

1. Introductory Discussion (1)

- What causes war?
- Should we place our energies into stopping war or managing it?
- Is we abolish war, how?
- If we manage war, what might be some guidelines that we ought to follow?

2. The “Human Motivational Complex”

- A evolutionary psychological explanation of violence and war
- Evolution selects for those behaviors that maximize reproduction
 - “Somatic” success: physical existence
 - “Reproductive” success: pass along genes to next generative

3. The Evolutionary Advantages of Violence

- Resource aggression
 - food, esp. meat, water
 - territory
 - better chance of reproductive success
- “Cost-benefit analysis”
 - Lower costs by “showing off”
 - Raid & ambush rather than pitched battle

4. Access to Sexual Partners

- Maximize reproductive potential
 - Multiple “wives” sign of wealth, power
 - “converted good”
 - Acquire “wives” in order to acquire prestige
- Younger males relatively sexually deprived
 - allows them to gain physical maturity needed for violence
 - creates tendency for violence

5. “Proximate, Subordinate, Derivative Causes”

- Evolutionary dynamics
 - Not conscious decision
 - behaviors selected for by evolutionary pressure (75a, 77c)
- Dominance
 - “conspicuous consumption” of “luxury” goods
- Revenge
 - Eliminate
 - Deter: display to potential competitors

6. Dilemmas of Dominance and Revenge

- Prisoner’s Dilemma
 - optimal result by cooperation
 - lack of cooperation due to failure of communication
- Security Dilemma
 - Deter conflict by increasing security
 - But increasing security can evoke conflict

7. Prisoner's Dilemma

- <https://www.youtube.com/watch?v=jUTWcYXVR5w>
- Scenario
 - 2 prisoners interrogated separately
 - if one confesses, the other will be punished
 - if both confess, both will be punished less severely
 - if neither confesses, neither will be punished
- More rational to “defect” (“confess”), but less optimal

8. Security Dilemma— Secondary Causes

- Arises in cases of potential conflict
- Measures taken to increase one's security “decreases the other's security”
- Secondary Causes
 - Supernatural, fear of curses
 - Cannibalism: expression of power, dominance
 - Play, Ecstasy: potentially adaptive behaviors

9. Motivational Complex in Later History

- Agrarian societies, villages
- Chieftains and warrior “aristocracy”
- Consolidation → “great king”
 - massed armies could repulse horse-borne elite
- Competition for supreme power: “gardens of pleasure”
 - ample material well-being does not deactivate motivational complex

10. North Korea's Security Dilemma—or Our's?

11. Defusing the Motivational Complex

- “our system of desires has been ‘imposed’ on us by evolution”
- → asceticism: Buddhism, Daoism, Christianity
- Origins of Buddhism
- prince who realized the futility of life
 - “the Middle Way” between indulgence and asceticism
 - End desire: “Nirvana” (“extinction”)
 - → “impermanence” and “no-self”

12. A government of “no-thought”: Daoism

- Dao: “way,” esp. of the heavens
- What is the “ordering” of the “sage”?
- Is “value” good?
- Is #57 correct? Why “uncarved” wood?
- How does #80 address the “motivational complex”? Does this “work”?

13. Religious Responses: Christianity (1)

- Origins of morality in religion
 - Not “getting the goodies,” but “being good”
 - Not external but internal: the “Tao,” “nirvana”
- Background to Jesus
 - Palestinian Judaism, Roman oppression
 - Hope for “messiah” (= e.g., Abu Bakr al-Baghdadi)
 - “judge not”

14. Religious Responses: Christianity (2)

- In what sense is it “blessed” to be “poor in spirit” or “meek,” or “persecuted”?
- Settling with accuser, adultery, divorce
- Do you think Jesus intended his teachings to be taken literally? Why or why not (see. Vv. 29, 30, 42, 48)?

15. Religious Responses to Violence: St. Paul, Serving Others

- What do you think Paul meant by “lov[ing] one another?”
- What does one person “owe” to others in the community?
 - See Christopher, 20
- Is this position “pacifism”?

16. Motivational Complex in Later History (3)

- Modern prosperity has eroded belligerency
 - those who don’t share in prosperity may still use violence → prisoner’s dilemma, “red queen” effect
- technology and commerce replaced warrior elites
- “wealth acquisition” no longer a “zero-sum game”

17. “The Causes of War” (1)

- Some rejected explanations
 - Rivalry, tension
 - Uneven balance of power
 - “Scapegoating”: distract populace from problems
 - Not “innate love of fighting”
 - not lack of communication or travel
- Rational response to a calculus of benefit and cost
- Peace is not the opposite of war

18. The Causes of War (2)

- The will of one nation to dominate another
- “two nations disagree on their relative strength” (p. 293, # 20)
 - War provides a measure of power → peace
 - “victory is a wasting asset” (p. 292, # 24) → war
- Formal “declarations of war” are abnormal

19. Summary: origins of violence and war

- “Motivational Complex”
- We make rational, even if sub-optimal choices
- War is selected when it is believed that it provides some good(s)
- Coker, pp. 96–100: boredom and playacting

20. Development of Just War: Introduction, Antiquity

- The goal (end = telos) of war is peace
- Some definitions
 - **Formal justice:** Does it meet the “form” or “pattern” of justice?
 - Contrasted to “objective justice”
 - Jus ad bellum: “justice of [going to] war”

21. Conditions of a just war (Cicero)

- (Revenge or defense)
- Proper authority
- Declaration
- Opportunity for peaceful settlement
- (Only those sworn to serve in military may fight)
- *Jus gentium* (world law) & “ideal observer,” with “veil of ignorance”

22. Ambrose: Biographical Background

- Governor of northern Italy, 374 → Elected Bishop of Milan
- Brought together “secular” skills in administration with theological insight
- Credited with conversion of Augustine

23. Ambrose: Theological Background

- “Eschatological promise” (Christopher, 23)
 - Imminence of the “second coming”
 - No need to be involved in worldly affairs
- Ambrose: we are in this for the long term
- “Four Cardinal Virtues”

24. Ambrose on virtue

- Human “excellence”: “natural” → “supernatural”
- Hierarchy of “Piety” (reverence, respect)
 - God
 - one’s country
 - parents
 - towards all
 - justice (obligations) governed by love

25. Ambrose on war

- “be angry and sin not” = be angry with yourself
- Christianity rejects revenge and “private property”
- “we ought to be of mutual help one to the other, and to vie with each other in doing duties”
- “justice...exist[s]...for the good of others than of self”

26. Augustine: Philosophy of History

- Pagan complaint against Christianity
- Augustine's response in *Civitas Dei*
 - Ill happened to good and bad alike
 - Rome suffered when it worshipped pagan gods
 - Worse, pagan Rome was immoral
 - God's kingdom transcends earthly kingdoms
- The "two cities"

27. The Two Cities

- "Civitas Dei"— "Civitas Terrena"
- Eternal — Temporal
- "heavenly" — Earthly
- Caritas— Cupiditas
- For God &
- neighbor— "lust for domination"
- Rightly ordered— Disordered
- Citizens are elect —"Reprobate"

28. Peace as the nature of things

- Peace is "duly ordered proportion" (§13): each is "assign[ed] to...its proper position"
 - All desire peace; the end of war in peace
 - Peace essential to the "condition of their being"
- Christians "make use of the peace of Babylon" (§26—see Christopher, 35; § 17)
- Intention, not actions: *will* to avoid sin

29. Thomas Aquinas: Introduction

- Teleological (Aristotelian) ethics
 - The goal is happiness: a full & complete life
 - An act is good if it gets us to our goal
 - Aquinas: the goal is God
- Aquinas
 - The goal is God
 - "Eternal Law" guides all things
 - "Natural law": guides rational beings

30. Aquinas: Natural law

- Eternal law guides all things "automatically"
- But humans deliberate about their actions
 - How do know "the good"? How do I choose it?
 - Through reason
- "Natural law is the participation of the eternal law in the rational creature"

31. Aquinas: Natural law (2)

- Recognize there is “a good”
- “Order of natural inclinations”
 - Preservation of being (all beings)
 - Procreation & nurture (animals)
 - Human good & truth: society, knowledge, right & wrong
 - → Human laws: “promulgated” (explicitly set forth) by a ruler
 - Is the moral law “secular”

32. The Doctrine of Just War

- Command of the sovereign
- Just Cause (from Augustine)
 - To avenge a wrong
 - To punish a state, that refuses to make amends for some wrong done against its subjects
 - To restore what has been seized
- Right Intention

33. Questions/Considerations

- Who/what is a sovereign? See Christopher, 59
 - Do states (a sovereign) have the right to avenge a wrong
- Can violent actions be carried out with a non-violent attitude?
 - A tyrannical government (“private good of the ruler”) can be justly overthrown
 - **Proportionality**: the harm done in effecting justice cannot exceed the harm done by the injustice one is trying to remove

34. Double Effect

- Actions have two effects: intended and unintended
- An action with a bad, unintended effect is permissible, provided:
 - It is proportional to the good, intended effect,
 - And there is no alternative way to achieve the good effect
- <https://www.youtube.com/watch?v=bOpf6KcWYyw>

35. Development of the Theory of Double Effect

- Francisco De Vitoria
 - Response to treatment of indigenous Americans by Spanish Conquistadors
 - Objective standard of justice
- Deliberate killing of innocents forbidden by natural law
 - War is justified as a response to wrong done
 - But innocents do not do wrong

36. Double Effect and Innocents in War

- If the war could not otherwise be waged, if there is no other means of carrying out operations,
- If the just cause for which the war is fought would not be addressed (“dealt with”),
- If it is the indirect and unintended result of the action,
- Then, innocents can be killed in war

37. The Perceived Justice of War and Invincible Ignorance (Christopher, 57)

- War cannot be just on both sides
- But one side of a war can be *perceived* as just by reason
 - “objective justice”: what is right to an ideal just and wise person, guided by prudence, as known through reason
 - A person may violate “objective justice,” and still not be “culpable”

38. Vitoria: The Three Canons

- A sovereign should go to war only “under compulsion and reluctantly”
- Once begun, a war should only be fought
 - “to obtain one’s rights”
 - to defend one’s country”
 - to create peace and security
- Fruits of victory enjoyed with “moderation and Christian humility”

39. Key “moves” of the just war tradition

- Augustine
 - Christians share responsibility for “city of man”
 - Yet motivated by caritas
- Aquinas
 - Natural law
 - War means to just end
- Victoria: Double effect

40. Hugo Grotius and International Law

- Response to Thirty Years War (1618-1648)
 - Needed universal moral guidelines to govern relations
- Social existence is fundamental & “natural”
 - Sympathy
 - Fulfilling promises
 - Punishment as “just deserts”

41. Grotius: Sociability and Pacts—Humans...

- “Naturally” live in accordance with “pacts”
- Engage in “mutual consent”
- Must abide (are “obligated”) by those agreements
- Pacts between states are made by individuals (who have the obligation...)
- Are pacts among states morally identical to pacts among individuals?

42. The Basis of the Law of Nations

- Moral obligations (Christopher, 77, question # 5:)
- Custom: common consent, widespread over time and space
 - We make promises (Christopher, 76)
 - Does international law have any moral force (rather than simply custom)?—see **75 middle**.

43. “Just War” Theory

- “The Conduct of Just and Limited War”
- Jus ad bellum
- Jus in bello

44. Jus ad Bellum: Just Cause

- Proportionality
 - the good must be proportional to the evil that the war will cause
- Reasonable chance of success
- Public declaration: action of a community
 - Opportunity for redress
- Legitimate authority
- Last resort

45.

- 1967: PLO attacks and reprisals
- Incorrect Soviet intelligence about Israeli movements to Syria
- Egypt expelled UNEF units; closed straits
- Israel had warned this would be an act of war
- Israel launched preemptive air attacks

46. Jus ad Bellum: Right Intention

- Intention of peace and “reconciliation”
- Statesmen morally responsible as individuals
- Must be fought justly
 - Does a war fought immorally make the war immoral?
 - Jus in Bello

47. Jus in Bello

- Who can be attacked? = O’Brien, “Discrimination”
- What means can be used? = O’Brien, “Proportion”

48. Jus in Bello: Who can be attacked?

- Only combatants
- Problem of double effect
 - See Christopher, 92 bottom (Walzer’s revision)
- How do you treat prisoners?
 - When a soldier can no longer participate in the war effort, he is no longer a combatant

49. Jus in Bello: What means can be used?

- **Proportionality**: Are the (destructive) means proportional to good achieved?
- Raison d’etat vs. raison de guerre
- “unnecessary suffering” applies to suffering after a victim becomes a noncombatant
 - Confusion with proportionality
- Indiscriminate weapons do not separate combatants and innocents

50. Jus in Bello and Double-effect

- A military act is moral if:
 - bad effect is unintended
 - bad effect proportional to military objective
 - bad effect not direct means to good effect
 - you are not achieving the good effect by means of the bad effect
- minimize foreseeable bad effects, even at increased risks to combatants

51. Peace and Conflict, Part 2

- The Pursuit of Peace in the Modern World

52. Kant: Introduction

- Reason determines one's duty
- "One must be *able to will* that a maxim of our action should become a universal law"
- Kingdom of ends: Human beings are ends (goals), not means
- Primary duty is to one's self, determined by reason

53. "Perpetual Peace"

- The State is a "Moral Person"
- It is "willed" into being, by reason
- A community of moral agents
 - Not to be disposed of by another
 - Note double meaning of "disposed"

54. The State should be organized as a republican government

- Equal citizens, freely choosing laws
- All have equal claim in the state
- Can make common choice to fight
 - When does a community have the right to fight?
 - Versus hiring men to fight
 - Why is interference in another state wrong? When does it become right?

55. "comfortors"

- In what sense does Kant believe that war can never be "right"?
- How does Kant know there is a higher moral principle?
- Hint: what does the use of the word "right," show?

56. Law of Nations as a Federation of Free States

- Why federation? In what sense is it the "second-best" option?
- What forces "naturally" separate different states?
- Why force does Kant believe will ultimately unite this federation?

57. International Law & the United Nations

58.

59. Is "International Law" Law?

- Naturalism (e.g., Aquinas)
- Positivism
 - Not issued by a sovereign
 - Consent of states
 - "Separation thesis": law is not the same thing as morality
 - Does a law have to be enforceable, in order to be law?
 - Is international law simply "morality" (whatever a majority of nations, or nations with power, think is wrong)?

60. International Law

- Treaty: *pact sunt servanda* (“agreements must be kept”)
- Custom:
 - “evidence of a general practice accepted as law.”
(ICJ: <http://www.icj-cij.org/en/statute>)
 - “. . . evolved through the practices and usages of the States and their recognition by the community of States.” (<http://www.learningthelaw.in/2016/08/custom-as-source-of-international-law.html>)
- General principles

61. International Law (2) and the Case for Israel

- <https://www.youtube.com/watch?v=hbzBSzkkYZQ>
- Attempted refutation: <https://www.youtube.com/watch?v=xJ8PWt2Pea4>
- Overview of History
 - 1917 Ottoman Empire → broken up after defeat (7:00)
 - Did the League of Nations have the right to create a Mandate? (13:00)
 - Britain abandoned Mandate due to coming conflict after WW II
 - General Assembly proposed partition (GA not “law”) (17:30)
 - Kontorovich claims no legalized recognized borders existed in 1948 or 1967 (Armistice borders were explicitly designated as “not creating permanent borders”)
 - Different legal statuses to Israeli claim to West Bank vs. claim to Sinai Peninsula (26:00)
 - Remember: I.L. is based on custom and treaty

62.

63.

64. The Role of the United Nations: Christopher, ch. 15

- Is it coherent to exercise coercion in the pursuit of humanitarianism (246)?
- Can a state action be morally permissible although legally prohibited (247)?
- Is there a prima facie obligation not to intervene (248)?
- Is “crimes against humanity” a coherent concept?

65. The Role of the United Nations: “Principles” of Humanitarian Intervention

- Sovereignty
 - Lose territorial integrity in case of injustice
 - Right to punish states “collected up” by UN
 - UN forfeits its sole authority when it fails to act
- Grounds
 - “catastrophic human suffering”
 - lawful authority (=Security Council)
- Last Resort
- Proportionality: a country puts its own soldiers at risk

66. The Early Usage of “Pacifism”

- OED, 2ed: “pacifism” 1902; “pacifist” 1906/08
- 1935: “Pacifism does not renounce the struggle, but carries it on with the more effective weapons of non-violence”
- 1937: “Pacifism is not simply a negative policy of refusing to fight. It is a constructive policy of showing that there are more powerful and better ways of opposing your enemies.”

67. The Early Usage of "Pacifism"

- 1955 "If armaments are not acceptable to the pacifist, does this mean that he will submit to the aggressor and meekly resign himself to what he considers evil? The answer is emphatically no. This to confuse pacifism with appeasement. The pacifist is definitively not a passivist."

68. History of Pacifism, 1800s (USA)

- New land
- free from corruption and violence of Europe
- "Millennialism"
- Isolation(ism)
- Moral passion, resistance to evil

69. History of Pacifism, 1800s (USA)

- Resistance to specific wars
 - 1812: New England traders
- Civil War
 - "Copperheads" (mixture of class and race motives)
 - Many abolitionists pro-war

70. History of Pacifism, 1800s (Europe)

- Religious rejection of war
 - Radical Reformers
 - Quakers
- Internationalism
 - "Cosmopolitan ethic"
 - Beyond nationhood and war
 - Brought into question by World War I

71. History of Pacifism at turn of century: Capitalism or socialism

- Kant: new commercial international society
- Socialism: war part of capitalism
 - International proletariat that will rise above nationalism
- Russian Revolution (1914-18): violence defends revolution

72. History of Pacifism in USA, 1900 to 1940

- Reason or compassion
- Technology will solve human problems arbitration
- Isolationism, Sentimentalism
- World War I & Woodrow Wilson
 - "He kept us out of war" (1916)
 - "vindicate the principles of peace and justice" (1917)
- Aftermath: Blamed greedy capitalists

73. History of Pacifism in USA: Before World War II

- "The peace and sovereignty of the US is the 'last best hope on earth (Kingman Brewster).'"
- "internationalists, pacifists, isolationists, and assorted opportunists on the Left and Right" (Robert Woito, "Between the Wars," *The Wilson Quarterly*, vol. XI:1, p. 120)
- Rejected help Britain

74. History of Pacifism in USA: After WW II

- Atomic bomb
 - Call for world government
 - “minutes to midnight” (1945)
- Soviet aggression
 - Blockage of West Berlin, Czechoslovakia
 - Kennedy administration brought higher Pentagon budgets and more ICBM deployment

75. The New Left's response to the Vietnam War

- rejected both Soviet and American systems
- “vulgarized Marxism”
- utopian version of American democracy: “self-cultivation, self-direction, self-understanding, and creativity”
- The Viet Cong were “as honest a revolution as you can find anywhere in history”

76. The Vietnam War

- Appealed to traditional American themes: isolationism, moralism, and critiques of “the system”
 - George Weigel, “A Long March,” *WQ*, vol. XI:1, pp. 132-4.
- Tired of casualties and lack of clarity of mission
- Reaction to “anti-Americanism”

77. Rise of conscientious objection

- French revolution, 1793
- universal conscription
- Nation state and industrialism
 - Large war-making complex
 - Large numbers

78. Religious conscientious objection

- Gained recognition in World War I
 - Formal service World War II
 - Some participants became radicalized and became active in pacifist movements
 - “I-W” service
- What will be the consequences of the end of the draft in the USA?

79. Ideals and Realities

- Carter
 - Anti-interventionist
 - Pledged to cut defense budget
 - Warned against an “inordinate fear of communism”
- Iran, Afghanistan
- Reagan, 1980
 - Nuclear freeze movement
 - Opposition to policies in Central America
-

80.

81. Questions about Pacifism

- Is pacifism a single movement?
- Are the different components compatible?
- What is the central goal?
 - Peace?
 - Opposition to war?
 - Opposition to capitalism?
 - Opposition to American hegemony?

82. "Varieties of Pacifism" (Lackey)

- Must pacifism be a moral law to be valid?
- Do religious teachings support or weaken pacifism?
- Is life intrinsically "sacred"? How would we know it?
- Would pacifism create "paradise"? Is it therefore morally required?

83. "Varieties of Pacifism" (Lackey)

- Antiwar Pacifism
- Basic rights: 16b
- What rights? How do we know them?
- The pacifist acknowledges self-defense, but denies it applies to war

84. Killing of civilians

- Basic syllogism
 - All war kills civilians
 - Killing of civilians is always wrong
 - Therefore, all war is wrong
- Consent (rejection of double-effect)
 - People who use the road consent to put themselves in harm's way
 - Civilians do not consent

85. What is "terrorism"?

- Politically inspired
- violence
- send a message
- symbolic significance
- sponsored by substate groups
- victims & audience not the same

86.

- All communities have their own morals
 - Can we tell the "jihadist" he's "wrong"?
 - Or, is it morally wrong to "let things happen"?
 - Self preservation?
- Fix why it's happened? ("Root causes"?)
 - Mutual understanding
 - Humanize

- Conversation

87.

- Do “crimes against humanity” exist (take place)?
- Are they against humanity, or a particular group of people?
- Who decides that such crimes have taken place? Who punishes them?
-

88.

- On p. 251, Christopher says that “Either it [humanitarian intervention] must be obligatory as a collective action or permissible as a unilateral (or regional) one.” Explain how he reaches this conclusion. Do you agree with him?

89.

- Higher speed limits lead to more deaths & Vaccinations lead to some allergic reactions
- Are public officials responsible for these deaths?
- (Pacifist response): **consent**
- Do people consent to risk of highways in a manner significantly different from risk in war?
 - Does democracy change this?
 - By participation in the economy, do people have an intention to accept the possibility of coercive violence?
-

90.

- does the moral cost of war (lives killed) always outweigh the benefits (people saved)?
- Is this moral cost benefit analysis relevant?
- Are some things more important than life itself?
- Discuss the moral equivalence of Naziism and the British Empire

91.

- Narrow definition self-interest
- War inevitable
- Likely to succeed
- Necessary

92.

- Violent causes we don't agree with
- Not a nation/(quasi-)state actor
- Instill fear in innocents
 - Intentional actions?
 - Who they're killing
- Attack Symbols of power
- Collective vs individual

93.

- Not a nation/ (quasi-) state actor
- Instill fear in innocents
 - Intentional actions?
 - Who they're killing
- Attack Symbols of power
- Collective vs individual
- Viewed by society as in the wrong
- Violent causes we don't agree with
- Vigilante OR justice
- Taking matters in their own hands

94.

- Can “just war” arguments can be used by terrorists?
- Are there strictures of just war theory that specifically apply to terrorism in a way or to an extent that they do not apply warfare between states?

95.

- Just cause
- Legitimate authority
- Right intention: **Nagel:** is the reason terrorists kill civilians fundamentally different than the reason states kill civilians?
- Last resort
- Reasonable chance
- Proportionality

96. Fighting terrorism (pp. 51-52)

- National IDs
- Suspicion less searches
- Racial (Ethnic?) profiling
- Indefinite holding (citizens? Foreigners?)
- Assassinations