

Weapons are instruments of fear;
 They are not a wise man's tools.
 He uses them only when he has no choice.
 Peace and quiet are dear to his heart,
 And victory no cause for rejoicing.

Laozi, *The Daodejing*, 31

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Time: TR 3:30-4:45pm

Place: BH 238

Office hours: TR 12:30-1:45pm & 2:00-5:00pm

Office: BH 351F

The United States is fighting a “war on terror” in the Middle East and Central Asia and strengthening its forces in East Asia and Eastern Europe to contain the rising power of China and Russia. This is a good time to examine the law and morality of war. When should we go to war: to protect ourselves against aggression, to prevent a rival from becoming too powerful, or to stop ethnic and religious civil wars in other countries? When fighting a war, how should we distinguish between combatants and non-combatants? Can we target civilians or use measures that cause large civilian casualties, such as blockades, the destruction of infrastructure, and nuclear weapons? Do people have the right to revolution? What are the similarities and differences between guerrilla warfare and terrorism? Should we torture suspects to prevent terrorist attacks? We will read works by Western and non-Western (especially Chinese, Russian, Indian, and Arab) religious thinkers, philosophers, and political scientists and watch several films.

Readings

Please buy the following books or make copies of the print reserves at Belk Library:

- *The Bhagavad-Gita: Krishna's Counsel in Time of War*, translated by Barbara Stoler Miller (New York: Bantam Books, 1986) [**Bhagavad-Gita**]
- Philip J. Ivanhoe and Bryan W. Van Norden, editors, *Readings in Classical Chinese Philosophy*, 2nd edition (Indianapolis: Hackett, 2006) [**Readings**] **RENT ME!**
- Gregory M. Reichberg, Henrik Syse, and Endre Begby, editors, *The Ethics of War: Classic and Contemporary Readings* (Malden: Blackwell, 2006) [**Ethics**] **RENT ME!**
- Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 4th edition (New York: Basic Books, 2006) [**Just and Unjust Wars**]

Additional required readings are available online and on electronic reserve (**R**).

Requirements

The course grade is based on participation (20%), two 5-page papers (2×20%), and a 10-page take-home final (40%). Participation includes your contributions to class discussions, two film reviews, and five closed-book quizzes on the readings, graded pass/fail.

Policies

You are allowed four absences. No make-up quizzes are given and late film reviews are not accepted. Late papers are graded down by 1/3 of a letter grade per day (e.g., from B to B-). The penalty for cheating or plagiarism is a failing grade on the assignment.

How to Use Electronic Reserve (R)

Several important readings are on electronic reserve, which you can access as follows:

1. Go to the university home page and click on Library
2. Click on Reserves under Find
3. Click on By Instructor and type Lust
4. Click on PS 3001
5. Click on the text you wish to read
6. Type your e-mail address and password
7. Print out the text and bring it to class

Statement on Student Engagement with Courses

In its mission statement, Appalachian State University aims at “providing undergraduate students a rigorous liberal education that emphasizes transferable skills and preparation for professional careers” as well as “maintaining a faculty whose members serve as excellent teachers and scholarly mentors for their students.” Such rigor means that the foremost activity of Appalachian students is an intense engagement with their courses. **In practical terms, students should expect to spend two to three hours of studying for every hour of class time. Hence, a fifteen hour academic load might reasonably require between 30 and 45 hours per week of out-of-class work.**

Academic Integrity Code

I. Introduction

Appalachian State University’s Academic Integrity Code is designed to create an atmosphere of trust, respect, fairness, honesty, and responsibility. The Academic Integrity Code outlines “user-friendly” procedures and mechanisms for resolving alleged violations of academic integrity. The Academic Integrity Code is the result of cooperation among Appalachian’s faculty, students, and administrators, and promotes a campus dialogue about academic integrity. All members of the Appalachian State University community are responsible for promoting an ethical learning environment.

II. The Academic Integrity Code

Students attending Appalachian State University agree to abide by the following Code:

- Students will not lie, cheat, or steal to gain academic advantage.
- Students will oppose every instance of academic dishonesty.

Students shall agree to abide by the Academic Integrity Code when submitting the admission application.

Disability Services

Appalachian State University is committed to making reasonable accommodations for individuals with documented qualifying disabilities in accordance with the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. If you have a disability and may need reasonable accommodations in order to have equal access to the University’s courses, programs and activities, please contact the Office of Disability Services (828.262.3056 or www.ods.appstate.edu). Once registration is complete, individuals will meet with ODS staff to discuss eligibility and appropriate accommodations.

Introduction

August 16-18: Just War?

Thucydides, *The Peloponnesian War* (**handout**)

The Book of Lord Shang, translated by J. J. L. Dyvendak (London: Arthur Probsthain, 1928), 185-196 (**R**)

Laozi, "The Daodejing," in *Readings*, 163-180

QUIZ 1!

I Warring Traditions

August 23-25: Europe and Russia

Matthew 5, Luke 7, and Romans 13, www.kingjamesbibleonline.org

Thomas Aquinas, "On War" and "Holy War," in *Ethics*, 176-183 and 192-193

"The Martyrdom of Boris and Gleb," in Serge Zenkovsky, editor, *Medieval Russia's Epics, Chronicles, and Tales* (New York: E. P. Dutton, 1974), 101-105 (**R**)

"Tale of the Life and Courage of the Pious and Great Prince Alexander [Nevsky]," in Zenkovsky, 224-236 (**R**)

"Letter of the Elder Filofei of Pskov" (**R**)

August 30-September 1: The Middle East

The Koran, translated by N. J. Dawood (London and New York: Penguin, 1993), Chapters 8-9, 126-146 (**R**)

Film: Mark Hufnail, *Inside Islam* (2002)

FILM REVIEW 1 DUE!

September 6-8: South and East Asia

Bhagavad-Gita, 21-49

Confucius, "The Analects," in *Readings*, 25-54

Han Feizi, "The Five Vermin," in *Readings*, 339-351

II Resort to War

September 13-15: Self-Defense

Mozi, "A Condemnation of Aggressive War," in *Readings*, 77-78

Hugo Grotius, "On the Law of War and Peace," in *Ethics*, 401-418

Just and Unjust Wars, 21-33 and 51-73

Charter of the United Nations (1945), Chapters I and VII, www.un.org/en/documents/charter

QUIZ 2!

September 20-22: Prevention

Emer de Vattel, "The Law of Nations," in *Ethics*, 506-512

Just and Unjust Wars, 74-85

Neta Crawford, "The Slippery Slope to Preventive War," *Ethics and International Affairs*, 17, 1 (March 2003), 30-36 (R)

Walter Pincus, "Has Obama Taken Bush's 'Preemption' Strategy to Another Level?" *The Washington Post*, January 9, 2012 (R)

Film: Michael Moore, *Fahrenheit 9/11* (2004)

PAPER 1 DUE!

September 27-29: Intervention

The United Nations, *The Universal Declaration of Human Rights* (1948), <http://www.un.org/en/documents/udhr>

Just and Unjust Wars, 86-108

Martha Finnemore, "Constructing Norms of Humanitarian Intervention," in Richard K. Betts, *Conflict after the Cold War: Arguments on Causes of War and Peace*, 4th edition (Boston: Pearson, 2013), 262-279 (R)

David N. Gibbs, *First Do No Harm: Humanitarian Intervention and the Destruction of Yugoslavia* (Nashville: Vanderbilt University Press, 2009), 204-222 (R)

III Conduct of War

October 4-6: Rules of War

S. W. Viswanatha, *International Law in Ancient India* (Bombay: Longmans, Green & Co, 1925), 139-157 (R)

Grotius, “On the Law of War and Peace,” in *Ethics*, 425-437

Just and Unjust Wars, 127-137 and 144-156

Geneva Convention IV: Relative to the Protection of Civilian Persons in Time of War (1949), Articles 1-5 and 27-34, <http://www.un-documents.net/gc-4.htm>

QUIZ 3!

October 11: Drones

Scott Shane, “The Moral Case for Drones,” *The New York Times*, July 14, 2012 (R)

John Kaag and Sarah Kreps, “The Moral Hazard of Drones,” *The New York Times*, July 22, 2012 (R)

October 13: FALL BREAK!

October 18-20: War against Civilians

Just and Unjust Wars, 160-175 and 304-327

“Judgment of the International Military Tribunal for the Far East” and “The Dissenting Opinion of Rabhadinod Pal,” in Timothy Brook, editor, *Documents on the Rape of Nanjing* (Ann Arbor: University of Michigan Press, 1999), 257-267, 269-273 and 294-297 (R)

QUIZ 4!

October 25-27: Weapons of Mass Destruction

Bhagavad-Gita, 97-109

National Conference of Catholic Bishops, "The Challenge of Peace: God's Promise and Our Response," in *Ethics*, 675-681

The Economist, "The Unkicked Addiction," March 7, 2015 (R)

Film: Steven Okazaki, *White Light, Black Rain: The Destruction of Hiroshima and Nagasaki* (2007)

PAPER 2 DUE!

IV The War Within

November 1-3: Revolution

Mencius, in *Readings*, 117-125 and 144-151 and in Mencius, translated by D. D. Lau, (London: Penguin, 2004), 104-106 (R)

"Report on an Investigation of the Peasant Movement in Hunan," in *Selected Works of Mao-Tsetung* (Peking: Foreign Language Press, 1967), 23-56 (R)

Matthew 25, www.kingjamesbibleonline.org

Father Camilo Torres, *Revolutionary Writings*, edited by Maurice Zeitlin (New York: Harper Colophon, 1969), 307-318 (R)

November 8-10: Unconventional Warfare

Mao Tse-Tung, "Guerrilla Warfare," in Betts, 539-549 (R)

Osama bin Ladin, "Speech to the American People," in Betts, 511-515 (R)

Audrey Kurth Cronin, "ISIS is Not a Terrorist Group," *Foreign Affairs*, March/April 2015 (R)

Just and Unjust Wars, 176-206

QUIZ 5!

November 15-17: Torture

Henry Shue, "Torture," in Sanford Levinson, editor, *Torture: A Collection* (Oxford and New York: Oxford University Press, 2004), 47-60 (R)

Alan Dershowitz, "Tortured Reasoning," in Levinson, 259-280 (R)

Film: Michael Kirkl, *The Torture Question* (2005)

FILM REVIEW 2 DUE!

Conclusion

November 22: Just Peace?

Immanuel Kant, "Perpetual Peace," in *Ethics*, 523-531

Friedrich Nietzsche, *The Will to Power*, translated by Walter Kaufmann and R. J. Hollingdale (New York: Vintage, 1968), Book III, 382-386 and 400-407 (R)

Vladimir Lenin, "Socialism and War," in Lawrence Friedman, editor, *War* (Oxford and New York: Oxford University Press, 1994), 95-99 (R)

November 24: THANKSGIVING BREAK!

November 29: The Way and the Power

Laozi, in *Readings*, 181-203

TAKE-HOME FINAL DUE!

IN-CLASS READING ASSIGNMENT

The history of international relations as a field of study can be traced back to Thucydides, an ancient Greek general and scholar. In his *History of the Peloponnesian War*, Thucydides depicts the conflict between Athens and Sparta, the two leading city-states of his time (5th c. BC), which led to the decline of the ancient Greek civilization. In the 16th year of the war, Athens launched an expedition against Melos, a small island state founded by Spartan colonists that had remained neutral in the war. Before attacking the city, the Athenians tried to persuade it to surrender. Please read the dialogue between the Athenian envoys and the Melian leaders and think about the following question:

According to the Athenians, what motivates states in their conduct of foreign policy? Why are morality, law, and religion irrelevant? Do you agree? Why (not)?

Excerpted from *Thucydides' Peloponnesian War*, translated by Richard Crawley (London: J.M. Kent and Co, 1903) [written in 431 BC]

CHAPTER XVII

Sixteenth Year of the War - The Melian Conference - Fate of Melos

Melians. [A]ll we can reasonably expect from this negotiation is war, if we prove to have right on our side and refuse to submit, and in the contrary case, slavery...

Athenians. [We] shall not trouble you with specious pretences- either of how we have a right to our empire because we overthrew the Mede, or are now attacking you because of wrong that you have done us- and make a long speech which would not be believed; and in return we hope that you, instead of thinking to influence us by saying that you did not join the Lacedaemonians [Spartans], although their colonists, or that you have done us no wrong, will aim at what is feasible, holding in view the real sentiments of us both; since you know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must.

Melians. As we think, at any rate, it is expedient- we speak as we are obliged, since you enjoin us to let right alone and talk only of interest- that you should not destroy what is our common protection, the privilege of being allowed in danger to invoke what is fair and right, and even to profit by arguments not strictly valid if they can be got to pass current. And you are as much interested in this as any, as your fall would be a signal for the heaviest vengeance and an example for the world to meditate upon.

Athenians. The end of our empire, if end it should, does not frighten us: a rival empire like Lacedaemon, even if Lacedaemon was our real antagonist, is not so terrible to the vanquished as subjects who by themselves attack and overpower their rulers. This, however, is a risk that we are content to take. We will now proceed to show you that we are come here in the interest of our empire, and that we shall say what we are now going to say, for the preservation of your country; as we would fain exercise that empire over you without trouble, and see you preserved for the good of us both.

Melians. And how, pray, could it turn out as good for us to serve as for you to rule?

Athenians. Because you would have the advantage of submitting before suffering the worst, and we should gain by not destroying you.

Melians. So that you would not consent to our being neutral, friends instead of enemies, but allies of neither side.

Athenians. No; for your hostility cannot so much hurt us as your friendship will be an argument to our subjects of our weakness, and your enmity of our power.

Melians. Is that your subjects' idea of equity, to put those who have nothing to do with you in the same category with peoples that are most of them your own colonists, and some conquered rebels?

Athenians. As far as right goes they think one has as much of it as the other, and that if any maintain their independence it is because they are strong, and that if we do not molest them it is because we are afraid; so that besides extending our empire we should gain in security by your subjection; the fact that you are islanders and weaker than others rendering it all the more important that you should not succeed in baffling the masters of the sea.

Melians. Well then, if you risk so much to retain your empire, and your subjects to get

rid of it, it were surely great baseness and cowardice in us who are still free not to try everything that can be tried, before submitting to your yoke.

Athenians. Not if you are well advised, the contest not being an equal one, with honour as the prize and shame as the penalty, but a question of self-preservation and of not resisting those who are far stronger than you are...

Melians. You may be sure that we are as well aware as you of the difficulty of contending against your power and fortune, unless the terms be equal. But we trust that the gods may grant us fortune as good as yours, since we are just men fighting against unjust, and that what we want in power will be made up by the alliance of the Lacedaemonians, who are bound, if only for very shame, to come to the aid of their kindred. Our confidence, therefore, after all is not so utterly irrational.

Athenians. When you speak of the favour of the gods, we may as fairly hope for that as yourselves; neither our pretensions nor our conduct being in any way contrary to what men believe of the gods, or practise among themselves. Of the gods we believe, and of men we know, that by a necessary law of their nature they rule wherever they can... Thus, as far as the gods are concerned, we have no fear and no reason to fear that we shall be at a disadvantage. But when we come to your notion about the Lacedaemonians, which leads you to believe that shame will make them help you, here we bless your simplicity but do not envy your folly. The Lacedaemonians, when their own interests or their country's laws are in question, are the worthiest men alive; of their conduct towards others much might be said, but no clearer idea of it could be given than by shortly saying that of all the men we know they are most conspicuous in considering what is agreeable honourable, and what is expedient just...

Melians. But we believe that they would be more likely to face even danger for our sake, and with more confidence than for others, as our nearness to Peloponnese makes it easier for them to act, and our common blood ensures our fidelity...

Athenians. [W]e are struck by the fact that, after saying you would consult for the safety of your country, in all this discussion you have mentioned nothing which men might trust in and think to be saved by. Your strongest arguments depend upon hope and the future, and your actual resources are too scanty, as compared with those arrayed against you, for you to come out victorious. You will therefore show great blindness of judgment, unless, after allowing us to retire, you can find some counsel more prudent than this...

The Athenian envoys now returned to the army; and the Melians showing no signs of yielding, the generals at once betook themselves to hostilities, and drew a line of circumvallation round the Melians, dividing the work among the different states. Subsequently the Athenians returned with most of their army, leaving behind them a certain number of their own citizens and of the allies to keep guard by land and sea. The force thus left stayed on and besieged the place...

The next winter...[r]einforcements ... arrived from Athens... under the command of Philocrates, son of Demeas, the siege was now pressed vigorously; and some treachery taking place inside, the Melians surrendered at discretion to the Athenians, who put to death all the grown men whom they took, and sold the women and children for slaves, and subsequently sent out five hundred colonists and inhabited the place themselves.