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*Course Guide*

# The Ethics of War and Peace

## FK6080

*Academic year*  
2013 | 2014

**Course Coordinator: Dr. Henrik Syse**

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The last 100 years have seen brutal wars, murderous totalitarian regimes, genocide, and nuclear weapons. But we have also witnessed – to a certain extent *because* of the facts just mentioned – an unprecedented development of international law, a great resurgence of interest in international ethics and the ethics of war, humanitarian initiatives on a large scale, and the founding of international organizations such as the United Nations, designed to foster peace and international cooperation.

In this course, we will delve into the contents and background of one of the most important developments of late 20<sup>th</sup> century thought about war: namely, the resurgence of the “just war” idea. The idea of justice in war, and the need to restrain the use of violent force, has a long history in the Western tradition, with interesting parallels in other traditions. It is different from political realism on the one hand and from pacifism on the other, yet shares important traits with both.

The course will analyze some of the most important contributions to the ethics of war. We will first look at the basic rationale for, and organizing of, the just war idea in modern texts, by focusing on excerpts from Michael Walzer’s seminal *Just and Unjust Wars* together with other important texts. Thereafter, we will study texts from some key historical figures who have contributed to the ethics of war, before finishing the semester with a return to our own age and current debates.

The aim of the course is to gain knowledge of the main ethical concepts we need to know in order to be able to debate the morality of using armed force, and to relate this to the quest for stable, peaceful solutions to armed conflict. We will be debating both the question of when to use armed force (*ius ad bellum*) and how to employ it (*ius in bello*). Since these questions are intimately related to questions about how war can end peacefully, and indeed how war can be avoided overall, we have decided to call the course “The Ethics of War and Peace”, even though our focus is on the use of armed force.

### **Coordinator and lecturer:**

Dr. Henrik Syse, PRIO (Peace Research Institute Oslo), Ph. 22 54 77 00 / 930 62 567, E-mail: [henrik@prio.no](mailto:henrik@prio.no)

### **Co-lecturer:**

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### **Main books to be bought**

Gregory M. Reichberg, Henrik Syse, and Endre Begby, *The Ethics of War: Classic and Contemporary Readings*. Oxford: Blackwell, 2006.

Michael Walzer, *Just and Unjust Wars*. New York: Basic Books, 1977 (or later editions).

There is also a course compendium, comprising both essential readings (i.e., part of the course curriculum) and some recommended additional (supplementary) readings.

## Course requirements

*The Ethics of War and Peace* makes up ten credits in the Norwegian Credit-system of higher education. The final grade in this course is a product of an essay and an exam. The essay, which is due on **Wednesday 27 November**, counts for 60 % of the final grade. The length of the essay is 2000 words (+/- 10 %, reference list excluded). The exam will be held on **Tuesday 10 December**, and counts for 40 % of the final grade.

### Essay

Due: November 27, 2013  
Length: 2,000 words  
Weighting: 60%  
Topic: Of your choice but related to course and to be discussed with, and agreed to by, the lecturers.

### Final examination (closed book)

Date: December 10, 2013  
Length: 3 hours  
Weighting: 40%

## **Overview of seminars:**

Seminar 1	Thursday September 5	<b>Introduction to basic concepts / Michael Walzer's "Against Realism"</b>
Seminars 2 & 3	Thursday Sept. 12 & 19	<b><i>Ius ad bellum</i>: When is it right to go to war?</b>
Seminars 4 & 5	Thursday Sept. 26 & Oct. 10	<b><i>Ius in bello</i>: What is it right to do in war?</b>
Seminar 6	Thursday October 17	<b>Plato</b>
Seminar 7	Thursday October 24	<b>Augustine and Aquinas</b>
Seminar 8	Thursday October 31	<b>Grotius</b>
Seminar 9	Thursday November 21	<b>Humanitarian intervention and the "Responsibility to Protect" (R2P)</b>
Seminar 10	Thursday November 28	<b>Responsibility and culpability for war crimes + Summary of semester</b>

*Please note: No regular classes on October 3, November 7, and November 14.  
Check Qybele for information about time and venue.*

## **Discussion seminars:**

Discussion seminar 1	Thursday September 26	<b>Topic: TBA</b>
Discussion seminar 1	Thursday November 14	<b>Topic: TBA</b>

*Please note: Additional seminars can be added. Dates and themes will be announced on Qybele.*

\* Changes may occur

**Seminar 1****Introduction**

Introduction to the topics that will be discussed. Basic questions to be raised:

- What is ethics?
- What are the main traditions for thinking about international justice and the ethics of war?
- How relevant are these theoretical distinctions today?
- What is the distinction between just war and political realism?

**Essential reading**

- Walzer, Michael (1977 [or later editions]). *Just and Unjust Wars*. New York: Basic Books, pp. 3-47.
- Reichberg, Gregory, Henrik Syse, and Endre Begby (2006). "Preface", in Reichberg et al., *Ethics of War*. Oxford: Blackwell, pp. viii-xii.

**Supplementary reading**

- Donnelly, Jack (2000). *The Realist Tradition*. Cambridge: Cambridge University Press, pp. 6-42. [In the compendium.]
- Walzer, Michael (1977 [or later editions]): *Just and Unjust Wars*. New York: Basic Books: pp. 51-124.

**Seminar 2, 3, 4 & 5**

***Ius ad bellum and ius in bello***

We will carefully go through and explain the criteria normally listed for the justice for going to war (*ius ad bellum*) and for how war can be fought justly (*ius in bello*), the latter with special attention to the body of international law known as the Laws of Armed Conflict. We will also discuss the relationship between *ius ad bellum* and *ius in bello*.

**Essential reading**

- Thomas Aquinas, "Question 40: On War", from *Summa Theologiae*, II-II, in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell: pp. 176-182.
- National Conference of Catholic Bishops, "A Presumption against War", in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell: pp. 669-682.
- Johnson, James Turner (1984). "The Utility of Just War Categories", in: *Can Modern War Be Just?* New Haven: Yale University Press: pp. 11-29. [In the compendium.]

**Supplementary reading**

- Johnson, James Turner (1999), "War Against Noncombatants", in: *Morality and Contemporary Warfare*. New Haven: Yale University Press: pp. 119-158. [In the compendium.]
- Reichberg, Gregory and Henrik Syse (2004). "The Idea of Double Effect – in War and Business", in: *Responsibility in World Business*. Tokyo: United Nations University Press, pp. 17–38. [In the compendium.]
- The texts of the Four Geneva Conventions (available at [http://en.wikisource.org/wiki/Geneva\\_Convention](http://en.wikisource.org/wiki/Geneva_Convention)).
- Syse, Henrik & Helene Ingierd (2005). "What Constitutes a Legitimate Authority?", *Social Alternatives*, vol. 24, no. 3, 2006, pp. 11-16. [In the compendium.]

Note also: A separate handout with an overview of international-law documents will be distributed before the discussion in *ius in bello*.

**Seminar 6****Plato**

Almost all of the dialogues of Plato are set shortly before, during, or in the years right after the Peloponnesian War, 5th century BC, at a time when traditional norms of war in Greek society largely broke down; yet few have searched in Plato's ethical dialogues for a teaching about the ethics of war. Such a search is rewarding, for we find important clues about the justice of war and peace in several of his dialogues – clues that directly and indirectly inspired some of the later most important thinkers to address justice in war, such as Cicero and Augustine.

**Essential reading**

- "Plato: Tempering War among the Greeks", in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell, pp. 18-30.

**Supplementary reading**

- "Cicero: Civic Virtue as the Foundation of Peace", in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell, pp. 50-59.
- Syse, Henrik (2006). "Plato, Thucydides, and the Education of Alcibiades", *Journal of Military Ethics*, vol. 5, no. 4, pp. 290-302.

**Seminar 7**

## **Augustine and Aquinas**

St. Augustine, bishop of Hippo in North Africa in the early 5<sup>th</sup> century AD, and Thomas Aquinas, a teacher and monk in Italy and France in the 13<sup>th</sup> century AD, are often considered the most influential shapers of the just war tradition prior to modern times. We will look at the following important aspects of their thought: (1) is it ever right for a Christian to use armed force? (2) what is the relationship of war to peace? (3) what are the most important criteria for using armed force? and (3) can force ever be used in the service of religion?

***Essential reading***

- “Augustine: Just War in the Service of Peace”, in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell, pp. 70-90.
- Excerpts from “Thomas Aquinas: Just War and Sins against Peace”, in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell, pp. 182–193, (See also readings for seminars 3 & 4.)



**Seminar 8****Grotius**

Hugo Grotius is one of the most important thinkers to shape the modern idea of international law, laying out a more or less full-fledged system comprising both *ius ad bellum* and *ius in bello*, based on a basic idea of right (and rights) in war. We will look at some of the most important and enduring claims made by Grotius.

**Essential reading**

- Excerpts from “Hugo Grotius: The Theory of Just War Systematized,” in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell, pp. 421–437.

**Seminar 9**

## **Humanitarian Intervention and the Responsibility to Protect**

The phrase “responsibility to protect” has come to denote the idea that the world community – or at least the stronger members of the world community – has (or have) an obligation to defend its weaker members from the extreme suffering resulting from ethnic cleansing, genocide, and similar large-scale atrocities. What is the basis of this assumption, and how can such an idea be worked out in practice? And, furthermore, what are the responsibilities of us all – not least including intellectuals – to fight large-scale evil?

**Essential reading**

- International Commission on Intervention and State Sovereignty (2001). “Rights and Responsibilities”, chapter 6 in *The Responsibility to Protect: Research, Bibliography, and Background*. Ottawa: International Development Research Centre, pp. 129–154. [In the compendium.]
- Vetlesen, Arne Johan (2007). “Genocide: A Case for the Responsibility of the Bystander”, chapter 15 in Reichberg and Syse (eds.), *Ethics, Nationalism, and Just War*. Washington, DC: Catholic University of America Press, pp.352–371. [In the compendium.]
- Walzer, Michael (2004). “Two Kinds of Military Responsibility”, chapter 2 in *Arguing about War*, New Haven: Yale University Press, pp. 23-32. [In the compendium.]

**Supplementary reading**

- International Commission on Intervention and State Sovereignty (2001). *Responsibility to Protect*. Ottawa: International Development Research Centre.
- “John Locke: The Rights of Man and the Limits of Just Warfare”, in: Reichberg et al. (2006), *The Ethics of War*. Oxford: Blackwell, pp. 462-468.

**Seminar 10****Responsibility and Culpability for War Crimes**

We will finish the course by looking at responsibility and culpability for war crimes, one of the most important topics within the normative debate about war over the last century, and one that usefully sums up the concrete ramifications of moral and legal norms of war.

**Essential reading**

- May, Larry (2007). *War Crimes and Just War*. Cambridge: Cambridge University Press, pp. 235-255, 279-300. [In the compendium.]

**Supplementary reading**

- Ingierd, Helene and Henrik Syse (2005). "Responsibility and Culpability in War", *Journal of Military Ethics*, vol. 4, no. 2, pp. 85–99.
- Walzer, Michael (1977 [or later editions]). *Just and Unjust Wars*. New York: Basic Books, pp. 304-320.

### **SOME ADDITIONAL BACKGROUND LITERATURE**

**(The works listed below constitute some additional background literature that may profitably be consulted, for instance, when preparing papers.)**

- Amstutz, Mark R. (1999). *International Ethics*. Lanham: University Press of America.
- Begby, Endre (2003). "Liberty, Statehood and Sovereignty: Walzer on Mill on Non-intervention", *Journal of Military Ethics*, vol. 2, no. 1: pp. 46-62.
- Coady, A. C. J. (2008). *Morality and Political Violence*. Cambridge: Cambridge University Press.
- Coleman, Stephen (2012). *Military Ethics: An Introduction with Case Studies*. Oxford: Oxford University Press.
- Elshtain, Jean B. (2003). *Just War against Terror*. New York: Basic Books.
- Gray, Christine (2000). *International Law and the Use of Force*. Oxford: Oxford University Press.
- Johnson, James Turner (1975). *Ideology, Reason, and the Limitation of War*. Princeton: Princeton University Press.
- Johnson, James Turner (1997). *The Holy War Idea in Western and Islamic Traditions*. University Park: Pennsylvania State University Press.
- Keegan, John (1993). *A History of Warfare*. New York: Vintage Books.
- Miller, Richard (1991). *Interpretations of Conflict*. Chicago: University of Chicago Press.
- Morgenthau, Hans J. (1948). *Politics among Nations: The Struggle for Power and Peace*. New York: Alfred Knopf.
- Nardin, Terry and David R. Mapel, eds. (1992). *Traditions of International Ethics*. Cambridge: Cambridge University Press.
- Nardin, Terry, ed. (1996). *The Ethics of War and Peace: Religious and Secular Perspectives*. Princeton: Princeton University Press.
- O'Donovan, Oliver (2003). *The Just War Revisited*. Cambridge: Cambridge University Press.
- Osiel, Mark (1999). *Obeying Orders*. New Brunswick: Transaction.
- Popovsky, Vesselin; Gregory Reichberg, and Nicholas Turner, eds. (2008). *World Religions and Norms of War*. Tokyo: United Nations University Press.
- Ramsey, Paul (1968). *The Just War – Force and Political Responsibility*. New York: Charles Scribner's Sons.
- Regan, Richard (1996). *Just War – Principles and Cases*. Washington, DC: Catholic University of America Press.
- Rodin, David (2002). *War and Self-Defense*. Oxford: Clarendon Press.
- Tuck, Richard (1999). *The Rights of War and Peace*. Oxford: Oxford University Press.
- Various conventions: 1949 & 1977 Geneva Conventions and Additional Protocols, 1948 United Nations Convention on the Prevention and Punishment of Genocide, 1978 Red Cross Rules of International Humanitarian Law Applicable in Armed Conflicts.
- Waltz, Kenneth N. ([1954]2001). *Man, the State, and War*. New York: Columbia University Press.