits for students pursuing a certificate in National Security Law. .

Fall Semester	Spring Semester
<p>Bioterrorism, Health and the Law Seminar Data Privacy in the U.S. and E.U. Domestic Preparedness Law and Policy Establishing the Rule of Law after Conflict Foreign Relations Law Global Cybercrime Law Graduate Independent Research International Courts and Tribunals: An Introduction International Criminal Law International Law Seminar: Use of Force and Conflict Resolution Law and Measures Against International Terrorism Law of War Seminar Managing National Security Maritime Law National Security Law & The Private Sector</p> <p><i>J.D. COURSES IN NATIONAL SECURITY LAW</i> <i>If space is available, these courses may be taken for National Security Law Certificate course credit, except as noted.</i></p> <p>Current Issues in National Security and Civil Liberties</p>	<p>Graduate Independent Research Immigration Law and Policy International Criminal Law International Criminal Law Seminar International Economic Crime and Corruption International Humanitarian Law and International Criminal Courts Issues in Disarmament: Proliferation and Terrorism Law of 24 Law of 9/11 in War Crimes Prosecutions Law of War Seminar Laws of Terrorism Seminar National Security & the Law of the Sea National Security and Civil Liberties National Security Investigations and Litigation Nuclear Non-Proliferation Law: Preventing Nuclear Strategic Intelligence and Public Policy Seminar U.S. and International Customs Law War and Peace Seminar: New Thinking about the Causes of War and War Avoidance</p> <p><i>J.D. COURSES IN NATIONAL SECURITY LAW</i> <i>If space is available, these courses may be taken for National Security Law Certificate course credit, except as noted.</i></p> <p>International Criminal Law Seminar: Tribunals and Crimes</p>

Part III: Additional Courses of Interest

The titles of the courses which count towards the National Security Law Certificate tend to give a good idea of their relevance to a particular course of study. Further information can be gleaned from the course descriptions. Additional questions as to whether a particular course fits well in one's course of study or other goals can be addressed to John Stephens at jts26@law.georgetown.edu.

However, many courses which do not count towards the certificate can be vital additions to your course of study. These courses may not focus exclusively on National Security issues, but they are areas of law that can be vital to understand. Please visit the online curriculum guide for the course descriptions of any of the below courses which interest you.

Administrative Law

(3 credits, several sections offered in both semesters LAWJ 025-##)

This can be an important course to understand the decision making process of federal agencies and may be useful if you are considering either working for an agency or within the lobbying sector in the future.

Art and Cultural Property Law Seminar: Indiana Jones and the Elgin Marbles

(2 credits, Spring Semester, LAW 047-05)

Past offerings of this course covered the issues that arose in the second Iraq war whereby the military sought to avoid targeting cultural sites and also to prevent looting of cultural sites.

Art of the Washington Lawyer

(2 credits, Spring semester, Professors Gustafson and Hope, LAWJ 111-05)

This course analyses the combined political and legal nature of disputes arising in D.C., and features guest speakers and case studies of recent disputes. This is one of the few classes at the Law Center that focuses on the role of the media in disputes.

Basic Accounting Concepts for Lawyers

(2 credits, Fall semester, Professor Wallace, LAWG 804-08)

This course is a useful adjunct to those interested in the study of money laundering and the tracing of potentially tainted financing. This covers the basics of how businesses account for and present their assets, liabilities, and owner's equity. The course is designed for students with absolutely no accounting background and is taught by an accountant from the Securities and Exchange Commission.

Environmental Law

(3 credits, Fall Semester, Professor Donahue, LAWJ 146-07)

Environmental issues can come up in the operational context in both a planning and compliance, and which laws or executive orders, DoD Directives, and Regulations and Instructions of the Armed Services apply in an extraterritorial context. This course will cover the domestic regulation at the state and federal level, including NEPA, the National Environmental Policy Act. While the course will not be taught from a military or national security perspective, this background can be useful in understanding the "NEPA-like" rules created in Exec. Order No. 12114 which govern the

military.¹ Attorneys who advise defense contractors would likewise be interested in the domestic laws and regulations regarding environmental concerns.

Establishing the Rule of Law after Conflict

(2 credits, Fall semester, Professors Miller, LAWG 413-05)

This course provides perspective on how societies are rebuilt after military conflict.

Global Health Law

(4 credits, Fall Semester, Professor Taylor, LAWG 493-08)

This seminar focuses on the legal tools in place to respond to Global Health issues, which can include controlling the spread of pandemics or intentionally released biological agents. Students can choose to write a paper with National Security implications in this developing area.

Government Contracts

(2 credits, Spring semester, Professor Vacketta, LAWG 202-07)

A useful course for those interested in defense contracting.

Immigration Law and Policy

(3 credits, Spring Semester, Professor Schoenholtz, LAWG 037-08)

Immigration Law is an important area. Many domestic security issues turn on citizenship and many security efforts focus on our country's borders.

Intellectual Property in World Trade

(3 credits, Spring semester, Professor J. Thomas, LAWG 226-08)

Intellectual property issues are important for those interested in defense contracting or export controls.

International Agreements

(2 credits, Fall semester, Professor Dalton, LAWG 916-10)

This course covers contemporary treaty law, including the international law set out in the Vienna Conventions on the Law of Treaties, decisions of international tribunals, and U.S. law and practice pertaining to treaties and executive agreements. This will go into depth with some of the issues raised in International Law I, and is taught Professor Dalton, who is the Assistant Legal Adviser for Treaty Affairs in the U.S. Department of State.

International Trade Law & Regulation (2 credits, Fall semester, Professors Verrill & Brightbill, LAWG 966-10); or *International Trade* (3 credits, Fall Semester, Professor Jackson, LAWG 244-08).

Focusing on private international law, trade, and some customs issues, one of these courses may be of use to those considering a career in defense contracting. The modern regulation of international trade arose in the last days of World War II as a measure to, in part, help prevent international economic obstructions that were seen as causes of war. One of these courses would be a useful

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For further information, see *Operational Law Handbook*, pages 224-29 (Maj. Derek I. Grimes *et al.* Eds. 2006) at [https://www.jagcnet.army.mil/JAGCNETInternet/Homepages/AC/FiscalLaw.nsf/\(JAGCNetDocID\)/8BB6FE506E7256E48525712C0050FFE9/\\$FILE/2006%20Operational%20Law%20Handbook.pdf](https://www.jagcnet.army.mil/JAGCNETInternet/Homepages/AC/FiscalLaw.nsf/(JAGCNetDocID)/8BB6FE506E7256E48525712C0050FFE9/$FILE/2006%20Operational%20Law%20Handbook.pdf)

addition to *U.S. and International Customs Law*, which is part of the National Security Certificate program.

Investment and Trade Laws of the Middle East (2 credits, Fall semester, Professor Mattar, LAWG 792-08); or *Islamic Finance* (2 credits, Spring Semester, Professor Ibrahim, LAWG 949-08)

This course may be relevant to those interested in defense contracting. Professor Mattar's course covers many of the legal aspects of doing business in the Middle East, including contract and labor law. Professor Ibrahim's course addresses Islamic finance law more generally, without specifically address any one country or region. What is different about doing business under this legal system? Consider that under Sharia (Islamic law), charging interest is forbidden. Provisions providing for interest are, of course, quite common in the West, but this is considered usury under Sharia. Islamic law is one of the three major legal systems in the world, the other two being common law and civil law systems.

Legal Politics

(2 credits, Spring semester, Professor Tramontano, LAWG 938-08)

This course looks at the role of the lawyer as a political advisor to elected U.S. and foreign government leaders. The course also examines lobbying laws.

Patent Law

(3 credits, Fall semester, Professor Thomas, LAWJ 332-01)

Intellectual property issues are important for those interested in defense contracting or export controls.