

Spring 2018
Political Science 4024
Senior Seminar: Justice and War
Prof. David Mapel
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Office Hours: Ketchum 151, MW 11:00 – 12:00; otherwise, by appointment.

COURSE DESCRIPTION

Representative subjects include the justification of defensive, pre-emptive and preventive wars; humanitarian intervention; the combatant/noncombatant distinction; the moral equality of soldiers; the distinction between direct and "collateral" harm to civilians; sieges, blockades and economic sanctions; guerilla warfare; terrorism and reprisals; supreme emergency and torture; drones.

There are three main texts for the course: Helen Frowe's *The Ethics of War: An Introduction*; Michael Walzer's *Just and Unjust Wars*; J. Glenn Gray's *The Warriors*. There will also be critical essays various topics by a number of other political theorists and philosophers, as well as some short stories and excerpts from war memoirs. Readings are listed below and will be available on Desire2Learn

COURSE REQUIREMENTS

The main course requirement is participation. If you come to each class having read the material carefully and take an *active* role in the discussion then you will have finished almost everything you need to do by the end of the semester. There will be no final. The following requirements are aimed at encouraging participation.

Reading materials: You are **required** to bring texts and to download articles and bring them with you to class. You can use a computer in class rather than downloading a hard copy, *provided* that there is no surfing or other abuse of the privilege. If there is, then everyone in the class will be required to download hard copies. I suggest downloading and marking up hard copies in any case, as studies show that students learn better when they perform the physical acts of taking handwritten notes on the readings and in class.

Class presentations based on reading outlines or summaries, including critical comments and discussion questions, approximately two pages in length. These summaries should be emailed to me before the beginning of your class presentation. Late outlines will not be accepted. Presentations and summaries are worth **35%** of final grade. They must be **typed**, double-spaced, and sent in the following format: your last name, some abbreviation identifying the assignment e.g. author's last name, and docx. It must be docx. I will give an 'F' to a presentation that is not in this format. Presentation assignments with the appropriate reading page numbers are listed in the syllabus below. Presentations will be assigned on a rotating basis. As there are an odd number of

readings, not every student will have the same total number of summaries to write and class presentations to make, but I estimate that each student will do at least five or six of them. I will try to make sure that no student gets stuck with all of the hardest assignments. If a reading is philosophical in character then the summary should be in outline form, reflecting the logical structure of the argument. If the reading is literary in character, then your summary may have a less formal structure. The summary should end with critical comments and an observation or question (or two or three) for class discussion.

Class participation: 35%. This includes participation on the days you are not presenting, as well as your record of attendance. You are given two “free” absences (so use them wisely). After that, all absences count against you unless accompanied by a documented excuse of a kind officially recognized by the university. Failure to attend more than 50% of class results in failure of the *entire* course. Perfect attendance by itself earns only a ‘C’ grade. Less than perfect attendance is graded as less than a “C.”

Aside from attendance, which merely serves as a baseline or threshold grade, your participation grade is based primarily on your taking an active part in class, showing evidence of careful reading of the assignments, doing a good job leading discussion on days you are assigned to summarize the reading, and doing an equally good job on the days you are not leading discussion. The central requirement is active listening and *engagement* with other members of the seminar. In other words, sitting quietly through most classes will not merit even a “C.” I will keep you apprised every couple of weeks on your performance in class. If you are in any doubt, ask.

Paper: 30%. The paper must be at least twelve pages long, typed, double-spaced, and use standard format: one-inch margins, Times New Roman font, MLA or Chicago style footnotes. Students may write on any course topic that takes their fancy, as long as that topic is agreed upon and discussed at least once with the instructor. This discussion must take place by April 20th at the very latest, although I strongly suggest selecting a topic and finishing the paper earlier. However, I do suggest that you wait to pick a topic until we have finished the readings from Frowe, as they cover almost the full range of topics to be discussed in the course. Frowe also suggests further readings on almost any topic you might wish to pursue. Late papers (without a documented excuse of the sort recognized by the university) will lose a grade for every day late. Papers are due the last day of class.

All assignments must be completed to pass the course. Failure to hand in assignments and extended class absences are excused only with documentation for the officially recognized kinds of absences allowed under University policy.

COURSE POLICIES

Disabilities

If you have a specific physical, psychiatric or learning disability that needs accommodation, 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.

Religious Observance

Campus policy regarding religious observances requires that faculty make every effort to reasonably and fairly deal with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. Students are required to let me know **within the first two weeks** of the course if they want an accommodation. For details of campus policy see

http://www.colorado.edu/policies/fac_relig.html

Classroom Decorum

Students and faculty each have responsibility for maintaining an appropriate learning environment. Students who fail to adhere to such behavioral standards may be subject to discipline. Faculty have the professional responsibility to treat all students with understanding, dignity and respect, to guide classroom discussion, and to set reasonable limits on the manner in which they and their students express opinions. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender variance and nationalities. Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. See policies at

<http://www.colorado.edu/policies/classbehavior.html> and at

http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code

Honor Code

All students at the University of Colorado, Boulder are responsible for knowing and adhering to the academic integrity policy of this institution. Violations of this policy may include: cheating, plagiarism, aid of academic dishonesty, fabrication, lying, bribery, and threatening behavior. All incidents of academic misconduct shall be reported to the Honor Code Council (honor@colorado.edu; 303-725-2273). Students who are found to be in violation of the academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion). Other information on the Honor Code can be found at <http://www.colorado.edu/policies/honor.html> and

<http://www.colorado.edu/academics/honorcode>

Sexual Harassment

The University of Colorado at Boulder policy on Discrimination and Harassment (<http://www.colorado.edu/policies/discrimination.html>), the CU policy on Sexual Harassment, and the CU policy on Amorous Relationships applies to all students, faculty and staff. Any student, faculty or staff member who believes s/he has been the subject of discrimination or harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status should contact the Office of Discrimination

and Harassment (ODH) at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550. Information about ODH and the campus resources available to assist individuals regarding discrimination or harassment can be obtained at <http://www.colorado.edu/odu>

Required Readings: All books have been ordered at the University Books Store in the UMC and at the bookstore on the Hill. Articles in the reading schedule below should all be available on-line at the class Desire2Learn site. Here are some other ways to access articles. 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, so don't get confused by assuming that everything referred to by "Walzer" on the syllabus or on the reading list in Desire2L is from *Just and Unjust Wars*.

You are required to bring hard copies of all articles and books to class or to be able to access the article as we are discussing it in class. Students who do not do this forfeit their 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/cchrp/index.shtml> 

SCHEDULE OF READINGS

NB: All assignments 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.

January

15 **MLK Day, no class**

17 **Introduction to course**

19 **War Fiction I**

Three short stories on D2L from Phil Klay, *Redeployment*. Read in the order listed.

List of Military Abbreviations to come on D2L (Abbrev.pdf)

“Frago,” _____

“Ten Kliks South” _____

“Redeployment” _____

All on D2L

22 **Rights of Self-Defense**

Helen Frowe, *The Ethics of War and Peace*, Introduction and Chapter 1

1 – 15 _____

15 – 30 _____

24 **War and Self-Defense**, Frowe, Chapter 2, pp. 31 - 51

31 – 41 _____

41 – 50 _____

26 **The Conditions of Jus Ad Bellum**, Frowe, Chapter 3, pp. 54 – 74

54 – 61 _____

61 – 73 _____

29 **Proportionality**

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

34 – 45 _____

45 – 51 _____

51 – 57 _____

57 – 66 _____

31 Proportionality

Finish discussion of Hurka

February

2 Just Wars, Frowe, Chapter 4, pp. 75 -98

75– 83 _____

83 – 98 _____

5 The Conditions of Jus in Bello, Frowe, Chapter 5, p. 99 - 122

99 – 119 _____

110 – 122 _____

7 War Fiction II: The Moral Status of Combatants

Short story by Tim O’Brien, “On the Rainy River”, pp. 39 - 62 (to come on D2L) _____

9 The Moral Status of Combatants, Frowe, Chapter 6, pp. 123 -145

123 – 132 _____

132 – 145 _____

12 Non-combatant Immunity, Frowe, Chapter 7, pp. 146 -164

146– 164 _____

146 - 164 _____

14 Challenges to Non-Combatant Immunity, Frowe, Chapter 8, pp. 166 – 181

166 – 174 _____

174 – 181 _____

16 The Moral Status of Terrorism, Frowe, Chapter 9, pp. 182 - 204

182 - 194 _____

194 - 204 _____

19 **What's Wrong with Torture?**

David Sussman, "What's Wrong with Torture" *Philosophy and Public Affairs*, vol. 33, no 1, pp. 1 – 33 (to come on D2L)

1 – 16 _____

16 – 33 _____

21 **Terrorists, Torture, and Just War Theory**, Frowe, Chapter 10, pp. 205 – 223

205 – 213 _____

213 – 221 _____

23 **Remote Warfare**, Frowe, Chapter 11, pp. 223 – 239

223 – 230 _____

230 – 239 _____

26 **Jus Post Bellum**, Frowe, Chapter 12, pp. 239 – 262

239 – 247 _____

247 – 262 _____

28 **War Fiction II**

Short story by Thom Jones "The Pugilist At Rest" (to come on D2L)

March

2 **Realism**

Thucydides, "The Melian Dialogue" (to come on D2L)

Michael Walzer, *Just and Unjust Wars* (hereafter, JUW): Preface to the first edition and Chapter 1, pp. xix- xxv and 3 – 20)

xiii - 13 _____

13 – 20 _____

5 The War Convention and the Moral Equality of Soldiers

Michael Walzer, *Just and Unjust Wars* (hereafter, JUW): Preface to the original edition, plus Chapters 2 and 3, pp. 21-47

Preface and 21 -34 _____

34 – 47 _____

7 The Legalist Paradigm and the Crime of Aggression

JUW, 51-86 _____

51 – 73 _____

74 – 86 _____

National Security Strategy Statement of the United States, 2002, excerpt on preventive wars (“NATIONAL SECURITY STRATEGY” Part V, pp. 13 - 15)

9 The Case for Preventive War

David Luban, "Preventive War," *Philosophy and Public Affairs* Vol. 32, no. 3 (Summer 2004), pp. 207 -248 (“LUBAN PREVENTIVE WAR”)

207 -218 _____

218 – 228 _____

228 – 236 _____

236 – 243 _____

12 Preventive War

Finish discussion of Luban

14 **Military Intervention: Secession, Counter-Intervention and Humanitarian Rescue**

Walzer, JUW, 86-109^[SEP]

86 – 109 _____

David Luban, “The Romance of the Nation-State,” *Philosophy and Public Affairs* Vol. 9, no. 4 (Spring 1980), approx. 12 pages (“LUBAN ROMANCE”) _____

16 **Military Intervention: A Duty to Intervene?**

Walzer, "The Moral Standing of States" *Philosophy and Public Affairs* 9, no. 3 (Summer 1980), approx. 21 pages^[SEP](“WALZER_MORAL”)

217 – 224 _____

224 – 237 _____

Walzer, “The Politics of Rescue,” *Dissent* (Winter1995), 35-41 (“WALZER_RESCUE”)

35 – 41 _____

“R2P.pdf “

Everyone read these two pages

Suggested:

Bellamy, “Whither R2P.pdf”

Bellamy, “Libya and R2P.pdf”

Evans, Gareth, *The Responsibility to Protect* (Brookings Institution Press, 2008). Chapters 2-3, pp. 31-76. (Evans_R2P.pdf) will ask for the password, which is “wildcats”

Terry Nardin, Introduction to *Humanitarian Intervention*, Nomos XLVII, eds. Melissa Williams and Terry Nardin, (New York University Press, 2006), 1-31 (“NARDIN INTRO”)

Kok-Chor Tan, "The Duty to Protect," in *Humanitarian Intervention*, 84-117 (“TAN”)

Heather Roff Perkins, "Syria" (Syria.pdf)

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

JUW, 127-159

127 – 144 _____

144 – 151 _____

151 – 160 _____

193 – top of 200 _____

ELAC, "Proportionality Policy Brief" (same name pdf)

21 **Sieges, Blockades and Economic Sanctions**

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

160 – 175 _____

Joy Gordon, "A Peaceful, Silent, Deadly Remedy", *Ethics and International Affairs*, Vol. 13 (1999), 123-43; George A. Lopez, "More Ethical Than Not"^[17]_[SEP]Gordon; "Reply to Lopez"^[17]_[SEP](All three articles are bundled together under "GORDON")

123 – 143 _____

23 **Reading to come**

26 – 30 **Spring Break**

April

2 **War Memoirs I**

Excerpts from *Rumor of War* by Phil Caputo (to come on D2L)

4 **Guerilla War**

Walzer, JUW, 176-203

176 – 196 _____

Dexter Filkins, "Mogadishu," from *The Forever War*, pp. 186-9
(Mogadish.pdf)

General Petraeus: "Ten Points" (Petraeus.pdf)

6 **Dilemmas of War** ^[1]_[SEP]

Walzer, JUW, 225-269 ("Winning and Fighting Well," "Aggression and
Neutrality," "Supreme Emergency")^[1]_[SEP]

225 – 250 _____

251 – 268 _____

Colin Dueck, "Alternatives to the Bomb" in *Protected* ("DUECK")

Dueck _____

9 **Nuclear Deterrence** ^[1]_[SEP]

Walzer, JUW, 269-287

269 – 287 _____

Optional:

Nardin, "Nuclear Deterrence and the Argument from Extremity"
("NARDIN_NUCLEAR")

11 **The Responsibilities of Citizens**

JUW, 287-303

287 – 296 _____

296 – 304 _____

Cheney Ryan, "War and Personal Responsibility" (Ryan Personal Responsibility.pdf)_____

13 The Responsibilities of Soldiers

JUW, 304 - 324

304 – 316 _____

316 – 327 _____

Walzer, "Mercenary Impulse," *The New Republic*, March 12, 2008. Search "Mercenary Impulse" on Google _____

Suggested:

Stanley Hoffman and Michael Smith, "Individual Responsibility, War Crimes and Terrorism" (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 ("CHILD_~1")

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

Osiel, "Virtues and Vices of Military Discipline" in Osiel.pdf

16 War's Ends and the Importance of Winning

JUW, 109 -127

109 – 124 _____

Brian Orend, "Justice After War" (OrendJusticeAfter.pdf)

Orend article _____

18 Realism Revisited

Hendrickson, In Defense of Realism: A Commentary on Just and Unjust Wars (Hendrick2.pdf)

19 – 38 _____

38 – 53 _____

20 Pacifism

JUW, “Afterword: Non-Violence and the Theory of War” and “Postscript: A Defense of Just War Theory” pp. 329 – 346

Cheney Ryan, “Pacifism” in *The Oxford Handbook of the Ethics of War*
(to come on D2L) _____

**PAPER TOPIC MUST BE AGREED UPON AND DISCUSSED
WITH INSTRUCTOR BY THIS DATE**

23 Warbots

P.W. Singer, “Digitizing the Laws of War,” 382- 413 (31 pp) “Digit.pdf”

382 – 413 _____

Sparrow, “Killer Robots” (2007) 13 pages, D2L Sparrow Killer

Sparrow, “Building a Better Warbot,” (208) 169 – 187 (18 pp) D2L
“Sparrow Building” _____

25 War Memoirs II: War, Forgetfulness, and the Appeals of Battle

J. Glenn Gray, *The Warriors*

Foreword, Note to the Reader, and Chapter 1. “Remembering War and Forgetfulness” _____

Chapter 2, “The Enduring Appeals of Battle” _____

27 Love, Death, and War

The Warriors, Chapter Three “Love: War’s Ally and Foe” _____

Chapter 4, “The Soldier’s Relations to Death,” _____

30 Images of the Enemy and the Guilt of War

The Warriors, Chapter 4, "Images of the Enemy" _____

Chapter 5, "The Ache of Guilt" _____

May

2 The Future of War

The Warriors, Conclusion _____

4 Reading Day

PAPER DUE BY NOON