Thinking war in the 21st century: Introducing non-state actors in Just war theory

Noorda, H.A.

Citation for published version (APA):
New York, May 7, 2016

Acknowledgements

War is destructive and the consequences of war can be immensely tragic. People suffer and die in awful ways on a massive scale. In the face of this dreadful fact, how sensible is it to talk about regulating war? Why do we permit particular deaths? During the process of writing, I asked myself these questions numerous times, because war and killing seem intolerable. However, the regulation of war has been a topic of philosophical debate for centuries and the dreadfulness of war demands constraints. Despite war’s destructiveness, just war theory intends to limit destruction. In this sense, there are deep relations between war and philosophical principles aimed at regulating war. At the same time, however, philosophy of war cannot be grounded solely on the moral ideal to which it aspires because—to have an impact on the practice of war—it has to compromise with military and political realities.

In my thesis, I explored possibilities for restraining war while maintaining a pragmatic eye. I took up the task of developing a theory of war because I believe it relates to one of the most interesting and serious matters addressed by philosophers: the taking of a human life. By focusing on restraining wars with non-state actors, such as so-called ‘terrorists’ and ‘freedom fighters’, I made my project even more challenging. That there should be a philosophy of war for non-state actors, and thus, some permissible form of non-state violence, is to many an unacceptable idea. I believe that rebutting this critique is crucial for addressing conflicts with non-state actors.
This work occupied a central position in my life, during my time as a PhD candidate. This list of acknowledgements reflects gratitude to those who accompanied me in the writing of this book.

First of all, my wholehearted thanks go out to Marc de Wilde and Roland Pierik for being my supervisors. I would also like to thank Peter Rijpkema for giving me the opportunity to start a PhD at the Paul Scholten Center for Jurisprudence, University of Amsterdam Law School.

In addition to the University of Amsterdam, a number of institutions provided an inspiring home for conducting this research. I would like to thank the faculty of the European University Institute, UC Berkeley School of Law, and Georgetown University. I extend my gratitude to my host at UC Berkeley School of Law, Christopher Kutz, and my host at the European University Institute, Nehal Bhuta, who provided me with an inspiring research environment and continual support.

I am indebted to a number of scholars who took the time to read and comment on my work, and provided me with very constructive and insightful feedback. They are Deen Chatterjee, Meir Dan Cohen, Antony Duff, Virginia Held, Gregory Klass, Christopher Kutz, David Luban, Michael Musheno, Bassam Romaya, Bas Schotel, Scott Shapiro, Jonathan Simon, Lawrence Solum, Gavin Sullivan, Alec Walen and Mark Woods.

Chapter 3 is an adapted version of an article I published in *Philosophia*, and Chapter 6 is an adapted version of an article I published in *Criminal Law and Philosophy*. I thank the editors and the anonymous referees of these journals for helpful comments and suggestions.

During the years of my research I benefited from discussions with many academics working on related issues. Special mention must be made of Ahmed Al-Dawoody, Saba Bazargan, Nehal Bhuta, Boyd van Dijk, Ned Dobos, Chong un Choe-Smith, Ian Fishback, Shannon Ford, Shannon French, Helen Frowe, Nolen Gertz, Florian Grosser, Adil Haque, Marieke de Hoon, Ramona
Ilea, Mihaela Ivan-Cucu, Pablo Kalmanovitz, Gerald Lang, Larry May, Evgeni Moyakine, Dirk Moses, Tony Pfaff, Dennis Patterson, Matthe Scholten, Nancy Sherman, Lynette Sieger, Jennifer Welsh, Wouter Werner. In the course of conversations and shared panels at conferences, more scholars than can possibly be mentioned provided food for thought. I am thankful to them all.

I presented my work at a number of conferences, workshops and seminars. I am thankful to the organizers of the following meetings for providing me with a forum for my work: the Stockholm Centre for the Ethics of War and Peace Launch Conference, the Tilburg University Ethics Seminar, the Netherlands Journal of Legal Philosophy Conference on the Presumption of Innocence, the Hokkaido University Center for Applied Ethics and Philosophy Conference, the European University Institute Legal Theory Workshop, the American Philosophical Association Central Meeting in Chicago, the Flemish-Dutch Philosophy Conference at Radboud University Nijmegen, the Netherlands Association for Philosophy of Law Annual Conference, the Law Research Fellows Collaborative at Georgetown University, the Winter Meeting of the Dutch Research School of Practical Philosophy, the International Society for Military Ethics Conference at the University of San Diego, the Interdisciplinary Workshop on Personal and Shared Intentions at Max Planck Institute for Human Development, the European Society for Military Ethics Conference in Amsterdam, the Ethics and the New War Conference at the Dutch Military Academy Breda, the Gaede Institute for Liberal Arts Conference on War and Peace at Westmont College in Santa Barbara, and the Gallatin Interdisciplinary Graduate Student Conference ‘Global Justice and Ethics’ at New York University.

I have also been assisted by several grants and awards for which I am extremely honored, and wish to thank the following: the Scholten Cordes Foundation that provided me with four grants during the course of my studies, the 2014 Hokkaido
University of Japan Travel Stipend Award, and the 2014 and 2016 American Philosophical Association Travel Stipend Awards.

My colleagues and students at the University of Amsterdam and Leiden University also deserve my thanks. Especially, I thank my fellow PhD candidates Tamar de Waal, Nina Holvast and Michelle Parlevliet.

Finally, I thank my family and friends here and abroad for the support they gave. Above all, I wish to thank my loving and caring husband, Giuseppe, for his ongoing encouragement.