School of Politics, Security, and International Affairs

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Course Information

- Term: Spring 2021
- Course: National Security Law, POS 4682, Section 0W61
- Credit Hours: 3.0
- Course Modality: W

Instructor Information

- Instructor: Eric Merriam, J.D., LL.M.
- Offices: DPAC, Suite 430; HPH, Room 305
- Office Hours (Online Only, by Zoom): Tuesdays and Thursdays 1:30 to 3:00pm
- Office Phone: 407-823-1670
- E-mail: eric.merriam@ucf.edu

Enrollment Requirements

Course Prerequisites: POS 2041 or consent of instructor

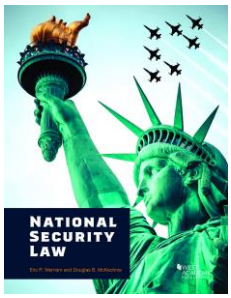
Course Description

This course examines the domestic and international legal authority affecting US national security and the command and control of the key instruments of the national security, focusing on the political control of the US military and intelligence apparatuses. Primary emphasis is on law as a source of, and constraint on, national security power. Topics may include: Presidential and Congressional treaty and war powers under the Constitution; use of the military under the modern national security system; legal authority for the use of force; intelligence law; counterterrorism; and domestic use of the military. Official Course Description from University Catalog: Domestic and International legal authority affecting US national security and control of the key instruments of national security.

Course Materials and Resources

Required Materials/Resources

- National Security Law, Merriam and McKechnie, West Academic (2020), ISBN 978-1683289128



- A note about the textbook... This is the first National Security Law textbook written and published with undergraduate students as the intended audience. In the past, I have assigned the preeminent law school level casebook. But that text is very dense and particularly difficult for students who have not yet attended law school. And that textbook retails for nearly $300! So we wrote this textbook, which though it is not free, costs less than $300! Please know that UCF does not permit faculty to keep royalties for books they assign for their own courses. So, I'm not getting rich by assigning this text (I wouldn't get rich even if I *could* keep the royalties -- there are many better ways to earn money than by writing textbooks...). I hope you find the textbook useful. And, as it's a new textbook, I'm sure there are errors here and there -- don't hesitate to let the author know if you find one!

Student Learning Outcomes

In each of the following areas, students will:

1. **Shared National Security Powers:** Improve understanding of the Constitutional framework of shared national security authority between the President, Congress, and the Judiciary, and the Judiciary's role in shaping that authority.
2. **National Security vs. Individual Liberties:** Increase understanding of the complex balance between security and individual liberty.
3. **National Security Law as a Policy Tool:** Understand the ways in which political actors use national security law as a tool to achieve policy goals and the tension between law as a tool for power versus law as a constraint on power.
4. **Use of Force:** Improve understanding of domestic and international legal authorities for, and limitations on, the use of military force.
5. **Critical Thinking and Application to Modern Challenges:** Develop critical thinking skills and be able to utilize those skills to comprehend and analyze complex contemporary national security challenges.

Course Activities

The learning activities in this course include assigned readings, video lectures, and various graded assessments. In this online course, learning activities are significant, and are expected to take at least as much time as a traditional face-to-face course would. A traditional three-credit face-to-face course can reasonably be expected to require three hours of class plus one to two hours of preparation for each hour in class. Accordingly, the learning activities in this course can be expected to take six to nine hours per week, *not* including the occasional surge to complete graded assessments. If you are looking for an easy, limited effort, online course, drop this course! On the other hand, if you are looking to develop a deep and meaningful understanding of a significant area of law and are willing to commit to making the appropriate effort, welcome!

Graded Assessments Descriptions:

Block Quizzes are multiple choice quizzes covering material identified in the Review Questions section of study guides for each lesson in that block of the course. Block Quizzes are not cumulative for the entire course -- they cover only material in that block.

Block Journals involve answering prompts, usually in essay form. Block Journals will be submitted through Webcourses and are individual effort only. More information will be provided separately.

Block Simulations offer you the opportunity to play the role of an attorney. These simulations will assess your ability to synthesize what you have learned in the block and apply it to a hypothetical national security issue by providing legal argument or advice to a client. The Block 4 Simulation takes the place of a final exam or activity.

Video Lecture Completion provides a score for watching complete lectures and your performance on quizzes within the video lectures.

Extra Credit is available in only one way. At the end of the course you have the option of doing one additional lesson of your choice related to Legal Issues in Counterterrorism, and taking a quiz on that lesson. Your performance on this quiz will allow you to earn up to a 5% increase in your overall course grade. Please pay attention to the firm requirements for notifying the instructor of your selected extra credit lesson and completing the quiz. Late extra credit submissions are not accepted for any reason. There are no additional extra credit opportunities offered for any reason. This extra credit opportunity appears in Webcourses to be worth 0% of your course grade; this will be corrected at the end of the semester (including the extra credit as part of the overall course grade calculation as the semester is ongoing skews grades in a confusing way).

Make-up Exams and Assignments

Per university policy, you are allowed to submit make-up work (or an equivalent, alternate assignment) for authorized university-sponsored activities, religious observances, or legal obligations (such as jury duty). If this participation conflicts with your course assignments, the instructor will offer a reasonable opportunity for you to complete missed assignments and/or exams. The make-up assignment and grading scale will be equivalent to the missed assignment and its grading scale. In the case of an authorized university activity, it is your responsibility to provide the instructor a signed copy of the Program Verification Form for which you will be absent, prior to the class in which the absence occurs. In any of these cases, please contact the instructor ahead of time to notify of upcoming needs.

Assessment and Grading Procedures

The table shows the weight distribution for each assignment.

Assignment	Percentage of Grade
Block 1 Quiz	15%
Block 1 Journal	20%
Block 2 Quiz	10%
Block 2 Journal	10%
Block 3 Quiz	10%
Block 3 Journal	10%

Block 4 Quiz	5%
Block 4 Simulation	10%
Video Completion	10%
TOTAL	100%
Extra Credit - Legal Issues in Counterterrorism Quiz	up to 5%

Grades

You can access your scores at any time using Webcourses. Please note that grades are not official until the instructor submits them to the Registrar at the end of the semester (when you'll be able to view them at myUCF.edu. Additionally, because including extra credit in the course score causes Webcourses to calculate course scores incorrectly, extra credit is not included in your overall course score until the very end of the term.

This course uses the following grade scale:

Letter Grade	Points
A	93 – 100 points
A-	90 – 92 points
B+	87 – 89 points
B	83 – 86 points
B-	80 – 82 points
C+	77 – 79 points
C	73 – 76 points
C-	70 – 72 points
D+	67 – 69 points
D	63 – 66 points
D-	60 – 62 points
F	59 and below

Grade Adjustment. Sometimes (but not always) at the end of the semester I determine that the overall class grades do not accurately represent overall student performance and adjust everyone's grade upwards slightly. This is typically when graded assessments have been more difficult than I intended. Whether I apply such a "curve" is solely at my discretion. If I do apply a curve, it will apply to every student's grade equally (every student will receive the same grade

percentage increase). Additionally, because I consider applying only an upward curve, no student's grade will be decreased as a result of a curve. I will not decide whether to apply a curve until after I have graded all assessments in the course, including the last exam; asking the instructor before then whether I will apply a curve will be good indication that you did not read the syllabus thoroughly. :) If I apply a curve at the end of the semester, the instructor will notify all students.

Late Work.

Like the legal profession, this course has a strict late work policy. Assignments are due by the date and time specified in Webcourses (dates and times in Orlando, FL -- Eastern Time Zone)**.** Most (but not all!) assignments are due on Thursday nights by 11:59pm. If you have questions about when something is due, check the assignment in Webcourses or ask the instructor.

Assignments submitted up to 24 hours late will be penalized with a reduction of 25% of maximum available points. Subject to the following Deadline Clemency Policy, assignments submitted more than 24 hours late will receive no credit.

- **Deadline Clemency Policy**. One (and only one) assignment (Block Quiz, Block Journal, or Block Simulation) may be submitted up to 48 hours late, without explanation and without penalty. You must inform me by email **before the deadline** that you will be submitting the assignment late, but you should not offer an explanation or excuse for why it is late (seriously -- your reason might be because you're in the hospital or because you decided you'd rather eat cupcakes than submit the assignment on time -- no need to tell me why). Once you have used your Deadline Clemency privilege, you cannot use it again. If you do not email me before the deadline informing me that you are using your Deadline Clemency privilege, your submission will be graded per above (up to 24 hours late, 25% off; no credit after 24 hours). Also, even if due on the same day, only one assignment can benefit from the Deadline Clemency Policy.

No further deadline extensions for any assignments will be granted for any reason. There are no "excused" late submissions other than the one Deadline Clemency. So, because you have only one "free late" for submitting a late assignment, I strongly recommend you reserve it for an occasion when you absolutely must use it (due to illness, emergency, etc.).

Consult the latest Undergraduate catalog for regulations and procedures regarding grading such as Incomplete grades, grade changes, and grade forgiveness.

Other Course Policies

Academic Conduct: Academic dishonesty in any form will not be tolerated. If you are uncertain as to what constitutes academic dishonesty, please consult The Golden Rule, the University of Central Florida's Student Handbook (http://www.goldenrule.sdes.ucf.edu/Links to an external site.) for further details. As in all University courses, The Golden Rule Rules of Conduct will be applied. Violations of these rules or the policies identified on the Plagiarism and Use of

Unauthorized Resources page here in this course (read it now!) will result in a record of the infraction being placed in your file and, at a minimum, receiving a zero for the graded assessment in question. At the instructor's discretion, you may also receive a failing grade for the course. Confirmation of such incidents can also result in expulsion from the University. The plagiarism checker turnitin.com is used for all written assignments.

There are many websites claiming to offer study aids to students that are actually facilitating cheating (ex., Quizlet). Such sites encourage students to upload course materials, such as test questions, individual assignments, and examples of graded material. **Such materials are the intellectual property of instructors, the university, or publishers and may not be distributed without prior authorization. If a student has reason to believe that the material on the study website is an actual assessment (quiz, discussion, etc.), they must report that to the instructor. Students may not share/post discussion/quiz questions or answers on any study website. Students who engage in such activity are in violation of academic conduct standards and may face penalties, including failing this course, having a grade for this course later changed when improper posting is discovered, and other penalties imposed by UCF.**

Collaboration: All graded events are **individual effort only** unless otherwise explicitly directed. You are welcome (encouraged, if you need it) to use the University Writing Center (UWC) to improve your written work product. See more information about the UWC below.

Communication with Professor: Regularly check your KnightsMail and Webcourses email and look for Announcements here in the course for important information. **Ensure your Webcourses notifications settings let you know when you've received a new Webcourses Inbox email or "course announcement" from the instructor.** You are responsible for all information communicated by the instructor through Webcourses or KnightsMail. When emailing the instructor about this course, please use Webcourses's Inbox messaging system. When emailing regarding something else, you are welcome to use Webcourses Inbox or email to eric.merriam@ucf.edu. During the business week (Mon - Fri), you can generally expect a response from the instructor to emails within two business days; communication over weekends or holidays may take longer. If extended substantive discussion or explanation of course material is required, Zoom or other real-time communication is preferred. Also, please be aware that I am not permitted to communicate by email to any address other than through Webcourses or to your official KnightsMail address.

Office Hours: Though I will not be available for in-person visits, I will be available to meet during office hours via Zoom. Because I occasionally have conflicts, I do recommend you make an appointment for a Zoom meeting in advance. If my office hours do not work for some reason, I'm happy to arrange mutually agreeable alternative times for communication. Bottom line: do not let my scheduled office hours prevent you from getting the assistance you need.

Syllabus Updates: This syllabus is meant to provide you with an overview of the course, but I may need to make changes. If so, I'll provide you with notice, and if the changes are significant, a revised syllabus. Modifications will be posted to Webcourses. If you identify inconsistencies

between what you see on this page and other pages in Webcourses, please notify me, but rely on what is stated on this page unless instructed otherwise.

Writing Center: The University Writing Center (UWC) offers writing support to students from first-year to graduate in every discipline. Tutors provide help at every stage of the writing process, including understanding assignments, researching, drafting, revising, incorporating sources, and learning to proofread and edit. The UWC's purpose is not merely to fix or edit papers, but to teach writing strategies that can be applied to any writing situation. Consultations are available for individuals and small groups. You may schedule an appointment by clicking the *Success Resources* tab on Webcourses, calling the UWC at 407-823-2197, or through the UWC website.

Course Schedule

This course is "semi-self-paced," meaning that within blocks you are free to advance at your own pace, but assignment dates and block opening dates are fixed. The instructor will not open subsequent blocks early. Please see the Modules and Assignments for key due dates and block opening dates. Blocks contain varying amounts of material and are open for varying amounts of time. As soon as a block opens, you students should consider reviewing all of the Lessons and Assignments within the block to create a progress plan for completing the block on time.

University Services and Resources

Academic Services and Resources

A list of available academic support and learning services is available at UCF Student Services. Click on "Academic Support and Learning Services" on the right-hand side to filter.

Non-Academic Services and Resources

A list of non-academic support and services is also available at UCF Student Services. Click on "Support" on the right-hand side to filter. If you are a UCF Online student, please consult the UCF Online Student Guidelines for more information about your access to non-academic services.

UCF Policy Statements

COVID-19

To protect members of our community, everyone is required to wear a facial covering inside all common spaces including classrooms. Students who choose not to wear facial coverings will be

asked to leave the classroom by the instructor. If they refuse to leave the classroom or put on a facial covering, they may be considered disruptive (please see the Golden Rule for student behavior expectations). Faculty have the right to cancel class if the safety and well-being of class members are in jeopardy. Students will be responsible for the material that would have been covered in class as provided by the instructor.

Depending on the course of the pandemic during the semester, the university may make changes to the way classes are offered. If that happens, please look for announcements or messages in Webcourses@UCF or Knights email about changes specific to this course.

COVID-19 and Illness Notification

Students who believe they may have a COVID-19 diagnosis should contact UCF Student Health Services (407-823-2509) so proper contact tracing procedures can take place.

Students should not come to campus if they are ill, are experiencing any symptoms of COVID-19, have tested positive for COVID, or if anyone living in their residence has tested positive or is sick with COVID-19 symptoms. CDC guidance for COVID-19 symptoms is located here: (https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html)

Students should contact their instructor(s) as soon as possible if they miss class for any illness reason to discuss reasonable adjustments that might need to be made. When possible, students should contact their instructor(s) before missing class.

If the instructor falls ill during the semester, there may be changes to this course, including having a backup instructor take over the course. Please look for announcements or mail in Webcourses@UCF or Knights email for any alterations to this course.

Accommodations may need to be added or adjusted should this course shift from an on-campus to a remote format. Students registered with Student Accessibility Services should speak with their instructor and should contact sas@ucf.edu to discuss specific accommodations for this or other courses.

Academic Integrity

Students should familiarize themselves with UCF's Rules of Conduct. According to Section 1, "Academic Misconduct," students are prohibited from engaging in:

- *Unauthorized assistance*: Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record. The unauthorized possession of examination or course-related material also constitutes cheating.
- *Communication to another through written, visual, electronic, or oral means*: The presentation of material which has not been studied or learned, but rather was obtained through someone else's efforts and used as part of an examination, course assignment, or project.

- *Commercial Use of Academic Material*: Selling of course material to another person, student, and/or uploading course material to a third-party vendor without authorization or without the express written permission of the university and the instructor. Course materials include but are not limited to class notes, Instructor's PowerPoints, course syllabi, tests, quizzes, labs, instruction sheets, homework, study guides, handouts, etc.
- *Falsifying or misrepresenting* the student's own academic work.
- *Plagiarism*: Using or appropriating another's work without any indication of the source, thereby attempting to convey the impression that such work is the student's own.
- *Multiple Submissions*: Submitting the same academic work for credit more than once without the express written permission of the instructor.
- *Helping another violate* academic behavior standards.

For more information about Academic Integrity, students may consult The Center for Academic Integrity.

For more information about plagiarism and misuse of sources, see "Defining and Avoiding Plagiarism: The WPA Statement on Best Practices".

Responses to Academic Dishonesty, Plagiarism, or Cheating

Students should also familiarize themselves with the procedures for academic misconduct in UCF's student handbook, The Golden Rule. UCF faculty members have a responsibility for students' education and the value of a UCF degree, and so seek to prevent unethical behavior and when necessary respond to academic misconduct. Penalties can include a failing grade in an assignment or in the course, suspension or expulsion from the university, and/or a "Z Designation" on a student's official transcript indicating academic dishonesty, where the final grade for this course will be preceded by the letter Z. For more information about the Z Designation, see http://goldenrule.sdes.ucf.edu/zgrade.

Course Accessibility Statement

The University of Central Florida is committed to providing access and inclusion for all persons with disabilities. This syllabus is available in alternate formats upon request. Students with disabilities who need specific access in this course, such as accommodations, should contact the professor as soon as possible to discuss various access options. Students should also connect with Student Accessibility Services (Ferrell Commons, 7F, Room 185, sas@ucf.edu, phone (407) 823-2371). Through Student Accessibility Services, a Course Accessibility Letter may be created and sent to professors, which informs faculty of potential access and accommodations that might be reasonable.

Campus Safety Statement

Fully online course sections (W, V)

Though most emergency situations are primarily relevant to courses that meet in person, such incidents can also impact online students, either when they are on or near campus to participate

in other courses or activities or when their course work is affected by off-campus emergencies. The following policies apply to courses in online modalities.

- To stay informed about emergency situations, students can sign up to receive UCF text alerts by going to https://my.ucf.edu. and logging in. Click on "Student Self Service" located on the left side of the screen in the toolbar, scroll down to the blue "Personal Information" heading on the Student Center screen, click on "UCF Alert", fill out the information, including e-mail address, cell phone number, and cell phone provider, click "Apply" to save the changes, and then click "OK."
- Students with special needs related to emergency situations should speak with their instructors outside of class.

Deployed Active Duty Military Students

Students who are deployed active duty military and/or National Guard personnel and require accommodation should contact their instructors as soon as possible after the semester begins and/or after they receive notification of deployment to make related arrangements.

Copyright

This course contains original material owned by the instructor. You may not distribute course materials, including material in modules such as video lectures, review questions, journal prompts, etc., in any form to any person. Doing so violates copyright law and may violate academic integrity policies, with adverse grade consequences.

This course may contain copyright-protected materials owned by others, such as audio or video clips, images, text materials, etc. These items are being used with regard to the Fair Use doctrine in order to enhance the learning environment. Please do not copy, duplicate, download or distribute these items. The use of these materials is strictly reserved for this online classroom environment and your use only. All copyright materials are credited to the copyright holder.

Third-Party Software and FERPA

During this course you might have the opportunity to use public online services and/or software applications sometimes called third-party software such as a blog or wiki. While some of these could be required assignments, you need not make any personally identifying information on a public site. Do not post or provide any private information about yourself or your classmates. Where appropriate you may use a pseudonym or nickname. Some written assignments posted publicly may require personal reflection/comments, but the assignments will not require you to disclose any personally identity-sensitive information. If you have any concerns about this, please contact your instructor.