

## REPORT ON JUST AND UNJUST NORMS OF WARFARE VENTURE WORKSHOP

San Francisco ISA Conference, April 2<sup>nd</sup> 2018

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The workshop held in San Francisco was a unique occasion to confront different views on the relation between the ethics of war and the social sciences. Participants gathered in this group were among the best scholars working in this field of International Relations. We shared different ideas and methods both in the social sciences and normative theories, and the discussion has been extremely fruitful. Papers were of high quality and were presented as shown in the included schedule (see below).

We agreed upon the importance of positioning ourselves within the field of ethics of war in order to set up an alternative both to abstract revisionist theories and descriptive social science accounts of norms. Ultimately, we rehearsed new directions to the project that we intend to pursue. The workshop was in this regard very rewarding.

On the one hand, social sciences can inform ethics about what are plausible norms: i.e., norms that would be acceptable and accepted by social actors whether individuals or institutions. On the other hand, ethics can inform the social sciences by discriminating, among those plausible norms, what could be and should be, from a normative perspective (i.e., those norms that are normatively preferable). Our approach is accordingly both contextual and normative.

This is first an epistemic challenge given the division of labor that prevails in academia, in the fields of ethics and the differentiation of the social sciences. It is, second, a political challenge since knowledge (production) in the field of the ethics of war fuels debates in the legal arena, in the media, as well as in military academies.

During the last session of the workshop as well as during a subsequent panel that took place the final day of the ISA conference on Saturday 7<sup>th</sup>, we talked about the direction we want to pursue and the questions we want to emphasize in the new versions of the papers we will write. Priority should be given to the following points:

1. In order to elaborate plausible norms, it is important to discuss the origins of norms, i.e. when discussing plausible norms it is important that we know from where those norms emerge and how they develop. This is critical given new developments in the relation between ethics and the social and natural sciences.
2. In order to think through the relation between social sciences and normative theory, it is important that we think those two types of knowledge jointly and therefore identify possible dyads (as for example, the relation between organizational theory in the social sciences and consequentialism in normative theory).
3. In order to test the plausibility of norms, we want to analyze the function of those possible and plausible norms. The social functions that these norms have is an important test when discussing where these are preferable norms.
4. Norms have consequences both at the individual and the macro levels. It is important therefore to discuss different levels of responsibilities, whether at the individual, the group, or international system levels.

We believe this is an important moment to address the question of “plausible norms” in the discipline and its subfields. Given contemporary technological and international political developments, we have witnessed an increasing interest in members of the “Ethics” and “Theory” sections at ISA for this approach and in other section panels during recent ISA conferences. We also believe that, in the philosophy and law communities, scholars would be interested in this inter-disciplinary dialogue although it challenges major assumptions of analytical moral philosophers who study the ethics of war.

This research group that brings together scholars from different backgrounds in IR studies, from different countries and different generations has large potential. During the ISA, we met with the political editor from OUP (UK), Dominic Byatt. We told him about our project to publish an edited volume, and he expressed a clear interest in our work. We are planning to send him by the summer a detailed book proposal. If we have funding, we would like to organize a final round of paper presentations in Europe, in the UK possibly.

This is the schedule of the meeting how it took place. Marine Guillaume (Sciences Po) was not able to make the trip to San Francisco, however she co-wrote the paper that was delivered by Amélie Fery. Michael Gross from Haifa who was a substitute joined the group. As Marine was supposed to fly from Paris. Neta Crawford’s institution paid for her stay. Teylor Seybolt either is not seeking for reimbursement (lodging). Therefore, the amount of money to be reimbursed is lesser than what was planned in the budget.

### **Just and Unjust Norms of Warfare – A View from the Social Sciences**

#### **I. The Normative Scope of Social Sciences Analysis: the Search for ‘Plausible’ Norms (*Ought implies can*)**

8.30-10.30

This panel shows that social sciences ought to be taken seriously when discussing norms in warfare. It focuses on the contributions of the social sciences to normative analysis. Social sciences not only explain how norms emerge, but also can inform us on their content and thus can help us discriminate normatively between rules on the basis of their coherence and robustness. Indeed, social sciences inform us about what are possible moral choices, given that ‘ought implies can’. The goal of this panel is to understand what are, from a variety of perspectives in the social sciences, ‘plausible’ norms. Plausible norms are those norms that will be accepted by those who are supposed to implement them and that are likely to have good consequences if implemented.

Richard Beardsworth (chair), Neta Crawford (discussant)

Chris Brown (Deontology, Consequentialism and Reciprocity in Contemporary Just War Thinking), Mervyn Frost (Ethics and Interpretive Social Science: A Radical Interpretivist View), Michael Gross (How does Medical Ethics affect the Ethics of War?), Richard Price (Moral Psychology, Neuroscience, and the Ethics of War)

II Whose War? Whose Ethics? Which Collectives? (*Alternatives to revisionism – the role of social sciences in normative claims*)

10.45-12.45

This session provides with different empirical accounts of warfare. One of the major flaws of revisionism is to focus solely on individual dilemmas, whereas the Just War Tradition fails to capture the essence of collective decision (it anthropomorphizes the state). This panel particularly focuses on the dual level of responsibility, individual and collective and discusses the benefits of the evolution of legal norms that impact both the individual and the collective level.

Mervyn Frost (chair), Richard Price (discussant)

Ariel Colonomos (Digging into the Cave of International Politics - a Praise for a Multilevel Normative Approach), Neta Crawford (From Prevention to Protection: Civilians and the American Way of War), Pablo Kalmanovitz (From Reprisals to Criminal Accountability? Non-international Armed Conflicts and the Prospects of Limitation through Law), Taylor Seybolt (Normative Rhetoric and Military Responsibility), Maja Spanu (Criminal Responsibility and Vulnerability in Wars: An intertwined history of individuals and groups)

III Just Norms and the Political (*Moving away from the ethical? Ethics of war and International Political Theory*)

1.45-3.45

The ethics of war literature has neglected the political dimension of warfare. As a consequence, it produced ethical norms that reflect this bias. Yet, war is an essential political phenomenon and thus this dimension needs to be accounted for in their framing. It is the purpose of this session to highlight the political nature of just norms of warfare, whose function is not only to amend military doctrines and to curb state practices, but also, within an international society of states, to reinforce the political ties between its constitutive members.

Michael Gross (chair), Chris Brown (discussant)

Richard Beardsworth (Tying a Contemporary Norm of War to a Historical Process: R2P and Political Judgment), Matthew Evangelista (Human Rights Norms and Warfare Realities: The Chechen Wars at the European Court), Amélie Férey and Marine Guillaume (Just Cause in Drone Warfare: A Political Account), Elise Rousseau (The Case for Status Quo: Making non Intervention Morally Bearable)

IV. Roundtable: From the Ethics of War to the Study of Just and Unjust Norms of Warfare

4.00-5.30

The aim of the roundtable was to invite the discussants of the different sessions to offer their synthetic views about the entire workshop. We discussed the potential of the papers and reflected upon the workshop as a whole. We discussed the next steps in order to publish our work.