POS 4682 – National Security Law

School of Politics, Security, and International Affairs

Click Here to Module Navigation

Course Information

- Term: Spring 2024
- Course: National Security Law, POS 4682, Section 0W60
- Credit Hours: 3.0
- Course Modality: W

Instructor Information

- Instructor: Eric Merriam, J.D., LL.M.
- Office Hours (SPSIA office HPH on UCF Main Campus or by Zoom): Tuesdays, 12:30-3pm; Wednesdays, 5:30-6pm
- Office Phone: 407-823-2608
- E-mail: for course-related communication, use Webcourses Inbox; otherwise, eric.merriam@ucf.edu
- Graduate Teaching Assistant: Anthony Anta, (use Webcourses Inbox to message him)

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

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

The assigned textbook is required. Most learning activities in the course involve reading. If you do not intend to complete the reading, do not take this course!

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. Use of Respondus LockDown Browser may be required. Students should practice with using the browser prior to taking an actual graded quiz.

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 Simulation offers you the opportunity to play the role of an attorney. This simulation 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.

Extra Credit is available in only two ways: the Course Intro Quiz (1%) the beginning of the course and the Extra Credit Block Quiz (5%) at the end of the course. Please pay attention to the firm requirements for completing the quizzes. Late extra credit submissions are not accepted for any reason. Additionally, you must get at least 60% of the questions correct to earn any extra credit. There are no additional extra credit opportunities offered for any reason. Extra credit opportunities initially appear in Webcourses to be worth 0% of your course grade; this will be corrected at the end of the semester (I do this because including the extra credit as part of the overall course grade calculation before the semester ends skews grades in a way many students find confusing).

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.

Graded Assessments and Grading Procedures

The table shows the weight distribution for each assignment.

Assessment	Percentage of Grade
Block 1 Quiz	20%
Block 1 Journal	20%
Block 2 Quiz	10%
Block 2 Journal	10%
Block 3 Quiz	10%
Block 3 Journal	10%
Block 4 Quiz	10%
Block 4 Simulation	5%
TOTAL	100%
Extra Credit - Course Intro Quiz	up to 1%
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 ever 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 tme before then whether I will apply a curve will be a good indication that you did not read the syllabus thoroughly. :) If I apply a curve at the end of the semester, I will notify all students.

Late Work.

Like the legal profession, this course has a <u>strict late work policy</u>. Assignments are due by the date and time specified in Webcourses (dates and times in Orlando, FL -- Eastern Time Zone)**.** Most assignments in the course are due before 5pm on Sunday evenings (before Webcourses tech support closes). If you have questions about when something is due, check the assignment in Webcourses, and always feel free to ask the instructor.

Deadline "Clemency" Policy. Two (and only two) assignments (Block Quiz, Block Journal, or the Block 4 Simulation) may be submitted up to 48 hours late, without explanation and without penalty. However, you must inform me by Webcourses email **before the deadline** that you will be submitting the assignment late under the deadline clemency policy. You need not offer an explanation or excuse for why the assignment will be late (seriously -- your reason might be because you're in the hospital or because you decided you'd rather listen to the new Taylor Swift vinyl for the 99th time than submit the assignment on time -- you don't need to tell me

why). Once you have used up 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, you will receive no credit. If you use the Deadline Clemency privilege but then don't submit the assignment within 48 hours of the original time due, you will get no credit for the assignment. **No further deadline extensions for any assignments will be granted for any reason. There are no "excused" late submissions other than the assignment submitted under the Deadline Clemency Policy.** Because you have only two "free lates" for submitting late assignments, I strongly recommend you save the Deadline Clemency for an occasion when you absolutely must use it (due to illness, emergency, etc.). Deadline Clemency does **not** apply to the Extra Credit Quizzes, which may not be submitted late for any reason.

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

Course-Specific Policies

Academic Conduct:

Academic misconduct in any form will not be tolerated. Familiarize yourself with UCF's Rules of Conduct at https://scai.sdes.ucf.edu/student-rules-of-conduct/ , especially Section 1, Academic Misconduct. Academic misconduct includes, among other things, use of unauthorized resources, unauthorized distribution of class notes, and plagiarism.

Violations of the Rules of Conduct or the policies identified on the Academic Misconduct page here in this course, which is incorporated in the Syllabus, 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 and may require disclosure on future school and work applications. I take seriously my responsibility to preserve the value of honest work and will respond to academic misconduct accordingly.

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 a "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 UCF email 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 "Inbox message" (email) or "course announcement" from me. You are responsible for all information communicated by me through Webcourses. You are welcome to converse with me by email (Webcourses's Inbox messaging is preferred for communication related to the course), phone, or other mutually agreed communication technology. You can generally expect to get a response from me to emails within 24-48 hours on business days during the term; communication on the weekend or holidays may take longer. If extended substantive discussion or explanation of course material is required, conversation is preferred to written communication. Also, please be aware that I am not permitted to communicate by email other than through Webcourses or to your official UCF email address.

Office Hours: As noted at the top of the syllabus, I will be available for in-person and online (Zoom) office hours this semester. Because my office hours often fill up completely, and because occasionally I am required to take on other responsibilities during my scheduled office hours, I strongly recommend you make an appointment in advance so that you can be sure I am available. Appointments for online meetings are required. 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 and indicated here with red font. 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.

Technical Support: If you have technical problems with Webcourses, please contact Webcourses technical support, available here. If you notice a technical problem with the course (e.g., a Module doesn't unlock when it should, group discussion boards aren't working, assignments aren't allowing submissions, etc.), you are welcome to inform me of it, but contacting Webcourses Online Support will result in faster (and more competent!) resolution of Webcourses technical problems. If this is the first time you will be using Webcourses to take an online course at UCF, I strongly encourage you to first take the brief tutorial, available here, and KnightsOnline. When considering when you will submit your assignments, be mindful of when Webcourses Support is available. If you wait to submit your assignment until after Webcourses Support closes, you do so at your own risk. "I had a problem submitting and Webcourses Support wasn't available" will not be an accepted excuse for late work.

Technology: You must have a device capable of taking quizzes and submitting assignments in Webcourses. Quizzes may require use of the Respondus LockDown Browser.

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 and the Block and Lesson Structure and Timing page for an overview of how the course works. 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 Policies, Services, and Resources

Academic Services and Resources

A list of available academic support and learning services (coaching, tutoring, etc.) is available at Student Learning and Academic Success. Click on "Academic Support and Learning Services" on the right-hand side to filter.

Accessibility

The University of Central Florida is committed to providing access and inclusion for all persons with disabilities. Students with disabilities who need access to course content due to course design limitations should contact the professor as soon as possible. Students should also connect with Student Accessibility Services (SAS) <http://sas.sdes.ucf.edu/> (Ferrell Commons 185, sas@ucf.edu, phone 407-823-2371). For students connected with SAS, a Course Accessibility Letter may be created and sent to professors, which informs faculty of potential course access and accommodations that might be necessary and reasonable. Determining reasonable access and accommodations requires consideration of the course design, course learning objectives and the individual academic and course barriers experienced by the student. Further conversation with SAS, faculty and the student may be warranted to ensure an accessible course experience.

Campus Safety

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 coursework 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://police.ucf.edu/ucf-alert-information> and completing the steps.

Deployed Military Student

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.

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.

Religious Observances

Students must notify their instructor in advance if they intend to miss class for a religious observance. For more information, see the UCF policy at <http://regulations.ucf.edu/chapter5/documents/5.020ReligiousObservancesFINALJan19.pdf>

Title IX Policy

Title IX prohibits sex discrimination, including sexual misconduct, sexual violence, sexual harassment, and retaliation. If you or someone you know has been harassed or assaulted, you can find resources available to support the victim, including confidential resources and information concerning reporting options at https://letsbeclear.ucf.edu and http://cares.sdes.ucf.edu/.

UCF Cares

During your UCF career, you may experience challenges including struggles with academics, finances, or your personal well-being. UCF has a multitude of resources available to all students. Please visit UCFCares.com if you are seeking resources and support, or if you are worried about a friend or classmate. Free services and information are included for a variety of student concerns, including but not limited to alcohol use, bias incidents, mental health concerns, and financial challenges. You can also e-mail ucfcares@ucf.edu with questions or for additional assistance. You can reach a UCF Cares staff member between 8 a.m. and 5 p.m. by calling 407-823-5607. If you are in immediate distress, please call Counseling and Psychological Services to speak directly with a counselor 24/7 at 407-823-2811, or please call 911.

University 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 a 45-minute appointment by clicking the Success Resources tab on Webcourses, calling the UWC at 407-823-2197, or through the UWC website, http://uwc.cah.ucf.edu/

Course Schedule Summary:

Date	Details
Fri Jan 12, 2024	Quiz Course Intro Quiz (Extra Credit - 1%)
Sun Feb 11, 2024	Assignment Block 1 Journal
	Quiz Block 1 Quiz
Sun Mar 10, 2024	Assignment Block 2 Journal
	Quiz Block 2 Quiz
Sun Apr 7, 2024	Assignment Block 3 Journal
	Quiz Block 3 Quiz
Sun Apr 21, 2024	Quiz Block 4 Quiz
	Assignment Block 4 Simulation
Sun Apr 28, 2024	Quiz Extra Credit (5%) - Counterterrorism Block Quiz