

ETHICS OF WAR AND PEACE

COURSE NUMBER: TESP 159

SECTION NUMBER: 51808

SPRING 2016: MWF 2:15-3:20 p.m.

ROOM: Kenna Hall 109

INSTRUCTOR: Dr. David DeCosse

OFFICE HOURS: Thursdays, 3 to 4 p.m. and by appointment

FOR MEETING DURING REGULAR OFFICE HOURS: Please go to Kenna 307

FOR MEETING AT OTHER TIMES: Please go to Room 172, Markkula Center for Applied Ethics (the Ethics Center is on the first floor of the Arts and Sciences Building)

CONTACT INFO: Phone: 554-5715, email: ddecosse@scu.edu

Academic Integrity Pledge: "I am committed to being a person of integrity. I pledge, as a member of the Santa Clara University community, to abide by and uphold the standards of academic integrity contained in the Student Conduct Code."

- This pledge is a formal part of the academic integrity policy of Santa Clara University. We will discuss the pledge at the start of the quarter; take an occasion to write it out; and discuss it during the quarter in light of assignments.
- All standards of academic integrity at Santa Clara University will be strictly adhered to. Failure to observe these standards will result in failure of the class.

Purpose: The purpose of the class is twofold: First, to acquaint students with key elements in the Western philosophical and theological tradition of moral reasoning on war and peace. Second, to invite students to apply this moral reasoning to contemporary questions of war and peace.

Core Curriculum and Applied Ethics Pathway: This class fulfills the Ethics Core requirement; the Religion, Theology, and Culture 3 requirement; and is part of the Applied Ethics Pathway. Please see below more information about each of these curricular categories.

PLEASE NOTE: ONLY ENGINEERING MAJORS MAY "DOUBLE DIP" IN THIS CLASS TO SATISFY THE ETHICS AND RTC3 CORE REQUIREMENTS. ALL OTHER STUDENTS MUST CHOOSE WHICH, IF ANY, CORE REQUIREMENT THE CLASS WILL SATISFY.

Ethics Core – Learning Objectives:

1. Be able to reason ethically by drawing on major ethical theories and traditions, (e.g. virtue ethics, feminist ethics, deontological or consequentialist theories); by normatively assessing individual, professional, and institutional decisions; and by articulating their personal engagement with the meaning of the right and the good.
2. Be able to analyze, critically evaluate, and apply major ethical theories and traditions to significant personal, professional, and institutional decisions. As part of such efforts, students will be able to articulate how they understand some central ethical concepts such as justice, happiness, the good, virtue, dignity, rights, and equality.
3. Be able to demonstrate appreciation of nuance and ambiguity, as well as clarity and precision, in their thinking and writing about moral problems, concepts, and ideals.

4. Reflect on their own ethical decisions and actions, on their roles as morally responsible members of the human community, and on what it means to be a good person.

Religion, Theology, and Culture 3 – Learning Objectives:

1. Identify diverse perspectives and evaluate ethical positions on contemporary questions.
2. Evaluate and apply insights from the study of religion to open-ended questions facing contemporary society.

Applied Ethics Pathway and Related Materials:

EVERYTHING YOU NEED TO KNOW ABOUT PATHWAYS

You can find information about Pathways on the Core Curriculum website <http://scu.edu/core> including specific Pathways, all courses associated with them, and the Reflection Essay prompt and rubric used to evaluate the final essay you will submit. <http://www.scu.edu/provost/ugst/core/pathways/resources/>

SAVE YOUR WORK FROM THIS CLASS

If you declare this Pathway, you may use a representative piece of work from this course as one of the Pathway materials you will upload via eCampus during your junior or senior year. Therefore, we recommend that you keep electronic copies of your work using Dropbox or Google Docs, in addition to saving copies on your own computer or flash drives. This may ensure you will have a range of choices for retrieving your saved files when you analyze and assemble your Pathway materials in preparation to write the Pathway reflection essay.

Required Texts:

Just and Unjust Wars, 5TH Edition by Michael Walzer

Jesus and Nonviolence: A Third Way by Walter Wink

Killing from the Inside Out: Moral Injury and Just War by Robert Emmet Meagher

***Many of the readings for the class are available on CAMINO and elsewhere online (URLs are provided on this syllabus). Students should consider getting a binder or folder to keep these readings in order.

***Handouts will be occasionally provided in class.

Requirements:

Class Participation: Discussion in class is a crucial aspect of TESP 159. Hence, students are required to complete all reading before class for which reading is assigned; to consider the reading in light of the “focus question(s)” assigned for each class; and to be prepared to discuss the reading in class. ONLY TWO UNEXCUSED ABSENCES from class permitted without resulting in reduction in grade. Class participation grades will be handed out at the time of each mid-term exercise. QUIZ ON JUST WAR CRITERIA INCLUDED AS PART OF PARTICIPATION GRADE. DISCUSSION LEADER ROLE ALSO PART OF PARTICIPATION GRADE. 20% of final grade.

Three-to-Five Page Paper: 10% of final grade

Take-Home Midterm: 30% of final grade

Take-Home Final Exam: 40% of final grade.

Standards of Evaluation: Class discussion is guided by two ethical norms: freedom and respect. Freedom is the primary norm: no one should be hindered from saying what she or he thinks. At the same time, every effort should be made to say, especially difficult things, with the greatest

respect for those in the class and outside the classroom. Student class participation will be evaluated on the basis of the willingness to speak up; the quality of reasoning in what is said; the ability to express a perspective with which one disagrees; and the respect with which one speaks and listens to one's peers in this class. Student exams and papers will be evaluated on the basis of accurate description of key points in the reading material; the cogency of applying reading material to practical situations; a willingness to take clear positions (even if the clear position is one affirming complexity); and the quality of writing (including grammar and spelling).

Disability Accommodation Policy: If you have a documented disability for which accommodations may be required in this class, please contact Disabilities Resources, Benson 216, www.scu.edu/disabilities, as soon as possible to discuss your needs and register for accommodations with the University. If you have already arranged accommodations through Disabilities Resources, please initiate a conversation with me about your accommodations during my office hours within the first two weeks of class. Students who are pregnant and parenting may also be eligible for accommodations. Accommodations will only be provided after I have verification of your accommodations as approved by Disabilities Resources, and with sufficient lead time for me to arrange testing or other accommodations. For more information you may contact Disabilities Resources at [408-554-4109](tel:408-554-4109) OR TTY 554-5445.

Sexual Harassment and Discrimination (Title IX): Santa Clara University upholds a zero tolerance policy for discrimination, harassment and sexual misconduct. If you (or someone you know) have experienced discrimination or harassment, including sexual assault, domestic and dating violence or stalking, we encourage you to tell someone promptly. For more information, please go to www.scu.edu/studentlife/about/osl.cfm and click on the link for the University's [Gender-Based Discrimination and Sexual Misconduct Policy](#) or contact the University's EEO and Title IX Coordinator, Belinda Guthrie, at [408-554-3043](tel:408-554-3043) or by email at bguthrie@scu.edu. Reports may be submitted online through www.scu.edu/osl/report or anonymously through Ethicspoint: www.ethicspoint.com or <http://stage-www.scu.edu/hr/quick-links/ethics-point/>

Classes:

April 3: Introduction

- “Framework for Thinking Ethically,” Markkula Center for Applied Ethics; available at <http://www.scu.edu/ethics/practicing/decision/framework.html>
- “US Airstrikes are Killing a Lot More Civilians and No One is Sure Why,” by Zeesham Aleem, *Vox*, March 28, 2017; available at <http://www.vox.com/world/2017/3/28/15074216/iraq-syria-civilian-death-increasing>
- Isaiah 2: 1-5 – “Swords Into Plowshares”

April 5: Should a Christian Reject War: The Sermon on the Mount

- “Sermon on the Mount,” The Gospel of Matthew, Chapters 5:38-48 (CANVAS)
- Selections from “A Critical and Exegetical Commentary on The Gospel According to St. Matthew” by Davies and Allison, pp. 538-564 (CANVAS)
- “The Hermeneutical Challenge,” by William Spohn from What They Are Saying About Scripture and Ethics, pp 8-11 (CANVAS)

April 7: Race, Police, Use of Force, and Community

■ **VISITOR TO CLASS: SANTA CLARA COUNTY DEPUTY DISTRICT ATTORNEY CHRISTOPHER BOSCIA**

April 10: Race, Police, Use of Force, and Community II

- “Chokeholds, Eric Garner, and Police Ethics,” by John Kleinig, August 22, 2014, The Critique: Black Lives Matter – The Problem of Race and Police Ethics, Part I; available at <http://www.thecritique.com/articles/chokeholds-eric-garner-and-police-ethics/>

April 12: Race, Police, Use of Force, and Community III

- “The Disproportionate Risks of Driving While Black,” by Sharon LaFraniere and Andrew W. Lehren, The New York Times, October 24, 2015; available at http://www.nytimes.com/2015/10/25/us/racial-disparity-traffic-stops-driving-black.html?_r=0
- “Conscience Formation and the Challenge of Unconscious Racial Bias,” by Bryan Massingale, in Conscience and Catholicism: Rights, Responsibilities, and Institutional Responses (Orbis 2015): 53-69 (CANVAS)

April 17: Courage: Is Military Valor the Greatest Form of Courage?

- Aristotle, “Courage,” in Nicomachean Ethics, Book 3, Chapters 5 and 6; in the Ostwald edition, pp. 64-77 (CAMINO)
- Over the next two classes, watch ONLY ONE of the following films: “Restrepo: One Platoon, One Valley, One Year” by Tim Hetherington and Sebastian Junger (2010); “The Seven Samurai” by Akira Kurosawa (1954); or ONE of The Hunger Games movies (2012; ’13, ’14, and ’15)

April 19: Courage II: Aquinas, Martyrdom, and the Purpose of Courage

- “Whether Fortitude is Properly About Dangers of Death in Battle?” Thomas Aquinas, ST Q123, A5; available at <http://www.newadvent.org/summa/3123.htm#article5>
- “Archbishop Oscar Romero: The Last Sermon, March 1980,” available at <https://goo.gl/EZqVnF>

April 21: Ethics, Combat, and Draft Registration for Women?

- “Backgrounder: Women and the Draft,” Selective Service System, United States Government, January 2016; available at <https://www.sss.gov/Registration/Women-And-Draft/Backgrounder-Women-and-the-Draft>
- “Congress Drops Plans to Make Women Register for Draft,” by Rebecca Kheel, The Hill, November 29, 2016; available at

<http://thehill.com/policy/defense/308014-congress-drops-plans-to-make-women-register-for-draft>

- “Women at War: The Ethics of Women in Combat,” Lucinda Peach, Hamline Journal of Public Law and Policy, 1994, pp. 199-241; available at <http://heinonline.org/HOL/Page?handle=hein.journals/hplp15&div=15§ion=1&collection=journals>
- Selection from War and Gender: How Gender Shapes the War System and Vice Versa by Joshua Goldstein (Cambridge 2001) (CANVAS)

April 24: Conscience, Citizenship, War

- “Just Warriors, Unjust Wars? Deciding When It’s All Right to Fight,” by Bernard G. Prusak, Commonweal, February 7, 2014; available at <https://www.commonwealmagazine.org/just-warriors-unjust-wars>
- “The Man Who Said No: Franz Jagerstatter,” by Tobias Wolff, in Not Less Than Everything: Catholic Writers on Heroes of Conscience from Joan of Arc to Oscar Romero, pp. 300-314 (CAMINO)

***** 3 TO 5 PAGE PAPER DUE IN CLASS ON WED, APRIL 26*****

April 26: Jus ad bellum and the Crime of War

- Walzer, Just and Unjust Wars: 3-13 AND 29-33
- ONLY READ “Jus ad bellum” criteria/explanation from the online Stanford Encyclopedia of Philosophy; available at <https://plato.stanford.edu/archives/spr2016/entries/war/#2.1>
- SKIM Readings from the United Nations Charter: Chapter 7 (especially Article 51); available at <http://www.un.org/en/sections/un-charter/chapter-vii/>
- SKIM “Proclamation of the Irish Republic,” April 24, 1916; available at <http://www.nli.ie/1916/pdf/1.intro.pdf>

April 28: Jus ad bellum: Pre-emption and Nuclear Weapons in North Korea

- “Anticipations,” Just and Unjust Wars, 74-85
- “North Korea Missile Test Delivers Early Challenge to Trump and Abe,” by Jesse Johnson, Japan Times, February 13, 2017; available at <https://goo.gl/BsPD1K>
- “Misconceptions About North Korea’s Nuclear Ambitions,” by Daniel Pinkston, NK News, March 29, 2016; available at <https://goo.gl/eJNJJY>
- “The Risk of Pre-emptive Strikes Against North Korean,” by Max Fisher, The New York Times, March 18, 2017; available at <https://www.nytimes.com/2017/03/18/world/asia/us-north-korea-weapons.html>

May 1: The Stuxnet Virus, Russia and the Election, and Just War Theory

- View in class: “Stuxnet: Anatomy of a Computer Virus,” from “60 Minutes”; available at: <http://vimeo.com/25118844>
- “The Perfect Weapon: How Russian Cyberpower Invaded the U.S.,” by Eric Lipton, David E. Sanger, and Scott Shane, The New York Times, December 16, 2016; available at https://www.nytimes.com/2016/12/13/us/politics/russia-hack-election-dnc.html?emc=eta1&_r=0
- “Is It Possible to Wage a Just Cyberwar?” by Patrick Lin, Fritz Allhoff, and Neil Rowe, The Atlantic, June 5, 2012; available at <http://www.theatlantic.com/technology/archive/2012/06/is-it-possible-to-wage-a-just-cyberwar/258106/>
- “Cheney: Russian Meddling Possibly an Act of War,” by Nolan McKaskill, Politico, March 27, 2017; available at <http://www.politico.com/story/2017/03/dick-cheney-russia-2016-election-act-of-war-236556>

*****MAY 3: IN CLASS ON QUIZ ON JUS AD BELLUM CRITERIA*****

May 3: Jus ad bellum: Interventions and the Islamic State

- “Interventions,” Just and Unjust Wars: 86-108
- “The Responsibility to Protect,” from the website of the UN Office of the Special Adviser on the Prevention of Genocide; available at <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml>
- Draft Joint U.S. Congressional Resolution on Use of Military Force Against ISIS, February 11, 2015; available at https://www.whitehouse.gov/sites/default/files/docs/aumf_02112015.pdf
- “What is the Islamic State?,” Council on Foreign Relations, November 16, 2015; available at <http://www.pbs.org/newshour/rundown/what-is-islamic-state-iraq-and-syria/>

May 5: Jus ad bellum: Interventions and the Islamic State II

- VISITOR TO CLASS: Professor David Pinault, SCU Religious Studies
- “Three Friends, One Jihadi,” video, The New York Times, by Mona El-Naggar and Ben Laffin, February 18, 2015; available at <https://www.nytimes.com/video/world/middleeast/100000003517767/fit-for-isis.html>
- “What ISIS Really Wants,” Graeme Wood, Atlantic, March 2015; available at <http://www.theatlantic.com/magazine/archive/2015/03/what-isis-really-wants/384980/>
- “What the Atlantic Gets Dangerously Wrong About ISIS,” by Jack Jenkins, ThinkProgress, February 18, 2015; available at <http://thinkprogress.org/world/2015/02/18/3624121/atlantic-gets-dangerously-wrong-isis-islam/>

May 8: Jus in bello and the Rules of War

- “The Rules of War,” Just and Unjust Wars: xiii-xxii AND 41-48
- ONLY READ “Jus in bello” criteria/explanation from the Stanford Encyclopedia of Philosophy; available at <https://plato.stanford.edu/archives/spr2016/entries/war/#2.2>
- War in Gaza: “Asymmetries and Proportionalities,” by Laurie Blank, The Hill, July 29, 2014; available at <http://thehill.com/blogs/pundits-blog/international/213546-asymmetries-and-proportionalities>

May 10: Jus in bello and Terrorism

- “Terrorism,” Just and Unjust Wars: 197-206
- “Jahar’s World,” by Janet Reitman, Rolling Stone, August 1, 2013; available at <http://www.rollingstone.com/culture/news/jahars-world-20130717>
- View in Class: Selection from “Battle for Algiers: The Milk Bar Scene,” available at <http://www.youtube.com/watch?v=0oAtMMvnDy0>
- View in Class: Footage from Boston Bombing; available at <http://www.youtube.com/watch?v=-xiXroQp8t4>

May 12: Jus in Bello and Torture

- “The Truth About Torture: It’s Time to Be Honest About Doing Terrible Things,” by Charles Krauthammer, The Weekly Standard, December 5, 2005; (CANVAS)
- “The Abolition of Torture: Saving the United States From a Totalitarian Future,” by Andrew Sullivan, The New Republic, December 19, 2005; (CANVAS)
- “Tales From Torture’s Dark World,” Mark Danner, The New York Times, March 15, 2009; available <http://www.nytimes.com/2009/03/15/opinion/15danner.html>
- Text of Common Article 3 of the Geneva Conventions; available at <http://www.nytimes.com/ref/us/AP-Guantanamo-Geneva-Conventions.html>

May 15: Walzer’s “Theory of Aggression”

- “Law and Order in International Society,” Just and Unjust Wars: 51-73 (ESPECIALLY pp. 58-63)
- “Universal Declaration of Human Rights,” United Nations; available at <http://www.un.org/en/documents/udhr/>
- Selection on relativism and universal human rights (CANVAS)

May 17: The Theory of Aggression, the South China Sea, and the “Gray Zone”

- “What China Has Been Building in the South China Sea,” by Derek Watkins, The New York Times, February 29, 2016; available at <https://goo.gl/zaO9bE>

- “International Law is Under Siege in the South China Sea,” by Douglas Gates, The Diplomat, January 21, 2017; available at <http://thediplomat.com/2017/01/international-law-is-under-siege-in-the-south-china-sea/>
- “Understanding China’s Position in the South China Sea Disputes,” Institute for Development and Security Policy, June 2016; available at <http://isdp.eu/publication/understanding-chinas-position-south-china-sea-disputes/>
- “Paradoxes of the Gray Zone,” by Hal Brands, Foreign Policy Research Institute, E-Notes, February 5, 2016; available at <http://www.fpri.org/article/2016/02/paradoxes-gray-zone/>

May 19:

Jus post bellum

- “Justice After War,” by Brian Orend, Ethics and International Affairs 2002: 43-56 (CAMINO)
- “Lessons in Mercy: Justice and Reconciliation in the Aftermath of Atrocities,” by Daniel Philpott, America, May 4, 2009, pp. 11-14; available at <http://americamagazine.org/issue/696/article/lessons-mercy>
- View in Class: “Apartheid, Perpetrators, Forgiveness: Desmond Tutu’s Views,” Interview with Bill Moyers; available at http://www.youtube.com/watch?v=eRDBWoV_hAO

*****TAKE-HOME MID-TERM DUE IN CLASS ON MAY 19*****

May 22:

Jus post bellum and Apology: The Bombing of Hiroshima

- “Enmity and Empathy,” by Donald W. Shriver, Jr., in *An Ethic for Enemies: Forgiveness in Politics* (Oxford: Oxford University Press, 1995), 139-153 (CANVAS)
- “Sixty Years On It’s Too Easy to Condemn the Bombing of Hiroshima,” Max Hastings, *The Guardian*, July 29, 2005; available at <https://www.theguardian.com/world/2005/jul/30/japan.secondworldwar>
- “Why Obama Should Apologize for Hiroshima,” Daniel Philpott, *New York Daily News*, May 26, 2016; available at <http://www.nydailynews.com/opinion/daniel-philpott-obama-apologize-hiroshima-article-1.2651307>
- “The Crew of the Enola Gay on Dropping the Atomic Bomb,” Mental Floss, available at <http://mentalfloss.com/article/24269/crew-enola-gay-dropping-atomic-bomb>
- IN-CLASS AUDIO: Survivor of Hiroshima Bombing

*****BEGINNING ON MAY 24, TEAMS OF STUDENTS WILL BE DISCUSSION LEADERS IN EACH OF THE REMAINING CLASSES OF THE QUARTER*****

May 24: Christian Nonviolence and the Third Way: Walter Wink

- Wink, Jesus and Nonviolence: A Third Way (Fortress, 2003), 1-56

May 26: Christian Nonviolence and Love of Enemy: Walter Wink II

- Wink, Jesus and Nonviolence, 57-103

May 31: Killing in War and the End of Just War Theory?

- Robert Emmet Meagher, Killing from the Inside Out: Moral Injury and Just War (Cascade 2014), xii – 15

June 2: Killing in War and the End of Just War Theory?

- Meagher, 16-49

June 5: Killing in War and the End of Just War Theory?

- Meagher, 50-85

June 7: Killing in War and the End of Just War Theory?

- Meagher, 86-106

June 9: Killing in War and the End of Just War Theory?

- Meagher, 107-152

***** FINAL TAKE-HOME EXAM WILL BE DUE DURING EXAM WEEK *****