Welcome to Ethics and the Use of Force, and thank you for choosing to take this class. This course is designed to provide you with a graduate-level exploration of key ethical challenges in the field of national security. Over the next four months we will cover a broad range of topics related to warfare, the role of the state, and ethical issues raised by the decision to use force. We will look closely at the impact of technology on the character of war, and its growing influence on national level policy. We will scrutinize historic cases and ongoing conflicts, with a particular focus on when a state should go to war, and what rules ought to apply once conflict begins. Due to their expanding relevance in our own time, a major theme of this course will be war crimes. In particular, we will examine how and why they occur, and consider what role the United States should play when evidence of large-scale atrocities surfaces. Along the way we will also look at iterative tensions in civil-military relations. We will also be alert to ethics and use force issues that surface during the fall, in case they allow us to give our discussions added relevance.

While this is not a course on the law per se, legal matters—especially those related to the use of force—will serve as an important contextual lens throughout the semester. As importantly, this course is decidedly not a course on politics, nor is it designed as a forum for political debate. Rather, the goal is for students to stretch their perspectives, where appropriate look at issues from all sides, and give due consideration to the opinions of others. At the end of the semester, you should have a deeper appreciation for the complexities associated with national security decision making, to include the broad spectrum of opinions that exist on many of today’s most controversial national security issues.

Approach:
Because of the COVID-19 pandemic, this course will be conducted entirely on line. A few matters are thus important to emphasize from the outset.

1. We will rely heavily on Blackboard Collaborate. Each week I will send out a link and back-up phone number.
2. Non-attributions/the Chatham House Rule will apply to this course. More on this below. To ensure we maintain adherence to this policy, please do not record any aspects of the course.
3. Each week I will issue a discussion board question on Blackboard. Responses will be due at an established point, and will contribute to the contribution portion of the class grade.
4. We’ll rely on the audio capability of Blackboard Collaborate; the video portion is optional.
The potential list of subjects meriting consideration in a course such as this is virtually endless. To keep the course focused, relevant, accessible and applicable, the assigned material is framed in a strategic context. That is, each topic will address matters of potential strategic impact on the national interests of the United States. You should expect to participate in conversations that mirror discussions occurring in the highest corridors of U.S. policy-making power. Indeed, the ultimate goal of this course is to prepare you to think about and discuss these issues as you would if advising a member of the National Security Council, a member of Congress, the leader of a major non-governmental organization (NGO), or a multi-national corporation’s board of directors. The written assignment (an Op-Ed) and presentation requirement (a 20-25-minute, team information briefing) further this objective. Both will be discussed later, but keep in mind that your briefing will be an integral part of your classmates’ overall learning experience.

**Students with Special Needs:**
If you are a student with a disability and you need academic accommodations, please see me and contact the Disability Resource Center (DRC) at 993-2474. All academic accommodations must be arranged through the DRC.

**Attribution:**
The reemphasize, the Chatham House Rule applies to this class. In addition, any views or opinions expressed by your instructor are solely mine, and do not reflect the view or opinion of the United States Government, George Mason University, or any other state or local entity. This includes the Department of Defense. Similarly, the views expressed in the readings do not necessary reflect my views, nor those of anyone other than the authors’ themselves. As will soon be apparent, many of the readings are designed to offer very disparate viewpoints.

**Office Hours:**
Virtual office hours will occur from 6:00p.m. to 7:00p.m. on Thursdays, immediately before class. To request an alternative time, please contact me to make arrangements. I will be happy to accommodate. I do ask that you let me know in advance if you’d like to meet, just to ensure timing availability.

**Student Learning Outcomes:**
Students having taken this course will be able to:
**Exhibit an understanding of the importance of ethics and the law to U.S. National Security.**
**Explain the Constitutional framework for addressing the use of military force, both in theory and practice.**
**Recognize key ethical and legal issues associated with current US National Security policy challenges.**
**Articulate opposing views on enduring US National Security challenges.**
**Appreciate the views of other States and non-governmental actors on those challenges.**
**Write a publication-worthy Op-Ed for a major newspaper.**
**Working with an assigned co-presenter, present an information briefing capable of presentation to a general officer, ambassador, or member of the Senior Executive Service on a national security ethics matter of historic or current relevance.**
Recognize some of the key journalists, authors and scholars in the fields of ethics, the use of force, national security in general, and national security law in particular.

Conduct graduate level research through multiple mediums and sources on real-world issues related to national security.

Articulate sophisticated judgments about ethical, moral, and broad legal issues in the field of national security.

**Grading Criteria:**
In-class contributions will be central to success in this class. You are expected to do the reading, watch the assigned videos, and give critical aforethought to each assigned author’s/director’s position. While most sessions will include some lecture (we will also watch two films), the majority of classroom time should be spent discussing the issues at hand.

- In class contribution apart from in class presentation (including discussion board) – 10%
- In class presentation – 30%
- Op-Ed – 30%
- Final Exam (closed book, based on assigned readings/videos) – 30%

**Notes on the Assigned Readings/Videos:**
This course includes five assigned texts:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Philip Zimbardo</td>
<td>The Lucifer Effect: Understanding How Good People Turn Evil</td>
</tr>
<tr>
<td>H. Jefferson Powell</td>
<td>Targeting Americans: The Constitutionality of the U.S. Drone War</td>
</tr>
<tr>
<td>Michael W. Doyle</td>
<td>The Question of Intervention: John Stuart Mill and the Responsibility to Protect</td>
</tr>
<tr>
<td>Tom Bingham</td>
<td>The Rule of Law</td>
</tr>
<tr>
<td>John Fabian Witt</td>
<td>Lincoln’s Code: The Laws of War in American History</td>
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Two books, *A Problem from Hell* by Samantha Power, and *Chasing Success* by Sarah Sewall, are available online.

A collection of other articles is assigned, too. The reading requirements vary by week, and are generally spaced out to allow for adequate preparation time. With regard to the assigned books, it is advisable to establish a time-management plan, and map-out a reading/viewing schedule in advance. For example, the readings for Topic 2 (on Abu Ghraib) are significantly longer than week one’s. Therefore, it is prudent to begin reading the Zimbardo text before the first class meets. In addition, some of the weekly readings are divided into “group-assignments.” While students are expected to be familiar with readings not assigned to their group, they can focus on their sectioned-out readings. Students will be expected to take the lead during class discussions about their group’s assigned readings. Many of the readings are also grouped into opposing (or at least non-aligned) positions, with the goal of fostering classroom debate. Please keep this in mind when reviewing the syllabus. Unless otherwise indicated, links to all the readings are contained in this syllabus, save from some released in/after July 2020. These links will be provided once available.
The assigned videos (to include films/movies/television shows) are carefully chosen to complement the readings. If you encounter difficulties in finding an assigned (or recommended) video, please let me know. For Topic 3, we will discuss *Conspiracy* in class. Towards the end of the semester (approximately Topic 13), we’ll discuss *Eye in the Sky*. There is a final exam, currently scheduled to occur in class on December 10th.

Early in the semester, students should consider subscribing to an on-line news clipping service and (at least) one of the many blogs focusing on national security. These sources can provide very useful material—for the duration of this course and beyond. We will discuss several sites during our initial meeting.

**Classroom Courtesy:**
Blackboard Collaborate includes a chatroom, which we will use during the course. It’s a good place to offer comments. Because class discussions and deliberations are central to the course, listening to (and reading) the comments of others is essential to our learning environment. The ability to engage others with whom you disagree is very important. Treating colleagues with respect, civility, and courtesy is indispensable.

**We will address the use of electronic devices in class during the first session:**
Please keep in mind this course calls upon you to engage with your colleagues and instructor in a graduate-level discussion about some of the most difficult, emotive, and important security-related topics of our time. On-line classes can lend themselves to distractions. You may certainly use an electronic device to take notes, refer to downloaded readings, to deliver your in-class presentation, or for special needs purposes. As a reminder, please do not record any portions of the class.

**Op-Ed Assignment:**
Op-Ed topic selections are due before class on September 10, 2020 (Topic 3). Please feel free to discuss potential topics with me in advance of that date. You will be allowed to write on almost anything of interest to you, provided it can be tied to the subject of ethics and national policy. Follow the guidelines issued by the Washington Post on its Op-Ed FAQ page:


Include footnotes if/when appropriate; please use the latest GMU guidance on proper citation style. **The Op-Ed is due via e-mail to me at 1700 on Thursday, December 3rd, 2020.** Finally, note that past students have published their Op-Eds in the media, to include the printed press. While this is entirely up to you, your goal should be to write something of publishable quality.

**Presentation Assignment:**
Because the class is full (we have 30 registrants), student presentations will need to follow timing guidelines closely. Students will be placed into teams of two after the first class. Each team will need to provide their presentation topic by September 3. We will begin with presentations on September 17th (Topic 5) and, through September 1 (Topic 12). Like the Op-Ed, you have broad discretion in choosing your topic; you should select something that interests you and your teammates. More information about the assignment will be forthcoming, but please note the following for now.
1. The presentation is an information brief about a past or ongoing issue related to ethics, national security, and the use of force. The goal is to teach/inform your fellow students about your chosen topic.

2. Your presentation must be on a different subject than your Op-Ed. It cannot significantly overlap with one of the topics in this syllabus but can be related to it.

3. You are expected to use PowerPoint (or some other visual aide).

4. The brief should last 20 to 25 minutes, no longer.

5. You are expected to cite sources, where appropriate. This can be provided on a separate document which you hand in, or included on your slides. Please use the latest GMU guidance on proper citation formatting.

6. Please provide me with a hard copy of your slides the Friday prior to your presentation. (You may email me at adam_oler@yahoo.com). Please let me know at that time if you want the presentation returned to you.

7. Your presentation date will be randomly assigned.

**Topical Outline of the Course:**

**Ethics & The Use of Force -- Part One: Point of Departure**

1. Introduction: Thinking Strategically – “Madame Secretary, I recommend X because Y.”
   (August 27, 2020)

   Assignment:
   - (R1) Read the course syllabus.
   - (R3) Tom Bingham, The Rule of Law. {Focus on Part I & Part II}.

   **Recommended Video:** The Unknown Known. Director: Errol Morris.

2. Abu Ghraib – Why Start Here?
   (September 3, 2020)

   **Note:** Op-Ed and Presentation Topic Selections Are Due Before Class

   Assignment:
   - (R1) Philip Zimbardo, The Lucifer Effect: Understanding How Good People Turn Evil, {Focus on Chapters One and Twelve through Sixteen for class}.


**Recommended Video:** Casualties of War. Director: Brian De Palma.

**Recommended Video:** The Stanford Prison Experiment. Director: Kyle Patrick Alvarez.

3. The Holocaust’s Enduring Warning  
(September 10, 2020)

**Assignment:**

(V1) **Required Video:** “The World at War, Episode 20, Genocide.” https://www.youtube.com/watch?v=GiShZNI0Qo4

(V2) **Required Video:** “A Problem from Hell: Samantha Power Talks about Genocide.” https://www.youtube.com/watch?v=nzyFIbDUGWU


4. Civil-Military Relations – (Re)Approaching Crisis or Tempest in a Teapot?  
(September 17, 2020)  
[Presentations 1 & 2]

**Assignment:**


http://www.tandfonline.com/doi/abs/10.1080/14702436.2019.1634472

**Recommended Video:** The *Enemy Within*. Director: Jonathan Darby. (Film based on the first reading).

**Ethics & The Use of Force -- Part Two: Ethical and Legal Foundations**

5. Introduction to Just War Theory.  
*(September 24, 2020)*  
*[Presentations 3 & 4]*

**Assignment:**

https://www.youtube.com/watch?v=AORo-YEXxNQ

**Group One:**

http://search.proquest.com.mutex.gmu.edu/docview/205253186/fulltextPDF/32CDF85C0CB41CDPQ/4?accountid=14541

http://search.proquest.com.mutex.gmu.edu/docview/209668376/fulltextPDF/943F29B3C2D04B8EPQ/1?accountid=14541

http://search.proquest.com.mutex.gmu.edu/docview/1240947509/fulltextPDF/32CDF85C0CB41CDPQ/2?accountid=14541

http://www.ciaonet.org.mutex.gmu.edu/catalog/27904

**Group Two:**

http://www.ejil.org/pdfs/24/1/2374.pdf


http://www.ciaonet.org.mutex.gmu.edu/catalog/7582

6. The Separation of Powers – U.S. Law
(October 1, 2020)
[Presentations 5 & 6]
Assignment:


7. Civil-Military Relations – (Re)Approaching Crisis or Tempest in a Teapot?
(October 8, 2020)
[Presentation 7 & 8]
Assignment:
http://search.proquest.com.mutex.gmu.edu/docview/867412838/fulltextPDF/40F1DA30D3DD44BCPQ/1?accountid=14541
https://search-proquest-com.mutex.gmu.edu/docview/2261247698?accountid=14541
http://www.tandfonline.com/doi/abs/10.1080/14702436.2019.1634472

Optional Video: The Enemy Within. Director: Jonathan Darby. (Film based on the first reading).

8. Sources of the Laws of War – America and the Laws of War.
(October 22, 2020)
[Presentations 9 & 10]
Assignment:

9. Targeting Case Study – Airpower, CIVCAS, and Evolving Norms.
(October 29, 2020)
[Presentations 11 & 12]

Assignment:


Part Three: The Question of Intervention
10. On Intervention
(November 5, 2020) [Student Presentations 13 & 14]
Assignment:
(R1) Michael W. Doyle, The Question of Intervention: John Stuart Mill and the Responsibility to Protect.

(November 12, 2020) [Student Presentation 15]
Assignment:
(Everyone (Cambodia)):
(V1) Required Video. Enemies of the People. Director: Thet Sambath & Rob Lemkin

(Group One (Rwanda)):
(R2) Samantha Power, A Problem from Hell: America and the Age of Genocide, Pages 229-389.
http://quod.lib.umich.edu.mutex.gmu.edu/cgi/t/text/text-idx?c=acls:idno=heb03947

(Group Two (FRY Part 1)):
(R3) Samantha Power, A Problem from Hell: America and the Age of Genocide, Pages 247-327.
http://quod.lib.umich.edu.mutex.gmu.edu/cgi/t/text/text-idx?c=acls:idno=heb03947

(Group Three (FRY Part 2)): 


(Group Four (FRY Part 3)):

(Everyone)

12. Case Study – Eye in the Sky
(November 19, 2020)
Assignment:
(Group One)

(Group Two)

13. Final Examination
(December 10, 2020)
Grading Policy
For purposes of this course, the grades of A or A- are reserved for sustained excellence and outstanding performance that goes well beyond the minimal requirements of the course, both in written assignments and class participation. The grades of B and B+ are used to denote mastery of the material and very good performance in all aspects of the course. The grade of B- denotes marginal quality work that is not quite up to graduate level standards even though the minimal requirements of the course are met. The grade of C denotes work that is not acceptable at the graduate level. The grade of F denotes the failure to perform adequately on course assignments. In short, B means good; B+ means very good; A- means excellent; and A means outstanding.

Attendance in class is required and will be taken into account in evaluation for the course. While it is possible that the requirements of full time jobs may occasionally conflict with class times, missing more than two class sessions will make it virtually impossible to justify/earn a grade higher than B for the course. Missing more than three sessions will make a grade of C likely. If you must miss a class, notify me in advance. For any missed classes, students must submit a 500 word critical summary (two double spaced pages) of the assigned readings. Critical does not mean a negative evaluation, but rather an analysis or evaluation of the readings. The submission is necessary to ensure absent students are adequately prepared for the final, which focuses on the assigned readings.

Email Communication:
Course notices and changes to the syllabus or assignments will be sent to students’ GMU e-mail addresses. Even if you do not regularly use your GMU e-mail account, be sure to open it and place a forwarding address to an account you use regularly, so that you can get GMU, SSPG, and class announcements. Please be sure to empty your account regularly; if it exceeds its limit, you will not receive incoming e-mail. (Deleting forwarded e-mail messages does not delete them from your GMU account).

Policy on Plagiarism:
The profession of scholarship and the intellectual life of a university as well as the field of public policy inquiry depend fundamentally on a foundation of trust. Thus any act of plagiarism strikes at the heart of the meaning of the university and the purpose of the School. It constitutes a serious breach of professional ethics and it is unacceptable.

Plagiarism is the use of another’s words or ideas presented as one’s own. It includes, among other things, the use of specific words, ideas, or frameworks that are the product of another’s work. Honesty and thoroughness in citing sources is essential to professional accountability and personal responsibility. Appropriate citation is necessary so that arguments, evidence, and claims can be critically examined.

Plagiarism is wrong because of the injustice it does to the person whose ideas are stolen. But it is also wrong because it constitutes lying to one’s professional colleagues. From a prudential perspective, it is shortsighted and self-defeating, and it can ruin a professional career. The faculty of the Schar School of Policy and Government takes plagiarism seriously and has adopted a zero-tolerance policy. Any plagiarized assignment will receive an automatic grade of “F.” This may lead to failure for the course, resulting in dismissal from the University.
dismissal will be noted on the student’s transcript. For foreign students who are on a university-sponsored visa (e.g., F-1, J-1 or J-2), dismissal also results in the revocation of their visa.

To help enforce the policy on plagiarism, all written work submitted in partial fulfillment of course or degree requirements must be available in electronic form so that it can be compared with electronic databases, as well as submitted to commercial services to which the School subscribes. Faculty may at any time submit student’s work without prior permission from the student. Individual instructors may require that written work be submitted in electronic as well as printed form. The School policy on plagiarism is supplementary to the George Mason University Honor Code; it is not intended to replace it or substitute for it. (http://www.gmu.edu/facstaff/handbook/aD.html).

Note On This Syllabus:
Please note that this syllabus is subject to change at any point during the semester. As new readings become available (for example), they may substitute or be added to the reading lists contained herein. As always, if you have any questions, concerns, or would like additional information, please do not hesitate to contact your instructor.