



Center for Ethics and the Rule of Law
3501 Sansom Street
Philadelphia, PA 19104-6204

The Logic of Deterrence and the Changing Face of Warfare
November 16-17, 2012

Schedule & Required Readings

Friday, November 16 th	
8:30 - 9:00 a.m.	Continental Breakfast Shuster Room, Silverman 147
9:00 - 10:30 a.m.	Welcome Remarks - Dean Michael Fitts, <i>University of Pennsylvania Law School</i> Session 1: <i>The Logic of Threats and Deterrence</i> Shuster Room, Silverman 147 Moderator: <i>Sharon Lloyd, Professor of Philosophy, University of Southern California</i> Presentation: <i>Jules Zacher, Attorney-at-Law</i> Readings: • Thomas Schelling, <i>The Strategy of Conflict</i>, Chapter 1 & 2, 1960. • Gregory Kavka, <i>Moral Paradoxes of Nuclear Deterrence</i>, Chapter 1 and 2, 1987. • Frederick Kroon, "Deterrence and the Fragility of Rationality" <i>Ethics</i>, 1996.
10:30 - 11:00 a.m.	Break

Conference on The Logic of Deterrence and the Changing Face of Warfare

11:00 - 12:30p.m.	Session 2: <i>Deterrence and Expected Utility Theory</i> Shuster Room, Silverman 147 Moderator: <i>Jens Ohlin, Associate Professor of Law, Cornell University</i> Readings: • Gregory Kavka, <i>Moral Paradoxes of Nuclear Deterrence</i>, Chapter 3, 1987. • Stephen Darwall, "Rational Agent, Rational Act" <i>Philosophical Topics</i>, 1986. • David Gauthier, "Deterrence, Maximization, and Rationality" <i>The Security Gamble</i>, 1984. • Derek Parfit, <i>Reasons and Persons</i>, pp. 12-24, 1984. • David Gauthier, "Rationality and the Rational Aim", <i>Reading Parfit</i>, Ed. Jonathan Dancy, 1997.
12:30 - 1:30 p.m.	Lunch Levy Conference Room, Silverman 245
1:30 - 4:30 p.m.	Break/Transportation to Club Quarters 1628 Chestnut Street, Philadelphia, PA 19103
4:30 - 6:00 p.m.	Session 3: <i>Deterrence, Intentions and Resolute Choice</i> The Racquet Club of Philadelphia 215 S. 16th Street, Philadelphia, PA 19102 Moderator: <i>Joseph Mintoff, Senior Lecturer, The University of Newcastle</i> Readings: • Gregory Kavka, "The Toxin Puzzle" <i>Analysis</i>, 1983. • David Gauthier, "Rethinking the Toxin Puzzle" in <i>Rational Commitment and Social Justice</i>, Eds. Christopher W. Morris and Jules L. Coleman, 1998. • Michael Bratman, "Toxin, Temptation, and the Stability of Intention" in <i>Rational Commitment and Social Justice</i>, Eds. Christopher W. Morris and Jules L. Coleman, 1998. • Ken Levy, "On the Rationalist Solution to Kavka's Toxin Puzzle" <i>Pacific Philosophical Quarterly</i>, 2009 • Joseph Mintoff, "Can Intentions Make Actions Rational?" <i>Canadian Journal of Philosophy</i>, 2002

Conference on The Logic of Deterrence and the Changing Face of Warfare

6:00 p.m.	Cocktails and Dinner at The Racquet Club of Philadelphia 215 S. 16th Street, Philadelphia, PA 19102 Keynote Address: <i>Sean Kanuck, National Intelligence Officer (NIO) for Cyber Issues within the Office of the Director of National Intelligence</i> Readings: Sean Kanuck, "Sovereign Discourse on Cyber Conflict Under International Law" <i>Texas Law Review</i>, 2010.
-----------	---

Saturday, November 17 th	
9:00 - 9:30 a.m.	Continental Breakfast Shuster Room, Silverman 147
9:30 - 11:00 a.m.	Session 4: <i>Prevention, Preemption and Credible Threats</i> Shuster Room, Silverman 147 Moderator: <i>Claire Finkelstein, Algernon Biddle Professor of Law and Professor of Philosophy, University of Pennsylvania</i> Readings: - David Gauthier, "Assure and Threaten" <i>Ethics</i>, 1994. - Duncan MacIntosh, "Assuring, Threatening, a Fully Maximizing Theory of Practical Rationality, and the Practical Duties of Agents", Manuscript - Claire Finkelstein & Leo Katz, "Contrived Defenses and Deterrent Threats: Two Facets of One Problem" <i>Ohio State Journal of Criminal Law</i>, 2008. (Edited) - Russell Christopher, "An Infinite Regress of Impermissible Threats: An Argument Against the Traditionalist View of Deterrent Threats", Manuscript - John Hare, "Credibility and Bluff" in <i>Nuclear Weapons and the Future of Humanity: The Fundamental Questions</i>, Ed. Avner Cohen and Steven Lee, 1982.
11:00 - 11:30 a.m.	Break

Conference on The Logic of Deterrence and the Changing Face of Warfare

11:30 - 1:00 p.m.	Session 5: <i>Deterrence, Law Enforcement, and the Permissibility of Threatening</i> Shuster Room, Silverman 147 Moderator: <i>Russell Christopher, Professor of Law, The University of Tulsa College of Law</i> Readings: • Larry Alexander, "The Doomsday Machine: Proportionality, Punishment and Prevention", <i>The Monist</i>, 1980. (Edited) • Warren Quinn, "The Right to Threaten and the Right to Punish" <i>Philosophy and Public Affairs</i>, 1985. • Claire Finkelstein, "Threats and Preemptive Practices" <i>Legal Theory</i>, 1999. • Paul Robinson and John Darley, "Does Criminal Law Deter? A Behavioral Science Investigation" <i>Legal Studies</i>, 2004 (Edited) • Justin Logan, "The Bottom Line on Iran: The Costs and Benefits of Preventive War versus Deterrence" <i>Policy Analysis</i>, 2006. • Kevin Govern, "National Solutions to an International Scourge: Prosecuting Piracy Domestically as a Viable Alternative to International Tribunals" <i>University of Miami International & Comparative Law Review</i>, 2011. (Edited)
1:00 - 2:00 p.m.	Lunch Levy Conference Room, Silverman 245
2:00 - 3:30 p.m.	Session 6: <i>Deterrence and Cybersecurity</i> Shuster Room, Silverman 147 Moderator: <i>Randall Dipert, Professor of Philosophy, University of Buffalo</i> Readings: • Randall Dipert, "The Ethics of Cyberwarfare" <i>Ethics and Emerging Military Technologies</i>, 2010 • James Cook, "Cyberation and Just War Doctrine: A Response to Randall Dipert" <i>Journal of Military Ethics</i>, 2010. • Daniel Rosenfield, "Rethinking Cyberwar" <i>Critical Review: A Journal of Politics and Society</i>, 2009. • Vincent Manzo, "Deterrence and Escalation in Cross-domain Operations: Where Do Space and Cyberspace Fit?" <i>Joint Force Quarterly</i>, 2012.