

Law and Ethics of War and Peace

UHON 302-012 | W | 6:00-8:30 | SHC 16 | 25109

Fulfills A&S Group IV: Social and Behavioral Sciences

Allen Ferguson

This class relates to law, political science, history, philosophy, international relations, and the survival of civilization. Often we hear or read a reference in the news to the Geneva Conventions, the UN Charter, the Nuclear Non-Proliferation Treaty, or the Torture Convention in connection with an armed conflict somewhere in the world. Yet few people have ever read these key war and peace documents, or developed an understanding of the historical context out of which they arose. As a result, it is difficult to have an informed opinion on how these documents apply to real world situations, despite the obvious, life-and-death importance of the issues.

Also needed is an in-depth exploration of the ethical principles that underlie the legal documents. This course is designed to familiarize students with ethical writings (from ancient and medieval times to the present) concerning war and peace and with contemporary legal documents concerning the same subject and, to encourage students, to apply the ethical and legal principles they learn about to contemporary international issues. Students will be encouraged to perform their own, independent analysis, form their own judgments, and communicate these with the professor, the class and persons outside the class.



Readings

The primary source to be used in this course is "Supplement of Basic Documents, International Law and World Order," which contains scores of documents related to war and peace, including, the UN Charter, the Geneva Conventions, the Genocide Treaty, the Torture Convention, the Nuclear Non-Proliferation Treaty, and the Final Judgment at Nuremberg. In addition, students will read various hand-outs, including, excerpts from the writings of ancient and medieval Chinese, Greek, Roman and Spanish writers about the ethics of war and peace. Others deal with more recent armed conflict situations.

Requirements

Students will be expected to read the documents assigned and discuss them in class. Both attendance and participation are essential. Some classes will be devoted mainly to ethical issues such as protection of civilians, and the rightness or wrongness of going to war. Others will focus on narrower issues such as the spread of weapons of mass destruction (WMD). Often discussions will reveal questions that are not answered in the reading, and students will be asked to do "mini research projects" and report back to the class. Students will also participate in a mock international organization deliberation. In addition, each student will write a final paper or do a final project and present the results to the class.

About the Instructor

Allen Ferguson is an attorney licensed to practice in New Mexico and Washington, D.C. He has a longstanding interest in the ethical and philosophical aspects of the law of war and peace. He majored in philosophy and religion in college and in law school studied public international law. In 2005, Mr. Ferguson designed and taught a course on the Law of War and Peace at UNM Law School. In 2007, he attended the Hague Academy of International Law in the Netherlands, one of the premier institutions of its kind in the world, and received a certificate in public international law. In 2008, he re-tooled the he had previously taught to add more of an ethical dimension and taught it in the UNM University Honors Program.

