

Contemporary Challenges for Just War Theory

Friday, March 12 – Saturday, March 13, 2021, 1-6:15p EST

<http://challengingwar.com/spring-2021/>

Schedule

All times in EST

Friday, March 12

1-1:05p Opening Remarks: Lee-Ann Chae

1:05-1:25 Jessica Wolfendale, “Drone Warfare as Terrorism”

1:25-1:50 Q&A

<10 min break>

2-2:20 Marcus Hedahl & Kyle Fruh, “Postscripts, Preambles, and the World We Fight For: How *Jus Post Bellum* & Environmental Justice Require a *Jus Ante Bellum*”

2:20-2:45 Q&A

<15 min break>

3-3:20 Cheyney Ryan, “Why We Fight”

3:20-3:45 Q&A

<30 minute break>

4:15-4:35 Ben Jones, “Police Obligations to Vulnerable Aggressors with Diminished Culpability”

4:35-5p Q&A

<15 minute break>

5:15-5:20 Keynote (pre-read): Cian O’Driscoll, “In the Trenches: Making Just War Theory More Concrete”

5:20-6:15 Q&A

Saturday, March 13

1-1:05p Opening Remarks: Lee-Ann Chae

1:05-1:25 Luke Hunt, “The Problem of Warrior Policing”

1:25-1:50 Q&A

<10 min break>

2-2:20 Jennifer Kling, “Fighting Organized Crime: Military Conflict or Domestic
Dispute?”

2:20-2:45 Q&A

<15 min break>

3-3:20 Blair Peruniak, “Refugees and the Ends of War”

3:20-3:45 Q&A

<30 minute break>

4:15-4:35 Elizabeth Lanphier, “Houseland Defense & Hospitable Homes”

4:35-5 Q&A

<15 minute break>

5:15-5:20 Keynote (pre-read): Valerie Morkevičius, “Keeping it Real: Classical Just War
Thinking, AI, and Revolutions in Military Affairs”

5:20-6:15 Q&A

Abstracts

Marcus Hedahl (US Naval Academy) & Kyle Fruh (Duke Kunshan), “Postscripts, Preambles, and the World We Fight For: How *Jus Post Bellum* & Environmental Justice Require a *Jus Ante Bellum*”

The acceptance of environmental restoration duties as part of *jus post bellum* has a number of implications, some of which stretch the boundaries of just war theory into the new terrain of *jus ante bellum*, or justice prior to war. We argue that the *jus post bellum* rationale for environmental restoration also speaks in favor of attending to environmental damage caused by militarism and preparations for war. We explore these connections across the different areas of just war theory to draw out what *jus ante bellum* might look like in contrast to *jus ad bellum* and just governance, and to develop an important and novel avenue for moral criticism of military actions in times of peace.

Luke Hunt (Univ. of Alabama), “The Problem of Warrior Policing”

Government responses to protests against police brutality inched closer to what might be described as martial responses in recent months. With this backdrop in mind, I examine how policing focuses upon two related principles: (1) utilitarian approaches to crime control and reduction in which the end justifies the (warrior’s) illiberal and undemocratic means, and (2) officer individuation through a warrior and guardian mythos rather than collectivity. Although the police may have much in common with warriors and soldiers, the commonalities are with respect to general moral requirements rather than special (positional) moral requirements.

Ben Jones (Rock Ethics Inst., Penn State), “Police Obligations to Vulnerable Aggressors with Diminished Culpability”

This paper considers four ways to understand police obligations to vulnerable aggressors with diminished culpability (VADCs), a category that includes juveniles, individuals with mental illness, and individuals with intellectual disability. By appealing to prioritarian and egalitarian grounds, I argue for what I call the *extra protections view*: VADCs enjoy extra protections from deadly force due to their vulnerability. This analysis suggests that vulnerability deserves greater attention than it currently receives in the ethical literature on defensive force and war.

Jennifer Kling (Univ. of Colorado, Colorado Springs), “**Fighting Organized Crime: Military Conflict or Domestic Dispute?**”

In the contemporary era, police have taken an increasingly militarized posture toward organized criminal groups, including drug cartels, gangs, and terrorist organizations. But should drug cartels, gangs, and terrorist organizations be treated as entities that are capable of going to war? Should cartel members, gang members, and terrorists then be subject to the international strictures of *jus in bello* rather than to domestic laws and policies? In this paper, I provide an answer to the first question, and suggest that this determines the answer to the second.

Elizabeth Lanphier (Univ. of Cincinnati), “**Houseland Defense & Hospitable Homes: Equivocation, Self-Preservation, and Just War Theory**”

This paper identifies an equivocation between the concepts of house and home in the “domestic analogy” intended to justify legitimate defense of a territory from invasion or attack. While equivocation between house and home poses a problem for legitimate rights to wage war in just war theory, identifying house and home as different in kind affords an opportunity to reconsider positive rights and obligations that could prevent war over resources and self-preservation. Instead of attending to the defense of resources such as a house, this analysis invites consideration of the sharing of resources within a home.

Valerie Morkevičius (Colgate), “**Keeping it Real: Classical Just War Thinking, AI, and Revolutions in Military Affairs**”

Artificial Intelligence (AI) has recently attracted significant attention from just war thinkers. This seductive new technology appears to offer us the possibility of more precise targeting, while also raising the specter of war beyond the scope of human control. The use of AI in military systems raises traditional questions about moral responsibility and the possibility of respecting the distinction between combatants and civilians, as well as postmodern concerns about the moral implications of distance and the use of non-human fighters.

This paper is a first attempt to think through these concerns by considering the role of technology in historical just war thought. I ask whether the militarist, technologist discourse so prevalent in our society has distracted us from the deep continuities between our present circumstances and those which have come before, and suggest that the shift in contemporary just war discourse towards technological and tactical discussions and away from *ad bellum* concerns is a worrisome development.

Cian O’Driscoll (ANU), “In the Trenches: Making Just War Theory More Concrete”

Drawing on a range of different literatures, including feminist standpoint theory and existentialist writings, this paper aims to develop a subjectivist account of just war theory. Paraphrasing Iris Young (1997: 337), the intention behind this is to ascertain the degree to which just war theory is a moral framework soldiers can and should be expected to “live by” and “inhabit”.

Blair Peruniak (McGill), “Refugees and the Ends of War”

This paper argues that the justice of initiating (or continuing) wars is conditioned by the prospects of a full and fair resolution of displacement after war’s end. When the just resolution of displacement due to war is impossible or unlikely, the resort to war, or its continuation, is presumptively unjust. The *possibility* that war will result in chronic or protracted refugee situations is thus sufficient to impose severe limitations on the pursuit of an otherwise just war.

Cheyney Ryan (Oxford), “Why We Fight”

The just war framework begins with the aims of a war, their justice or injustice, then proceeds to judgments like proportionality which presumes those aims. I argue that the notion of “war aims” cannot be made clear enough to play the role they must in just war thinking. I do so in part by drawing on a long tradition of thinking about war, including Clausewitz, that advanced just this point.

Jessica Wolfendale (Marquette Univ.), “Drone Warfare as Terrorism”

The United States’ ongoing campaign of drone warfare against suspected and known members of Al Qaeda and other terrorist organizations has received little public outcry, despite killing thousands of civilians. In this paper I argue that this campaign of drone warfare constitutes terrorism because it inflicts indiscriminate extreme and ongoing psychological and physical trauma on all those who are affected by it, whether they are targets or not. But the terroristic nature of drone warfare is hidden by narratives of neutrality and precision that normalize and justify this violence and mark out those subjected to it as deserving of such treatment. To understand the terroristic nature of drone warfare, therefore, we must focus on the experiences of the victims of this war.

Conference Organizer

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