

## **ETHICS OF WAR AND PEACE**

**COURSE NUMBER: TESP 159**

**SECTION NUMBER: 31836**

**WINTER 2016: MWF 9:15-10:20 a.m.**

**ROOM: Kenna Hall 218**

**INSTRUCTOR: Dr. David DeCosse**

**OFFICE HOURS: Wednesdays, 10:30 to 11:30 a.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](mailto: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 by Michael Walzer

The Powers That Be: Theology for a New Millenium by Walter Wink

\*\*\*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.

\*\*\*All students should have a Bible.

#### **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. 20% of final grade.

Three-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](http://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](http://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](mailto:bguthrie@scu.edu). Reports may be submitted online through [www.scu.edu/osl/report](http://www.scu.edu/osl/report) or anonymously through Ethicspoint: [www.ethicspoint.com](http://www.ethicspoint.com) or <http://stage-www.scu.edu/hr/quick-links/ethics-point/>

#### **Classes:**

##### **January 4:**

##### **Introduction**

- "Framework for Thinking Ethically," Markkula Center for Applied Ethics; available at <http://www.scu.edu/ethics/practicing/decision/framework.html>
- Selection from "A World Without War: Why It's No Fantasy," by David Carroll Cochran, *Commonweal*, December 17, 2015; available at <https://www.commonwealmagazine.org/world-without-war>

January 6:

**Race, Police, Use of Force, and Community**

- "A Better Standard for the Use of Deadly Force," by Olevia Boykin, Christopher Desire, and Jed Rubenfeld, The New York Times, January 1, 2016; available at [http://www.nytimes.com/2016/01/01/opinion/a-better-standard-for-the-use-of-deadly-force.html?ref=opinion&\\_r=0](http://www.nytimes.com/2016/01/01/opinion/a-better-standard-for-the-use-of-deadly-force.html?ref=opinion&_r=0)
- "The Simple Strategies That Could Fundamentally Change How Communities View Their Police," by Kate Abbey-Lambertz and Joseph Erbenraut, Huffington Post, February 17, 2015; available at [http://www.huffingtonpost.com/2015/02/17/community-policing-police-trust\\_n\\_6607766.html](http://www.huffingtonpost.com/2015/02/17/community-policing-police-trust_n_6607766.html)

January 8:

**Race, Police, Use of Force, and Community II**

- "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](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 (CAMINO)
- LISTEN IN CLASS: "Glory" by John Legend and Common; available at [https://www.youtube.com/watch?v=HUZOKvYcx\\_o](https://www.youtube.com/watch?v=HUZOKvYcx_o)

January 11:

**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)
- Watch "Restrepo: One Platoon, One Valley, One Year" by Tim Hetherington and Sebastian Junger (2010) (AVAILABLE AT MEDIA SERVICES)

January 13:

**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>

January 15:

**Ethics, Combat, and Draft Registration for Women?**

- "Should American Women Have to Register for the Draft?," by David Welna, National Public Radio, December 18, 2015; available at <http://www.npr.org/2015/12/17/460082475/should-american-women-have-to-register-for-the-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&g\\_sent=1&collection=journals](http://heinonline.org/HOL/Page?handle=hein.journals/hplp15&div=15&g_sent=1&collection=journals)
- Selection from War and Gender: How Gender Shapes the War System and Vice Versa by Joshua Goldstein (Cambridge 2001) (CAMINO)

- January 20: Conscience, Citizenship, War**
- "Just Warriors, Unjust Wars? Deciding When It's All Right to Fight," by Bernard G. Prusak, Commonweal, February 7, 2014 (CAMINO)
  - "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)
- January 22: Religion, Science, and the Roots of Violence**
- "The Roots of Violence," by Charles Taylor, from A Secular Age (Harvard 2007): 656-675
- January 25: THREE-PAGE PAPER DUE**
- January 25: Jus ad bellum and the Crime of War**
- "The Crime of War," Just and Unjust Wars: 21-33
  - "Jus ad bellum" criteria/explanation from the online Stanford Encyclopedia of Philosophy; available at <http://plato.stanford.edu/entries/war/#2.1>
  - "Proclamation of the Irish Republic," April 24, 1916; available at [http://www.nli.ie/1916/pdf/1\\_intro.pdf](http://www.nli.ie/1916/pdf/1_intro.pdf)
- January 27: Jus in bello and the Rules of War**
- "The Rules of War," Just and Unjust Wars: 34-47
  - "Jus in bello" criteria/explanation from the Stanford Encyclopedia of Philosophy; available at <http://plato.stanford.edu/entries/war/#2.1>
  - 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>
- January 29: 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/>
- February 1: 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\\_hA0](http://www.youtube.com/watch?v=eRDBWoV_hA0)
- February 3: CASE: Jus ad bellum and the Right to Resistance**
- "The Right of Resistance in Situations of Severe Deprivation," by Roberto Gargarella, in Freedom from Poverty as a Human Right: Who Owes What to the Very Poor? (Oxford 2007): 360-374 (CAMINO)

**February 5: CASE: 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; (CAMINO)
- “The Abolition of Torture: Saving the United States From a Totalitarian Future,” by Andrew Sullivan, The New Republic, December 19, 2005; (CAMINO)
- “Tales From Torture’s Dark World,” Mark Danner, The New York Times, March 15, 2009; available at <http://www.nytimes.com/2009/03/15/opinion/15danner.html?scp=1&sq=mark%20danner%20new%20york%20times&st=cse>
- Text of Common Article 3 of the Geneva Conventions; available at <http://www.nytimes.com/ref/us/AP-Guantanamo-Geneva-Conventions.html>

**February 8: Just War 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=0oAtMMvnDv0>
- View in Class: Footage from Boston Bombing; available at <http://www.youtube.com/watch?v=-xiXroQp8t4>

**February 10: Technology and War: The Stuxnet Virus and Just War Theory**

- View in class: “Stuxnet: Anatomy of a Computer Virus,” from “60 Minutes”; available at: <http://vimeo.com/25118844>
- “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/>
- BRIEF SELECTION from “International Law in Cyberspace: The Koh Speech and Tallinn Manual Juxtaposed,” Michael N. Schmidt, Harvard International Law Journal December 2012: 13-31; available at [http://www.harvardilj.org/wp-content/uploads/2012/12/HILL-Online\\_54\\_Schmitt.pdf](http://www.harvardilj.org/wp-content/uploads/2012/12/HILL-Online_54_Schmitt.pdf)

**February 12: MIDTERM TAKE-HOME EXAMS DUE: NO CLASS**

**February 17: Should a Christian Reject War: The Sermon on the Mount**

- “Sermon on the Mount,” The Gospel of Matthew, Chapters 5-7 (WITH SPECIAL FOCUS ON CHAPTER 5:38-48)
- Selections from “A Critical and Exegetical Commentary on The Gospel According to St. Matthew” by Davies and Allison, pp. 538-564 (CAMINO)
- “The Hermeneutical Challenge,” by William Spohn from What They Are Saying About Scripture and Ethics, pp 8-11 (CAMINO)

**February 19: Should a Christian Reject War: St. Augustine**

- Selection on Sermon on the Mount and Just War from The Political Writings of St. Augustine, ed. Paolucci (CAMINO)
- Selection from Christian Attitudes Toward War and Peace by Roland H. Bainton, pp. 66-100 (CAMINO)

- February 22:                   Should a Christian Reject War: Theologian Walter Wink**
- Introduction and Selections from Chapter 4 and 5, The Powers That Be, Walter Wink, 1998: 1-11 and 48-62
- February 24:                   Should a Christian Reject War: Theologian Walter Wink**
- The Powers That Be: 82-111
- February 26:                   Should a Christian Reject War: Theologian Walter Wink**
- Chapter 9, The Powers That Be: 161-179
- February 29:                   The Method of Nonviolence**
- Selection from From Dictatorship to Democracy: A Conceptual Framework for Liberation (4<sup>th</sup> U.S. edition) by Gene Sharp (The Albert Einstein Institution 2010): vii-45; available at <http://www.aeinstein.org/wp-content/uploads/2013/09/FDTD.pdf>
- March 2:                       Northern Ireland and the Achievement of Peace**
- “Timeline of Northern Ireland Troubles: From Conflict to Peace Process,” by Tom Rowley, The Telegraph, May 19, 2015; available at <http://www.telegraph.co.uk/news/uknews/northernireland/11610345/Timeline-of-Northern-Ireland-Troubles-from-conflict-to-peace-process.html>
  - Selection from Making Sense of the Troubles: A History of the Northern Ireland Conflict by David McKittrick and David McVea (Penguin 2012): 290-307 (CAMINO)
  - “Security is Not Enough: Ten Lessons for Conflict Resolution from Northern Ireland,” by Jonathan Powell, LSE Research Online, 2011: 21-24; available at [http://eprints.lse.ac.uk/43488/1/The%20lessons%20of%20Northern%20Ireland\\_security%20is%20not%20enough\(lsero\).pdf](http://eprints.lse.ac.uk/43488/1/The%20lessons%20of%20Northern%20Ireland_security%20is%20not%20enough(lsero).pdf)
  - “How to Talk to Terrorists,” by Jonathan Powell, The Guardian, October 7, 2014; available at <http://www.theguardian.com/world/2014/oct/07/-sp-how-to-talk-to-terrorists-isis-al-qaida>
- March 4:                       ISIS and the Question of Intervention**
- “Interventions,” Just and Unjust Wars: 86-108
  - Readings from the United Nations Charter: Preamble, Chapters 1 and 7; available at <http://www.un.org/aboutun/charter/>
  - 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](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/runtdown/what-is-islamic-state-iraq-and-syria/>
- March 7:                       ISIS and the Question of Intervention II**
- “Regime Change and Just War,” Just and Unjust Wars: ix-xviii
  - “Interpreting the Islamic Ethics of War and Peace,” by Sohail Hashmi, in Islamic Political Ethics: Civil Society, Pluralism, and Conflict (Princeton 2002): 194-216 (CANVAS)

March 9:

**ISIS and the Question of Intervention III**

- VISITOR TO CLASS: Professor David Pinault, SCU Religious Studies
- Selection from following link with stories about Islamic State:  
<https://www.washingtonpost.com/news/worldviews/wp/2015/11/16/5-stories-you-should-read-to-really-understand-the-islamic-state/>
- “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/>

March 11:

**ISIS and the Question of Intervention IV**

- “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>
- “Populations at Risk: Current Crisis – Syria,” Global Centre for the Responsibility to Protect; available at <http://www.global2p.org/regions/syria>
- “Syrian Family’s Tragedy Goes Beyond Iconic Image of Boy on Beach,” by Anne Barnard, The New York Times, December 28, 2015; available at <http://www.nytimes.com/2015/12/28/world/middleeast/syria-refugees-alan-aylan-kurdi.html>

**\*\*\*TAKE-HOME FINAL EXAM DUE DURING EXAM WEEK\*\*\***