We will be investigating the rights and wrongs of war -- looking at disputes over principles concerning when it is permissible to go to war and what is permissible in fighting a war; controversies over assessments of particular wars and tactics, including recent American military actions in Iraq and Afghanistan; and investigations of the relationship between the moral assessment of war and views of the forces driving foreign policy. There is a tentative schedule of topics and readings at the end of this syllabus. Although we may change it as our discussions and interests evolve, it is a reliable indicator of our major topics and the nature of our readings.

I will sometimes lecture a bit, usually at the start of a class. But this is a seminar, in which the exchange of views should be especially fruitful because of mutual learning among people with different backgrounds, such as international relations on the one hand, ethics and political philosophy on the other.

Readings:

Please buy Michael Walzer, *Just and Unjust Wars* (Basic Books), which is on sale for this course at the Campus Store. For over thirty years, *Just and Unjust Wars* has been the central book in the study of the morality of war – often the target of heated criticism, but the essential touchstone in developing any alternative view. Throughout the semester, our discussion of a topic will typically include a chapter from this book.

The rest of our readings will be posted in the Course Documents section of our Blackboard site, phil6470. For copyright-related reasons, it has a password, which I will announce in class.

Graduate enrollment: If you are a graduate student and find that you cannot enroll online, please contact me to see about manual enrollment.

Course Requirements:
1. Discussion Board contributions: At the end of every class, I will ask two or three people to take on the task of each contributing two or three pointed questions or brief comments about next week’s readings to the Discussion Board on the course website. I will ask for volunteers (pressuring/assigning as a last resort), with the understanding that this assignment rotates. Of course, in addition to those who are delegated, everyone is welcome to contribute. The contributions must be posted by 8:00 PM on Wednesday, so that everyone has a chance to read them.
2. **Attendance and participation.** Everyone is expected to take part in discussions at each meeting of the seminar on the basis of knowledge of the readings and the Discussion Board contributions. I will sometimes ask people to make brief presentations on a topic, either solo or paired with someone advancing an opposing view.

3. **Short paper:** A short paper, of from six to eight pages, will be due at class on March 18. It should present criticisms of a significant position or argument advanced in one of our readings, assessing what you take to be the best reply available to the target. It is fine for this to be a further development of a Discussion Board posting. This assignment is not meant to be a big deal. I hope that getting some quick feedback (which won’t be elaborate) will help you in your work on the major written project, the term paper.

4. **Term paper:** On March 18, I will distribute a description of diverse alternative topics and readings that could provide the basis for a fine term paper. If you would like to write on a topic substantially different from any on the list, consult with me first, to get approval and talk tactics. The preliminary draft is to be submitted by April 22. It will be returned ungraded, with comments, April 29. The final version, revised in light of the comments, will be due May 14. 15-20 pages, double spaced, is the range you should aim for.

My weighing of factors contributing to the final grade will be, approximately: term paper 60%; participation (including Discussion Board postings – which you are welcome to supplement by sending me brief responses to readings), 20%; short paper, 20%.

**Contact information:**
My e-mail is rwm5@cornell.edu. My office is 329 Goldwin Smith. My office hours are Wednesdays, 4:00-5:30.

**Tentative schedule:**
We may decide to depart from this schedule of topics and readings as our discussions reveal needs and interests. Of course, the next week’s readings will always be announced in advance and posted in our Blackboard site in good time.


The first reading is the best summary that I have found of the basic tenets of the traditional theory of just war. It is assigned as important background. Walzer defends the traditional view that national self-defense is a just cause for war. Norman presents a case for pacifism and argues that this case is much stronger than Walzer allows. Rodin presents the gist of his book-length critique of national self-defense as a justification, is criticized by McMahan, and replies.

McMahan, the most important innovator in current philosophical discussions of war, offers an alternative account of what makes for a just cause. Hurka raises important questions about proportionality and defends some answers. Walzer’s short piece is a qualified endorsement of the first Gulf War, which expelled Saddam from Iraq. I may add a bit of further factual material.


Moellendorf argues that the reduction of grave and systematic injustice is a just cause, even in the absence of widespread ongoing atrocities. Walzer argues that mere grave and systematic injustice is never a just cause of intervention, because of the importance of communal autonomy. Luban criticizes Walzer for state-worship. Walzer replies.


I argue that current moral theories of intervention fail to take account of tendencies of both intervening and oppressive regimes. Geras develops a humanitarian justification of the invasion of Iraq. On the basis of this and the previous week’s readings, we will discuss the morality of the invasion and lessons to be derived from the American intervention.


Walzer describes and supports the traditional view that just national defense extends to aggression that is imminent, or, in any case, being actively prepared. Luban argues for restrictions of the use of war to prevent any more remote aggression. McMahan argues that making war to prevent non-imminent violence is not inherently wrong, but is exceptionally hard to justify.

Ferguson and Kagan argue that the unique global power of the United States is important for the protection of freedom and prosperity and call for greater public support for its use in shaping the politics of developing countries, sometimes by military means. I argue that the maintenance of American power has inherent tendencies toward vast excessive violence, which ought to be opposed by social movements.


In addition to their urgent current interest, U.S. initiatives in Afghanistan pose challenging questions concerning political and cultural autonomy, proportionality, and the relationship between great powers’ goals and the moral judgment of their initiatives.


Ford’s essay is a classic account of the prohibition of intentionally killing civilians that is the core of the traditional doctrine of justice in war. He argues that Allied air attacks on German cities violated this constraint. Walzer amends and, in some respects, expands the traditional prohibition. Rodin argues that standard American military practices are morally wrong in the same way as terrorism, even though their lethal effects on civilians are not intentional.


The doctrine of double effect, which prohibits the intentional killing of innocents but permits acts that foreseeably kill them, is central to traditional judgments of justice in war, yet often criticized for misplaced emphasis on the role of intentions. We will consider current criticisms of the general doctrine, and efforts to replace it.


In Wright’s narrative of the experiences of a Marine platoon in the invasion of Iraq, the Marines confront the danger and death that their initiatives inflict on civilians. The Geneva Protocol on protection of civilians has been signed by 168 countries, but not the U.S. However, the U.S. Army Field Manual, *The Law of Land Warfare* incorporates many of its provisions. Margalit and Walzer are directly concerned with obligations of due care for non-combatants on the part of the Israel Defense Force, but defend general requirements.


5/6: Post-War Justice and the Lessons of Iraq – Gary Bass, “Jus Post Bellum,” Philosophy and Public Affairs 32 (2004): 284-412; Jane Stromseth et al., Can Might Make Rights? (Cambridge: Cambridge University Press, 2006), excerpts. Bass asks to what extent victors are justified in reshaping the political and social life of a defeated country. Stromseth et al. investigate efforts by the U.N., the U.S. or both to establish new forms of political order, with a goal that is often described as “the rule of law.” In connection with both readings (and perhaps supplemented by some further background reading), we will assess U.S. activities in Iraq after the defeat of Saddam Hussein: what happened, what should have happened, and what lessons are to be learned.