

The Morality of Self-Defense and War

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260 / Winter, 2014

Topic Description

The purpose of this course is to investigate whether, and if so, under what conditions killing in self- and other-defense is justified, in private contexts and in the context of international armed conflicts.

We will begin by determining the relevance of causation, agency, moral responsibility, moral status, and culpability for the permissible resort to defensive violence in private/personal contexts. In doing so, we will also explore the various grounds for a resort to violent defense, including lesser-evil-based justifications and liability-based justifications.

We will then apply these findings to the context of international armed conflict, in the second part of the course. In doing so, we will focus on issues in the morality of war for which our prior investigation of the ethics of self-defense will be particularly revealing. Specifically, in addition to considering what sorts of goods can justify a resort to war and how these goods should be weighed against the evils of war, we will investigate the moral equality of combatants, the responsibility of civilians for unjust wars, and the constraint of proportionality in warfare. We will end by considering the underdeveloped topic of collective responsibility in warfare.

Grading and the Structure of the Class

The grading for this course will be based in part on a single term paper which will be due during finals week. At some point, I will meet with each of you individually to discuss the progress of your paper. In addition, each student will be required to present a detailed synopsis and commentary of at least two assigned readings (excepting those covered in the first week) over the course of the quarter. The synopsis should cover the entirety of the reading, though your commentary can be on the reading as a whole or just on a particular part of it. You should expect your presentation to last about 45 minutes. It will be followed by class discussion.

Schedule of Readings (tentative)

Part I. The Ethics of Self-Defense

Jan. 10 - *Rights-Based Account and Responsibility-Based Account*

- Judith Thomson: "Self-Defense" 1991
- Michael Otsuka: "Killing the Innocent in Self-Defense" 1994

Jan. 17 - *Responsibility-Based Account and Issues of Causation*

- Jeff McMahan: "Moral Liability to Defensive Killing" 2005
- Helen Frowe: "Equating Innocent Threats and Bystanders" 2008

Jan. 24 - *Culpability-Based Account and Moral Status-Based Account*

- Kimberly Ferzan: "Culpable Aggression: The Basis for Moral Liability to Defensive Killing" 2005
- Jonathan Quong: "Liability to Defensive Killing" 2012

Jan. 31 - *Excuses and Minimally Responsible Threats*

- Jeff McMahan: §4.1, 4.2, 4.5, of chp. 3 in Killing in War 2009

- Saba Bazargan: “Killing Minimally Responsible Threats” 2013

Part II. The Ethics of War

Feb. 7 - *Just Cause*

- Jeff McMahan: “Just Cause for War” 2005
- Thomas Hurka: “Liability and Just Cause” 2006

Feb. 14 - *Just Cause and Proportionality*

- David Rodin: Chps. 5, 6, 7, in War and Self-Defense 2003
- Thomas Hurka: “Proportionality and the Morality of War” 2005

Feb. 21 - *Moral Equality of Combatants*

- Jeff McMahan: Chp. 1 in Killing in War
- David Rodin: “The Moral Inequality of Soldiers: Why *jus in bello* Asymmetry Is Half Right” 2008

Feb. 28 - *Killing Civilians*

- Cécile Fabre: “Guns, Food, and Liability to Attack in War” 2009
- Jeff McMahan: “The Just Distribution of Harm Between Combatants and Noncombatants” 2010

Mar. 7 (no class)

Mar. 14 - *Collective Responsibility in War*

- Noam Zohar: “Collective War and Individualistic Ethics” 1993
- Chris Kutz: “The Difference Uniforms Make” 2008