

Kean University

History of Just War: HIST 4374 – Spring 2012

Dr. C. Bellitto

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“Peace is not sought in order to provoke war,
but war is waged in order to attain peace.”

--Augustine of Hippo, *Letter 189* (AD 418)

“Is there such a thing as a just war?”

--Dr. Bellitto

Course description and objectives

This course is an historical inquiry into the theories and applications of just war—and the related ideas of holy war and jihad—from ancient times through the Middle Ages, early modernity, and into the present. We will emphasize a close reading of seminal texts and an examination of how just war ideas were applied in a range of historical circumstances. Throughout the course, we will pursue a comparative analysis of religious, philosophical, secular, cultural, and legal/international law perspectives.

- This course is the result of a National Endowment for the Humanities Enduring Questions Pilot Course Grant, 2010-2012.

Student learning outcomes:

- read the classic texts concerning just war, holy war, and jihad in historical and global contexts
- analyze critically competing ideas and practices in comparative cultural perspective
- understand how these ideas and their applications changed over time, influenced each other, and were influenced by contact with other cultures
- appreciate how the historical context of these ideas and actions are similar to—and different from—contemporary culture
- learn and practice how to formulate, discuss, and defend positions (in verbal and written communication) based on careful and critical reading of primary sources, historical evidence, and scholarly analysis
- learn and practice how to evaluate an argument and present a strong thesis through case studies pursued in class and through student research (discussions, presentations, writing)
- learn and practice how to debate controversial topics in a responsible and respectful way worthy of the best norms of civil discourse

Method

Your verbal participation is essential: participation is a substantial part of your grade.

Attendance is not participation. We will spend most of our time in Socratic dialogue: I ask,

you answer and raise your own questions, we discuss. You must come to class ready to work through the topic of the day by reading the assigned chapters and pages before class. In class, we think through the material together.

- Please note that I will deliberately make statements across the ideological spectrum as a teaching tool. I may ask you to take and defend a position that is not your own as a learning task.

Classroom responsibilities

- **Attendance**: I consider 2 absences (excused and/or unexcused) to be too many. What if you haven't shown up because you didn't feel like it and then have something horrible happen (like a medical emergency)? If your absences are used up, they are used up and you are out of luck. After 2 absences, I begin deducting (perhaps drastically) from your grade. I also consider chronic lateness and/or leaving early disrespectful, distrustful, and harmful to your grade.
- **Honesty and conduct**: At all times, you must adhere to Kean's standards concerning student conduct and academic integrity, especially with reference to plagiarism: www.kean.edu/forms/Academic_Integrity.pdf. Quite simply: plagiarism is when you copy someone else's work (including material not associated with a name from a website) and present it as your own. Such action on your part will result in a grade of zero for that assignment; further transgressions may result in a grade of F for the course and in my referring you for academic disciplinary action.
- **Demeanor**: I expect you to be a mature adult, listening and speaking politely and respectfully in civil discourse. While I do not mind beverages in the classroom, eating is not permitted. Please turn off all cell phones and beepers. If you use a laptop to take notes, you must do only that with your computer. Tape recording is not permitted. For campus-wide expectations and regulations: <http://www.kean.edu/KU/Code-of-Conduct>
- **Communications**: All students must have a valid Kean e-mail account. For those who do not already have one, forms are available on-line at <http://www.kean.edu/KU/Forms-OCIS>; click on [E-mail Account Request Form](#).
- **Important dates**:

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| 1/30 | last day to withdraw with 100% refund |
| 2/6 | last day to withdraw with 75% refund |
| 2/13 | last day to declare Pass/Fail; withdraw with 50% refund |
| 3/16 | last day to withdraw with W grade; no refund |
- **Americans with Disabilities Statement & Non-Discrimination Statement**: Kean University is an affirmative action, equal opportunity institution. Students with documented disabilities who may need special instructional accommodations or who may need special arrangements in the event of an evacuation should notify the instructor as soon as possible, no later than the second week of the term. Students may contact Kean Disability Office in Downs Hall Rm 127 to discuss special needs, 737-4910.
- **KU Non-Discrimination Policy**: Kean University is an affirmative action, equal opportunity institution.

Required books: available at the Kean bookstore.

- There will also be articles available as PDFs or Word documents via the course's BBD website. I expect you to print these out, mark them up, and bring them to class on the appropriate day.

Earle, Jonathan, ed. *John Brown's Raid on Harper's Ferry: A Brief History with Documents*.

Boston: Bedford/St. Martin's, 2008: ISBN 031239280X

Reichberg, Gregory M., et al, eds. *The Ethics of War: Classic and Contemporary Readings*.

Oxford: Blackwell, 2006: ISBN 1405123788

Course websites:

There are two course websites.

1. Blackboard: HIST 4374, which can be accessed via www.kean.edu The Blackboard homepage has instructions on signing in, directions, contact info on retrieving your username and password, if necessary, and demonstration aids.
 - a. We will not be using fancy features. I am simply using the site for announcements, to post links to readings, to list resources available at Kean's library, and to post grades.
 - b. You will use your KEANGoogle E-mail credentials to log in. Username is your KEANGoogle E-mail ID and password is your KEANGoogle E-mail Password.
 - c. If you do not know your KEANGoogle E-mail credentials, please call 908-737-6000 or stop by at CSS-113 for support.
2. Resource website: www.kean.edu/~justwar This site is a work-in-progress connected to the NEH requirement that our course's exploration be made available to the general public. There you will find links to help your research and, as we proceed, it will be the place where I will post this course's best PPT presentations.

Assignments: Assignments are designed to cultivate verbal and written expository and analytical skills. At all times, the highest standards of written and verbal English usage will be enforced and factored into grading. You must always use complete sentences; spelling and grammar always count.

A. Participation 15 pts

- You are expected to participate each week, demonstrating that you have read the texts carefully and considered the syllabus questions closely.
- The quality of your participation in the case study debates is especially important.
- To be assigned: each of you must share with me the task of leading the discussion of one particular set of readings by moving ideas around, raising counter-arguments from examples and the primary sources, and by linking that week's readings with what's come before—and perhaps what will follow, if applicable.

B. 3 Essays 40 pts

Essay 1 15 pts (4-5 double-spaced pp.)

Choose one set of readings/questions from a particular week and fully discuss them using only the course readings and materials. This essay is due the week after your choice is discussed in class. This essay applies to Part I: Classic Texts.

Essay 2 15 pts (4-5 double-spaced pp.)

Write an essay defending the position you opposed in one of the case-study debates (Part II). This essay is due 3/29: place it in my mailbox in T 117 by 4pm that day.

Essay 3 10 pts (3 double-spaced pp.)

You will attend one event of the March 29-30 History Dept. forum on War and Peace. Your assignment will be to discuss the ideas presented and debated in the context of this course. More details will follow. This essay is due April 5, unless you are presenting that day, in which case those 5 students can hand it in April 12.

C. Research paper (35 pts) + presentation (10 pts) 45 pts.

Research paper (35 pts): You will write an 8-10 double-spaced pp. paper of original research and writing. You take our case-study approach and apply it a topic of your choosing. You must evaluate whether you think this event is, indeed, a just war based on the tradition we have been studying. The people who fought the war need not have invoked just war theory, by the way, but if they did, you must especially weigh their own justification against the tradition: did they use it properly or misuse it? How? Who were the major players? What did they say/do? What was the context of their statements and actions?

Please note: You will find a great deal of material on your topic, but not all of it will deal with just war theory. I'm not interested in a tick-tock of what happened (though you'll have to set the stage with relevant details). It is your job to assess the applicability of just war theory to your event and to declare a verdict on its use. Be sure to use facts and statements as if they were exhibits in a court trial.

- You must use 5 outside sources (at least 4 print and 1 web), with emphasis on primary sources.
- You must meet with me in advance so we can discuss (and I can approve) the topic. This must be done during my office hours, not in an email or a quick conversation before or after class. Please make an appointment with me as early as possible in the semester.
- You must use footnotes or endnotes and a bibliography following the Chicago style. For guidance, see:

<http://www.kean.edu/~history/resources/workscited.html>

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|-----------------------------------|----------|------------------------|
| Abstract and working bibliography | ungraded | due Feb. 23 |
| Detailed outline | ungraded | due March 8 |
| Final paper | 35 pts | due MONDAY May 7, noon |

Research presentation 10 pts

Each of you will be responsible for a 10-15 minute PPT presentation of the case study you select for your research paper.

- The main goal is teach the class about your topic. Be sure to offer key terms, the big picture perspective, and the specific importance of your topic for the broader course themes.
- I am looking for logical flow, clarity of presentation, evidence of your own new mastery of this material, and skill in explaining something unknown to your classmates and professor.
- I am also looking for the strength of your thesis: how well do you make your case based on evidence and historical interpretation?
- You will also take questions from your classmates and from me after your presentation. I expect you to be able to handle them.

- You may use outside sources for the presentation, have handouts, etc.
- The best of these PPT presentations will make their way onto the course website.

Research resources: On the course BBD website, you will find a list of books that I have pulled from the library collection and supplemented from other places. They are on library reserve under my name; see the front desk. You may use them in the library, but they are not circulating during this course so everyone may have access. These volumes are good places to start for the research on your particular topic and they will point to further sources; you'll likely have to use the interlibrary loan system, too, so get started early because those requests can take some time.

Please note: In a number of them, you will find brief examples of the kind of case study I'd like you to pursue at greater length. For instance, see Michael Walzer. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. 4th ed. New York: Basic Books, 1977:

- pp. 16-20: English slaughter of French prisoners at Agincourt, 1415
- pp. 29-33: Union Gen. Sherman burns Atlanta, 1864
- pp. 80-85: Six Day War in the Middle East, 1967
- pp. 160-75: sieges and blockades of civilian populations throughout history
- pp. 251-68 + 323-25: bombing civilian populations, WWII

You may choose one of Walzer's topics but not the in-class case studies; here are some other ideas.

- Islam's advance from Arabia to Poitiers, 632-732
- Christian crusaders take Jerusalem, 1099
- Muslims retake Jerusalem, 1187
- Richard the Lion-Heart's slaughter of Muslims at Acre, 1191
- Spanish conquistadors take Latin/South America ("God, glory, gold"), 16th c.
- Wars of Religion/30 Years' War: from Protestant Union or Catholic League side
- French Revolution and tyrannicide: killing of Louis XVI
- Nat Turner's slave revolt
- Mexican-American War, 1846-1848: from the Mexican perspective
- World War I: the war to end all wars, 1914-1919
- Japanese attack on Pearl Harbor—from the Japanese perspective
- Allied bombing of monastery at Monte Cassino, 1944
- Operation Valkyrie: the plot to kill Hitler, 1944 (don't review the movie)
- Nuremberg war crimes trial (and eventual hangings of defendants), 1945-46
- the trial (and eventual hanging) of Adolf Eichmann, 1962
- Israeli raid on Entebbe airport, 1976
- Irish Republican Army activity, 1960s-1980s
- Black Panther activity, 1960s-1970s
- Muslim Brotherhood activity, 20th-early 21st c.
- Vietnam War, 1955-1975: from the American or the Vietnam perspective
- Armed humanitarian intervention: Bosnia or Rwanda or Sudan
- September 11, 2001 attacks
- American invasion of Iraq, 2003
- assassination of Osama bin-Laden

use of unmanned drones as a counter-terrorism tool

You may choose another, as well, in consultation with me. In addition to the list above, you will find on BBD a document with five more case studies, including suggested readings, titled “Research paper ideas.”

Please note: All students must have their own topics—no repeats. Therefore, they will be selected on a first-come, first-served basis.

Schedule

Jan. 26: Course Introduction

Syllabus and students: expectations, assignments

- Choosing dates for: discussion leader, topics, presentations

Preconceptions: “When I think of a just war, I think...”

Christians and Muslims: then and now:

- in-class reading (**handout**) of Pope Urban II’s speech at Clermont (1095) and World Islamic Front statement (1998): Mark J. Allman, *Who Would Jesus Kill? War, Peace, and the Christian Tradition*. Winona MN: Saint Mary’s Press, 2008 pp. 296-303

Overview: history of just war tradition

Part I: Classic Texts

(all readings are from Reichberg, except where noted)

Feb. 2: Ancient and Early Jewish, Christian, and Muslim sources

Set A: Readings # 1-4 (and skim #23) [two leaders]

- How might we say that Thucydides gives evidence of the idea that “might is right” and that ideas of justice should not be factored into war decisions? On the other hand, how is justice a factor for Plato and Aristotle? What other virtues (Aristotle calls them “excellences”) do they, along with the Roman *ius fetiale*, regard as important for making war and for tempering Thucydides’ harsh realism? In which of these traditions would Macchiavelli sit nearly 2,000 years later?

Set B: Readings # 5-7

- How is the idea of just war developing? Can we say that we have a standard set of criteria by the end of the Roman Empire in the 5th c. AD? How did Christianity influence the discussion, especially (and ironically) with respect to pacifism? Explore particularly the apparent contradictions and fine nuances among the various Christian voices in these selections.

Set C: **BBD link**: selection from Mark J. Allman, *Who Would Jesus Kill? War, Peace, and the Christian Tradition*. Winona MN: Saint Mary’s Press, 2008: pp. 269-94, “Appendix: Jewish and Muslim Perspectives on War and Peace”

- What similarities do you find among Jewish, Christian, and Islamic sources at this point? What differences? What might account for these similarities and differences? How important are they? If there are commonalities, why do they clash? If there aren’t commonalities, can both “be right”?

Feb. 9: Middle Ages I

Set A: Readings # 8-10

- What protections developed in just war theory: for whom and why? What did the crusades add? What did Gratian's *Decretum* add? Do you think these developments were intended to justify violence and/or limit it?

Set B: Readings # 12-14

- What do these authors add to the discussion of *how* to wage war justly (conduct in war: *ius in bello*), especially concerning proportionality (here "moderation") and self-defense?

Set C: **BBD links:** John Kelsay, *Arguing the Just War in Islam*. Cambridge MA: Harvard University Press, 2007: pp. 97-124 (ch. 3), "Politics, Ethics, and War in Premodern Islam" **AND** Ahmad ibn Naqib al-Misri, *Reliance of the Traveller: A Classic Manual of Sacred Islamic Law*, trans. Nuh Ha Mim Keller (Beltsville MD: Amana Publications, 1997), pp. 599-609 (Jihad)

- What are the major definitions and elements of permitted violence and jihad in early Islamic history? How did they develop over time? How are they similar to Judeo-Christian elements? How are they different from Judeo-Christian elements?

Feb. 16: Middle Ages II

**discussion of proper citations, plagiarism, etc.*

- We will be joined by Dr. Robert Hunt, Political Science.

Set A: Reading #16

- How does Aquinas synthesize centuries of just war theory and practice? Where does he develop and/or deviate from what came before him, especially with respect to Augustine?

Set B: Readings # 19, 21

- What does de Pizan add to the discussion about *ius in bello*? What is distinctive about what she says concerning: combatants, non-combatants (especially women and children, providing a feminist perspective on this material), and collateral damage? What strands of prior thinking, especially concerning non-combatants, may have been sources for her? In contrast, how does Erasmus represent a counter-argument to chivalric rules of war?

Feb. 23: Early Modernity I

**abstract and working bibliography due*

Set A: Reading # 27 (pp. 288-90, 308-32)

- What would some of Vitoria's specific sources have been? Do you think he uses these sources accurately or does he take only what fits his position? Does he adapt and/or deviate from these sources in other ways? What are some of the moral considerations at work (or not) here, especially concerning non-combatants, collateral damage, and conscientious objection?

Set B: Reading # 29

- How does Suárez continue, add to, and/or deviate from prior thinkers. Be specific: discuss especially the roles that justice and charity play for him, particularly with respect to civilian immunity.

Set C: Reading #32 (pp. 385-86, 400-37)

- What would some of Grotius' specific sources have been? Do you think he uses these sources accurately or does he take only what fits his position? Does he adapt and/or deviate from these sources in other ways? In several places, Grotius speaks of preemptive force, the right to intervene to help a third party, and collateral damage. What are his positions and what do you think of them in the context of just war theory up to his lifetime?

March 1: Early Modernity II + Modernity I**assign case study groups*

Set A: Readings # 36, 38, 40

- What do these authors add to the conversation about the proper conduct of a just war? Discuss specifically and comparatively what they imply or say explicitly about means and ends.

Set B: Readings # 43, 45

- What do these authors add to the conversation about the proper conduct of a just war? Discuss specifically and comparatively what they imply or say explicitly about means and ends.

Set C: Reading # 51 + **BBD link**: Reinhold Niebuhr, “Why the Christian Church is Not Pacifist,” in *War and Christian Ethics*, 2d ed., ed. Arthur F. Holmes (Grand Rapids MI: Baker Academic, 2005), pp. 301-13.

- How does nuclear war, especially with respect to civilian casualties, change the just war discussion? Does it, in fact, render the entire idea of just war obsolete as a category? What do you think of Niebuhr’s theory of Christian realism and how it relates to these questions?

March 8: Modernity II**Detailed outline due*Set A: **BBD link**: John Kelsay, *Arguing the Just War in Islam*. Cambridge MA: Harvard University Press, 2007: pp. 125-54 (ch. 4), “Armed Resistance and Islamic Tradition”

- How, where, and why did Islamic ideas about permitted violence change since the 18th c.? What is the nature of debate within Islam itself about these questions? How has all that changed in a pre- and post-9/11 world? What are the implications for non-combatants who are specifically targeted for terrorists? How are human rights involved (or not) in this discussion from the perspective of the various parties fighting each other?

Set B: Readings # 48, 54

- Critique Wilson’s notion of using war for peace, especially given the context of the Great War (WW I) as “the war to end all wars.” How does terrorism affect just war theory, especially with respect to civilians? Contrast Walzer with Wilson concerning the issue of dealing with clear-cut nations as opposed to terrorist factions; applying the issue today, a good example is Al-Qaeda, which is “non-national.” Is Wilson’s model applicable any longer? How are human rights involved (or not) in this discussion from the perspective of the various parties fighting each other?

Part II: Case Study Debates

- There will be four groups of five students each: Groups A, B, C, D.
- For one case study, A+B will be on one side or the other; C+D will be jurors. Then, C+D take sides and A+B serve as jurors.
 - You will be assigned particular roles, too.
 - I expect jurors to ask questions and to deliberate aloud along with me.

March 15: Case Studies:*Case Study #1: John Brown’s raid at Harpers Ferry, 1859.*

- We will be joined by Dr. Abigail Perkiss, History.
Sides=groups A+B; jury= groups C+D

Argue from Brown's perspective that his armed violence is permitted under the just war tradition or from the federal government's position that it is not.

Reading: Earle, Jonathan, ed. *John Brown's Raid on Harper's Ferry: A Brief History with Documents*: especially pp. 1-37; #s 1, 7-11, 13; pp. 144-49

Case Study #2: Deciding to drop the atomic bomb on Japanese cities:

Sides = groups C+D; jury = groups A+B

It is May 1945. You are sitting in the Oval Office with President Truman. Convince him that dropping the bomb is permitted under the just war tradition or that it is not.

Readings:

Reichberg #53

BBD link: Michael Bess, *Choices Under Fire: Moral Dimensions of World War II* (New York: Vintage Books, 2006), ch. 10, "The Decision to Drop the Atomic Bomb: Twelve Questions."

March 22: Spring Break: no class meeting

March 29-30: You will attend one of the events connected to the History Dept.'s Forum on War and Peace. Details to follow. *Case study essay due in my T 117 mailbox Th 3/29, 4pm.

Part III: Student Presentations

April 5: student presentations

*War and Peace Forum essays due (except for today's presenters)

- 1.
- 2.
- 3.
- 4.
- 5.

April 12: student presentations

*War and Peace forum essays due for 4/5 presenters

- 1.
- 2.
- 3.
- 4.
- 5.

April 19: student presentations

- 1.
- 2.
- 3.
- 4.
- 5.

April 26: student presentations

- 1.

- 2.
- 3.
- 4.
- 5.

May 3: Preconceptions revisited—via a mythic past and today’s harsh realities
 “When I think of a just war, I think...”

BBD links: *Bhagavad Gita*, trans. Stephen Mitchell. NY: Three Rivers Press, 2000: pp. 14-18, 41-70 (parts I-III) **AND** Mark J. Allman and Tobias L. Winwright, “Criteria for a Just Peace: When the Shooting Stops.” *Christian Century* (5 October 2010): 26-29.

- Arjuna seems to be instructed that he must fight because it is right and his duty. What is his reaction? How do you connect these passages with the themes of this course, especially concerning realism, the human condition of conflict, and the suffering inevitably connected with war? Do you agree with Allman and Winwright that just war theory continues to grow and that, as they argue, it must now include a *ius post bellum*?

We will then view [Barack Obama’s acceptance speech of the 2009 Nobel Peace Prize](#).

BBD link: Barack Obama. *Remarks by the President at the Acceptance of the Nobel Peace Prize*

- This address is a review of just war theory, a critique of its history, and an application to today’s circumstance. Discuss your own working-through of this course material through the lens of this text. Do you find it a fair representation of just war theory? Do you think it gets the point(s)? Do you think it misses the point(s)? Do you think it’s a fair application to today? Does it prove that just war theory is still relevant—or just the opposite?

MONDAY May 7: Research papers due in my office T 117 by noon