Overview:

Welcome to PUBP 506-002, Ethics and the Use of Force. This is a course about the circumstances under which it is right to kill or harm another human being who we do not know and who may have done us no personal harm. The taboo against using violence to settle interpersonal disputes is one of the first taboos we learn; in part, this is because the resolution of disputes through appeal to rules and recognized authority is one of the defining features of a society, as opposed to a “state of nature.” Providing rules and authority in order to protect lives and property is a primary function of any political community. But a defining feature of the international community is precisely the absence of such overarching recognized authority or enforceable rules. States, the main constituents of the international community (though not the only ones), were defined by sociologist Max Weber by their monopoly on the legitimate use of violence within their borders.\(^1\) When confronted with a threat from outside their borders, states may appeal to public opinion or international bodies like the United Nations, or to norms as expressed through international law, but if they wish to compel another state to behave differently they have little recourse except to violence.

This course examines the norms, rules, laws, and customs that govern such violence. Although it engages with legal concepts, it is not a law course; though we will read philosophers, it is not a philosophy course; though we will engage with religious scholars and concepts, it is not a course on religion. Instead, this course will focus on the considerations that lend legitimacy to the use of violence for political purposes. Alan Craig defines legitimacy as “a value judgment that gives authority to the exercise of power.”\(^2\) Legitimacy is the judgment of a community as to what is right or wrong. Ethics reflect the principles that guide that judgment.

Work load:

You will have 150-200 pages of required reading each week. Additionally, as outlined below, you will be required to write two brief paragraphs each week related to the readings. As you read each assignment, keep the following questions in mind:

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1. What is the central question the author(s) is/are trying to address or answer?
2. What is the central argument (or the author’s answer to the question)?
3. What is one plausible alternative argument (an alternative answer to the question)?
4. What evidence does the author give in support of his argument?
5. Do you find that evidence convincing? Why or why not?  

While each of us develops our own technique for reading effectively, I have found that consciously thinking of these questions while reading helps me to understand and contextualize the reading. Another excellent resource for learning how to read effectively and efficiently is the classic volume, *How to Read a Book* by Mortimer Adler and Charles Van Doren. (Rev. and updated ed. New York: Simon and Schuster, 1972). This book is available for 2-hour check-out in the Fenwick library, and is also available through Amazon or other booksellers for around $15. I first learned of this book while a student at the Naval War College in 2008; I wish I had read it sooner, but it was of great value to me in managing my reading load while working on my PhD.

You will have two major writing assignments: a take-home midterm exam and a final paper. In order to help in time management, there will be two weeks (in addition to spring break) with no class session or assigned readings as dedicated time to devote to these assignments.

**Office Hours:**

Office hours will occur in ARLVM 656 from 6:00p.m. to 7:00p.m. on Wednesdays, immediately before class. To request an alternative time, please contact me to make arrangements. I will be happy to accommodate.

**Students with Special Needs:**

If you are a student with a disability and you need academic accommodations, please see me and contact the Disability Resource Center (DRC) at 993-2474. All academic accommodations must be arranged through the DRC.

**Class Attendance:**

This course is structured around readings and in-class discussion. Much of the value (and 40% of your grade) is based on your exchange of views with classmates. I expect that you will attend each class session. If extraordinary circumstances require you to miss a class, please contact me beforehand, and we can make alternate arrangements to ensure you have a good understanding of the material. It would be very difficult for a student who missed 3 or more classes to make a substantial enough contribution to in-class discussions to earn a grade higher than a “C” in the course.

**Classroom Courtesy:**

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3 My thanks to Professors Lindsay Cohn and Jessica Blankshain of the US Naval War College who developed these questions, and kindly gave permission for me to reproduce them here.
Because class discussions and deliberations are central to the course, listening to the comments of others is essential to our learning environment. At times, we will discuss topics that touch on deeply held religious or moral beliefs. The ability to engage others with whom you disagree is very important. Treating colleagues with respect, civility, and courtesy is indispensable. In order to promote free exchange of ideas, all classroom discussions will be conducted under the “Chatham House Rule”: nothing said in class may be attributed outside of class to any individual without their permission.

**Use of Electronic Devices in Class:**

Students may use electronic devices such as computers, tablets, or phones to take notes or to look up information relevant to the ongoing discussion. Students may not use electronic devices to engage in activities unrelated to the class or discussion, such as the use of social media or personal e-mail. Please ensure that your use of electronic devices is not distracting to your fellow students. Please ensure that your devices are silenced or appropriately muted during class discussion.

**Academic Integrity**

It is my expectation that your work will be the product of your own intellectual effort and you will appropriately acknowledge and cite all sources from which your work is derived. Any issues of academic integrity will be addressed in accordance with the George Mason University Honor Code, which may be found at: [https://oai.gmu.edu/wp-content/uploads/2019/08/George-Mason-University-Honor-Code-2019-2020-final.pdf](https://oai.gmu.edu/wp-content/uploads/2019/08/George-Mason-University-Honor-Code-2019-2020-final.pdf). If you have questions regarding the need to cite or the appropriate way to acknowledge work that has influenced you, please contact me prior to submitting the assignment.

**Student Learning Outcomes:**

Students having taken this course will be able to:

- Exhibit an understanding of the history and importance of ethics and the law to U.S. National Security.
  - Understand the history and major tenets of the Just War Tradition and international law.
  - Explain the Constitutional framework for addressing the use of military force, both in theory and practice.
- Recognize key ethical and legal issues associated with current US National Security policy challenges.
  - Articulate opposing views on enduring US National Security challenges.
  - Appreciate the views of other States and non-governmental actors on those challenges.
- Recognize some of the key journalists, authors and scholars in the fields of ethics, the use of force, national security in general, and national security law in particular.
- Apply the principles learned in this course to new policy situations, including the development and use of new technologies.
Conduct graduate level research through multiple mediums and sources on real-world issues related to national security.

Articulate sophisticated judgments about ethical, moral, and broad legal issues in the field of national security.

Grading:

Your grade in this course will be comprised of weekly reading responses (posted on Blackboard—details below); participation in class discussion; a take-home midterm exam; and a final paper, due at the start of the final class session on Wednesday 29 April. The grades will be weighted as follows:

- Reading responses (20%)
- Class Participation (20%)
- Midterm Exam (30%)
- Final Paper (30%)

Reading responses (20%): Beginning with week 2 and every week thereafter, each student is responsible for posting to the class Blackboard discussion forum a 1-2 paragraph response to one of the assigned readings, and one reply or comment to another student’s response.

A reading response should identify an argument, assertion, or aspect of the reading that the student found interesting, surprising, problematic, or confusing; a brief explanation of why that argument, assertion, or aspect struck the student as it did; and, a short discussion of how the reading relates to the student’s understanding of contemporary uses of force.

A reply or comment should engage with the observation of another student, either providing illuminating examples that extend that student’s argument, or suggesting an alternative viewpoint. Replies and comments should be respectful and always engage the argument, not the author.

A typical reading response should be 250-500 words. A typical reply or comment should be about 250 words.

Reading responses should be posted to Blackboard NLT 11:59 pm Tuesday before class on Wednesday.

“Life happens” policy: I recognize that this course is not the only course students are taking and that school is not the only thing in students’ lives. Accordingly, every student can skip one week’s reading response without penalty or explanation. (Note—you still need to do the reading, but this effectively gives you an extra day). This is not intended to replace consideration for bona fide emergencies or medical issues—if these come up, please coordinate with me as soon as you can and we can make appropriate accommodation.
Class participation (20%): Students will be assessed for their constructive contribution to in-class discussions, including the degree to which their discussion reflects a familiarity with the readings and applies concepts from the readings. Please note that the grade is based on constructive contribution, not the number of times that a student speaks. While it is difficult to contribute constructively without speaking, dominating class discussion when others wish to speak can also undermine constructive contribution.

Midterm exam (30%): A take-home midterm exam will be distributed at the end of class on Wednesday, 4 March. The exam is due prior to the start of class on Wednesday 1 April. The exam will consist of 2-3 essays of approximately 1,200-1,500 words each. Further details will be provided prior to exam distribution.

Final paper (30%): Each student will write a paper of 3,500-4,000 words addressing a policy topic related to the ethics of the use of force. In addition, students should prepare a 1-page executive summary, which identifies the issue, arguments, and recommended policy position. Paper topics are due to me NLT the start of class Wednesday, 4 March. Your final paper is due to me NLT the start of class Wednesday, 29 April. Papers should be footnoted as appropriate, using Chicago Manual of Style type footnotes (footnotes, not endnotes or in-text parenthetical references; complete notes, not author-year format). We will discuss the paper in greater detail during the first class session. If you have questions about appropriate paper topics, please consult with me prior to the due date for paper topics.

Required books to purchase:

I have tried to minimize the number and cost of books to be bought. While all of the books we will use are available in the George Mason University library, these four books are an important part of your personal reference collection, and we will either read the entire book or such extensive excerpts that you need to have your own copy. Older editions are perfectly acceptable, although you may find that the page references listed below differ from edition to edition.


Accessing articles:
All articles on the syllabus are available through the GMU library system, or in some cases on the internet. For articles available on the internet, I have provided the URL. For articles available through the library, I have embedded a link with the article name and included the full permalink in parentheses. All links listed here were validated from an off-campus computer on 11 January 2020. If for some reason, a link is not working, copy the bibliographic information for the article, and search for it on the GMU library website.

**Outline of the course and required readings:**

**Week 1: Why study ethics and the use of force (Wed 22 Jan)**

https://www.newyorker.com/magazine/1972/01/22/icoverup.


Thucydides. *History of the Peloponnesian War*. Chapters III, XVII.
Chapter III: https://darkwing.uoregon.edu/~klio/tx/corcyra.htm
Chapter XVII: https://www.mtholyoke.edu/acad/intrel/melian.htm

Shanks-Kaurin, Pauline. “Ethics: Starting at the Beginning.”

**Recommended reading:**


**Week 2: Foundations of the ethics of the Use of Force—Part I (Wed 29 Jan)**


Augustine “Just War in the Service of Peace” (pp. 70-90)
Aquinas “Just War and Sins Against Peace” (pp. 169-197)
Vittoria “Just War in the Age of Discovery” (pp. 288-332)
Woodrow Wilson “The Dream of a League of Nations” (595-599)


*Suggested further reading:*


**Week 3: Foundations of the Ethics of the Use of Force—Part II (Wed 5 Feb)**


The Federalist Papers
([https://www.congress.gov/resources/display/content/The+Federalist+Papers](https://www.congress.gov/resources/display/content/The+Federalist+Papers))

Federalist 2-8 (Jay and Hamilton)
Federalist 29 (Hamilton)
Federalist 51 (Hamilton)


Suggested further reading:


**Week 4: The Experience of World War II—Total war, aerial bombardment, and genocide (Wed 12 Feb)**


Suggested further reading:


**Week 5: Nuclear Weapons: The Ethics of Terror (Wed 19 Feb)**


*The Challenge of Peace: God's Promise and Our Response: A Pastoral Letter on War and Peace* by the National Conference of Catholic Bishops May 3, 1983


*Suggested further reading:*


**Week 6: Ethical Considerations of Civil-Military Relations (Wed 26 Feb)**


*Suggested further reading:*


**Week 7: Humanitarian Intervention and the Responsibility to Protect (Wed 4 Mar)**

*Paper topics due at start of class Wed 4 Mar*


Required video: Lt Gen Romeo Dallaire. Shaar Shalom Lecture at Dalhousie University “All Humans are Human.” https://www.youtube.com/watch?v=P_mYxuLPEB8

Suggested further reading:


Midterm exam distributed at end of class Wed 4 Mar, due NLT start of class Wed 1 Apr

No Class Wed 11 Mar (Spring Break)

Week 8: Terrorism (Wed 18 Mar)


Suggested further reading:


No Class Wed 25 Mar (Midterm exam and paper prep time)

Week 9: Torture (Wed 1 Apr)

Midterm exam due NLT start of class


Suggested further reading:


Week 10: Modern Technologies—Cyber, Unmanned, Human Enhancement, Synthetic Biology (Wed 8 Apr)


Suggested further reading:


Week 11: Non-State Actors—Insurgents and Contractors (Wed 15 Apr)


*Suggested further reading:*


**No class Wed 22 Apr (Final paper prep time)**

**Week 12: Moral Injury and wrap-up discussion (Wed 29 Apr)**

**Final paper due to me NLT start of class**


*Suggested further reading:*