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Just Wars and Perpetual Peace

The polemic between Juan Ginés de Sepúlveda and Friar Bartolomé de las Casas about New Spain's *encomienda* system and the justification of the war against the indigenous first peoples was in a certain way one of the key events that inaugurated the concern by philosophers, political scientists, politicians, rulers, and rebels about justifying acts of war. In effect, from Hugo Grocio, a jurist who first defined the concept of "just war," introducing it into international law, through Niccolò Machiavelli, Immanuel Kant, and much more contemporary thinkers like Michael Walzer or John Rawls, the concern about understanding war, first of all, and then justifying it in some cases, has gone hand-in-hand with self-justified bellicose actions, not only by countries, but by social groups and movements, classes, estates, ethnic groups, etc. From those in power and those against them.

In the example cited, Gines de Sepúlveda *justified* the war against the indigenous as a historic necessity impos-

ed by the need to spread the Gospel and that had to be carried out at all costs, including the corporal punishment or death of the indigenous who resisted. The end justified the means, and this is the origin of the very cruel *encomienda* system, in which the conquistadors and others from the Spanish peninsula who traveled to the Indies were given in a kind of semi-slavery, almost as property, authority over the original inhabitants left in their service. This practice would make up what was called New Spain's "black legend." Ginés conceived this arrangement as a "just war." In opposition, De las Casas rebelled against this unjust system and led a movement, above all of religious, against the owners of the *encomiendas*, protesting against the inhuman treatment of the "natives," including physical violence. For Friar Bartolomé, the official defender of the indigenous for the Spanish Crown, the real "just cause" was that of alleviating the extreme working conditions they were subjected to. The *encomiendas* were abolished almost two centuries later, although the exploitation of indigenous labor would take on new forms. This illustrates how a "just war" can be invoked both by those in power and those protesting their abuses.

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On the other hand, efforts in thinking do exist to build a concept of lasting—or perpetual—peace, a system of ideas that show that peace is possible and within reach of humanity. The multiple and extremely varied contemporary approaches and actions in building and educating for peace are evidence of this; they run the gamut between extreme pacifism and the radical option for nonviolence to the most institutional, such as those of international diplomacy and the preference for multilateralism in international relations.

Both paths suffer from reductionism: one deposits all responsibility in reason, as though emotions and—collective—subconscious did not play a determinant role. The second approach is that of Herbert Marcuse, Walter Benjamin, and, in general, all the philosophers of the so-called Frankfurt School, who have warned that not only the individual (as Freud discovered) but also societies have constructive and destructive drives: solidarity and aggression, love and hate, Eros and Thanatos. The will to power both among individuals and among nations is indisputable.

Of course, this approach could also be classified as reductionist and in this case psychologist: relegating to a certain extent the human ability of coming to an agreement peacefully, of dialoguing, of reaching consensus and respecting them; in other words, in the style of Jean-Jacques Rousseau, of celebrating a social contract and acting in accordance with it. It is here where the concept of the rule of law comes into play. The entire tradition of liberal thought places the possibility of a harmonious, peaceful life in the field of the law and the coercive ability of a democratic state. Nevertheless, the Earth seems to be moving in the opposite direction.

Just War: From Those in Power Or Against Those in Power

In the first years of the new millennium, concretely in 2003, the United States headed up a coalition of mainly Western countries to invade the territory of ancient Persia, beginning the war in Iraq, which ended with the defeat of its then-leader Saddam Hussein. The argument: a cache of weapons of mass destruction had supposedly been detected in the country, which represented, from the point of view of the United States and its allies, a true danger to humanity, which of course had to be eliminated before

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catastrophe struck. The problem is that the supposed weapons were never found and no intention by Iraq of starting a world war was ever demonstrated. It was at that moment when the concept of “preventive war” was popularized, coined, of course, with the inspiration of the “just war,” by then a long-held tradition. The invasion of Iraq justified itself, since it sought to avert a greater evil: the threat to the planet of those weapons in the hands of a mad, fanatical, ambitious dictator, all in the realm of speculation. This is one example—perhaps extreme—of how the concept of just war has been used. It is extreme, but very illustrative, since it has enormously transcendental moral, geopolitical, and legal implications. What is important to underline here, following Noam Chomsky, is that when so-called “just war” is brandished as an argument *from the standpoint of those with hegemonic power*, it is nothing other than a cover-up, an ideological justification for domination. At the same time, Chomsky himself admits that violence is sometimes necessary, although only when responding to greater violence; these are the cases, for example of the wars of liberation and some armed insurrections, as well as many resistance movements, such as the French Resistance in World War II. These are reactions to unacceptable conditions from all points of view: human rights violations, repression, over-exploitation of labor, the cancellation of decent conditions for exercising freedoms, among others. Of course, the use of “liberating” violence would not justify extreme strategies of struggle such as terrorism.

A very different matter is when the idea of just war is invoked as a weapon of liberation. In its 1953 declaration of war on the IV French Republic, the National Liberation Forces (FLN) of Algeria said that its actions for liberation should be considered a “just war” against the domination and abuses of all kinds by the French population. In other words, they maintained that the violence they were the victims of was not only structural, colonial, social, political, and economic, but also—and perhaps

even more maliciously— cultural. Ordinary French people settled in the colony saw them and treated them as inferior beings, as “non-persons,” and, as a result, they discriminated against them in multiple ways, from the crudest to the most subtle (see Gillo Pontecorvo’s fabulous film *Battle of Algiers*). This was something similar to the racial discrimination that led to apartheid in South Africa or that continues against the black population in the United States, which the civil rights movement led by Martin Luther King and continues in a certain way in the Black Lives Matter movement.

And here the road forks again: opting for armed struggle, for violent revolution, can bring with it—and has brought with it— different degrees of “aggression” and “justifiability,” using strategies that include tactics like terror or even cruelty they consider legitimate weapons, contrasted with other peaceful tactics like nonviolence or civil disobedience. All this leads us to ask ourselves if every liberation struggle can be classified as a “just war,” conceived and executed against the power of the oppressor. The Algerian National Liberation Forces, like many Latin American or African guerrilla groups, or even those from Europe (ETA, Red Brigades, the Baader Meinhof) and Asia (Al Qaeda), used terrorist actions (bombs in restaurants or malls, selective assassination, and other different kinds of terrorist acts), while peaceful movements marched or stopped paying taxes, among other tactics. In the logic of the former, the unfortunate sacrifice of a few human lives was “justified” and indispensable to achieve the well-being of millions. It was a “necessary evil” according to the leftist armed movements almost everywhere in the world in the twentieth century and up until our days. This “necessary evil” was described correctly by Michel Foucault in the “On Popular Justice” chapter of his book *The Micro-physics of Power*, where he said that it would later turn into a structural characteristic of the system, when the former revolutionaries take and exercise power. Examples of this abound: the Soviet Union and most of the countries in its orbit in the last century, Mao’s China, Pol Pot’s Cam-

bodia. The concept of “just war” was also invoked by many right-wing military coups as a “war against communism,” accompanied by the use of cruel methods and an excessive, often monstrous, exercise of power. This includes forced disappearances both of combatants and innocents, torture, and an open policy of extermination, such as the cases of Chile and Argentina, among many others. And, by the way, the “politics of extermination” have been a popular tactic in almost all ethnic wars, in which those who consider themselves superior seek to eliminate from their territories or nations all the “others,” whom they consider not “human” and who could threaten the purity of their own “race” and the “peace” they enjoy.

Those with the second vision, the pacifists, aim more for a revolution of conscience, which implies among its principles abstaining from any attacks on human life.

Both positions had undoubtedly different degrees of effectiveness. The abolition of apartheid in South Africa is due in great part to Nelson Mandela’s peaceful struggle, and the terrorist actions of the Algerian independence fighters achieved the withdrawal of the French and the country’s independence.

To a certain extent, a war can only be “just” when it not only fights against some type of established power, but also when its actions do not include a gamut of strategies involving the “dehumanization” of its methods. Violence can be justified only as an act of legitimate defense; against invasion or a foreign occupier; against being victims of over-exploitation, of discrimination, of racism, of ethnocide, of irrational hatred in all its manifestations, be they for reasons of gender, sexual orientation, social condition or others.

Perpetual Peace

For Immanuel Kant, peace among individuals, and above all among nations, would be possible under certain conditions: the first and most important of these would be the construction of a universal consensus about the very need for peace, an agreement necessarily based on the exercise of reason, and which presupposes the acceptance by everyone of a system of thought based on the conception of an ideal world. He called this arrangement “perpetual peace,” and it would be managed and safeguarded by a kind of global government. The modern materialization

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of this ideal is the United Nations, which, however, is far from acting outside the mechanisms of global power.

The greatest objective of a society, whether national, sub-national, or international, may be to live in that “perpetual peace”; this is undoubtedly the basic foundation for all Utopian thinking and its efforts for imagining a world in which peace and tranquility reign. However, is a world like that possible? Karl Marx himself classified the so-called Utopian socialists as naïve. Among them were Charles Fourier, Robert Owen, and Henri de Saint Simon, who imagined and put forward the characteristics that a happy, solidarity-based society should have; and the first one of all was perpetual peace. The followers of this tradition of political thought have never given up, but the results have not been what was expected, except in very localized, exceptional cases. For example, Fourier conceived the idea of the phalanstère, a kind of kibbutz or cooperative society where everyone lived in harmony, residents are self-sufficient, providing their basic needs, and, above all, have left behind all ambitions of power, establishing the realm of solidarity. If we look at today’s world, we can practically bet that we will not find any such place. “Utopia,” then, means the “non-place.” And, like Fourier, many others have directed their efforts to conceiving Utopias, which, by definition, cannot be realized, but which, at the same time, perhaps are the only driving force for the always unfinished attempt to build more just societies, even if never an absolutely just society.

In other words, the question that the reflection about war and peace leads us to would aim more at questioning the possibility of approaching both phenomena as a moral issue rather than a historical process. Obviously, no war can be deemed “good,” since all of them imply pain and suffering, but conceiving conflict as one of the unavoidable forces of history could help understand them.

In this sense, the West Indian philosopher Frantz Fanon continues to offer striking explanations sixty years after he published his *magnum opus*, *The Wretched of the Earth*. For Fanon, who thought deeply about colonialism, neither are the colonizers aware of their condition as oppressor, nor are the colonized aware that their aspirations to equality and freedom depend only on themselves, until the penny drops and they take on that consciousness and prepare to act. The oppressor is the oppressor as long as the oppressed want him to be, in the terms that Georg Wilhelm Friedrich Hegel had already formulated in his

famous master-slave dialectic. The colonial system itself generates this contradiction and, therefore, turns conflict into the most important existential condition for its own survival, but also for its being overcome.

The same could be said for the most advanced phase of capitalism: globalization, which could not come about without wars, in this case in its most sophisticated modes of financial competition and commercial warfare. The value of economic effectiveness at any cost posed by neoliberalism, which is the modern, technological version of commodity fetishism, cannot be reproduced without war and all its industries, outstanding among them, the arms industry. For this mentality, peace is an obstacle to progress.

Final Reflection

More than building peace, the forces and dynamics of globalization and neoliberalism seek the imposition of peace. The UN peace-keeping troops are a symbolic example of this. Many well-intentioned civil society groups carry out permanent peace building efforts through such varied means as education, consciousness raising, political mediation, and intermediation, but perhaps the construction of a “perpetual peace” can only be achieved after a radical transformation of the current system’s structures and today’s international geopolitics, although this is probably also an equally naïve Utopia, and perhaps the best idea is to build the peace that can be built in the concrete spaces and moments where it is possible. In specific conflicts, mediation and dialogue efforts can be fruitful, such as they were to a certain point in the case of the pacification of Central America through the Contadora Group.

In the most contemporary case, the war between Russia and the Ukraine cannot by any stretch of the imagination be called “just,” since it began with the invasion by a more powerful state of a less powerful one, even if the latter is supported by a coalition, NATO, that to a certain extent compensates for the imbalance. It cannot be considered a just war because its objectives are designed to preserve the quota of power that a nation with enormous military strength considers it should have in the international distribution of areas of influence. It cannot be just simply because, in the last analysis, it is a contest between two powers that dispute the hegemony in a structurally unjust international system. ■■■