



**Political Science 4024**  
**Senior Seminar**  
**Justice and War**

**Prof. Mapel**

Contact Information: 492-6662 or  
 mapel@colorado.edu

Office hours: MW 11 - 12:00; otherwise by  
 appointment

**Course Description**

Topics include the justification of defensive, pre-emptive and preventive wars; humanitarian intervention; the combatant/noncombatant distinction; the distinction between direct and "collateral" harm to civilians; sieges, blockades and economic sanctions; guerilla warfar; terrorism and reprisals; supreme emergency and torture. There are two main texts for the course. The first is *Traditions of International Ethics*, eds. Terry Nardin and David R. Mapel. The second is Michael Walzer's *Just and Unjust Wars*, which develops a contemporary version of just war theory by working through a wide range of historical cases. Readings will include critical essays on various topics by a number of other philosophers and political theorists. Readings are listed below and will be available on-line and/or on reserve.

**Course Requirements**

**Reading outlines with critical comments and discussion questions:** 10% of final grade; 1.5 -2 pages minimum for each article assigned, typed, double-spaced. Summaries will be assigned in class to students on a rotating basis. No late summaries accepted. More than one unexcused failure to submit a summary on time results in failure of this part of the course.

**Class participation:** 10%. Class participation includes attendance, careful reading, taking an active part in class, and leading class discussions on days you are assigned to summarize the reading. Failure to attend more than 50% of class results in failure of the *entire* course.

**Mid-term exam:** 20%.

**Paper:** 30%. Fifteen-twenty pages, typed, double-spaced, standard format: one-inch margins, Times New Roman font, MLA or Chicago style footnotes. Students can choose between one of several topics suggested throughout the semester or write on a topic agreed upon with the instructor. Paper topics must be agreed upon and discussed at least once with instructor prior to a set date TBA.

**Final exam :** 30%.

**All** assignments except must be completed on time to pass the course unless the student has a documented excuse.

Dates for all assignments given in reading schedule below and subject to change by instructor (as is everything in this syllabus).

Make up assignments will be permitted only if a student can provide documentation for an excused absence (e.g..a doctor's letter or documentation for other kinds of absences allowed under University policy).

**Disabilities**

If you have a specific physical, psychiatric or learning disability that needs to be accommodated, please let me know by the second week of the semester so that your needs may be appropriately met. You will need to provide documentation of your disability to the Disability Services Office, Willard 322 (303-492-8671), so that such accommodation may be arranged.

## Office Hours

MW 11 -12:00; otherwise, by appointment

## Required Readings

All books have been ordered at the University Books Store in the UMC and at the book store on the Hill.

**Articles** in the reading schedule below are almost all available on line. Go to the university library homepage. Click on the E-Journal finder link on the left of the page. Type in the name of the journal in the search box and voila! The different online databases with that journal will pop up. Just click on whichever one makes you feel comfortable and search internally from there. You can use different methods, from author name, volume/issue, etc. In many cases your best bet is to try "JStor". There are several additional articles by Walzer that are not in *Just and Unjust Wars*, so don't get confused. The few articles that cannot be found online, e.g., chapters from a book or essays from an especially obscure journal, can be accessed by a link I will put on line or you can get some of these articles by going to my protected page of readings: go to <http://sobek.colorado.edu/~mapel/PROTECTED> Then look for articles in the folder "Just War". Prompt is "mapelclass" and password is "lucifer"; additional instructions furnished in class.

You are required to bring hard copies of all articles to class. Students without these articles forfeit noncombatant immunity.

A few valuable websites:

International Political Theory Beacon: <http://www.international-political-theory.net/>

<http://www.justwartheory.com/>

Carnegie Council on Ethics and International Affairs: <http://www.CarnegieCouncil.org>

Carr Center for Human Rights: <http://www.ksg.harvard.edu/cchrrp/index.shtml>

**Dates and readings are provisional and may be changed. It is each student's responsibility to check the website regularly for such changes.**

In many cases your best bet is to try "JStor".

## Reading Schedule

**NB: All assignments, exam dates and other information contained in the reading schedule is provisional and subject to change by the instructor. Books and selections may be added or deleted. Students are responsible for knowing about announced changes in the required readings and schedule.**

## Reading Schedule

January

10      **Introduction to course**

12      **Common Morality and Rights**

*Traditions*, Chapter 1 (pp. 1 -21); Chapter 12 (pp. 250 -67)

Total: 37 pages

14      **Realism**

*Traditions*, Chapters 4 - 5 (pp. 62 -108).

Total: 46 pages

17      **MLK Day, no class**

19      **Kant, Deontology, and "Liberal Internationalism "**

*Traditions*, Chapter 7 (pp. 136 -57); Chapter 10 (pp. 201 - 217)

Total: 37 pages

21      **Utilitarianism and Consequentialism**

*Traditions*, Chapter 8 (pp. 158 - 179); Chapter 14 (pp. 299 - 317)

Total: 39 pages

24      **Against "Realism "**

Thucydides-- "The Melian Dialogue" (in translation by Paul Woodruff, *On Justice, Power and Human Nature: Selections from The History of the Peloponnesian War* (Hackett, 1993), 102-9. Available on PROTECTED

Michael Walzer, Preface to original edition of *Just and Unjust Wars*; (hereafter "JUW"); JUW, 3-34 ("The Melian Dialogue ", "General Sherman and the Burning of Atlanta")

26      **The War Convention and the Moral Equality of Soldiers**

JUW, 34 - 47

David R. Mapel, "Coerced Moral Agents? Individual Responsibility for Military Service" *The Journal of Political Philosophy*, Vol 6, no 2 (1998) pp. 171 - 89

## 28 **The Legalist Paradigm and the Crime of Aggression**

JUW, 51 -86

National Security Strategy Statement of the United States 2002, excerpt on preventive wars.

February

## 2 **The Case for Preventive War**

David Luban, "Preventive War," *Philosophy and Public Affairs* Vol. 32, no. 3 (Summer 2004), pp. 207 -248. To get this article cut and past the following url:  
<http://www3.interscience.wiley.com/cgi-bin/fulltext/118765239/PDFSTART>

LINK TO COME

## 4 **Military Intervention: Secession, Counter-Intervention and Humanitarian Rescue**

Walzer, JUW, 86-109

David Luban, "The Romance of the Nation-State", *Philosophy and Public Affairs* 9 no. 4 (Spring 1980), approx. 12 pages. In Protected under "LubanRomance.pdf"

## 7 **Military Intervention**

Walzer, "The Moral Standing of States" *Philosophy and Public Affairs* 9, no. 3 (Summer 1980), approx. 21 pages

Walzer, "The Politics of Rescue", *Dissent* (Winter 1995), 35-41. In Protected "Walzer Rescue.PDF"

## 9 **Military Interventionx**

Evans, Gareth, *The Responsibility to Protect* (Brookings Institution Press, 2008). Chapters 2 - 3, pp. 31 -76.

Suggested: Terry Nardin, Introduction to *Humanitarian Intervention*, Nomos XLVII, eds. Melissa Williams and Terry Nardin, (New York University Press, 2006), 1 - 31. in Protected "NardinIntro.pdf"

fKok-Chor Tan, "The Duty to Protect" same volume, p. 84 -117 in Protected "Tan.pdf"

## 11 **Iraq: A War of Self-Defense, Rescue, Law Enforcement or Empire?**

Walzer, Preface to 4th edition of JUW

Ferando Teson, "Ending Tyranny in Iraq"  
 "Terry Nardin, "Humanitarian Imperialism"  
 "Of Tyrants and Empires: Reply to Terry Nardin"

all in *Ethics and International Affairs*, Vol. 19, no. 2 (2005), 1 - 30. In Protecte

14 **In-class exam**

16 **Jus Post Bellum**

JUW, 109 -127.

Brian Orend, "Ending War," *Ethics and International Affairs* 16, no. 1 (2002), 43 - 57  
 in Protected as "OrendJustice.PDF"

Suggested:

Joy Gordon, "Accountability and Global Governance: The Case of Iraq," *Ethics and International Affairs* 20, no. 1 (2006), 79 -98. in Protected, "JG.Governance.pdf"

18 **Afghanistan and Jus Ex Bellum**

Darrell Mollendorf, "Was the War in Afghanistan Just"? LINK TO COME  
<http://eis.bris.ac.uk/~plcdib/imprints/moellendorf.html>

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Darrell Mollendorf, "Jus Ex Bello," *The Journal of Political Philosophy*, Protected  
 "JusexBello.pdf"

21 **Justice in War: Military Necessity, Utility, Proportionality and Rights**

JUW, 127 150

Robert Holmes, "Military Necessity," from *On War and Morality*, 101 - 113. In  
 Protected under "HolmesPDF"

23 **Proportionality**

Thomas Hurka, "Proportionality in the Morality of War," *Philosophy and Public Affairs*, Vol. 33, no. 1 (Winter 2005), pp. 34 - 66. Protected, "Hurka.pdf"

25 **Discrimination: Aiming At Soldiers, Away From Civilians**

JUW, 151- 9

Robert Holmes, excerpt on the Doctrine of Double Effect," from *On War and Morality*,

pp. 193 -205 In Protected (don't confuse with Holmes excerpt on military necessity). In Protected "HolmesDDE.PDF"

## 28 **Sieges, Blockades and Economic Sanctions**

Walzer, JUW, 160-75("War Against Civilians: Sieges and Blockades" and "Guerilla War")

Joy Gordon, "A Peaceful, Silent, Deadly Remedy", *Ethics and International Affairs*, Vol. 13 (1999), 123-43.

George A. Lopez, "More Ethical Than Not"

Gordon, "Reply to Lopez"

(All three articles are bundled together under "Gordon" in Protected)

March

## 2 **Guerilla War**

Walzer, JUW, 176-196

Dexter Fillkins, "Mogadishu," from *The Forever War*, pp. 186 - 9 in "Mogadishu.PDF" in Protected *to come*

## 4 **A Critique of Walzer on Noncombatant Immunity**

Ted Koontz, "Noncombatant Immunity in Walzer's *Just and Unjust Wars*", *Ethics and International Affairs*, Vol . 11 (1997), 55-83. Protected under "KoontzNonComb" (don't mistakenly read second Koontz essay under "Nonvio")

Walzer, excerpt from "A Response," 102 - 4. Protected. "WalzerResponse.pdf"

Suggested:

Jeff McMahan, "Innocence, Self-Defense and Killing in War," in *Journal of Political Philosophy*, vol. 2, no. 3 1994 pp. 193 - 222 in Protected "McMahanInnoc.pdf"

## 7 **Terrorism and Reprisals**

Walzer, "Terrorism" and "Reprisals" JUW, 197-224

Walzer, "Terrorism: A Critique of Excuses" and "After 9/11" in Protected "WalzerTerrorism.pdf" and "After9/11.pdf"

Suggested:

Jaggar, Alison, "What is Terrorism, Why Is It Wrong, and Could It Ever Be Morally Permissible?" *Journal of Social Philosophy*, Vol. 36, no. 2 (Summer 2005): 202 -17.  
LINK TO COME

Robert Fullinwider, "Understanding Terrorism", Protected "Fullinwider.pdf"

Walzer's "Critique" and Fullinwider response can also be found in *Problems in International Justice*, ed. Luper-Foy (Westview 1988), 237-48; Walzer "Critique" and "9/11" also in Walzer, *Arguing About War* (Yale 2004)

## 9 **Torture**

Charles Krauthammer, "The Truth About Torture": 307 - 317

Andrew Sullivan, "The Abolition of Torture": 317 - 329

Both in *Torture: A Collection*, ed. Sanford Levinson (Oxford, 2004). LINK TO COME

## 11 **Dilemmas of War**

Walzer, JUW, 225-269 ("Winning and Fighting Well," "Agression and Neutrality," "Supreme Emergency")

Colin Dueck, "Alternatives to the Bomb" in Protected. "Dueck.pdf"

## 14 **Nuclear Deterrence**

Walzer, JUW, 269-287

Nardin, "Nuclear Deterrence and the Argument from Extremity" in *Nuclear Weapons and the Future of Humanity*, eds. Avner Cohen and Steven Lee (Rowman and Allanheld, 1986), 289 - 305 in Protected, "NardinNuclear.pdf"

**LAST DAY TO AGREE ON PAPER TOPIC WITH INSTRUCTOR**

## 16 **Supreme Emergency**

Daniel Statman, "Supreme Emergencies Revisited," *Ethics*, Vol 117 (October 2006), 58 -79 also in Protected, "Statman.pdf"

## 18 **Catch -up day**

## 21 -25 **Spring Break**

## 28 **The Responsibilities of Citizens**

JUW, 287-303

Cheney Ryan, "War and Personal Responsibility" in Protected under "RyanResponse.pdf" (don't mistakenly read "RyanSelf-Defense")

Suggested:

15, no. 2 (2009): 169 - 87.

Krishnan, Armin. "Ethical Considerations" in *Killer Robots: Legality and Ethicality of Autonomous Weapons* (Ashgate, 2009): 117 - 44.

22      **Cyber Warfare**

Jeffery T.G. Kelsey, "Hacking Into International Humanitarian Law: The Principles of Distinction and Neutrality in the Age of Cyber Warfare," 106 *Michigan Law Review* (2008): 1427 -52.

Richard T. DeGeorge, "Post September 11: Computers, Ethics and War," *Ethics and Information Technology*, Vol 5, not 4 (2003): 183 90.

25      **Cyber Warfare**

Scahap, Major Arie J., "Cyber Warfare Operations: Development and Use Under International Law," *Air Force Law Review* Vol 64 (2009): 121 -73.

27      **Course Review**

Reread: TBA

**Course Review**

Reread: TBA

TBA      **Final Exam**



Stanley Hoffman and Michael Smith, "Individual Responsibility, War Crimes and Terrorism" in Protected "Hoffman.pdf"

James Child, "Political Responsibility and Noncombatant Liability", in *Political Realism and International Morality*, eds. Kenneth Kipnis and Diana T. Meyers (Westview, 1987), 61-74.

Michael Green, "War, Innocence and Theories of Sovereignty", *Social Theory and Practice*, Vol. 18, No. 1 (Spring 1992), 39-62.

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### **War Crimes: Soldiers and Their Office**

Walzer, JUW, 304-27 ("In the Heat of Battle," "The My Lai Massacre," "The Case of General Yamashita")

Walzer, "Mercenary Impulse," *The New Republic*, March 12, 2008. Should be able to get it by simply typing in "Mercenary Impulse" on Google

April

1

### **Realism Revisited**

Hendrickson, "In Defense of Realism: A Commentary on *Just and Unjust Wars*", *Ethics and International Affairs*, Vol . 11 (1997), 19-55.

3

### **PAPER DUE BY SUNDAY NOON**

4

### **Just War Theory: Assessing *Just and Unjust Wars***

JUW, Preface to first edition

Joseph Boyle, "Casuistry and the Boundaries of the Moral World", 83-99. In Protected Michael Smith, "Growing Up with Just and Unjust Wars" 3-19

Michael Walzer, "A Response" 99-104. In Protected "WalzerResponse.pdf"

Last three selections in *Ethics and International Affairs*, Vol . 11 (1997)

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### **Soldiers' Rights and Self-Defense**

Ryan, Cheyney, "Self-Defense, Pacifism, and the Possibility of Killing,," *Ethics*, Vol. 93, no. 3 (1983): 508 - 24.

Suggested:

Kaufman, Whitley, "Is There A Right to Self-Defense?" *Criminal Justice Ethics*, Vol. 23 (2004): 20 -32.

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## **Pacifism**

Ted Koontz, selection to be assigned

11

## **Child Soldiers: Accountability and Responsibility**

Singer, P.W. "Fighting Child Soldiers," *Military Review*, May - June (2003): 26 -31

Zia Mansoor Farkhanda, "The Dilemma of Child Soldiers: Who is Responsible" *The King's College Law Journal*, Vol. 16 (2005): 388 - 99.

Iacono, Mark. "The Child Soldiers of Sierra Leone: Are They Accountable for Their Actions in War," *Suffolk Transnational Law Review* Vo. 26, no. 2 (2002 - 2003): 445 - 67.

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## **Child Soldiers and International Law**

Freeland, Steven. "Mere Children or Weapons of War--Child Soldiers and International Law" *University of LaVerne Law Review*, Vol. 29 (2008): 19 - 55.

Faulkner, Frank. "Kindergarten Killers: Morality, Murder and the Child Soldier Problem," *Third World Quarterly*, Vol. 22, no. 4 (2001): 491 - 504.

15

## **Warbots: Intro**

Singer, P.W., "Introduction: Scenes from a Robot War" in *Wired for War* (Penguin Press, 2009): 19 -41.

Singer, P.W., "Robots for Dummies" in *Wired for War* (Penguin Press, 2009): 66 - 93.

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## **Warbots: Meet the Bots**

Singer, P.W., "The Next Wave of Warbots," in *Wired for War*: 109 -22.

Singer, P.W. "The Big Cebrowski and the Real RMA," *Wired for War*, 179 - 204

Singer, P.W., 'How We Might Fight With Robots," *Wired for war*: 205 -36.

20

## **Warbots and Ethics**

Robert Saprrow, "Building a Better WarBot: Ethical Issues in the Design of Unmanned Systems for Military Applications," *Science and Engineering Ethics*, Vol