

Final Exam

(3 hours)

Each question should be answered in 20 minutes, which leaves 20 minutes for reading and thinking. Although I am not imposing word limits on the answers, I will place a premium on succinct, concise answers – do not do a “brain dump” without tying information to the question. On the other hand, do not just express an opinion without providing information to back it up. In other words, your job is to assist the reader in coming to an informed conclusion of his/her own.

1. What does a U.S. prosecutor need to prove in order to convict someone of a crime for donating money, goods, or services to a terrorist organization?
2. What are the most frequently mentioned factors in definitions of terrorism? Should state violence toward civilians be considered terrorism? Why or why not?
3. What is wrong with this statement? “Terrorism is a new phenomenon primarily created by Islamist fundamentalists.”
4. What principles from international law would you like to see brought to bear more fully in the struggle to contain terrorism?
5. Why is a U.S. citizen assured of receiving some form of judicial hearing when he or she is detained by the U.S. military? What kind of hearing should this be?
6. What is the difference between torture and inhumane or degrading treatment of a prisoner? What should the U.S. military tell its interrogators about the use of forceful methods of interrogation?
7. Military lawyers have now decided to prosecute for murder one Guantanamo detainee who was a member of the Taliban militia based on his participating in a firefight that resulted in the death of a U.S. serviceman. Can a military commission hear classified evidence in this case without disclosing the evidence to the defendant? What is the basis for a murder prosecution in this situation?
8. Should the FBI be able to obtain my hospital and bank records on the basis that I have been communicating with a group of Muslim activists in Bosnia?