Fall 2019

HSS 404-H01: Law in the Digital World

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HSS 404-H01 – Law in the Digital World
Fall 2019

Professor: Dr. Kyle Riismandel
Time: Tuesday/Thursday 4-520PM
Classroom: CKB 341
Office: Cullimore Hall 326
Office Hours: Monday 12-1PM, Tuesday and Thursday 1-3PM, and by appointment

COURSE DESCRIPTION:
This seminar course examines legal issues concerning digital technologies, both in the past and today. To better understand these technologies and their implications, students will produce original research that analyzes the relationship between law and the digital world at some point over the past two centuries. We will try to understand what it means to live in a digital world and how technology affects how we learn, work, play, socialize, and the way Americans adapt to new digital technologies and their uses.

We will not cover all aspects of the digital world and the law. We will focus on six areas related to contemporary America:
- Access
- Privacy
- Intellectual Property
- Democracy
- Vice
- Transhumanism

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<th>Course Goal</th>
<th>Assessment</th>
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<td>Identify and understand key laws and practices related to digital technologies in American history</td>
<td>Reading and Class Participation</td>
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<td>Outline of Secondary Source</td>
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<td>Completion of Final Project</td>
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<td>Reading Quizzes</td>
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<td>Discussion Leadership</td>
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<td>Identify and analyze primary and secondary sources</td>
<td>Reading and Class Participation</td>
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<td>Completion of Final Project</td>
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<td>Research, write, and verbally present historical arguments using primary source evidence</td>
<td>Reading and Class Participation</td>
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<td>Completion of Final Project</td>
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<td>Discussion Leadership</td>
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COURSE TEXTS
All course readings are available via canvas.njit.edu. Please bring all readings to class.

ASSIGNMENTS
The point of the assignments is to practice skills and learn course material so doing the assignments on time is imperative as they will relate directly to class that week. However, if you fail to hand in an assignment when it is due, you may hand it in up to 1 week late for
partial credit with no more than a penalty of 1/3 letter per day late. Further, you must complete all assignments to pass the course. Failure to do so can result an F for the course.

Class participation:
Students are expected to
1. Participate actively in all class discussions and activities
2. Be respectful to the instructor and their fellow classmates
3. Arrive to class on time
4. Stay focused on what is happening in our classroom not on chatting or using digital devices.

Further, participation will be assessed not just on quantity but also on quality. Quality participation demonstrates knowledge of the issues at hand, completion of that week’s assignments, and a willingness to engage in critical assessment of course texts and lectures. The participation grade may also include pop quizzes and short writing assignments done in class.

I encourage students to check in with me over the course of the semester regarding their class participation performance. Further, do not wait to contact me if you are falling behind or having trouble understanding course content. Earlier is always better (I’m looking at you Seniors).

Discussion Leaders:
As a discussion leader, you will complete a 300-750 word response paper, upload it to the appropriate Canvas link at least 24 hours before class, and open discussion with a question, statement, or both designed to spur conversation about that week’s topic. An assignment sheet with further instructions will be distributed and made available on Canvas.

Final Paper:
The assignments in the class will be the building blocks of a research paper of YOUR choice. This paper will be a chance for you to apply the skills you learn throughout the semester to write a 2500+ word paper analyzing a primary source or set of primary sources related to the law in the digital world in their historical context. Each step in completing the paper, from the paper proposal to the final draft, will be completed in consultation with the instructor as well as your peer cohort. Further instructions will be distributed throughout the semester to guide you in your work.

Final grades will be calculated as follows:
Discussion Leader – 7.5%
Response Paper – 7.5%
Class Participation – 20%
Final Paper – 60%
   Paper Proposal – 5%
   Outline and Bibliography – 8%
   Rough Draft – 12%
   Final Draft – 25%
Course Policies

Attendance:
Students are expected to attend all course meetings on time unless receiving prior authorization. Missing class will not only adversely affect your class participation grade, but there will be screenings in class that will only be offered during that class period so do your best to attend. If you miss class to attend an NJIT sponsored event, to observe a religious holiday, or due to a documented illness, those absences will be excused. For these absences to count as excused, you must receive permission from the instructor in advance or provide a doctor's note (or other relevant note) in the case of sickness.

Classroom Conduct:
In this course, we welcome intellectual inquiry and thoughtful discussion of difficult questions but hate speech and disrespectful comments will not be tolerated. We must come to class with an open mind, a willingness to learn, and fundamental respect for the humanity of each person in the room and the historical actors we discuss.

Office hours/student appointments:
My office hours will be every Monday 12-1PM and Tuesday and Thursday 1-3PM. I am also available to meet by appointment if students are unable to make it to my office during these times. Feel free to send me an email to set up a meeting if you’d like to talk or have any questions about course topics, assignments, or grades.

Academic dishonesty:
Students are expected to obey the NJIT honor code, and I will enforce this code to its fullest extent. The goal of this course is to evaluate your understanding of course materials and ability to express that understanding. Cheating, plagiarizing or otherwise violating the code of academic integrity not only breaks the trust between professor and student but keeps you from learning course content and improving writing and critical thinking skills. I am here to help so if you are having trouble, do not cheat, ask me for help.

For the tenets of the code or for clarification of what constitutes plagiarism or cheating, please consult: http://www.njit.edu/academics/honorcode.php. Generally speaking, it is a violation of the academic integrity code to:

- Use someone else’s words or ideas without attribution
- Copy content from someone else’s paper, quiz, or exam
- Pay for course assignments to be complete by someone else

Cell phones, Laptops, Tablets, etc.:
Students must turn off and stow their cell phones before class begins. Under no circumstances may students answer their phones, make calls, send text messages, or use their cell phone in any manner during class hours unless approved by me before class begins. Laptops and tablets may only be used for classwork. If I see a student using a cell phone in class or misusing their laptop or tablet, I will ask the student to leave for the remainder of the class. This policy is not because I do not like using cell phones, laptops, or tablets. This policy is because I do not want to interrupt class to ask you to stop texting, etc. It interrupts the flow of discussion, distracts other students, and keeps us all from doing the work of the course.
Students with Disabilities or Special Needs:
Students who have disabilities or special needs should contact NJIT's Student Disability Services to help procure accommodations in completing coursework. The center can be found at http://www.njit.edu/counseling/services/disabilities.php. I am happy to help you in any way I can to learn course content so please register so I can properly assist you.

Course Schedule
WEEK 1 – What is the Digital World? How do we study it?
SEPT 3: Intro/Course Expectations/The Digital World (bleep bloop)
Secondary Source

SEPT 5: Studying Laws and Courts
Secondary Sources
  • Roosevelt University, “The Parts of a Court Decision”
  • Law Librarians’ Society of Washington, D.C., “Quick Links and Sources to Court Opinions”

WEEK 2 – Access
SEPT 10: Net Neutrality
Primary Sources

Secondary Source
  • Choose one of the links following the article and be prepared to discuss it

SEPT 12: Research Questions and Sources
Secondary Source
  • The Craft of Research, “Chapter 3: From Topics to Questions”

WEEK 3 – Access continued
SEPT 17: Monopoly
Primary Source
  • U.S. v. Microsoft Corporation (Nov. 2002)
SEPT 19: Monopoly
Secondary Source
  • Franklin M. Fisher. "The IBM and Microsoft Cases: What's the Difference?" The
WEEK 4 – Privacy
SEPT 24: The Right to be Forgotten
Primary Source
- European Union, General Data Protections, “Article 17: Right to Erasure”
Secondary Source
SEPT 26: Surveillance Capitalism

ASSIGNMENT - Proposal Due – Sept. 27th by 5PM

WEEK 5 – Privacy continued
OCT 1: The Social Life of DNA
Primary Sources
Secondary Source
- Christine Guest, “DNA and Law Enforcement: How the Use of Open Source DNA Databases Violates Privacy Rights”
OCT 3: Case Study – The Golden State Killer
Secondary Sources

WEEK 6 – Intellectual Property
OCT 8: Copyright
Secondary Source
- Cory Doctorow, Information Doesn't Want to Be Free: Laws for the Internet Age, (San Francisco, McSweeney's, 2014), pgs 118-154.
OCT 10: Copyright and Algorithmic Regulation
Secondary Source


ASSIGNMENT – OUTLINE DUE – Oct. 11 by 5PM

WEEK 7 – No Class – Outline Meetings
OCT 15: Outline Meetings
OCT 17: Outline Meetings

WEEK 8 – Vice
OCT 22: Crime Online
Primary Source


Secondary Source

- Judith Aldridge and David Cecary-Hetu, “Not an ‘eBay for Drugs’: The Cyptomarket ‘Silk Road’ as a Paradigm Shifting Criminal Innovation”
OCT 24: NO CLASS – WORK ON DRAFTS

WEEK 9 – Drafting, Editing, and Feedback
OCT 29: Drafting, Editing and Feedback
Secondary Source

- Anne Lamott, *Bird by Bird: Some Instructions on Writing and Life*, “Shitty First Drafts”
OCT 31: Workshop – Please bring what you have so far

WEEK 10 – Democracy
NOV 5: Election “Interference”
Primary Source

- The Mueller Report, Executive Summaries I and II
Secondary Source


NOV 7: Gerrymandering
Primary Source

Secondary Source


WEEK 11 – NO CLASS – WORK ON DRAFTS
NOV 12: Open Office Hours
NOV 14: Open Office Hours
ASSIGNMENT – ROUGH DRAFT DUE – Nov. 15 by 5PM
WEEK 12 – Rough Draft Meetings
NOV 19: Rough Draft Meetings
NOV 21: Rough Draft Meetings
Rough Draft Meetings

WEEK 13 -- Transhumanism
NOV 26: Bio-hacking
Primary Source
Secondary Sources

WEEK 14 – Transhumanism continued
DEC 3: Artificial Intelligence
Secondary Sources
DEC 5: AI continued/Paper Questions
DEC 10: Wrap-up/Big Takeaways

ASSIGNMENT: FINAL DRAFT DUE: DEC 20th by 5PM - NO PAPERS WILL BE ACCEPTED AFTER THIS DEADLINE!