

**“RULES OF WAR”:  
THE ETHICS OF DESTRUCTION IN INTERNATIONAL POLITICS**

**Graduate School of Public and International Affairs  
University of Pittsburgh**

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**Course #:** PIA 2348 / PIA 3348  
**Term:** Spring 2008  
**Day:** Monday  
**Time:** 12:00-2:50  
**Location:** 3610 WWPH  
**URL:** <http://www.pitt.edu/~charli/rulesofwar.htm>

**COURSE DESCRIPTION**

Why has the international community outlawed flame-throwers and land-mines, but not nuclear weapons? Why would soldiers ever follow rules of war in conflict situations, and when are they most likely to break them? How are international security norms evolving in an age of failed states, civil war and global terrorism?

This course evaluates the role of international ethical norms in regulating the practice of organized political violence. We will begin by considering different approaches for systematically studying the effects of ethical norms on international policy-making. We next consider the origins and evolving dynamics of the laws of war, explore why political actors so often violate these rules and the conditions under which they follow them, and examine the political and ethical dilemmas involved in enforcing them. Specific topics covered include weapons bans, terrorism, humanitarian intervention, protection of noncombatants, and war crimes tribunals. The course will conclude with an assessment of continuity and change in global security norms post 9/11.

**COURSE READINGS**

The reading load for this course is heavy. You are not required to read every word. Use your time strategically, but try to understand the main points of all the readings as well as similarities and contrasts between the arguments made by different authors.

*Required Readings* are the minimum essential to do well in the class and will form the basis of class discussions and exercises. You are expected to come to class having absorbed the basic substance of and prepared to raise questions about all the required readings. I recommend reading both with a highlighter (to make visible the basic points of the articles and books for later re-skimming) and with a pen (for writing comments and questions to yourself in the margins).

*Supplementary Readings* are additional to the class readings for that week. They are not mandatory for MPIA students, but will enhance your understanding of the material even if you simply find time to skim them. You should also consider them scholarly source material for your term writing projects. On

any given week, Ph.D. students will be responsible for completing the supplementary readings, and summarizing them for the rest of the class as they relate to the required readings.

The course readings come from a variety of sources. Several course-books are available for purchase at the University Bookstore or at Amazon.com. Course chapters out of specific volumes and journal articles will be handed out in class at the start of the term. Scholarly journal articles may be obtained using the JSTOR database. The remaining course readings are available online through the International Committee of the Red Cross database at <http://www.icrc.org/eng> and a few other online sources. Links to any readings not available in JSTOR or the ICRC have been uploaded to the course website.

Finally, I may occasionally assign short readings culled from the media on specific current events to provide the context for in-class debates and exercises. Typically these will be handed out in class, posted on Blackboard or emailed several days prior to the class session. Be sure to print these and bring them with you to class.

#### Coursebooks Available for Purchase @ University Bookstore or Amazon.com

##### ***Required for all Students:***

Michael Byers. 2005. *War Law: Understanding International Law and Armed Conflict*. NY: Grove Press.

Roy Gutman and David Reiff. 2007. *Crimes of War: What the Public Should Know*. NY: W.W. Norton and Co.

Johnson, James Turner. 1999. *Morality and Contemporary Warfare*. New Haven: Yale University Press.

##### ***Recommended for all Students; Required for Ph.D. Students:***

Ward Thomas. 2001. *The Ethics of Destruction: Norms and Force in International Relations*. Ithaca: Cornell University Press.

Additional readings are available on JSTOR, the ICRC or posted on the class website.

#### **COURSE REQUIREMENTS AND GRADING**

Grading: Your final letter grade is based on a 100 pt. scale. 98-100 = A+; 93-97.9 = A; 90-92.9 = A-; 87-89.9 = B+; 82-86.9 = B; 80-81.9 = B-; 70-79 = C; 60-69 = D; less than 60 = F.

Attendance: Attendance at class meetings is required for you to both get the most out of and contribute effectively to class. Missed classes *without* an excused absence will be penalized by a reduction of one third a letter grade. Excused absences due to GSPIA-related activities must be negotiated in advance with the instructor. In the case of an absence due to your or your child's serious illness, or death in the family, please notify me as far in advance as possible. For last-minute notifications, note my cell number: 412-849-9457.

In-Class Participation (20 points): The class will be highly interactive. Class meetings will consist of short interactive lectures, discussion over the readings, and small-group exercises. Engaged participation is essential both to your ability to absorb the information and to the effective functioning of the classroom environment. Each student has the obligation to participate him or herself, as well as to facilitate the participation of others.<sup>1</sup> Twenty points of your participation grade will be based on the instructor's appraisal of the quality of your in-class participation. For Doctoral students, this includes attendance at three outside-class meetings at Hemingways to discuss the supplementary readings.

Online Participation (20 points): Students are required to register with the Pitt Rules of War Google-Group so as to be able to receive and send class emails. The address for the Google-Group is [pitt-ihl@googlegroups.com](mailto:pitt-ihl@googlegroups.com). Most weeks, students will be assigned homework projects that need to be completed and turned in online by Friday at midnight. Students will submit their homework online using weblogs linked to the class website. Completion of these assignments is worth 20 points of your grade.

2 Policy Memos/Critical Reading Responses (30 points): MPIA students must turn in two 2-page policy memos during the semester on a topic to be assigned. Each is worth 15 points and must provide a concise answer to a question regarding the rules of war. PhD students are required instead to turn in three short (2-pg single-spaced) "review essay"- style critical reading responses making a single specific argument about three or more of the supplementary readings covered in each module. These are due at each of the three doctoral student meetings and are worth 10 points each.

Term Writing Project (30 points): **On April 21**, each student will turn in **one** of the following written assignments, depending on their status in the program. Students are required to consult with the professor on their topic early in the semester and must submit either an abstract or executive summary by **January 28**; an annotated bibliography on **February 18**; and a detailed outline of your argument and supporting evidence on **March 3**. Failure to meet any of these deadlines will result in a 2.5 point reduction from your final grade. You should be prepared to make a 15 minute presentation of your argument late in the semester. You are also strongly encouraged, though not required, to turn in a rough draft well in advance of the deadline. **Rough drafts will not be reviewed after March 24.** Twenty-five points of your grade will result from the quality of your written work; the other 5 points will be based on your in-class presentation.

*MPIA Students: Policy Paper.* For MPIA students, the term project consists of a concise, 6-8 pg single-spaced paper in 12-pt font, discussing a specific current problem relating to the laws of war and proposing a solution. Policy papers differ from research papers in that they are prescriptive rather than purely explanatory. They aim to illuminate a particular issue and provide recommendations based on a balanced analysis of two or more policy options. They also differ from policy memos in being somewhat longer and more analytical. The key components of a successful policy paper are: an interesting and timely issue or problem, an analytical overview of the background to the issue, a comparison of 2-3 different policy options according to some clearly specified criteria, and a set of recommendations based on the analysis. An executive summary (generally written last) should precede

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<sup>1</sup>At a subtle level, the latter involves listening with respect while peers speak, responding thoughtfully but critically to their comments (aka providing constructive feedback), and providing space, leadership and encouragement for those less inclined to take initiative. At a more obvious and easily gradable level, it means not dominating the discussion, interrupting, or reacting disrespectfully to others' opinions you may not share.

the body of the paper. Policy papers will be evaluated according to clarity, comprehensiveness, analytical logic and consistency, writing style, and adherence to format guidelines (to be distributed).

*PhD Students: Research Paper.* This must be a 20-25 page, double-spaced, 12-pt font, publication-quality paper answering a specific explanatory research question regarding the laws of war.<sup>2</sup> The papers will be evaluated based on their intellectual merit, including: originality, research design, analytical logic and consistency, and writing style (which should be scholarly, expressive and concise). For additional information on how to craft a scholarly argument, see Johnson, Teresa Pelton. 1991. "Writing for International Security: A Contributor's Guide." *International Security* 16(2): 171-180, also available online at

[http://bcsia.ksg.harvard.edu/publication.cfm?program=CORE&ctype=article&item\\_id=380](http://bcsia.ksg.harvard.edu/publication.cfm?program=CORE&ctype=article&item_id=380)

***NOTE: PLAGIARISM WILL NOT BE TOLERATED ON ANY WRITTEN ASSIGNMENT. <sup>3</sup> PLAGIARIZED WORK OF ANY KIND WILL RESULT IN AN AUTOMATIC F FOR THE ASSIGNMENT.***

Extra Credit Options. Extra credit may be earned by publishing letters to the editor on class-related topics. A letter published in a local Pittsburgh city paper earns 1 point of extra credit; a letter published in a national venue such as the New York Times or Washington Post will receive 2 points. Students should submit a copy of the printed letter to the professor in order to receive the points.

Students with Disabilities. *If you have a disability for which you are or may be requesting an accommodation, you are encouraged to contact me as well as Disability Resources and Services (216 William Pitt Union, 412-628-7890) as early as possible in the term. DRS will verify your disability and determine reasonable accommodations for the course.*

## **TENTATIVE READING SCHEDULE**

### **MODULE 1: THE STUDY OF ETHICAL NORMS IN GLOBAL AFFAIRS**

#### **January 7: Introduction**

*Required:*

CoW, "Preface to the 2<sup>nd</sup> edition"; "Preface to the 1<sup>st</sup> edition"

Johnson, "Introduction"

Byers, "Introduction"

(Online): Thucydides, "The Melian Dialogue"

*Supplementary:*

Thomas, ch. 1

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<sup>2</sup> You are also encouraged to submit your abstract to a professional conference such as the American Political Science Association <http://www.apsanet.org>.

<sup>3</sup>Plagiarism means attempting to pass off someone else's research or writing as your own. It is very easy to catch plagiarists, and I love to do it, so don't risk your grade or your academic reputation. University of Pittsburgh's plagiarism policy can be found at: [http://www.pitt.edu/~ciddeweb/faculty-development/ta\\_handbook/chapter-8.htm#PlagiarismPol](http://www.pitt.edu/~ciddeweb/faculty-development/ta_handbook/chapter-8.htm#PlagiarismPol).

## **January 14: Rules of War: An Overview**

### *Required:*

Johnson, ch. 1

Byers, Part 1 and 2

CoW, Weschler, "International Humanitarian Law: An Overview" in COW, p. 22

(Online): "Charter of the United Nations"

CoW, "Crimes Against Humanity," "Genocide," "Crimes Against the Peace"

### *Supplementary:*

Thomas, ch. 2

JSTOR: Finnemore and Sikkink, "International Norm Dynamics and Political Change"

## **January 21: NO CLASS – Martin Luther King Day**

### ***Three Kings Film Screening***

## **January 28: The Geneva Regime in World Politics**

### ***Abstracts/Executive Summaries Due in Class***

#### *Required:*

(Handout): Finnemore, "Rules of War and Wars of Rules"

(Online): "International Humanitarian Law: Answers to Your Questions"

ICRC Webpage, "The ICRC's Mandate and Mission"

ICC Webpage, "About the Court"

#### *Supplementary:*

Thomas, ch. 3

JSTOR: Price, "Reversing the Gun Sights"

JSTOR: Percy, "Mercenaries: Strong Norm, Weak Law"

## **Friday, February 1: Doctoral Student Meeting @ Hemingways**

## **MODULE 2: UNDERSTANDING IHL: THEMATIC ISSUES**

### **February 4: Protecting Civilians**

#### ***Guest Lecture, Sarah Hllewinski, Campaign for Innocent Victims In Conflict***

#### ***First Policy Memo Handed Out***

#### *Required:*

Johnson, ch. 4

Byers, ch. 10

CoW, "Civilian Immunity," "Civilians, Illegal Targeting," "Evacuation of Civilians,"

"Indiscriminate Attack," "Military Necessity," "Military Objectives," "Legitimate Military Targets"

Review ICRC Webpage on "Civilians in the Power of the Enemy"

(Online): Lindsay, "Women and war: An Overview"

#### *Supplementary:*

*SKIM* Thomas, chs. 5

JSTOR: Valentino et al, "Covenants Without the Sword"

JSTOR: Downes, "Desperate Times, Desperate Measures"

## **February 11: Protecting Detainees**

### ***First Policy Memo Due in Class.***

CoW, “Belligerent Status,” “Combatant Status,” “Due Process,” “Guantanamo,” “POWs”

Byers, ch. 11

ICRC Webpage on, “Prisoners of War and IHL”

(Online): Roth, “Law of War and War on Terror”

(Online): Wedgwood, “Combatants or Criminals?”

### ***Supplementary:***

JSTOR: Morrow, “The Institutional Features of the Prisoner of War Treaties”

## **February 18: Means and Methods of Warfare**

### ***Annotated Bibliographies Due in Class.***

### ***Guest Lecture: Lt. Col. Dave Martalla, Ridgway Center Defense Fellow***

### ***Required:***

CoW, “Biological Weapons,” “Chemical Weapons,” “Nuclear Weapons,” “Weapons”

(Online): Adams, “Shoot to Not Kill”

Review ICRC Webpage on “Weapons and IHL”

Review ICRC Webpage on “Means and Methods of Warfare”

### ***Supplementary:***

SKIM Thomas, ch. 4

JSTOR: Legro, “Which Norms Matter?”

JSTOR: Tannenwald, “The Nuclear Taboo”

## **February 22: Doctoral Student Meeting @ Hemingways**

## **MODULE THREE: THE POLITICS OF IMPLEMENTING IHL**

## **February 25: Humanitarian Intervention and the “Responsibility to Protect”**

### ***Required:***

CoW, “Humanitarian Intervention,” “Darfur”

Johnson, ch. 3

Byers, ch. 7-9

Evans, “Banishing the Rwandan Nightmare”

### ***Supplementary:***

(JSTOR): Wheeler, “Review article: Humanitarian intervention after Kosovo”

(Handout): Finnemore, “Constructing Norms of Intervention”

## **March 3: PEER FEEDBACK DAY**

*Research Paper/Policy Brief Outlines Due in Class.*

## **March 10: NO CLASS - SPRING BREAK**

### **March 17: State Compliance: The Torture Debate and the Global War on Terror**

#### *Required:*

CoW, “Torture,” “Detention and Interrogation,” “Gray Areas”  
JSTOR: Foot, “Torture: The Struggle Over a Peremptory Norm”  
(Online): Bellamy, “No Pain No Gain? Torture and Ethics in the War on Terror”

#### *Supplementary:*

JSTOR: Shannon, “Norms Are What States Make of Them”  
JSTOR: Morrow and Jo, “Compliance with the Laws of War: Dataset and Coding Rules”

### **March 24: Influencing Weapons-Bearers: Abu Ghraib**

#### *Deadline to Turn in Rough Drafts In Class*

#### **In-Class Film and Discussion: *Ghosts of Abu Ghraib***

#### *Second Policy Memo Handed Out*

#### *Required:*

(Handout): Wilmer, “IR Theory and the Problem of Violence”  
(Online): ICRC, “The Roots of Behavior in War”  
Johnson, ch. 5

#### *Supplementary:*

JSTOR: Humphreys and Weinstein, “Handling and Manhandling Civilians in Civil Wars”  
JSTOR: Wood, “Variation in Sexual Violence During War”

### **March 31: The Politics of War Crimes Tribunals**

#### **In-Class Film: *In Search of International Justice***

#### *Second Policy Memo Due*

#### *Required:*

Johnson, ch. 6  
Byers, ch. 11  
CoW, “War Crimes, Categories of,” “Courts and Tribunals,” “The Yugoslavia Tribunal”  
(Online): Kellogg: “Jus Post Bellum”

#### *Supplementary:*

(JSTOR): Rudolph, “Constructing an Atrocities Regime”  
(JSTOR): Gilligan, “Is Enforcement Necessary for Effectiveness?”

### **April 4: Doctoral Student Meeting @ Hemingways**

### **April 7: STUDENT PRESENTATIONS**

### **April 14: STUDENT PRESENTATIONS**

### **April 21: Final Discussion: Rules of War and Their Limits**

#### *Term Policy Briefs Due.*

Johnson, ch. 7  
Thomas, ch 6  
Byers, Epilogue