

**PHIL 20422**  
**Just War Theory**  
**Fall 2017**

**Course Description:** The landscape of the twenty-first century battlefield is rapidly changing. Contemporary warfare is often far removed from the clash of large, standing armies on the open battlefield. From the United States' use of "targeted killings" via unmanned drone in Pakistan and Yemen to the deployment of the Stuxnet computer virus designed to target Iran's nuclear weapons' program, we already see examples of this new kind of warfare. The future promises that ever more remote possibilities will become reality—entirely autonomous robotic weapon systems are already under deployment in Iraq and Korea, non-lethal electromagnetic and sound-based weapons are under development, and research continues actively on automated, armed vehicles and biologically or robotically enhanced soldiers. The increasing pace of weapons research, however, has been matched by many ethical worries, raised by military leaders, scholars, legislators, journalists, and non-profit and humanitarian groups. This course will begin by exploring the foundations of just war theory—including challenges posed by terrorism—and then explore particular weapons technologies and their associated ethical implications.

**Faculty:** Dr. Fritz Allhoff, J.D., Ph.D.  
[fallhoff@nd.edu](mailto:fallhoff@nd.edu); 269-387-4503 (w)  
Monday 11:00-1:00 [by phone]

**Graduate Assistant:** Mr. Keagan Potts  
[keagan.h.potts@wmich.edu](mailto:keagan.h.potts@wmich.edu); 612-845-6786 (m)  
Wednesday 9:00-11:00 [by phone]

**Class:** DeBartolo Hall 204  
TR 11:00-12:15 or 12:30-1:45

**Electronics:** In order to facilitate our collective concentration, please leave laptops, tablets, and smartphones out of reach; bring hard copies of readings.

**Texts:**

Fritz Allhoff, *Terrorism, Ticking Time-Bombs, and Torture* (Chicago: University of Chicago Press, 2012).

Helen Frowe, *The Ethics of War and Peace: An Introduction*, 2<sup>nd</sup> ed. (London: Routledge, 2015).

George Lucas, *Ethics and Cyber Warfare: The Quest for Responsible Security in the Age of Digital Warfare* (Oxford: Oxford University Press, 2016).

Thomas K. Weiss, *Humanitarian Intervention*, 3<sup>rd</sup> ed. (Malden, MA: Polity Press).

Fritz Allhoff, Nicholas G. Evans, and Adam Henschke (eds.), *Routledge Handbook of Ethics and War: Just War Theory in the Twenty-First Century* (New York: Routledge, 2013) (optional).

Gary D. Solis, *The Law of Armed Conflict: International Humanitarian Law in War* (Cambridge: Cambridge University Press, 2010) (optional).

Other readings will be made available electronically.

**Grading:**

Discussion forums	150 points
First paper	150 points
Movie reaction paper	100 points
Participation	100 points
Presentation	200 points
Second paper	300 points
Extra Credit (optional)	10 points

**Grading Scale:**

This course uses a standard scale: >92% = A; 90-92% = A-; 88%-90% = B+; 82%-88% = B; 80%-82% = B-; 78%-80% = C+; 72%-78% = C; 70%-72% = C-; 68%-70% = D+; 62%-68% = D; 60%-62% = D-; <60% = E. In unusual cases, there will be a (small) curve, but that will not be known until calculation of final grades. There are no extra credit opportunities beyond the one listed below.

**Attendance:** Each student will be allowed up to four absences. Beyond those four, each subsequent absence reduces the course grade by one third of a letter grade (e.g., A to A-, A- to B+, B+ to B, etc.). There is no distinction between excused and unexcused absences and *no need to provide notice with regards to any absences*. Any student needing further dispensation (e.g., with regards to ongoing health issues) should speak with Dr. Allhoff.

Students are generally requested to attend the section for which they are registered. However, students may attend the alternate section up to four times; again, no advance notice is required.

**Participation:** Students should make regular contributions to in-class discussions; they are encouraged to contribute orally at least once a week (i.e., every other lecture). Note that participation grades are assigned on the *quality* of the contributions, not necessarily on their *quantity*.

**Discussion Forums:** Students should participate in 10 discussion forums during the semester. Participation comprises *two components*. First, students should post a reaction to one of the assigned readings (i.e., to the readings *themselves*, not to associated themes). These posts should be *approximately 200 words*. Second, students should *respond* to at least one of their classmates' posts. These responses should be *approximately 100 words*. Students' original posts are worth up to 10 points, and response posts are worth up to 5 points. In other words, students may receive up to 15 points each week for up to 10 weeks (= 150 points total).

The original posts must be submitted no later than Tuesdays at 10:00 a.m. The response posts must be submitted by Thursdays at 10:00 a.m. Note that forums are not open every week, so *plan accordingly*.

**First Paper:** Students' first papers should further explore one of the lectures pertaining to just war theory or terrorism. It should be 1,500 *words* ( $\pm 10\%$ ); deviations from this range will be penalized. A word count—exclusive of footnotes and bibliography—should be included.

Students should spend approximately half of their papers *summarizing* the key ideas from *one* of the lectures (and associated readings), and the other half *evaluating* those ideas. (Do not discuss *all* of the ideas in that lecture, but rather choose *some* ideas and develop a coherent and integrated essay around them.) Students are not required to do any external research beyond the assigned readings. Students may refer to assigned readings in whatever footnote format they are most comfortable with and should include a bibliography at the end of the paper.

Late submissions will be penalized 10% and will not be accepted more than one week past the due date.

**Movie Reaction Paper:** Students should write a movie reaction paper of *1,000 words ( $\pm 10\%$ )*; deviations from this range will be penalized. They may choose any movie that explores a theme discussed in this course, except for any we will watch together. Approximately half of the paper should detail some ethically-fraught scene or sequence within the movie (i.e., *not summarize the entire movie*); the other half should evaluate this scene. Because this reaction paper is due before some of the technologies will be discussed, no familiarity with the assigned readings or content is expected.

Late submissions will be penalized 10% and will not be accepted more than one week past the due date.

**Presentation:** During the last three classes of the semester, students will do small-group presentations in pre-assigned groups. These presentations should either *introduce* a new topic to the rest of the class or else *extend* a previous discussion; i.e., they should not reprise already-developed themes. At least part of the presentation should be *descriptive*, in which students explain some conflict or technology, and at least part should be *normative*, in which students consider the associated ethical ramifications. Presentations should be approximately 20 minutes, and PowerPoint is strongly encouraged.

**Second Paper:** Students' second papers should be about some emerging weapons technology and its associated ethical implications. The technology may be selected from one discussed in class, or may be about something else. It should be *3,000 words ( $\pm 10\%$ )*; deviations from this range will be penalized. A word count—exclusive of footnotes and bibliography—should be included.

Students should spend approximately half of the paper *explaining* the weapons technology; they may consider its historical evolution, technical facets, or whatever other background they wish to provide. The second half of the paper should *present* and *evaluate* the ethical implications of this technology. In addition any assigned readings, students must have *at least ten external sources* incorporated into the paper and *at least twenty footnotes*. Students may use whatever footnote format they are most comfortable with and should include a bibliography at the end of the paper. Try to use authoritative, peer-reviewed sources, as opposed websites. Wikipedia is not an acceptable source, though students may use it to get suggestions for other sources.

Late submissions will be penalized 10% and will not be accepted more than 72 hours past the due date, due to faculty deadlines for grade submission.

**Extra Credit:** Students may repeat the movie reaction paper with another movie for extra credit. This assignment is worth up to 10 points and is meant to provide students the opportunity to have borderline final grades adjudicated in their favor. The extra credit assignment is due by the deadline for the second paper.

**Code of Honor:** Students are expected to be familiar with and to follow Notre Dame's [Undergraduate Academic Code of Honor](#). Any deviations from this Code will be referred for disciplinary proceedings.

**Disability Services:** Students needing special accommodation should coordinate with [Sara Bea Disability Services](#).

CLASS	DATE	INSTRUCTOR	TOPIC	READINGS
1	8/22	Allhoff	Introduction to Just War Theory	Frowe, chapter 2
2	8/24	Allhoff	<i>Jus ad Bellum</i>	Frowe, chapter 3
3	8/29	Allhoff	Pre-Emption and Prevention	Frowe, chapter 4 (pp. 75-83 only)
4	8/31	Allhoff	<i>Jus in Bello</i>	Frowe, chapters 5 & 6
5	9/5	Allhoff	<i>Jus post Bellum</i>	Frowe, chapter 12
6	9/7	Potts	Humanitarian Intervention in Theory	Weiss, chapter 1
7	9/12	Potts	Humanitarian Intervention Case Studies	Weiss, chapter 2
8	9/14	Potts	Non-traditional Conflicts	Weiss, chapter 3
9	9/19	Potts	Responsibility to Protect	Weiss, chapter 4
10	9/21	Potts	Humanitarian Intervention in Practice	Weiss, chapter 5
11	9/26	Allhoff	What Is Terrorism?	Allhoff, chapter 1
12	9/28	Allhoff	The Moral Status of Terrorism	Allhoff, chapter 2
<b>First paper due by 11:55 p.m.</b>				
13	10/3	Allhoff	Torture and Ticking Time-Bombs	Allhoff, §§ 4.1, 4.3, chapter 6
14	10/5	Allhoff	Torture and the Real World	Allhoff, §§ 7.1-7.4, chapter 8

15	10/10	Potts	Conventional Weapons	Solis, chapter 16
16	10/12	Potts	Gas, Biological, and Chemical Weapons	Solis, chapter 17
-	10/17	-	Fall Break	
-	10/19	-	Fall Break	
17	10/24	Allhoff	Ethics of Cyberwarfare	Dipert, "The Ethics of Cyberwarfare"; Lin, Allhoff, and Rowe, "War 2.0"
18	10/26	Allhoff	<i>Zero Days</i> [documentary]	Lucas, chapter 1
19	10/31	Allhoff	<i>The Tallinn Manual</i>	Lucas, chapter 3
<b>Group presentation sign-ups</b>				
20	11/2	Potts	<i>Terminal F</i> [documentary]	Lucas, chapter 6
21	11/7	Potts	NSA, Privacy, and Snowden	Lucas, Chapter 7
22	11/9	Potts	The Paradox of Non-Lethal Weapons	Allhoff, "The Paradox of Non-Lethal Weapons"; Gross, "Shooting to Stun: The Paradox of Nonlethal Warfare"
<b>Movie reaction paper due by 11:55 p.m.</b>				
23	11/14	Allhoff	Autonomous Weapons	UNIDIR, "The Weaponization of Increasingly Autonomous Technologies: Considering Ethics and Social Values"

24	11/16	Allhoff	Meaningful Human Control	UNIDIR, "The Weaponization of Increasingly Autonomous Technologies: Considering How Meaningful Human Control Might Move the Discussion Forward"; CNAS, "Meaningful Human Control in Weapons Systems: A Primer"
25	11/21	Allhoff	Soldier Enhancement	Allhoff et al., "Ethics of Human Enhancement: 25 Questions & Answers" (§§ 1-4 only); Lin, "More than Human?: The Ethics of Biologically Enhancing Soldiers"
-	11/23	-	Thanksgiving Break	-
26	11/28	-	[Class Canceled: Prepare for Presentations]	
27	11/30	Allhoff/Potts	Group Presentations	-
28	12/5	Allhoff/Potts	Group Presentations	-
29	12/7	Allhoff/Potts	Group Presentations	-
-	12/15	-	<b>Second paper due December 15 by 11:55 p.m.</b>	