Emerging Weapons Technologies and the Ethics of Peace and War

Syllabus

PHIL 20628; STV 20228; IIPS 20912
Spring 2012
Course website: http://www.nd.edu/~mlee20/EEWT.html
Section 1: Pasquerilla Center, Room 109; Tu/Th 11am-12.15pm
Section 2: O’Shaughnessy Hall, Room 118; Tu/Th 2pm-3.15pm

Instructors:
- Matthew Lee, MPhil
- Maj. Gen. Robert Latiff, Ph.D.

Office Hours (Lee):
Malloy Hall, Room 109
-Thurs 3.15pm-4.15pm
-Fri 1.45pm-2.45pm
-other times by appointment

Course Description
Recent advances in military technologies have led to declarations of a “revolution in military affairs.” The non-lethal “phasers set to stun” of Star Trek now have real-world analogs in electromagnetic weapons. Robotic weapons systems are increasingly reminiscent of the Star Wars battle droids, and there are remotely-controlled, armed vehicles not unlike the Batmobile. The cyberattacks of Live Free or Die Hard and the enhanced soldiers of Universal Soldier (or toned-down versions thereof) may also be on the horizon. But as strategists contemplate new tactics that make use of emerging technologies, ethical questions are being raised by military leaders, scholars, legislators, journalists, and non-profit and humanitarian groups.

In this course, students will gain familiarity with the main forms of emerging weapons technologies and reflect on the ethical and legal considerations that bear on whether and how these weapons should be used. Topics to be covered fall into four categories: (1) types of emerging weapons technologies (drones, robotic systems, non-lethal weapons, cyberwarfare, bioenhancement, and data mining), (2) positions on the ethics of peace and war (pacifism, political realism, and just war theory), (3) the Law of Armed Conflict (including the Geneva Conventions), and (4) normative ethical theories (consequentialism, deontology, virtue ethics, and feminist ethics). Course grades will be determined by two papers, two exams (midterm and final), and one group presentation.

Objectives:
- That the students can explain what drones, warbots, non-lethal weapons, cyberwarfare, soldier enhancement, and data mining are and how they are used or could potentially be used by militaries
- That the students can identify many of the legal and ethical issues raised by the various emerging weapons technologies
- That the students corporately compose a Class Report that takes stands on which emerging weapons technologies the U.S. military should invest in and how such programs should be regulated
Course materials:
-P.W. Singer, *Wired for War*
-Michael Walzer, *Just and Unjust Wars*
-Gary D. Solis, *The Law of Armed Conflict*
-Russ Shafer-Landau, *The Fundamentals of Ethics*
-Other readings distributed electronically

Graded work:
-1st paper (15%)
-Midterm Exam (25%)
-2nd paper (20%)
-Group presentation (10%)
-Final Exam (30%)

Grading scale:
A ≥ 92.5 > A- ≥ 89.5 > B+ ≥ 86.5 > B ≥ 82.5 > B- ≥ 79.5 > C+ ≥ 76.5 >
C ≥ 72.5 > C- ≥ 69.5 > D+ ≥ 66.5 > D ≥ 62.5 > D- ≥ 59.5 > F

Unexcused Absence Policy:
Absences are excused for (1) personal illness, (2) death in the immediate family, and (3) service to the university. There is no need to email the professors about excused absences; the assistant vice-president for residence life takes care of this. Each student will be allowed 4 unexcused absences (absences for any reasons other than (1), (2), or (3) above). After 4 unexcused absences, each subsequent unexcused absence reduces the course grade by one mark (e.g. A to A-, A- to B+, B+ to B, etc.) An unexcused absence on the day of an exam will result in a grade of F for the exam. This includes interviews; students must not schedule interviews on the day of an exam. Exception: no penalty will be assessed if arrangements have been made for the student to take the exam early.

Week 1

Jan 17 (Latiff) Introduction to emerging weapons technologies
Jan 19 (Lee) Political realism: Thucydides, Machiavelli, and Hobbes

Week 1 Reading *:
(1) George Lucas, “Ethical and Societal Implications…”
(2) McCain Conference Executive Summary
(3) Thucydides, “The Melian Dialogue”

* The Lucas paper and McCain conference summary should be read prior to the Jan 17 lecture, and the Thucydides should be read prior to the Jan 19 lecture. In all subsequent weeks, the readings for the week should be completed before the first lecture of the week.
Week 2

Jan 24 (Lee) Pacifism: New Testament, Gandhi, King
Jan 26 (Lee) Pacifism, Cyberwarfare, and Non-lethal weapons

Week 2 Reading:

Week 3

Jan 31 (Latiff) Soldier enhancement
Feb 2 (Lee) Just war theory: historical overview

Week 3 Reading:
(1) Allhoff et al. (NSF), “Ethics of Human Enhancement: 25 Questions & Answers”
(2) Greely, “Neuroethics and ELSI: Similarities and Differences”
(3) Allhoff et al., “Ethics of Human Enhancement: An Executive Summary” (optional)
(4) Bruce, “Human Enhancement?” (optional)

Week 4

Feb 7 (Lee) *Jus ad bellum* & *jus in bello*
Feb 9 (Lee) LOAC: Historical overview; *1st paper assigned*

Week 4 Reading:
(1) Walzer, ch. 8
(2) Walzer, ch. 9
(3) Solis, *The Law of Armed Conflict*, ch. 1.0-1.3

Week 5

Feb 14 (Lee) The Geneva Conventions & Additional Protocols
Feb 16 (Lee) Analytic & normative jurisprudence: the status of “laws of war” and obligations to obey the law

Week 5 Reading:
(1) Solis, ch. 2 (Cases & Materials optional)
(2) Solis, ch. 3.1, 3.3, 3.5, 3.8.0
(3) Additional Protocol I: Preamble and articles 1-2, 35-36, 40-41, 48-59, and 86-87 (skim the rest)

Week 6

Feb 21 (Latiff) Electromagnetic & non-lethal weapons; *1st paper due*
Feb 23 (Lee) Distinction, military necessity, unnecessary suffering, and proportionality
Week 6 Reading:
(1) Kaurin, “With Fear and Trembling: An Ethical Framework for Non-Lethal Weapons” JME Vol. 9, No. 1

Week 7

Feb 28 (Lee) Robots & respondeat superior
Mar 1 (Lee) LOAC: Rules of Engagement & Targeting

Week 7 Reading:
(1) Solis, ch. 7 (Cases & Materials optional; “Shimoda et al. v. State” strongly recommended)
(2) Solis, ch. 14 (Cases & Materials optional)

Week 8

Mar 6 (Latiff) Cyber-weapons & cyber-warfare
Mar 8 (substitute proctor) Midterm Exam

Week 8 Reading:
(1) Dipert, “The Ethics of Cyberwarfare” (2010) JME, Vol. 9, No. 4
(3) Owens, Dam, and Lin (eds.), “Technology, Policy, Law, and Ethics Regarding U.S. Acquisition and Use of Cyberattack Capabilities” (optional)

--SPRING BREAK--

Week 9

Mar 20 (Lee) Natural Law
Mar 22 (Lee) Consequentialism; 2nd paper assigned

Week 9 Reading:
(1) Shafer-Landau, ch. 6
(2) Shafer-Landau, ch. 9
(3) Shafer-Landau, ch. 10

Week 10

Mar 27 (Lee) Kantian Deontology
Mar 29 (Lee) Contractarianism
Week 10 Reading:
(1) Shafer-Landau, ch. 11
(2) Shafer-Landau, ch. 12
(3) Shafer-Landau, ch. 17

Week 11

Apr 3 (Latiff) Robots & unmanned vehicles; 2nd paper due
Apr 5 (Lee) Virtue Ethics

Week 11 Reading:
(1) Singer, ch. 1
(2) TBA

Week 12

Apr 10 (Lee) Class Report, Part I: Cyberwarfare
Apr 12 (Lee) Class Report, Part II: Soldier Enhancement

Week 12 Reading:
(1) Singer, ch. 3
(2) Singer, ch. 6
(3) Singer, ch. 9

Week 13

Apr 17 (Latiff) Data-mining, ubiquitous sensors, and privacy

Week 13 Reading:
(1) TBA

Week 14

Apr 24 (Lee) Class Report, Part III: NLWs
Apr 26 (Lee) Class Report, Part IV & V: Drones & Robots

Week 14 Reading:
(1) TBA
Week 15

May 1 (Latiff) Discussion of Class Reports

Week 15 Reading:
(1) Class Report

Week 16

Final Exam

Section 01: Tues, May 8, 10.30am-12.30pm

Section 02: Mon, May 7, 10.30am-12.30pm