George Mason University
Department of Philosophy
PHIL 694-002
Just War Theory: The Ethics of War
Fall 2017
Instructor: Jesse Kirkpatrick
Email: jkirkpat@gmu.edu
Course Day and Time: Wednesdays, 4:30-7:10 p.m.
Room Location: Innovation Hall 336
Office: Robinson B, Room 442D
Office Hours: Wednesday, 2:30-4:15 p.m., and by appointment

Course Description
Can we be war just? If so, when and under what conditions can a war be fought ethically? Is killing in war different from killing in peacetime? If so, why? What kind of normative constraints are there on conduct during war? How are wars ended justly? Questions like these underscore the puzzles and difficulties that surround thinking about war and political violence. This course examines the morality of war. The course can be divided roughly into three parts: the history of the just war tradition, contemporary just war theory, and contemporary ethical issues in war and conflict. We will begin by surveying some contending ethical views towards war and political violence, paying particular attention to militarism, pacifism, and prescriptive realism. We then turn to the focus of the course: the just war tradition. We will explicate the dominant theoretical approaches towards ethics and war within the just war tradition, and then examine the implications these approaches have on the use of military force. Throughout the course we will use historical case studies and contemporary conflicts as the bases for our analysis. The course concludes with a focus on such selected topics as torture, moral injury, terrorism, and technology and warfare.

Course Goals and Objectives
The course has four primary objectives. First, the course will introduce students to the historical background of the contemporary just war tradition. Second, it will familiarize students with the contemporary orthodox scholarship in the just war tradition and critiques of orthodox just war theory. Third, it will introduce students to ethical analyses of selected topics related to war and conflict. Fourth, it will offer students the opportunity to develop a research project of professional quality.

Required Texts and Readings
All texts have been ordered and should be available through the University Book Store. Other assigned and recommended readings are available on Blackboard. Please note that we will determine, as a class, the selected topic for the final weeks of the course. These readings will be available on Blackboard upon determination of the topic. Occasionally we will also read articles and excerpts from the popular press (e.g., The New York Times, Slate, Wired).
Required Texts


Recommended

Course Assignments and Grading

1) Discussion Facilitation: 20 points
2) Long Abstract: 15 points
3) Long Abstract Revision: 25 points
4) Final Paper/Presentation: 30 points
5) Participation: 10 points

1) Discussion Facilitation
Each student must select a week for which they will provide a discussion facilitation guide. The guide will address each reading assigned for the given week. The guide must include: (1) a description of the central theses of each reading; (2) an overview of the key argument(s) made to support the respective theses; (3) a description of the authors’ conclusion(s); (4) your critical analyses of the readings and the possible weaknesses in the arguments; and (5) questions for the class to facilitate discussion. You should be able to fulfill these criteria for each reading in one typed page, 12-point font (e.g., five assigned readings equals five pages). The guide must be emailed to the whole class NLT 11:59 p.m. the Tuesday before seminar. Students are expected to print out and bring to class their own copies of the discussion guide. The guides are not a replacement for reading. They will serve as the point of departure for our seminar discussions. I will provide the guide for Week 6.

2) Long-Abstract
Each student must develop a long-abstract (~1000 words), which will build from the student’s discussion facilitation guide. The abstract will outline and develop an argument to be made in the final paper. The long-abstract must be submitted NLT 14 days after submission of your discussion facilitation guide. I will provide detailed feedback on each long abstract.

3) Revised Long-Abstract Presentation
Based on the detailed feedback, students will be expected to revise their abstract for a brief class presentation (~1500 words). In the final two weeks of the course, students will workshop these revised abstracts in brief presentations.

4) Final paper
A final paper (no more than 4,000 words, excluding references) is due 2 weeks after completion of the course. The final paper should build from the revised long abstract and incorporate the ongoing feedback you receive from student colleagues and the instructor.

5) Participation
You must participate.
Other Course Policies

Absences
Students are permitted one unexcused absence.

Academic Integrity
All students are expected to be familiar with and abide by Mason’s honor code.

Disability Services
If you are a student with a disability and you need academic accommodations, please see me and contact Disability Services at 703.993.2474 or ods.gmu.edu. All academic accommodations must be arranged through that office.

Course Schedule and Readings

Week 1—August 30—Introduction to the Course

Contending Approaches to the Ethical Analysis of War
Week 2—September 6
Pacifism, Militarism, and The Just War Tradition

Pacifism

Militarism

Prescriptive Realism

The Just War Tradition—A Historical Perspective
Week 3—September 13
Antiquity and Early Just War Tradition

The Secular Dimensions of the Just War Tradition

Recommended
• The Secular Dimensions of the Just War Tradition: Vittoria; Suarez; Grotius; Pufendorf. Found in May, Larry, Eric Rovie, and Steve Viner (eds.). The morality of war: classical and contemporary readings. Prentice Hall, 2006.

**Jus ad Bellum: Just Cause for War**

**Week 4—September 20**

**National Defense**

• United Nations Charter, Preamble, Chps. 1 and 4-7.
• Michael Walzer. *Just and Unjust Wars*. Chps. 2 and 4.

**Recommended**


**Week 5—September 27**

**Humanitarian Intervention and Responsibility to Protect**


**Recommended**

• The International Commission on Intervention and State Sovereignty, Responsibility to Protect—Executive Summary

**Week 6—October 4**

**The “Revisionist” Critique of National Defense**


**Jus in Bello: The Principle of Distinction**

**Week 7—October 11**

**Killing Combatants**

• Michael Walzer. *Just and Unjust Wars*. Chp. 3.

Recommended


**Week 8—October 18**

**Killing Noncombatants: Contingent Pacifism and the Responsibility Dilemma**

• Michael Walzer. *Just and Unjust Wars*. Chp. 9.
• Jeff McMahan. *Killing in War*. Chp. 2. pp. 38-60 (Sections 2.0—2.2.3).

Recommended


**Torture**

**Week 9—October 25—NOTE: We will start class at ~5:00 p.m.**

**Torture, U.S. Policy, and The Ticking Bomb**


• The Torture Memos, See NYT for a very brief overview: http://www.nytimes.com/ref/international/24MEMO-GUIDE.html

Recommended

**Proportionality and Necessity**

**Week 10—November 1**


Recommended

**Terrorism**

**Week 11—November 8**

Is Terrorism Morally Distinctive?


**Week 12—November 15**

Noncombatants and The Ethics of Fighting Terrorism

Recommended


**Week 13—Thanksgiving: No Class**

**Selected Topics: TBD**

**Week 14—November 29 TBD**

**Week 15—December 6 TBD** (Brief abstract presentations)

**Week 16—December 13 TBD** (Brief abstract presentations)