



THE WAR



A KEN BURNS FILM

DIRECTED AND PRODUCED BY KEN BURNS AND LYNN NOVICK

The Declaration of War Against Japan and Just War Theory

Subjects:

American History, Political Science, Ethics and Philosophy

Overview:

This lesson introduces students to the principles of just war theory, the basis of international agreements such as the Geneva Conventions that regulate the conduct of nations in wartime. The lesson asks students to consider the six principles of jus ad bellum, or what makes a war just, as applied to World War II. Students read Roosevelt's Joint Address to Congress Leading to a Declaration of War Against Japan (the "day that will live in infamy" speech) in order to assess whether or not Roosevelt spelled out the case for a just war. See the Extensions/Adaptations section of this lesson for activities that ask students to consider jus in bello, or the right conduct during battle, as applied to all sides of World War II.

Objectives:

- To learn about the Japanese attack on Pearl Harbor and its affect on U.S. history.
- To understand elements of just war theory, the basis of international law regarding warfare.
- To analyze a speech and its effect on the American people.

Procedure:

Just War Theory and FDR's Declaration of War

When, if ever, is war just? Tell students that in the Western tradition, philosophers and statesmen have grappled with this question for centuries, beginning with the Greeks and Romans. Explain to the class that just war theory, or jus ad bellum, has become the basis for international agreements like the Geneva Conventions and modern humanitarian law. The Geneva Convention of 1864 was the first treaty concerning humanitarian aid in wartime. The Four Geneva Conventions as we know them were finalized after World War II (1949), and in 1977 two protocols were added to them.

GO TO CLIP

(http://www.pbs.org/thewar/search_details.php?id=5337&type=3)

According to "just war theory," was America justified in declaring war on Japan and subsequently on Germany and Italy? Tell students that in order to answer this question they are going to consider three sources.

1. A summary of just war theory as it applies to declaring war.
2. Excerpts from THE WAR
3. President Roosevelt's declaration of war officially titled the Joint Address to Congress Leading to a Declaration of War Against Japan (1941)

Distribute the following definition of just war theory:

In the Stanford Encyclopedia of Philosophy, Professor Brian Orend states that jus ad bellum sets forth the following six requirements, all of which must be met for a war to be considered just:

1. Just cause. To be justified in waging war, a nation must do so in the cause of justice. Just cause is first and foremost the self-defense of a nation that is physically and aggressively attacked by another nation. (For other reasons for waging war, see the complete on-line essay cited below.)
2. Right intention. The nation that wages war must do so for the right motives, that is, only to ensure that the just cause is attained by war's end. There can be no ulterior motives, such as racial or ethnic hatred, or provoking war for a land grab.
3. Proper authority and public declaration. The decision to wage war must be made only by the proper authorities of a state, following the process set forth by that nation's laws. The declaration must be made public to its citizens and to the nation against whom the war is waged. Failing this, the nation lacks the legitimacy to go to war.
4. Last Resort. A nation may resort to war only if it has exhausted all diplomatic means of resolving the conflict peacefully. The state must be able to demonstrate that there is no other reasonable or practicable means of righting the wrong, short of war.

5. Probability of Success. Because of the harm and destruction engendered by warfare, it should only be initiated if it is deemed likely to be successful. (Note that while the probability of success is accepted as a precondition by many just war theorists, it is not included in international law, which seeks to protect the rights of smaller and weaker states.)
6. Proportionality. Before deciding to wage war, a state must evaluate the universal good that is likely to result and weigh it against the universal evil (death and destruction) that will be incurred on all sides. In a just war, the benefits of winning the war (securing the just cause) must outweigh its cost in human life.

Note: These principles are explicated by Orend, Brian, "War" in *The Stanford Encyclopedia of Philosophy* (Winter 2005 Edition), Edward N. Zalta (ed.), (<http://plato.stanford.edu/archives/win2005/entries/war>), on which this synopsis is based.

Now show the scenes from Episode 1 that describe Pearl Harbor and the events leading up to it (beginning page 7 beginning with Title and ending on page 12 with the words "until December 7" Stop before Glenn Frazier, approx 20 minutes.)

GO TO CLIP

(http://www.pbs.org/thewar/search_details.php?id=5339&type=3)

Also distribute maps that show the extent of Germany's conquests in Europe and Japan's conquests in the Pacific in 1941 (available at the companion site to *The War*).

GO TO SEARCH AND EXPLORE

(http://www.pbs.org/thewar/search_home.htm)

After viewing the film clip and analyzing the maps, ask students:

- What was the nature of the attack on Pearl Harbor? What evidence is there that it was a surprise attack, with no warning given?
- What was the extent of damage incurred by the United States in terms of loss of life and military capability?
- When and why did the U.S. declare war on Japan?
- Before Pearl Harbor, what had Roosevelt done to aid those countries fighting Germany and Japan?
- When and why did Germany and Italy declare war on the United States?
- When and why did Russia become America's ally in the war? Who were our other allies?
- What were Hitler's views on the Aryan race?
- What were the goals of Mussolini and Hitler? Did they threaten the United States itself, its interests, its democratic traditions?

- What were the goals of Japan? Did it threaten the United States itself, its interests, its democratic traditions?
- Do you think that the United States was justified in declaring war on Japan and if so, on what basis?

Next distribute President Roosevelt's declaration of war, officially titled the Joint Address to Congress Leading to a Declaration of War Against Japan (1941), along with the accompanying Declaration of War Worksheet. Ask students, working as individuals or in small groups, to answer the questions on the worksheet.

(<http://www.ourdocuments.gov/doc.php?flash=true&doc=73>)

Declaration of War Worksheet

Essential Question: Does President Roosevelt's declaration of war against the Empire of Japan convince you that America's entry into World War II was justified according to just war theory?

To answer this question review the six principles of Just War Theory as excerpted from Brian Orend's entry on War in the *Stanford Encyclopedia of Philosophy*. Apply the six principles to President Roosevelt's declaration of war. Use the following questions to guide your thinking.

Just Cause:

What evidence does FDR offer to convince you that a grievous wrong has been done to the United States? What evidence does he provide to show that the attack on Pearl Harbor was a premeditated surprise attack? Why is that important to making his case?

Where are Malaya, Hong Kong, Guam, the Philippine Islands and Wake Island? Which of these were U.S. possessions? When did they become U.S. possessions? What was the status of the Hawaiian Islands at this time? Which if any of these locations had U.S. military bases on them?

Right Intention:

What is the stated intention of the United States in going to war? Can you find evidence that there were ulterior motives at work? (Note that sometimes an ulterior motive, such as a land grab, only becomes apparent at the conclusion of a war.)

Proper Authority and Public Declaration:

Under the U.S. Constitution, who has the authority to declare war? Who is Commander-in-Chief? Which articles define these roles? To whom does FDR address his declaration of war? Is it a public declaration?

Last Resort

According to the declaration, did the United States try to settle the conflict with Japan by all other means? Research Japanese-American relations on the eve of December 7, 1941. Does FDR present a fair picture of the situation?

Probability of Success

Does the declaration convince you that the United States is likely to be victorious? What evidence is presented? Look at maps of the world in 1941 on the companion website to The War (hyperlink). Also read about the industrial capacity of the United States at this time. What difficulties confronted the United States in waging war against Japan, and how likely were we to overcome them?

Proportionality

Does FDR show that the consequences of going to war with Japan are worth the expected outcome in terms of the damage the war itself is likely to cause? (Note that at the start of World War II the atomic bomb did not yet exist.)

Weighing the Case for War:

When students have completed their Declaration of War Worksheets (see above) hold a class discussion in which you pose the following questions about the declaration and World War II:

- Which principle of just war theory is best supported by the declaration of war and why? Which of the six is least well supported by the declaration and why?

Ask students to compare the first draft of FDR's speech to the final version available at the National Archives at (<http://www.archives.gov/publications/prologue/2001/winter/crafting-day-of-infamy-speech.html>). Which words did he change and to what effect? Which of the six just war criteria did he most strengthen by making these changes?

- What impact did FDR's words make on the American public in terms of their support for the war? Although the speech was made officially to Congress, how did FDR make it clear that he is speaking to and for the American people themselves?

Assuming that the declaration of war against Japan meets the criteria posited by just war theory, was it therefore traitorous to refuse to fight in it? On what basis did pacifists refuse to fight in World War II? What was the response of the U.S. government? Of the public at large? For more information go to the PBS website for The Good War and Those Who Refused to Fight It at (<http://www.pbs.org/itvs/thegoodwar>)

Extension Activities

Pose these questions about just war theory and other wars:

- How does the case for entering World War II compare to other declarations of war made by other presidents? For example, ask students to compare FDR's speech to the declaration of war against Mexico made in 1846 by President James K. Polk available at (<http://www.pbs.org/weta/thewest/resources/archives/two/mexdec.htm>)
Direct students to apply the six principles of a just war to this speech, to verify and evaluate the claims made by Polk for the necessity of war, and to determine if he had ulterior motives.
- Which wars did the U.S. fight without a formal declaration of War? Did this make an impact on public support for such a war?
- Is the sanction of the United Nations (founded in 1945) necessary in order to wage a just war in today's world? Why or why not?
- What arguments for or against a preemptive war can you make in light of just war theory. What are the opinions of various philosophers and political scientists (see lists of Websites)?

Transcript of Joint Address to Congress Leading (<http://www.ourdocuments.gov/doc.php?flash=true&doc=73#>)

To hear the speech as delivered by Roosevelt to Congress and broadcast on the radio go to (<http://historymatters.gmu.edu/d/5166>)

Visit the "Search and Explore" (http://www.pbs.org/thewar/search_home.htm) section of THE WAR web site for more information about the Just War theory.

Resources

The Avalon Project Yale University Complete Conventions (<http://www.yale.edu/lawweb/avalon/lawofwar/geneva03.htm>)

Stanford Encyclopedia of Philosophy (<http://plato.stanford.edu/entries/war>) for Professor Brian Orend's article on war.

The Internet Encyclopedia of Philosophy, "Just War Theory" by Professor Alexander Moseley (<http://www.iep.utm.edu/j/justwar.htm>)

The Geneva Conventions The Red Cross (<http://www.redcross.lv/en/conventions.htm>)

NOW The Geneva Conventions (<http://www.pbs.org/now/politics/geneva.html>)

A Summary of the Geneva Conventions of 1949 from the Red Cross
(http://www.redcross.org/static/file_cont5230_lang0_1902.pdf)

The Rules of Engagement Lehrer Report
(http://www.pbs.org/newshour/extra/teachers/lessonplans/iraq/prisoners_3-23.html)

Standards

National Standards for History, National Center for History in the School at <http://www.sscnet.ucla.edu/nchs/>
Era 8 Standard 3A. The Students the international background of World War II. Analyze the reasons for the growing tensions with Japan in East Asia culminating with the bombing of Pearl Harbor.

Center for Civic Education, National Standards for Civics and Government. <http://www.civiced.org/>
II What are the foundations of the American political System. A1. The necessity for a written constitution to set forth the organization of government and to grant and distribute its powers, e.g., among different branches of the national government.

National Council for the Social Studies, Curriculum Standards for Social Studies.
Standard VI C Power, Authority & Governance. Give examples of how government does or does not provide for needs and wants of people, establish order and security, and manage conflict. F. identify and describe factors that contribute to cooperation and cause disputes within and among groups and nations.

Standard IV Individual Development & Identity g. compare and evaluate the impact of stereotyping, conformity, acts of altruism, and other behaviors on individuals and groups.

Standard VI Power; Authority, & Governance b. explain the purpose of government and analyze how its powers are acquired, used and justified. F. analyze and evaluate conditions, actions, and motivations that contribute to conflict and cooperation within and among nations.

Standard X Civic Ideals and Practices. H, evaluate the degree to which public policies and citizen behaviors reflect or foster the stated ideals of a democratic republican form of government.

Language Arts, Mid-continent Research for Education and Learning (McRel) at <http://www.mcrel.org/>

Standard 1 The Writing Process

- Uses prewriting strategies
- Drafts and revises; redrafts for readability, style, content and linguistic structures.
- Edits own and others' writing
- Uses strategies to address different audiences
- Writes expository compositions; synthesizes information from different sources
- Writes fictional, biographical, autobiographical and observational narrative compositions.
- Writes persuasive compositions; develops thesis statement; backs up assertions.
- Writes descriptive compositions; reflects on personal experience.
- Writes in response to literature; analyzes and interprets

Standard 2: Uses Stylistic and rhetorical aspects of writing

- Uses precise and descriptive language
- Develops effective paragraphs in logical sequence; uses supporting detail
- Varies sentences structures
- Uses a variety of transitional devices
- Develops personal styles and voice

From McRel

(<http://www.mcrel.org/compendium/browse.asp>)

Joan Brodsky Schur is the Social Studies Coordinator at the Village Community School where she has taught English and American history for over twenty-five years. She has worked for the National Archives and PBS Online developing lessons for their websites and served on the TeacherSource Advisory Group for PBS Online. Her most recent publication is Eyewitness to the Past: Strategies for Teaching American History in Grades 5-12.