

WAR AND MORALITY

Political Science 371, Spring 2019
Portland State University

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Description

When states or other human groupings abandon less primitive means of resolving their conflicts, they resort to war. Although many wars have been terribly bloody and destructive, history provides relatively few examples of wars of total annihilation. Rather, for reasons involving both self-interest and ethical conviction, political leaders and warriors have often observed limits in their resort to war and the conduct of battle. This course examines the historical, moral, and legal foundations of these limits, and their enduring relevance despite ongoing changes in world politics and the transformation of modern warfare.

Although we consider alternative perspectives, the course focuses primarily on the just war tradition, major elements of which are reflected in international law governing the legitimate resort to force and proper conduct during wartime. Topics include aggression and self-defense, genocide, humanitarian intervention, nuclear deterrence, noncombatant immunity, terrorism, treatment of prisoners, torture, and prosecution of war crimes. Discussion of these topics is informed by contemporary just war thinking as well as classical political and moral philosophy.

Learning Objectives

The general objective of this course is to develop the student's capacity to examine and judge the ethical foundations of wars and military interventions. This is to be accomplished by exposing students to a body of literature and debate drawn from international relations theory, international law, and political philosophy. By the end of the term, students should be able to:

- demonstrate mastery of the main theoretical and philosophical approaches to the ethics of warfare;
- identify the multiple ethical issues presented by specific historical and contemporary examples of war and intervention;
- apply relevant moral and legal principles when examining and evaluating ethical issues; and
- evaluate the role of moral discourse in current debates over the use of military force as an instrument of foreign policy.

Requirements and Evaluation

Course grades are based on a [midterm](#) (40%) and [final](#) exam (60%). The exams consist of both multiple-choice questions and longer essays. Attendance is expected; course grades will be adversely affected by excessive absence from class.

I hold on to students' written work for one academic term after the end of the course, so if you want to keep your final exam, please retrieve it from me no later than the end of fall term 2019.

Readings and Other Course Materials

Assigned readings come from the following book, available from the [Portland State Bookstore](#):

- David Kinsella and Craig L. Carr, editors, *The Morality of War: A Reader* (Lynne Rienner, 2007)

Other readings are available online. Unless the reading assignment includes a web link, it is available online from the PSU library. You must retrieve these readings (all journal articles) by logging into the PSU library website and locating and downloading the article from one of the library's full-content subscription services. Access to other readings requires logging into D2L.

In addition to the assigned readings, students should be reading, on a regular basis, the [New York Times](#), the [Washington Post](#), or some other newspaper with thorough international coverage. Performance in the course will reflect familiarity with current international issues, and not just an understanding of lecture material and course readings.

All slides used during lectures will be made available online by appending a link to the list of weekly reading assignments.

Conduct and Courtesy

Students are responsible for being familiar with the PSU [Student Code of Conduct](#), especially the section concerning academic misconduct -- that is, plagiarism or other forms of academic dishonesty. If you are unsure of the definition or consequences of academic misconduct, consult your instructor.

Because they are distracting to others, cell phones may not be used during lecture and should be silenced at the start of class. Laptops and tablets may be used to take notes, but not for email, web browsing, or social media. Electronic devices may not be used to photograph, video, or stream course lectures or discussion, but lectures may be audio recorded with permission of the instructor.

Student Resources

If you have, or think you may have, a disability that may affect your work in this class and feel you need accommodations, contact the [Disability Resource Center](#) to schedule an appointment and initiate a conversation about reasonable accommodations. The [C.A.R.E. Team](#), hosted by the Dean of Student Life, is available to consult with you regarding any issues of students in distress, including sexual misconduct.

WEEKLY SCHEDULE and ASSIGNMENTS

Chapters from the Kinsella and Carr reader (MWR) are assigned each week. Additional assigned readings are available online.

Historical and Philosophical Approaches to War and Morality

1-5 Apr

Realism and Pacifism

- MWR, chaps. 1-3.
- [slides](#)

8-12 Apr

Just War Theory

- MWR, chap. 4
- Aleksandar Jokic, *International Justice After the Cold War: Essays with Applications* (Peter Lang, 2018), chap. 1. [D2L](#)
- [slides](#)

Resort to War (*Jus ad Bellum*)

15-19 Apr

Aggression, Self-Defense, and Preemption

- MWR, chaps. 5-6.
- Ashley Deeks, "Taming the Doctrine of Preemption." In Marc Weller, ed., *Oxford Handbook of the Use of Force in International Law* (Oxford University Press, 2015). [D2L](#)
- [slides](#)

22-26 Apr

Terrorism

- MWR, chap. 7.
- David P. Fidler, "Cyberspace, Terrorism and International Law." *Journal of Conflict and Security Law* 21 (Winter 2016): 475-493. [D2L](#)
- [slides](#)

29 Apr - 1 May

Intervention

- MWR, chap. 8.
- Spencer Zifcak, "The Responsibility to Protect after Libya and Syria." *Melbourne Journal of International Law* 13 (June 2012): 59-93.
- [slides](#)

3 May

Midterm exam

Conduct of War (*Jus in Bello*)

- 6-10 May *Combatant Rights*
- MWR, chap. 9.
 - Brian H. Richardson, “‘We Tortured Some Folks’: Science, Ethics, and Government in the APA Torture Scandal.” *Jurimetrics: Journal of Law, Science and Technology* 57 (Fall 2016): 81-104.
 - [slides](#)
- 13-17 May *Noncombatant Rights*
- MWR, chap. 10
 - Megan Braun and Daniel R. Brunstetter, “Rethinking the Criterion for Assessing CIA-Targeted Killings: Drones, Proportionality and *Jus ad Vim*.” *Journal of Military Ethics* 12 (2013): 304-324.
 - [slides](#)
- 20-24 May *Blockades, Sanctions, and High-Tech War*
- MWR, chaps. 11-12.
 - Robert Sparrow, “Robots and Respect: Assessing the Case Against Autonomous Weapon Systems.” *Ethics and International Affairs* 30 (2016): 93-116.
 - [slides](#)
- War Crimes and Judgment (*Jus post Bellum*)**
- 29-31 May *War and Crime*
- MWR, chap. 13.
 - William A. Schabas, “International War Crimes Tribunals and the United States.” *Diplomatic History* 35 (November 2011): 769-786.
 - [slides](#)
- 3-7 Jun *Jurisdiction and Enforcement*
- MWR, chap. 14.
 - [slides](#)
- 12 Jun **Final Exam, 10:15-12:05**

This syllabus is available online at web.pdx.edu/~kinsella/ps371s19.pdf and all course materials can be linked from this address. *Last updated on 5 June 2019.*