

## OUTLAWING WAR

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On August 6, 1927, Foreign Minister Aristide 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 ‘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. Secretary of State Frank Kellogg signed for the United States and the Senate ratified the treaty with only one dissenting vote. Fifteen other countries were 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 of conflict, this movement has been dismissed as an embarrassingly naïve episode in history. Or more contemptuously, the attitude reflected in the “outlawry of war” is seen as emblematic of the weakness that led to the rise of Hitler.

Undeniably, the movement was afflicted with naiveté, although perhaps not as 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 filled eight decades later. Surely, it is a strange fact that terrorism, assassination and torture are illegal but that war is not. There should be fifth Geneva Convention that simply says “all war is illegal.”

The First World War had changed the nature of warfare or the very meaning of the word “war.” The entire population of nations was mobilized for the war effort. War was no longer a conflict 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 war that was now being actualized by “the Great War.” Whatever justification for war had been advanced in the past, all wars henceforth were stupid, criminal and immoral.

The efforts in 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 to be 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 the 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 reliance should be on organized moral sentiment. They claimed that it was a false analogy to compare a domestic police force and an international use of force. Although it is the nature of analogies to limp, a comparison of domestic and international policing functions actually seems quite appropriate.

In the twenty-first century, organized moral sentiment can be a powerful force but it is still insufficient to restrain criminal activity. At the same time, the nature of war or what war has become has shifted further. 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. Technology, if used wisely, could be used to lessen the

violence in international conflicts. Few people are so naïve 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 body of international law, the activities of the United Nations, and the beginning of a permanent international court. Until World War II, international law consisted almost entirely of treaties between nation states. The right was whatever nation-states said was right. Since then, international law has been reshaped to include protection of vulnerable populations and provisions for indicting infamous war criminals.

Unfortunately, the language to discuss power, force, violence, and war remains as confusing and unimaginative as it was in the 1920s. The development of a better language is only one step; but we cannot find 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 ways 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 be between “realists” who assert that war is an inevitable fact of human life and “idealists” who think that the use of force is immoral.

The term “force” in international discussions needs to be changed. Can such a change occur? Fortunately, the most common meaning of force is precisely the one that is

needed in international discussions. In nearly all uses of the word, outside discussions of war, force is distinguishable from violence. Although violence is a dangerous possibility when force is used, force does not mean obscene amounts of violence that destroys everything in its path. Why then in international discussions do people say “force” when they really mean “war”? It is obviously a euphemism which is sometimes used unthinkingly but is sometimes a deliberate cover up.

In the Fall of 2002, the United States Senate gave President George W. Bush authorization to use whatever “force” that was needed to deal with Iraq. A few years into the disastrous war, Senate Democrats complained that they had not given the president the authority to start a war. Their complaint was disingenuous. They had deliberately evaded the word war while using the standard euphemism for threatening war. Bush could claim that they had indeed endorsed his war.

In February, 2003, the European Union sent a message to the U.S. president; the Europeans were desperately trying to stop the United States from starting a war. Their message read: “War is not inevitable. The use of force should be the last resort.” Would they not have spoken more logically, realistically and effectively, if they had said: “Force is inevitable. War, if it is ever justified, is the last resort.” The euphemistic use of “force” in their second sentence misconstrues the situation. Force, especially of an economic kind, is constantly being used in international exchanges. In this case, the international community had a range of forceful measures that it had at its disposal to bring pressure on Saddam Hussein.

The word force refers to 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

opening a jar of pickles to forcing one's way through a crowd on the subway. As an action that is one directional, the use of force is always questionable. Especially when force is used on human beings to get a certain way of acting, force is a restriction on the freedom of another. Force can easily slide into violence.

Where a human being is incompetent or criminally dangerous, force of restraint is necessary. Force may be needed to stop a child from running into the street; reason should eventually rule but there can be moments of danger when survival depends on some use of force. A police officer has to use force to stop a would-be rapist or murderer; the police have to be trained to use the minimum of force necessary, a minimum that sometimes crosses over into violence. There are less obvious uses of force in the business and political worlds; forceful actions are even needed in educational and religious institutions. In the exercise of force, there are innumerable degrees from psychological intimidation to a swift blow to the midsection.

Against the physical environment, force is constantly used. Civilization is impossible without it. Since there is no resistance by another's will (although nonhuman animals have their own ways of resisting), the moral issue is different. Nonetheless, human beings have been slowly learning that they cannot be cavalier in their 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 collapsed into force. Unless the term power is used in ways that are not equivalent to force, then a nation's use of force is likely to be equated with war.

“Power,” like many important words has two almost opposite meanings, one that equates it with force, and the other that is nearly the opposite of force. When people who call themselves realists talk about power they have one meaning of power in mind, that is, power means the exercise of force 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 doubt in Kagan's mind that power is the opposite of weakness. In the book, the United States represents power and Europe represents weakness.

The word paradise in the book's title might suggest something positive about Europe but Europe living in paradise is a delusion made possible by United States (military) power. Kagan would probably acknowledge that there are other kinds of power than military power but his standard use of the term equates power and military power. Therefore, countries that do not spend a sizeable part of their budget on military power are weak.

Liberal commentators in the United States were skeptical of Kagan's crude stereotypes. But a book that they did praise was Joseph Nye's *The Paradox of American Power*. Nye distinguished between “hard power and soft power.” The distinction was hailed as a breakthrough and was incorporated into international discussions. 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

powers is only a minor issue of degrees in the exercise of force. Nye never gets to the real paradox of power. His soft and hard powers still refer to coercing people in a one-way exercise of force. If manipulation with soft power does not get another country to do our will, there is always hard power (bombs) as a back up.

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

In the human being as the paradoxical union of matter and spirit what is weakness in other realms of being is the source of 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 or the power of receptiveness. Among the other animals, they are on the weak side in “brute strength,” but the human strength of intelligence gives them an advantage far beyond the other animals. They are not born with wings but they have the ability to invent an airplane.

The paradox of power is that weakness or passivity, which is an undesirable condition in the material world, is the basis of human strength. The human are able to control their surroundings by ideas and language. True, elements of force are mixed in with the human effort to control the world about them. When threatened, humans may mistakenly equate their power with force. For defending themselves against hostile

animas or dangers in their environment, force may be an appropriate means of defense. But with other human beings, human power resides in listening and responding. Between humans the use of force is a sign that human power has failed.

When human beings enter into mutual exchanges the power of each is enhanced. Human life becomes richer the more that receptivity to others is exercised. Of course, not all human encounters are mutual. Some people, for whatever reasons, never grasp the paradox of human power. For them, the world has a top and a bottom; and 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 should be action to break the cycle of violence so a degree of mutuality can be restored. "Do 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 a policy of 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 in return for violence require courage, determination and an understanding of human power.

In the writing of people who call themselves realists, 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 naïve and idealistic in a world of predatory nation-states. President Barack Obama invoked this distinction in accepting the Nobel Peace Prize. The setting did not seem appropriate for justifying U.S. wars.

The assumption in writing on international relations is that nation-states always act out of “self interest.” That assumes that a nation-state has only one interest which is said to be the power to dominate every other nation-state. However, the question for the nation is the same as for the individual: What kind of self are you becoming? That is, what are the many interests of your people and what are the nation’s resources for mediating differences of interests.?

The nation-state, in the present arrangement of states since the seventeenth century, has a proclivity to feel threatened and as a result to use the crudest form of power. A single nation cannot alter this long history of distrust. It is possible, however, that one or a few nations might take the lead in establishing a better system. In the 1940s, the United States and Great Britain provided the brains and the logistics to begin the United Nations and for nations to have other “interests” than in having a bigger army than their neighbors.

The United Nations is at present the fragile structure of 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 and transnational bodies to facilitate numerous forms of exchange between nations, such as in economic, athletic, social, and religious matters. The UN also needs a

legal and judicial structure to be a restraint on the misuse of force that continues to be a 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 the power of imagination. 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.