

Political Science 119 – Interim 2016
Thomson 110
Class Time: 1– 3, M-F
Office Hours: Thursday & Friday, 10-12

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The Problem of War

Course Description

The goal of this course is to introduce students to the long tradition of debate concerning the nature and legitimacy of war. We will explore the meaning of war, the revulsion of violence and the possibility of just war by reading a variety of classic texts ranging from Thucydides to Kant to Walzer. We will also explore how these historical approaches continue to animate contemporary debates. Finally we will look closely at a few recent conflicts, including the current wars on terror and drugs, in light of the moral and empirical arguments we have learned.

If you encounter difficulty with the readings or the assignments, please do not hesitate to speak to me after class, during office hours or arrange another time to meet. You may also want to take advantage of Academic Support Center if you have a learning disability or the Writing Place if you would like help with your writing (x3288).

Expectations

Integrity. One of the great goals of education is to learn to conduct oneself honorably in intellectual affairs. At the very least, honorable conduct in this course means that you will not turn in any work as your own that was written by someone else. If you have questions, please consult “The Book” (www.stolaf.edu/stulife/thebook/academic/plagiarism.html).

Care. Approach all of your class work with care, especially your written assignments. All papers should be turned in on time (or you should contact me before the due date to discuss *very rare* instances in which you cannot meet a deadline). Be sure to take the time to proofread your work for spelling, grammar, sentence structure and flow.

Engagement. Come to class ready to comment on readings and engage in discussion. We expect all participants to be present both physically and mentally. Regular and active participation may nudge your grade upwards (at my discretion) and repeated absences will propel your grade downwards.

Readings

Walzer, *Just and Unjust Wars* (available at bookstore)
Everything else is on moodle

Assignments

Tribunals. As a class, we will be participating in four tribunals that require us to think critically and contextually about the morality of particular historical actions. You will be an active participant on a team during one of these tribunals and a member of the audience/jury in the others. **20% of your overall grade** is based on the group’s **written** work for your tribunal. **10%**

of your grade is based on your performance at the tribunal. **5% of your grade** is based on your group's evaluation of your work.

Readings and Participation. Since this course will be primarily based on discussion, you will be expected to have read the assigned readings carefully before each class. You will also be expected to contribute to large group discussions and participate in small group activities throughout the term. In order to assess your reading comprehension, you may receive **unannounced quizzes** periodically throughout the term. The multiple-choice quiz questions come directly from the class readings.

Response Papers. You will be required to write two short response papers (1-2 pages) on days in which you are *not* participating in a Tribunal during the term.

- Each paper involves answering one of the questions on the readings *provided in this syllabus*.
- All papers should be double-spaced with 12 pt font. All papers should include your name, our names, course title on the first page. All subsequent pages should be numbered.
- I expect to find a clear and coherent argument in which every sentence directly relates to the thesis and logically connects with one another. Any claims concerning our readings should be supported by textual evidence. Finally your paper should exhibit impeccable grammar and precise sentence structure.

Exam. You will take a cumulative final exam analyzing various arguments presented in the course and synthesizing the themes.

Grade Breakdown

35% Tribunal (20% Written Work, 10% Oral Presentation, 5% Peer Evaluation)
 20% 2 Papers (10% each)
 35% Final Exam
 10% Participation

Course Outline – Subject to Change at the Whim of your Instructors

1-4	Introduction: War and Morality
1-5	<p>A Tradition of Debate Thucydides ‘Funeral Oration,’ ‘The Melian Dialogue’ Walzer 1, 2, & 3</p> <p>1. In what ways do the Athenians and Melians appeal to morality? In what ways do they appeal to power? What happens to justice in the Melian Dialogue? Are the discourses the same or different in the ‘Oration’ and the ‘Dialogue?’ 2. Walzer writes, ‘It would be very odd to praise Rommel for not killing prisoners unless we simultaneously refused to blame him for Hitler’s aggressive wars.’ Why does he make this claim? Do you agree with Walzer that ‘political obedience’ is an important factor in determining moral culpability?</p>

1-6	<p>Christian Pacifism and Just War Traditions</p> <p>Matthew 5 and Romans 12 Origin, Excerpt from Contra Celsum Augustine, Excerpts from City of God XIX.7, 11-13 Aquinas, Summa Theologica I-II</p> <p>What three things are necessary for a war to be just for Aquinas? In what way does Aquinas continue a tradition of thinking found in Augustine? Is this a departure from the original Christian teachings like the Sermon on the Mount? Why or why not?</p>
1-7	<p>Just War in the Colony</p> <p>Film: <i>The Mission</i> Vitoria, Letter to Miguel de Arcos, Excerpts from ‘On the Indians’ Custer, Life on the Plains, <i>selections</i> Brown, Bury my Heart at Wounded Knee, <i>selections</i></p> <p>How would Vitoria characterize the responsibilities owed to the Guarani by the colonists? What is the source of these responsibilities? How does Custer represent Indigenous people, and how does this compare with Brown’s discussion?</p>
1-8	<p>Tribunal I “Anticipations, Preemption, and the Six Day War”</p> <p>Walzer 4 & 5</p> <p>1. In chapter 4, Walzer places aggression at the center of his discussion of the war convention. Yet he also shows that defining an act of aggression can be tricky. What criteria does Walzer provide for determining an aggressor? Do you agree with his interpretation of the case of Alsace-Lorraine? Do you agree with his overarching criteria? Why or why not?</p> <p>2. Walzer insists that individuals and states can rightly defend themselves against imminent threat. Yet he distinguishes between self-defense and preventative war. What do you think about this distinction? What, if anything, justifies preemptive attack?</p>
1-11	<p>Early Modern Realists and the Stubborn Fact of Power</p> <p>Machiavelli, Excerpts from The Prince and The Discourses Hobbes, Chapter XI and XIII from Leviathan</p> <p>1. Machiavelli makes the claim that ‘war is just which is necessary’. How would he have us determine ‘what is necessary’? How does this compare to Augustine or Vitoria? Who is most persuasive and why?</p> <p>2. Why do people quarrel in the state of nature for Hobbes? What makes war possible? What limits war? What is ‘justice’ in the state of nature? How would Walzer respond to Hobbes’s depiction of the state of nature?</p>
1-12	<p>An Idealist’s Response</p> <p>Kant, Perpetual Peace <i>selections</i></p> <p>1. Does Kant believe the articles of a Perpetual Peace are practical? Do you? What is he attempting to do by writing these articles? How does this relate to his reference to a graveyard?</p>

	<p>2. Why does Kant think that morality and politics are not in opposition? Why is transparency in political acts so necessary in a world conducive to peace? Do you agree with his assessment of morality and politics?</p>
1-13	<p>Tribunal II “Humanitarian Intervention and Kosovo, 1999” Walzer 6</p> <p>1. Why does Mill contend that, given what liberty is, interventions necessarily fail to uphold liberty? Why does Walzer contend that prudence and justice might be used to understand the mixed-motives of intervention?</p>
1-14	<p>The Lingering Fact of Power Morgenthau, Excerpts from Politics Among Nations Niebuhr, “Why Christianity is not Pacifist” Walzer, 7</p> <p>1. Do Morgenthau and Niebuhr share a similar view of morality? Does this view of morality differ from what Walzer argues when defending the importance of winning?</p>
1-15	<p>Modern Responses to Violence Thoreau, “On Civil Disobedience” Gandhi, “The Secret of Satyagraha” and “My Faith in Nonviolence” MLK, Jr. “My Pilgrimage to Nonviolence” Walzer (Afterward)</p> <p>1. Thoreau argues that the modern war-making state is a threat to individual freedom. What are his reasons for making this claim? What type of government would he prefer? What does he expect from the individual citizen? Do you agree with him? Why or why not?</p> <p>2. Martin Luther King tells us that he was influenced by Thoreau and Gandhi as well as Niebuhr. How does he combine these seemingly opposed positions on violence? Do you think that MLK's vision is applicable to the problem of war? Why or why not?</p>
1-18	<p>Tribunal III “Sieges, Blockades, and Leningrad” Walzer 8 & 9</p> <p>When can a siege be justified? In what way could one interpret ‘multilateral economic sanctions’ as a modern form of either a siege or a blockade? Given the fact that innocent civilians are affected, how can we determine the moral limitations on such actions?</p>
1-19	<p>Resurgence of Idealism Rawls, “Law of Peoples”</p> <p>1. How does a ‘constructivist procedure’ operate according to Rawls? In what way is Rawls following Kant’s approach in <i>Perpetual Peace</i>?</p> <p>2. How does Rawls define human rights? What roles do human rights play for Rawls? Is this similar to Walzer’s discussion of rights as a way past utilitarian thinking on the war convention?</p>

1-20	<p>Necessity, Revolution, and Self-determination Film: <i>The Battle of Algiers</i> Walzer 11 & 12</p> <p>1. Consider the story of the ‘potato partisans’ at the beginning of chapter 11 in Walzer. How is it that their actions are not murder? How can their actions be legally justified? Morally justified? Do you agree or disagree with Walzer and why?</p> <p>2. ‘The revolutionary reveals his freedom in the same way as he earns it, by directly confronting his enemies and refraining from attacks on anyone else.’ Is this quotation from Walzer accurate or does it represent a Western moralizing that fundamentally misunderstands the practical problems of fighting in a revolutionary struggle?</p>
1-21	<p>Tribunal V “Supreme Emergency and the Bombing of German Cities” Walzer 16</p> <p>When can a ‘supreme emergency’ argument be justifiably offered? Why, then, does Walzer argue that Hiroshima was unjustified? What, if anything, justifies the bombing of civilian populations?</p>
1-22	<p>Dilemmas and Responsibilities Walzer 18, 19</p> <p>1. Are democratic citizens <i>equally</i> responsible for the actions of their state? Does Walzer allow for sufficient differentiation of moral blame under conditions of collective responsibility?</p>
1-25	<p>Terrorism and Targeted Killings Film: <i>Munich</i> Summary of Israeli Supreme Court Ruling on Targeted Killings CFR Background Report on Targeted Killings McCready, “Now More Than Ever” The Drone Papers, <i>The Intercept</i></p> <p>This Israeli Supreme Court ruling was delivered by the celebrated jurist Aharon Barak (known as the “John Marshall” of Israel). Look closely at the argument. How does the court approach the problem of distinguishing between civilian and combatant? Under what conditions are “targeted killings” justified? Do you agree? Why or why not?</p>
1-26	<p>Terror, Drugs, Poverty – New or Old Wars? Drug War Mexico, selections Multitude, selections</p> <p>Are these <i>actually</i> wars? Why or why not? Can war be waged against an idea/ideology? How do economic and social factors condition how we think about contemporary forms of violence and warfare?</p>

1-27	Collective Responsibility and Terrorism Walzer, 18 and 19 Obama, “Remarks by the President at the Acceptance of the Nobel Peace Prize”
1-28	Reading/Review Day
1-29	Final Exam

Transhistorical International War Ethics Tribunal (TIWET)

A large portion of your work this term will be devoted to presenting a case before a fictitious Transhistorical International War Ethics Tribunal (TIWET). In teams of four or five, you will research a particular historical event, analyze the actions of institutional and state actors involved, and present an argument before the Tribunal concerning the moral culpability of those actors.

Writing a Brief

You will be part of either the Prosecution or Defense Team in a case that I will assign to you. Both teams will submit a single brief (explaining the charge, the historical and military context, any relevant evidence, and the conclusions of the team) by 12 am the night before the trial. The brief should be submitted to the class alias so that everyone involved in the trial has access to it. The brief must include all evidence and argumentation that will be presented at the trial. Anything not included in the brief will be impermissible during the trial. This brief should be at least *five pages long* and include four sections labeled (1) Historical Context, (2) Moral and Ethical Issues, (3) Argument Concerning Culpability, and (4) References Cited.

To do well on this assignment, you will need to show that you not only know all of the facts of the case but are also able to address the larger moral issues involved. This tribunal is not aimed at determining strictly legal guilt or innocence, but ethical culpability. You will need to present a persuasive argument supported by at least three scholarly sources (scholarly monographs or journal articles cited correctly and listed in a references section at the end of the paper). A persuasive argument will need to take into account plausible counter-arguments.

Arguing your Case

In addition to submitting a brief, your team will also argue your case in front of the entire Tribunal (which will consist of the rest of the class). Team members should wear appropriate attire for the Tribunal and present their case in a professional manner. If you plan to use audio/visual materials, please inform your instructors prior to the trial day.

Prosecution/Defense Team Responsibilities during Trial (every member must speak)

1. Initial presentation (1-2 students)
2. Cross-examination (1 student)

3. Response to all questions (1 student)
4. Final argument (1 student)

TIWET Trial Procedures

1. Prosecution presents indictment, explaining the context of the action, and offering evidence of moral and ethical wrongdoing (15 minutes)
2. Tribunal asks Prosecution clarifying questions (5 minutes)
3. Defense team responds to indictment, describing alternative context, explain mitigating circumstances, or offering counter-evidence (15 minutes)
4. Tribunal asks Defense Team clarifying questions (5 minutes)
5. Prosecution cross-examines Defense Team (5 minutes)
6. Prosecution offers final arguments (5 minutes)
7. Defense team cross-examines Prosecution (5 minutes)
8. Defense team offers final arguments (5 minutes)
9. Prosecution and Defense Teams exit and Tribunal deliberates and votes (15 minutes)
10. The Speaker for Tribunal presents decision to Prosecution and Defense Teams.

(each team will also have a total of 4 minutes prep time to be used during the trial)

The following acts constitute culpable actions within the jurisdiction of the TIWET:

- (a) **CRIMES AGAINST PEACE:** namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;
- (b) **WAR CRIMES:** namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;
- (c) **CRIMES AGAINST HUMANITY:** namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated. (Actual wording from the Charter of the International Military Tribunal (1945) II.6).

To get credit for this assignment, you must submit your brief on time (12 am on the night before the trial) and participate in the trial (absences will result in no credit for participation). Your Tribunal Grade will consist of 35% of your course grade (20% of which will be the brief, 10% trial, and 5% peer review).