



**Wilkinson College of Arts, Humanities, and Social Sciences**  
**Master of Arts in International Studies**  
**MAIS 529: Technology and the Ethics of War**  
**Spring 2019**  
**Mondays 4:00-6:50pm**

How do we conceptualize the ethics of war in an era of smart bombs, drones, cyber warfare and lethal autonomous weapons systems? This course explores the evolution of just war thinking and international law from ancient Rome to today in order to contextualize contemporary debates surrounding technological innovation and the ethics of war. Technology has long been viewed as a tool to solve the complex ethical and political dilemmas of killing in warfare, especially by liberal states in the name of humanitarianism. Do artificially intelligent drones solve the dilemmas of liberal warfare, or simply bury ethical decision-making deep within the algorithmic code? These questions and others will guide the endeavor of historical understanding of contemporary issues of killing in war in the technological era. In this course, students will gain an understanding of just war thinking and how the categories of *jus ad bellum* (justice in waging war) and *jus in bello* (justice in fighting war) evolved in a dynamic tradition of contestation, with the rebirth of just war theory with Michael Walzer's *Just and Unjust Wars*. Paralleling just war thinking, students will gain an understanding of the codification of the laws of armed conflict and their unintended consequences past, present, and future. How have the rise of smart bombs, drones, and AI influenced debates in just war today? Are the post-colonial and feminist critiques of just war enough to abandon the tradition altogether and start anew in the contemporary era? Should we dissolve the distinction between the ethics of peace and ethics of war and take the just war revisionist turn in search of a universal individualist morality? Or shall we take a more traditionalist approach in understanding just war as a set of guiding questions for policy makers before letting loose the dogs of war? In the end, this course examines ethics of war through the lens of technologies of warfare and the dilemmas they present for soldiers, civilians, policy-makers, and ethicists. In *Technology and the Ethics of War*, students will gain an understanding of the evolution of international law, just war thinking, and the dilemmas that improving battlefield technology presents for our current moral and legal frameworks.

**Required Books**

- Brunstetter, Daniel R. and Cian O'Driscoll (Eds). 2017. *Just War Thinkers: From Cicero to the 21st Century* (New York: Routledge) ISBN-13: 978-1138122482.
- Carvin, Stephanie and Michael John Williams. 2014. *Law, Science, Liberalism, and the American Way of Warfare: The Quest for Humanity in Conflict* (Cambridge: Cambridge University Press) ISBN-13: 978-1107637139.
- Fazal, Tanisha. 2018. *Wars of Law: Unintended Consequences in the Regulation of Armed Conflict*. (New York: Cornell University Press). ISBN-13: 978-1501719813
- Walzer, Michael. 2015. *Just and Unjust Wars: A Moral Argument with Historical Illustrations 5<sup>th</sup> Edition* (New York: Basic Books) ISBN-13: 978-0465052714.

## Learning Outcomes

At the end of this course, students will be able to:

- Describe the origins, evolution, contestation of just war thinking and international law from Cicero to today.
- Evaluate the impact of military technologies on debates surrounding the ethics of war.
- Assess the effectiveness of international law on state and non-state behavior in armed conflict today.
- Identify and explore the points of contention and overlap between just war critics and supporters, traditionalists and revisionists, along with proponents and opponents of lethal autonomous weapons systems.
- Make judgements concerning impact of technology on the ethics and laws of war.
- Understand the contemporary utilization of AI, machine learning, collateral damage algorithms, etc. for military applications and the dilemmas they present for decision-makers.

## Grading

Grade scale of corresponding letter/numeric grades matches standardized Chapman MAIS scale.

Participation and Attendance 20%

Reading Quizzes 25%

Assignments 20%

Final Paper 35%

## Late Work

All work that is turned in after the specified due date and time in the syllabus will be deducted one full letter grade for each day it is late (e.g. an assignment due in class turned in after class that evening an A becomes an A-, the first day late an A becomes a B, and the second day an A becomes a C).

## Quizzes

Five random quizzes will be given throughout the semester in order to keep everyone on track and completing the weekly readings.

## Assignments

–Submit a single page “think piece” response to the readings of the week, drawing connections and divergence between a topic of your choosing drawn from the articles/books. You will submit a total of three of these “think pieces” throughout the semester on a date of your choosing (please do not wait until the final three weeks).

–Guidelines: Submit a one-page, single-spaced paper, 12 pt. font, Times New Roman, due via email *before class* to: jemery@chapman.edu

–Final Paper Due Exam Week May 13, 2019 at 11:59pm.

–Prompts to be distributed in class. Discussion of paper ideas and peer review of abstracts will take place in class on Week 10 (April 1<sup>st</sup>).

–Guidelines: Submit a 10-20 page, double-spaced paper, 12 pt. font, Times New Roman, via email to: jemery@chapman.edu

## Class Schedule

### **Week 1 (January 28): The Tragedy of Just War**

- Albert Camus, “Neither Victims nor Executioners” (1946).
- William James, “The Moral Equivalent of War” (1906).
- Cian O’Driscoll, “Learning the Language of Just War Theory: The Value of Engagement.” *Journal of Military Ethics* 6 no. 2 (2007): 107-116.
- Chris Brown, “Tragedy, ‘Tragic Choices’ and Contemporary International Political Theory” *International Relations* 21 no. 1 (2007): 5-13.
- Henry Shue. 2014. “Force Protection, Military Advantage and “Constant Care” for Civilians: The 1991 Bombing of Iraq.” In Matthew Evangelista and Henry Shue (Eds.) *The American Way of Bombing: Changing Ethical and Legal Norms, From Flying Fortresses to Drones*. (Ithica, NY: Columbia University Press) pp. 145-157.

### **Week 2 (February 4): Just War from Ancient Rome to the Conquest of the ‘New World’**

- Just War Thinkers* Introduction through Chapter 7 (pp. 1-105): Cicero, Augustine, Gratian, Aquinas, Pizan, Vitoria, and Las Casas.
- David Luban, “What Would Augustine Do? The President, Drones, and Just War Theory.” *Boston Review* 6 June 2012. Available at: [http://bostonreview.net/archives/BR37.3/david\\_luban\\_obama\\_drones\\_just\\_war\\_theory.php](http://bostonreview.net/archives/BR37.3/david_luban_obama_drones_just_war_theory.php)

### **Week 3 (February 11): Just War Thinkers 1590-Present: Foundations of International Law**

- Just War Thinkers* Chapter 8 through Chapter 15 and Chapter 18 (pp. 105-205 & 227-238): Suárez, Gentili, Grotius, Pufendorf, Vattel, Kant, Lieber, Ramsey, and Johnson.
- Sahr Conway-Lanz, “Bombing Civilians After WWII: The Persistence of Norms Against Targeting Civilians in the Korean War.” In Matthew Evangelista and Henry Shue (Eds.) *The American Way of Bombing: Changing Ethical and Legal Norms, From Flying Fortresses to Drones*. (Ithica, NY: Columbia University Press) pp. 47-63.
- Neta C. Crawford, “Targeting Civilians and U.S. Strategic Bombing Norms” In Matthew Evangelista and Henry Shue (Eds.) *The American Way of Bombing: Changing Ethical and Legal Norms, From Flying Fortresses to Drones*. (Ithica, NY: Columbia University Press) pp. 64-86.

### **Week 4 (February 18) *Jus ad Bellum* and the Rise of International Humanitarian Law**

- Michael Walzer, *Just and Unjust Wars* Preface to the First and Fifth Editions, Chapter 1 through Chapter 4 (pp. XIII-74)
- Tanisha Fazal, *Laws of War* Introduction through Chapter 2 (pp. 1-72)

### **Week 5 (February 25): On Fighting Justly–*Jus in Bello***

- Michael Walzer, *Just and Unjust Wars* Chapter 8 through Chapter 10 (127-176)
- Just War Thinkers* Chapter 16 on Walzer (pp. 205-216)
- Sara van Goozen, “Sharing the Costs of Fighting Justly” *Critical Review of International Social and Political Philosophy* (2018): 1-21.
- Tanisha Fazal, *Laws of War* Chapter 4 and Conclusion (pp. 109-131 and 243-257)

### **Week 6 (March 4): Courage Under Fire**

- Admiral James B. Stockdale, “Courage Under Fire”  
[http://media.hoover.org/sites/default/files/documents/978-0-8179-3692-1\\_1.pdf](http://media.hoover.org/sites/default/files/documents/978-0-8179-3692-1_1.pdf)–
- Agnès Humbert. 2009. *Résistance: A Woman’s Journal of Struggle and Defiance in Occupied France* (New York: Bloomsbury). Selected Chapters.
- Karen Gottschang Turner & Phan Thanh Hao. 1998. *Even The Women Must Fight: Memories of War From North Vietnam*. Chapter 5: “Shovels, Guns, and Hoes: Women on the Ho Chi Minh Trail” (pp. 93-117).
- Catherine Reilly. 2006. *Scars Upon My Heart Women’s Poetry and Verse From the First World War*. Selected Poems.

### **Week 7 (March 11) Feminism and Ethics of War**

- Jean-Bethke Elshtain “Reflections on War and Political Discourse: Realism, Just War, and Feminism in a Nuclear Age.” *Political Theory* 13 no. 1 (1985): 39-57.
- Just War Thinkers* Chapter 17 on Elshtain (pp. 216-227)
- Laura Sjoberg, “Women Fighters and the ‘Beautiful Soul Narrative.’” *International Review of the Red Cross*, 92 no. 877 (2010): 53-68.
- R. Charli Carpenter, “‘Women, Children and Other Vulnerable Groups’: Gender, Strategic Frames, and the Protection of Civilians as a Transnational Issue.” *International Studies Quarterly* 49 no. 2 (2005): 295-334.
- Donna Haraway, “Cyborgs at Large: Interview with Donna Haraway” *Social Text* no. 25/26 (1990): 8-23.

### **Week 8 (March 18) NO CLASS SPRING BREAK**

### **Week 9 (March 25) The Liberal Paradox of Killing in War**

- Stephanie Carvin and Michael John Williams. *Law, Science, Liberalism, and the American Way of Warfare: The Quest for Humanity in Conflict*. Entire Book
- Elizabeth Frazer and Kimberly Hutchings “Virtuous Violence and the Politics of Statecraft in Machiavelli, Clausewitz and Weber” *Political Studies* 59 no. 1 (2011): 56-73.
- Vivienne Jabri, “War, Security and the Liberal State.” *Security Dialogue* 37 no. 1 (2006): 47-64.

### **Week 10 (April 1) The Postcolonial Critique**

- Tarak Barkawi and Mark Laffey, “The Postcolonial Moment in Security Studies” *Review of International Studies* 32 no. 2 (2006): 329-352.
- Talal Asad, “Thinking about Terrorism and Just War” *Cambridge Review of International Studies* 23 no. 1 (2009): 3-24.
- Mahmood Mamdani, “The Responsibility to Protect or the Right to Punish” *Journal of Intervention and Statebuilding* 4 no. 1 (2010): 53-67.
- Michael Walzer, *Just and Unjust Wars* Chapter 12 (pp.197-207)

### **Week 11 (April 8) The Revisionist Turn in Just War Theory and Its Critics**

- Just War Thinkers* Chapter 19 on Jeff McMahan
- Daniel Brunstetter & Megan Braun, “The Implications of Drones on the Just War Tradition” *Ethics & International Affairs* 25 no. 3 (2011): 337-358

- Helen Frowe, “On the Redundancy of *Jus ad Vim*: A Response to Daniel Brunstetter and Megan Braun” *Ethics and International Affairs* 30 no. 1 (2016): 117-129.
- Daniel Brunstetter, “*Jus ad Vim*: A Rejoinder to Helen Frowe” *Ethics & International Affairs* 30 no. 1 (2016): 131-136.
- Ryan Jenkins, Michael Robillard, and Bradley Jay Strawser, *Who Should Die? The Ethics of Killing in War*. (Oxford: Oxford University Press), 2018. Introduction (pp. 1-12).
- Chris Brown, “Cops, Warriors, and Revisionist Just War Theory” European Consortium for Political Research (2016). Available at:  
<https://ecpr.eu/Filestore/PaperProposal/d3cdb980-bce9-49f5-b378-ccba5c582a1b.pdf>

### **Week 12 (April 15) The Transformation of Targeted Killing**

- Martin Senn & Jodok Troy, “The *Transformation* of Targeted Killing and International Order.” *Contemporary Security Policy* 38 no. 2 (2017): 175-211.
- Ian Hurd, “Targeted Killing in International Relations Theory: Recursive Politics of Technology, Law, and Practice.” *Contemporary Security Policy* 38 no. 2 (2017): 307-319.
- Emil Archambault, “Review Article: Targeted Killing, Technologies of Violence, and Society.” *Millennium: Journal of International Studies* 47 no. 1 (2018): 142-152.
- John Williams, “Distant Intimacy: Space, Drones, and Just War.” *Ethics & International Affairs* 29 no. 1 (2015): 93-110.

### **Week 13 (April 22) Technology and The Ethics of War**

- Maja Zehfuss, “Targeting Killing and the Production of Ethics.” *European Journal of International Relations* 17 no. 3 (2010): 543-566.
- John Emery, “Probabilities Toward Death: Algorithmic Warfare, Machine-Learning Assassinations, and Techno-Ethics” (Forthcoming).
- Thomas Gregory, “Targeted Killings: Drones, Noncombatant Immunity, and the Politics of Killing.” *Contemporary Security Policy* 38 no. 2 (2017): 212-236.
- Elke Schwarz, “Technology and Moral Vacuums in Just War Theorising” *Journal of International Political Theory* 14 no. 3 (2018): 280-298.

### **Week 14 (April 29) The Rise of Killer Robots**

- Alex Leveringhaus, “What’s So Bad About Killer Robots?” *Journal of Applied Philosophy* 35 no. 2 (2018): 341-358.
- Heather M. Roff, “The Strategic Robot Problem: Lethal Autonomous Weapons in War” *Journal of Military Ethics* 13 no. 3 (2014): 211-227.
- Valerie Morkevicius, “Tin Men: Ethics, Cybernetics and the Importance of the Soul.” *Journal of Military Ethics* 13 no. 1 (2014): 3-19.
- Robert Sparrow, “Robots and Respect: Assessing the Case Against Autonomous Weapon Systems” *Ethics & International Affairs* 30 no. 1 (2016): 93-116.
- Ryan Jenkins and Duncan Purves, “Robots and Respect: A Response to Robert Sparrow” *Ethics & International Affairs* 30 no. 3 (2016): 391-400.

### **Week 15 (May 6) The Future of War**

- Jonathan Tepperman, “The Future of War.” *Foreign Policy* 12 September 2018. Available at:  
<https://foreignpolicy.com/2018/09/12/the-future-of-war-editors-note-fall-2018/>.

- Tarah Wheeler, “In Cyberwar, There Are No Rules” *Foreign Policy* 12 September 2018. Available at: <https://foreignpolicy.com/2018/09/12/in-cyberwar-there-are-no-rules-cybersecurity-war-defense/>.
- Paul Scharre, “A Million Mistakes a Second.” *Foreign Policy* 12 September 2018. Available at: <https://foreignpolicy.com/2018/09/12/a-million-mistakes-a-second-future-of-war/>.
- Michael C. Horowitz, “The Algorithms of August.” *Foreign Policy* 12 September 2018. Available at: <https://foreignpolicy.com/2018/09/12/will-the-united-states-lose-the-artificial-intelligence-arms-race/>.
- Kori Schake “Why We Get It Wrong: Reflections on Predicting the Future of War.” *War on the Rocks* 10 August 2018. Available at: <https://warontherocks.com/2018/08/why-we-get-it-wrong-reflections-on-predicting-the-future-of-war/>

## **Week 16 (May 13): Final Papers Due**

### **Chapman Academic Integrity Policies**

Chapman University is a community of scholars that emphasizes the mutual responsibility of all members to seek knowledge honestly and in good faith. Students are responsible for doing their own work, and academic dishonesty of any kind will be subject to sanction by the instructor/administrator and referral to the University's Academic Integrity Committee, which may impose additional sanctions up to and including expulsion. Please see the full description of Chapman University's policy on Academic Integrity at: [www.chapman.edu/academics/academic-integrity](http://www.chapman.edu/academics/academic-integrity)

### **Student Psychological and Counseling Services**

Student Psychological Counseling Services Student psychological counseling services provides psychotherapy to students at Chapman University and is staffed with licensed and professional psychologists, counselors and counselor interns. If you feel that any of your students need such counseling, please ask them to contact the office at (714) 997-6778 or [spcs@chapman.edu](mailto:spcs@chapman.edu).

### **Chapman Disability Services Information**

<https://www.chapman.edu/students/health-and-safety/disability-services/index.aspx>

Chapman University is committed to making its educational and employment opportunities accessible to qualified individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. By providing full access to qualified students with disabilities, the University demonstrates its belief that the community will benefit from the skills and talents of these individuals. As an equal opportunity employer, the University does not discriminate on the basis of disability in the hiring, promotion, and retention of otherwise qualified faculty and staff. In this regard, Chapman University has implemented the following policies:

- Chapman University strictly prohibits any form of discrimination on the basis of an individual’s disability.
- Chapman University offers individualized assessment and reasonable accommodation to otherwise qualified individuals with disabilities.

These policies apply to every facet of the University’s operations, including but not limited to admissions, academic requirements, financial aid, housing, or any other school-administered program or service.

Chapman University has developed and maintains programs and resources to monitor and to assure compliance with these policies. These include Disability Services, an ADA Compliance Officer, Equal Opportunity Officer, and an ADA Committee. These resources are designed to offer individualized assessment and to provide accommodations in the most integrated setting appropriate. Please contact Disability Services at (714) 516-4520 or visit <https://www.chapman.edu/students/health-and-safety/disability-services/> if you have questions regarding this procedure or for information or to make an appointment to discuss and/or request potential accommodations based on documentation of your disability. Once formal approval of your need for an accommodation has been granted,



you are encouraged to talk with your professor(s) about your accommodation options. The granting of any accommodation will not be retroactive and cannot jeopardize the academic standards or integrity of the course.”

The Assistant Director of Disability Services, who is a standing member of the University’s ADA Committee, administers these policies. Information concerning these policies is maintained in Disability Services. Summaries and references to these policies are provided in the University’s application and admissions materials, and its Student Handbook, as well as its Faculty manual and Staff and Administrative Handbook. Individuals can also obtain information about these policies through the University’s ADA Compliance Officer and Equal Opportunity Officer.

### **Chapman University’s Equity and Diversity Policy**

<http://www.chapman.edu/faculty-staff/human-resources/eoo.aspx>

Chapman University is committed to providing an environment which is free of any form of harassment and discrimination based upon an individual's race, color, religion, sex, gender identity, gender expression, pregnancy, national origin, ancestry, citizenship status, age, marital status, physical disability, mental disability, medical condition, sexual orientation, military or veteran status, genetic information, or any other characteristic protected by applicable state or federal law, so that all members of the community are treated at all times with dignity and respect. It is the University's policy, therefore, to prohibit all forms of such harassment or discrimination among University faculty, students, staff, and administration.

The University's administration, faculty, staff, and students are each responsible for creating and maintaining an environment conducive to work, study, learning, and for cooperating with the University officials who investigate allegations of policy violations. Harassment and discrimination, in any form prohibited by this policy, impede the university's mission to provide an education of distinction in a dignified and respectful learning environment. It is the duty of every member of the faculty, staff, and administration to assure compliance with this policy by promptly reporting allegations of policy violations to the University's Equal Opportunity and Diversity Officer. Students are also strongly encouraged to report any alleged violations of this policy, and may do so by contacting the Equal Opportunity and Diversity Officer, the Dean of Students or one of the Title IX Coordinators listed below. The University will strive to review any charges in a confidential, sensitive, and expeditious manner.

In addition to, or in lieu of the procedures set forth in this policy, any individual who feels he or she has been subjected to unlawful harassment or discrimination may contact the California Department of Fair Employment and Housing, the United States Equal Opportunity Commission, or the U.S. Department of Education, Office for Civil Rights.