

## IS IT EVER RIGHT TO USE VIOLENCE TO ESTABLISH PEACE?

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### Abstract

*The Just war theory provides a moral justification for the use of armed force under certain circumstances, seeing war as sometimes a necessary evil and setting principles for its use. Pacifism is that ethical response which rejects war under all circumstances. Both of these positions, although taking opposite sides of the spectrum, imply a moral presumption against war and armed conflict. Scholars and activists in both fields put forward diverse arguments to support their claims. Criteria for the justification for war can be and are used and abused by the stronger nations of the world to justify wars for ulterior, often times selfish, economic interests. Military expenditure globally has serious social and economic implications, and undoubtedly a reduction in this spending and a redirection of these funds for the benefit of human and social development would result in a more peaceful world. Many today believe, that the Just War theory is one from which we must distance ourselves and seek a world of justice and peace through nonviolent means. Our world would indeed be a different place if the intentional promotion of sustainable peace building and human security was at the centre of all political, social, and economic activity.*

**Keywords:** Just War Theory, War System, Pacifism, Sustainable Peacebuilding

### Introduction

The phrase ‘violence begets violence’ is well known and equally well tested, used by many proponents of non-violence over the years and proven by the devastation of the sad, long, cyclical, human history of violence and wars. Pope Francis in his encyclical on Fraternity and Social Friendship writes: “Every act of violence committed against a human being is a wound in humanity’s flesh; every violent death diminishes us as people... Violence leads to more violence, hatred to more hatred, death to more death. We must break this cycle which seems inescapable” (2020, n.227).

There are primarily two ethical responses to war and armed conflict, both which imply a moral presumption against war, namely the Just War Theory and Pacifism. While Pacifism is that ethical response which rejects war, the Just war theory provides a moral justification for the use of armed force under certain circumstances, seeing war as sometimes a necessary evil and setting principles for its use. This paper will look at both responses, as well as at their criticisms, shortcomings, and alternatives.

### The Just War theory and the Morality of War

The original Just War theory (JWT) is often attributed to the philosophical works of St Augustine (354-430) and St Thomas Aquinas (1225-1274), two leading Catholic theologians. These had, as the Just War Theory purports to have today, a *presumption against war* at the back of their minds.

The recent revival of interest in the JWT as a feature of secular political discourse is attributed to Michael Walzer, a prominent American political theorist and moral philosopher, with his classic work, *Just and Unjust Wars* (1977), following the highly questionable role of the US in the Vietnam war. The JWT attempts to provide systematic moral constraints or conditions of armed force in the context of contemporary social and political conflict. It establishes criteria for the moral permissibility of war and armed conflict in two primary categories, *Jus ad bellum* (justice of going to war) and *Jus in bello* (justice during war). Today some, including Walzer (2004), but particularly Canadian philosopher, Brian Orend (2006: 160-221), would add criteria for *Jus post bellum* (justice after war), basically dealing with the criteria of law in the transition from conflict to peace as a distinct category within the JWT.

The JWT is based on the premise that sovereign states have the legitimate authority to use violence by way of collective armed force in certain circumstances, having the right both to build the infrastructure for this and to use it under certain criteria in defence of the state and its citizens. The criteria for the *jus ad bellum* have expanded over time to generally now include seven, namely Legitimate Authority, Last Resort, Just Cause, Proportionality between Offence and Response, Right Intention, Formal declaration of War, and Reasonable hope of Success. Since most wars today are within states rather than between states, that Legitimate Authority can be accorded to a nationalist or resistance non-state group challenging the 'state capture' by their purported sovereign powers who are using the state apparatus for their private ends. The justification of violence or armed force stems from the right of an individual or of a state to self-defence against aggression. Conflicts within states, such as in Kosovo and Rwanda, gave rise to arguments in favour of international humanitarian intervention, including military force, now framed in terms of the 'Responsibility to protect', permitting the deliberate violation of a state's sovereignty to protect the fundamental rights of the people within that jurisdiction. Thus, 'humanitarian intervention' and pre-emptive or preventive war are also considered as just causes for using armed force. The criteria for *jus in bello* (conduct during war) are Proportionality (not only in terms of casualties and damage done but also in terms of methods used) and Non-combatant Immunity.

By merely looking at these criteria as justifications for war, clearly they can be used and abused by the stronger nations of the world to justify wars for ulterior, often times selfish economic, interests. As is well known, we find the JWT so often referred to today by US Presidents and other world leaders to defend or justify their attacks in the so called 'war on terror' (O'Driscoll, 2011), despite the numerous civilian killings, prisoner abuses, and other atrocities these wars included and resulted in. Indeed, as Pope Francis writes: "War can easily be chosen by invoking all sorts of allegedly humanitarian, defensive, or precautionary excuses, and even resorting to the manipulation of information. In recent decades, every single war has been ostensibly 'justified'" (2020: n. 258)

In a strong defence of the just war principles, Michael Walzer, in the last chapter of the 4<sup>th</sup> edition of his book on *Just and Unjust wars*, offers an 'Afterword' to discuss the 'myth' of a world without war, basically a world of nonviolent defence, a 'war without weapons' (Walzer, 2006: 329-335). Walzer believes that the success of non-violence as a defence against armed force depends on the restraint put on soldiers by the Just War principles, particularly that of

non-combatant immunity; if soldiers are trained in and believe in this rule of war, they will refuse to carry out or support any tyrannical or terrorist type violence against non-armed civilians involved in non-violent resistance. If soldiers cannot be counted on to adhere to this moral code, “nonviolence is either a disguised form of surrender or a minimalist way of upholding communal values after a military defeat.” (p.333) Hence, while Walzer offers many reasons why he believes non-violent defence is an illusion, he concludes with the strong phrase in defence of just war principles, saying, “The restraint of war is the beginning of peace” (p. 335).

Critics of the JWT today say that it may have made sense at a time in history when the idea about self-defence was truly about defence, rather than “serving as a euphemism for conquest and consolidation of power by imperial-minded nation states.” (Jackson, 2020). Many believe it is no longer useful as a moral compass for war, primarily because of the actors involved and the weaponry used. Since war within states in the form of terrorist, guerrilla and other insurgencies is the predominant expression of warfare today, and since this asymmetrical warfare is to be confronted today on a global scale, Hamner Hill, a political scientist in Missouri, argues that the JWT is “inadequate as a conceptual framework for dealing with the war on terror” (Hill, 2010: 77 & 86)

For decades now, criticism of war by Catholic leaders as well as by other analysts, has focused on its failure to satisfy the norm of non-combatant immunity, and the devastating suffering of civilian populations, sadly often simply referred to as ‘collateral damage’ and hence ‘justifiable’ in that their death was not the intended consequence of a particular act of war (Miesels, 2014). For Pope Francis, this failure is especially evident in the plight of war’s victims, especially refugees (2020: 261).

Many proponents of nonviolent peacebuilding, for example Harry van der Linden, a professor of philosophy and ethics, in a critique of Walzer’s Just War theories, also raises the issues, not critiqued by Walzer, of the expenditure used in warfare, especially that of the US, the use (excuse) of war to expand US military base globally, and the economic interests that stimulate warfare, all of which need to be considered in any analysis of the justice or otherwise of war (van der Linden, 2005). Military expenditure globally has serious social and economic implications, and undoubtedly a reduction in this spending and a redirection of these funds for the benefit of human and social development would result in a more peaceful world. The fact that global military expenditure is now at its highest level since the end of the cold war (UNODA, 2020) highlights this harsh truth.

While political philosophers and theorists of international relations continue to reshape in contemporary times the JWT as a framework for the justification of war as a necessary evil, others like Pope Francis believe it is a theory from which we must instead distance ourselves and seek a world of justice and peace through nonviolent means. In what many consider a very historic moment in Church doctrine, in a footnote in his encyclical *Fratelli Tutti*, Pope Francis states that the JWT, which was originally a concept forged by Saint Augustine, is one “that we no longer uphold today” (2020: fn. 242). Debate within the Catholic Church about the JWT has been ongoing for some time, with calls advocating for nonviolence and the abandonment

of the JWT meeting with controversy and division (Cahill, 2019; Pax Christi International, 2016). Thus, in not only calling for an end to wars, as Popes before him have done, but in distancing himself from the theory of just war of St Augustine, and in rejecting the “rational criteria elaborated in earlier centuries” (2020: 258), Pope Francis has taken a step no previous Pope has done.

### **Pacifism and the ethical rejection of war**

Pope Francis may be the first Pope to distance himself from St Augustine on this point, but many other people have for long provided ethical considerations to the moral decisions around war and armed conflict. Pacifism, conventionally defined as refusing to participate in the preparation or the act of war for ethical or religious reasons, provides a political and structural critique of the social, economic, and political factors that produce war and conflict. Instead of providing constraints for armed force and justifying its use under certain circumstances, proponents of Pacifism, for varied and sometimes contradictory reasons, all see war as never being justified.

According to Cheyney Ryan, who writes on political philosophy and global justice, “Pacifism is often regarded as an unworldly doctrine. In my view, it is just the opposite: it is the critique of actually existing war, in all its excesses, insanities and horrors. As such it is a call to responsibility for political philosophy to confront the realities of their own time.” (Ryan, 2013: 979). Andrew Alexandra, an Australian philosopher engaged in the area of the ethics of war and peace, notes that Pacifism tends to be rejected, even in the academic field, because it is claimed there is no empirical evidence to its effectiveness. Yet, as he points out with a rich bibliographical evidence, there exist numerous examples of political campaigns as well as of civil resistance and other nonviolent tactics which were effective, and numerous books have been published giving historical evidence as well as providing insights into the non-violent strategies which can and have been successful. (Alexandra, 2015: 43-44; See also Bond, Kruegler, Powers & Vogelee, 1997).

Brian Orend’s book, *The Morality of War* (2006), is considered a classic due to its reviews of contemporary conflicts and wars in light of the JWT. In the second part of this book, he examines two ‘large and influential rivals to JWT which must be explored’ (p. 223), namely Realism and Pacifism. Realism, which I will not seek to elaborate on in this essay, is basically a world where people do whatever they must do to save themselves and hence there is no need for any morals or norms to guide them (pp. 223-243). While Orend dismisses Pacifism as unrealistic and extreme, I present his arguments here in some detail because of his prominence and influence in the circle of Just War proponents.

Acknowledging that there are many kinds of pacifism and that “Different pacifists think pacifism differently, and offer various kinds of justification for their beliefs” (p. 244), Orend says that “what unites all forms of pacifism – the basic proposition, or lowest common denominator – is opposition to warfare” (p. 244). Pacifists do not reject violence in all its forms, but they reject the ‘specific kind and degree of violence that war involves’ (p. 244). Among the varied forms of pacifism, some are religiously inspired, such as Leo Tolstoy, the Quakers, Dorothy Day, primarily opposed to any killing of a human being because it is against

the religious belief in the sacredness of all life. Of course, as already noted above, even within faith communities there is a diversity of perspectives.

Other proponents of Pacifism are of a more secular, political orientation, while they may or may not necessarily be also religiously motivated. Within this field, Orend categorizes three groups, “(1) a more ‘teleological’ form of pacifism (or TP) which asserts that war and killing are at odds with human excellence and flourishing; (2) a more ‘consequentialist’ form of pacifism (or CP), which maintains that the benefits accruing from war can never outweigh the costs of fighting it; and (3) a more ‘deontological’ form of pacifism (or DP), which contends that the very activity of war is intrinsically unjust, since it violates foremost duties of morality and justice, such as not killing other human beings.” (2006: 245). Others, such as Ryan, identify only two types of Pacifists, namely Personal (anti-killing for deontological reasons) and Prophetic (anti-war for consequentialist reasons) and see that some of the most influential figures in the Pacifist tradition, namely Martin Luther King and Gandhi, have combined the two types, as undoubtedly is true of many pacifists who are opposed to killing per se and are also very much concerned about the consequences of war (Ryan, 2013).

In his criticism of the teleological position, which is basically one based on human virtues, with which all that is associated with war is at odds, Orend believes it is somewhat utopian and unrealistic given that the aggressor is not necessarily moved by these same ideal virtues and hence injustice will be allowed to reign in the pacifist’s refusal to use violence in the name of peace. Pacifists, however, contend they do not allow injustice to reign in favour of peace but rather they use nonviolent means such as civil disobedience combined with other economic or diplomatic sanctions to expel the aggressor. Needless to say, not all people, including Orend, are convinced of the effectiveness of nonviolent action in overthrowing unjust and tyrannical regimes and aggressors, and he refers to Walzer’s theory, which I have mentioned earlier, that unless aggressors follow the code of *jus in bello* and its call for non-combatant immunity, they will not be swayed from their goal by these nonviolent protests. (2006: 246-250).

The consequentialist form of pacifism, which is more anti-war than anti-killing, holds that the consequences of war mean that it makes the world a worse rather than a better place. Consequentialist pacifists look not only at the scale of human casualties of war but also the complex collective social, economic and political costs of preparing for war as well as of the destruction it brings. Orend believes the human, economic and social costs of war, must be compared to the possible costs of inaction, of no armed resistance to aggressors, and asks “not resorting to war to defend political sovereignty and territorial integrity may well be tantamount to rewarding aggression in international relations...”. He refers to Rwanda as a case in point, where due to inaction, hundreds of thousands were allowed to die. (p. 251). Undoubtedly cases such as the Rwanda genocide do provide a good argument for ‘armed force’, but a pacifist response to such situations would be to emphasise that unjust political systems and the many human rights abuses are at the root of such violence and that it is this structural violence in today’s world that must be examined, just as there is need for improved early warning as well as conflict management structures and processes, rather than to consider it a justification for war (see for example Shao, 2019; see also the International Report on Lessons to be Learnt from the Rwanda Experience). Also worth considering here is whether the situation of the

people in Iraq or Libya was in any way improved after the violence inflicted there in the name of war on terrorism, or whether indeed it is not true that these wars “fertilized the fields of al-Qaeda and the Islamic state to grow”, causing an increase in violent insecurities which continue to plague these countries and beyond their borders (Johansen, 2017, 526).

For the deontological position of pacifism, which sees killing as an immoral action in itself, and war as intrinsically unjust, the “supposed ‘justice’ of the goal sought, through war, does not redeem the injustice of the means used to pursue it” (Orend, p. 254). Hence “war ought never to be resorted to: there is always some vastly superior option with regard to international dispute-resolution, such as diplomacy, sanctions or organized campaigns of non-violence” (p. 254). In response to this position, Orend argues for the individual right to kill in self-defence if s/he is instead to be killed, and defends the JWT which upholds the right to self-defence, and indeed the responsibility to protect the ‘innocent’ (2006: 254- 262). His overall view of Pacifism is that “while well-intentioned, seems, in effect, to reward aggression and to fail to take measures needed to protect people from aggression” (p. 263). In what might be a response to this form of criticism, Ryan reminds us that ‘Political pacifists do not deny the right to self-defence; on the contrary, they affirm it. What they deny is that war has anything to do with that right – indeed, they claim that it denies this and other fundamental human rights’ (2013: 982). Just as critics like Orend see Pacifists as unrealistic, so Ryan contends that proponents of the JWT are unrealistic in the claim that a just war is one that does not involve massive human rights violations, since such a war is simply not possible.

### **Pacifism and the structural critique of the war system**

“War is not an event but a system, a war system” (Ryan, 2013: 983). Andrew Alexandra (2003) compares the war system to the market system where “war as a political institution consists not simply of episodes of armed conflict between states and the rules and norms governing such conflicts, but also the whole complex of activities and organisation that lead up to and make possible such episodes.” (quoted in Ryan, 2013: 983).

The Sovereign state is at the core of the war system, and this sovereignty is ultimately protected through possessing and using if necessary, military force. The sovereign state has the right to use aggression when necessary in the name of self-defence, thus it has the right to build up its military infrastructure and to use this force in the name of security. Simply put, this obviously then becomes a matter of who can be most aggressive, who has the stronger defence, and who has control over the elements that allow such a build-up of strength. In short, it becomes a competition in military strength, thus making the production, distribution, as well as the use of such strength a key element in international relations, whether in terms of access to and market control of the raw materials or natural resources and the personnel required for this infrastructure, or in terms of their threat and use. Control over nuclear weapons have of course become central.

Global industrial capitalism is also obviously a key factor in this scenario. Mention must be made here of the Military-industrial complex which defines the nexus between the military and the economic establishment of those who live off weapons manufacturing and which “typically

attempts to marshal political support for continued or increased military spending by the national government” (Weber, 2020).

Pacifists today, as well as people concerned with security studies, environmental concerns, human rights, and many other fields which now acknowledge the devastation of war, provide a structural critique of the underlying system of war as an institution, based on the sovereign state and the military complex that complements it. They provide not only ethical arguments but also comprehensive structural and political critiques in their rejection of war and collective violence. They emphasize the need to find an alternative way, a ‘Peace system’ rather than a War system, which defends Human security rather than State security, a world where relationships within and between nations and states are built, not on control and competition, but on reciprocity, cooperation, and interdependence.

Robert Johansen, Professor Emeritus of Political Science and Peace Studies working with the Kroc Institute for International Peace Studies, strongly believes that instead of seeing peace as a ‘side benefit of military preparedness’ based on the adage ‘if you want peace, prepare for war’, what is needed is a global strategy for peace and human security (2017). In this strategy towards a global positive peace, he names six guidelines which include: reducing fears by addressing all people’s security fears (he emphasizes *all*); having a human-centred approach to security in terms of human rights of *all* and thus addressing structural violence of poverty, racism and other injustices; the principle of reciprocity in human conduct including not only in but between nations, with particular reference to the issue of control over nuclear weapons; equity in all relationships, including in the present international economic system which favours the wealthier nations and persons of the world; a strengthened rule of law where countries and individuals can rely on the law rather than on armed violence to achieve justice; and the active promotion of democratic governance which ensures that all people of the earth are represented as equals at national as well as international levels. Johansen states an obvious but much ignored fact that “all contemporary security problems, ranging from terrorism to the spread of weapons of mass destruction and the weaponization of space and from life-threatening poverty and gross violations of human rights to environmental degradation... can be more effectively addressed if they are viewed as problems of governance rather than as problems to be solved by deploying military power” (2017: 534).

Today, there are numerous books, articles, websites, education resources, academic and research institutes, national and international movements and organizations, civil society organizations, faith and secular groups, interfaith organizations, all working towards the promotion of human rights, justice, peace, democracy, reconciliation, dialogue, and conflict transformation; calling for an end to racism, sexism, corruption, the demilitarization of security, the destructive elements of capitalism; promoting increased education and practice at all levels in managing conflicts without violence; raising awareness of and promoting care of the environment; and basically all seeking the creation of a culture of peace rather than of war and violence. This growing awareness and engagement of people from all levels of society, at local and global levels, gives hope for a ‘global coalition’ which can bring “work for more effective human-centred global governance and [] incentivize new directions for powerful vested interests that now oppose change” (Johansen, 2017: 535; See also Diane Francis, 2013).

### **Conclusion: Sustainable Peacebuilding**

A world without violence, a world where sustainable peace can be enjoyed by all people, in every situation, is a goal which I believe is worth striving towards. It is important to believe, in hope, that it is possible, knowing it requires commitment, time and effort. John Paul Lederach, who is widely known for his work in peacebuilding and conflict transformation, reminds us that peace is not a product, but is a long-term, ongoing process and changing structure, essentially based on relationship building and the development of support infrastructures which enhance people's capacity to adapt and respond to relational needs (1999: 35). Pope Francis in *Fratelli Tutti* reminds us that peace is a tireless commitment, a never-ending task, involving the promotion of a culture of encounter where the common good and the human person is at the centre of all political, social and economic activity (2020: n. 232, 233).

Johan Galtung, considered the father of peace studies, who distinguished between negative peace as the absence of violence or war, and positive peace as the integration of human society, has long called for the need for sustainable peace building. (Galtung, 1969). Fifty years after his writings became known, together with George Webel, he published the *Handbook on Peace and Conflict Studies*, a rich volume which in itself is evidence of the serious and broad nature of this field of study today. He wrote: "Looking back, say 50 years, the progress in peace and conflict studies is astounding, as evidenced by the chapters in this book. Perhaps one of the most important factors indicative of this progress, present in all chapters, is the use of the word 'peace' itself. Peace is used unashamedly, no apology needed, as a subject to be explored in all possible directions, no holds barred." (Galtung & Webel, 2007: 397)

We pray our world leaders as well as people at the grassroots and at every level of society will continue to explore all possible non-violent directions towards Human Security and Sustainable Peace, with 'no holds barred'.

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