



## Syllabus

# JUST WAR: HISTORY AND THEORY - 58309

*Last update 02-09-2018*

HU Credits: 4

Degree/Cycle: 1st degree (Bachelor)

Responsible Department: International Relations

Academic year: 0

Semester: Yearly

Teaching Languages: Hebrew

Campus: Mt. Scopus

Course/Module Coordinator: Dr Tal Dingott Alkopher

Coordinator Email: [1. dalkopher@mssc.huji.ac.il](mailto:1.dalkopher@mssc.huji.ac.il)

Coordinator Office Hours: Monday 16:00-17:00

Teaching Staff:

Dr. Tal Dingott Alkopher

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Course/Module description:

The course wishes to examine how perceptions of Just War (JW) were (and still are) constituted and changed throughout history in light of cultural and social structures in Europe from Medieval times, via the 18th century and till today. This examination is relevant especially today when the righteousness of "humanitarian wars", "preventive wars" and "the war on terror", that challenge the conventional understanding of JW, is being examined.

Course/Module aims:

1. Introduction to Just War Theory that is central to International Relations Research through central historical periods of its evolution until today.
2. Gathering an Empirical and historical knowledge of cultural and social structures that had tremendous impact on Just War Theory's development in Europe and in the international arena.
3. An analysis of Just War Theory through the prism of central IR paradigms such as the Grotian School, Constructivism and Critical theory.

Learning outcomes - On successful completion of this module, students should be able to:

1. Identify and describe critical time periods in the evolution of just war theory.
2. Evaluate the impact of culture and social processes on central IR concepts and especially the concept of just war theory.
3. Debate and criticize the impact of just war theory on wars and peace throughout history of IR such as the Crusades, military humanitarian interventions, the war on terror as well as post-conflict regulations and peace agreements.
4. Implement the materials taught in class regarding the manner in which just war influenced IR on other empirical cases than the ones discussed in class.
5. Judge other wars than the ones discussed in class in terms of just war theory.

Attendance requirements(%):

None

Teaching arrangement and method of instruction: Lectures  
Personal guiding for paper preparation

Course/Module Content:

1. Just War Theory: Constructivism vis-à-vis the traditional approach
2. From Pacifism to the Justification of War: The early days of the Christian Church

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3. *The Crusades: Wars in the name of God.*
  4. *Battle of Agincourt and St. Thomas Aquinas*
  5. *Grotius and the development of the Laws of War*
  6. *Preventive Wars and Just Wars of occupation in the 18th Century*
  7. *Just War in the 20th Century*
  8. *Movie: "No man's Land"*
  9. *Just Humanitarian Wars*
  10. *Preemptive Wars and the Global War on Terror in light of Just War Theory*
  11. *Just War in Judaism and Islam*
  12. *Ius Post Bellum*
  13. *Feminist Perception(s) of Just War*

Required Reading:

- \* Clark, I. (1988). "Doctrines of Just War," *In Waging War: a Philosophical Introduction*, Oxford: Clarendon Press, pp.31-50.
- \* Jochnick, C& Normand, R. (1994). "The Legitimation of Violence: A Critical History of the Law of War," *Harvard International Law Journal*, 35(1): 49-95.
- \* Russel, F. H. (1975). *The Just War in the Middle Ages*. Cambridge: Cambridge University Press. Pp.16-39.
- \* Dingott Alkopher, T. (2005). "The Social (and Religious) Meanings that Constitute War: the Crusades As Realpolitik vs. Socialpolitik," *International Studies Quarterly*, vol.49: 715-737.
- \* Boyle, J. (2003). "Just War Doctrine and the Military Response to Terrorism," *The Journal of Political Philosophy* 11(2): pp.157-165.
- \* Bull, H. (1966). "The Grotian Concept of International Society," *In H.Butterfield and M.Wight (eds) Diplomatic Investigation: Essays in the Theory of International Politics* London: G.Allen&UNWIN, pp.51-73.
- \* וולצר, מלחמות צודקות ולא צודקות, עע' 94-105.
- \* Tal Dingott Alkopher (2013) *Fighting for Rights: From Holy Wars to Humanitarian Military Interventions*, pp.75-117 Ashgate publishers.
- \* וולצר, מלחמות צודקות ולא צודקות, עע' 65-91, 152-190
- \* Franck T, M. (2002) *Recourse to Force: State Action Against Threats and Armed Attacks* (Cambridge: Cambridge University Press). Pp.1-52.
- \* Price R. (1995) "A Geneology of the Chemical Weapons Taboo," *International Organization*, 49(1): 73-103.
- \* וולצר, מלחמות צודקות ולא צודקות, 316-333
- \* Osterdahl, I. (1997) "By All Means, Intervene!: The Security Council and the Use of Force Under Chapter VII of the UN Charter in Iraq (to Protect the Kurds), in Bosnia, Somalia, Rwanda and Haity," *Nordic Journal of International Law* 66: 241-271.
- \* Dingott T. (2001). "NATO and Kosovo: A War by Right?" *Helmut Kohl Institute for European Studies and Konrad Adenauer Stiftung Working Paper*, pp.1-43.
- \* Touko Piiparinen, "The Lessons of Darfur for the Future of Humanitarian Intervention", *Global Governance*, vol.13 (2007)

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- \* Crawford, Neta C. (2003). "Just War and the US Counterterrorism War," *Perspectives on Politics* 1(1):5-25.
  - \* Gross Michael (2010) *Moral Dilemmas of Modern Wars: Torture, Assassination, and Blackmail in an Age of Asymmetric Conflict* (Cambridge University Press). Pp.1-25.
  - \* M. Walzer (1996) "War and Peace in the Jewish Tradition," *The Ethics of War and Peace*, ed., Terry Nardin, Princeton, pp.95-114.
  - \* S.H. Hashmi (1996) "Interpreting the Islamic Ethics of War and Peace," *The Ethics of War and Peace*, ed., Terry Nardin, Princeton, pp. 146-166.
  - \* Sivan, Emmanuel (1998) "The Holy War Tradition in Islam," *Orbis*, 42(2): 171-194.

ONDER BAKIRCIOGLU (2010) "A SOCIO-LEGAL ANALYSIS OF THE CONCEPT OF JIHAD", *The International and Comparative Law Quarterly* 59.2 pp 413-440.

- \* Brian Orend (2002) "Justice After War," *Ethics and International Affairs*, 16: 43-56.
- \* Tal Dingott Alkopher "Injury in just war theory: From the traditional to the feminist perception" *Cooperation and Conflict*, Vol. 49 no. 2 (June 2014): 257 - 272.

Additional Reading Material:

- Holmes, B. L. (1989). *On War and Morality*. Princeton, N.J.: Princeton University Press. Pp.124-135.
- Contamine, P. (1984). *War in the Middle Ages*. New York, N.J.,: Basil Blackwell. Pp.124-265.
- Erdmann, C. (1977). *The Origin of the Idea of Crusade*. Princeton, N.J.: Princeton University Press. Pp.3-35.
- Brundage, J. A. (1991). "Holy War and the Medieval Lawyers," *In The Crusades, Holy War and Canon Law*. Alderhost, Hampshire, Great Britain: Variorum. Pp.99-140.
- Blake, E. O. (1970). "The Formation of the Crusade Idea," *Journal Of Ecclesiastical History*, 21 (1): 11-31.
- Muldoon, J. (1979) *Popes, Lawyers, and Infidels: The Church and Non-Christian World, 1250-1550*. Philadelphia: University of Pennsylvania Press. Pp.3-28.
- Crospey, J. J. and L. Strauss. (1987). *The History of Political Philosophy*. Chicago: University of Chicago Press. Pp.223-249.
- Contamine, *War in the Middle Ages* New York, N.Y.,: Basil Blackwell, pp. 264-285.
- Jacob, E. F. (1947). *Henry V and the Invasion of France*. London: English University Press.
- Draper, G.I.A.D. (1992). "Grotius" Place in the Development of Legal Ideas about War," *In H.Bull, B.Kingsburg and A.Roberts (eds) Hugo Grotius and International Relations* Oxford: Clarendon Press, pp.177-207.
- Montross, L. 1960. *War through the Ages*, New York: Harper and Brother Publishers. pp.347-390.
- Turner, J. J. (1975). *Ideology, Reason and the Limitation of War: Religious and Secular Concepts, 1200-1740*. Princeton: Princeton University Press. Pp.240-266.
- Whelan, F. G. (1988). "Vattel's Doctrine of the State," *History of Political Thought*, 9(1): 59-90.

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Paul Christopher (1994) *The Ethics of War and Peace: An Introduction to Legal and Moral Issues*. Englewood Cliffs, N.J.: Prentice Hall.

Mayers, R. (1996), 'Notes on the Just War Theory: Whose Justice, Which Wars,' *ethics and International Affairs* 10: 115-130.

Steven Lee (1988) 'Morality, the SDI, and Limited Nuclear War', *Philosophy and Public Affairs*, 17(1): 15-43.

Boyle, 'Just War Doctrine and the Military Response to Terrorism,' pp.165-170.

Anderson, P.N. (2003). 'Governance by Universal Justice or Serial Warfare,' *International Journal of Human Rights* 7(4): 143-154.

Mooney, T Brian (2007) *Old Wine in New Skins: Aquinas, Just War and Terrorism*. *Pacifica : Journal of the Melbourne College of Divinity* 20.2 : 204-218,122.

Silverman, Adam L'Just war, Jihad, and terrorism: A comparison of western and Islamic norms for the use of political violence, *Journal of Church and State* 44.1 (Winter 2002): 73-92.

BELLAMY, ALEX J (2008) "The responsibilities of victory: Jus Post Bellum and the Just War" . *Review of International Studies* 34.4 (Oct 2008): 601-625

*International Politics* 45:1-18.

Sjoberg, Laura. (2006) 'Gender, Justice, and the Wars in Iraq: A Feminist Reformulation of Just War Theory', Lanham, MD.; Lexington Books.

Eide, Marian. (2008) 'The Stigma of Nation: Feminist Just War, Privilege, and Responsibility', *Hypatia* 23(2): 48-60.

Course/Module evaluation:

End of year written/oral examination 70 %  
Presentation 0 %  
Participation in Tutorials 0 %  
Project work 30 %  
Assignments 0 %  
Reports 0 %  
Research project 0 %  
Quizzes 0 %  
Other 0 %

Additional information: