

OUTLAWING WAR

By Gabriel Moran

On April 6, 1927, Foreign Minister Briand of France communicated the following message to the United States: "France would be willing to subscribe publicly with the United States to any mutual engagement tending to outlaw war, to use an American expression, as between these two countries." After some discussions about enlarging the agreement to include other nations, the treaty was signed in Paris on August 27, 1928. It was ratified in 1929 by the United States Senate with only one dissenting vote. There were 15 other signatories.

This agreement was the fruit of ten years of effort by a committee for the outlawry of war. In light of World War II and subsequent decades, this movement has been dismissed as an embarrassingly naive episode. Or more contemptuously, the attitude reflected in the outlawry of war is seen as emblematic of the weakness that led to Hitler's rise.

Undeniably, the movement was afflicted with naivete, although perhaps not so much as is usually assumed. The movement began while World War I was still being fought. The leaders of the movement realized that simply passing a law would not eliminate war. Nonetheless, they thought that making all wars illegal could be a step in the right direction. They proposed an international criminal court, recognizing a need that is only beginning to be fulfilled eight decades later. Surely it is a strange fact that terrorism, assassination and torture are illegal but that war is not.

The First World War had changed the nature of warfare or the very meaning of the word war. The entire populace of nations was mobilized for the war effort. War was no longer a battle between competing armies. The line between combatant and non-combatant could never again be clearly drawn. The people who wished to outlaw war recognized the potential for horror that had been brought on by the Great War. Whatever justification for war had been advanced in the past, all wars henceforth were stupid, criminal and immoral.

The 1920s and 1930s proved to be inept in developing the means to stop war. By the end of the 1930s, Europe was faced with a horrendous situation; there seemed no alternative to war. As a result, World War II, despite the slaughter of fifty million people, is widely hailed as a good war, one that was justified by the evils of Nazism.

The Committee for Outlawry of War at first acknowledged the need for

Organized force to control violators of international law. However, after 1921 the group's position was that there should be sole reliance on organized moral sentiment. They claimed it was a false analogy to compare a domestic police force and an international use of force. Although it is the nature of analogy to limit, the comparison of domestic and international policing functions seems quite appropriate.

In the twenty-first century, organized moral sentiment is a powerful force but it is still insufficient to restrain all criminal activity. At the same time, the nature of war has shifted again. The technology that changed the nature of war in 1914-18 has now reached dizzying levels of sophistication. The potential for violence has escalated immeasurably. But used wisely, the technology could be used to lessen the violence in international conflict. Few people are so naive as to think that technology itself can reduce violence. But if the technology were under wise international control it could serve that purpose.

Where the twenty-first century does show a possible advance is in the existence of a body of international law, the activities of the United Nations, and the beginning of a permanent international court. Unfortunately, the language to discuss power, force and war remains as confused and unimaginative as it was in the 1920s. Developing a better language is only one step; but we cannot get an answer to a question if the language to ask the question is not available.

John Dewey, agonizing over whether to support United States entry into World War I, tried in several essays to distinguish force and violence, force and war. Dewey never carried through consistently on his distinctions. His efforts were dismissed by commentators who pointed out that in international conflicts, force and war are used interchangeably. That criticism is true but it is a statement of the problem not a reason for dismissing the question. Until the language of power, force and war is reformed, discussion of war will always be between realists who are certain that war is an inevitable fact of human life and idealists who think that the use of force is immoral.

What is needed is to change the use of the term force in international discussions of conflict. Can the term force be changed in meaning? Actually, the most common meaning of force is precisely the one that is needed. In practically all uses of the term, outside discussions of war, force is distinguishable from violence. While violence is thought to be a dangerous possibility when force is introduced, the term is not equated with explosions of obscene amounts of violence that destroys every living being in its path. Why then, in international discussions, do people say force when they mean war? It seems to be a

euphemism but one which has the unfortunate result of closing off imagination about how force and forces could be used to avoid war. When the European Union in February, 2003, tried to dissuade the United States from war on Iraq, it stated: *War is not inevitable. The use of force should be the last resort.* Wouldn't they have spoken more logically, realistically and effectively, if they had said: *Force is inevitable. But war should be the last resort.*

Force is a pressure upon humans or nonhumans to get them to act in a desired way. For nearly everyone, the use of force is a daily occurrence, from forcing open a jar of pickles to forcing one's way through a crowd. As a one directional action, force is always questionable. Especially in attempting to coerce human agreement to a certain way of acting, force is a restriction on the freedom of another. Force may indeed slide into violence. But where a human being is incompetent or is criminally dangerous, force of restraint is necessary. Force may be needed to keep a child from running into the street, or force may have to be used to stop a would be rapist. Less obvious uses of force are present in the business and political world, and even religious and educational institutions. Force allows for innumerable degrees of exercise from psychological intimidation to a swift blow in the midsection.

Force is constantly used against the physical environment. Since there is no resistance by another's will, the moral issue is less ambiguous. Nonetheless, human beings have slowly been learning that they cannot be cavalier in the use of force against the environment. Force has to be carefully rationed because a human being can never grasp all the effects of any action in trying to make the world suit his or her desires.

Power

The misuse of the term *force* in international conflicts is not likely to be corrected unless a deeper linguistic confusion in using *power* is unearthed. *Power* stands on one side of *force* as *violence* does on the other. Linguistically, force collapses into violence because power has already collapsed into force. Unless the term power is used in ways that do not inevitably lead to force, then a nation's use of force becomes equated with war.

Power, like so many important words, has two almost opposite meanings. When people who call themselves *realists* talk about power, they have one very clear meaning of power in mind. Power means the exercise of force; power in this context is the means to coerce and dominate. One of the most discussed essays on international affairs in 2002 was Robert Kagan's essay, *Power and*

Weakness. @ Slightly expanded, it was published as a book with the title *Of Paradise and Power*. There is no question in Kagan's mind that power is the opposite of weakness, that the United States represents power and Europe represents weakness. The reference to paradise in the book title might suggest something positive about Europe but Europe's living in a paradise is a delusion made possible by United States (military) power. Kagan would probably acknowledge other kinds of power than military power but his standard use of the term is to equate power and military power. Therefore, countries that do not spend a sizeable part of their budget on military power are Aweak. @

Liberal commentators in the United States were skeptical of Kagan's crude stereotypes. But a book which they did praise was Joseph Nye's *The Paradox of American Power: Why the World's Only Superpower Cannot Go It Alone*. Nye distinguished between Ahard power and soft power @ this distinction was widely hailed as a breakthrough in thinking about United States power. Many people were therefore surprised when Nye supported the United States war on Iraq. Where did soft power go? The answer, I think, is that a distinction between hard and soft is only a minor issue of degrees in the exercise of power. Nye never gets to the real paradox of power. His hard and soft powers still refer to coercing people in a one way exercise of force. If manipulation with soft power does not get us what we want, there is hard power (bombs) as a backup.

The real paradox of power is that power can be almost the exact opposite of force. In addition to meaning active coercion, power can also mean passive receptiveness. In fact, this latter meaning is the root from which all power springs. Power belongs to the same linguistic family as possible, potential, passive. In classical and medieval philosophy, power is the lowest and weakest form of being - mere possibility that has yet to be realized or actualized. Power is capacity for action but needs to be brought to act.

When one comes to the human as the paradoxical union of matter and spirit, what was weakness can be turned into strength. The fact that humans, in contrast to other animals, are mostly unformed at birth can be turned to advantage. The humans are born with capacity, the power that is receptiveness. They are not born with wings but they can invent an airplane. Among the other animals, they are on the weak side in A brute strength, @ but the human strength of intelligence gives them an advantage far beyond the other animals.

The paradox of power is that power begins as weakness or passivity, an undesirable condition in the material world. But humans have a passiveness or receptiveness that is their strength. They are able to exercise control of their

surroundings by ideas and language. True, elements of force are mixed in with the human efforts of control. When threatened, humans may mistakenly equate their power with force. For defending themselves against hostile animals or dangerous weather, force may be an appropriate defense. But with other human beings, human power resides in listening and responding. Between humans, force is a sign that human power has failed.

When human beings enter into mutual exchanges, then the power of each is enhanced. Human life become richer the more that receptivity to others is exercised. Of course, not all human encounters are mutually affirming. Some people, for whatever causes, never grasp the paradox of human power. For them, the world has a top and a bottom; they are willing to do whatever is necessary to get on top. Other people who are on the receiving end of this kind of force are tempted to act the same in return. Worse, they are pressed to accept this picture of the world with a top and a bottom. One of the worst aspects of being a slave is that it can make you desire to be a slave owner.

The most human response to a force that has turned violent is to act asymmetrically. That is, human power resides in not returning violence for violence. Whatever is done, it must be action to break a cycle of violence so that a degree of mutuality can be restored. Doing good to one's enemies is not a form of weakness but of human strength. What is sometimes called *passive resistance* can be misunderstood as doing nothing. But *passive resistance* is an action, the most intensely human action. The Sermon on the Mount is often cited as an advocacy of doing nothing in the face of evil. But showing love to one's enemies and deliberately refusing to offer violence for violence requires courage, determination and an understanding of power.

In *Realist* literature, the Sermon on the Mount is often praised as an ideal that individuals should try to live by. But to protect these good and innocent people the government has to be amoral; it cannot be naive and idealistic in a world of predators. The assumption is that the only thing that counts in international affairs is *self-interest*. However, the question for a nation is the same as for the individual: What kind of self are you becoming? That is, what are your interests? The nation state has a proclivity to feel threatened and therefore to use the crudest forms of force. One nation cannot change this long history but it is possible that the world's nation-states might establish a system that allows for nations to have other *interests* than that of being more militarily powerful than their neighbors.

The United Nations is the present fragile structure for international

cooperation. The right wing in the United States contemptuously dismisses the United Nations as a debating society but that is precisely what it should be. As a forum for discussion, it needs the help of other international or transnational bodies to facilitate numerous forms of national exchanges, such as business, athletic or religious dealings. It also needs a legal and judicial structure to be a restraint on the misuses of force that continue to be part of human experience.

War should be made illegal, although policing action by a legitimate international body is still a necessity. Terrible conflicts are not likely to disappear soon but it is time to start speaking a language of power, force and war that will reduce human violence and unlock human power. A country that equates power and military power is on the way to self-destruction. The alternative is to use the human power of mutual pacts that provide as much security as human beings are likely to have in this world.

