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PEACE BUILDING IN THE LIGHT OF MICHAEL WALZER'S JUST AND UNJUST WAR

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ABSTRACT

This research work is centred on “Peace building in the light of Michael Walzer’s just and unjust war”. Its field of action is that of the achievement and maintenance of peace in nowadays socio-political sphere. To be more precise, it is a critical analysis on the peace building project of Michael Walzer. From the point of view of peace building in our African societies and in the world at large, it shall be the question of orientating the vision of Michael Walzer against the new disguised forms of aggression and war induced by the theory of globalisation in a new form of veiled or concealed aggression and war. The challenges here are to show the necessity of rethinking “the peace building project” embraced by Africans and the world at in the light of the theory of just and unjust war of Walzer. Thus, the following research questions: Can the peace building project of Michael Walzer enables the realisation of peace in nowadays socio-political issues? To what extent can this peace building project of Walzer succeed in African socio-political issues?

To give answer to this crucial concern, analytical and critical method was used throughout this work to analyse, not just the peace building projects in the History of Philosophy but also that of Walzer that based on just and unjust war theory as well as the originality of Africans as regards to peace building. All in all, the main thesis of this work is as follows: The reason for conflicts that are jeopardising the presence of peace in mankind is the lack of harmony among decision makers as pointed out by Walzer. On the final result, this work concluded that to achieve and maintain peace will not just depend on the putting in place of laws but also, the establishment of a harmonious force at the international level that could stop any means of war in general. Also, the need for Africans in particular to resort to Kamite Democracy that could enables harmony in the security system through *the palaver tree* and under which leaders could be changed at will in accordance to the voice of the people through citizen’s based security system.

Keywords: Peace, Peace-building, Just and unjust war theory, Socio-political sphere, the palaver tree, Kamite democracy, citizen’s based security system.

RÉSUMÉ

Ce travail de recherche est centré sur « La construction de la paix à la lumière de la guerre juste et injuste de Michael Walzer ». Son champ d'action est celui de la réalisation et du maintien de la paix dans la sphère socio-politique actuelle. Pour être plus précis, il s'agit d'une analyse critique du projet de consolidation de la paix de Michael Walzer. Du point de vue de la construction de la paix dans nos sociétés africaines et dans le monde en général, il s'agira d'orienter la vision de Michael Walzer contre les nouvelles formes déguisées d'agression et de guerre induites par la théorie de la mondialisation sous une nouvelle forme d'agression et de guerre voilées ou dissimulées. Les enjeux ici sont de montrer la nécessité de repenser « le projet de consolidation de la paix » embrassé par les Africains et le monde en général à la lumière de la théorie de la guerre juste et injuste de Walzer. Ainsi, les questions de recherche suivantes : Le projet de consolidation de la paix de Michael Walzer permet-il la réalisation de la paix dans les enjeux socio-politiques actuels ? Dans quelle mesure ce projet de consolidation de la paix de Walzer peut-il réussir dans les enjeux socio-politiques africains ?

Pour répondre à cette préoccupation cruciale, une méthode analytique et critique a été utilisée tout au long de ce travail pour analyser non seulement les projets de construction de la paix dans l'Histoire de la Philosophie mais aussi celui de Walzer qui s'appuyait sur la théorie de la guerre juste et injuste ainsi que l'originalité de Africains en matière de consolidation de la paix. Dans l'ensemble, la thèse principale de ce travail est la suivante : La raison des conflits qui compromettent la présence de la paix dans l'humanité est le manque d'harmonie entre les décideurs comme l'a souligné Walzer. Sur le résultat final, ce travail a conclu que la réalisation et le maintien de la paix ne dépendront pas seulement de la mise en place de lois mais aussi de la mise en place d'une force harmonieuse au niveau international qui pourrait arrêter tout moyen de guerre en général. En outre, la nécessité pour les Africains en particulier de recourir à la démocratie kamite qui pourrait permettre l'harmonie dans le système de sécurité à travers la palabres et sous lequel les dirigeants pourraient être changés à volonté en fonction de la voix du peuple à travers le système de sécurité basé sur les citoyens.

Mots-clés : Paix, Construction de la paix, Théorie de la guerre juste et injuste, Sphère socio-politique, la palabre, Démocratie kamite, Système de sécurité citoyen.

A yellow scroll graphic with a green border and decorative scroll ends on the left and top. The text "GENERAL INTRODUCTION" is centered on the scroll.

GENERAL INTRODUCTION

Peace has been one of the major preoccupations of mankind because right from the early stage, man has been in the state of war due to his nature of quest for interest. Raymond Aron portrays that war is inscribed in human nature¹. This is expressed or seen in man's aggressiveness and his combativeness. It is convenient therefore, to talk here about instinct, and conservation or survival. That is why Raymond Aron affirms that, "*each human individual is endowed by heredity with a certain amount of aggressiveness (...) whether animal or human, combativity has a strictly biological root.*"² This ontological rooting of belligerency (war) will be the function of the situations by which man will be confronted or faced in his existential activities. Coupling with the outbreak of globalisation, war was increasingly intensified through the rise of many aggressors who aimed at pursuing their selfish interest, which resulted into the First World War, Second World War and the present attack on Ukraine by Russia, putting world peace under Jeopardy. In life, there is always conflict because of the juxtapositions of two realities of persons; the aggressor(s) and the innocent (s).

In each conflict there is always a person or persons who start the conflicts known as the aggressors. In most cases, these acts of aggression often give birth to retaliation. Therefore, in every conflict there is always an aggressor who starts the conflict, which further could give rise to retaliation. For instance, the First World War that started in 1914 in Europe and finally spread in the whole world was due to the retaliation of the Allied power in an attempt to stop the rise of the Nazis who were seen as the aggressors. This First World War as well, served as a stepping stone to the emergence of the Second World War due to grievances of the aggressors because of their territories that were seized during the Versailles Treaty. This engendered the rise of aggressors who started the Second World War such as Germany and Japan. The attack of Japan on US military base obliged US to retaliate by joining the war and Russian attack on Ukraine equally forced them to retaliate. These are some instances of different conflicts that demonstrate the reality of aggression and retaliation in conflicts. These aggressions were carried out by governing bodies of nations which is no longer the case in our contemporary world today where aggression has taken different dimension and will require another level of resolution. This therefore renders the deep study of the possibility of peace inevitable, in other word, it becomes of great necessity to deepen the study on how to maintain peace in our society and in the world at large.

¹ Raymond Aron, *Peace & War: A Theory of International Relations*, New York, ROUTLEDGE Taylor & Francis Group, 2017.

² *Ibid.*, p. 341.

In the past, in order to stop this quest of aggressors, so as to maintain peace, the concept of just war was developed and it was further redefined by the International Society which put in place new reforms that generated certain measures to curb the activities of aggressors with the aim of preventing the rise of any future war. This can be seen in the US attack on Iraq governing body which was regarded as the aggressor that threatened world peace, under the accusation of being in possession of nuclear weapons³. These measures put in place by International Society to curb the activities of aggressors led Walzer to write his book entitled, “*Just and unjust war*” to bring about amelioration to these measures and to maintain peace in the world. Michael Walzer’s aim was to disclose the limitations of the just war theory put forth by international organizations and ameliorate war policies, which could bring and maintain peace. Thus, he proposed certain policies that can enables the International Society to achieve their purpose of conflict resolution and peace building.

According to Walzer, for the International Society to achieve their purpose, there have to be harmony in the cooperation as he affirms: “*Force-short-of-war-especially when it involves trade sanctions or a weapons embargo-requires the cooperation of many nations if it is to be effective. I have said this already, but it bears repeating: The avoidance of war and massacre requires a committed collective, ready to use force*”.⁴ That is to say, no one should be abandoned with the work alone, all the members of the organization need to participate fully in any decision making and in the application of the decision taken. He equally illustrates the need for using and intensifying the harsh containment policy on aggressors. Also, he brought up the policy of politics-short-of-force, whereby a force is used in a very short period of time and with an assurance of achieving victory. Thus he affirms: “*But there is another form of direct action, which involves what we might call “politics-short-of-force,”*”⁵ These policies shall be of great use in this our work to bring about a proposition that can enable the maintenance of peace in this our world of globalisation. Looking into our actual world of globalisation with the fast growing technology that eases human quest, peace is threatened with different forms of aggression as a result of human quest in our societies and the world at large in both physical and ideological forms of war. This tension has been the case under which Michael Walzer was encouraged to propose solution. Thus, it is of great necessity to revisit these Michael Walzer’s proposals with regards to present challenges that threaten peace in our societies and the world at large. That is to say, not just at the

³ Michael Walzer, *Just and Unjust Wars: A moral argument with historical illustrations*, fourth edition, New York, Basic Books, 1977, pp. xii-xiii.

⁴ *Ibid.*, pp. xvi-xvii.

⁵ *Idem.*

International Society level as Walzer limits his study, but equally at national and societal level in order to achieve peace at all levels. This therefore, is what justifies the formulation of this research topic, which aim at putting forth a thought that in this technological world of globalisation, can sustain and maintain peace: “*A situation or a period of time in which there is no war or violence in a country or an area.*”⁶

From the point of view of peace building in our societies and in the world at large, it shall be the question of orientating the vision of Michael Walzer against the new disguised forms of aggression and war induced by the theory of globalisation. Our concentration will not be centred on how war could be achieved but rather on how peace could be maintained or achieved. This is because despite the measures taken and the means put in place by the International Society and many researchers, wars are still ongoing but in disguised forms. These wars have escalated with different dimensions in our contemporary world which is experiencing different forms of violence intensified by globalisation. The rise of terrorism has escalated into different disguised form of war such as, the Isis, Boko-haram, separatist fighters in the Northwest and Southwest (NOSO crisis) and the present attack on Ukraine by Russia. We will note here, the indiscriminate nature of terrorist violence, the violation of all legal rules by terrorists (rules of war) and of all international conventions. In this perspective Bruce Hoffman says that,

*International terrorism disdains any concept of delimited areas of combat or demarcated battlefields, much less respect for neutral territory. Accordingly, terrorists have repeatedly taken their often parochial struggles to other, sometimes geographically distant, third-party countries and there deliberately enmeshed people completely unconnected with the terrorists’ cause or grievances in violent incidents designed to generate attention and publicity.*⁷

One can also note the current internationalisation of terrorism and the increasingly large and intense involvement of States to eradicate it. Nevertheless, it has been observed that certain states could sponsor and finance terrorism, and this is of recent appearance as Bruce Hoffman puts it. The author of *Inside Terrorism*, in this regard, affirms that “*some governments have embraced terrorism as a deliberate instrument of foreign policy, i.e., as a cost effective means of waging war covertly, through the use of surrogate warriors, proxies, or guns for hire.*”⁸. State-sponsored terrorism is therefore a reality, both in terms of internal and international politics. This is for the purpose of destabilisation and weakening of rival states, establishment of a climate of insecurity which disrupts economic activities and

⁶ Sally Wehmeier et al (ed.), *Oxford Advance Learner’s Dictionary*, 7th edition, New York, Oxford University Press, 2005, p. 1071.

⁷ Bruce Hoffman, *Inside Terrorism*, Revised and expanded edition, Columbia University Press, 2006, p. 45.

⁸ *Ibid.*, p. 323.

political security, creation of a security psychosis etc. It should also be noted at this level, the appearance of new variants of terrorism mentioned by Nacos L. Brigitte⁹: cyber terrorism and electronic terrorism, attacks on virtual space, eco-terrorism, biological and chemical terrorism.

All these new variants of terrorist phenomenon constitute themselves as an aggravating factor of the global terrorist activities that threatens world peace. Indeed they all benefit to a varying degree, from the enormous possibilities offered by the internet and the development of ICT in general. And it is permissible to note, which seems quite paradoxical that some terrorists, for religious and traditional values condemn modernity, yet use the Internet as an important tool to fight, to reach a wider audience, collect financial donations, etc. In view of the functioning of the international community, terrorism with multiple motivations (religious, ideological, political or ethno-nationalist), does not seem to be able to fade soon as new possibilities are offered to terrorists with access to the production of chemical and mass destruction weapons and the use of advanced technological communication. One can therefore fear, as Bruce Hoffman shows that “*the state-sponsored terrorist and his patron can engage in acts of violence that are typically more destructive and bloodier than those carried out by groups acting on their own behalf*”.¹⁰ With this, the advent of an era of violence more destructive and bloodier than anything ever seen before is crawling around. It is for this reason that the content of the concepts of anti-terrorism and counter-terrorism must be defined with precision, the first pertaining to a defensive strategy to reduce the vulnerability of populations to the various actions carried out by terrorists and the second pertaining to an offensive strategy of prevention, deterrence or response to terrorist attacks.

The presence of these different forms of violence portrays that though International Society seem to have succeed so far to prevent any further world war, our world today is still experiencing serious war in different forms, which if not handled, will end up leading to the feared (third world war), and complete absence of peace thus, the necessity of reorienting our fights against these new forms of wars. It is now the question of International Society, nations, communities, societies and families to think of new ways to withstand these new forms of war. This raised the problem of the condition of peace in these new disguised forms of war. As such, we shall examine the problem of peace building in its general sense: Can the concept of “just and unjust war” as developed by Michael Walzer, guarantee perpetual peace

⁹ Lebens Brigitte Nacos, *Terrorism and Counterterrorism*, New York, 6th Edition, Routledge, 2019, p. 202.

¹⁰ Bruce Hoffman, *Inside Terrorism*, p. 327.

in Africa? In other words, can the peace building of Walzer enable the realisation of peace in nowadays socio-political issues? How were the peace building projects received from the past history of philosophy, conceived in our contemporary as to regards nowadays socio-political issues? Has this peace building projects succeeded in such socio-political issues? What are their shortcomings and what are the way-out? Such is the philosophical problem that we want to resolve in this research framework.

Philosophy being essentially methodic and discoveries, it shall be of great necessity for us to employ in our work a critical analysis aiming at proposing new thoughts in an orderly manner as regards the maintenance of peace. Such critical study shall be applied in an efficient manner with the use of historico-analytical and critical method on the problem of peace in our world of technology full of disguised form of aggression and war. The reflexion we are carrying in this work shall obey the following three stages:

First of all, in our first part entitled: “*the peace building projects across the history of philosophy*”, we shall examine the problem of peace building in its general sense by analysing the peace building projects from the pre-Socratics to Plato, peace building projects in the Medieval period, Modern and Contemporary periods. In a concrete manner, our interest here shall be on the basic principles that were proposed for the sake of peace.

Our second part is entitled: “*The Theory of Peace Building of Michael Walzer*” in his book *Just and Unjust War*. It shall be for us to portray the theory of the peace building of Michael Walzer by illustrating his principles and thoughts put forth for the maintenance of peace in the world and their importance in our contemporary. Our interest here shall be the aspect of his principles and thoughts that will be of great important in this our work and in the resolution of the problem of peace in our contemporary world.

Finally, in our third part entitled: “*the socio-political issues and limits of Michael Walzer’s conception of peace*” shall be the question for us to surpass the thought of Michael Walzer and propose new thoughts that can enhance the maintenance of peace in our contemporary world of technology. To do this, we shall disclose the limitation of Michael Walzer’s thoughts in regards to nowadays socio-political issues and then present certain important aspect of African philosophical thoughts that can be of great necessity in the quest for peace and finally, we shall propose the thoughts under which peace can be maintained in this our contemporary world of technology full of veiled and disguised form of aggression and war.

**FIRST PART: THE PEACE BUILDING PROJECT ACROSS THE
HISTORY OF PHILOSOPHY**

In all the era of mankind one of the major problems of man has been on how to bring and maintain peace in the society, nation and the world at large in order to better orientate his future. In the history of mankind, conflicts and aggression has been common phenomena that obliged scholars to quest and draft out peace building projects. Peace building here refers to strategies or mechanisms put in place for the resolution of differences and the achievement of sustainable peace. In this light, Thomas Waldman portrays peace building as:

An approach to (primarily) post conflict settings that recognises the need for reconciliation, developing a capacity for conflict resolution and working towards a sustainable peace. Peace building involves a full range of approaches, processes and stages needed for transformation towards more manageable, peaceful relationship and governance structures.”¹¹

Peace building differs from peace-making and keeping as it aims at covering a wide range of space and time while the latter aimed at resolving the instant situation. Thus, Waldman asserts “Peace building is distinct from both peace making and peace keeping as it is proactive in dealing with conflict rather than reactive”¹². And it differs from conflict resolution in the fact that it brings about the process of sustainable peace and how to maintain it in all domain while conflict resolution is limited at bringing about peace through reconciliation mechanisms. As such, Waldman asserts that, “peace building can be seen to differ from conflict resolution in the sense that its focus is more on building a ‘positive peace’ granted in just societal relationships”¹³

Peace building project therefore refers to series of strategies or mechanisms put forth with the aim of educating and deepening the awareness of people on the means and processes of conflict resolution and peace building, being it at societal, national or international level as well as both. This can be seen with the international peace building project which is acting as an international initiative dedicated to conflict resolution, peace-making and keeping and humanitarian action: “It is aimed at preventing conflicts and violence, fostering dialogue and deepening awareness and discourse on conflict resolution and peace-building. It seeks to bring diplomacy to the people by educating and empowering community about peace process and strategies of peace”.¹⁴ In the history of philosophy, certain great philosophers laydown peace building projects that could guide and serve as process of bringing about and maintaining peace in the society, State and the world at large, which could be traced right from ancient philosophy.

¹¹ Thomas Waldman, “conflict resolution, peace building, and youth”, SPW Primer, 2009, p. 7. <https://www.researchgate.net/publication/327860141>

¹² *Idem.*

¹³ *Idem.*

¹⁴ peacebuildingproject.org, consulted on the 4th February 2022 at 2pm.

CHAPTER ONE: PEACE BUILDING PROJECT IN ANCIENT PHILOSOPHY

The period of ancient philosophy comprises of the pre-Socratics, Socratics, post-Socratics and Hellenistic periods. This chapter will consist of peace building projects from the pre-Socratic period to Plato who existed in the post-Socratics period.

1.1. THE FOUNDATION OF PEACE FROM THE PRE-SOCRATICS TO PLATO

The notion of peace and justice has existed as two complimentary concepts where one cannot do without the other. These complimentary notion which runs from the pre-Socratics to Socratic period and even to post-Socratic period, was expressed in *the Republic* of Plato in the dialogue amongst Socrates, Cephalus, Polemarchus, Glaucon, Adeimantus, and Thrasymachus. The following will constitute the conception of justice, which aimed at peace building in the pre-Socratic period as presented in the dialogue.

1.1.1. The pre-Socratics' conception of justice

For Cephalus, justice means “*speaking the truth and returning what one has borrowed*”¹⁵. This assertion was made during the dialogue between Cephalus and Socrates, precisely in book one of *The Republic* and was derived from Sophocles' view, a poet who existed in the pre-Socratic period¹⁶. To Cephalus, living justly means, to live a virtuous life which consist of standing for the truth and returning to each and everyone what one owes them especially to the gods. Living such a virtuous life according to him, leads to happiness (peace of mind) even at old age¹⁷. Therefore, standing for the truth and paying back what one owes at any circumstances, is justice according to Cephalus' definition and that is what leads to peace. This means that, in order to bring about and maintain peace, one has to always be truthful and faithful on whatever is trusted to him/her.

This fact can also be seen in the definition that Polemarchus gave on justice. Polemarchus who inherited his father Cephalus' argument, borrowed from Simonides' statement which states; “*it is just to give to each what is owed to him*”¹⁸, to support the definition of his father and which according to him gives peace of mind (happiness). He will later derived his own definition of justice from the one of Simonides when that of his father was refuted by Socrates, holding that, “*to benefit one's friend and harm one's enemy is*

¹⁵ Plato, *The Republic*, in John Madison Cooper (Editor), *Plato complete works*, Hackett Publishing Company, 1997, p. 976.

¹⁶ *Ibid.*, p. 974.

¹⁷ *Ibid.*, p. 975.

¹⁸ *Ibid.*, p. 976.

justice”¹⁹ that is to say, justice is giving to everyone his due. In the process of refuting this definition, Socrates asked Polemarchus “*should one also give one’s enemies whatever that is owed to them?*”²⁰ And he replied that “*what enemies owe to each other is appropriately and precisely—something bad.*”²¹ And that friend owes to each other something good. By this definition Polemarchus meant that it is just to do good to friends and bad to enemies²². Therefore, from the definition of Polemarchus, justice means to do good to friends and bad to enemies.

This view of Polemarchus, derived from Simonides, is not different from that of Cephalus which was derived from Sophocles. This is because, both views anchored on being truthful and faithful in every circumstance and that is equally where Polemarchus derives his definition of being good to friends and bad to enemies: “*but I still believe that to benefit one’s friends and harm one’s enemies is justice*”.²³ From the above presentation, it shows that the peace building project of the pre-Socratic period was the one in existence during the Socratic period. The basic ground of their definition of justice, which were seen as sources of peace, came from Sophocles, a great Greek poet in pre-Socratic, and Simonides of Ceos, a great Greek poet who existed in the pre-Socratic period as from 556 – 468 BC²⁴.

The assertion of Cephalus and Polemarchus were refuted by Socrates with the analogy of a madman and that of mistaking a friend for an enemy respectively. In the analogy of madman, Socrates asked Cephalus about a situation where a person gave his weapon to a friend when he was in his right senses and out of a sudden runs mad, will his friend return the weapon back to him knowing that he might use the weapon to harm others or himself? Of course in the right senses, it will not be possible to return the weapon.²⁵ Therefore, according to Socrates, this Cephalus’ definition of justice is wrong thus, showing the limitation of such peace building and the realization of justice, as well as realising peace through being truthful and faithful in all circumstances.

Also, with the analogy of mistaking a friend for an enemy, Socrates refuted the definition of polemarchus. In the process, they agreed that man by nature is fallible that is, can mistake a friend for an enemy and an enemy for a friend. Therefore, good-friends will become the enemy and the evil ones will be mistaken for good-friends. The good is just and

¹⁹ *Ibid.*, p. 979.

²⁰ *Ibid.*, p. 976.

²¹ *Idem.*

²² *Idem.*

²³ *Ibid.*, p. 979.

²⁴ <https://mypoeticside.com> consulted on the 4th February 2022 at 2pm.

²⁵ Plato, *op. cit.*, p. 975.

cannot do injustice nor do the opposite to whosoever but, doing bad to a mistaken friend is injustice considering Polemarchus' definition of justice²⁶. Thus, the definition according to Socrates is wrong and contradictory because what is just cannot at the same time be unjust and what is good cannot in any circumstance become bad²⁷. The definition reflects a situation where revenge is the order of the day and as such will continue to lead to further revenge which in itself is the core of conflicts. This reviews that during the pre-Socratic period, peace building project was based on being truthful and faithful at any circumstances in either case: truthful and faithful in good when it is good and vice-versa. From the above analysis, it is seen that such peace building could mistake things and instead end-up uprooting peace.

1.1.2. The foundation of peace according to Plato: Justice as the base and standard

Having deconstructed the peace building project that has been in course right from the pre-Socratic, Plato set out to lay-down a new peace building project that could educate and deepens the understanding of people on the process through which justice, which is seen as the source of peace, could be achieved. Here, Plato presents justice under two principles which are; the principle of equity and harmony.

Justice as principle of equity: Justice can be defined as the obedience to the laws of the state. Laws protect, permit as well as they defend individuals and properties. To Plato, talking of law, it is the need to realise the well-being of the State with the aim of unifying the citizens through the persuasion of constraints. Thus he asserts; *“the law’s concern to make any one class in the city outstandingly happy but to contrive to spread happiness throughout the city by bringing the citizens into harmony with each other through persuasion or compulsion and by making them share with each other the benefits that each class can confer on the community”*²⁸. In other words, to be just to someone is what prescribes the legitimate law and what is unjust is what is inscribed in its opposite meaning. Justice therefore consists of establishing order in the state by assigning each individual the task which corresponds to his/her ability, attitude and by assuming or accomplishing this task or duty correctly and especially with a good and conscious responsibility. Therefore for him, *“What ruins us is injustice and senseless aggression; what protects us is justice and sensible moderation”*²⁹ That is why he held the

²⁶ *Ibid.*, p. 989.

²⁷ *Ibid.*, p. 981.

²⁸ *Ibid.*, p. 1137.

²⁹ Plato, *The Law*, in John Madison Cooper (Editor), *Plato complete works*, Hackett Publishing Company, 1997, p. 1562.

view that, “*The greatest good, however, is neither war nor civil war (God forbid we should never need to resort to either of them), but peace and goodwill among men*”³⁰.

Justice as the principle of harmonisation of the social class: In Plato's work, Justice is hierarchised (stratified). This would mean that each social class according to Plato has its own role to play: “*Justice in a just city is doing one's own work/duty or playing one's own role without meddling in others, not just doing it but doing it efficiently and on the other hand, injustice is the exchanging and meddling in other people's work or duty*”³¹. No class has the right to exercise the task assigned to the other. This means that the workers, the peasant and the merchant have their own roles to play. The guardian and the rulers equally have mission which are only specific to them and a city was thought to be just when each of the three natural classes within it did its own work, and it was thought to be moderate, courageous, and wise because of certain other conditions and states of theirs³². In this light, to Plato therefore, “Justice is a harmonious principle”. To Plato, Justice consists of applying the positive law and it is this positive law that permit the citizens to live pacifically.

1.2. JUSTICE AS A STANDARD FOR A PACIFIC STATE

In order to have a pacific state, Plato established a standard of an ideal State, individuals and good leadership. This standard portrays justice as the virtue of good leadership, and as the means of peace to both the State and individuals.

1.2.1. Justice as the means of peace to both individuals and the State

A good state is wise, courageous, temperance (moderate) and just. To be wise means to have wisdom, moderate means temperance and just refers to justice. Therefore we have here wisdom, courage, temperance and justice as the four virtues in the Republic of Plato.

- Wisdom is possessed more by the ruling class who are the smallest class. That is, wisdom belongs to the ruling class because it is from the exhibition of wisdom from rulers that a state is called wise or successful state.
- Courage is possessed more by the guardian who are the fighters, when they are coward the state is equally coward, when they are courageous the state becomes courageous. So courage belongs to the guardian of the state in the Republic. These guardians are soldiers. Courage is preserving and not abandoning because of pains, pleasure, desire or fear according to Socrates in the Republic. That is, civic courage.

³⁰ *Ibid.*, p. 1327.

³¹ Plato, *The Republic*, pp. 1064-65.

³² *Ibid.*, p, 1066.

- Temperance is an order, a mastering which is exercised on certain pleasures and certain passion. It consists of disciplining the desire or appetitive part which exercises the instinct through psychological signs, this means that temperance permit the subject to learn how to master himself. It is a virtue which in the works of Plato, consists of rationalizing the pleasure of the body so as not to drag the body into slavery. That is, it control the body not to fall under the desire or instinct brought by pleasure. Temperance according to Plato, permit the stratification of pleasures.
- A state is said to be just if and only if the state has the three natural classes. That is, temperance (moderate), courageous, and wisdom (wise) and each of the three doing its own work. A state said to be wise if it is conscious and prudent (temperance) in deliberation and it is opposed to ignorance. These three virtues above are of the platonic criteria to attain justice and thus this justice is the one a just state is built upon.

In the works of Plato, Justice plays a very indispensable role. It enhances the promotion of virtue, the good, truth and justice itself. Justice needs to be applied in all affairs of the state. It should be noted that the good administration of the state is smooth and successful only when the citizens serve well in their serious domain of competence. This is why for Plato Justice consists of an individual doing his work correctly without meddling into the one of the other: *“justice is doing one’s own work and not meddling with what isn’t one’s own.”*³³ Justice therefore has as mission to promote the well-being of the society or community and maintain harmony and peace.

Individual (man/soul) have three parts in him just as in the city (state) that is the rational part that deliberates (the wise or wisdom part), the spirited part that is the helper of the rational (the courageous part) and the appetitive part that induces pleasure or desire (the temperance). A just person is that person whom all these three parts in him are functioning correctly, each doing its own work. For example: the rational part as the ruler of the entire soul, which reasons and decides for the entire parts. The spirited part assists the rational part by respecting it and fighting for or defending the entire part from any external attack. And the appetitive part which is the most popular and should be satisfied to be governed by the two so as not to surpass it’s bound. This harmony is what Plato refers to as justice and such a person will live a just life: Thus *“a just man won’t differ at all from a just city in respect to the form of justice; rather he’ll be like the city”*³⁴. Thus, peace will reign in the State if the state is ruled by a just person.

³³ *Ibid.*, p. 1064.

³⁴ *Ibid.*, p. 1066.

Surely for him, any contrary to this harmony which is justice, will mean a rebellion and will be tantamount to injustice and conflict. That is why he asserts; “*it must be a kind of civil war between the three parts, a meddling and doing of another’s work, a rebellion by some part against the whole soul in order to rule it inappropriately. (...) the turmoil and straying of these parts are injustice, licentiousness, cowardice, ignorance, and, in a word, the whole of vice*”.³⁵ This means that the presence of justice in a society entails peace and injustice is regarded here as the source of conflict and as that which jeopardizes peace.

1.2.1. Justice as the virtue of good leadership

To Plato, for there to be a good foundation of justice in a state, virtue of justice has to be the base of a good leadership. This leadership needs to be structured following a set of education. Education in platonic Sense is a process which consists of a gradual development of one or several function in the mind as well as in the body with the aim of permitting the human soul to smoothen itself or becomes perfect or strengthen ones soul psychosomatically. This is why education in the platonic Sense has as the main aim to render people the best and true men. It renders them good men on one part and true men of the state on the other. This will make men to better manage public affairs. This made Plato to assert that, “*The good education they have received will make them good men and being good they will achieve success in other ways, (...)*”³⁶. Plato in his work portrays education in the following ways;

Education of the body: In the works of Plato, from childhood, the objective is the total training of the young adolescence through sports, notably gymnastics and music. This is the two sporting activities which will arouse the talent inherent in the young adolescent and will contribute to the harmonious development of his genius. This is to say according to Plato, he who engages with the highest form or beauty of gymnastics and music in the best mood, is the man that applies in his soul the perfect virtue of the musical harmony³⁷ in order to better demonstrate it, Plato affirms in this work that: “*if someone is properly educated in music and Poetry, it makes him graceful, but if not, then the opposite*”³⁸. Thus, this shows that, it is not any type of music that can make someone to be upright but rather a well-defined music that cannot counter order or peace in the society.

Education of the mind: In the work of Plato, this type of education starts with fables in order to stimulate the intelligence of the adolescents. That is to say, through narration of

³⁵ *Ibid.*, p. 1075.

³⁶ Plato, *The Law*, p1335.

³⁷ Plato, *The Republic*, p. 1073.

³⁸ *Ibid.*, p. 1038.

fables, the young or the adolescents try to smooth their beings. Plato believes that telling stories to little children stimulate their intelligence and these stories inculcate Wisdom in children³⁹. Courage, temperance and justice make one to understand that the education of the mind renders human being to be capable of overcoming all the imperfection that paralyzed their mental development. According to Plato, education consists of transforming the obstructed human psychic by morality of the sorts. Education is therefore the means by which man seeks to fulfil his enlightenment, train himself and become conscious. It is only morals that are social value and it is only from this point of values says Plato that one can attain expected ideal and just State⁴⁰.

Plato thinks that the body must be educated which consists of disciplining, rationalising the psychological pleasure of the human being. Thus to him, “*a good soul by it’s Own virtue makes the body as good as possible*”⁴¹. This illustrates that the body can lead to tyranny of the mind and the soul if it is not controlled. This is why Plato thinks that it is through sports and music that man is able to undergo the purification of the body. Thus education of the mind is therefore a “*panasia*” or medicine since it limits the children from abuses and from any kind of wayward exercise. From this point of view, education involves wisdom, morality and prepares the citizens for socialisation and sociability. In Plato’s work, wisdom is a virtue which consists of not only to edify but also of equity by those who are responsible for the administration of the society. Justice here consists of respecting and equalising the three virtues because justice is in relation with the totality of being. It is an indispensable asset especially to men of politics. It is also an expression of lucidity of essence and their hierarchy. That is why Plato holds that it plays a very important role in politics⁴².

To Plato, it is education that enables the harmonisation of the three virtues (wisdom, courage and temperance) whereby the harmony is what he refers to as justice. The harmonisation refers to the mastering of one’s pleasure and desire called self-control. This means that in man comprises of good part and bad part. When the good side gains control over the bad side, it is called self-control and on the other hand, when the bad side gains control over the good side, it is called licentious. If self-control is in all the members of the state, it harmonises them to agree in one thing thus, when a state is ruled by good leaders, the state has self-control because the good part has gained control over the bad parts⁴³. The

³⁹ *Ibid.*, pp. 1015-16.

⁴⁰ *Ibid.*, pp. 1135-36.

⁴¹ *Ibid.*, p. 1040.

⁴² *Ibid.*, p. 1075.

⁴³ *Ibid.*, p. 1063.

unanimity and agreement between wisdom, courage and temperance is rightly called Moderation which is the source of peace.

Desire of something should be the whole and not only the parts. From this analogy the following assertion is drawn: A philosopher is a person who does not desire one part of virtue but desires the whole thing (wisdom, courage and temperance). Therefore, a philosopher according to Socrates is a lover of learning without limiting the truth⁴⁴. According to him, knowledge can only come from the person who can identify the real and the likeness and opinion from the person who will take the likeness as the real which can only come from sense and the former from reason. Such a person is whom he refers to as a philosopher. For Socrates, a philosopher is not of the nature of wisdom lover and falsehood lover at the same time, but of wisdom and not with falsehood. Someone whose desire flow towards learning the truth without limitation would be concerned with the pleasure of the soul itself and by itself and abandon those pleasures that comes from the body. Such person according to Socrates is a true philosopher and such person is moderate who always reach out to grasp everything both divine and human as a whole. A good philosopher who has the quality of a good leadership is that person whom by nature is good at remembering, quick to Learn, high minded, graceful and a friend and relative of truth, Justice, courage and moderation⁴⁵.

The idea of a philosophy king: For Socrates in the Republic, *“until philosophers rule as king or those who are now call Kings and leading men genuinely and adequately philosophize, (...) cities will have no rest from evils, Glaucon, nor, I think, will the human race and until this happens, the construction we have been describing in theory will never be born to the fullest extent possible or see the light of the sun”*.⁴⁶ Plato suggests that the society or the State should be ruled by philosophers or by kings who have become philosophers. He holds that, philosophers are vitreous and moral men to whom ethics is at the basis of moral values. Philosophers promotes social harmony, concord, the well-being of all, equitability, neutrality and fight against all forms of abuses, manipulations, distrust, demagoguery, lies, arbitrary, inequality, social discrimination, lack of solidarity, division and instrumentalisation of human life. All these demonstrate that, for the state to be just it must be handed over to philosophers. In this case, all rulers, kings or sovereigns are constraints to illuminate philosophical discourse; this is though what philosophy has to come in for. That is, philosophy to them, need to be the administrative starting point (Philosophy should be the

⁴⁴ *Ibid.*, p. 1102.

⁴⁵ *Ibid.*, p. 1110.

⁴⁶ *Ibid.*, p. 1100.

administrative springboard). Philosophy therefore, has to humanise the laws of the sovereign. It has to inculcate in them the full meaning of good governance implanted on justice.

In *The Republic*, Plato affirms that, as long as philosophers will never be kings in the state or what we call today kings, will not be philosophers, Justice will never reign.⁴⁷ From this affirmation, Plato makes us to understand that the management of a state must be handed over to philosophers who master the job or to political authorities whom in a pedagogic manner render philosophy an instrument of administration of the state. From what is just said above, Plato thinks that true philosophers are those who would have the spectacle of truth with them, the good application of justice will lead to the perfection of the state. It is from this that the nation is said to be worthy of its name and vested with democracy, leading to none partisan management of the state or community. This shows that it is through a philosopher king who could harmonise the three virtues (wisdom, courage and temperance) known as justice, that peace can be established in a State. Thus he asserts; “*What ruins us is injustice and senseless aggression; what protects us is justice and sensible moderation*”.⁴⁸ And he went further to affirm that “*the greatest good, however, is neither war nor civil war (God forbid we should ever need to resort to either of them), but peace and goodwill among men*”.⁴⁹ Therefore, Plato placed justice as the fundamental ground for the achievement of any expected peace: individually, communally or in a State.

Here, Plato set up his peace building project as what ought to be and which could be brought to reality only when justice reign in both individual and the State. That is to say, only when wisdom, courage and temperance are harmonised and moderated in both individual and the State. With regards to the State, this moderation can only be carried out by a full possessor of wisdom who he refers to as a philosopher. In other words, for peace to reign in a state, those who are in full possession of wisdom should be the rulers. The courageous should be the guardian (those in charge of security) and those who are not in possession of the two virtues mentioned (the peasants) should be ruled upon. This is because their activities need to be curbed by the wise that have the understanding of what is good and bad for the entire citizen and for the State.

This form of peace building based on justice is theoretical and does not take into consideration the cruel nature of man which could render it unrealisable. This can be perceived from the statement of Socrates, the mouthpiece of Plato, who states that; “*cities will*

⁴⁷ *Ibid.*, p. 1100.

⁴⁸ Plato, *The Law*, p. 1562.

⁴⁹ *Ibid.*, p. 1323.

have no rest from evils, Glaucon, nor, I think, will the human race and until this happens, the construction we have been describing in theory will never be born to the fullest extent possible or see the light of the sun".⁵⁰ Also, even if a true philosopher becomes a king, the realisation of this peace project may likely not come to reality considering the undulant and diverse nature of man as noted by Edger Morin. The moderation of the three aspect of man (wisdom, courage and temperance) is a reality that can never come to light in all men because opinions differ as well as the faculty of understanding which can be seen in the disagreement between Socrates and the sophists in most of the dialogue of Plato; for instance, the disagreement between Socrates and Thrasymachus⁵¹.

Plato's view of the philosopher king or of kings made philosophers is equally problematic regarding the fact that even among philosophers there exist conflicts of ideologies and coupled with the danger of power to the exercise of reason. Thus the domain of reason as Immanuel Kant held should have nothing to do with leadership as he affirms: "*That kings should philosophise, or philosophers become kings, is not to be expected. But neither is it to be desired; for the possession of power is inevitably fatal to the free exercise of reason.*"⁵² Therefore, the justice put forth by Plato as a base of peace, is an ideal theory that can never come to light in all men as individuals and in common as a State. This Plato's theoretical ideal of what ought to be, has never seen the light of the day and has faced criticism and rupture by Renaissance philosophers such as Machiavelli who regards it as an imagination.

⁵⁰ Plato, *The Republic*, p. 1100.

⁵¹ *Ibid.*, book two.

⁵² Emmanuel Kant, *Perpetual Peace: A Philosophical Essay*, translated with introduction and notes by SMITH Campbell, London, George Allen & Unwin Ltd, 1795, p. 160.

CHAPTER TWO: PEACE BUILDING PROJECT IN MEDIEVAL PHILOSOPHY

The Medieval period in philosophy experienced revolution known as Theological ideology and the Renaissance which comprises philosophers such as St. Augustine and Niccolo Machiavelli respectively. These philosophers reorient the direction of peace building project away from that of the ancient philosophy. This chapter will consist of peace building projects put forth by these two philosophers.

2.1. AUGUSTINE'S CONCEPTION OF WAR AND PEACE

Augustine, a medieval philosopher, whose work was popularly known and was influential throughout the medieval, modern, and even in the present contemporary history of philosophy on the aspect of war and peace, is regarded as the major pioneer of just war theory. Though the notion of just war did not originate with him, but this concept, became influential with him. In his numerous works, the work which addresses the issue of war and peace mostly is his work entitled *Civitas Dei* also known as, *The city of God* where he defended the origin of conflicts, the processes, and categories of peace. It is in this light that Andrej Zwitter says that: "*Augustine is heralded to be the founding father of just war theory. Civitas Dei is Augustine's only work that deals with the customs of war and the conditions of peace*".⁵³ Thus, his conception of war and peace will constitute this subsection of this chapter.

2.1.1. Augustine's conception of war

For Augustine, God in His perfect being, created man in his likeness to whom he did not impose things on but rather gave him a free will to act and thus responsible for his act. This free will is the reason for evil and conflicts. Therefore, war is the outcome of human freewill and which equally according to Saint Augustine, God allows to serve as a means of punishment, correction and elevation. Due to man's misuse of his freewill, which brought in evil acts including conflicts, it renders the world in which man's lives are polluted and which according to Augustine cannot be void of war. War here serves as a means of achieving peace as well as punishing the wrongs. It is in this light that Augustine, in book 19 chapter 15, according to Andrej, holds that:

A just war can only be waged against sin (...). And every victory, also those gained by wicked men, is derived by God's judgment of whether the vanquished to be humbled or for removing or for punishing their sins. In other words, the cause of war can only be the sin of man. Its purpose is the extension of the virtuous kingdom

⁵³ Andrej Zwitter and Michael Hoelzl, "Augustine on War and Peace," in *Peace Review* 26, no. 3, ResearchGate, 2014, pp. 1-2.

*as necessary consequence if the alternative would be that empires ruled by wicked man would otherwise threaten the peace.*⁵⁴

And for Augustine, the use of war ought to be limited as to regards the pilgrims on earth who are the citizens of the kingdom of God. That is to say, they are not to engage in the activities of war as those who are not the citizens of the kingdom of God.

Augustine classified existence into two particularities: The divine reality which he referred to as celestial and the earthly reality which he referred to as terrestrial. The terrestrial city according to him follows two laws which are the laws of man and the laws of nature. But the celestial law which is Divine and cannot be fully understood by human reason is revealed to man through the divine laws of the Church and which equally manifest itself through the laws of nature. It is this Divine law given through the church that determines the citizens of the celestial City whom he refers to as pilgrims on earth. Therefore according to Augustine, the celestial citizens who are just pilgrims here on earth ought to have their own ways of going about the activities of war. Thus, John Mark Mattox presents this Augustine's view of celestial and non-celestial citizens as to regards to war as follow;

*On the one hand are the wicked who are not particularly concerned about how just the wars they fight might be. On the other hand are the righteous who, try as they may, cannot hope to avoid being affected by wars while in this present state. Rather, the best that they can hope for is that such wars as do get fought be just wars, as opposed to unjust ones. This is by no means a perfect solution; but, then again, this is not a perfect world. If it were, all talk of just wars would be altogether nonsensical. Perfect solutions characterize the heavenly City of God, and its pilgrim citizens sojourning on earth can do no better than to try to cope with the present difficulties and imperfections that characterize life on earth. Thus, for Augustine, the just war is a coping mechanism for use by the righteous who aspire to citizenship in the City of God.*⁵⁵

Even though Augustine in his work didn't aim at laying down a general principles of war, but his ideologies which normally aimed at laying down principles for the pilgrims on how to go about the activities of war was finally considered and regarded by many authors as a moral principle for the waging and the carrying out of the activities of war.

These principles laid down by Augustine were further elaborations of Cicero and St Ambrose just war theory which were classified in two aspects regarded today as traditional just war theory; Jus ad bellum and jus in bello. This theory of just war put forth by Augustine was ameliorated by St Thomas Aquinas who "*revised Augustine's version, creating three criteria for a just war: The war needed to be waged by a legitimate authority, have a just cause, and have the right intentions. The moral justifications for a war are expressed in jus ad*

⁵⁴ Ibid., p. 2.

⁵⁵ John Mark Mattox, *Saint Augustine and the Theory of Just War*, New York, Continuum, 2006, pp. 35-36.

*bellum; whereas, the moral conduct of the war is expressed in jus in bello.*⁵⁶ The principles are as follow;

- 1. Last Resort;** A just war can only be waged after all peaceful options are considered. The use of force can only be used as a last resort.
- 2. Legitimate Authority;** A just war is waged by a legitimate authority. A war cannot be waged by individuals or groups that do not constitute the legitimate government.
- 3. Just Cause;** A just war needs to be in response to a wrong suffered. Self-defence against an attack always constitutes a just war; however, the war needs to be fought with the objective to correct the inflicted wound.
- 4. Probability of Success;** In order for a war to be just, there must be a rational possibility of success. A nation cannot enter into a war with a hopeless cause.
- 5. Right Intention;** the primary objective of a just war is to re-establish peace. In particular, the peace after the war should exceed the peace that would have succeeded without the use of force. The aim of the use of force must be justice.
- 6. Proportionality;** the violence in a just war must be proportional to the casualties suffered. The nations involved in the war must avoid disproportionate military action and only use the amount of force absolutely necessary.
- 7. Civilian Casualties;** the use of force must distinguish between the militia and civilians. Innocent citizens must never be the target of war; soldiers should always avoid killing civilians. The deaths of civilians are only justified when they are unavoidable victims of a military attack on a strategic target.

2.1.2. Augustine's conception of peace

According to Augustine, the world in which we live can never experience permanent peace which is contrary to the view of Kant perpetual peace: “*War and peace are two sides of the same Augustinian coin. Owing to the injustice that is inherent in the mortal state, the former is presently unavoidable and the latter, in its perfect manifestation, is presently unattainable*”.⁵⁷ To Augustine, perpetual peace only exists in the city of God which will come to manifestation at the coming of Christ Jesus who will reign in that kingdom. Hence, John Mark asserts:

In City of God XIX, Augustine delineates three kinds of peace: the ultimate and perfect peace which exists exclusively in the City of God, the interior peace enjoyed by the pilgrim citizens of the City of God as they sojourn on earth, and the peace

⁵⁶ Catholic online, “Just-War Theory”, 2018, pp. 1-2. <https://www.mtholyoke.edu/~jasingle/justwar.html>.
Uploaded online on 17/12/2018 and consulted on 3th October 2022.

⁵⁷ John Mark Mattox, *Saint Augustine and the Theory of Just War*, p. 38

which is common to the two cities. What is abundantly clear in Augustine's writings is that, sadly, temporal peace is rather an anomalous condition in the totality of human history and that perfect peace is altogether unattainable on earth (...). P37, He can only suppose that persecutions will continue right up to the winding-up scenes of the current state of human history incidental to the Second Coming of Christ.⁵⁸

The citizens of this kingdom of Christ Jesus are those whom he referred to as pilgrims and believers of divine laws reveal through the church which stands as the intermediary between the Celestial City of God and the terrestrial City. The reason under which according to Augustine there cannot exist a permanent peace in this world is because the world in which we live is a World of imperfection and permanent peace entails perfection which is the qualification meant only for the city of God. The citizens of this City of God who are the pilgrims in this world has according to him a perfect interior peace under which base their existence in the pilgrims world. According to him, it is this perfect interior peace that enables them to withstand persecutions and trials and which sustained their journey towards the Celestial City. It equally enables them to overcome the conflicting realities encountered in this world.

All in all, for Augustine, peace can only be maintained in this Terrestrial City which is the Earth in which we're living on, through the respect of moral laws which cannot be separated from theological norms as to regards his philosophy⁵⁹. War which for him is part and parcel of human reality can serve as a means of bringing about peace:

Even in war, all parties involved desire – and fight to obtain – some kind of peace. Ironically, although peace is the end towards which wars are fought, war seems to be the more enduring, more characteristic of the two states in the human experience. War is the natural (albeit lamentable) state in which fallen Man finds himself. The flesh and the spirit of Man – although both are good – are in perpetual opposition. That perfection which comes from the 'Highest Good'¹⁵¹ is unattainable in this life, no matter how much one might desire it.⁶⁰

Therefore, peace cannot be a permanent reality in this Terrestrial world but a permanent reality in the interior of the citizens of the Celestial City who are on pilgrimage here on earth and can only be in its fullness in the City of God. So we can only maintain peace here on earth but not having it in its fullness.

⁵⁸ Ibid., p. 37.

⁵⁹ Andrej Zwitter and Michael Hoelzl, "Augustine on War and Peace", p. 2.

⁶⁰ John Mark Mattox, *Saint Augustine and the Theory of Just War*, pp. 37-38.

2.2. MACHIAVELLI'S PHILOSOPHY OF PEACE

When one tries to understand the political thought of the Renaissance a name is required which is Niccolo Machiavelli. He is a realist, an Italian diplomat, historian and philosopher who existed from 1469 to 1527. The policy of Machiavelli is a positive science which placed ahead of everything the right to calculate exactly the means without taking into account feelings of passion, beliefs by man and their ideas. This calculation makes it possible to measure the strengths and weaknesses that may hinder political game(s). This positive science of government has one goal: the foundation of the state, its preservation, its growth, and its grandeur which can be summed up to the maintenance of peace.

2.1.1. Machiavelli's realism theory of maintenance of power

To Machiavelli, the acquisition of power is not necessary if one cannot maintain it. Politics therefore appears as the place of permanent conflict where the desire is for the acquisition and maintenance of power. This means that, the most important thing of power is how to maintain it and to do so; one has to master the type of power that is at his disposal. Machiavelli illustrate different categories of powers; inherited power, which he said is the most easiest one to maintain, all that is needed is to respect the custom of their predecessors or ancestors⁶¹.

Also, mixed power is whereby people live under their own rules. To maintain such principalities according to Machiavelli, the prince has to first ruin the city, reside there in person and thirdly permit them to live under their own rules by ruling them by the means of their own citizens.⁶² The prince should weaken every neighbouring States and should not let strangers into the territory especially the ones that are more powerful than him.

Again, Principalities that are acquired by the arms of others or by good fortunes, in which for him, to maintain such principalities, he made reference to Cesar Borgia⁶³. Here, to preserve such power, the prince has to employ all necessary means such as to win friends by any means;

To overcome either by force or fraud, to make himself to beloved and feared by the people, to be followed and revered by the soldiers, to exterminate those who have power or reason to hurt him, to change the old order of things for new, to be severe and gracious, magnanimous and liberal, to destroy a disloyal soldiery and to create new, to maintain friendships with kings and princes in such a way that they

⁶¹ Nicolo Machiavelli, *The Prince*, translated to English by William Marriott, 1515, p. 2.

⁶² *Ibid.*, p. 20.

⁶³ *Ibid.*, p. 28.

*must help with zeal and offend with caution (...) finally he who believe that new benefit cannot cause great personage to forget old injuries is deceived.*⁶⁴

In addition, the principalities acquired by one's own arms and ability according to Machiavelli, is to be maintained following the example of Moses⁶⁵. Here, one has to imply rules and force. Concerning those obtained by wickedness, the prince has to commit such act once and not consequently. To commit cruelty, it has to be done in a proper manner that is, when evil is committed in a lawful manner, where by it is necessary for the security of the people. Hence according to him, it should be remarked that in seizing a state, *"the usurper ought to examine closely into all those injuries which it is necessary for him to inflict, and to do them all at one stroke so as not to have to repeat them daily"*⁶⁶. For injuries have to be done once so that, being tested less, it offends less. Benefits have to be given little by little so that the flavour should last longer.

Last but not the least, civil principalities is when the prince is being elected by the nobles whom in fear of the reaction of the commoners decides to take him a leader in other to protect their interest or by the population who fear the oppression of the nobles and decided to elect one of them as their leader to protect them from the oppression of the notables. To maintain this form of power according to him, *"one cannot by fair dealing and without injury to others satisfy the noble, but you can satisfy the people for their object is more righteous than that of the nobles"*⁶⁷ that is to say, to rule in favour of the population than the noble. In either case the prince should be able to keep the nobles in check and eliminate anyone that stands on his way. Also according to him, *"one who become a prince through the favour of the people ought to keep them friendly, and this he can easily do seeing that they should not be oppress by him."*⁶⁸ So, to keep peace and maintain power here is to satisfy the people.

In general, a prince should learn the art of war and master his ground in other to defend himself from external power. Thus for him, a Prince ought to select anything else for his study than *"war and its rules and discipline; for this is the sole art that belongs to him who rules, and it is of such force that it not only upholds those who are born princes, but it often enables men to rise from a private station to that rank"*⁶⁹. He should equally have a nature of a lion, in other to destroy the stronger, and the nature of a fox in other to detect the cunning nature of the deceits. This is because, a prince is compelled to be beast like in order

⁶⁴ *Ibid.*, p. 36.

⁶⁵ *Ibid.*, p. 23.

⁶⁶ *Ibid.*, p. 42.

⁶⁷ *Ibid.*, p. 44.

⁶⁸ *Ibid.*, p. 45.

⁶⁹ *Ibid.*, p. 67.

to maintain his power, and as such according to him, “*ought to choose the fox and the lion; because the lion cannot defend himself against snares and the fox cannot defend himself against wolves. Therefore, it is necessary to be a fox to discover the snares and a lion to terrify the wolves*”⁷⁰.

A prince should know how to divert fortunes and adapt to the situation of time by employing any means that suit the time. This realistic technique of Machiavelli is what beautifies his political theory. To this fact, he affirms that “*the prince who relies entirely upon fortune is lost when it changes. I believe also that he will be successful who directs his actions according to the spirit of the times, and that he whose actions do not accord with the times will not be successful*”⁷¹. In this case, the prince has to employ clemency and cruelty in regards to the circumstance in question and in accordance to space and time. In employing these two characteristics of governance, it should be in such a way that it will be void of hatred. Given the human perversity, being a weak bond, and punishment being feared, the prince is greatly supposed to be clement and not cruel, but Machiavelli immediately adds that he must beware of this evil wretch and since it is difficult to bring them together, to inspire fear remains preferable. Thus, he asserts that; “*a prince ought to inspire fear in such a way that, if he does not win love, he avoids hatred; because he can endure very well being feared whilst he is not hated, which will always be as long as he abstains from the property of his citizens and subjects and from their women*”⁷². In other words, a prince should never practice violence without justification and should not temper with others' goods.

Machiavelli does not encourage princes to hurt, but advised that they should do so when the situation requires it. If it is possible for them to be good and even if they are not, let them appear as if they are (pretentious). That is why Machiavelli affirms that; “*he who has known best how to employ the fox has succeeded best. But it is necessary to know well how to disguise this characteristic and to be a great pretender and dissembler*”⁷³. For Machiavelli, the political game in this sense requires some skills. Indeed, to make prevail his right, the prince should use hardness and cunning if necessary. Machiavelli here follows the principle that is expressed as follows: “see men as they are and not as he should be”. The prince is not concerned with what ought to be done but what to do and should be at the heart of everything. He should not believe what he is told and should not be afraid of anything. A prince must

⁷⁰ *Ibid.*, pp. 83-4.

⁷¹ *Ibid.*, p. 121.

⁷² *Ibid.*, p. 80.

⁷³ *Ibid.*, p. 84.

therefore resort sometimes to the practice of virtue, sometimes to ferocity; but always adapts his behaviour to the circumstances.

Speaking of the political action, Machiavelli prefers the autonomy of politics in relation to ethics⁷⁴. For Machiavelli therefore, morality is not applicable when the principles are placed above principality (the power of the prince) that is to say, the prince has to be above morality. Concerning religion, Machiavelli makes of it a means of government to which he places alliance and total destruction depending on how things unfold. Concerning the State, its foundation, its management and its power, Machiavelli simultaneously defend the thesis of the state, whether monarchy or republican, must be led by a knowledgeable person who has the mastery of the art of governance, whose power will be discretionary and who will not be restrained by legal or moral considerations (men of virtues). Machiavelli does not question what the state should be, but what they are in reality and their constitution, life and decline. Unlike his contemporaries, Machiavelli does not describe the nature of government but only the means of conquest and the preservation of power. Thus when considering the means to preserve power, it starts from the postulate that “*all men are bad, and will always, when they have free field, give loose to their evil inclinations; and that if these for a while remain hidden, it is owing to some secret cause, which, from our having no contrary experience, we do not recognize at once, but which is afterwards revealed by Time*”.⁷⁵ A Prince therefore, should have an absolute political power so much so that whatever the nature of the political system, the state must be based on unity of command, national unity, a powerful national army, good laws and diplomacy.

2.1.2. Peace maintenance in the work of Machiavelli.

In his political thought, Machiavelli based his method on realism and his position is influenced by his pessimistic view of human nature. His works which aimed at putting forth principles under which a prince (leader) could maintain himself in power, equally portray a process under which peace could be maintained in a State. Machiavelli in his realistic theory took note and pointed out some of the realistic nature of man which needs to be handled before the realisation of any sort of maintenance (power or peace). Thus he asserts that “*but, it being my intention to write a thing which shall be useful to him who apprehends it, it appears to me more appropriate to follow up the real truth of a matter than the imagination of it*”⁷⁶. That is to say, for the realisation of any successful peace project, the nature of man needs to

⁷⁴ *Ibid.*, p. 85.

⁷⁵ Nicolo Machiavelli, *Discourses on the First Decade of Titus Livius*, translated from Italian to English by Ninian Hill Thomson, M.A., the Project Gutenberg EBook, 2004, pp. 30-1.

⁷⁶ Nicolo Machiavelli, *The Prince*, p. 71.

be taken into consideration accordingly with regards to space and time and not the ideal. For him, one must privilege what rejects any form of idealism expressed through a duty that ought to be, that is to say, the language of “ought to be” is not acceptable in his policy.

Following from the above, Machiavelli holds that it is necessary to avoid being naive in politics in terms of real motivations of political acts which are full with calculation of interest. This realism pushes Machiavelli to separate political things from everything else such as religion, morality and humanism⁷⁷ because the heart of man is the desire to conquer the world and the prince must rigorously apply the rule of the art of governance, which is part of the strategy. He presents this as such; “*the wish to acquire is in truth very natural and common, and men always do so when they can, and for this they will be praised not blamed*”⁷⁸. Thus, from new to the old prince, all powers must aim at preserving oneself and to maintain the State against the danger from external and from within. This means that to maintain peace, one has to employ the art of governance. This is why Machiavelli thinks that vice being universal, *virtu* (art of governance) simply becomes the only necessities that could leads to good times; in other word, peace.

From the above perspective, the imperative of political ability to which the consequent a prince must resort should be the abandonment of unconditional obedience to the natural law. Politics here is thought to be radically autonomous in relation to the canons of traditional ethics. Machiavelli embodies a break with the traditional conception of *Virtue* because, according to the theatres of prince of the Middle Ages or Humanist period, didactic and moral duties of a good prince was to cultivate Christian *Virtues* (piety, religious, faith), and the moral virtues taught since ancient period (prudence, temperance, justice) as seen in the works of Plato. Hence he affirms that, “*it will be found that something which looks like virtue, if followed, would be his ruin; whilst something else, which looks like vice, yet followed brings him security and prosperity*”⁷⁹. This called to question the candid practice of these virtues showing that they can lead to the downfall of a prince as well as the State if respected to the latter.

However, like his contemporaries, Machiavelli believes that the totality of politics and even of human existence is influenced by a form of struggle between *virtu* and fortune. Fortune called opportunity refers to the set of circumstances or events beyond the will of the prince that must be exploited at the right time for a bold initiative while *virtu* as it can be

⁷⁷ *Ibid.*, p. 85.

⁷⁸ *Ibid.*, p. 13.

⁷⁹ *Ibid.*, pp. 72-73.

heard, is not as the moral of the wise of Plato but rather a set of qualities such as courageous, cunning, sagacity, energy, clemency and cruelty in the design and execution of duty. Virtue is therefore considered as the political genius: the art of choosing the means according to circumstance in order to monetize the fortune. It directs the prince on the best proportion between good and evil which results from a calculation of the probable. Indeed, for him, it is necessary either to destroy an adversary entirely or to make an ally of him but never to adopt a deprived measure. Thus, a prince “*need not make himself uneasy at incurring a reproach for those vices without which the state can only be saved with difficulty*”⁸⁰. It is here that Machiavelli claims that it is legitimate for the rulers to commit crime that is to say, to execute or sacrifice the opponents suspected, judging for the superior interests of the state, which is what he regards as the reason being (*raison d’être*) of the state. The reason being of the State is thus, the maintenance of power and the interest of the general public which entails the presence of peace.

Furthermore, for Machiavelli, men are of irreparable nature; ungratefulness and concealment that do not change, as well as enemy and danger to any form of winning. The complication in human nature is so much that Machiavelli holds the view that neither time nor good could change wickedness. For him, men are so self-centred that they could forget rather the death of their parent than the loss of their heritage thus, he advised that when it is necessary for a prince to proceed against the life of someone, “*he must do it on proper justification and for manifest cause, but above all things he must keep his hands off the property of others, because men more quickly forget the death of their father than the loss of their patrimony*”⁸¹. For him, to maintain power and keep peace in a State, a prince (leader) needs to be clement and cruel accordingly depending on how things unfold. Thus he asserts “*I say that every prince ought to desire to be considered clement and not cruel. Nevertheless he ought to take care not to misuse this clemency. Cesare Borgia was considered cruel; notwithstanding, his cruelty reconciled the Romagna, unified it, and restored it to peace and loyalty*”⁸².

Also, men for him, are fundamentally selfish whom to greater extent, conspires for vengeance. To maintain power and keep peace depends on an intelligible calculation on who to hurt in the turn of event. For him, a prince should avoid any offence that could raise rivals or stir the general public against him. Thus he asserts; “*by inquiring into their causes, which*

⁸⁰ *Ibid.*, p. 72.

⁸¹ *Ibid.*, p. 80.

⁸² *Ibid.*, p. 78.

are manifold, but of which one is more momentous than all the rest; I mean, the being hated by the whole community.”⁸³ According to him, “it may reasonably be assumed, that when a prince has drawn upon himself this universal hatred, he must also have given special offence to particular men, which they will be eager to avenge. And this eagerness will be augmented by the feeling of general ill-will which the prince is seen to have incurred.”⁸⁴ In other word, those whom the prince hurt the most having more means to get to him, even when they are minor, will not hesitate to conspire against him by using the general public to perpetrate their vengeance. That is why he advised that; “A prince ought, therefore, to avoid this load of public hatred”.⁸⁵ Such charges could be that dangerous to the peace of the State that even a tyrant may not be able to wave it away, thus he asserts: “Against this humour no tyrant can guard, except by laying down his tyranny”⁸⁶ Which means that to keep and maintain peace in a State, the prince needs to do all the possible means not to offend the general public.

Equally, Machiavelli notes that; who to favour, as well as the extent of the favour matters with regards to maintenance of peace. Favour in politics elevates the person in question to another level of desire which could only be towards the direction of domination because for him, most of such people once acquired high positions, cultivate the desire of domination. Such people can conspire against the prince and overthrow him very easily because they have access to the prince. He notes from past history whereby some men were “raised by their masters to such wealth, honours, and dignities, that nothing seemed wanting to their authority save the imperial name. That they might not lack this also, they fell to conspiring against their prince”.⁸⁷ Thus, Machiavelli advised that a Prince who wants to guard himself from Conspiracies, “ought more to fear those men to whom he has been too indulgent, than those to whom he has done great wrongs. For the latter lack opportunities which the former have in abundance; and the moving cause is equally strong in both, lust of power being at least as strong a passion as lust of revenge.”⁸⁸ That is to say, some extent of favour can stimulate certain desires that could jeopardise the peace of a State.

Machiavelli also deduced that man is vest with pretentious character. In view of this pretentious nature of man, he notes that men always find themselves at the end wicked to be good. In other word, men do good only when they are forced but they have the choice and the freedom to commit the evil at any time. Thus he asserts that;

⁸³ Nicolo Machiavelli, *Discourses on the First Decade of Titus Livius*, p. 247.

⁸⁴ *Ibid.*, pp. 247-8.

⁸⁵ *Ibid.*, p. 248.

⁸⁶ *Ibid.*, p. 249.

⁸⁷ *Ibid.*, p 250.

⁸⁸ *Ibid.*, p. 251.

*Each of the counsellors will think of his own interests, and the prince will not know how to control them or to see through them. And they are not to be found otherwise, because men will always prove untrue to you unless they are kept honest by constraint. Therefore it must be inferred that good counsels, whencesoever they come, are born of the wisdom of the prince and not the wisdom of the prince from good counsels”.*⁸⁹

This means that for a prince to maintain and keep peace in a State, he must be vest with virtu: educated and acquired the art of governance. For him, the use of virtu could appear as tumults but in reality it achieves greater things than it looks because tumult in itself is a process that leads to good law. In this light, he asserts that a Republic cannot in any way with reason say to be “*ill-governed wherein we find so many instances of virtue; for virtuous actions have their origin in right training, right training in wise laws, and wise laws in these very tumults which many would thoughtlessly condemn*”.⁹⁰ Therefore, the chief foundations of peace in all States according to him, new as well as old or composite, “*are good laws and good arms; and as there cannot be good laws where the state is not well armed, it follows that where they are well armed they have good laws*”.⁹¹ Thus, to maintain and keep peace in a State, the prince has to possess self-wisdom and arms which will enable him to exercise virtu (art of governance). It is through the exercise of virtu that a State could be able to possess good arms (art of war) and good laws which will further lead to the maintenance of peace.

In addition, he demonstrates the needs of employing certain important values imbedded in the ways of resolving problems and maintaining peace in the ancient past histories. He holds the view that in the ancient past histories, there were manifestations of realistic values that rulers needs to emulate. That is why he called on rulers to be vest with history and learn to adopt most of the ways the rulers of those epochs used in resolving situations and maintaining themselves in power. He urged rulers to stop seeing impossibility in the employment of those important realistic values but to have an open mind so as to be able to perceive these realistic values that could be of help to them in their dealings. In this light, he asserts;

And yet, in giving laws to a commonwealth, in maintaining States and governing kingdoms, in organizing armies and conducting wars, in dealing with subject nations, and in extending a State’s dominions, we find no prince, no republic, no captain, and no citizen who resorts to the example of the ancients. This I persuade myself is due (...) to the want of a right intelligence of History, which renders men incapable in reading it to extract its true meaning or to relish its flavour. Whence it happens that by far the greater number of those who read History, take pleasure in

⁸⁹ Nicolo Machiavelli, *The Prince*, p. 117.

⁹⁰ Nicolo Machiavelli, *Discourses on the First Decade of Titus Livius*, p. 32.

⁹¹ Nicolo Machiavelli, *The Prince*, p. 56.

*following the variety of incidents which it presents, without a thought to imitate them; judging such imitation to be not only difficult but impossible.*⁹²

So therefore, to maintain peace, rulers need to recourse to past histories with an elucidated observation on the past ancient events and the ways rulers of those epochs used in handling situations and maintaining peace. Also, using the statement of Cornelius, he urges citizens saying; “indeed, this is a golden sentence of Cornelius Tacitus, wherein he says that “the past should have our reverence, the present our obedience, and that we should wish for good princes, but put up with any.” For assuredly whosoever does otherwise is likely to bring ruin both on himself and on his country.”⁹³ In other words, while honouring the past and hoping for better future, citizens need to be contented and respect the present leaders. In all, the present is what counts the most and should be taken very important in all things. That is to say, one ought to learn from the mistakes and strengths of the past rulers using them to ameliorate the present while hoping for better future.

This realist ideology of Machiavelli corresponds to what Thomas Hobbes refers to as state of nature. It corresponds to the state of nature because such ideology transformed political domain to a field of game where the stronger in both power and cleverness forced their way to power and is the maintenance of this power that entails peace. This therefore, renders societies as properties that can be acquired as many as possible by the prince who becomes the proprietor. Thus the prince, keeping men and these societies he acquired in check, is what entails peace and when another superior power in both strength and cleverness emerges, conflict equally arose and the presence of peace jeopardised. This means that any man has the right to possess them as many as he can in as much as he has the power in both strength and cleverness to do so. This was what Kant strongly refuted when he asserts that “for a state is not a property, as may be the ground on which its people are settled. It is a society of human beings over whom no one but itself has the right to rule and to dispose”.⁹⁴ Therefore, if man and the society should be in such a state of property as upheld by Machiavelli, then it will mean living in the state of nature where the stronger rules over the weak.

Such a state of acquiring and maintenance of peace, Raymond Aron considered it as realist delusion. That is to say, peace by the use of force is realist delusion which can never come to light. Such a peace is unrealisable because the quest based on interest through power is endless and which according to Aron, is limitless in man as well as in the society as a whole.

⁹² Nicolo Machiavelli, *Discourses on the First Decade of Titus Livius*, p. 21.

⁹³ *Ibid.*, p. 247.

⁹⁴ Emmanuel Kant, *Perpetual Peace: A Philosophical Sketch*, p. 109.

Such quest needs the intervention of reason which according to Plato must preside over human desire and interest and which entails the moderation in man and the society. That is to say, with the selfish interest of man, it will be impossible to achieve peace under such ideology of maintaining power and peace through the use of force that base on strength and cleverness without morality.

CHAPTER THREE: PEACE BUILDING PROJECT IN MODERN AND CONTEMPORARY PHILOSOPHY

Modern period in philosophy equally experienced a rupture that determined a total break from medieval period in all ground including peace building projects. And this project is still experiencing rupture even in our contemporary period.

3.1. PEACE BUILDING PROJECT IN MODERN PHILOSOPHY

Modern period which is said to start with Descartes and ends in the late 18 century deviated from the view point of theological and Renaissance philosophers as regards their peace building projects that was based on faith and power. For the modern philosophers, peace building project should centre on reason and decentralisation of power. Amongst the modern philosophers includes Thomas Hobbes, Jean Jacques Rousseau and Emmanuel Kant whose works have far reaching influences across the globe with regards to peace building.

3.1.1. Hobbes' political system in regards to peace

Hobbes on his own part was an English renaissance philosopher who existed as from 1588 to 1679. Hobbes tried to think of a political model capable of sublimating the rise to the extremes of violence which tragically characterises human nature. His work thus takes the form of a rigorous apology for civil authority. This seems essential to protect man from the outbursts of his passions fuelled by vanity and to preserve from violent death that may come to him from his fellow man. In his quest for a political model, he portrayed the notion of state of nature through which he deducts the origin of civil state and presents contract as the means of security and the achievement of peace.

3.1.1.1. The state of nature and the civil state of Hobbes

Hobbes has the desire to base political science on reason. Indeed, history gave him a precise idea of the type of power to build, science helped him to build his methodical mind pointed anxiously to restore the conclusions of his reasoning and philosophy will consolidate his love for dialectic spirit. In the light of all these, he developed the political thought that is still interesting in our contemporary today. The essential of his conception of the state of nature is given to us in "*chapter 13 of Leviathan,*" which he entitled: "the condition of men with regard to their happiness (felicity) and their misery". However, it is clear that the previous two chapters provide a better understanding of how he gets there. The man of the state of nature is not social or even necessarily (forcefully) socialized. The state of nature is therefore, a state where "man is a wolf to man", as Hobbes says; "*men live without a common*

power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man."⁹⁵ Man in this state is devoid of kindness like animals, delivered to the law of the jungle.

In the State of nature, men are free amongst themselves. Each man has the same equalities with other men. In the state of nature, reason is inactive, but force, ruse and cruelty are the proper characteristics of the state of nature because neither law nor norms are figured in it. There is no possible project and man must therefore develop all the mechanisms that would allow him to survive. Thus he asserts; "*the nature of man, we find three principal causes of quarrel: Firstly, competition; secondly, diffidence; thirdly, glory. The first maketh men invade for gain; the second, for safety; and the third, for reputation. The first use violence, to make themselves masters of other men's persons, wives, children, and cattle; the second, is to defend them*".⁹⁶ At this state, men were experiencing natural right whereby the freedom to possess whatever one desires in the full extent of one's faculties, were permissible if an only if he could subdue the others. It is the anguish of death which results from natural equality that is responsible for the war and poses a permanent threat to everyone's life.

The fundamental bad state of the state of nature does not allow the maintenance of society in harmony or the true emergence of humanity. What will save man is his fear of death and his instinct of preservation. Thus Hobbes affirms; "*The passions that incline men to peace are: fear of death; desire of such things as are necessary to commodious living*".⁹⁷ This has taken place at the moment when man has understood that, it would be more profitable for him not to act again according to his instincts. At the same moment, man in a bit to leave from this initial state of war seeks to look for ways in order to establish durable or meaningful peace that never existed in the state of nature. At this first level, comes a second thought which is that of looking for a representative through the need of an agreement of a first pact to leave the initial state, which resulted to the transition from state of nature to civil State.⁹⁸ This agreement known as social pact gave birth to a powerful representative under what Hobbes refers to as civil state.

3.1.1.2. Contract as the means to attain peace

Regarding the nature of man and his quest, Hobbes decided to base politics on reason. That is to say, to give a reasonable account for the "raison d'être" of a State which he centred

⁹⁵ Thomas Hobbes, *The Leviathan*, London, the Green Dragon, 1651, p. 77.

⁹⁶ *Idem*.

⁹⁷ *Ibid.*, p. 79.

⁹⁸ *Ibid.*, p. 289.

on peace. That is why his political philosophy portrays that, recourse to peace was the origin of a State. The laws of nature were discovered according to him, by reason and reason for him is not a faculty that exists perceptively in the primary state but it appears when man already experience threat to his life and wants to preserve it and restore peace through an agreement that could bring men of a particular territory together to act as one.

This agreement known as social pact binds the citizen by a double moral and civil obligation; the transgression of a convention constitutes an offense against the law of nature and is an injustice since justice requires that men comply with their conventions. On the other hand, any transgression to these obligations is sanctioned; the sanction, the punishment or the compensation, are determined by a certain civil law, which itself is determined in theory by a certain law of nature enacted by the sovereign in the respect of common good of the people.⁹⁹ The sovereign is able to make any law a civil law and his power, instituted for peace, is always exercised for this purpose and in accordance with all the laws of nature which allowed the determination of peace and security of the people.

Civil law thus, must allow the effectiveness of the law of nature which, paradoxically, cannot be realized in the state of nature. That is why Hobbes recalls that “*Where there is no common power, there is no law; where no law, no injustice*”.¹⁰⁰ This is what constitutes the consideration required by the transmission of the natural right of each to the representative, namely, the effective response to the requirement of the first law of nature, the search for peace. Thus, contract meets the requirement of the second law of nature which is the means to attain peace that is to say, the need to surrender ones natural right and adhered to contract. Respecting the conventions that set forth moral and civil obligation through civil laws, correspond to the third law of nature which is justice. Is on these three aspect that Hobbes anchored the achievement of peace.

It follows therefore that, the notion of pact then makes it possible to account for the transgressions against the law of nature; it allows the criminal to be named and distinguished from fault by the civil institution of justice; its written laws, which all must know, determine the good of each, protect and repair faults in the event of transgression. Hobbes thus laid the foundation for any possibility of justice and *raison d'être* of the civil institution. The application of civil law and the examination of the nature of human acts becomes the process of its practicality and are inseparable from what Hobbes refers to as “common law”. It is this common law according to him that remedies the struggle of each against all which rages

⁹⁹ *Ibid.*, p. 354.

¹⁰⁰ *Ibid.*, p. 79.

everywhere. Here, individuals could claim to get out of this chaotic state only by ceding all their right to the State. This total abandonment asserts Hobbes brought law; “*into the world for nothing else but to limit the natural liberty of particular men in such manner as they might not hurt, but assist one another, and join together against a common enemy*”¹⁰¹. Thus putting the forces at the services of the State makes it possible to put an end to the violence of all and remedying the unbearable state of things.

By contracting, citizens expect peace, security and better living in return. It is precisely to live in peace, without fear for their lives, and to have the means of subsistence necessary for this life that they agreed to submit to the authority of a sovereign. The sovereign therefore has the duty to deploy himself so that the reason for his legitimacy is manifest, making use if necessary, of all the prerogatives. For Hobbes indeed; “*The office of the sovereign, be it a monarch or an assembly, consisteth in the end for which he was trusted with the sovereign power, namely the procuration of the safety of the people, to which he is obliged by the law of nature, and to render an account thereof to God, the Author of that law, and to none but Him*”.¹⁰² But by security, it does not mean here only preservation, but also all the other satisfactions of life, which any man will be able to acquire legally by his own industry, without danger or nuisance for the Republic.

This peace building of Hobbes vested and concentrated all powers in the hands and will of the king making him answerable only to God. The king not respecting any law made by man and depending solely on God will not really help or compelled him to carry-out his duties of respecting the citizens’ will. The fact that, God is the author of these laws of nature, He is not visible to man and without visible enforcement that can induce the king to carry-out his duties by accomplishing the will of the citizens, the king who equally is human endowed with self-interest, will surely pursue his selfish interest to the detriment of that of the citizens which will lead to what Eric Weil refers to as statolatry of modern state. This is whereby the government uses force to instil fear in the citizens and by so doing citizens end up worshipping the state. Jean Jacques Rousseau on his part refers to such contract as master-slave relation. That is to say, this sort of contract will end-up creating a monstrous tyranny in a state which could end-up being worse than the state of nature as held by Raymond Aron.

¹⁰¹ *Ibid.*, p. 164.

¹⁰² *Ibid.*, p. 205.

3.1.2. The ideal State of J.J Rousseau

Jean Jacques Rousseau is a French philosopher of enlightenment who existed as from 1712 to 1778. He is well known with his political philosophy of social contract where he went contrary to the view of Hobbes in regards to the state of nature and the basic foundation of contract. In the history of political thought, Rousseau's influence has been wider and deeper than that of Montesquieu; not only did his influence mould the mentality of his contemporaries, but it also had a strong effect in the following centuries. Even today, we live in an atmosphere more imbued (impregnated) with the ideas of the philosopher of Geneva. With Rousseau, the theory of the social contract is embarking on a new path (or mission). Solving theoretically, the problem of the inadequacy of power to what should be its end, the freedom of men. Rousseau ends up attributing power to the people themselves. Through the social contract, it is a question for Rousseau to know, how men can unite in a political body without giving up their freedoms. It means finding in the social contract, a form of association by which each, uniting with all, obeys only himself and remains as free as before. Rousseau's fundamental theme is human freedom and his analysis of society rests on individual spontaneity which could establish perpetual peace. Before portraying the process to achieve this, he first present the origin and source of conflict among men through which he arrived at social contract as the sole means of attaining a peaceful society.

3.1.2.1. The origin and source of conflicts

Rousseau clearly links economic exploitation and political oppression by seeking an origin of society which allows him to perceive humanity in its historical and political dimension. The unjust social state which he sees in his time can be suppressed, but change can come neither from the state of nature which can no longer exist and which perhaps never existed except in thought, nor from the current social state which is the source of oppression and injustice. Contrary to Hobbes, Rousseau holds that social state instead, is the source of inequalities, suffering and misfortune in which man has lost his dignity and freedom that comes from the state of nature.¹⁰³ More precisely, the recourse to methodological fiction (state of nature) serves or enables him to operate the critique of the society presented to inaugurate a normative thought on what it should be.

The first source of human suffering, Rousseau sees it in the social and economic inequality which makes man unhappy. The *Discourse on Science and the Arts* opens with a

¹⁰³ Jean Jacques Rousseaus, *the social contract or principles of political right*, translated by G.D.H. Cole, London: Dent, 1762, p. 76.

moral and economic critique of wealth. This work is a critical analysis of the economic exploitation by which, the poor are not only in material misery, but also humiliated, distressed and degraded in their conditions of being humans. What scandalized most to Rousseau are the facts that, the rich and the poor maintain relationships of inequality which result in the division of society and the inequality of living conditions.¹⁰⁴ His theory of poverty reveals the moral unworthiness that results from material inequalities. Injustice comes as much from the immorality of the rich as from the humiliation of the poor. In criticizing the social practice of economic selfishness, Rousseau above all denounces the misfortune that results from it, both morally and socially.

In addition, he perceives that the division in the society between rich and poor leads to opposition and a permanent war between men, a war due to private property. In the *Discourse on the origin and foundations of inequality among men*, Rousseau reinforces his first analysis of his theory of economic and social criticisms about our modern society filled with science and arts without moral consideration (morality has lost its value in the face of science). He becomes aware of the violence and the miseries that are at the heart of social life. War, suffering, exploitation are not the result of a state of nature as Hobbes thinks, but the result of political and economic division inherent in the social or civil state itself. Contrary to Hobbes' origin of state, Rousseau states from the idea of an original state of nature where man is innocent and free, a state where there exists a happy agreement of man with nature in primitive innocence and it is by entering in society that man has entered misfortune. Rousseau thus refutes Hobbes' argument which established that, it is in the state of nature that; "man is a wolf to man", and this allows him to make the hypothesis according to which, "evil in man comes entirely from society". The state of nature that Rousseau poses as an original, a hypothetical state is an "ideal state permitting to judge what society has done to man in his oppression and for his misfortune".

For Rousseau therefore, injustice and evil arise from the social development of man but his criticism of progress and civilization does not mean a return to the state of nature. Rousseau wants to define the conditions for a legitimate state in which men would be free and equal. Rousseau sketches by this reflection, a new vision of history by highlighting the creative power of man, if conforms to the state of nature and if basing on social; moral requirement and freedom policy. In order for this new political project to bring man out of his misfortune, civil society must resolve two problems already posed by Hobbes: 1) what is

¹⁰⁴Jean Jacques Rousseaus, *the Social Contract and first and second Discourse*, in *Rethinking the Western Tradition*, edited by Susan Dunn, New Haven and London, Yale University Press, 2002, p. 7.

necessary for the security of the individual for his equality rights to be found in the society and for the disappearance of violence? 2) What will guarantee individual and collective freedom in political life? Thus he asserts ; *In a word, instead of turning our forces against ourselves, let us collect them into a sovereign power, which may govern us by wise laws, may protect and defend all the members of the association, repel common enemies, and maintain a perpetual concord and harmony among us*".¹⁰⁵

3.1.2.2. Democracy as the way out

A free social state which is to be built according to Rousseau must be based on a new social contract through which society will base on the citizens' will, conscience and their ability to seek freedom. Such a society will only be fair if it puts the equality of all before the law that citizens give themselves. Thus he asserts: "*Let us form rules of justice and of peace, to which all may be obliged to conform, which shall give no preference to anyone, but may in some sort make amends for the caprice of fortune, by submitting alike the powerful and the weak to the observance of mutual duties*"¹⁰⁶. Then by will, man can hope to make disappear this evil of which he is the author: "man do not seek the author of evil because it is he himself". General will here are made up of individual wills. By obeying the general will as subjects, citizens obey only themselves as members of the sovereign. The sovereignty of the general will can be absolute without harming the individual will and man by obeying the laws, is not subject to his fellows.¹⁰⁷ Making the government (the prince) a simple civil servant and admitting no limit of sovereignty, Rousseau creates the image of a democracy which may be suitable only for liberal thinkers.

Also, by emphasizing the freedom and the irreducibility of the moral subject, Rousseau opens the way to the "practical philosophy of Kant". The influence of the social contract was great in the 18th century. It extends to the Declaration of Human Rights and to the discourse of revolutionary assemblies. Rousseau's ideas have entered the customs of modern democracy. Rousseau's social contract is the political expression by which individuals exceed their natural freedoms in a civic and political freedom. In this light Susan Dunn affirms: "*The originality of Rousseau's social contract is that the people bind themselves to a contract but do not subject themselves to any authority except that of their own collective will—their 'General Will'*".¹⁰⁸ And, it is only to this extent that the will of

¹⁰⁵ *Ibid.*, p. 125.

¹⁰⁶ *Idem.*

¹⁰⁷ *Ibid.*, p. 276.

¹⁰⁸ *Ibid.*, p. 10.

individuals is exceeded in a general will which is the expression of the sovereignty that each acquires over himself and as a people. Instead of being the ultimate instance of revolt, the people become sovereign and the prince being no more than the executive subordinate to the legislature held by the people.

The sovereignty of Rousseau's opinion being inalienable, the only legitimate state is that where the people themselves exercise their sovereignty, that is to say the republican state. In *The Social Contract* (1762), Rousseau defined the principles of a political society in which men would be as free and equal as they were in the state of nature. The social contract which is the pact instituting the idea of such a society, means that each of our wills, our person and all our power are placed under the supreme direction of the general will. Far from associating to submit, the members of society unite to constitute the "people" who are the sovereign. Thus, Susan affirms; *"the only legitimate social contract, according to Rousseau, is one in which the people themselves are sovereign. Their sovereignty, like their freedom, is unalienable, and they may not transfer their sovereignty to anyone else or submit to the will of any others"*.¹⁰⁹ This means that the general will is the will of all and of everyone. In such a society, the condition of each man is equal and man is free because he obeys a law of which he is at the same time the author: *"since no one is unjust to himself; nor how we are free and yet subject to the laws, since the laws are only registers of our wills"*¹¹⁰. The law, far from using or employing force, obliges each member of the contract. In such a society called "Republic", the executive power must be subordinated to the legislative power which is that of the people.

The act of sovereignty according to Rousseau is not a convention of the superior with the inferior, but a convention of the body with each of its parts. Rousseau condemns both the alienation of sovereignty by ways of submission pact such as that of Hobbes: Its representation here embodies the unity of the State, which would lead to a definitive depression of the instituting people, consecrating their subjugation in an irreversible relationship of inferiority to the prince. In this line, Robert N. Bellah illustrates;

*Rousseau refutes the idea that the social contract is based on acquiescence to the rule of the stronger. However deluded the poor and the weak are when they are persuaded to enter the social contract, they do so believing that what they give up in the way of freedom of action will be returned to them by the rule of law, to which all, rich and poor, ruler and ruled, are to be subject.*¹¹¹

¹⁰⁹ *Ibid*, p. 10.

¹¹⁰ *Ibid*, p. 179.

¹¹¹ *Ibid*, p. 274.

Rousseau holds that in the state of nature, each man exercises sovereign right over himself. Therefore, an individual should not transfer his rights to the community unless he participates in the general will which is that of the State. It is the passion for unity that seems to animate the social contract: the unity of the social body, subordination of particular interests to the general will, reign of virtue in a nation of citizens. Thus Rousseau affirms; “*Each of us puts in common his person and all his power under the supreme direction of the general will; and in return each member becomes an indivisible part of the whole.*”¹¹² Therefore, the need of a social contract by which everyone unites with all: the contract is made with the community, that is to say, it is not a contract between individuals, nor a contract between individuals and the sovereign.

Here, each association is united to all and does not unite to anyone in particular. He obeys himself and remains as free as before. In social contract, the individual alienates his rights and his freedom (his person) to the community and undertakes to submit to the common law. He renounces himself as a particular will, he places himself under the supreme direction of the general will, that is to say, under a universal rule. By doing so, the individual remains reasonable and free. Reasonable because he submits his will to the universality of the law; free because he obeys only laws that he himself has consented to. Thus, the two essential ideas of Rousseau’s philosophy are the idea of the sovereignty of the people and that of social equality.

Rousseau therefore appears to be the precursor of democratic idea and socialism. To those who are seduced by the golden age of the future, Rousseau recalls the ancient lessons of wisdom and good citizenship: “there is no peace or happiness for man if he does not moderate (temper or control) his desires and do not obey the laws. Rousseau affirms thus: “*Each man would perform his duty; the people would be obedient to the laws, the leaders would be just and moderate, and the magistrates upright and incorruptible*”.¹¹³ It is the saving (or liberating) mediation of the law that entitles (designate or enables) humanity in us. Thus, Rousseau appears in his analyses sometimes, as moralist, sometimes political: On the one hand, it belongs to the tradition of moralist philosophers who state that, being free is not doing what you want, but what you have to do. In this sense, Rousseau is in continuity with his predecessors by linking justice, morality, virtue and freedom. On the other hand, he supports the idea of a less noble and less ideal freedom: that which consists in one not being subjected to another man. These arguments prove that, depending on another man is slavery because

¹¹² *Ibid*, p. 164.

¹¹³ *Ibid*, p. 250.

freedom consists of not having a master. Depending on the institutions is harmless as he considered institution in his social contract not to be a threat to freedom. It therefore shows that any hindrance to human freedom from fellow man could result to conflict and the contrary could lead to peace.

In Rousseau's opinion, the image of a king or a prince is that of a master, a tyrant, and enemies of freedom which bring about inequality, injustice, slavery and conflicts. His dream is the Republican State because he illustrated that, things should be organized in such a way that each citizen is perfectly independent of his fellow citizens and excessively dependent on the Republic. Indeed, dependence on the State guarantees non-dependence on the monarch. One cannot be a slave to the state since it is the result of political freedoms. Therefore, to him when power and decision making is concentrated in the hands of an individual (which is the monarch or prince), or individuals, it poses a threat to human freedom which entails the absence of peace. The only way to maintain and keep peace is to establish a political system where each and every one is a legislator and a sovereign, and the rulers are just the executors.¹¹⁴ This will further enable equality of all before the law and thus peace in the State. The social contract founds the social being of man, but it is the law that founds his political being. In fact, the individual man is not political, but he becomes so by moral obligation and by the need to regulate the relations of property and those of power.

History according to Rousseau shows that if society is not regulated by law, only interest groups or individuals (monarch or tyrant) exercise power and confiscate it from the people. The latter (the people) is then totally dependent on the arbitrariness of a man (monarch or tyrant) or a fraction (interest groups) because it is not politically constituted as a sovereign people. The law makes it possible to limit the power of the sovereign because it is the law that regulates the contract between governors and governed. This contract puts an end to the arbitrary and poses governs and governed in a relation of equality: the law is the guarantor of this equality of which it determines the models and the political content. As a first principle of the law, every individual is equal before the law since the law was constituted by everyone.¹¹⁵ This contract does not only avoid the arbitrary, but also founds the Republic. This becomes a system of government based on the law that guarantees political contract of reciprocities (qualifier of reciprocal obligation) and of equality between governor and governed, citizen and power.

¹¹⁴ *Ibid*, p. 200.

¹¹⁵ *Ibid*, p. 273.

Power is therefore only legitimate if it is the product of a political contract guaranteed by law and based on the principles of equality and freedom. Legitimacy does not come from God or a monarch; it is the product of a common will guaranteed by law and always revocable by the contracting parties. Rousseau therefore, becomes the author of this new idea of 18th century, whereby the people are the legitimate source of their own power. Rousseau, through his contract, wanted to deal simultaneously with the desire for happiness of individuals and the political dimension of communities and States. Rousseau sees this possible happiness in the republican idea of equality. His political doctrine allows one to glimpse the liberation of man from the “misfortune of history”. How man who was “*Man was born free, and everywhere he is in chains*”,¹¹⁶ as he asserts, can find the sufficient means to reconcile his individual aspirations for happiness and his political aspirations for justice and equality. This is why this work sounds in the 18th century as the awakening of moral and political conscience against all denaturation.

The social contract on the last line was the spearhead of the French Revolution which broke the ancient monarchical order of divine law. It introduces into the history of political theory a revolution which is now irreversible; the political equality and dignity (freedom) of every man guaranteed by popular sovereignty. And by calling the Article 1 of the DDHC (Déclaration des Droits de l’Homme et du Citoyen) of 1789: “*All men are born free and equal in law*”, it is essentially to Rousseau that we owe this maxim, it is really always new.

This peace building of Rousseau is based on the respect of general will. This general will as define by him as that which constitute each and every-one’s will in a state. Looking on this his theory of respecting the general will for peace and security to reign in a state, it will make one to pose the question on how far every individuals’ will could be constituted in the general will? Under which measures could these individuals wills constitute the general will? This is to show that, once these questions are not answered, the peace building of Rousseau remains illusory. Man by nature will never like to see the will of his fellow colleagues dominating his/her own, talking less of respecting it. Also, the possibility of assembling each and every-one’s will to constitute the general will seems an impossible mission regarding the diversity and distinctions in the ideological view of man. With this ego in man, there can often be conflict in the states which could render this peace building of Rousseau unachievable.

¹¹⁶ *Ibid*, p. 156.

3.1.3. Kant's theory of perpetual peace

Emmanuel Kant, a late 18th century German philosopher of enlightenment, lived as from 1724 to 1804. Kant who based his philosophy on reason, individual autonomy and responsibility, perceived beyond the happening of his time, the possibility of perpetual peace through democratisation of the world¹¹⁷. Kant perceived perpetual peace as a reality: "*For Kant perpetual peace is an ideal, not merely as a speculative Utopian idea, with which in fancy we may play, but as a moral principle, which ought to be, and therefore can be, realised*".¹¹⁸ This according to him could be realised only when political facts are honestly faced and the indispensable conditions of a lasting peace get a firm grasp. He demonstrates how the perpetual peace can come about among States, the conditions and how the perpetual peace could be guaranteed.

3.1.3.1. Perpetual peace among States

Kant's theory of the beginning of society is practically identical with that of Hobbes but differs on the aim of nature, which is that of perpetual peace. Men are by nature imperfect creatures, unsociable and untrustworthy, cursed by a love of glory, of possession, and of power, passions which make happiness something for ever unattainable by them. Thus he asserts; "*War itself, however, is in need of no special stimulating cause, but seems engrafted in human nature, and is even regarded as something noble in itself to which man is inspired by the love of glory apart from motives of self-interest*".¹¹⁹ For him, nature put in man unlimited desire and quest through individual freedom and free will express either through instinct or reason. The aspect of individual desire and quest through instinct is what he refers to as spirit of destruction which opposes sociability while the aspect of reason enables man to enter into social life. It is this conflicting nature of man that enables him to discover all providence of nature. This because according to him, it is in this long period of struggle in the society, that the potential faculties which nature or Providence has bestowed upon man, reaches their full development. The processes in which this evolution takes place is what according to him, is called history. This means that history is the process of arriving at perfection.

Reason, says Kant, does not itself work by instinct, but requires experiments, exercise and instruction in order to advance gradually from one stage of insight to another. Hence each

¹¹⁷Emmanuel Kant, *Perpetual Peace: A Philosophical Essay*, translated with introduction and notes by M. Campbell SMITH, London, George Allen & Unwin Ltd, 1795, p. 59.

¹¹⁸ *Ibid.*, p. vii.

¹¹⁹ *Ibid.*, p. 151.

individual man would necessarily have to live an enormous length of time, in order to learn by himself how to make a complete use of all his natural endowments. This means that what nature employs to bring about this development of all the capacities implanted in men, is their mutual antagonism in society, what Kant calls “*the unsocial sociality of man, - that is, a tendency to enter the social state, combined with a perpetual resistance to that tendency which is continually threatening to dissolve it.*”¹²⁰ Without these, according to him, all the excellent natural capacities of humanity would have slumbered undeveloped. Man’s will is for harmony but nature knows better what is good for man and this, nature brought to accomplishment through antagonism. Man would like a life of comfort and satisfaction, but nature wills that he should be dragged out of idleness and inactive content and plunged into labour and trouble, in order that he may be made to seek in his own prudence, the means of delivering himself from them. The natural impulses which prompt this effort, the causes of unsociable and mutual conflict out of which so many evils spring, up are also in turn the spurs which drive man to the development of his powers.

For Kant therefore, nature has given to man reason and freedom of will, and has determined that through these faculties and without the aid of instinct, man shall win for himself a complete development of his capacities and natural endowments. Here Kant deviates from Hobbes by holding that the capacities implanted in man by nature are not all for evil: they are, he says: “*Destined in the end to develop themselves perfectly and agreeably to their final purpose.*”¹²¹ This final purpose of humanity is the evolution of man from the stage of mere self-satisfied animalism to a high state of civilisation: which according to him is the state of perpetual peace whereby through reason, man is to attain a perfect culture, intellectual and moral ways of life. Thus he asserts;

*Individual men, and even nations, are little aware that, whilst they are severally pursuing their own peculiar and often contradictory purposes, they are unconsciously following the guidance of a great natural purpose which is wholly unnoticed by themselves, and are thus promoting and making efforts for a great process which, even if they perceived it, they would in little regard.*¹²²

The problem that arises is how men will live together, each free to work out his own development, without at the same time interfering with the liberty of another on the part of his neighbour? The solution of this problem according to him is the formation of a State where the liberty of each member is guaranteed and its limits strictly defined. A perfectly just civil

¹²⁰ Emmanue Kant 1, *Idea of a universal history from a Cosmo-political point of view*, in Delphi Classics, *Collected Works of Immanuel Kant*, Series Seven; version 1, Delphi printing press, 2016, p. 546.

¹²¹ *Ibid.*, p. 543.

¹²² *Ibid.*, p. 542.

constitution administered according to the principles of right, would be that under which the greatest possible amount of liberty could leave each citizen within these limits. Like Hobbes, Kant holds that the direct cause of this transition from a state of nature and conditions of unlimited freedom to civil society with its coercive and restraining forces is found in the evils of that state of nature. That is to say, a wild lawless freedom becomes impossible for man to achieve peace and tranquillity thus compelled him to seek protection by entering into civil society through reason and free will. Man living in uncertainty and insecurity renders his liberty worthless that he cannot peacefully enjoy it. For this peace, man voluntarily gave up some part of his independence and embrace socialisation through civil state. Therefore the establishment of the State is in the interest of his development to a higher civilisation which serves as the guarantee for his existence and self-preservation. This is the sense in which Kant like Hobbes regards the State as “based on a contract,” which for him must be on the free will of all and not on the will of a leviathan.

All social orders are therefore the fruits of the providence of nature. That is why for him, the provisions made by nature are as follow: “(1) she has taken care that men can live in all parts of the world; (2) she has scattered them by means of war in all directions, even into the most inhospitable regions, so that these too might be populated; (3) by this very means she has forced them to enter into relations more or less controlled by law.”¹²³ All wars are therefore the attempts nature makes to bring about new political relations among nations such as the relation among few nations: These relations which, in their very nature, cannot be and are not desired to be permanent. The problem of the establishment of a perfect civil constitution cannot be solved according to him, until the external relations of states are regulated in accordance with principles of right. For, even if the ideal internal constitution were attained, what end would it serve in the evolution of humanity, if for instance commonwealth organisations are to remain like individuals in a state of nature, each existing in uncontrolled freedom, the world will remain in state of nature. Thus, such condition of relation again cannot be permanent. Nature uses the same means as before to bring about a state of law and order.

Equally for Kant, law and justice will reign among nations, when a legally and morally perfect constitution adorns the State. External perpetual peace according to him, pre-supposes internal peace in all aspect; civil, social, economic, and religious peace. Kant demands for a moral regeneration of man that starts from within to external relation. That is to say, there

¹²³Emmanuel Kant, *Perpetual Peace: A Philosophical Essay*, p. 141.

must be perfect honesty in national and international dealings, good faith in the interpretation and fulfilment of treaties and so, basing on reason and right. Again for him, every state must have a republican constitution; Kant understands a constitution as that which is in accordance with the spirit of right. This is to say that, reformation starts at home by looking first to the culture and education and morals of citizens, then to foreign relations. Therefore, the state which does not look to the enlightenment and liberty of its subjects must fail in the race. But the advantages of a high state of civilisation are not all negative. The more highly developed the individuals, who form a state, the more highly developed is its consciousness of its obligations to other nations. Thus, in the ignorance and barbarism of races lies the great obstacle to a reign of law among states.

For Kant therefore, through the providence of nature, there must be a relation designed by reason basing on right among individuals which forms a State, among nations of commonwealth and then among nations of the world under international society where comes the perpetual peace. Thus, these combinations will go on succeeding each other, until at last a federation of all powers is formed for the establishment of perpetual peace. This is the end of humanity, demanded by reason. Justice will reign, not only in the state, but in the whole human race when perpetual peace exists between the nations of the world. Now, when men are perfect-and what would this be but perfection-how can there be war? Perpetual peace here, is therefore a design aimed at achieving by nature through its providence in the course of history which is Kant's "idea for a Universal history": "*A philosophical attempt to compose a Universal History, in the sense of a Cosmopolitical History, upon a plan tending to unfold the purpose of Nature in a perfect Civil Union of the Human Species (...), is to be regarded as possible, and as capable even of helping forward this very purpose of Nature.*"¹²⁴ This calls on mankind and States to collaborate and hastening this purpose of nature.

3.1.3.2. Conditions and guarantees of perpetual peace

Here, Immanuel Kant provides means through which mankind could cooperate with nature to attain perpetual peace. These means are of two kinds: The first condition has to do with the evils that need to be removed (negative conditions) and secondly, the general positive conditions which will make the realisation of this idea possible and guarantee the permanence of an international peace once attained. These negative and positive conditions Kant calls Preliminary and Definitive Articles respectively: The Preliminary Articles of a treaty for perpetual peace are based on the principle that anything that hinders or threatens the

¹²⁴ Immanuel Kant, *Idea of a universal history from a Cosmo-political point of view*, p. 553.

peaceful co-existence of nations must be abolished. These conditions comprise six Preliminary Articles while definitive articles comprises of three articles. Definitive articles of a treaty for perpetual peace must base on reason, right and an honest desire for peace.

⇒ **Negative conditions: Preliminary articles**

1- The first preliminary article denounces any form of peace treaty that aimed at future war: “*No treaty of peace shall be regarded as valid, if made with the secret reservation of material for a future war.*”¹²⁵ In other word, a treaty of any sort that is meanly for the purpose of war, needs to be avoided and rejected. Be it religion, economically, socially, or politically, with the aim of fortifying for future war, is to be renounced and uprooted.

2- Here, Kant is denouncing any act that tries to make a State a property such as Machiavelli’s principalities whereby the prince rules the State as an acquired property: “*No state having an independent existence whether it be great or small-shall be acquired by another through inheritance, exchange, purchase or donation.*”¹²⁶ Therefore, for him, a State is not a property but “*a society of human beings over whom no one but itself has the right to rule and to dispose. Like the trunk of a tree, it has its own roots, and to graft it on to another state is to do away with its existence as a moral person and to make of it a thing*”.¹²⁷ Hence it is in contradiction with the idea of Hobbes’ contract: whereby everyone wills their powers to the leviathan which gives him the right over the people but for Kant, no right over a people is thinkable.

3- Again a nation, when in a state of peace, must do nothing to threaten the political independence of another nation or endanger its existence: “*Standing armies shall be abolished in course of time.*”¹²⁸ This aimed at abolishing any form of preparation for or against war: “*For of the three forces, the power of arms, the power of alliance and the power of money, the last might well become the most reliable instrument of war*”¹²⁹. For him, such preparations always threaten other States by appearing to be in constant readiness to fight. Thus, according to him, “*they incite the various States to outrival one another in the number of their soldiers, and to this number no limit can be set*”.¹³⁰ That is the reason why he affirms that, “*these standing armies are themselves the cause of wars of aggression, undertaken in order to get*

¹²⁵ Emmanuel Kant, *Perpetual Peace: A Philosophical Essay*, p. 107.

¹²⁶ *Ibid.*, p. 108.

¹²⁷ *Ibid.*, p. 109.

¹²⁸ *Ibid.*, p. 110.

¹²⁹ *Ibid.*, p. 111.

¹³⁰ *Ibid.*, p. 110.

*rid of this burden*¹³¹. Also for him, using men as a mere killing machine and instruments in the hands of another namely, the State¹³² is not to be allowed because it defiles the right of humanity and cannot enable reconciliation.

4- The National Debt is regarded here as another standing danger to the peaceful co-existence of nations: “*No national debts shall be contracted in connection with the external affairs of the state.*”¹³³ That is to say, any help or debts that serves as a point of contract implicating the external affairs of the State, needs to be prohibited because it has high probability of suspicions and could implicate other innocent ones in the case of bankruptcy. Thus he affirms, “*the prohibition of this system must be laid down as a preliminary article of perpetual peace, all the more necessarily because the final inevitable bankruptcy of the state in question must involve in the loss of many who are innocent*”¹³⁴.

5- In this article, Kant is demarcating the right of an independent nation which calls for the principle of non-intervention: “*No state shall violently interfere with the constitution and administration of another.*”¹³⁵ This does not hold in the case of a state which has become split up through internal corruption into two parts, each representing itself as individual State. Here, according to him, “*the yielding of assistance to one faction could not be reckoned as interference on the part of a foreign state with the constitution of another, for here anarchy prevails*”¹³⁶. But any contrary to this, “*the interference of other powers would be a violation of the rights of an independent nation which is only struggling with internal disease*”.¹³⁷

6- The sixth preliminary article aimed at refuting any war that undermines human value and perpetual peace: “*No State at war with another shall countenance such modes of hostility as would make mutual confidence impossible in a subsequent state of peace: such are the employment of assassins or of poisoners, breaches of capitulation, the instigating and making use of treachery in the hostile state.*”¹³⁸ War for Kant is only a “*wretched expedient of asserting a right by force*”¹³⁹, an expedient adopted where no court of justice exists which could settle the matter in dispute and as such, neither of the two parties can be called an unjust enemy: “*Between States, however, no punitive war is thinkable, because between them a*

¹³¹ *Ibid.*, p. 110.

¹³² *Idem.*

¹³³ *Ibid.*, p. 111.

¹³⁴ *Ibid.*, p. 112.

¹³⁵ *Idem.*

¹³⁶ *Ibid.*, p. 113.

¹³⁷ *Idem.*

¹³⁸ *Ibid.*, p. 114.

¹³⁹ *Ibid.*, p. 114.

*relation of superior and inferior does not exist*¹⁴⁰. Any form of war where the process would bring about perpetual peace only in the great graveyard of the human race, must be absolutely forbidden.

⇒ **Three positive conditions that guarantee perpetual peace**

I- The first Definitive Article requires that the constitution of every State should be a republican one in order to guarantee perpetual peace: “*The civil constitution of each state shall be republican.*”¹⁴¹ What Kant meant by this term republican, is that, in the state, law should rule above force and its constitution should be a representative one that guarantees public justice. The constitution should base on freedom and equality of its members and their mutual dependence on a common legislature: whereby every citizen is a legislator. That is to say, an internal constitution that is firmly established on the principles of right, non-partisans which does not only aimed at annihilating the seeds of national hatred and diminish the likelihood of foreign war, but also to get rid of any source of revolution and discontent within the state.

For this sphere to come to realisation Kant says that; “*The pinions of philosophers, with regard to the conditions of the possibility of a public peace, shall be taken into consideration by States armed for war.*” The republican political system adhered to by Kant is that which the dignity of the legislative authority of a state has the attribute of all wisdom to ask advice from subjects about its rules in relation to other states: among these subjects are found philosophers whose vocation is towards that direction. Contrary to Plato, Kant asserts;

*“The kings should philosophise, or philosophers become kings, is not to be expected. But neither is it to be desired; for the possession of power is inevitably fatal to the free exercise of reason. But it is absolutely indispensable, for their enlightenment as to the full significance of their vocations, that both kings and sovereign nations, which rule themselves in accordance with laws of equality, should not allow the class of philosophers to disappear, nor forbid the expression of their opinions, but should allow them to speak openly.”*¹⁴²

This portrays that philosophers for him, are of great important and have great role to play for the realisation of peace in a State as well as to the realisation of perpetual peace in the world.

2- The second definitive article requires the law of nations to be based upon a federation of Free States: “*The law of nations shall be founded on a federation of free States.*”¹⁴³ This does not mean forming one nation out of many but rather, many nations working in harmony under

¹⁴⁰ *Ibid.*, p. 115.

¹⁴¹ *Ibid.*, p. 120.

¹⁴² *Ibid.*, p. 160.

¹⁴³ *Ibid.*, p. 128.

a unified law. Kant is inclined to approve of the separation of nations by language and religion, by historical and social tradition and physical boundaries: for him, nature condemns the idea of a universal monarchy or republic. He used the analogy of a tree to defend this fact and demonstrates a solution:

“Like the trunk of a tree, it has its own roots, and to graft it on to another state is to do away with its existence as a moral person, and to make of it a thing”.¹⁴⁴ “just as trees in a forest, for the very reason that each endeavours to rob the other of air and sun, compel each other to shoot upwards in quest of both, and thus attain a fine erect growth, whereas those which stand aloof from each other under no mutual restraint, and throw out their boughs at pleasure, become crippled and distorted”.¹⁴⁵

This is to say that, the only way to establish a system of international law according to which practice can be possible is that of the society of nations whereby through international law, each State could be able to develop without crashing with the other. This according to him, would be perhaps the surest way to attain and guarantee perpetual peace. Kant maintains that just as peace between individuals within a state can only be permanently secured by the institution of a “republican” that is to say, a representative government, so the only real guarantee of a permanent peace between nations is the establishment of a federation of free “Republican States”.

Such a union in the interests of perpetual peace between nations would be the “highest political good.” The relation of the federated States to one another and to the whole would be fixed by cosmopolitan law: For states, in their relation to one another, there can be, according to reason, no other way of advancing from that lawless condition which unceasing war implies, than by giving up their savage lawless freedom, just as individual men have done, and yielding to the coercion of public laws. Thus, forming a state of nations, one which will be ever increasing and would finally embrace all the peoples of the earth, becomes a necessity. And Kant does, regards it as a duty for mankind to seek perpetual peace: “*We must desire perpetual peace not only as a material good, but also as a state of things resulting from our recognition of the precepts of duty*”¹⁴⁶. If the end of perpetual peace is a duty, then it must be deduced necessarily from this general law.

3- At this juncture, the intercourse of nations is to be confined to a right of hospitality: “*The rights of men, as citizens of the world, shall be limited to the conditions of universal hospitality.*”¹⁴⁷ This right to hospitality, that is to say, the privilege that strangers have in

¹⁴⁴ *Ibid.*, p. 109.

¹⁴⁵ Immanuel Kant, *Idea of a universal history from a Cosmo-political point of view*, p. 547.

¹⁴⁶ *Ibid.*, p. 977.

¹⁴⁷ Emmanuel Kant, *Perpetual Peace: A Philosophical Essay*, p. 137.

entering foreign territories, should not precede what is implied in the permission conditions to the extent of considering a comparison with the original inhabitants. As such, “*far distant territories may enter into peaceful relations with one another. These relations may at last come under the public control of law, and thus the human race may be brought nearer to the realisation of a cosmopolitan constitution.*”¹⁴⁸ Kant does not mean a sphere of “philanthropy” here, but a sphere of right: “*in this sphere hospitality signifies the claim of a stranger entering foreign territory to be treated by its owner without hostility.*”¹⁴⁹ For Kant, so long as the stranger comport himself peaceable without violating the conditions of his/her stay, the stranger must not be treated as an enemy or wrongly because it is the right of everyone to stay wherever he/she chooses to, on the surface of the earth. Thus, he asserts;

*This right to present themselves to society belongs to all mankind in virtue of our common right of possession on the surface of the earth on which, as it is a globe, we cannot be infinitely scattered, and must in the end reconcile ourselves to existence side by side: at the same time, originally no one individual had more right than another to live in any one particular spot.*¹⁵⁰

This cosmopolitan right is what according to him, nature aimed at accomplishing in the course of Universal history and this could be fulfilled in perpetual peace which is the main goal of nature. That is to say, a sphere where everyone stays in peace with his/her neighbours without discrimination of any sort. It is this sphere, which according to him must one day be brought to reality by nature through her providence that perpetual peace will be guarantee.

In regards to the political system of the republic postulated by Kant which is based on political freedom whereby individual freedom in the state is to be based on the equality of all, was equally the view of Rousseau. This Kantian postulation demands, as presented by Karl Popper, “*that the state should limit individual freedom only to the extent made necessary by human coexistence, and that this necessary limitation should apply to all citizens as equally as possible*”.¹⁵¹ But this postulation did not provide any criterion thus Popper asserts that “*this genuinely Kantian principle shows that the problem of political freedom is at least conceptually solvable. But it does not provide us with a criterion of political freedom*”.¹⁵²

Also, looking into the solution Emmanuel Kant provided to make this political freedom possible, one could see that the possibilities of each and every one in a state setting his/her will in such a way that the will could be considered universal, cannot be possible. This

¹⁴⁸ *Ibid.*, p. 139.

¹⁴⁹ *Ibid.*, p. 137.

¹⁵⁰ *Ibid.*, p. 138.

¹⁵¹ Karl Popper, *All life is problem solving*, translated by Patrick Calliller, London and New York, Routledge; Taylor and Francis group, 1999, p. 89.

¹⁵² *Idem.*

is because perception differs depending on background and culture of individuals and as such rendering it difficult to be achieved as he himself didn't define the measures or strategies for the achievement of this proposal. It is in this light that Eric Weil holds the view that this Kantian proposition lacks the process of achievement and thus cannot be realisable.

On the other hand, this perpetual peace of Kant which bases on the relation of federated States, as Aron suggested in his "praxeological" exploration was the "Kantian" problem of universal peace. Here, it means that one way to address both the need for a community of culture and to move toward universal peace would be to pursue international federation. But could the world become a giant Switzerland or United States of America? Turning to the German theorist Carl Schmitt, Aron regards such an outcome as a utopia thus an idealist illusion. This is because despite the need of idealism, man is first of all vested with egoism that needs to some extent, some realistic measures.

3.2. PEACE BUILDING PROJECT IN CONTEMPORARY PHILOSOPHY

Contemporary period which is said to start in the late 18 century experienced rupture from the view point of modern philosophers as regards their peace building projects that was centred on decentralisation of power. The contemporary philosophers regard the peace building project of modern philosophers as being more of theoretical than practical, that is to say, such peace project cannot be realised. Thus, the quest to match these peace building projects with practice through a liberal State was one of their preoccupations. Amongst the modern philosophers includes Eric Weil, Raymond Aron and Karl Popper whose works are of great influence even in our present day in regards to peace building.

3.2.1. Raymond Aron's conception of peace and war among Nations

Raymond Aron's life and work are deeply intertwined with the violent history of the twentieth century. He was born in March 1905, 9 years before the Great War and 12 years before the Bolshevik Revolution, and he died in 1983 at the centre of the European missile crisis, that last avatar of the Cold War before the fall of the Berlin Wall and the collapse of the Soviet Union in 1989.¹⁵³ Raymond Aron is one of the greatest figures in French liberalism of the twentieth century. In the tradition of Montesquieu, Constant, Tocqueville, and Élie Halévy, he is part of the French school of political sociology. His liberalism, his lucidity in the face of the upheavals of that period, and his posture as a committed observer anxious to ensure consistency among his thoughts, words, and deeds, gave him a unique place among

¹⁵³ Davis Reed, *A politics of understanding the international thought of Raymond*, Louisiana State University Press, 2009, p. 5.

French intellectuals, distinguishing him both from his masters such as Alain, Léon Brunschvicg, and Célestin Bouglé, and his contemporaries Jean-Paul Sartre, Nizan, and Simone Weil.

The great French liberal Raymond Aron would not have been surprised at the stubborn persistence of politics. Starting from the recognition of the partial state of nature among states, Aron developed in *Peace and War* an array of analytical tools for thinking about international relations. These tools fall under four headings: theory, sociology, history, and “praxeology”¹⁵⁴. Through these, he portrays that politics cannot be get rid of because man cannot do without it. Also, that conflict is embedded in human nature and as such cannot be eliminated completely but could rather be controlled and put in check through “morality of prudence”. Thus, with Raymond Aron, there is a room to think that, “if the root of war is in the society itself, wisdom begins by its accommodating”. As such, like Hobbes he disclosed the foundation of war and violence in the circulation of life and the possibility of attaining peace.

3.2.1.1. The foundation of war and violence in the circulation of life.

For Raymond Aron, war is inscribed in human nature. This is expressed or seen in his aggressiveness and his combativeness. It is convenient therefore, to talk here about instinct, and conservation or survival. That is why Raymond Aron holds the view that all individuals inherit certain aggressiveness and has a clear biological root of combativeness. This ontological rooting of belligerency (war) will be the function of the situations by which man will be confronted or faced in his existential activities. Raymond Aron evokes two particularities: Biological and Psychological Roots and Social Roots.

⇒ Biological and Psychological Roots of war

According to Aron, “*Biologists call aggressiveness the propensity of an animal to attack another, of the same species or of a different species*”.¹⁵⁵ In regards to this view of Biologists, animals and humans have biological and psychological combativeness in their nature with the one of humans, being superior among primates: “*The human race is situated on the upper part of the aggressiveness scale among the primates. Man, as an animal, is relatively combative—in other words, a slight stimulus is enough to release aggression*”.¹⁵⁶ In line with what Biologists have proven, Aron portrays that what stimulate war among animals

¹⁵⁴ That is to say, that which is right and wrong among states, as distinct from within a state.

¹⁵⁵ Raymond Aron, *Peace & War: A Theory of International Relations*, New York, ROUTLEDGE Taylor & Francis Group, 2017, p. 340.

¹⁵⁶ *Ibid.*, p. 341.

as well as men comprises of the protection of one's territory, quest for food and the possession and protection of their women. Thus he asserts;

*Certain mammals live in peace as long as each group does not leave what it appears to regard as "its territory"; on the other hand, an individual belonging to another group is attacked and repulsed if it crosses the line of separation. Food and females are the other frequent stimuli of animal aggressiveness, although the diversity is extreme from one species to the other.*¹⁵⁷

According to Raymond Aron, the need of determining and protecting one's territory is the first source of conflict. In other word, all the living beings have in their mind the safeguarding of their vital space. That is, all living beings are conscious of the need to protect and keep their space of occupation (territory) which for them is very vital. As far as this living being is troubled or disturbed, then war will follow. This is verifiable from animals as well as from human beings.

The second one is food; the quest for the means of subsistence (life sustenance), is equally identified as a habitual factor which starts from aggressiveness and then to violence. In this light, he affirms that "*the peoples who fear they will no longer find food or the raw materials they need, who believe themselves threatened by hunger or unemployment, are ready for anything. In order to survive, they fling themselves upon their enemies. Then the true wars break out, in accord with their essence*".¹⁵⁸ This goes in line with the popular saying "a hungry man is an angry man". In other word, when man is hungry, he can do anything possible to get food. Therefore, the quest for food for life sustenance is one the pertinent factor that stimulates war.

Woman is the third stimulus of war according to Aron, that is to say, the question of woman as the source of conflict refers to the necessity of controlling the means of prestige and dignity. This is why he asserts that "*the war whose stake is the conquest of women or hunting grounds can also be a source of prestige, it can be controlled as competition is controlled or, like festivals, furnish an outlet for impulses*".¹⁵⁹ This explain situations whereby some men act bravely in order to draw or attract the attentions of women, some fight to protect and keep their women from being taken away from them and while others kill their fellow men to possess their women. In line with psychologists, Aron portrays that man as a superior combative animal among the primates, "*is moved by impulses—sexuality, the desire for possession, the will to supremacy, which put him in competition with his kind and, almost*

¹⁵⁷ *Ibid.*, p.341

¹⁵⁸ *Ibid.*, p. 358.

¹⁵⁹ *Ibid.*, p. 353.

inevitably, in conflict with some among them. Of course, he does not feel the need for combat as he feels the need for food or sexual satisfaction"¹⁶⁰

Also, frustration is another factor invoked by Aron as one of the stimulus of war: "*The aggressive primate man is prompt to respond with violence to pain or frustration*".¹⁶¹ For him, one is frustrated when he is denied or deprived of his rights such as food, affection, and freedom. Man under certain frustration does not manifest his aggressiveness externally but remains internal. Such frustrated men according to him, "*does not manifest his aggressiveness externally, but far from being "at peace" internally, he is quite agitated with repressed fury, with contained hostility*".¹⁶² On the other hand, certain frustration can stimulate men to act violently and aggressively thus he asserts;

*Man does not fight his kind by instinct, but he is, at every moment, the victim and the executioner of his fellow man. Physical aggression and the will to destroy are not the only response to frustration, but they are one of the possible responses and perhaps the spontaneous one. In this sense the philosophers were not mistaken to consider that man is by nature dangerous to man.*¹⁶³

This portrays that frustration endanger individual and communal peace. That is to say, frustration can be regarded in two angles, one that disturbs internally and manifest itself in behaviour and the one that manifest itself externally through physical agitation. The one that manifest through physical agitation is that which leads to war.

⇒ **Social Root of war**

Above aggressiveness and of combativeness, Raymond Aron introduced another parameter which permits the explanation of the social foundation of war. It means the competitions that necessarily sprout-out of rivalry. In this title, war is a specific social phenomenon which permits to affirm that socialisation does not juxtapose individual aggressiveness: it extends to its increase. This will be illustrated under societal exposition of natural belligerence, and the political and economic root of war.

Societal exposition of natural belligerence: For Aron, society is a frame of expression or the exposition of natural belligerence. He demonstrated that modern and contemporary society is the theatre of all war and the laboratory where all conflicts are presented. In an effect, he asserts, "*within states, socialization multiplies the occasions, stakes and motivations of inter-individual and inter-group conflicts, but it also multiplies the instruments of non-violent solutions. Between states, it multiplies the occasions, stakes and motivations of conflict, but*

¹⁶⁰ *Ibid.*, p. 344.

¹⁶¹ *Ibid.*, p. 355.

¹⁶² *Ibid.*, p. 343.

¹⁶³ *Ibid.*, p. 344.

without any counterbalance".¹⁶⁴ Such analysis is manifested as a rupture to the ideal contractualists who present the paradigm of social contract as a panacea of living together. Contrary to Hobbes, war for Aron therefore manifests itself more in the society than in the state of nature.

In the most general sense, one need to invoke here what Nietzsche called the will of power which acts in the way that desires the possessions of the other who is pursuing the same goal, thus the two individuals or groups ends up by entering into conflict. In other word, despite the laws meant to govern the living together, the safety of societal life still need to be envisaged or visualised in "relation to the use force". The powerful even in the account of law, will still want to dominate or attracts the better part of a given situation. At all time, this "power struggle" can equally benefit the weaker one thus, Raymond Aron presents:

*The conflict which the violence provokes is inter-individual although it explodes within a society. The sometimes spontaneous violence of a riot becomes an insurrection or a civil war when it has a cause, or aims at a strictly political object. Depending on the outcome, it will change its adjective. Criminal at the outset, the ultimately victorious insurrection will retrospectively be the source of the new legality. Violence against constitutional law is part of the ambiguity of all historical events, admirable or odious according to preferences.*¹⁶⁵

This showcase a scenario whereby the state has the right to crush any insurrection to sustain the interest at hand.

⇒ **The political and economic Root of war**

Aron here, to greater extent agreed with Clausewitz, on his principle that states that "war is the continuation of policy by other means".¹⁶⁶ Conversely, this also makes it clear that politics is the continuation of war by other means. This is because for him, every State pursues a goal which she aims at achieving through policies, and these policies are what constitute the strategy of disassociation to avoid confrontations or the conformation of violence. This is what Raymond Aron calls "*the dialectic of antagonism*" that is to say; "*the continuity of peaceful or warlike relations between states, the consequences of reciprocity of action*".¹⁶⁷ This means that, to attain peace, to preserve and consolidate it, the politics, without declaring war will strategically mobilize the means and instruments of war to force her potential or real adversary (enemy) to accept the conditions of existing peace. This attitude is at the heart of the political and economic root of war. That is why Aron affirms;

¹⁶⁴ *Ibid.*, p. 347.

¹⁶⁵ *Ibid.*, p. 345.

¹⁶⁶ *Ibid.*, p. 162.

¹⁶⁷ *Ibid.*, p. 650.

*War is a political action, it rises out of a political situation and results from a political motive. It belongs by nature to pure understanding because it is an instrument of policy. The emotional element involves chiefly the people, the problematical element the commander and his army, and the intellectual element the government; and it is this latter element that is decisive and that must control the whole.*¹⁶⁸

Thus Clausewitz's famous formula; "*War is not merely a political act, but also a real political instrument, a continuation of political commerce, a carrying out of the same by other means*"¹⁶⁹ and Aron in support of this view regards it as "a simple observation of fact". Thus for him, every nation goes after its economic interest which she needs for survival and to rival with other nations. Therefore the quest for this economic realities are what entail the relation among nations and is in these commercial relation that their various policies come to play which can either consolidate peace or employ violence.

This reality according to Aron is what is in play in both internal and external relation of a State, and which can either succeed or fail. When it succeeds, the State achieves her purpose and maintain peace but when it fails, it results to escalation and thus goes out of control of the State's policy. As such, the war deviates from real war to absolute war and the purpose of the policy changes as well towards the total destruction of the enemy. In this light Aron asserts;

*The subordination of war to policy as a means to an end, implicit in Clausewitz's formula, establishes and justifies the distinction of absolute war and real wars. Escalation is the more to be feared, and real wars risk coming closer to absolute war, the more violence escapes the control of the chief of state. Policy seems to vanish when it takes the destruction of the enemy army as its single goal. Even in this case, war assumes a form that results from political intentions.*¹⁷⁰

For Aron, policy remains the dominant source of war whether it is visible in the belligerent's action or not. This is because he regards and defines policy as "*the intelligence of the personified State.*" Following this definition, he regards policy as; "*the total consideration of all circumstances by statesmen—that rightly or wrongly decides to assume as its sole objective the destruction of the enemy's armed forces, without regard for ulterior objectives, without reflection as to the probable consequences of victory itself.*"¹⁷¹

According to Aron, in regards to the cost, and gain of a war, one can calculate the losses and the advantages, in lives and material resources of the belligerents. Following this calculation according to him, most wars among thermonuclear powers could be considered irrational. That is, considering the fact that this thermonuclear weapon could cost them lots of

¹⁶⁸ *Ibid.*, p. 23.

¹⁶⁹ *Idem.*

¹⁷⁰ *Ibid.*, p. 23.

¹⁷¹ *Idem.*

capital and can affect them when used. But for him, “*the irrationality of war in relation to expenditure and gain results from a true but vague sentiment or else from the substitution of an economic calculation for a political one (...) even this sentiment and this calculation are not always in accord with reality*”.¹⁷² This could be unlikely among the great powers but not so between a great power and a small state for a great power can destroy a small state means of retaliation. This can equally not be unlikely between two small states who are not capable of such powers. Therefore he argues that, “*the execution of this threat, is not at all contrary to the traditional rationality of diplomatic strategy. It is possible that even the absolute victory of the great power over the small state will be less costly, hence more rational, than such victories in the past*”.¹⁷³

For Aron then, it remains true that for the super powers, the exchange of thermonuclear bombs would not be, strictly speaking, the “continuation of policy by other means” but the threat of the war can cause the scare that deter super powers from engaging in such war, is an integral part of their strategic-diplomatic conduct and even of all states insofar as States take into account the reciprocal evil of the thermonuclear system. Thus Aron asserts that; “*we do not leave the context, set up by Clausewitz, of the permanent rivalry of states, of their alternatively peaceful and belligerent dealings, of the reference to the possible use of force in peacetime, and the reference to political goals in wartime*”.¹⁷⁴ This shows that in either case, war is part of political game embedded in economic quest through policies.

Aron in the process of illustrating another possible principle of peace, points out that; “*the principle of legitimacy creates the occasion or the cause of the conflict*”, which always occur as a result of a claim to a material things, position, boundaries or right. These claims continue both at national and international level. Thus he asserts that; “*the day the collective consciousness recognizes that men have the right to choose their political unit, wars become national, either because two states claim the same province or because populations divided among traditional units seek to constitute a single state*”.¹⁷⁵ Certain ideas according to him, are national, religious or ideological. In certain periods, conflicts of ideas and rivalry for power are inextricably mingled that is, sometimes the desire for national or state power prevails over religious or ideological faith, and vice-versa. Furthermore, to disclose the possibility of peace, he presents that in our time, and perhaps in other periods as well, “*even if the permanent instability of the material conditions (economic, political, and demographic)*

¹⁷² *Ibid.*, p. 439.

¹⁷³ *Idem.*

¹⁷⁴ *Ibid.*, p. 156.

¹⁷⁵ *Ibid.*, p. 155.

did not compel an incessant and precarious adjustment of equilibrium, the evolution of historical ideas would burden the statesman with the heavy task of reconciling the changing imperatives of justice with the constant necessity of equilibrium."¹⁷⁶ It means therefore that Aron agreed with Kant on the drive of history towards peace achievement but disagree with him on the ideological process of attaining perpetual peace.

3.2.1.2. The possible attainment of peace according to Raymond Aron.

To portray a possible attainment of peace, Aron presents three circumstances of peace that is to say, three possible kinds of peace from past history. These three kinds of peace according to him are: peace through "equilibrium, hegemony and empire". In a given historical space, the case of peace through equilibrium is whereby the forces of the political units are in balance, the case of peace through hegemony is where the political units are dominated by those of one among them, and in the case of peace through empire is where they are outclassed by those of one among them to the point where all the units lose their autonomy and tend to disappear as centres of political decisions. Thus according to him, "*the imperial state, in the end, reserves to itself the monopoly of legitimate violence.*" All these kinds of peace as he points out "*have power as their principle*".¹⁷⁷ This thus portrays power as the ultimate principle of peace and such raises his curiosity to know if peace bases only on power.

Aron in this curiosity disclosed another principle of peace which he refers to as peace by terror or impotence. This principle results from the combined progress of the techniques of production and destruction. This principle of peace according to him is different from that of power where peace is achieved only by the use of force as seen above. To Aron: "*Peace by terror is that peace which reigns (or would reign) between political units each of which has (or would have) the capacity to deal mortal blows to the other. In this sense, peace by terror could be also described as peace by impotence*".¹⁷⁸ That is to say, it results from the progress in the production of mass destructive weapons such as thermonuclear weapon that can put states on the same scale of risk in the case of any outbreak of war among states that are in possession of such weapons. With weak states being in possession of such weapons will equally bring the powerful states under the same risk and as such will render war useless because it makes the outcome to be uncertain. Therefore, in this regards he holds that, "*peace by terror will only be perfected when the advantage possessed today by the one who strikes*

¹⁷⁶ *Ibid.*, p. 156.

¹⁷⁷ *Ibid.*, p. 154.

¹⁷⁸ *Ibid.*, p. 159.

first is suppressed or reduced to the minimum".¹⁷⁹ In other word, such peace can be possible only when the thought of aggression is totally eliminated through the fear of the unknown as a result of states being in possession of thermonuclear weapon which could put, including the aggressors, in the same scale of risk. In this regard, thermonuclear weapon, he affirms, will "*make possible destruction of such magnitude that the cost of combat would in all rationality seem to be superior to the advantage of victory*".¹⁸⁰ That is to say, a situation where in all calculation, the magnitude of the destructive power of thermonuclear weapon always renders the cost of combat superior to the advantage of victory and as such, prevents any possible mobilization for war.

Furthermore, in addition to peace by power and peace by impotence, he presents third principle of peace on the conceptual level which he terms, peace by satisfaction. In this light he points out that "*Valery once said that there can be no true peace except in a world where all the states are satisfied with the status quo. But this status always reflects the relations existing at the end of the preceding trial by force*".¹⁸¹ This means that for peace to be possible there must exist satisfaction among states. In order word, political units must be satisfied with their territorial demarcation and their possessions and seek neither external territory, nor alien populations. That is to say, this calls for the necessity of political units to be contented with their material and human resources and stop disseminating their institutions and going after vain victories and pride of ruling. The satisfaction according to him is derived from the respect of the principle of legitimacy whereby, as he asserts: "*Satisfaction will be lasting and assured only on condition that it is general*".¹⁸² That is to say, every States must give their consents and the agreement must be unanimous. This means that peace by satisfaction refers to peace by consent. In other words, under peace by consent, confidence is general and such entails revolution at international relations through which security could be legally established in order to put to an end the era of suspicion. But such peace according to him cannot be possible except security by force is replaced thus he asserts; "*universal peace by universal consent and mutual confidence does not seem to me effectively possible if the political units do not find a substitute for security by force*".¹⁸³

For him, Universal Empire could furnish this substitute, "*since it would suppress the autonomy of centres of decisions*". Also, the rule of law in Kantian sense according to him,

¹⁷⁹ *Ibid.*, p. 160.

¹⁸⁰ *Idem.*

¹⁸¹ *Idem.*

¹⁸² *Ibid.*, p. 161.

¹⁸³ *Idem.*

could also furnish such substitute, “insofar as the states would commit themselves to obeying the decisions of an arbitrator, a tribunal or an assembly and have no doubt that this commitment would be honoured by all”.¹⁸⁴ That is to say, such peace through universal consent could be possible through the suppression of the autonomy of other states by the powerful state: every other state giving up their autonomy to the powerful state which sees to the affairs of them all. Or again, such peace could be achievable through the rule of law which could guide the activities and relations among states and could bring every state to act according to the law. Of these two according to him, the former “*appears at the end of power politics, the other at the end of the evolution of international law*”.¹⁸⁵ Both implies the process of policies which according to him the,

*Clausewitz’s formula—war is the continuation of policy by other means—has been replaced by its opposite: policy is the continuation of war by other means. But these two formulas are, formally, equivalent. They both express the continuity of competition and the use of alternately violent and non-violent means toward ends which do not differ in essence.*¹⁸⁶

However, for him these above mentioned processes of peace resulted to another situation known as cold war. Thus, he asserts; “*the situation known as a cold war nonetheless offers certain original features, some of which derive from the peace by terror, others from the double heterogeneity, both historical and ideological, of a system extended to the limits of the entire globe*”.¹⁸⁷ For Aron, these original features correspond to the modes of cold-war which he classified into three; deterrence, persuasion and subversion. Peace by terror involves the use of deterrence strategy where each of the two super powers, possessing more or less equivalent means of destruction, threaten to resort to the supreme use of the weapons of mass destruction.¹⁸⁸ Aron demonstrates this in the following;

*At the time when the United States possessed an atomic monopoly, the Soviet Union had an irresistible superiority of conventional weapons. The inequality of risks taken by the European and American partners in the Atlantic Alliance created a climate of reciprocal suspicion: the desire for peace on the part of the state that has the least to lose in case of war never seems resolute enough for the allies who have nothing to hope for in case of conflict, even in case of victory. It was not the Soviet Union’s production of atomic and thermonuclear bombs but the development of strategic bombers and above all of ballistic missiles which put an end to these suspicions and convinced all the Western powers that they were in the same boat.*¹⁸⁹

¹⁸⁴ *Ibid.*, p. 161.

¹⁸⁵ *Idem.*

¹⁸⁶ *Ibid.*, p. 162.

¹⁸⁷ *Ibid.*, p. 162.

¹⁸⁸ *Idem.*

¹⁸⁹ *Ibid.*, p. 163.

This Peace by terror is accompanied according to him by ideological rivalry which is characterised by heterogeneous systems which comprises of North America, Europe and northern Asia. In such a bipolar system, the leaders, incapable of ruling together, results to competition whereby the progress of one becomes a danger to the other. For this reason great powers could not rule together because of the inability to harmonise their institutions and their principles of legitimacy (political system). Thus, they use “*the entire planet for their theater and all nations and contested frontiers as the stake of a dispute which they are unwilling to decide upon by the sword and which they cannot settle by negotiation*”.¹⁹⁰

On the other hand, the strategy of persuasion which aimed at propagating the ill aspect of the political power and system of the other is employed by the superpowers to disfavour and overturn them. Though this strategy seems ineffective and abortive; this will later transform to the strategy of subversion. Thus, he asserts; “*it is difficult to measure exactly the effectiveness of the strategy of persuasion, but experience suggests that it disturbs neither the Soviet regimes nor the pluralist regimes.*”¹⁹¹ The transformation of persuasion strategy into subversion, changes the situation of things among states. The subversion strategy aimed at overturning an established power and substitutes it with another from within. That is to say, it has as a goal to stir citizens against their political rulers which often results to civil war in a State. In this light, he asserts that “*abstractly, the goal of subversion is to withdraw a population from the administrative and moral authority of an established power and to integrate it within other political and military frameworks, sometimes in and by conflict*”.¹⁹² These strategies are employed by the superpowers because they do not want to get involve in direct war with each other due to the fear of the unknown that is, the cause of war being higher than victory. Aron in this light affirms;

*If war signified mutual suicide, either the great powers would not fight any longer, or they would fight without resorting to weapons too destructive to be used rationally, A limited, non-atomic war between the great powers of the system has not yet occurred, as if the leaders mistrusted each other, fearing that once again the intoxication of battle and the desire for victory at any cost might drown out the voice of reason and the simple instinct of self-preservation*¹⁹³.

Furthermore, Aron in summing all these processes distinguishes two ways of achieving peace: pacific way of achieving peace which he refers to as idealist and the forceful way of achieving peace which he refers to as realist. The pacifists are distributed according to him, into two categories: “*some oppose war, conditionally or unconditionally, without having*

¹⁹⁰ *Ibid.*, p. 164.

¹⁹¹ *Ibid.*, p. 165.

¹⁹² *Ibid.*, p. 166.

¹⁹³ *Ibid.*, p. 168.

either a theory of the causes of war or a doctrine of the means of peace; the others base on a theory of wars a pacific or belligerent action with a view to perpetual peace".¹⁹⁴ The first category comprises the pacifisms of non-violence, religion and culture. The non-violent believe in the long-run effectiveness of individual protest. On the other hand, the second category comprises the advocate of free trade, the jurist, the Marxist, the imperialist and the capitalist. This category known as theoreticians, aimed at achieving peace through a theory of war and a doctrine of peace. In other word, they propose to eliminate everything that could cause war and thereby guarantee perpetual peace.

These five theoreticians, in their turn, he further classified into two groups; the advocates of peace by law and the advocates of peace by empire. These two he said; "*seek to modify the essence of international politics as it has developed down through history*".¹⁹⁵ He asserts that these two schools of pacifists correspond to "*the two possible types of explanation of war. Either the state of nature between states involves by essence the greater or less frequency of war, in such a way that peace can only result from the substitution of the rule of law for the rule of force, or it involves the substitution of the universal state for the multiplicity of sovereignties*".¹⁹⁶ This then refers to the contractualists who traced the origin of war in the state of nature where man or states use force or rule of force to achieve their interests and the maintenance of peace. These could be resolved according to them through the rule of law which is contrary to the view of realist such as Machiavelli who advocates for the use of force to achieve ones interest and maintain peace.

Aron in criticizing the idealist refers to their views as "idealist illusion" which according to him is moral and not pragmatic. For him, this idealistic diplomacy is fanatic because it divides states into good and evil, into peace-loving and bellicose. It aimed at achieving permanent peace by punishing the aggressors and making peace-lovers victorious. In this light he affirms; "*the idealist, believing he has broken with power politics, exaggerates its crimes. Sometimes states obey their principles and, with the excuse of punishing aggressors, go to the extreme of war and victory; sometimes, when their interests are at stake or circumstances oblige them to do so, they follow their opportunities*".¹⁹⁷ This means that the idealist worsen situations thinking that they have resolved it. That is to say, the solution they thought that they have provided, has nursed a seed that generates to another means of conflict (war) whereby the former uses aggression as a pretext to attack the latter with the purpose of

¹⁹⁴ *Ibid*, p. 705.

¹⁹⁵ *Ibid*, p. 706.

¹⁹⁶ *Ibid*, p. 706.

¹⁹⁷ *Ibid*, p. 584.

achieving their interests. In other word, powerful states with a hidden interest, could use aggression as a pretext to attack any nation which often has to do with the political regimes and system. In this regards, he notes that *“now, in any bipolar system, the leaders, incapable of ruling together, are doomed to competition, any progress of the one seeming a danger to the other. Today’s great powers cannot rule together because of the incompatibility of their institutions and their principles of legitimacy”*.¹⁹⁸ That is, these emanations of ideological and technical conflicts according to him, are fruits of idealist illusion that continue to set the world apart.

A system, as Aron points out, can consist of “heterogeneous” or “homogeneous” regimes that is to say regimes that pursue dissimilar or similar goals or that have dissimilar or similar constituting principles respectively. For Aron, a mixed system of heterogeneous and homogeneous regimes is possible. A mixed system whereby states works together to achieve universal goal despite their differences in political policies. For example, during World War II, the United States and the Soviet Union belonging to dissimilar regimes and as a mixed system, fought together against a common enemy. These theoretical distinctions allow Aron to grasp international relations from within, in accordance with their inner logic and historical specificity, and the nature of the regimes involved. This approach aimed at avoiding abstraction and conceptual pride.

However, Aron’s understanding of political regimes, is particularly incisive critics of the “realist delusion” whereby great nations are guided by their conceptions of “national interest”. That is to say, this realist delusion has national interest as the priority of a state. Aron uses two quotations, borrowed from George F. Kennan, to illustrate an analogous conception of harmony on human attitude which for him, is most favourable to peace and to the relative morality of which states are capable:

*“We must be gardeners and not mechanics in our approach to world affairs.” And elsewhere: “This task will be best approached not through the establishment of rigid legal norms but rather by the traditional devices of political expediency. The sources of international tension are always specific, never general. They are always devoid of exact precedents or exact parallels. They are always in part unpredictable. If the resulting conflicts are to be effectively isolated and composed, they must be handled partly as matter of historical equity but partly, also, with an eye to the given relationships of power. Such conflicts, let us remember, usually touch people at the neuralgic points of their most violent political emotions. Few people are ever going to have an abstract devotion to the principles of international legality capable of competing with the impulses from which wars are apt to arise.”*¹⁹⁹

¹⁹⁸ *Ibid*, p. 164.

¹⁹⁹ *Ibid*, p. 585.

This shows that for him, the situation of conflicts cannot be handled one sided without the consideration of the other side of the situation; that is, basing only on the realistic or on the idealistic aspect of man. Taking the fact that humans are hereditary good of conflict by nature and are equally endowed with reason which entails creativeness and invention, portrays two extremes of man and as such, requires a bipolar solution. That is why he regards peace as “*a legal postulate, the principle of the unity of the legal system. Not that human relations, subject to law, do not involve violence, but they involve only violence in the service of law, employed against the violator of prohibitions or by the decision of the legal authority*”.²⁰⁰

Aron labels the realist delusion and the idealist illusion as morality of struggle and morality of law respectively, which according to him in his praxeology, are void of prudence. Thus for him, superior to both the “morality of law” and the “morality of struggle,” is what he called the “morality of prudence.” Thus he affirms;

*The only morality which transcends the morality of struggle and the morality of law is what I would call the morality of prudence, which attempts not only to consider each case in its concrete particularities, but also not to ignore any of the arguments of principle and opportunity, to forget neither the relation of forces nor the wills of peoples. Because it is complex, the judgment of prudence is never incontestable, and it satisfies completely neither the moralists nor the vulgar disciples of Machiavelli.*²⁰¹

Attuned to the rivalrous nature of international relations, yet aware also of a shared human nature and certain moral universals, Aron holds that prudence offered a better sense of reality and morality than its rival approaches.

The morality of prudence therefore, represents political wisdom where states retain their sovereignty but still acknowledged some measure of human universality. Aron did believe that hostility was natural to man and could only be moderated, not eliminated and that moderation required a binding of community in both ideology and reality of man. At best, the notion of a unified humanity of Kant might function as an “idea of reason” that could serve to moderate the bellicose natural inclination of human beings and political communities. But here too, sobriety and a sense of historical realism are necessary to avoid the twin extremes of false realism and false idealism. To be prudent therefore as he asserts;

“is to act in accordance with the particular situation and the concrete data, and not in accordance with some system or out of passive obedience to a norm or pseudo-norm; it is to prefer the limitation of violence to the punishment of the presumably guilty party or to a so-called absolute justice; it is to establish concrete accessible objectives conforming to the secular law of international relations and

²⁰⁰ *Ibid*, p. 717.

²⁰¹ *Ibid*, p. 609.

*not to limitless and perhaps meaningless objectives, such as “a world safe for democracy” or “a world from which power politics will have disappeared.”*²⁰²

Thus, morality of prudence captured what was true in both idealist and realist approaches while correcting their excesses. That is to say, it is the golden-mean between rule of law (idealist diplomacy) and rule of force (power politics): It permits the understanding of when to use the rule of law and when to use the rule of force. In this light, morality of prudence becomes the mechanism which can curb man excesses on both idealism and realism and is through this moderation that the conflicting aspect of man could be put in check which is what Aron refers to as “the absence of war” and peace maintained as long as possible.

In regards to the solution that Aron proposed in his peace building project, seem problematic in the fact that his morality of prudence does not define any criterion, which could be used to determine the act of men that can lead to unforeseen conflicts. In other word, in the respect of the law put in place, which kind of human act or activities of the state, could result to unforeseen conflict? Also, him proposing that, heterogeneous and homogeneous political systems can pursue the same goal despite their differences in political systems, seem to ignore the fact that it is these differences coupled with the egoistic aspect of man that is intensifying conflict among men and states. Logically, differences in political system among states, entails disagreement on the issue of political system thus, can disagree people or states, work together in pursuit of one goal, in sincerity without any grievances? There are political systems, as pointed out by Michael Walzer, that are aggressive and whose systems could not permit them to be in harmony with other states. For the fact that, each and every one respects his or her own culture and with peculiar political system, should not serve as an idol that cannot be changed for the good of all humankind.

3.2.2. Karl Popper’s theory of peace building

Karl Popper was one of the most famous philosophers of science, and among the most important philosophers of the twentieth century. He was born in Vienna on July 28, 1902, into a highly cultivated upper-middle-class family and he died in 1994. He experienced the Great War in Europe including European missile crisis, and both world war one and two that jeopardised peace in the whole world. Also, he witnesses the Cold War that took place before the fall of the Berlin Wall and the collapse of the Soviet Union in 1989. Though most of his philosophical works were consecrated to science, he did not ignore the political aspect of life. His work entitled; *The Open Society and Its Enemies*, and *All life is problem solving*,

²⁰² *Ibid*, p. 585.

expresses his political ideas on how to build and maintain a peaceful developed State, which rests on ideas formulated in his philosophy of science. Here, his political interests underpinned the development of his philosophy of science in the first place.

Popper though being a philosopher of science, spends most of his life time questing for peace which he affirms in the following: *“All through my life, and especially since the outbreak of the First World War - on a day I still remember very well - the problem of securing peace has accompanied me as a personal responsibility”*.²⁰³ His quest for peace was influenced by Nansen who according to him was one of the pioneers of League of Nations, as well as Immanuel Kant whose idea of perpetual peace was the backbone behind its creation. His philosophical ideas based on conjecture and refutation, optimism, open mind and open society. Through these basic grounds, he portrays the problem of peace and proposed a process on how to achieve peace in a state and in the world at large through an open mind and open society.

3.2.2.1. The problem of peace according to Popper

Popper in his works, point out some principal problem to peace in the society and in the world at large. Some of the major aspects he pointed out are dominant ideologies which he considered as foolishness and the wickedness of the world and which he regards to results from false religion. In this light he affirms: *“(...) I consider the current dominant ideology among intellectuals - of the wickedness of our world - to be a foolishness and a false religion. Men are terribly in need of suggestion, and this dangerous need for suggestion is one of my main themes today”*.²⁰⁴ This is to say that the problem of peace is traced from ideologies and false religion which according to him are leading men astray.

To demonstrate this, he first prove the fact that no one is in possession of knowledge, that even scientific knowledge which he considered as the best, are not certain knowledge but conjectural knowledge. In the process of proving this, he point out that truth is just a correspondence with the actual fact and not a certainty because certainty means knowledge or certain truth. That is why he affirms that *“We can assert the truth, attain the truth, often enough. But we can never attain certainty”*²⁰⁵ with the fact that things changes in space and time, and nothing so far has been able to resist change whereas knowledge or certain truth is that which does not change in both space and time. This portrays that all that are regarded so far as knowledge are just conjectural knowledge. Thus he asserts: *“We know nothing, we can*

²⁰³ Karl Popper, *All life is problem solving*, p. 140.

²⁰⁴ *Ibid*, p. 37.

²⁰⁵ *Ibid*, p. 38.

only conjecture: we guess. Our best knowledge is the wonderful scientific knowledge we have built up over 2,500 years. But the natural sciences consist precisely of conjectures or hypotheses".²⁰⁶ With the fact that none of these ideologies has gone through the fullness of space and time to be considered as knowledge, rendered them conjectural knowledge which is still going through verification of space and time. Thus for him, it becomes foolishness to hold onto them as major knowledge on which to base and hook ones hope. In this light, he strongly asserts that under intellectual ideologies, *"we will go on making mistakes. (...): without ideology, no war. The struggle against ideologies is in any case a struggle worth conducting"*.²⁰⁷ That is to say, ideology is one of the major problem of peace.

Furthermore, to prove the fact that ideology is one of the major problem of peace, he argues that in ideologies are found many mistakes which most scholars in their dogmatic mind and pride don't identify nor accept them as mistakes. These mistakes are taught and transmitted to others without questioning or taking notes of and most of these mistakes were hidden agendas and undisclosed errors in language. Thus he asserts: *"I only wanted to point out to you the great dangers lurking in ideologies, and to draw your attention to the dangerous need for knowledge, belief, and mutual suggestion that seems to lie hidden in our evolutionary biology and the structure of knowledge, as well as in our language"*.²⁰⁸ Also, he went further to affirm that *"the reason for this is the terrible mistakes we make as teachers, and since education may be classed as technology, these are technological mistakes. The worst of it is that we learn nothing from these mistakes"*.²⁰⁹ Thus, he holds the view that Intellectuals know nothing and their claim for absolute knowledge, which he refers to clear knowledge, is presumptuousness and lack of modesty. And these according to him, *"is perhaps the greatest obstacle to peace on earth. The greatest hope is that, although they are arrogant, they may not be too stupid to realize it"*.²¹⁰ This means that ideology as the problem of peace, is as a result of its dogmatic and absolute nature which the so claim intellectuals, in their self-ego and pride, either smuggled in their egoistic agenda or were blind to the mistakes found in those ideologies and in the untreated languages used. These, can put the peace in the society and in the world at large into jeopardy because it closed the mind of people and the society to a particular spot.

²⁰⁶ *Ibid*, p. 37.

²⁰⁷ *Ibid*, p. 44.

²⁰⁸ *Ibid*, p. 44.

²⁰⁹ *Ibid*, p. 100.

²¹⁰ *Ibid*, p. 44.

To further clarify this, he used the concept of false religion and prophecy to designate scholars such as the philosophers who developed ideologies that aimed at making the world to look like a ground of conflict and that which aimed at serving as an absolute guide, respectively: *“I think a great deal is explained if we assume that a false religion has established itself today: namely, the religion that our world, at least our social world, is a hell”*.²¹¹ The various ideologies of such intellectuals are what he refers to as prophesy since they were presented as an absolute. The ideologies of philosophers such as Karl Marx and Hegel for instance, are regarded here as historical prophecy which according to him, have negative impacts on population and the society²¹². For him, their works only resulted to totalitarianism and close mindedness. Thus he affirms; *“we must also realize that their influence is liable to prevent us from facing the daily tasks of social life. And those Minor Prophets who announce that certain events, such as a lapse into totalitarianism, are bound to happen may, whether they like it or not, be instrumental in bringing these events about”*.²¹³ The ideologist of such philosophers like Hegel and Marx, whom he equally refers to as historicist metaphysics, are apt to relieve men from the strain of their responsibilities due to the closed and dogmatic mind-set they instil in them.

To showcase this, he argues that humans have the tendency of looking on who to hang their hope and confidence on and as such, have a high expectation of suggestion. In this light he affirms that *“such people have a dangerous need for suggestion, they lack the courage to live without assurances, without certainty, without authority, without a leader”*.²¹⁴ If such people know that they cannot change a reality, the person will surely give up the fight to change the situation and this according to him, is what the ideologies of these intellectuals are instilling in people and the society. Thus he affirms; *“If you know that things are bound to happen whatever you do, then you may feel free to give up the fight against them. You may, more especially, give up the attempt to control those things which most people agree to be social evils, such as war; or, to mention a smaller but nevertheless important thing, the tyranny of the petty official”*.²¹⁵ Therefore, the dogmatic and absolute ideologies which aimed at painting and portraying only the negative aspect of life and propagating absolutism, are misleading to population who have high expectations on a guide to whom they can put their hopes and confidence on. But one with such knowledge does not exist because no one

²¹¹ *Ibid*, p. 42.

²¹² Karl Popper, *Open Society and its enemies*, new one-volume with new introduction by Alan Ryan, New Jersey, Princeton University Press, 2013, pp. xliii- xliv.

²¹³ *Ibid*, p. xliv.

²¹⁴ Karl Popper, *All life is problem solving*, p. 37.

²¹⁵ Karl Popper, *Open Society and its enemies*, p. xliv.

according to him is in possession of certain knowledge thus he asserts that “*for knowledge – certain knowledge - is an empty word. Science is the quest for truth. But truth is not certain truth*”.²¹⁶ That is to say, placing ones hope and confidence on those ideologies as certain knowledge, contributes to the problem of peace.

Popper equally regards the problem of satisfying human quest for freedom as the problem of peace in the society and in the world at large. For him, the desire for freedom is part and parcel of human nature that is why he asserts that “*the desire for freedom is certainly something primeval, which we already find in widely varying degrees among animals - even domestic animals - and in young children*”.²¹⁷ According to him, the problem of satisfying human quest lies in the realisation which seems problematic because the full freedom of one, entails the prevention of the freedom of the other. Thus, the need to limit this freedom which can only be done in a political domain and this political domain seems to be handling the situation due to lack of political freedom. This brings him to assert: “*But freedom becomes a problem in the domain of politics. For human coexistence naturally means that unlimited freedom for each individual is an impossibility. If I am free to do anything I want, I am also free to rob others of their freedom*”.²¹⁸ For him therefore, political freedom entails the realisation of human freedom in political domain thus the problem of peace here, is the lack of political freedom. In this light, he presents that “*both Britain and Switzerland know that there are values that must be defended at any price, and chief among these values are personal independence, personal freedom. And both have learnt that freedom has to be fought for, and that one must stand by it even if the probability of success appears minute*”.²¹⁹ This shows that failure to address the problem of freedom, the presence of peace remains problematic.

Also, the issue of dangerous weapons in the wrong hands is another problem of peace that Popper raised. The ideologies of conflict instil in people as unavoidable alternative by intellectual such as Hegel, whom he refers to as Romantic philosophers, has mould some people towards resorting to violence as the only solution. Bringing such conception in our present time where exist assorted mass destructive weapons, will entail danger to all mankind. “*The Romantic alternative was more or less that nothing can work without war and violence; that was how Hegel applied his experience of history. But if you consistently apply the past experiences of military conflict to our future, then there is really no hope left. For our*

²¹⁶ *Ibid*, p. 38.

²¹⁷ *Ibid*, p. 89.

²¹⁸ *Idem*.

²¹⁹ *Ibid*, p. 82.

weapons can now annihilate us".²²⁰ Popper here, imagined such a weapon falling into the hands of warlike people (dictators) who in line with Hegel's view, thinks that conflict is the measure of achieving a revolution, then there will be no hope for mankind. That is why he affirms that even though "*our first objective today must be peace*", it will be very difficult to achieve it "*in a world such as ours, where Saddam Hussein and other dictators like him exist. We should not shrink from waging war for peace. In present conditions that is unavoidable. It is sad, but we have to do it if we want to save our world. Resolve is crucially important here*".²²¹ For him therefore, such dictators are problem not just to peace but to the existence of mankind and as such, will need to be handled with immediate effect using any possible means to stop such danger and threat to the existence of mankind. Despite this, he affirms: "*But I shall stress that the great problem of establishing perpetual peace on earth is not unsolvable*".²²² Thus he provides certain means through which peace could be achieved.

Furthermore, Popper disclosed that the principle of self-determination is another problem of peace which for him, led to the downfall of Czechoslovakia of Masaryk. The Czechoslovakia as he disclosed, was one of the most successful and admirable nation with an open society, during the reign of Masaryk. But according to him, "*there was from the beginning an unnecessary weakness built into the structure of the Czechoslovakian open society. I am referring to the so-called 'principle of national self-determination', a principle that had acquired an almost absolute moral authority in the West*".²²³ Due to this principle of national self-determination, Masaryk's Czechoslovakia was destroyed by Britain and France. The problematic aspect of this policy induced Popper to affirm: "*I think that all lovers of peace and a civilized life should work to enlighten the world about the impracticability and inhumanity of that famous - or shall I say notorious? - 'principle of national self-determination', which has now degenerated into the ultimate horror of ethnic terrorism*".²²⁴ This means that the principle of self-determination is dangerous and ruin to the society and as such a problem to peace.

3.2.2.2. The necessity of peace through an open mind and open society

For Popper, the necessity of peace was the reason behind the creation of the League of Nations after the First World War, following Immanuel Kant's idea of Perpetual Peace and it is equally "*how the United Nations was founded after the Second World War, with the great*

²²⁰ *Ibid*, p. 118.

²²¹ *Ibid*, p. 119.

²²² *Ibid*, p. 43.

²²³ *Ibid*, p. 148.

²²⁴ *Ibid*, p. 149.

hope of establishing world peace".²²⁵ To him, it is important to learn from the past history but not to hold onto it thus he says: "*It is immeasurably important for us to learn from history, and also important to learn from the distorting and forgetting of history*".²²⁶ Therefore, to establish world and social peace for him, will require certain consideration such as correcting and changing the course of history through an open mind (optimism) and open society.

⇒ **Correcting and changing the course of history through an open mind**

Correcting and changing the course of history through an open mind, means being optimism which for him is a duty: "*Optimism is a duty*". Pointing out the fact that the future is open and not fixed and no one can predict it except by chance, he explained what he meant by the phrase "optimism is a duty" in the following: "*The possibilities lying within the future, both good and bad, are boundless. When I say, 'Optimism is a duty', this means not only that the future is open but that we all help to decide it through what we do. We are all jointly responsible for what is to come*".²²⁷ So for him, it is a duty to each and every-one to support the things that could lead to a better future instead of predicting something bad. Here, he calls on each and every-one to withstand and refute the historicist prophecies that presents the world as a conflict ground thus he says: "*We must not fall prey to the cynical view that history is just violent and horrible, driven by the lust for gold and oil, for wealth and domination. This cynical interpretation of history is not true*".²²⁸ That is to say, the temporality of life and wealth makes the lust for gold and oil vanity, subduing the urge for war and thus peace.

This optimistic or open mind also involve having a critical mind that permits "Error correction" whereby ideas have to pass through refutations in space and time, which he regarded as very important and necessary. Thus, he asserts: "*Error correction is the most important method in technology and learning in general. In biological evolution, it appears to be the only means of progress*".²²⁹ But what could enable this according to him, is the fact of knowing that humankind are bound to make mistakes and being ready for these mistakes is what permits the employment of error correction. With such critical mind, those mistakes in history and past lives could be found and corrected and as such, will not reach the stage of technological mistakes. That is why he affirms that "*it is important to draw attention to the little-noticed mistakes that we make*",²³⁰ in other word, the necessity of having constant

²²⁵ *Ibid*, p. 143.

²²⁶ *Idem*.

²²⁷ *Idem*.

²²⁸ *Ibid*, p. 149.

²²⁹ *Ibid*, p. 100.

²³⁰ *Ibid*, p. 101.

critical mind which could prevent the accumulation of mistakes that in turn will jeopardise peace.

This open mind equally enables intellectual modesty whereby intellectual needs to moderate their attitudes towards knowledge by limiting themselves from playing a leading role and rendering knowledge absolute and dogmatic. Thus, he asserts: *“Intellectuals, who mostly have the best of intentions, must first be persuaded to be a little more modest and not to try to play a leading role. No new ideologies, no new religion. Instead: ‘A little more intellectual modesty’.”* Also, he urges: *“Those of us who are scientists ought to be a little more modest and, above all, less dogmatic. Otherwise science will fall by the wayside”*.²³¹ This therefore calls for modesty in putting forth ideologies that could lead to or stir conflicts in the society as well as in the world at large.

⇒ **Correcting and changing the course of history through an open society**

On the other hand, correcting and changing the course of history through an open society has to do with a political system that could permit political freedom. Popper define open society as *“the society in which individuals are confronted with personal decisions”*.²³² That is to say, a society where individuals have the freedom to act and react on every issue in the society freely without obstruction. In other word, a society where reigns equality and freedom of participation of everyone as uphold by Rousseau and Kant, who he considered to be the pioneer of open society, was Tomas Garrigue Masaryk of Czechoslovakia as he affirmed; *“I deeply admire Masaryk. He was one of the most important pioneers of what I called, a year or two after his death, the open society. He was a pioneer of an open society, both in theory and in practice - indeed, the greatest of its pioneers between Abraham Lincoln and Winston Churchill”*.²³³ The Czechoslovakia of Masaryk according to him, had a financial, industrial, political, educational, and cultural success and was well defended.

For him, no new state gained through revolution or of any sort, has ever enjoyed the peace and success that existed in Czechoslovakia during the reign of Masaryk. He attributed the achievement to Masaryk as he affirmed; *“And all this was not due to a lack of great difficulties; it was the result of Masaryk's philosophy, his wisdom, and his personality, in which personal courage, truthfulness, and openness played so conspicuous a role.”*²³⁴ That is to say, for there to be an open society, there must be an open mind. Thus, he regards

²³¹ *Ibid*, p. 43.

²³² Karl Popper, *Open Society and its enemies*, p. 165.

²³³ Karl Popper, *All life is problem solving*, p. 145.

²³⁴ *Idem*.

Masaryk's Czechoslovakia as the most open society: *“Masaryk's Czechoslovakia was, I do not doubt, the most open of all societies ever to develop in Europe. (...) In the shortest time, this open society built a solid economy and the most solid military defence system in Europe”*.²³⁵

Therefore, learning, as being distinct from teaching, was at the centre of both Popper's account of science and of his defence of the open society. Regarding science as the learning process of trial and error correction, one of the virtues of an open society therefore, is its ability to learn from experience through an open mind.

He went further to clarify an open society by aligning it with a political system that enables political freedom and as such unlike Kant, he lay down a criteria that could determine a state with a political freedom. For him, Kant laid down the possibility of a political freedom but didn't lay down the criteria through which it could be achieved. Often in individual cases according to him, the necessity of certain limitation of freedom cannot really be determined, nor that of the burden imposed equally on all citizens. This therefore calls for the need of criterion that can be more easily applied. Thus he asserts: *“My own proposal for one is the following. A state is politically free if its political institutions enable its citizens in practice to change a government without bloodshed when a majority wishes such a change. Or, more succinctly: we are free if we can get rid of our rulers without bloodshed”*.²³⁶ This shows that an open society is that society which has a political system that permits revolution without conflicts, in other word, a political system that is free from tyranny of any sort. It is this criterion according to him that enables the distinction between political freedom and lack of political freedom, and between open society and closed society.

Political freedom for him, enables a dignified form of human coexistence where everyone takes full responsibility in the society. The choice of political freedom according to him, is not because it promises this or that: *“We choose it because it makes possible the only dignified form of human coexistence, the only form in which we can be fully responsible for ourselves”*.²³⁷ The political system and its appellation does not matter, what matters here is the form of the political system which must correspond with the given criterion. For him, *“there are in fact only two forms of state: those in which it is possible to get rid of a government without bloodshed, and those in which this is not possible. This is what matters - not what the form of state is called. Usually the first form is called 'democracy' and the*

²³⁵ *Ibid*, p. 148.

²³⁶ *Ibid*, p. 89.

²³⁷ *Ibid*, p. 92.

*second 'dictatorship' or 'tyranny'".*²³⁸ Here, it does not matter who rules, what is important here is the possibility of changing and replacing a government at will without conflict, as such, the government will carry-out her activities very effectively in order to satisfy the people. In this light he affirms: *"Any government that can be thrown out has a strong incentive to act in a way that makes people content with it. And this incentive is lost if the government knows it cannot be so easily ousted".*²³⁹ This shows that to achieve peace in the society, the political system needs to be structured in a way that the government could be replaced at will without much difficulties, could lead to conflict. But the problem lies at the level of establishing such criterion in political system.

To achieve this, he presents the need of competitive political parties whereby the political parties will see the need of producing quality leadership in order to outdo the other. This competitiveness will enable the establishment of government whereby to please the population, will be the centre of her rule. Thus, to achieve such kind of political parties according to him, is to limit the numbers of political parties to two just like in the case of United State where two main competitive political parties exist; the Democratic and the Republican parties. Thus he affirms: *"The more parties there are, the more difficult it is to form a government. We know this from experience, but it also stands to reason. When there are only two parties, a government can easily be formed".*²⁴⁰ He went further to affirms that,

*A form of elections that makes the two-party system possible seems to me the best form of democracy. For it always leads to self-criticism by the parties. If one of two major parties suffers disastrous defeat at the polls, this usually leads to radical changes within the party. It is a result of competition, and of clear condemnation by the electorate that cannot be disregarded. Under such a system, then, parties are from time to time forced to learn from their mistakes.*²⁴¹

For him therefore, there is a need for the two political parties to be competitive enough so as to keep the political milieu a very challenging one whereby both parties will keep on ameliorating their competitiveness in order to remain on top. When one of the party is not competitive enough to challenge the opponent, it renders the political milieu uncompetitive and as such will bring about unsatisfied government. Thus he asserts; *"it is important that the opposition party should be as good and strong as possible. Otherwise the voters are often forced to let a bad government go on governing, because they have reason to think that 'nothing else will be any better'".*²⁴² It is this competitiveness that could bring about a good

²³⁸ *Ibid*, p. 94.

²³⁹ *Idem*.

²⁴⁰ *Ibid*, p. 95.

²⁴¹ *Ibid*, p. 97.

²⁴² *Idem*.

government that can enable good constitution which according to him, should not take sudden light changes but should pass through a good critical discussion before admitting any changes. In this light he presents that “*Constitutions should not be changed lightly, but it is good to discuss them critically*”.²⁴³ Thus, to have a good constitution, there must be a good government and to have a good government, the political system must have the criterion of political freedom where exist two competitive political parties that could bring about the realization of the needs of the people. Such a political freedom is what Popper strongly hold onto as an open society in which perpetual peace could be realised.

This peace building of Popper seem to ignore the aspect of human egoism and corruption where man is conscious of his acts and never want to relent from them because of his/her selfish quest. That is to say, can two competitive political parties change the egoistic quest of man? Also, in a state where a tribe is dominating both in population and in government, can such state change government at will without conflict? Where exist tribalism and racism, can there be a fair election whereby the winners are voted for their competency? Won't this competitiveness result to conflict that could tear the state apart? The regime of democracy according to Plato is that which is not convincing because the men of the State (the men in power) are not at the people's service, they instead serve themselves. Democrats, said Plato past their time in popularizing themselves, occupying themselves with the needs of their own people, they are such a business men that cannot be trusted²⁴⁴. This fact is visible in the aspect of power sharing in Kenya after the disputed elections in 2007²⁴⁵. The incident is a good example of leaders competing for power, which is still a reality in almost all the African political ground. Thus, all these pose a question on the realisation of an open society of Popper and the possibility of the leaders, talk-less of the population, to have an open mind. Thus, this peace building of Popper seems more of an ideal than a reality.

3.2.3. The ideal political society of Eric Weil

Eric Weil is both a German and French Philosopher at the same time. Eric Weil was the disciple of Hegel and his works were influenced by Rousseau, Kant and his master Hegel. He existed as from 1904 to 1999. He centred his works on the resolution of violence in the State as to regards the position of politics in the society and the world at large. This allows him to take an interest in the ideas of French revolution triggered by Jean Jacque Rousseau and the wars of Western Europe. To do this, he demonstrates that Society begins with an

²⁴³ *Ibid*, p. 94.

²⁴⁴ PLATO. *The Republic*, pp. 1199-205.

²⁴⁵ Josephine Wanangwe, “Democracy and development in Africa”, Munich, CRIN Verlag, 2016, pp. 3-12.

agglomeration (the coming together) of humans. For him, the structure of a society is the set of laws and rules that regresses the life and vices of these individuals. This means that political society is therefore a set of humans subjected to a set of laws and legal rules. The conception of the idea of political society of Eric Weil must be drawn from his Aristotelian accretion (evolution by natural growth). Political society then signifies the common life of man according to the essential structures of this common life which aims at the well-being of the individual as well as the community. Weil specifies that politics, the philosophical science of reasonable action, has to do with universal action and thus he affirms that: “*In the State, reason is present; because the citizen is “the particular consciousness raised to its universality”*”.²⁴⁶ This is to say that, political society is founded on two essential factors: which are the reasonable and the universal.

3.2.3.1. Weillian states, foundation and challenges

⇒ Weillian states

The State that is discussed in Eric Weil’s thought is the modern state. This conception breaks with the contractualist tradition. For him indeed; “*There is knowledge of the State as it is in itself, knowledge of an idea of the State, but of an idea which differs from the Platonic idea in that, it is historical, that it is not an idea outside of becoming, but an idea of becoming*”.²⁴⁷ This means that, the State is not a construction, an invention conceived by men isolated before the existence of the State but in the strictest exception of the term, the State becomes, and if becoming had not been what it was, the world of men would be different. It appears clearly that Eric Weil supports the chronological priority (relative important) of the State, unlike the contractualists who defend the opposite thesis. Also, the State is a daily immanent, which is contrary to the view of Hegel who holds that a State is divine where each and every-one had to stick together. Therefore, according to Eric Weil, “*There is therefore no beginning for constitutional history, there is no state of things prior to the social contract; men always live in an organized, constituted society, and the constitution is a reality prior to any theory*”.²⁴⁸ This means that the State is the organic set of institutions of a historic community.

The State or political society is the condition for the expression of individual freedom. The ethical requirement of political society, just like Hegel, it is the transition from passion to

²⁴⁶ Eric Weil, *Hegel et, L'Etat : Cinq Conférences suivies de Marx et La philosophie de droit*, Troisième édition, Paris, Librairie Philosophique J. Vrin, 1970, p. 46 (translated from French to English).

²⁴⁷ *Ibid*, p. 28.

²⁴⁸ *Ibid*, p. 57.

reason, from subjectivity to the universal. Thus he asserts “*The State is the realization of concrete freedom; however, concrete freedom consists in the fact that the individual person with his particular interests finds his total development and the recognition of his right-for-himself, - in the system of the family and civil society, - also although it consists on the one hand in that they (the individuals and their interests) pass by themselves to the interest of the universal*”.²⁴⁹ This to him implies that, it is this passage that generates citizenship and therefore freedom. For Eric Weil in line with Hegel, one cannot be a member of a political society without being ethical (ethical requirements). The “Me” is the initial individual and the “I” is rather this individual who emerges from the “me” (ego) by detachment and overcoming that “me” (the ego) and frees himself from its basic condition. For him, one becomes citizen and not born a citizen. Here, the State rests on three pillars: unit organism, the institutional entities (administrative organizations) and the historical community of men. These entail the substance of the State and its sovereign function. For Weil, the being of the state contains three things which consist of the individual, organisation and historicity.

At the substantial level therefore, the State is not an entity capable of being defined in itself, better still, the State does not exist in itself, or by itself. It always has a link with specific men from a specific time, and with specific organizations. This is to say, the State does not act, only the individuals act. No one sees the State act, it is the civil servants, ministers, kings, citizens, men who speak on behalf of the State or follow those who constitute it that act: “*the modern state is not an organization that confines citizens, it is their organization*”.²⁵⁰ In short, to understand the Weilian state, three parameters must be taken into account: the individual, the organization, and historicity.

- The individual: There is no state without the individual, that is, the presence of the individual makes the notion of the state concrete. The future of the state is understood in the permanent evolution of the conception and the conceptualization by its individuals who compose it at a given moment. There is a congenital legal link between the individual and the state. For Eric Weil: “*the State is the will of man insofar as he reasonably wants, insofar as he wants (we recall the Hegelian definition) the free will*”.²⁵¹ However, he specifies that “*the future does not belong to the state as master of man but to man who remains man not outside of the state but in the state*

²⁴⁹ *Ibid*, p. 58.

²⁵⁰ *Ibid*, p. 59.

²⁵¹ *Ibid*, p. 46.

*which is not organized but will be organised not in view of force but in view of liberty and infinite value of individuals”.*²⁵²

- The organization: This is the institutional entities that constitute the State that is, the administrative organization which comprises of the legislative, executive and judiciary.
- The historicity: The history of the State is conditioned by the individuals who constitute it. Therefore, historicity refers to the historical community from which emerges the current community.

The teleological function of a State is to seek and build the humanization of the individual. This is why Eric Weil says that; *“in all probability, the greatest States find themselves impelled (although not precisely by the springs of morality) to advance the noble peace”*²⁵³ and the sense of the state is in the existence of free and reasonable individual. In this light he asserts; *“the State is reasonable because it speaks universally, for all and for everyone, in its laws, and that each and every one recognized by its laws, finds what forms the meaning, the value, the honour of their existence”*.²⁵⁴ In other words, it is the State which humanized the individuals by allowing them to reach the satisfaction of their vital needs and of their existential aspirations. Such harmony can be achieved through the unification of both morality and politics and the universalizability of morality.

⇒ **The Foundation of a political society**

The foundation of political society to Eric Weil lies on the ethical requirement and education of the citizens. Membership of the state or of political society should be reasonable or rational and not dogmatic. Political society liberates man and get-rid of individual or subjective consciences situating him at the global and planetary citizenship which therefore marginalises subjective personal ethics and morals. Thus he affirms: *“The State is real in the patriotic feeling of its citizens, just as the citizen is concretely free by recognizing in the State concrete liberty, that is to say (because it is the same thing) the reasonable field of action: only the State has goals that are both conscious and universal”*.²⁵⁵

The ethical requirement: In his works, reasonableness and morality are one. Reason to him, relates to moral activist because legal individual seeks reasonable agreement with himself. Freedom is thus identical to reason because freedom in terms of morality is nothing other than the self determination of the individual. Consequently, the action of an individual

²⁵² *Ibid*, p. 101.

²⁵³ *Ibid*, p. 134.

²⁵⁴ *Ibid*, p. 54.

²⁵⁵ *Ibid*, p. 46.

who wants to be moral is an action in which an individual is only respecting himself. Ethics and morals therefore become what is accepted by the structure (laws and rules) of the society, that is to say, what is legal. The role of politics therefore is to make things normal and not to watch, to judge the ethnicity or the morality of actions in their subjectivity. Politics then seek the common good and the universal. The ethical requirement is on the subject's freedom.²⁵⁶ It is in such person that reason must prevail over passion which is in line with Plato where he holds that the rational part of man needs to rule over the other parts. Also for Weil, the universal must dominate and inform the particular that is to say, the subjectivity of man must be universalized.

The Education of Citizens: There is naturally on the one hand, a conflict between the subjective and particular aspirations of the self and on the other, the demands linked to the universal. The role of political society is to make all its individuals, members and is achieved through education whereby education has the positive aim of giving the individual a correct attitude in his actions and in his relationships with other members of the community. That is why he asserts that "*We talk about educating the reason through reason, to attain universal reason: we demand that every man is entitled to such education, that nobody is excluded, and that anyone can take part in the elaboration of social projects – but under the condition that everyone renounces violence and is ready to change his mind.*"²⁵⁷ This therefore presupposes that one learns to be a member of political society, one learns to be a citizen because, it is the correction in the way of acting and in the practical attitude which decides the value of the individual which is that of the education he has received. But the criticism that can be made here is that, education is a form of training and citizenship is a form of conformism in regards to our present reality.

⇒ **The challenges in political society**

The challenges here according to Weil, lie at the level of statolatry and that is what poses the problems of the modern state. The statolatry of the State (the worship of the State) begins with the Hobbesian conception of the modern state (the Leviathan) until the sublimation of the State in Hegel. Static substance in Weil's thought is summed up in its historicity in which the individual is at the centre of its functioning. Weil's critique of the

²⁵⁶ *Ibid*, p. 74.

²⁵⁷ Marco Filoni, "Law, Moral Law and Politics in Eric Weil", in *Democracy and Law-making: Philosophy and Public Issues* (New Series), Vol. 9, Luiss University Press, 2019, p. 115.

modern state is summed up in statolatry, which is the absolute submission of the individual to the State, the deification and glorification of the State by individuals.²⁵⁸

For Eric Weil, the State remains the plan of rational and reasonable decision. This conception is inspired by that of Hegel according to which: “*the State is rational in itself and for itself*” but not in the same direction. From that of Hegel according to him, is deduced a sublimation of the state and its organizations which is exposed to absolutism or tyranny. Weil then speaks of statolatry which refers to the deification and idolatry of the State, that is to say, the submission of the individual to the State. The State in this view is not the organization of the community whereby the community could have the possibility of taking reasonable and rational decisions. That is, it becomes absolute value to constitute an entirely independent entity through which all thoughts and all repairs must be silenced. In short, such States tend to favour efficiency and inflexibility under the guise of “the strong State”. As a result, there will be a witness of the concentration of powers in the hands of individuals who represent the State. This concentration of power is subjected to drifts all the more since all exercise of power from it which is necessarily accompanied by abuse of power. If the statolatry is recurring, is because the fact remains that both, in terms of global governance and that of the nation States, is condemnable²⁵⁹.

3.2.3.2. Philosophical resolution theory of violence

To resolve political issues from their basic ground, Eric Weil resorted into unifying both morality and politics through the universalizability of moral rule. His political philosophy portrays the reality of this union by showing its possibility which is the clear distinction between his political thought and Kantian political thought.²⁶⁰ For Weil, political action is mediated by the responsibility towards others that translates the criteria of universalizability into manifestation for the possibility of justice. This is because justice implies “both equality and legality” and it requires the reconciliation of the universal and the actual concrete system of laws that in a given historical context can prevent the realization of the criteria of universalizability. Thus the notion of justice demands a critical stance towards the actual legal practices of a given community in order to bring about the transformation of the subjective man to a universal man. That is, a harmony between formal and concrete

²⁵⁸Eric Weil, *Hegel et, L'Etat : Cinq Conférences suivies de Marx et La philosophie de droit*, p. 24

²⁵⁹ *Idem*.

²⁶⁰ Eric Weil, *Problèmes Kantiens*, Seconde édition, revue et augmentée, Paris, Librairie Philosophique J. Vrin, 1970, p. 33.

morality through politics. For Weil, it is only by achieving a positive alignment of these two that peace could be in turn achieved in a State.

Also, For Weil, morality does not exist and cannot become a reality outside political domain. The coming of a world where reason may inspire all human beings. He provides a formal analysis of the modern State, which is based on a “formal and universal” notion of law, and provides an encyclopaedic analysis of different forms of political organization from autocratic to constitutional. Thus he asserts;

It is morality, therefore, that gives politics a philosophical meaning. But for the man of action, this moral imperative turns into a need for social justice, for education. For the individual in general, this moral necessity is the quest for happiness, for the satisfaction of material and other needs, for a life imbued with sense. This happens because men live together inside a determinate political community. “Moral life cannot be known or achieved outside of a community, a community that is moral, which is to say, capable of a higher form of morality.”²⁶¹

Furthermore, education plays a central role in Weil’s philosophy in general as a point through which this problem of interest could be resolved. Therefore, Weil’s moral theory places an emphasis on how individuals can become aware of the criteria of universalizability in order to see themselves as the seat of moral law. For Weil, this realisation of the moral law, and this self-consciousness of the individual as a moral agent, is ever a possibility. Thus Weil asserts that “*the main task of reasonable government is to educate the citizens*”²⁶² “*the positive side of education is to give the individual a correct attitude in his dealing with other members of the community*”²⁶³ that is to say, the essential task of government is to educate men so that they obey on their own the universal law. Education is where the summit of moral and political action is to lead people to reason so that they can become reasonable for themselves. In this way the interplay between coherence, universality and reasonability, forms a framework that defines moral action. Thus, an important distinction is the movement from the moral law towards the moral life, whereby notions such as happiness, satisfaction, desire, or duty could be applied on a new concrete content, however a content which is now critical, having passed through the filter of the criteria of universalizability.

*However the essential elements are visible: finitude and universality (more exactly: universalizability, because universality is a power, potentially in every man, even the most primitive; even in child, but the power must be actualised through education and decision), desire for happiness and will for a proportionate happiness to the merits of the rational being in the being of animal, this is what constitutes man in his humanity.*²⁶⁴

²⁶¹ Eric Weil, *Hegel et, L'Etat : Cinq Conférences suivies de Marx et La philosophie de droit*, p. 118.

²⁶² Eric Weil, *Philosophie Politique*, Paris, Vrin, 1956, p. 231 (translated to English).

²⁶³ *Ibid*, p. 61.

²⁶⁴ Eric Weil, *Problèmes Kantians*, p. 33 (translated from French to English).

In living morality, the individual can understand that the rational and the historical form a tension and not an irreducible opposition. It is at this precise point, in the self-understanding of this tension by the individual, that the theme of reasonable action and of the institutional instance in which society and its problems can be thought and resolved.

Again for him, violence in a State could be resolved through historical coherent discourse which Weil employs to portray the important of basing politics on morality. Thus he suggests that, *“There is no doubt: to choose is indeed possible. The proof is that men have always chosen, opting for one of the two possibilities and excluding the other; Epicurus and Francis of Assisi refused politics; Genghis Khan and Hitler didn’t devote their sleepless nights to the solution of moral problems”*.²⁶⁵ It is possible to choose one domain over the other, but such a choice implies giving up on the possibility of understanding reality and renouncing philosophy. Politics is superior to morality as long as politics is founded on morality in an attempt to actualise it within the civil society. It is only in this way that morality, which serves as an end, will also find its end. The end of morality is achieved by satisfying man in his quest for dignity and justice, satisfying the conditions and needs of people, and making them happy. Thus, without relation to morality, politics is reduced to a technique of seizing or conserving power, to an endless game of conflicts of interest as was the case of Hitler and Napoleon Bonaparte. Therefore, from historical coherent discourse which accord with the view of Machiavelli in the light of historical facts, certain mistakes could be corrected and certain facts could be learned for better realisation of peace in a State.

In addition, the problem of interest in a State could be resolved through an inclusive coherent discourse. Weil’s political thought gave room for revolutions and changes through inclusive coherent discourse that gives meaning to contents in regard to space and time. It is in this light that he asserts: *“Democracy may be said to exist when all members of a community are able to partake, on an equal basis, to the discussion of public affairs”*,²⁶⁶ which implies a process of decision-making defined by open public transparent discussion involving all citizens, which is therefore universal in scope. That is, whereby a forum of discourse that permit the participation of each and every individuals to give a coherent meaning to contents that would enable revolution and give room to changes in regard to space and time in order to avoid conflicts. As such, the problem of general and particular interest in political society could be solved. This could base on individual capacity and eligibility to decision-making positions as citizens. This criterion gives voice to the plurality of goals,

²⁶⁵ Marco Filoni, “Law, Moral Law and Politics in Eric Weil”, p. 118.

²⁶⁶ *Ibid.*, p. 112.

needs, struggles, and values that exist at the interior of a given political organization. The historical and contingent content of these commitments are developments of the natural evolution of the State, which Weil regards as the organic set of institutions of a historic community. Underlying these analyses is a defence of constitutional democracy whereby “each citizen is considered as a potential ruler, and not only as ruled”. This notion of potentiality implies a State defined by all citizens’ capacity and eligibility to decision-making positions. Thus, a way out for the problem of general and particular interest in a political society which will further entails the presence of peace.

**PART TWO: MICHAEL WALZER'S PEACE BUILDING
THEORY**

This second part is consecrated to the theory of peace building project of Michael Walzer in his book entitled, *Just and Unjust War*. Walzer is an American political theorist and philosopher, born in March 3, 1935 in New York City and presently, he is 87 years old as a Professor Emeritus at the Institute of Advanced Study (IAS) and Editor Emeritus of *Dissent*. He was educated at Brandeis University, Cambridge, UK, and Harvard, where he was awarded PhD in 1961 for a thesis, subsequently published as *The Revolution of the Saints: A Study in the Origins of Revolutionary Politics* (1965).²⁶⁷ Considered as a political philosopher as to regards his writing and thinking, Walzer is equally a political activist, a participant in the democratic politics of the United States. Walzer was an active member of the anti-war movement, and his academic focus shifted as a result of this engagement which is mostly substantialised in his work entitled; *Just and Unjust Wars* appeared in 1977 after the end of the World War II and the peace settlement.²⁶⁸

Walzer's peace building based on the situations that surround twentieth century that experienced some aggressive regimes: It is in this light that he affirms; "*no one who has experienced, or reflected on, the politics of the twentieth century can doubt that there are evil regimes. Nor can there be any doubt that we need to design a political/military response to such regimes that recognizes their true character*". Walzer here, knows that appearance or potential of becoming an aggressive regime, does not entail or tantamount to condemnation. That is why he affirms that "*I do not believe that regime change, by itself, can be a just cause of war. When we act in the world, and especially when we act militarily, we must respond to "the evil that men do," which is best read as "the evil that they are doing," and not to the evil that they are capable of doing or have done in the past.*"²⁶⁹ Thus for him, there is a need of a careful design of diplomacies and policies on how to handle the issue of aggression which for him, results from evil regimes. This shows that aggression and massacre are legitimate causes of war, and for him "*we must learn, what we have not yet learned, to respond to each of these in a timely and forceful way. But the existence of regimes capable of aggression and massacre requires a different response.*"²⁷⁰ These solutions are illustrated in his "theory of just and unjust war" which comprises harsh containment policy, moral theory of war, the principle of force-short-of-war and the possibility of governing the globe. And these constitute his peace building project.

²⁶⁷ Chris Brown, "Michael Walzer" in Daniel Brunseter and Cian O'Driscoll, *Just War Thinkers: From Cicero to the 21st Century*, London, Routledge, 2017, p. 205.

²⁶⁸ *Idem*.

²⁶⁹ Michael Walzer, *Just and Unjust Wars: A moral argument with historical illustrations*, p. xiii.

²⁷⁰ *Idem*.

CHAPTER FOUR: WALZER'S CONCEPTION OF JUST AND UNJUST WAR THEORY AND HIS HARSH CONTAINMENT POLICY ON AGGRESSORS

To better grasp Walzer's peace building, it will be important to understand his theory of just and unjust war as well as his harsh containment policy. This is because his works lies mostly on this theory of just and unjust war and the principles that constitute it. It is in the process of presenting the reality that man needs war, which for him can be controlled and subjected to qualification, that he orientates certain principles such as the harsh containment policy by the use of war-short-of-force. Thus, it will be necessary to present Walzer's theory of just and unjust war as well as his policy of harsh containment policy for a better understanding of his peace building project. It is on this theory that he based his international diplomacies and policies on how to achieve peace among States in general and nation in particular.

4.1. WALZER'S CONCEPTION OF JUST AND UNJUST WAR THEORY

Walzer's conception of just and unjust war lies on his conception of war which he regards or presents in two dimension; war under the use of force to compel someone to accept or do something and battle sort of war which is more of violence and brutal. Therefore, it will be necessary to grasp and understand Walzer's conception of war which will enable the understanding of his theory of just war. But before arriving at that, it will be helpful to understand war in its general conception.

4.1.1. Understanding Walzer's conception of war

Walzer's conception of war cannot be well grasp without understanding the general conception of war: The need to first portray the conception of war in the general point of view before that of Walzer.

⇒ Conception of war in the general point of view

First of all, is to understand what is war? (The constituent of war) The utterance of the word "war" refers to a complex reality in regards to its deeper nature and multiple manifestation of its signification. War can at the same time refers to conflicts, crises, and dispute. Thus Carl Von Clausewitz asserts: *war is nothing but a duel on a larger scale. Countless duels go to make up war, but a picture of it as a whole can be formed by imagining a pair of wrestlers. Each tries through physical force to compel the other to do his will; his immediate aim is to throw his opponent in order to make him incapable of further*

resistance.”²⁷¹ In other words, “*War is thus an act of force to compel our enemy to do our will. Force, to counter opposing force, equips itself with the inventions of art and science.*”²⁷² War therefore does not lie on one person or one party but from two parties upward whereby there must be a one that attacks and the one that retaliate.

War is regarded as a conflict, crises, and disputes opposing States, Nations, Human groups or individuals.²⁷³ At this level, war is assimilated to confrontations, battles or fights with a powerful intensity of violence. Example of war amongst States was the war between Iraq and Iran, example of war amongst Nations was the six days war amongst Arab nations (Arabs vs. Jews), example of war amongst human groups or Communities was the genocide in Rwanda and Xenophobia in South Africa. Common denominator in this level of conflict is violence, because violence can be physical, moral, ideological or psychic. War can signify or express crisis, a tension more or less violent. It can mean a simple belligerence or a state of worry (being troubled) which in history, refer us to cold war between USA and Russia and even presently, cold war is still perceptible amongst the veto powers.

⇒ **Walzer’s conception of War**

War for Walzer “*is a zone of radical coercion, in which justice is always under a cloud*”.²⁷⁴ That is to say, it is a zone where physical or moral force is used to compel someone or a group of people to accept or abstain from doing something. According to him, it is in fact, men who give meaning to this zone thus he affirms; “*what is war and what is not-war is in fact something that people decide*”.²⁷⁵ In other words, any war inside a civilization zone is marked by the meaning the societies attribute to it, it is human violence and not animal, it is regulated and not arbitrary, but, in measure that it clearly involves economic and political stakes (activities), it obeys more and more, the considerations of efficiency. It is in this light that he asserts: “*it's not what people do, the physical motions they go through, that are crucial, but the institutions, practices, conventions that they make. Hence the social and historical conditions that "modify" war are not to be considered as accidental or external to war itself, for war is a social creation*”.²⁷⁶ It is in this light that Raymond Aron holds that War has a historical function and not only social or pragmatic. Without it, the future of civilization

²⁷¹ Carl Von Clausewitz, *On War*, New Jersey, Princeton University Press, 1984, p. 75.

²⁷² *Ibid*, p. 75.

²⁷³ Laurence Urdang, *The Oxford Thesaurus: An A-Z Dictionary of Synonyms*, Clarendon Press, 1991, p 2006.

²⁷⁴ Michael Walzer, *Arguing about war*, New Haven & London, Yale University Press, 2004, p. xi.

²⁷⁵ Michael Walzer. *Just and Unjust Wars*, p. 24.

²⁷⁶ *Idem*.

is unconceivable. By it are born Empires, by it are based thrones, and nations hardly accede to the expression state of their will without the intersection of force.²⁷⁷

Walzer's view deviate from that of Aron in that as a result of the consequences of war, he regards all forms of war as a hell thus he asserts: "*People get killed, and often in large numbers. War is hell. But it is necessary to say more than that, for our ideas about war in general and about the conduct of soldiers depends very much on how people get killed and on who those people are*".²⁷⁸ Consequently, one does not fight war for war, thus for him, there is as well a "rationality" of belligerence: war responding or corresponding to logic. It is on this ground that he calls on the need of knowing the kind of war that can say to be logical and just.

4.1.2. The origin and the conception of just and unjust war theory of Walzer

Though the ideology of just war didn't originate nor coined by Walzer, but he drew attentions to it by redefining and reorienting the principles. In order to make understand the theory of peace building of Walzer, it will be necessary to understand his conception of just and unjust war. For Walzer to construct his conception of just and unjust war, he first traced the past conception and the origin of just war. This is why Orend Brian says that "*one instructive way to interpret Walzer's theory of jus ad bellum would be to compare and contrast it with the account of jus ad bellum offered by the just war tradition*".²⁷⁹ This requires therefore, the need to first portray the origin of just and unjust war which is regarded as just war tradition.

⇒ The origin of the just war theory of Walzer

According to Oxford companion to philosophy, Paweł Włodkowic (Paulus Wladimirus), perhaps one of the most famous Polish thinkers of fifteenth century developed the concept of 'just war', which influenced the development of international law on a war that could be termed just²⁸⁰. Just war therefore refers to a war that is fought under acceptable moral cause meant to stop or punish the aggressors and which target is only on the aggressor. The very recent versions of 'just war' theory focused especially on two ideas: "*(i) that war can be justified only as a response to aggression (this is presented as the principal condition for jus ad bellum); and (ii) the idea of non-combatant immunity as the principal condition for*

²⁷⁷ Raymond Aron, *Peace & War: A Theory of International Relations*, pp. 587-88.

²⁷⁸ Michael Walzer, *Just and Unjust Wars*, p. 22.

²⁷⁹ Brian Orend, "Michael Walzer on resorting to force", in *Canadian Journal of Political Science*, Canadian Political Science Association, 2000, pp. 523-547, p. 525

²⁸⁰ Ted Honderich, (editor) *The Oxford Companion to Philosophy*, Second Edition, New York, Oxford University Press, 2005, p. 728.

jus in bello.”²⁸¹ Thus, just war refers to the war that is meant to stop the aggressors following a lay down principles.

The early Christian attitude of abstention from involvement in war according to Oxford companion to philosophy, “*was difficult to sustain when Christianity became the established religion of the Roman Empire*”,²⁸² and thinkers of medieval period such as Augustine resort to the idea that “*the waging of war was a legitimate exercise of the authority of rulers. As the ruler may justly punish wrongdoing on the part of his subjects, so likewise war could be ‘just’ if it was waged to punish external wrongdoers*”²⁸³. Over the centuries this position according to the Oxford companion to philosophy, was elaborated in detail, and divided into two theories; the theory of *jus ad bellum* that defines the right to go to war and the theory of *jus in bello* which defines the right ways to go about such war. To this regard, the “*typical conditions laid down for jus ad bellum were that war may be undertaken only by a legitimate authority, it may be waged only for a just cause, it must be a last resort, there must be a formal declaration of war, and there must be a reasonable hope of success*”.²⁸⁴ Orend Brian in his article presents six requirements of *jus ad bellum* whereby he added “right intention” to the above mentioned.²⁸⁵ On the other hand, “*the two most important conditions for jus in bello were that the means employed should be ‘proportional’ to the end aimed at (that is, the war should not be fought in such a way as to constitute a greater evil than the evil it was intended to remedy), and that it was not permissible to kill ‘the innocent’ (understood to mean non-combatants, civilians).*”²⁸⁶

Orend for instance, illustrate World War II to correspond with the six requirements of just war tradition in the light of Walzer’s theory of just war, which for him fulfilled them as follow:

*That the Nazis had, through their multiple aggressions, given just cause to the Allies to respond with war; that there was no choice, in the last resort, but for the Allies to fight; and that the proportionality condition was fulfilled by the Allies because succumbing to Nazi aggression would have been “immeasurably awful.” He also could have mentioned that the Allies did seem to have the proper motivation to defeat Nazi Germany, that they enjoyed a measure of probability of success right from the start and that their resort to force was publicly declared by their legitimate national government.*²⁸⁷

²⁸¹ *Ibid*, p. 953.

²⁸² *Ibid*, p. 952.

²⁸³ *Ibid*. p. 953.

²⁸⁴ *Idem*.

²⁸⁵ Brian Orend, “Michael Walzer on resorting to force”, p. 525.

²⁸⁶ Ted Honderich, (editor) *The Oxford Companion to Philosophy*, p. 953.

²⁸⁷ Brian Orend, *op. cit.*, p. 538.

These show that the conditions of just war tradition were fulfilled in the World War II but the casualties of the World War II were terribly awful that no one will wish for its repetition. But such a just war does not worth its reputation which induced Walzer to review and amend the theory. Thus Walzer's just and unjust war didn't limit itself to this point of view, it goes beyond it and redefine its principles.

⇒ Walzer's conception of just and unjust war

The word "just" according to Walzer, "*is a term of art here; it means justifiable, defensible, even morally necessary (given the alternatives)—and that is all it means*".²⁸⁸ The "just" which Walzer is referring to here is therefore, the moral and logical justification of an act which can be either on the reason an act is carried out or on the how an act is carried out. To the outbreak and the course of war, which has to do with the reason and the how aspect of the "just", Walzer asserts:

*All of us who argue about the rights and wrongs of war agree that justice in the strong sense, the sense that it has in domestic society and everyday life, is lost as soon as the fighting begins. War is a zone of radical coercion, in which justice is always under a cloud. Still, sometimes we are right to enter the zone. As someone who grew up during World War II, this seems to me another obvious point. There are acts of aggression and acts of cruelty that we ought to resist, by force if necessary.*²⁸⁹

In the reality of life, there are certain acts that leave one with no choice than to retaliate and in such cases, war becomes a necessity and unavoidable. This reality for Walzer, enable the qualification of the outbreak of war to either be referred to as "just" or "unjust". This is equally applied to the course of war whereby as a result of escalations that render war a hell, there is a need of defining the process so as to prevent cruel casualties.

Walzer's theory of just war "*is, first of all, an argument about the moral standing of warfare as a human activity. The argument is twofold: that war is sometimes justifiable and that the conduct of war is always subject to moral criticism*".²⁹⁰ It is from these perspective that Walzer's perception of "just" is drawn. That is to say, the need of war convention is a necessity in war, which could unanimously demarcate the flow of war in an ethical and logical manner so as to avoid unnecessary casualties. In other word, any war that does not follow or respect the laydown war convention is regarded here as unjust war. In the perspective of Walzer, the view of the realists regarding the origin of war, as a reality imbedded in the nature of man which makes war unavoidable necessity, is not tenable. Walzer

²⁸⁸ Michael Walzer, *Arguing about war*, New Haven & London, Yale University Press, 2004, p. x.

²⁸⁹ *Ibid*, p. x-xi.

²⁹⁰ *Ibid*, p. ix.

is against such view, thus for him, to enter into war is a decision where by, man who is the actor, ought to have a moral judgement on decision making. War is a social creation caused by human against human and is from this perspective that Walzer calls for its control. Comparing morality with strategy, Walzer holds that morality of war could be used to prevent the hell casualty and the outbreak of war. For him, the reality of morality can be seen in two perspectives as far as war is concerned, which could be drawn from two perspectives of justice in war as presented right from the medieval period: *jus ad bellum* and *jus in bello*. *Jus ad bellum* can be used to control the outbreak of war while the *jus in bello* could be used to control the hell casualties of war. Thus, wars that violate these principles could therefore be referred to as unjust war.

From the above perspective, Walzer, in line with law and order in international society, agreed in his theory of aggression that nothing but aggression can justify war and the central purpose of the theory is to limit the occasions of war; “*there is a single and only Just cause for commencing a war*”. For him, aggression justifies two kinds of violent responds; a war of self-defence by the victims and a war of law enforcement by the victims and any other members of international society. The defence of rights is the only reason here for any use of violence. It is in this light that the legalists’ paradigm rules-out every other sort of war: Preventive war, commercial wars, Wars of expansion and conquest, religious crusades, revolutionary wars, military interventions, and so forth, all these are absolutely barred in the same way their domestic equivalence are ruled-out in municipal law. The right which Walzer is referring to here, is the right to life which no one has the right to take it away. That is why for him, only aggression can justify war. The right of political communities is their territorial integrity and political sovereignty. The duty and right of the state is nothing other than the duties and rights of men who composed the state. Thus, the individual rights (lives and liberties) underlie the most important arguments that make up the rules of war whereby the rules are in accordance to human rights.

For Walzer, war does not start ex-nihilo like every other activities, war equally has a beginning having human as the agent as well as the victims, which makes him to refer to war as a tyranny. The aspect of war as a tyranny is whereby everyone is forced into war without their consent that is, not being part of those who started the war but end up being the victims of war. Just like in the tyrannical government where everybody become victims of the cruelty of the tyrants. It is for this reason that Walzer persisted on the necessity of war convention and the theory of aggression whereby those who started the conflict are regarded as the aggressors. For him, any use of force or imminent threat of force by one state against the

political sovereignty or territorial integrity of another constitute aggression and is a criminal act. Therefore, Walzer aimed at setting a clear cut on the criterion of wars that can be considered as just war and those that can be considered unjust. For him, “*aggressive wars, wars of conquest, wars to extend spheres of influence and establish satellite states, wars for economic aggrandizement—all these are unjust wars*”.²⁹¹ According to General Sherman, “*those who start war should be blamed or are the ones to be blamed, every other persons are retaliating over the aggressiveness of those who started the war and so, any means employ against them are just no matter how cruel it is*”²⁹² Walzer on his own part, agreed with the fact that those who start war are the one to be blamed but disagrees with the view of employing any means against them due to the fact that in the midst of aggressors are found innocents who were not involve in the act. So therefore, the need of subjecting the conduct of war to moral criticism because all depend on human decision which can be accountable for as to regards responsibility.

Walzer further argues that his theory of just war is a new theoretical version that aimed at matching theory with action. Just war theory is therefore the continuation of the past ideologies that surrounds war and its resolution which reached down to us from history and which requires further resolution. Thus he asserts;

*Ideas like self-defense and aggression, war as a combat between combatants, the immunity of noncombatants, the doctrine of proportionality, the rules of surrender, the rights of prisoners-these are our common heritage, the product of many centuries of arguing about war. “Just war” is nothing more than a theoretical version of all this, designed to help us resolve, or at least to think clearly about, the problems of definition and application.*²⁹³

This shows that his just war theory aimed at clarifying certain dilemmas that surrounds arguments about war in view of its resolution towards the achievement of peace. It is in this light that he drafted out his moral theory of war which will be part of the focus of chapter six of this dissertation.

Walzer, in his book entitled *Arguing about war* which he wrote as a responds to critics and amendment to *just and unjust war*, update his theory of just war by adding a third principle to the former two principles. Following the principles of “*jus ad bellum* and *jus in bello*”, laid down by the middle age philosophers which he aimed at reorienting, Walzer added the principle of “*jus post bellum*” whereby the aggressors who are the criminals here,

²⁹¹ Michael Walzer , *Arguing about war*, p. xi.

²⁹² Michael Walzer, *Just and Unjust Wars: A moral argument with historical illustrations*, p. 32.

²⁹³ Michael WalzeR , *op. cit.*, p. x.

are justly punished for their criminal act and occupied after war. It is in this light that he admitted and affirms;

And faced with the reiterated experience of state failure, the re-emergence of a form of politics that European historians call “bastard feudalism,” dominated by warring gangs and would-be charismatic leaders, I have become more willing to defend long-term military occupations, in the form of protectorates and trusteeships, and to think of nation building as a necessary part of post war politics. Both of these shifts also require me to recognize the need for an expansion of just war theory. Jus ad bellum (which deals with the decision to go to war) and jus in bello (which deals with the conduct of the battles) are its standard elements, first worked out by Catholic philosophers and jurists in the Middle Ages. Now we have to add to those two an account of jus post bellum (justice after the war).²⁹⁴

From this recognition, Walzer, in addition to the short term war, admits a moral and logical long term war through which the punishments levied on the aggressors are reinforced and actualised through a just occupation of victors to regulate and re-established the state to a peaceful democratical regime. These processes can take as long as it could to make sure that retributive justice and change of government take their course.

It is from the above perspective that Walzer set forth his peace-building project which aimed at dismissing any unnecessary pretext for war which does not have to do with aggression. Thus, Walzer knowing that decision has always been and is behind any conflict and war, placed decision as the solution of war and this he does by calling on reinforcement at the international level as to regards the issue of international security where for him lies the solution. These solutions require force so as to stop the rise of any form of aggression; where the starting point of war lies. He based this force on the unified decision-making at the international societal level. For him, there exists international society made up of states as members and not private women and men, which has rules and regulations put in place to govern the activities of the member states in terms of relation and war. States on their own part, are where men and women are protected and their interest can only be represented only by their own government. So for him, under the umbrella of international society, the States could be controlled and the individuals achieve their purpose as well, in their respective States. This could be achieved through the intensification of harsh containment policy on aggressors, and the need of the use of the policy of “politics-short-of-force” and of the moral theory of war. These shall be the focus, respectively, of the next two chapters of this part.

4.2. INTENSIFICATION OF HARSH CONTAINMENT POLICY ON AGGRESSORS

Walzer employed the harsh containment policy used on Iraq after the first Gulf War as a positive respond to aggressors even though it failed but he point out the areas and reasons

²⁹⁴ *Ibid.*, p. xiii.

for its failure and calls for its amelioration and intensification. Thus he asserts: “*The harsh containment system imposed on Iraq after the first Gulf War was an experiment in responding differently.*”²⁹⁵ According to him, the Harsh Containment which he identifies with the use of force-short-of-war has three elements: “*The first was an embargo intended to prevent the importation of arms (...). The second element was an inspection system organized by the UN to block the domestic development of weapons of mass destruction. The third element was the establishment of “no-fly” zones.*”²⁹⁶ Thus, the intensification of these, in the light of Walzer’s call for their amelioration will be the focus of this chapter.

4.2.1. An embargo intended to prevent the importation of arms

This first embargo according to Walzer lacks the consideration of other aspects of life which it also affects such as the supplies of food and medicine and it also lacks harmony and cooperation among states. Thus, he calls for an embargo that will base on a well design "smarter" set of sanctions involving in harmony, all the member states.

⇒ Embargo on trade with other nations under a “smarter” set of sanctions

For Walzer, preventive war is not justifiable in whichever case since the appearance and the potential of becoming an aggressive or murderous regime is not tantamount to war because the only act that could result to war is what a “regime is doing” and not what it seems or has the potential of doing. Thus, for him, “*what we might think of as “preventive force” can be justified when we are dealing with a brutal regime that has acted aggressively or murderously in the past and gives us reason to think that it might do so again.*”²⁹⁷ In such cases what should be employed is not war but the harsh containment that will end with the change of the dangerous regime of that state. Thus, he asserts, “*we aim at containment but hope for regime change. And we can legitimately design the containment policy to advance this further purpose whenever that is possible-which means that we can use force, in limited ways, for the sake of producing a new (and if new then also democratic) regime.*”²⁹⁸ The limitation here is based on the form of embargo that is needed to stop the cruel act of the regime and the ousting out of the regime for a better one that could permit the reign of peace.

The presence of such above mentioned regime could jeopardise the presence of peace in that particular state as well as in the world at large. For Walzer, the aggressiveness or murderousness of a state lies on the regime in power and the problem can be resolved by

²⁹⁵ Michael Walzer, *Just and Unjust Wars*, p. xiii.

²⁹⁶ *Idem.*

²⁹⁷ *Ibid.*, p. xv.

²⁹⁸ *Idem.*

uprooting the regime in question. The regime can be uprooted without necessarily resorting to war but with the use of embargo as deed against Iraq. That is to say, a sanction that prevents the state from engaging into any further affair or trading with other state members. Such an embargo was mainly to cripple the economic and purchase power of the state so as to prevent her from generating much arms that could boost and intensify her pursuit and as such bring justice to the spare of politics and the state without destructive war. Thus he affirms: “*if we commit ourselves to the forceful containment of brutal regimes, to collective Security, we may find that we can reach justice without the terrible destructiveness of war*”.²⁹⁹ The embargo for Walzer, could weaken and brings the regime to the level that the International society could dissolve it at ease if applied correctly.

Also, since the problem here lies at the level of regime, the civilians should be exempted from the sanction, that is to say, the sanction should be levied in such a way that the lives of the civilian will not be as take. That is why he asserts; “*when force-short-of-war is used, it should be limited in the same way that the conduct of war is limited, so as to shield civilians. This is especially important in the case of economic blockades, where the civilian population is inevitably at risk, even if the government and not the population is the target of the blockade*”.³⁰⁰ Thus he proposed the smart-sanctions policy of Colin Powell which “*are meant to be morally as well as politically smart-is supposed to reduce the risk (...).There is no justification for a blockade that effectively deprives civilians of food and medicine*”.³⁰¹ That is to say, the blockade should not be on food and medicine in such a way that the lives of the civilians will be at risk but to cripple the economic and political power of the regime in question and overthrow it. But in the case where the regime tactically and deliberately reinforces the deprivation to the detriment of its civilians to discredit the embargo, as in the case of Saddam Husain in the 1990s, the UN responded with its oil-for-food program should be employed in more effective and efficient manner. This is because the one in question was not, which is why he says; “*I suppose something might be learned from that effort, if only about how to do it better. Some such response is clearly necessary, even if the hunger and disease attributed to the blockade are in fact the work of the targeted government*”.³⁰² In other words, the “oil-for-food program” has to be carried-out with all maximum effort involving all the state members.

²⁹⁹ *Ibid*, p. xviii.

³⁰⁰ *Ibid*, p. xvii.

³⁰¹ *Idem*.

³⁰² *Idem*.

⇒ **Harmony and involvement of all the member states in the embargo**

Just as for there to be any successful achievement among people or states, there must be an active and full participation of one another so is the case with the embargo postulated by Walzer, for the embargo to be well accomplished, there must be full and active participation of states in all affairs that concerns international society. He demonstrated that countries that come together for the collective view of their activities, in the case of aggression, war or in any sort of problem that threaten world peace, ought to take part in every decision taken and in their implementation. This is to be done by taking full and active participation in anything that concern decision or resolution to issues involving international society. For him, one of the primordial reason but seem less obvious for the failure of the containment on Iraq, was the lack common agreement and participation of member states in the containment. Thus, he asserts that *“the primary reason for the failure was, obviously, the ideologically driven policy of the Bush administration, which from the beginning favoured regime change and war over containment. But there is another reason, less obvious, which needs to be stressed: The states that opposed the war on the grounds that containment was working were not themselves making it work. They were not participants in, or even supporters of, the containment system”*.³⁰³ This shows for the fully achievement of containment policy by international society, there must be collective agreement and participation of each and every member states.

Walzer equally points out need of harmony and faithfulness to the decisions taken by the member states. These refer to the accord or cooperation that exists among a collective body as well as the implementation and respecting of the decision taken to the later. Here, Walzer demonstrates that, for there to be an achievable progress in any decision making, there have to be sincerity among these collective members where if a decision is taken for the sanction of a particular aggressive state or states, this decision should be respected and followed by all the members of these organisation as a proper duty of each. He points out the case of the containment on Saddam’s Iraq whereby *“the containment of Saddam's Iraq began as a multilateral enterprise, but in the end it was the Americans who were doing almost all the work”*.³⁰⁴ From this example he draws out a simple lesson about the meaning of collective security affirming that *“if measures short of war are to work against evil or dangerous regimes, there have to be the common work of a group of nations. They require multilateral commitment. Collective security must be a collective project. It won't be successful if the costs*

³⁰³ *Ibid*, p. xiv.

³⁰⁴ *Idem*.

of security are assigned to one state while all the others pursue business as usual".³⁰⁵ This shows that for Walzer, for the containment on the aspect of embargo to be successfully achieved, there must be collectiveness in both decision making and faithful participation of all the member states in the implementation of the decision taken.

4.2.2. The establishment of an inspection system and No-Fly Zones for aggressors

After putting the regime under the state of embargo, according to Walzer, there will be the need of blocking its domestic development of weapons of mass destruction and preventing the regime from using its air power against its own people. This could be done by establishing an inspection system and no-fly zones under the use of Measures Short of War.

⇒ The necessity of placing aggressive States under inspection

On the area an inspection system aiming at blocking domestic development of weapons of mass destruction, Walzer calls on the full measure of following up the regime in question so as to prevent and stop any possibility of mass destructive weapons. Such weapons in the hands of such aggressive and murderous regime, puts the lives of the entire humanity in danger and could jeopardised the world peace. It is for this reason that he described the elements of the containment system as "measures short of war." That is to say, the measure involved the use of force especially in the case of inspections and threat whereby military forces are installed to stop and seize the forbidden, which is the reason why according to him, states eager for business as usual often refused to participate for the interest of their quest. As presented by Walzer, "*according to international law, embargoes (stopping ships on the high seas) and the enforcement of no-fly zones (bombing radar and anti-aircraft installations) are acts of war. But it is common sense to recognize that they are very different from actual warfare*".³⁰⁶ That is to say, such act of inspection is war like but cannot be considered as such because it is void of destructive confrontation warfare which makes war a hell. For him therefore, such measures short of war are necessary to prevent any uprising of war from aggressive and murderous regime. It is this inspection that could prevents such regime from any internal and external mobilisation of weapons and equally detects and stops their initial move ahead of time. For example, as in the case of Iraq where Walzer presents:

This was a just outcome of the Gulf war, and the inspection system was its central feature. Once the inspectors were in place, they revealed to the world how hard Saddam's government had been working on a variety of horrific weapons and how far along some of the work was. For a while, at least, the inspections seemed to be reasonably effective: A number of facilities and large quantities of dangerous

³⁰⁵ *Ibid*, p. xiv.

³⁰⁶ *Idem*.

*materials were discovered and destroyed. As such, the future war that it could lead to, is avoided.*³⁰⁷

Involvement of other member States in carrying-out the inspection for Walzer is of utmost important for the realisation of containment policy. The lack of this is what according to him resulted to the abrogation or abolishment of the containment on Iraq. Thus he laments; “*had there been many states, or even just a few more states, enforcing the embargo, insisting on inspections, and flying planes over northern and southern Iraq, the unilateral abrogation of the containment system by the US government would not have been possible*”.³⁰⁸ This shows that the abandonment of the containment policy in favour of war was due to the lack of involvement of all the member states in the implementation of the policy especially on the area of inspection. That is to say, involvement of all the member states in all the affairs of international society, is of great necessity and unavoidable, especially on the aspect of inspection. Thus for Walzer, the presence of such involvement in the inspection could entails the success of containment while the lack of it could entails failure.

⇒ **The establishment of no-fly zones: The use of force short of war**

The establishment of no-fly zones is employed in the case where the regime is equally aggressive and hostile to its own citizen. This equally refers to the measures involving the use of force as in the case of inspections whereby bombing radar and anti-aircraft are installed to monitor and stop any such act by the regime in the state in quest. According to him, as is the case with inspection, many states eager for business as usual often refused to participate for the interest of their quest. This sort of intervention is referred to as humanitarian intervention whereby the intension is to stop the act of dehumanisation of the regime against its own citizens and according to him, such preventive is just. Thus he affirms; “*this was certainly a kind of humanitarian intervention, in that it served to prevent a massacre (...). That good reason, it seems to me, was sufficient to justify the preventive intervention*”.³⁰⁹ It is in this light that Walzer advocates the necessity for the use of force-short-of-war on aggressive States of this kind but places some limits on the reason for its employment and on its implementation. To this effect he asserts; “*but there are limits on the occasions when force-short-of-war can be used and also on the ways in which it can be used-limits that correspond to jus ad bellum and jus in bello*”.³¹⁰ With this installation and use of force-short-of-war which permits the intervention of international society to prevent a murderous and aggressive

³⁰⁷Michael Walzer, *Arguing about War*, p. 144.

³⁰⁸Michael Walzer, *Just and Unjust Wars*, p. xiv.

³⁰⁹*Ibid*, p. xvi.

³¹⁰*Idem*.

regime from murdering and dehumanising its citizens, ought to respect therefore the principles of just war as put forth by Walzer.

The bombing radar and antiaircraft installation referred to as force-short-of-war by Walzer, can indirectly result to the establishment of new regime or political system. Such change of political system cannot be referred to as unjust change or intervention because it results from the citizens themselves who opted for it. That is why he affirms that “*it may happen that containment anticipates rather than responds to local demands for self-determination. But this isn't an unjust anticipation, since the states organizing the containment don't themselves overthrow the old regime, and they don't establish the new one, if there is a new one*”.³¹¹ This means that even though harsh containment policy aimed at regime change, at this stage, the change does not occur direct but indirect through the reaction of the citizens towards the regime in question. Therefore, the ousting out the regime lies in the hands of the citizens, who through this humanitarian intervention of international society, could rise against the regime, overthrown and replace it. Thus by so doing, peace is established without the use of destructive war.

Equally, Walzer defends the justness of this humanitarian intervention of International society using force-short-of-war on the ground that the act doesn't violate the non-intervention principle. For him, the intervention is to aim at preventing the act of dehumanisation which aggressive and murderous regime is capable of doing and not intervening in the affair of the state and as such, only operate at the edge of the non-intervention policy and not violating it. Thus he affirms the no-fly zones “*are operating at the edge of the non-intervention principle but not in violation of it. If preventing aggression and mass murder is justified, then so is this indirect version of regime change*”.³¹² So, the fact that the preventive force influenced indirectly the change of regime does not render it unjust act nor can it be referred to as an unjust intervention because the purpose is just in itself. This means that the intervention only comes as a result of preventing and stopping any murderous and dehumanised act of an aggressive regime against its own citizens. That means it does not aim at intervening in the activities of the state. The establishment equally, is not for any destructive war but for monitoring and stopping any inhuman act such as bombing and aircraft fighting force as seen already above. Thus, being just in itself, is that they are out to prevent cruel and destructive war that could obstructs in a very long period of time, the presence of peace.

³¹¹ *Ibid*, p. xvi.

³¹² *Idem*.

For the purpose of the no-fly zones to be successively achieved or realised, Walzer recalls the requirement of multilateral commitment in carrying-out the force-short-of-war. He strongly affirms that the “*Collective security depends on collective recognition. Right now, however, the capacity of international agencies and regional associations to respond to threats of aggression and massacre is probably even less developed than their capacity to respond to actual aggression and massacre*”.³¹³ This shows that international society concentrates more on reacting to aggression than its prevention which means that Walzer requests that the international society should work more on handling the threat of aggression than preparing more to act only in the case of actual aggression and massacre. In this regard, Walzer, in line with Aron, calls on the international society to be prudent so as to discover the threat of aggression and massacre beforehand. This will permit her to prevent the aggression ahead of time and thus, avoid the outbreak of cruel and disastrous war.

Also, Walzer equally calls for more unilateral action on this ground of prevention which for him, could work much better in the case of massacre than in the case of aggression. That is why he asserts: “*So we have to acknowledge the possible legitimacy of unilateral action in both cases. But unilateralism works less well in the first case than in the second. Force-short-of-war-especially when it involves trade sanctions or a weapons embargo-requires the cooperation of many nations if it is to be effective*”.³¹⁴ That is to say, for there to be an effective realisation of perpetual peace, states must unanimously work together as international society to monitor and stop any threat of aggression and massacre using harsh containment policy, which involves trades and weapons embargo (measure-short-of-war), and establishment of inspection and no-fly zones (force-short-of-war). For Walzer, who insistently maintain the idea of unilateralism, strongly affirms: “*The avoidance of war and massacre requires a committed collective, ready to use force*”.³¹⁵ It is this collective committedness and the readiness to use force that could enable the reign of peace in the world at large and states in particular.

³¹³ *Ibid*, p. xvi.

³¹⁴ *Idem*.

³¹⁵ *Ibid*, p. xvii.

CHAPTER FIVE: WALZER'S MORAL THEORY OF WAR: WAR CONVENTION

With the necessity of war as a result of aggression and murderous acts that needs to be stopped in order to maintain peace, Walzer sees the need of a mechanism that could determine just and unjust course of war. What constitutes a just or unjust resort to armed force is disclosed by what Walzer calls “the war convention” which he defines according to Orend, as “*the set of articulated norms, customs, professional codes, legal precepts, religious and philosophical principles, and reciprocal arrangements that shape our judgment*” of the ethics of war and peace”.³¹⁶ It is in this light that Orend asserts:

*The shared war convention provides the raw material from which we construct the best interpretation of our core commitments in wartime. Walzer believes that this interpretation establishes a set of firm rules to guide the conduct of persons and states. He refers to this set as the rules of just war theory.*³¹⁷

Walzer believes here that war is part of human activities which like others, requires moral norms that could shape its practices in such a way that it can no longer be considered as something evil but as a tool of regulating human activities and putting to check all forms of aggression and inhuman acts. The achievement of this mechanism is what could permit a lasting peace.

At this stage, a very calculated war that ought to be carried out in the respect of the war convention, which he equally refers to as moral theory of war, can be employed to prevent future calamity. Here, war becomes human activity that can be justify and subjected to moral conduct and criticism through moral theory of war. This war convention of Walzer aimed at resolving the dilemma in war that makes it difficult to be fought in a justified manner. Thus he asserts; “*here I only want to say that my presentation of the moral theory of war is focused on the tensions within the theory that make it problematic and that make choice in wartime difficult and painful. The tensions are summed lip in the dilemma of winning and fighting well*”.³¹⁸ It is therefore necessary to understand Walzer’s conception of war convention which is principally presented here under war convention among states and among belligerents.

5.1. WAR CONVENTION AMONG STATES

The rules of just war theory is centred on *jus ad bellum*, *jus in bello* and *jus post bellum*. This permits to determine an act of aggression, the requirement of intervention among

³¹⁶ Brian Orend, “Michael Walzer on resorting to force”, p. 524.

³¹⁷ *Idem*.

³¹⁸ Michael Walzer, *Just and Unjust Wars*, p. xxiv.

states, and just occupation after war. Once the character of aggression is agreed upon and of those threat of war that constitute aggression and of those act of colonial oppression and foreign interference that justify intervention and counter inventions, it will be made possible to identify enemies in the world: that is, government and armies that can rightly be or should be resisted. It is under this perspective that war among states could be controlled and prevent unnecessary outbreak of war that will jeopardise the presence of peace.

5.1.1. Determinants of acts of aggression

On the aspect of aggression, it is the name given to crime of war. It is the only crime a state can commit against other state (s). The state here to Walzer,

Is, or it ought to be, determined instead by a morally necessary presumption: that there exist certain "fit" between the community and its government and that the state is "legitimate." It is not a gang of rulers acting in its own interests, but a people governed in accordance with its own traditions. This presumption is simply the respect that foreigners owe to a historic community and to its internal life.³¹⁹

The right of political communities for Walzer is therefore, their territorial integrity and political sovereignty and the duty and right of the state is nothing other than the duties and rights of men who composed the state. Thus, the individual rights (lives and liberties) underlie the most important arguments that makes up the rules of war which is in accordance to human rights. The moral standard of any particular state depends upon the reality of the common life and liberty it protects. If no common life exists, or if the state does not defend the common life and liberty that thus exists, its own defence may have no moral justification. Thus Walzer affirms; *"The rights in question are summed up in the lawbooks as territorial integrity and political sovereignty. The two belong to states, but they derive ultimately from the rights of individuals, and from them they take their force. "The duties and rights of states are nothing more than the duties and rights of the men who compose them".³²⁰* In other words, when a state does not uphold the right and liberty or the common good of the citizens, her territorial integrity and political sovereignty becomes illegitimate and the regime can be considered as an aggressive regime.

This aggressiveness can be seen in two faces which are internal and external illegitimate. Internal illegitimacy, which Walzer refers to as illegitimate at home, is whereby the regime is aggressive her citizens in regards to their political life. Thus he affirms;

A state is legitimate or not depending upon the "fit" of government and community, that is, the degree to which the government actually represents the political life of

³¹⁹Michael Walzer, "The moral standing of states: A response to four critics" in *Philosophy and Public Affairs*, Blackwell Publishing, 1980, p. 212.

³²⁰ Michael Walzer, *Just and unjust war*, p. 53.

*its people. When it doesn't do that, the people have a right to rebel. (...) And so arguments about legitimacy in this first sense of the word must be addressed to the people who make up a particular community.*³²¹

On the other face, it has to do with matters at the international level. Matter arises here when the international society observes that the violation and murderousness between the government or regime and the community of a state is apparent. Thus Walzer affirms that the international societies “*are not to intervene unless the absence of "fit" between the government and community is radically apparent*”.³²² That is to say, the regime for instance, which turns to be tyrannical to its citizens who have no power to defend themselves, renders the government an aggressive illegitimate regime at the international level. A good example here is that of the regime of Saddam Husain in Iraq that was aggressive and murderous to its citizen which obliged humanitarian intervention.

The right of political communities for Walzer is their territorial integrity and political sovereignty which no state has the right to violate except in the case of aggression. This is why Walzer presents that state “*is the coming together of a people that establishes the integrity of a territory. Only then can a boundary be drawn the crossing of which is plausibly called aggression*”.³²³ He further portrays that “*any use of force or imminent threat of force by one state against the political sovereignty or territorial integrity of another constitutes aggression and is a criminal act*”.³²⁴ This principle that holds that there should be non-intervention in the domestic affairs of other states follows from the legalist’s paradigm. Though the practice of intervening often threatens the territorial integrity and political sovereignty of the invaded states but it can sometime be justified. The unjustified aspect of the violation refers to instances where a state invades another state or intervenes unjustly to her domestic affaire. Thus these make their act illegitimate and unjust and as such, aggressive.

⇒ **The question of responsibility in the crime of aggression and neutrality**

Every act has someone who is responsible for it. In the case of war, there is always a responsible for the outbreak of war which can be considered as the activity or crime of aggression. According to Walzer, in the crime of aggression committed by a nation or state does not entail that the entire nation are responsible for the act. This is because every nation has a system of government that determine the sovereignty. Thus, the responsible of this

³²¹Michael Walzer, “The moral standing of states: A response to four critics”, p. 214.

³²² *Idem.*

³²³ *Ibid.*, p. 57.

³²⁴ *Ibid.*, p. 62.

crime of aggression could be determined by these sovereignty that is, the decision makers.³²⁵ For Walzer therefore, the crime of aggression as the outbreak of war could be attributed to the sovereign of the state or nation which to some extent in regards to some political system, is conferred to the head of state. Thus, a priori, in such system of government the head of the state and his entire entourage can be seen as responsible of the crime because they are decision makers and before a country could embark on such crime, it must be accorded by the president and his entourage. Even though the decision might be for the good of the citizens as well as it can be for selfish purpose. But as far as the population are not involved in the decision making, the head of state and his entourage bears the responsibility.³²⁶

In regards to democratic responsibilities, Walzer holds the view that, citizens cannot be held responsible for aggressive crime or to the crime of aggression because they are not part of decision makers but they can only share in the responsibility of reparations as a member or citizens of a state because whichever the decision the citizens had to or ought to participate in the outcome whether good or bad. When it is good, they benefit, so therefore, when it is bad, he equally had partake in it.³²⁷ In the exception where the citizen could be responsible for the act of aggression is in a total democratic system where by the citizens participate in decision making through public debate and voting of laws and decisions that affect the state. Also, the neutrals that refuse to participate in such decision making could be blamed but not held responsible since they did not partake in the decision making but had the opportunity to partake in the decision.

Aggression is the only crime according to international law that deserves a retaliation or resistance. In the face of war, state neutrality ought to be respected and a state equally has the right to respect and maintain her neutrality as well as forfeit her rights of neutrality. When a state respects its rights of neutrality, her citizens equally enjoy the right of peace but when a state forfeits this right, she ends up implicating her citizens into the fights or into the casualties of war.³²⁸ According to Walzer, though every state has the right to be neutral but the question being that is it right to stay (state) neutral in the phase of war? For him, in as much as a state being neutral is favourable and advantageous to itself and her citizens. But it is questionable, when the war has to do with the implications of major casualties under which the forfeit of this state's neutrality could help to prevent such casualties. As such, though the state is right

³²⁵Michael WALZER Michael, *Just and unjust war*, p. 287.

³²⁶*Ibid*, p. 289.

³²⁷*Ibid*, p. 296.

³²⁸*Ibid*, p. 233.

to remain neutral, it becomes immoral to be selfish and refused to intervene in such situations to prevent major casualties.³²⁹

Also, he holds that, this neutrality of the state can equally be violated for the only purpose of defending the right of the majorities and for the prevention of major casualties upon the innocents. Neutrality can be equally violated or forfeit in the case where by the aggressive war threatens the peace of the world, that is, whereby the activities of the aggressor can move from one conqueror to the other and such aggressiveness have to be stop at all cost. In such a case, no state in her moral consciousness will remain neutral in such a war but will have to forfeit her right of neutrality so as to stop such aggression which if allowed can equally involve the state in question. This calls for the need of intervention among states.

5.1.2. The requirement of intervention among states

As to regards the requirement of intervention among states, Walzer illustrates the cases where states could react or intervene in the matters that concern the other state. In the case of anticipation, which is where a state feel threaten and is certain of attack from a fellow state and then try to put some preventive measures, for Walzer, such state has the right to react under one condition; if an only if their territorial integrity and political sovereignty is at stake. In this light Walzer affirms; *“the general formula must go something like this: states may use military force in the face of threats of war, whenever the failure to do so would seriously risk their territorial integrity or political independence. Under such circumstances it can fairly be said that they have been forced to fight and that they are the victims of aggression”*.³³⁰ This is because the existence of a state lies on territorial integrity and political independence. Thus, any threat on these areas that is certain requires a reaction to save its existence just like an individual has the right to react to any threat that aimed at taken his/her life. He further asserts that *“both individuals and states can rightfully defend themselves against violence that is imminent but not actual: They can fire the first shoot if they know themselves about to be attacked”*.³³¹ Thus for Walzer, states could react only to any threat on their existence that is certain.

Also, in the case of intervening in the domestic affaire of a state in crises, membership of the state and the respect of the clauses of membership ought to be respected. Armed intervention, Walzer says as presented by Orend;

³²⁹ *Ibid*, p. 234.

³³⁰ *Ibid*, p. 85.

³³¹ *Ibid*, p. 74.

*“Can sometimes be justified” and it “always has to be justified.” The burden of proof regarding justification is always on the side of the intervener and is “especially heavy,” owing to the value of nonintervention, which is corollary to political sovereignty. “The members of a political community,” other things being equal, “must seek their own freedom, just as the individual must cultivate his own virtue.” It is only if other things are not equal that intervention can be grounded.*³³²

That is to say, the principle of non-intervention needs to be respected to the latter in such a way that intervention can only come in when the state in question has violated her international legitimacy. In other words, when the state has defiled her legitimate right by the government violating the right of her citizens and turn to be aggressive and murderous to the citizens that constitute the integrity and sovereignty of the state. This is why Walzer presents that *“yet the ban on boundary crossings is not absolute-in part because of the arbitrary and accidental character of state boundaries, in part because of the ambiguous relation of the political community or communities within those boundaries to the government that defends them”*.³³³ It is in this perspective that Walzer points out three cases under which intervention could be justified

In the case where the state in question contains many diverse political communities and one of them is engaged in an internal war for secession from the central government which in turn, is fighting to prevent that from occurring. That is, as Walzer himself puts it; *“when a particular set of boundaries clearly contains two or more political communities, one of which is already engaged in a large-scale military struggle for independence; that is, when what is at issue is secession or “national liberation;”*³³⁴ According to Orend:

*Walzer stresses that a justified intervention from an outside (...) support may be forthcoming only if the leaders of that disenchanted minority group clearly articulate its communal will, have mobilized their people on a significant basis, and have already launched an internal struggle against the central government.*³³⁵

This means that such a secessionist movement has to prove their “belligerent rights” to the recognition of international society. They have to prove themselves worthy of armed intervention assistance by proving their integrity and sovereignty. That is to say, representativeness that entails their legitimacy on both internal and external by taking clear communal action committed and ready with an overwhelming investment to defend their own future independence. It is this evidence of commonness of a distinct community and able and readiness for self-determination that according to Walzer, justifies their integrity and

³³²Brian Orend, “Michael Walzer on resorting to force”, p. 540.

³³³ Michael Walzer, *Just and unjust war*, p. 89.

³³⁴ *Ibid*, p. 90.

³³⁵ Brian Orend, *op. cit.*, p. 540.

sovereignty and is that which could permit an intervention of a state on her behalf to be just. Thus he affirms;

*The problem with a secessionist movement is that one cannot be sure that it in fact represents a distinct community until it has rallied its own people and made some headway in the "arduous struggle" for freedom. The mere appeal to the principle of self-determination isn't enough; evidence must be provided that a community actually exists whose members are committed to independence and ready and able to determine the conditions of their own existence.*³³⁶

This means that for an intervention in the case of secession or national struggle for independence, there must be evidence that proves that it is a communal struggle, the community as a people are ready and have proven to be able to determine the conditions of their own existence. Hence according to him, *"the need for political or military struggle sustained over time"*.³³⁷ That is to say, intervention in such cases requires time and could be determined from the political or military struggle sustained over time by the secessionist.

Another case justifying intervention for Walzer is counter intervention, which is designed to counteract the influence of another foreign power who has intervened unjustly in the domestic affairs of a political independent state, often in a civil war context. Thus Walzer presents the case as; *"when the boundaries have already been crossed by the armies of a foreign power, even if the crossing has been called for by one of the parties in a civil war, that is, when what is at issue is counter-intervention"*.³³⁸ The goal of counter-intervention for Walzer as presented by Orend, *"is not to win the war but rather to enable genuine self-determination. The ideal is to offset the imbalance injected into the local struggle by the first foreign intervention, and then let local forces prevail"*.³³⁹ Walzer though didn't disclose the ability to measure accurately such balances of probability, that is to say, when the state is to know the difference between when it has merely offset the existing foreign interference and when it has actually moved in favour of its own side, but he does stress that the counter-intervention can *"only be on behalf of a legitimate regime, one that possesses the required "fit" between governors and governed, and which has passed the self-help test"*.³⁴⁰ Thus, counter-intervention on behalf of an illegitimate government which has no interest of the people is not counter-intervention at all. As such has become an aggressive intervention in a civil war, and thus unjust.

³³⁶Michael Walzer, *Just and unjust war*, p. 93.

³³⁷*Ibid*, p. 94.

³³⁸*Ibid*, p. 90.

³³⁹Brian Orend, "Michael Walzer on resorting to force", p. 540.

³⁴⁰*Ibid*, p. 541.

The third case of intervention has to do with Humanitarian intervention among States. That is to say, “*when the violation of human rights within a set of boundaries is so terrible that it makes talk of community or self-determination or “arduous struggle” seem cynical and irrelevant, that is, in cases of enslavement or massacre*”.³⁴¹ This shows that the only armed humanitarian intervention which Walzer accepts is the intervention which aimed at rescuing citizens of a state from tyrannical and murderous acts that posed a question on the moral conscience of humans. For him, armed humanitarian intervention comes in only in cases where the government of the state in question, is engaging in widespread human rights violations. He stresses the degree to which foreign power could intervene; the human rights violations must be that which is massive and terrible basing on acts of massacre and enslavement. The humanitarian intervention according to him should equally aimed at regime change especially when the regime is terribly cruel to its citizens thus he asserts;

*When a government is engaged in the mass murder of its own people, or some subgroup of its own people, then any foreign state or coalition of states that sends an army across the border to stop the killing is also going to have to replace the government or, at least, to begin the process of replacement. It isn't only aggressiveness, then, but also murderousness that makes a political regime a legitimate candidate for forcible transformation. Still, the primary aim of the intervention is to stop the killing; regime change follows from that purpose. An authoritarian regime that is capable of mass murder but not engaged in mass murder is not liable to military attack and political reconstruction.*³⁴²

Walzer therefore accord that the unleashing of international armed force for humanitarian purposes and is permitted only in the above mentioned cases where there is no hope of self-determination, and when a government has been replaced by a savage act on its people resulting in massacre or enslavement. Walzer admits that any state that is willing to take on the burdens of armed rescue, can do so provided that the state follows the criteria for a just intervention as spelled out above.

⇒ **Just occupation after war**

Walzer's just war theory comprises three realities; the origin of war, the course of war and post war. For him, these three realities are independent of each other: “*The positions we took before the war don't determine the positions we take, or should take, on the occupation*”.³⁴³ That is to say, a war can have a just origin but fought unjustly and vice-versa as well as having a just origin and course of war without having a just post war which is referred here by Walzer as occupation after war. For Walzer, every war always end with

³⁴¹ Michael Walzer, *Just and unjust war*, p. 90.

³⁴² *Ibid*, p. x.

³⁴³ Michael Walzer, *Argument about war*, p. 164.

occupation by the victors and according to him, this occupation can as well be qualify as just or unjust depending on how it is carried out. Thus, Walzer provided conditions under which an occupation after war can said to be just or unjust as will be seen below.

For Walzer, there is a need of clarifying who are to occupy the defeated territory after war in the case of aggression. The criterion under which one can determine who should occupy the defeated territory is laid down by Walzer. To him, when a war is fought unilaterally, the occupation should equally be unilateral but when the war is fought multilaterally, the occupation should equally be multilateral. In either case for Walzer, it would have been much better for occupation to be multilateral than unilateral: “*The combination of unilateralism and laissez-faire is a recipe for disaster. A multilateral occupation would be better than the unilateralist regime we have established—for legitimacy, certainly, and probably for efficiency*”.³⁴⁴ But in the case where the war was fought unilaterally, it will become complicated and difficult for the occupation to be multilateral because no one will agree to spend in a war that they did not start. That is why Walzer, in the case of Iraq, says that “*the Europeans want to share authority without sharing costs; the Bush administration wants to share costs without sharing authority*”³⁴⁵ thus rendering multilateral occupation impossible.

For Walzer, occupation after war is expenditure and not benefit or profit: “*A just occupation costs money; it doesn't make money. Of course, the occupying army, like every army, will attract camp followers; these are the scavengers of war, profiteering at the margins*”.³⁴⁶ This shows that any occupation that aims at profit making, is an unjust occupation. Here, Walzer used the case of Iraq to demonstrate and defend his argument whereby, “*President Bush and his advisers seem committed to profiteering at the centre. They claim to be bringing democracy to Iraq, and we all have to hope that they succeed. But with much greater speed and effectiveness, they have brought to Iraq the crony capitalism that now prevails in Washington.*”³⁴⁷ And this according to him disqualified the legitimacy of the occupation and thus puts her democratic contributive goals in jeopardy.

For Walzer, what characterise a just occupation is the readiness to bear the cause of reconstruction of the territory in question without a quest of self-interest or profit. Also, being capable of changing the regime and establish a democratical power which should be handed over to the local authority without any force influence on how they should run their economic

³⁴⁴ *Ibid*, p. 166.

³⁴⁵ *Ibid*, p. 167.

³⁴⁶ *Ibid*, p. 166.

³⁴⁷ *Idem*.

and political organisation. Thus, Walzer illustrates these characteristics of a just occupation using the case of Iraq presented as follow;

So the justice of the occupation is up to the citizens of the United States. Here are the tests that the Bush administration has to meet, and that we should insist on: first, the administration must be prepared to spend the money necessary for reconstruction; second, it must be committed to debaathification³⁴⁸ and to the equal protection of Iraq's different ethnic and religious groups; third, it must be prepared to cede power to a legitimate and genuinely independent Iraqi government—which could even, if the bidding went that way, give its oil contracts to European rather than American companies. It sometimes turns out that occupying is harder than fighting.³⁴⁹

That is to say, making the local authority self-determine, capable of handling their political, economic and social activities without any intervention. Thus, the local rulers are free to enter into contracts with any other nations without constrain. That is why Walzer affirms that “*if its steady tendency is to empower the locals and if its benefits are widely distributed, the occupying power can plausibly be called just. If power is tightly held and the procedures and motives of decision making are concealed, if resources accumulated for the occupation end up in the hands of foreign companies and local favourites, then the occupation is unjust*”.³⁵⁰

Therefore, the handing over of power to the local authority entails the final withdrawal and end of the occupation and as such, when this principles are respected, it will enable the establishment of long lasting peace.

5.2. WAR CONVENTION AMONG BELLIGERENTS

5.2.1. The right of belligerents and innocents in the face of war

Walzer adhere to the view of moral equality in war among soldiers. For him, even though aggression is a criminal activity, it does not make the fighters criminal like in the case of domestic aggression because in a domestic robbery or aggression there is no rule set for such act but in war, there are rules and regulations set as moral conduct under which a war can be fought. Therefore, until the fighters goes against these moral rules, their act cannot be considered as criminal act. This is why he affirms that “*the moral equality of the Battle field distinguishes combat from domestic crime*”.³⁵¹ The rules of war which Walzer postulate, apply with equal force to both the aggressors and their adversaries. Thus, he asserts; “*soldiers fighting for an aggressor state are not themselves criminal hence their war rights are the same as those of their opponents. Soldiers fighting against an aggressor State have no licence*

³⁴⁸ It refers to a policy undertaken in Iraq by the coalition provisional authority (CPA) and subsequent Iraqi governments to remove the Ba'ath party's influence in the new Iraqi political system after the 2003 invasion,

³⁴⁹ Michael Walzer, *Arguing about war*, p. 168.

³⁵⁰ *Ibid*, pp. 165-66.

³⁵¹ Michael Walzer, *Just and unjust war*, p. 128.

to become criminals here they are subjects to the restraints as their opponents".³⁵² This shows that for Walzer, moral equality of soldiers ought to have mutual submission under which all the belligerents must be subjected without exception.

The immediate problem to the rights of belligerents according to Walzer, is that the soldiers who do the fighting, lose the rights they are supposedly defending even though some of them did not willingly chose to fight. According to him, "*they gain war rights as combatants and potential prisoners, but they can now be attacked and killed at will by their enemies*". That is to say, by choosing or induced to be belligerents, they have lost their right to life and liberty. But unlike aggressor states, they have committed no crime nor held responsible to any crime except in the case where they violate the rules of war. Every war follows a convention known as war convention put in place by international Security Council under which every war ought to be carried out and which all fighters ought to respect. Soldiers of each side are not responsible or held as criminals of such acts. But they can only be held as criminals when they go against the rules of war known as the convention of war. In the phase of war, each soldier faces certain instances that require their decisions or that depends on their decisions. Thus, in such instances are where a soldier can said to commit a crime of war.³⁵³

In the heat of battle according to Walzer, soldiers face certain instances that the outcome of the situation depends on their decisions and so, when a soldier in such situations act contrary and against war convention which leads to the massacre of innocent people, such soldiers is said to commit a crime and could be condemn for such act.³⁵⁴ There are cases whereby soldiers often carried out a brutal killing with the pretext of acting according to command, such act can be induced either by the command given to them by the superior Commander or as a result of the enemies hiding among the civilians. It is in the position of the superior officers or the military commanders to structure the activities of his battalions. Therefore, military commander has two morally crucial responsibilities according to Walzer. The first is that, the military commander in planning their campaigns ought to take positive steps to limit unintended civilians death and secondly, the military commander in organising their forces, must take positive steps to enforce the war convention and form the men under their command to its standard. Therefore, they must see to their training in this regards. So if a

³⁵² *Ibid*, p. 136.

³⁵³ *Ibid*, p. 304.

³⁵⁴ *Ibid*, p. 306.

great deal of such killing and injury takes place, they could be held responsible for the crime for it lies within their power to prevent it.³⁵⁵

According to Walzer, the zone of battle is a ground of coerce that expose only the belligerents to the state of victim of killing and therefore, for him “*no one else is made to be killed. This distinction is the basis of the rules of war*”.³⁵⁶ This led to his analysis on non-combatant immunity and the military necessities, where he argues on those who are supposed to be the point of attack in the face of war and those who are not. According to Walzer, the first principle of war convention implies that, “*when war has begun, soldiers are subjects to attack at any time and the first criticism of the convention is that, this principle is unfair. (...) It does not take into account that few soldiers are whole heartedly committed to the business of fighting and not all of them*”.³⁵⁷ This is because, for him, there are soldiers who join the army because they think their country must be defended or they are being conscripted in to the military. However, such person is not forced into joining by a direct attack. There are others who joint fighting because their lives are threatens and so, they have to join the war. Those who are conscript or joint the army in either case, have made themselves a point of attack and are often in the situation of danger which is not the case with the civilians who did not join the military. He therefore presents categories of people in the face of war; the military, the war like persons, the munitions workers referring to those who make weapons to the army or those who directly contribute to the business of war and the non-combatant. This led him to analysis on military necessities where he presents the category of people without right to life in the face of war and those with right to life.

⇒ **The right of the innocents (noncombatants)**

The concentration of Walzer’s war convention is the defence of the innocents from being attacked in the face of war. That is why for him, they should never be considered as the object or target of any military activities. For this he pointed out; “*The second principle of the war convention is that noncombatants cannot be attacked at any time. They can never be the objects or the targets of military activity*”. Thus, Walzer distinguishes the combatant and the non-combatant so as to avoid mixed-up. To do this, he pointed out the fact that war cannot stand on its own without economic and provisional support and therefore distinguishes two necessary aspect of such provisions thus, he asserts;

³⁵⁵ *Ibid*, p. 309.

³⁵⁶ *Ibid*, p. 136.

³⁵⁷ *Ibid*, p. 138.

We try to draw a line between those who have lost their rights because of their warlike activities and those who have not. On the one side are a class of people, loosely called "munitions workers," who make weapons for the army or whose work directly contributes to the business of war. On the other side are all those people who, in the words of the British philosopher C. E. M. Anscombe, "are not fighting and are not engaged in supplying those who are with the means of fighting."³⁵⁸

These munitions workers are distinguished from workers whose duty is to provide belligerents with medications and food and whom he refers to as non-combatant. This is because, the provision of the former is warlike and is of threat to the enemy whereas the provision of the latter is a normal daily activities that is carried out even in the peace-time and everyone has right to their services irrespective of the time (war-time or peace-time). It is in this light that Walzer affirms that the relevant distinction is "*between those who make what soldiers need to fight and those who make what they need to live, like all the rest of us. When it is militarily necessary, workers in a tank factory can be attacked and killed, but not workers in a food processing plant*".³⁵⁹ This means that the first three categories of people, can be attacked in the face of war but the last category of people are the innocent civilians who are not supposed to be attacked in the face of war. These category of people consists of those who supply foods stuffs, medicines known as Non-combatant immunity. Whereas those in the three first such as the war like persons, and the munitions workers can be attacked. This determines who to kill and who not to kill in the face of war.

Under human rights, rape is a crime in war as well as in time of peace because it violate the right of the women since most mercenaries treat them as objects and not as humans. The recognition of women personality should shape the belligerents' judgement in the face of war. A legislative act of war is that which does not violate human rights or the rights directed to the life and liberty of those who are in danger. When soldiers respect human rights, it is not as the humanitarians sees it to be; being kind or gentle but rather, they are acting justly in respect to their duty. These rights are to be agreed upon and reinforced by the international society. He maintains that it is not merely a moral equality of soldiers that requires mutual submission as seen above but also the right of civilians. That is why he says that states needs to remain committed and entitled to defend these rights of non-combatants (the innocents) whether their wars are aggressive or not. They are to do this according to him, "*by entering into agreement among themselves (which fix the details of non-combatant immunity), by observing these agreement and expecting reciprocal observance, and by*

³⁵⁸ *Ibid*, p. 145.

³⁵⁹ *Ibid*, p. 146.

*threatening to punish military leaders or individuals soldiers who violate them*³⁶⁰ This shows that for Walzer, the innocents known as the non-combatant are not involve in the fighting and so they are not to be attacked during war so as to avoid multiple aggressions and war.

Walzer raises an issue put forth by Laconia affair, that non-combatants are often endangered not because they are the point of attack but only because of “*their proximity to the battle that is being fought against someone else*”.³⁶¹ The innocents here fall victim because of the dilemma or difficulties often encountered in the face of battle in regards to the zone of battle which comprises both the combatants and the noncombatants. For this reason, Walzer finds it important to underline certain necessary conditions under which such dilemma could be avoided. He presents four necessary conditions to be taken into consideration here. The first is that the act should be good in itself or at least indifferent, that is, it should be done respecting the purposes put in place that makes it a legitimate act of war. Secondly, that the direct effect of the act should be morally acceptable which can consists of the destruction of military supplies or the killing of enemies soldiers. The third based on the intention of the actors which should aim only at the acceptable effect (the combatants); the evil effect should never be one of the ends nor the means to the ends. The fourth condition based on Henry Sedgwick’s proportionality rule: The good effect should be “*sufficiently good to compensate for allowing the evil effects*”,³⁶² that is, must be justifiable under the proportion whereby the outcome as far as it is of great importance could be achieved using any other means possible.

The main core of the conditions is the third rule where the good and evil effects occurs together; that is, the killing of soldiers and the nearby civilians. Such occurrences according Walzer, could be defended or justify if an only if the attacks are the product of a single intention directed at the killing of soldiers and not the nearby civilians (noncombatants). That is to say, the noncombatants only fall victim as a result of error or inevitable circumstances. For him, the noncombatants are rightly meant to be defended in the face of danger because they are dragged to it. That is to say, the dangers they find themselves in is caused by the military (the combatants etc.) so therefore, the military rescuing them from the dangers is not an act of kindness or humanity but an act of duty. Walzer here, calls on the belligerents to act as a moral man ought to act which he refers to as fighting well.³⁶³

This induced Walzer into clarifying the dilemma between winning and fighting well. He employed Asinine Ethics to demonstrate what it means by fighting well and according to

³⁶⁰ *Ibid*, p. 146.

³⁶¹ *Ibid*, p. 151.

³⁶² *Ibid*, p. 153.

³⁶³ *Ibid*, p. 154.

him, is whereby belligerents engaged in war only with an opponent who is ready and set to fight and can only fight an opponent who is in the position of fighting. This therefore means that Asinine Ethics does not consider anyone who is not at the position of fighting as an opponent talks less of noncombatants.³⁶⁴ On the other hand, the policy of sliding scale and the argument from extremity whereby winning and fighting well requires a just cause of fighting which comprises killing the innocent people and fighters who are not at the position of fighting as far as is the only means of winning.³⁶⁵ That is to say, Sliding scale policy is whereby at the point of extremity any possible means can be used to win the war or avert the danger. But for Walzer, the right of the innocents remain supreme over that of winning.

The upholders of these doctrines or principles according to him recognized the right of innocent citizens to the point where no any other possibility is left to avert such calamities. That is, when faced with extreme danger of losing the war any means and measures can be used even if it means violating the rights of the innocents. But according to Walzer, this argument holding in the perspective of utilitarianism is not without limitations because no matter the extremity, the right of the innocents need and have to be respected in such a way that, no matter the situation, what should be uphold here has to be the defence of the innocents. Therefore, war should be fought in such a way that, the convention of war can be over ridden only in the phase of an eminent catastrophe which can put the life of Majority of innocents in danger. That is to say, the right of the innocents should be the only reason for violating the war convention and not all about winning. For if allowing the opponent to win will avert eminent catastrophe, then it should be allowed but if winning is the only means to avert the calamity on the rights of innocents, then all the necessary means needed for winning should be employed. This shows that for Walzer, the convention of war is all about satisfying the right of the innocents who are noncombatants.

5.2.2. Responsibility and necessities in the coercion of civilians

Walzer raised cases where the fighters mixed-up with the civilians which exposed the lives of civilians to death. Cases such as that of siege and blockades, guerrilla warfare and terrorism that coerce and expose civilians to attack in the face of war. Siege or blockades for instance which is when a city is cycled and deprived of foods by the opponent military leading to the dead of civilians as a result of the deprivation. To this fact and the dilemma it presents between the fighters and civilians, Walzer went forth to know how civilians came to

³⁶⁴ *Ibid*, pp. 225-27.

³⁶⁵ *Ibid*, p. 228.

be in militarily exposed positions: what involves them in the casualties, what force was used against them, what choices they freely made.

According Walzer, it may not be the expectations of the attackers for their opponents to hold out until individual soldiers and the citizens drop death in the street but was mainly to weaken the stronghold of the authorities and the armies for them to surrender or to enable them capture the City. Such cases occurred when the war retreated to the city from the battle ground or the battle is taken to the city which obviously the opponent cannot invade easily without searching for a better strategy that could enable them penetrate the city and some of the better strategy is to put the city under siege so as to weaken their stronghold and penetrate them easily. When the soldiers retreat to their cities, there will be a mixed-up between the soldiers and the citizens whereby any casualty occurrences can be attributed to the authority or the soldiers as being responsible if the defence of the city by the authority or the soldiers are done against the will of the citizens. That is to say, the citizen wishes to surrender to the enemy soldiers but the authority or the soldiers decide the contrary and prevent the citizens from doing so. Thus, casualties existing as the results of the mixed-up of the militaries and the citizens can be said to be the responsibility of the authority or the soldiers if the defence is not in accord with the will of the civilian.³⁶⁶

This enables Walzer to sort for the right to leave the battle ground (the city), that is, whereby the civilians are allowed by right to leave the besiege ground without restraint by either party of fighters. But in regards to the besieging of a city, *“even when the danger is imminent, it is likely to encounter civilian resistance. Politics makes for two sorts of resistance: from those who hope to welcome the enemy and profit from his victory, and from those who are unwilling to “desert” the patriotic struggle”*³⁶⁷; that is, those who in regards to the situation or condition may wish to be surrendered to the enemy and those who may be patriotic and prefer to hold on to the struggle in support of their fighters. But according to Walzer, there are wide range of possibilities and their responsibilities as follow:

In the first place, the possibility of the civilian being coerced by their ostensible defenders, who must then share responsibility for the resulting deaths, even though they do no killing themselves; secondly, the possibility whereby the civilians consent to be defended, and so clear the military commander of the defending army; thirdly, where the civilians are coerced by their attackers, driven into an exposed position and killed, in which case it doesn't matter whether the killing is a direct effect or a side effect of the attack, for it is a crime in

³⁶⁶ *Ibid*, pp. 161-3.

³⁶⁷ *Ibid*, p. 165.

either way; fourthly, whereby the civilians are attacked but not coerced, attacked in their “natural” place, and then the principle of double effect comes into play and for Walzer, siege by starvation is morally unacceptable. And the fifth possibility is where the civilians are offered free exit by their attackers, after which those that remain can justifiably be killed, directly or indirectly.³⁶⁸ From all these possibilities, a principle commonly accepted according to Walzer, is that whereby soldiers are under obligation to help civilians leave the scene of battle. In the case of siege, it is only when they fulfilled this condition that the battle itself is morally justifiable even though it may not be favourable on the side of the attackers.

On the part of Guerrilla war, where surprise is the essential feature and ambush is the classic tactics, Walzer recognise two aspects and realities that can render it unjustified. According to him, there is one type of ambush that is not legitimate in conventional war that is, whereby the fighters using civilian disguise to deceive and attack the enemies who may thought that they are civilians and according to the rules of war, belligerents are not supposed to attack civilians. Such kind of disguise in the face of war according to Walzer, is considered as war treason or rebellion, which is punishable with death penalty as treason of rebels and spies.³⁶⁹ Therefore guerrillas captured by the authorities must be treated as prisoners of war provided that they have themselves fought in accordance to war convention and if not, they should be treat as captured criminals.³⁷⁰ Thus, wearing peasants clothes and hiding among the civilian population, challenged the fundamental principle of the rules of war.

But Walzer presents some rules laid down for the engagement of such wars: Firstly, a village could be burn or Shelled without warning if the troops/military have received fire from within it, and as such, the village is presumed to have sheltered the Guerrillas. Secondly, any village known to be hostile could be bombed if its habitants were warned in advance and with all means assisted out of the village. From this comes the third which holds that when the civilian population had or had been moved out, the village and surrounding countryside maybe declared a free fired zone that could be bombed and shelled at will.³⁷¹ Though according to Walzer, all these are not applicable because the vacation of the population as pointed out by Walzer, cannot be done for a short-while as is the case with siege or blockade whereby the battle could be for a very short time and the population restored back to their land of origin. Thus he argues that,

³⁶⁸ *Ibid*, p. 169.

³⁶⁹ *Ibid*, p. 177.

³⁷⁰ *Ibid*, p. 179.

³⁷¹ *Ibid*, pp. 189-90.

In a conventional war, removing civilians from a battlefield is clearly a good thing to do; positive international law requires it wherever possible. Similarly in the case of a besieged city: civilians must be allowed to leave; and if they refuse (so I have argued), they can be attacked along with the defending soldiers. But a battlefield and a city are determinate areas, and a battle and a siege are, usually, of limited duration. Civilians move out; then they move back. Guerrilla war is likely to be very different. The battlefield extends over much of the country and the struggle is, as Mao has written, “protracted.”³⁷²

Thus, it is impossible task to move the population out of such vast area and for undetermined period of time. Thus, it becomes inevitable to bomb and shelled such an area without the civilians living in them and this renders such wars that emerged from civilian population very complicated because it cannot be considered as a conventional war. This leads to the other aspect of guerrilla warfare as defended by Walzer.

On the other hand, Walzer defends the right of guerrillas whereby they represent the mass population. Here, “*Guerrilla war is people's war*” according to Walzer which is a special form of rise from the population authorised from below. Such wars are often war of liberation whereby according to Walzer in accordance to a pamphlet of the Vietnamese National Liberation Front, “*is fought by the people themselves; the entire people ... are the driving force ... and not only the peasants in the rural areas, but the workers and labourers in the city, along with intellectuals, students and business men have gone to fight the enemy*”.³⁷³ Therefore, when the people do not provide recognition and support, guerrillas acquire no war rights and their enemies may rightly treat them as bandit or criminals when captured. But when guerrilla war is a political and ideological conflict fought by the citizens which often results to small group of fighters who reside within the masses. The determination of the rules of war becomes very complicated, however for Walzer, there is a moral argument to be made if the above point is reached: “*the anti-guerrilla war can then no longer be fought-and not just because, from a strategic point of view, it can no longer be won. It cannot be fought because it is no longer an anti-guerrilla but an anti-social war, a war against an entire people, in which no distinctions would be possible in the actual fighting*”.³⁷⁴

This aspect of guerrilla warfare according to Walzer requires the consideration of both *jus ad bellum* and *jus in bello*, even though both are independent of each other, but here, they need to be brought together. Under this ground, Walzer concludes that “*the war cannot be won and it should not be won*”. He justifies this assertion in the following argument: “*It cannot be won, because the only available strategy involves a war against civilians; and it*

³⁷² *Ibid*, p. 190.

³⁷³ *Ibid*, p. 180.

³⁷⁴ *Ibid*, p. 187.

should not be won, because the degree of civilian support that rules out alternative strategies also makes the guerrillas the legitimate rulers of the country. The struggle against them is an unjust struggle as well as one that can only be carried on unjustly”.³⁷⁵ Thus, war against such civilian mobilisation, can be termed as a war of aggression when it is fought by foreigners. And on the other hand, it could be considered as an act of tyranny when it is fought by a local regime alone (the government).³⁷⁶ Therefore, the position of the anti-guerrillas forces in this case becomes double unjust and untenable because it violate both the *jus ad bellum* and *jus in bello*. This shows that, provoking the citizen population needs to be avoided at all cost.

Terrorism on its own part according to Walzer is a word often used to define revolutionary violence, that is, a small victory for the champions of order amongst whom the uses of the means of terror are the major instrument of attack. The systematic terrorists of the whole population is a strategy of both conventional and Guerrillas warfare and of established government as well as radical movements. Its purpose is to destroy the moral of a nation or of a class of people to undercut its solidarity; its method is the random murder of innocent people because it is the critical feature of terrorists’ activities. In war, terrorism representation is an extreme form of Strategy whereby, the most used is the indirect approach.³⁷⁷ The first aim and end of tyrants is to break the spirit of their subjects which is equally the main aim and end of terrorism. According to Walzer, the British described the ends and aim of terror bombing in the same way, that is, what the terrorists sought was the destruction of civilians’ morals. In more precise historical point according to Walzer, terrorism in the strict sense, is the random murder of innocent people which emerges as a strategy of revolutionary struggle only in the period after World War II.³⁷⁸

Another aspect of terrorism is the moral difference between aiming and not aiming. That is to say, it is more accurately between aiming at particular people because of things they had or are doing in common and aiming at whole group of people in discriminately because of whom they are. The first kind of aiming according to Walzer is appropriate to a limited struggle directed against regimes and policies. The second kind of aiming reaches or goes beyond all limits; it is indefinitely threatening the whole people whose individual members are systematically exposed to violent dead at any and every moment in the course of their lives. Most of their attacks consist of planting bombs in street corners or hidden in bus stations, thrown into a cafeteria or in a public. This aims at less killing except that the victims

³⁷⁵ *Ibid*, p. 196.

³⁷⁶ *Idem*.

³⁷⁷ *Ibid*, p. 197.

³⁷⁸ *Ibid*, p. 198.

are likely to share what they cannot avoid; in a collective identity. In the eyes of many, the judgement of their operation and injustice differ from that of the terrorists themselves, but political assassins are simply murderers exactly like the killers of ordinary citizens.³⁷⁹ Thus, the terrorists in this light are equally murderers.

However according to Walzer, the political code is specified and terrorism is the deliberate violation of its norms. This is because ordinary citizens are killed and no defence is offered nor could be offered in their individual activities. In practice, terrorism is directed against the entire people and classes tending to communicate the most extreme and brutal extension. Above all, it is a tyrannical repression removal, or mass murder of the population under attack.³⁸⁰ In modern manifestation, terror is the totalitarian formed war and politics. It shatters the war convention and the political code. It brings across moral limits beyond which no further limitations seems possible within the category of civilians and citizens. Terrorists kill anybody. People under dependence such as slavery likely aim at sorting out their freedom to some greater extend through violence. Some cases of terrorism arises as a result of dependence or suppression under tyrannical government or rules. For Walzer, any form of liberation from dependence or revolution in whichever way should be done or carried out in obedience to moral laws. It is the fact of obeying the moral law that renders it legal.³⁸¹ And for him, fighting the terrorists should be in such a way that the life of the innocent civilians are not exposed to danger.³⁸² That is to say, the supreme good should be the right of the innocents which needs to be protected in accordance to the avoidance of major calamities.

Another aspect Walzer pointed out is reprisal which he presents as forms of taking avenge. That is, doing to an enemy what he did to his counterpart with the same means he used by retaliating attack of an enemy which can either be a means of punishing the enemy or crippled the enemy. Reprisal according to Walzer has been a doctrine undertaken in the past as war convention which is not totally the case now. This doctrine of reprisal has been open to abuse and has been criticized in regards to the awfulness of the act. Reprisal doctrine though awful cannot totally be abolished but limited for it has a good and necessary aspect. It can be considered good and necessary when it is used to prevent a barbarism in war or to correct an enemy and induces them to follow war convention; for instance, the case of France and Germany. So war convention is permissible according to Walzer when it is not meant to

³⁷⁹ *Ibid*, p. 200.

³⁸⁰ *Ibid*, p. 203.

³⁸¹ *Ibid*, pp. 204-206.

³⁸² Michael Walzer, "Terrorism and Just War", in *Philosophia*, Springer Science + Business Media B.V. 2006, pp. 8-9.

violate the right of the innocents or the rules of war. It is good to this extent because it can be used to determine or to defend the right as well as to punish the wrong. These two realities are the rights of every citizen. So therefore extreme cases of reprisal in time of war and in time of peace are not war convention and do not respect war convention. Reprisal is rightly used when it is meant to prevent barbarous act and aggravation of casualties and also assaults on innocents or civilians lives.³⁸³

⇒ **Necessities and overriding war convention**

The nature of necessity according to Walzer, can be seen under two perspectives; the first argument is on the plea of necessity and the plea of necessity according to Walzer should be on the reality that the only means to defeat the aggressor is to undertake such an act that to some extent violate the right of the innocents but with the goal of preventing major casualties. That is to say, when the war has reached to a particular points that there is no other means left which can be used to subdue and defeat the aggressor except that particular means and which in its nature can violate war convention or the rights of the citizens. In this case, the measure has to be employed or become a necessity since defeating the aggressor is a necessity so as to prevent major casualties.³⁸⁴

On the other hand, with the argument of more just whereby the argument on the measure to employ is more just and right on moral stand in regards to the defence of the right of innocent. That is to say, a measure can be taken against the aggressor even when it can violate the conventional war or the rights of the innocents but it should be carried in such a way that, it can consider the right of the innocents in the global form or manner. In other words, the little right of innocent can be violated in favour of the major right. For instance, if the victory of the aggressors would cause more harm and inflict major casualties on the innocents, then it becomes morally justifiable to employ such means and measures stated above to stop the aggressors.³⁸⁵

For Walzer therefore, overriding the rules of war has to be for the purpose in which the convention was put in place. Walzer here aims at showing the instances where one can override or go against the rules of war. This is the case whereby the aggressor's political system is very dangerous and thread to the peace of the world and as such, ought to be defeated and reconstructed. Thus, any possibility that could enable the victory of this aggressor need to be averted by using any possible means necessary or available to change the

³⁸³ *Ibid*, p. 207.

³⁸⁴ *Ibid*, p. 239.

³⁸⁵ *Idem*.

course of the war towards the defeat of the aggressor even if it will violate the right of the innocents because grievous casualty on the major right of the innocents is at stake here.³⁸⁶

The nature of necessity according to Walzer does not consider individual or minor emergency but supreme emergency which has to do with major right of innocents. In this nature of necessity, Walzer criticize the view which holds that, when one is pushed to the wall, he will have no other option but to use all necessary measures at one's disposal, even if it means destroying whatsoever, to defend and save one-self. Contrary to this, Walzer argues that, that one is pushed to the wall does not entail him/her involving the innocents. So the only necessary means one can employ to this particular situation of emergency, no matter the nature of the situation, should be the one that will not implicate the innocents or inflicts casualties on the innocents. Here, Walzer is illustrating that no matter the gravity of a situation, it ought to be fought for the wellbeing of the innocents and not for selfish purpose or the defence of one's life, for one ought to forfeit his/her life for the good of the majority.³⁸⁷ That is to say, minor emergency ought to be forfeit for supreme emergency which has to do with the major right of the innocents and not the other way round.

The supreme emergency here for Walzer, is when the situation involves the peace of the world which requires limit of calculation. Limit of calculation here is the case whereby nations are dragged into war by the act of conquest of aggressors or an aggressor whose quest for military conquest threaten the peace of the world and as such, has to be defeated and stopped. When in such war, if a defeat is likely to bring disaster to the international political community or to the world population, then using any means that can avert the situation becomes very important and necessary because at this stage, war convention becomes limited. That is to say, the calculation in regards to the respect of war convention become limited and the only possible means should be that which can stop the progression of these aggressors conquest. Even though the measures can inflict limitless casualty or effects on the innocents, it has to be employed for the prevention of greater casualties on the innocents because allowing it will cause far greater causality than that which will be incurred. This is what, for Walzer, can be called supreme emergency.³⁸⁸

The problem of the possession of nuclear weapons is another aspect Walzer regarded as a threat to world peace which according to him requires disarmament and nuclear deterrence but deterrence here will be an immoral threat. Immoral threat here is whereby a

³⁸⁶ *Ibid*, p. 255.

³⁸⁷ *Ibid*, p. 251.

³⁸⁸ *Ibid*, p. 263.

nation threatens with a nuclear weapon and who is likely to produce her own nuclear weapons thus leading to excess of such weapons and the threat of war. For Walzer, when a nuclear nation is attacked with nuclear weapons, it does not necessary entails a reprisal of that nation towards her attacker but the only possible way of stopping the continuation of the use of nuclear weapons is through deterrence. Using Ramsey's central claim, Walzer though not in fully support of his view, presents; *“is that it is possible to prevent nuclear attack without threatening to bomb cities in response. He believes that “the collateral civilian damage that would result from counterforce warfare in its maximum form” would be sufficient to deter potential aggressors”*.³⁸⁹ Walzer’s view is that such threat is an immoral threat or attacks and is not supposed to be used to deter an aggressor.

For Walzer, nuclear weapon does not respect the rules of war or any moral justification of war. Nuclear weapons violate jus ad bellum and jus in Bello and as such, it should not be permitted in a war. The only means to stop such threat according to him could be through disarmament and deterrence. For when nations agreed together on disarmament, there is likely that the aggressive ones may not respect the agreement but can only do so in the phase of deterrent which can threatens such a nation in the case of otherwise. According to him, *“the extent even of limited destruction and the dangers of escalation seem to rule out any sort of nuclear war between the great powers. They probably rule out large-scale conventional war, too”*,³⁹⁰ also he went further to affirm; *“I think, it became clear that given the existence of large numbers of nuclear weapons and their relative invulnerability, and barring major technological breakthroughs, any imaginable strategy is likely to deter a “central war” between the great powers”*.³⁹¹

To this fact, Walzer advice; *“collateral damage is simply a fortunate feature of nuclear warfare; it serves no military purpose, and we would avoid it if we could, though it is clearly a good thing that we cannot. And since the damage is justifiable in prospect, it is also justifiable here -and now to call that prospect to mind for the sake of its deterrent effects”*.³⁹² Thus, nuclear attack remain unjustified act in whichever case and according to Walzer, such war is a hell and should be avoided by all means because the major right of the innocents is as-take here. It is in this light that he affirms:

Nuclear war is and will remain morally unacceptable, and there is no case for its rehabilitation. Because it is unacceptable, we must seek out ways to prevent it, and because deterrence is a bad way, we must seek out others. It is not my purpose

³⁸⁹ *Ibid*, p. 279.

³⁹⁰ *Ibid*, p. 278.

³⁹¹ *Idem*.

³⁹² *Ibid*, p. 280.

*here to suggest what the alternatives might look like. I have been more concerned to acknowledge that deterrence itself, for all its criminality, falls or may fall for the moment under the standard of necessity.*³⁹³

So for Walzer, there should be a balance in the readiness to murder and the readiness not to murder and not to threaten murder, in accordance with the alternative ways to peace that could be found. That is to say, the necessity of striving for peace by all means possible without grievous casualties on the major right of the innocents.

According to Walzer, “*in our myths and vision, the end of war is also the end of circular history*”. In the view of certain scholars as presented by Walzer, the only alternative is non-violence defence, that is, war without weapons. This theory of known violence is where by the aggressors are responded with the act of non-violence resistance that is losing the war without fighting. But according to Walzer, non-violence defence is no defence against tyrants or conquerors because it cannot stop them from achieving their goals though it cannot equally be seen as a weakness for the defender who just aimed at avoiding violence. Such resistance on the other hand according to Walzer, can only be possible in the significant scale if civilians are mobilized and prepared to act together.

When one wages a war without weapons, one appeals for restraint from men with weapons. The appeal is in such a way that follows; “*you cannot shoot at me because I am not shooting at you: nor am I got to shoot at you, i am your enemy and will remain so as long as you occupy my country but I am a non-combatant enemy and you must coerce and control me if you can without violence*”.³⁹⁴ This appeal simply restates the argument of civilian rights and the duties of soldiers which underlies the war convention, that is, whereby the innocents who are not fighters should not be fought. Thus, as quoted by Walzer “*the restraint of war is the beginning of peace*”.³⁹⁵

³⁹³ *Ibid*, p. 283.

³⁹⁴ *Ibid*, p. 323.

³⁹⁵ *Idem*.

CHAPTER SIX: WALZER'S POLICY OF "POLITICS-SHORT-OF-FORCE" AND GOVERNING THE GLOBE

In the case of a horrible aggressive and murderous regime which requires an immediate and direct change, Walzer proposes the use of a new policy of "Politics-short-of-force" in relation with force-short-of-war which is where lies his theory of "just and unjust war". It is as a result of this perspective that Walzer thought of permanently nailing and terminating violent. He showed that destructive war is unnecessary and unjust to be used as a means of resolving and preventing greater harm to humanity. From this portray, Walzer went further to lay-down a possible way in which the world could be govern in order to maintain perpetual peace. This therefore, requires the need of understanding what Walzer meant by the policy of Politics-short-of-force and his view on the possibility of governing the globe.

6.1. THE POLICY OF "POLITICS SHORT OF FORCE"

The fact that harsh containment policy serves only as an indirect form of changing a tyrannical, aggressive and murderous regime as seen above according to Walzer, limits its possibility of maintaining perpetual peace. Thus, he proposes a new policy which could enable direct change of regime as he asserts; "*there is another form of direct action, which involves what we might call "politics-short-of-force," non-coercive politics, the work of non-governmental organizations, like Human Rights Watch or Amnesty International, which also aim, in their own way, at regime change.*"³⁹⁶ In other word, Politics-short-of-force comprises the use of non-governmental organisation to resolve issues that concern conflicts at both national and international level as regards to political action, basing on democracy.

6.1.1. The use of non-governmental organisation to resolve political issues

For Walzer, non-governmental organisation needs to be created at the international level with the aim of regulating political activities at the national level. It is in this light that he presents that "*the most important work of groups like these is to foster the kind of civil society that democracy requires*",³⁹⁷ which according to him, comprises of "*the associational world of interest groups, labour unions, professional societies, social movements, and political parties*".³⁹⁸ Also that, "*by opposing repression and censorship, they open space for organizations independent of the state, and their people on the ground train local men and women in the organizational skills that enable political action*".³⁹⁹ These organisations

³⁹⁶ *Ibid*, p. xvii.

³⁹⁷ *Idem*.

³⁹⁸ *Ibid*, p. xviii.

³⁹⁹ *Ibid*, p. xviii.

therefore, are to achieve their purposes by opposes political activities that are brutal, dehumanises man or non-democratical and also train men and women on the good skills of political action.

Walzer resort to the necessity of employing political means here because, in line with Raymond Aron, he adhere to the view of Clausewitz which holds that war is the continuation of politics by other means: “*Clausewitz’s famous line, that war is the continuation of politics by other means, was probably meant to be provocative, but it seems to me obviously true*”.⁴⁰⁰ Though just like Aron, he rephrased the statement affirming that;

*The claim is equally obvious the other way around: politics is the continuation of war by other means. It is very important, however, that the means are different. Politics is a form of peaceful contention, and war is organized violence. All the participants, all the activists and militants, survive a political defeat (unless the victor is a tyrant, at war with his own people), whereas many participants, soldiers and civilians alike, do not survive a military defeat—or a victory either. War kills, and that is why the argument about war is so intense.*⁴⁰¹

This means that war needs to be replaced with politics whereby through non-governmental organization, the political structure and activities of states are monitors, followed-up and changed for a better one which for him, should be democracy as held equally by Kant. This view becomes the clear cut between him and Aron who holds that changing of political system with the aim of unifying the world political system is not necessary because for him this ideology remain theoretical and cannot be practicable as people differ in culture and identity. For Aron, heterogeneous and homogeneous systems can pursue the same goal despite their differences in political system. But the “politics-short-of-force” of Walzer aimed at bringing the world politics under democracy through the use of certain measure of force. This is because for him, the presence of aggressiveness and murderousness in states or between states results from the regimes or the political system which is the centre of decision.

For the “politics-short-of-force” to be able to achieve its purpose according to him, it has to depend on force-short-of-war which is a sort of world police, intervening whenever necessary be to prevent, stop and change aggressive and murderous regime and political systems. That is to say, the policy therefore, work hand in hand with force-short-of-war already portrayed above in chapter 5, in fact for him, “*we have to sponsor and support this interaction-because these two together can help us avoid war itself.*”⁴⁰²

⁴⁰⁰ Michael Walzer, *Arguing about war*, p. ix.

⁴⁰¹ *Idem.*

⁴⁰² Michael Walzer, *Just and Unjust Wars*: p. xiii.

6.1.2. The Policy of “Politics Short of Force” as a direct means of regime change

For Walzer, where harsh containment fails, politics-short-of-force needs to be employed without the dropping of the use of force-short-of-war which together could enable the achievement of perpetual peace through direct regime change. Thus, he affirms;

*I have argued that a more indirect approach to regime change can also be justified before (and instead of) a just war—indeed, the success of this approach would render war unnecessary and therefore unjust. And if we commit ourselves to that indirection, if we commit ourselves to the forceful containment of brutal regimes, to collective security, we may find that we can reach justice without the terrible destructiveness of war.*⁴⁰³

Even though Walzer didn't directly postulate international federation as deed Kant but his policy of “politics-short-of-force” aimed at that as he says, “*these organizations, and these men and women, are at least potential contributors to a democratic political process*”.⁴⁰⁴ This means that the policy aimed at direct change of regimes and political systems to a democratic political system through a political method that is ready to apply force. This shows that perpetual peace can be achieved only by unifying the world states under political organs that monitors the activities of member states which is why he added that “*in the case of really brutal and dangerous governments, however, their actual contribution may wait upon a more coercive political intervention*”.⁴⁰⁵ This means that the process is heading towards bringing the world states under a unified political laws which is not far from the international federation of Kant. Their differences is that Kant didn't present the ways in which to arrive at the federation but holds that nature is driving the world towards its achievement. On the other hand, Walzer, even though not directly adheres to world federation, but his policy of politics-short-of-force is a mechanism driving towards the federation.

This fact will be perceptible in his later work entitled, *Arguing about war*, where he directly adhered to global state whereby policing the world could be easily achieved even though for him, the world is not yet at that state. It is in this light that he asserts;

*In a global state with a monopoly on the legitimate use of force, calling the police would be the right response to violence. Crime, the pursuit of the criminal by the police, and the trial and punishment of the criminal—these three would exhaust the field of action; we would read about war only in the history books. But that is not a description of the world we live in, and even if a global state ought to be our goal (I raise some doubts about that in the last of these essays), it is a great mistake to pretend that we are already there.*⁴⁰⁶

⁴⁰³ *Ibid*, p. xviii.

⁴⁰⁴ *Idem*.

⁴⁰⁵ *Idem*.

⁴⁰⁶ Michael Walzer, *Argument about War*, p. xiv.

Here therefore, Walzer proposes another policy of trial and punishment of criminal who are the aggressors and murderous regimes. That is to say, just as criminals who attempt or commit a criminal act are put on trial and punish for their crime, so is any aggressive or murderous regime should be put on trial and punish for their crime. Once the aggressor state has been military reposed, it can also be punished. The conception of just war as an act of punishment was a very old thought neither the procedures nor the forms of punishment has ever been firmly established in customary or positive international law and is not in the perspective of Walzer's just war.

6.2. THE IDEAL POSSIBLE SYSTEM OF GOVERNING THE GLOBE

Here, Walzer put forth an ideal possibility of governing the globe. To do this, he looked at the governing system as a whole which has two sides or extremes from which one can regress to the ideal one which can enable the possibility of governing the globe. This governing system as a whole, Walzer refers to as a continuum and the two extremes he refers to as far left side of the continuum and the far right side of the continuum which represent centralised system of government and anarchy (decentralised) system of government respectively. The ideal possibility was derived from the regression of the two extremes of the governing system towards the centre. The centralised system, he presents as the left side of the continuum which signify unity and the anarchy system, he presents as the right side of the continuum which signify division. Walzer believes that the process of regressing towards each other shall lead to the ideal possibility of governing the globe which according to him, is not yet at that ideal point. In this light he affirms;

*The strategy of this essay will be to move in from the two sides. I will be moving toward the centre, but from opposite directions, so as to make clear that I am not describing a developmental or progressive history. The different regimes or arrangements are ideal types, not historical examples. And I don't assume in advance that the best regime lies at the centre only that it doesn't lie at the extremes.*⁴⁰⁷

The ideal possible system of governing the globe according to Walzer, is that which possess the capacity of promoting peace, distributive justice, cultural pluralism and individual freedom. Thus, he affirms; *“my plan is to present seven possible regimes or constitutions or political arrangements. I will do this discursively, without providing a list in advance, but I do want to list the criteria against which the seven arrangements have to be evaluated: these are their capacity to promote peace, distributive justice, cultural pluralism, and individual*

⁴⁰⁷ *Ibid*, p. 173.

freedom".⁴⁰⁸ Therefore, the governing system satisfy the above capacities is the ideal possible system under which the globe could be govern. Thus, the necessity of illustrating the process he used and the ideal possible system of governing the globe he arrived at.

6.2.1. Regression from the left side of the continuum: Radical centralized global state

On the left extreme which refers to the unified system of government whereby power is centralised, Walzer states by portraying a kind of global state with single set of citizens as advocated by Immanuel Kant. In this light he asserts; *"it's best to begin with the two ends of the continuum, so that its dimensions are immediately visible. On one side, let's say the left side (though I will raise some doubts about that designation later on), there is a unified global state, something like Immanuel Kant's "world republic," with a single set of citizens, (...), all of them possessed of the same rights and obligations"*⁴⁰⁹ In this form of political system, conventional warfare would not be able to hold in such radically centralized global state because all are unified in one political power. Thus, the globe different states members would have disappeared with their different motives for going to war: *"ethnic and religious differences and divergent national interests, indeed, every kind of sectional interest, would lose their political relevance. (...) In principle, at least, the global state would be constituted solely and entirely by autonomous individuals, free, within the limits of the criminal law, to choose their own life plans"*.⁴¹⁰ This shows that such a system of governance can prevent any sort of war among state because states will no longer exist and there will be no clash of interest which would have exist if there were to be a state.

For Walzer, governing the globe in regards to a centralised system of governance will not make things easy in our world today where each state have their own political culture. For him, a centralised government will serve as an impediment for the practice of different distinct political cultures and religious differences that exist in our world today. This is why he affirms;

"The reason for the rejection is easily explained: the global state would be much like states today, only on a vastly greater scale. If it were to sustain itself over time, it too would have to command the loyalty of its citizens and give expression to a political culture distinctly its own. It would have to look legitimate to everyone in the world. Given this necessity, I don't see how it could accommodate anything like the range of cultural and religious difference that we see around us today. Even a global state committed to toleration would be limited in its powers of

⁴⁰⁸ *Ibid*, p. 171.

⁴⁰⁹ *Ibid*, p. 171.

⁴¹⁰ *Ibid*, p. 175.

accommodation by its prior commitment to what I will call "globalism," that is, centralized rule over the whole world".⁴¹¹

This shows that he acknowledges that our contemporary world is enclosed with diverse cultures and religious differences and thus everything being unified under an autonomous individual or centralised state will only be that which cannot be accommodated. At the same time according to him, the strength of the single centre carries a threat of tyranny which could jeopardise individual freedoms.

The next shift of Walzer's explanation is on global regime, that is, where every other regime is placed under the control of a single great power. To him, even though there will be some degree of revolt against this single form of empire, it still permits or tolerates some degree of cultural independence where different religious groups could exercise their different legal autonomies. Thus he affirms; *"It is centralized through the hegemony of a single great power over all the lesser powers of international society. This hegemony sustains world peace, even if there are intermittent rebellions, and it does this while still permitting some degree of cultural independence (...) under which different religious groups were granted partial legal autonomy".⁴¹²* Walzer is illustrating here that under this type of regime, different distinct citizens and cultural values are recognised to some extent by the rulers of this empire. The recognition of these different citizens and values brought about survival.

The criticism Walzer has against this global empire is that it promotes inequality. For him, *"the rulers obviously don't recognize individual citizens as participants in the government of the empire, they don't protect individuals against their own groups, and they don't aim at an equitable distribution of resources among either groups or individuals".⁴¹³* This means that imperial hegemony therefore is a form of political inequality whereby further inequalities in both the economy and social life are common. For Walzer, an imperial hegemony, though might be valued for its capacity of bringing about peace which puts an end to massacres, cannot clearly be a preferred regime. It could partially reduce some of the risks of a global state, but not in a secured and stable way, because imperial power is arbitrary and contingent. And even though it could protect communal autonomy, but it cannot be of any use to individuals who are trapped in oppressive communities.

The further rightward shift from the left continuum is referred to as Federation by Walzer. This is whereby there exists a mediation among states which obviously according to him, *"the greater the mediating role of the member states, the more this arrangement moves*

⁴¹¹ *Ibid*, p. 176.

⁴¹² *Ibid*, p. 177.

⁴¹³ *Ibid*, p. 178.

rightward on the continuum; if the mediation disappears entirely, we are back at the left end, in the global state".⁴¹⁴ For Walzer, the actualisation of federal regime will mean the surrender of sovereignty by the member states which can be followed by a constitutionally guaranteed functional division of power, in which each of the states has a significant responsibilities with the means that could enables them to fulfil their respective duties. This according to him, is the projection of American system at the international level. That is why he asserts that "*a greatly strengthened United Nations, incorporating the World Bank and the World Court, might approximate this model, so long as it had the power to coerce member states that refused to abide by its resolutions and verdicts*".⁴¹⁵ This shows that the greater the power is in the hand of the central government, there will be more redistribution among the member states. But this kind of power according to Walzer, will be dangerous to all the member states, for their right to natural resource will no longer count since all will depend on the decision of the central power. Thus for Walzer, that would be one of the principal issues in regards to the internal politics of the federation.

Also, Walzer illustrates that constitutional guarantees could serve as a protection to nations, ethnic and religious groups as well as individual freedoms at the international level through their plea to the central government. But this will undermine the authority of the local or national power. Equally this political system according to Walzer, undermine the distribution of natural resources which has to do with distributive justice and as such did not satisfied Walzer's ideal possible system of governing the globe. According to him, federal regime marks the ending point of the shift from the left side of continuum by definition, that is to say, there wouldn't be any other politics since nothing lies outside the federation as seen above whereby, the mediation remain the ending point since moving out of it will mean starting all over.

6.2.2. Regression from the right side of the continuum: Anarchy political system

The extreme from the right side is what Walzer refers to as International Anarchy whereby states act individually without any harmonious link amongst them. For Walzer, at this stage, the organisation is highly decentred in such a way that each states handled their relation with the other individually and the outcome equally depends on their individual response to the agreement without any third party to reinforce the agreement. Thus Walzer affirms; "*The organizations are individual sovereign states, and there is no effective law*

⁴¹⁴ *Ibid*, p. 183.

⁴¹⁵ *Idem*.

binding on all of them. There is no global authority or procedure for policy determination and no encompassing legal jurisdiction for either sovereigns or citizens".⁴¹⁶ That is to say, there is no common organisations nor policies that govern the activities of the individual states, each and every-one of the states acts as they wish depending on their interest without any common preventive provision as to regards to their quest. That is why he points out that at this stage;

*There are no stable organizations of states working to generate common policies with regard, say, to environmental questions, arms control, labour standards, the movement of capital, or any other issue of general concern. Sovereign states negotiate with each other on the basis of their "national interests," reach agreements, and sign treaties, but the treaties are not enforceable by any third party.*⁴¹⁷

This means that this extreme refers to the era of treaty whereby states enter into treaty with the other to satisfy their quest. Such treaty is respected following their interest as well since the treaty depends on their relation and not on constrain and as such, each of them could violate the treaty because it base will and not on any law of constrain or impulse. Thus, this extreme reflects the state of nature of contractualists which Kant employed at the international level to demonstrate his perpetual peace.

However, Walzer strongly disapproved of this system of governing the globe arguing that "*Anarchy leads regularly to war—and war to conquest, conquest to empire, empire to oppression, oppression to rebellion and secession, and secession leads back to anarchy and war again*".⁴¹⁸ This shows that such system does not in any way favour peace nor any stability amongst the states, that is to say, conventional war remains unavoidable in such system and justice cannot reign in such system. Even though the system could enable the preservation of individual cultures but inequality and war will remain the order of the day which is totally contrary to the left extreme.

Secondary, the first regression from the right extreme of the continuum according to Walzer, will lead to a system he identifies with the current international society where exist series of global arrangement. Thus, he asserts; "*We see in the world today a series of global organizations of a political, economic, and judicial sort—the United Nations, the World Bank, the International Monetary Fund (IMF), the World Trade Organization (WTO), the World Court, and so on—that serve to modify state sovereignty*".⁴¹⁹ That is to say, the system governing the globe today is situated at the point of the first shift from anarchy which is the extreme from the right side. In this stage therefore, there exist a third party that places certain

⁴¹⁶ *Ibid*, p. 172.

⁴¹⁷ *Ibid*, pp. 172-173.

⁴¹⁸ *Ibid*, p. 173.

⁴¹⁹ *Ibid*, p. 178.

constrain to maintain a harmonious relation among the states, unlike in the stage of anarchy where there is no third party that could police and reinforce their treaty and agreement among the states. This shows that at this stage of shift, the states' autonomy is limited as a result of certain constrain put in place by these organisation to guide their relationship.

On the other hand according to Walzer, the global organizations of this stage, which is the description of the present global state, are weak because their decision mechanisms are uncertain and slow and their powers of enforcement are only partially effective and thus inefficient to bring to reality their common vision in full. Even though warfare between or among states has been reduced, but overall violence according to him, has not been reduced. That is why he asserts; *“There are many weak, divided, and unstable states in the world today, and the global regime has not been successful in preventing civil wars, military interventions, savage repression of political enemies, massacres, and “ethnic cleansing” aimed at minority populations”*.⁴²⁰ It means that the contemporary globe is govern by weak organisations that cannot effectively prevent conflicts which entails the presence of certain degrees of war that are still obstructing the reign of peace at both national and international level. That is to say, the organisations are yet to be accurate and effective.

Also, he equally points out that the global inequality has not yet been reduced even though capital flow across the borders is easier than it has ever been in regards to the stage of anarchy but egalitarian effects has not yet been felt. Thus, he affirms; *“we cannot be happy with the current state of the world; indeed, the combination of (many) weak states with weak global organizations brings disadvantages from both directions: the protection of ethnic and religious difference is inadequate and so is the protection of individual rights and the promotion of equality”*.⁴²¹ For Walzer therefore this first shift which reflects the contemporary globe, is far from satisfying the requirement of his ideal possible system for the governing of the globe because it lacks lots of accuracy and effectiveness in the organisation

As to the second shift from the right side of the continuum, Walzer holds that it will lead to a system he refers to as civic associations. That is to say, a *“wide range of civic associations for mutual aid, human rights advocacy, the protection of minorities, the achievement of gender equality, the defence of the environment, the advancement of labour, organized on a much larger scale than at present”*.⁴²² In this system according to Walzer, is whereby the associations in their different groups would have their centres different from that

⁴²⁰ *Ibid*, p. 179.

⁴²¹ *Idem*.

⁴²² *Ibid*, p. 180.

of particular states. Their operation would cut across state borders because their members would be activists from different states without reference to nationality. All of these groups would be engaged in activities that governments also ought to be engaged in and where governmental engagement is based on the citizen-volunteers in such a way that the more the volunteers, the more particular states will cooperate with each other and with global agencies of the civic associations. This means that, the engagement is sort of a chain that could bring individual states and the particular organisation together as from the international level to the national level while maintaining the sovereignty of the state. That is, the actualisation of the groups' activity at the national or state level would enhance the effectiveness of the cooperation.

At this level, the system would lack certain degree of reinforcement that could harmonise their engagements and their different activities since the groups are independent from each other. Thus, as for the underlying, Walzer presents that long-term problems of international society at this stage would be insecurity and inequality because of the lack of this reinforcement capacity among the states by the associations. Above all according to him, "*civil associations are at best mitigating factors: their activists can do many good things, but they can't make peace in a country torn by civil war or redistribute resources on a significant scale*".⁴²³ Due to its lack of capacity that could enabled a permanent resolution of crises across the globe and that could bring about harmony in the distribution of resources, the system fail to satisfy the criteria provided by Walzer as the characteristics of an ideal possible system for the governing of the globe. For this reason, Walzer shift more further from the right side of the continuum

⇒ **The ideal possible system of governing the globe**

Here, Walzer makes a shift from the right side and tries to imaging a systematic form of governing system from the divisional perspective reduced and controlled by non-state members such as "*U.N. (United Nation), the associations of international civil society, and regional unions like the EC (European Commission)*".⁴²⁴ So the problem Walzer aimed at overcoming here, is the radical decentralization of sovereign states without creating a single all-powerful central regime. He aimed at providing a solution that could enables the creation of different alternative centres having dense web of social ties that cut cross state boundaries. According to him, the purpose is to strengthen the institutional structures that are presently in

⁴²³ *Ibid*, p. 181.

⁴²⁴ *Ibid*, p. 185.

existence or still in the process and to establish on them effective and efficient links capable of bringing the states to an effective cooperation in their distinct sovereignty.

Walzer here, is postulating a sort of political system that could cut across the globe without a single state that will oversee the activities of other states and by so doing undermined their sovereignties. Thus, he sets in this third degree a form of general assemble of the states under Security Council, independent judicial court at the international level, global monitory system, international political parties, international labour union, and other different international movements having their distinct activities across the globe with international trade organisation. In this light, he affirms;

So the third degree of global pluralism requires a U.N. with a military force of its own capable of humanitarian interventions and a strong version of peacekeeping—but still a force that can only be used with the approval of the Security Council or a very large majority of the General Assembly. Then it requires a World Bank and IMF strong enough to regulate the flow of capital and the forms of international investment and a WTO able to enforce labour and environmental standards as well as trade agreements—all these, however, must be independently governed, not tightly coordinated with the U.N. It requires a World Court with power to make arrests on its own, but needing to seek U.N. support in the face of opposition from any of the (semi-sovereign) states of international society.⁴²⁵

In addition to these above organizations, Walzer equally calls for the need of a great number of civic associations functioning internationally, political parties that run elections across different countries with their various candidates from the respective countries. Also, he opted for labour unions that will enable the realisation of long-standing goal of international solidarity, as well as movements that have single-issues of a more familiar kind. For Walzer, *“the larger the membership of these associations and the wider their extension across state boundaries, the more they would knit together the politics of the global society. But they would never constitute a single centre; they would always represent multiple sources of political energy; they would always be diversely focused”*.⁴²⁶

At the regional level, Walzer calls for new layer of governmental organization of regional federation making reference with European Commission as the only one possible model. For him, it is necessary to have both closed and loosed structures of such governmental organisations distributed across the globe, even with overlapping memberships: That is to say, having different constituted federal unions in different parts of the world.⁴²⁷ He opted for regional federation in order to maintain certain advantages of a global federation and avoid or reduced it greater risks of tyranny from the centre. Thus, Walzer’s regional

⁴²⁵ *Ibid*, p. 187.

⁴²⁶ *Idem*.

⁴²⁷ *Idem*.

federalism is not such that will have a single centre but many centres. For Walzer, certainty is always a fantasy, that is to say, believing on having a certain solution that could answer the questions regarding the full capacity of what it takes to fully govern the globe as was the case of Plato's republic and Kant's international federation. But Walzer acknowledged that something is lost when one gives up the total unitary versions of globalism. And according to him, "*what is lost is the hope of creating a more egalitarian world with a stroke of the pen—a single legislative act enforced from a single centre: And the hope of achieving perpetual peace, the end of conflict and violence, everywhere and forever: And the hope of a singular citizenship and a singular identity for all human individuals*".⁴²⁸ But Walzer does not mean here that unitary version of globalism is the best system because as seen above, it is a very dangerous regime which could easily result to tyranny and that is the reason why Walzer was trying all possible means to avoid a system that has a unitary centre.

Furthermore, Walzer clarify himself in certain areas of his argument that could raise misunderstanding. For instance, his argument seem as if he is defending multiculturalism but he clear this misunderstanding by arguing that he is not sacrificing all the above mentioned hope that could be obtain through unitary version of globalism, for the sake of cultural and religious difference. But rather, that cultural and religious differences among and within states, which are no doubt well served by this third degree of pluralism, exist alongside peace, equality, and autonomy; it doesn't supersede them. According to him therefore, this third degree is the fully developed version of the global pluralism which could permit a better realisation "*of peace, justice, cultural difference, and individual rights; and it poses, at the same time, the smallest risk of global tyranny*".⁴²⁹ That is to say, this stage of global pluralism has high capacity of realising the four mentioned qualities with little limitation than the other systems. Thus, he asserts;

*My argument is that all these are best pursued politically in circumstances where there are many avenues of pursuit, many agents in pursuit. The dream of a single agent—the enlightened despot, the civilizing imperium, the communist vanguard, the global state—is a delusion. We need many agents, many arenas of activity and decision. Political values have to be defended in different places so that failure here can be a spur to action there, and success there a model for imitation here.*⁴³⁰

However, he equally points out that this ideal possible system of governing the globe that he is postulating, is not without limitation as seen above but that the limitation is little and not as dangerous as the ones of the other system would be. It is in this light that he asserts; "*I need to*

⁴²⁸ *Ibid*, p. 188.

⁴²⁹ *Ibid*, p. 186.

⁴³⁰ *Ibid*, pp. 188-189.

worry about three possible failures—so as to stress that all the arrangements, including the one I prefer, have their dangers and disadvantages”.⁴³¹ Here, Walzer point out three possible limitations which are: The first is the possible failure of peacekeeping, a failure to protect ethnic or religious minorities and internal conflicts that sometimes can leads to “ethnic cleansing” and the very success of the politics of difference and even genocidal civil war. But according to him, “wars between and among states will be rare in a densely webbed international society”.⁴³²

But he will further argued that the claim of all the strongly cantered regimes is that these above mentioned situations will be stopped, but the possible price of doing this and of maintaining the capacity to do it, is according to Walzer, a tyranny without borders, a high “total” regime than the theory of totalitarianism ever envisaged. As such, the danger of all the decentred and multicentred regimes according to him, is that no one has the possibility of stopping the awfulness. Whereas, as he affirms; “the third degree of pluralism maximizes the number of agents who might stop it or at least mitigate its effects”.⁴³³ That is why he holds the view that there won’t be an advance at any institutional level without a series of campaigns for greater security and greater equality for groups and individuals across the globe. And these call for action towards the implementation of this system which for Walzer promised greater possibility of governing the globe in the respect of cultural and religious difference, distributive justice, individual freedom and equality which in all will provide a conducive ground for long lasting peace even though may not be perpetual.

⁴³¹ *Ibid*, p. 189.

⁴³² *Idem*.

⁴³³ *Idem*.

**PART THREE: THE APPRAISAL OF MICHAEL WALZER'S
THEORY OF PEACE AND THE NEW PERSPECTIVES**

The part two of this work presents the peace building project of Michael Walzer which entails his theory of peace. If theory is “*a formal set of ideas that is intended to explain why things happens or exists*”⁴³⁴ and peace, “*a situation or a period of time in which there is no war or violence in a country or an area*”,⁴³⁵ then the theory of peace refers therefore to formal set of ideas intended to explain why the presence of war or violence instead of their absence and how they could be avoided for the maintenance of peace. Therefore, Walzer’s theory of peace is the formal set of ideas intended to explain the manifestations of the absence of peace and the possibilities of achieving and maintaining peace. From the above perspective, it shows that the achievement and maintenance of peace requires organizations and collective agreements with certain level of the use of force to stop aggression and monstrous acts which for him are the sources of war and violence that result to the absence of peace. The centre of this Walzer’s theory of peace is the defence of the rights of the innocents. All these aspects evoked by Walzer, are very relevant in our contemporary socio-political activities which are full of aggressions and monstrous acts giving rise to different levels of conflicts that are experienced across the globe. This work however, cannot said to be without certain limitations as regards to the need for the achievement and maintenance of peace in the socio-political activities of our contemporary especially in the African context.

This third part or last part of this work therefore will have to do with the limitation and relevance of Michael Walzer’s theory of peace and the new perspective. Thus, the first chapter will portray the limitations of Walzer’s theory of peace in regards to his conception of peace and to the socio-political issues of nowadays. The second chapter will illustrates the relevant aspect of his work in regards to our contemporary, by showing the socio-political issues that Walzer aimed at resolving which are present in the socio-political issues of nowadays and how his theory of peace could be of great help if employed. Finally, the third chapter retraced the ways peace were been achieved and maintain in the past African context, by tracing the bases and foundation of peace in the traditional Africa and then the possibility of building a strong security system of peace in African States and the world today. This entails the originality of this work where some proposers will be made in the light of how peace building in our continent as well as the world today could be achieved.

⁴³⁴ Sally Wehmeier et al (ed.), *Oxford Advance Learner’s Dictionary*, p. 1532.

⁴³⁵ *Ibid.*, p. 1071.

CHAPTER SEVEN: THE LIMITS OF MICHAEL WALZER'S APPROACH OF PEACE

Looking at the outstanding work of Walzer, one cannot fully say that, it is without some flaws. This peace building of Walzer centred mostly on war and its resolutions. That is to say, possible wars and the processes under which such possible wars could be fought which to some extent disclosed or shows that, Walzer does not or did not conceived a world that could be void of war or conflicts . And thus, this poses a question on his concept of peace as he concentrated his peace building on the international socio-political issues. Also, this peace building of Walzer equally poses a question on the possibility of its realization in nowadays socio-political issues as to regards to the escalation and evolutions of things in the area of conflicts. Thus, below shall illustrate these limitations as to regards his conception of peace and difficulties in the implication in his peace building project in nowadays socio-political issues.

7.1. THE LIMITS OF WALZER'S CONCEPTION OF PEACE MAINTENANCE

Walzer conception of peace was centred on the fight against aggression where by, he proposed mechanisms on how to react against aggressors and on how to limit the mobilization to arm conflicts. His concentration equally centred towards justice as to regards to the mobilization for arm conflicts, justice during war, and justice after war. Thus, this shows that he focused his peace building mostly on justice whereas the achievement of peace does not base only on justice. This subpart will disclose his limitations on the conception of peace maintenance and base.

7.1.1. Peace needs to be maintain at the level of national before international

Walzer in his quest to justify certain use of war and limiting the mobilization of arm conflicts for the purpose of peace, resorted into reorienting international policies as to regards to the governing of the globe. This portrays the concentration of his work which aimed at resolving conflicts and maintaining peace at the international level. But the realization of perpetual peace does not supposed to centre mostly at the international level as was the concentration of Walzer's work. This is because, for there to be a good relationship among people or States, the individuals supposed to be seekers of peace for peace to reign. That is why Kant holds that, it is necessary for the State to come to the level of maturity by surpassing the level of barbarism, so as to achieve perpetual peace as seen in chapter three of this work. For Kant, the stage of maturity of a state is the attainment of the Republic where by, the State has recognized its barbarous acts that have prevented her from growth. It is with

this realization according to Kant that will enable the state to move to the stage of perpetual peace under which it employs the mechanism of recognising the rights of its citizens and work towards the common good of the citizens. This is the stage according to Kant where by, the state is rational knowing and recognising the rights and dignities of others. It is the attainment of this level that could enable states at international level to work in harmony. Thus, from this perspective, it shows that, the existence of aggression among States is as a result of barbarous States that have not reached the stage of rationality which Kant was referring to. Hence, focusing peace project at the international level cannot be the best way of handling the issue of aggression, rather, it would be better to restructure or reset political system that could enable each state to arouse to the level of maturity that Kant talked about. This goes in line with the popular saying; “*charity begins at home*”.

In regards to national peace on the perspective of Walzer, it has to do with humanitarian intervention. For Walzer here, the barbarisms of a state to her citizens can results to humanitarian intervention of international society which this can be done by any voluntary state(s). At this stage, the violation of peace at the national level could be determined by massive killing, and massacre of the citizens which thus subjected peace to an atmosphere of insecurity which is void of barbarous killing. This means that, the atmosphere of arm conflicts and barbarous massacre is what defiles the atmosphere of peace in this perspective view of Walzer. Whereas when the regime is violating the rights of her citizens and their freedom, it would be sufficient evidence for the violation of peace since the citizens being denied of these will placed them in an un-peaceful atmosphere. Following the view of Walzer, the humanitarian intervention to the murderous and dehumanized act of a government, can be done by any voluntary state and not the union of the members of international society. This sort of intervention, even though he precise that voluntary state that could intervene in such situations should be a democratic State, cannot said to be void of selfish interest. This is because powerful and aggressive states could use such intervention to perpetuate their act of revenge or interest. Such intervention gives them a blank check of perpetuating their acts.

This can be seen with the case of Libya and Ivory Coast where France saw the regime of Koudou Laurent Gbagbo as a thread to their interest in Ivory Coast and the one of Muhammad Abu Al-Gaddafi as a threat to their interest in Libya. So she used the slightest opportunity to intervene in these respective countries and perpetuate their acts towards the achievement of their interest. As to regards that of Ivory Coast,

The cartoon from 2010 on the title page of this thesis represents French president Nicolas Sarkozy choosing between two Ivorian 'products': presidential candidates Laurent Gbagbo and Alassane Ouattara. France indeed chose one of the two 'products': that is, France chose to support Ouattara over Gbagbo. France even helped Ouattara's forces to arrest Gbagbo on 11 April in 2011. As a result, Ouattara became president of Côte d'Ivoire in 2011. 'Le France Afrique march encore...' stands for unequal and exploitative economic relationships between France and (former) French African colonies, which are assumed to still be in place. (...) In short, this cartoon satirically explains former power relations, with France as a colonizer and resource exploiter of Côte d'Ivoire, to be relatively similar. Even though, the political situation has formally changed, with Côte d'Ivoire gaining independence from France in 1960. A large volume of academic literature, however, suggests that the economic relationship between France and the Côte d'Ivoire is very similar to how it was before Ivorian independence (Alesina & Dollar 2000; Schraeder, Hook & Taylor 1998; Cumming 1995).⁴³⁶

Thus, using the conflicts as an opportunity to intervene was to an extent triggered by their interest. This disclosed the weakness of sort humanitarian intervention by the means of voluntariness of individual states intervening to stop and change a murderous regime of other states. This is because, behind every individual decisions and actions, are found interests.

Also, the humanitarian intervention portrays by Walzer, may never exists or come to realisation. As a result, can only remain a matter of concept than a reality taking from the perspective of his conception of *jus post bellum* whereby the state that opted to intervene as humanitarian, is to do that with void of interest. This is because for him, just occupations as seen in part two of this work is void of Interest in such a way that states, intervening and uprooting aggressive and murderous regime, ought to occupy the state and prepare it for the establishment of new regime. The state here is placed under democracy and then restores power to the people without any influence or constraints on the regime which could favour the occupant commercial or any sort of activities. From this view, it shows that any state that opted for such intervention, are out to spend their resources willingly without any expectation of recuperation. But embarking on arm conflicts is never a minor expenditure on states resources. Arm conflicts can drained a country economic resources and no country will like to embarked on such humanitarian act. Thus, such humanitarian intervention of Walzer is both limited on the structure and the possibility. On the structure, being that an intervention of an individual state to any state, whose government is aggressive or murderous to it citizens, can hardly or never be void of Interest. For instance;

As Libya is Italy's former colony and a key provider of energy via the Trans-Mediterranean Greenstream gas pipeline, the Libyan crisis has been the central concern of Italian foreign policy. Since the start of the revolution, Italy has been

⁴³⁶ Besseling Anke, "French foreign aid policies in Côte d'Ivoire: a continuance of colonial legacies and a cause for the Ivorian state's legitimacy deficit", 2019, p. 3.

*focusing its activities on maintaining Italian centrality in Libya and protecting its energy interests. These points explain Italy's eventual decision to join the NATO operation despite President Berlusconi's initial reticence. It is also clearly evident in the deployment of technical staff to key oil-infrastructure sites in Western Libya immediately after the revolutionaries had fulfilled their successful offensive operations.*⁴³⁷

On the area of possibility, no state can carry out an act of intervention that could drain their economic resources because even the citizens will oppose it. That is why Raymond Aron holds that no Country would like to embark on a war of deficit. Hence, as far as these two limitations are not well defined and clarify, the issue of internal aggressiveness and murderousness of a government will remain unresolved. To resolve this, humanitarian intervention would be better off under a unanimous decision and action with harmonised forces that doesn't belong to a particular state.

7.1.2. Peace as a matter of security and justice and not justice alone

Looking at the work of Walzer, one will see that, all he has been trying to defend all long is on how war can be fought in respect to justice. This shows that, he was subjecting the achievement of peace to the employment of justice. For instance, he held that, the only just use of war is the instance of retaliation against aggression. To him, the only act for prevention is limited to the situation where there is an assurance that the regime in question is an aggressive regime. As such, intervening and maintaining peace is done only when the peace itself has been violated. Thus poses a question on the sense behind the maintenance of peace. A Peace cannot be violated before fighting for peace but maintaining peace is an act that provides measures which could prevent any uprising that could disrupt peace. It is in this light that Thomas Hobbes called for the movement from the state of nature to the civil state. In other words, it becomes questionable to wait for peace to be violated before fighting for it defence and as such will make it difficult to achieve the purpose.

Taking from Walzer's defence of just war, it shows that, there are instances that could disrupt the present of peace under which one has no other choice but to retaliate which obviously resort to war. If such instances could be taken note of, then it should worth providing a mechanism that could prevent such uprising rather than counting it as a just to retaliate. Thus, following the line of thought of Thomas Hobbes, it will be rather better to put down a mechanism of security that could prevent such uprising. That is why peace cannot be limited to what is just alone but equally on security which could prevent any sort of rise that

⁴³⁷ Megerisi Tarek and Vasily Kuznetsov, "Peace and security: the policies of European states and Russia on Libya", Moscow, Friedrich-Ebert-Stiftung (FES), 2020, p. 4.

could call to attention the matter of justice. It is in this light that President Paul BIYA, during his traditional end of year's speech to the nation on 31st December 2014, affirms; "... *there can be no peace without security and no development without peace...*"⁴³⁸ Therefore, peace is not something that is based on the factors of justice as Walzer presents but also on factors of security.

Also, even though Walzer presents harsh containment and politic-short-of-force as means of security to prevent the progression of aggressions, but the employment of security is not only when there is thread before it could come to action but rather, security comes in place to prevent any uprising of thread. For Oxford Dictionary, security is "*the activities involved in protecting a country, building or person against attack, danger etc.*"⁴³⁹ And Larousse Dictionary presents it as "*the absence of worries; a safety destined at preventing a danger*".⁴⁴⁰ That is to say, security here refers to activities that aimed at the prevention of danger for the purpose of safety (peace). This shows that security is not out to fight threat but to prevent the emergence of any sort of threat that could jeopardise peace. This renders Walzer's preventive measures for aggression limited. That is to say, his principle of harsh containment was meant for States that already embarked on aggression or are already at the point of embarking on aggression. Here, one should be talking about a measure that could prevent the emergence of any level of aggressiveness. For instance, since all sort of aggression have to do with the use of weapons, to establish a peaceful atmosphere will call for the putting in place an ethics of arm production. Since arm conflicts are always centred on ammunition and whereby any act of aggression as to regards, war cannot do without. It becomes of necessity to place a security on arm production than waiting for States to accumulate ammunition and set a plan of their plots before reacting to it. Stopping such kind of act, will demand a lot of efforts which may or may not succeed to stop it.

More to this, another aspect that worth pointing out is the part of harsh contentment policy that has to do with the supervision and establishment of no fly soon. Such a security may not really be effective regarding the fact that, the security depends on voluntary States. This is because, many states will likely not mobilised to act on things that does not satisfy their interest or that could deprived them from their interest. For example, the case of slave-

⁴³⁸ Meutchedji Fongang Frank Patrick, *General knowledge for public exams*, second edition, Yaoundé, Meutchedji Fongang Frank Patrick, 2019, p. 22.

⁴³⁹ Sally Wehmeier et al., *Oxford Advanced Learner's Dictionary*, p. 1320.

⁴⁴⁰ This is our translation of "the French version". See LAROUSSE (éd.); *Dictionnaire de Français*, Malesherbes, Larousse, 2008, p. 388.

trade which lasted since centuries as a result of lack of cooperation of states such as Cuba and Brazil who were after their interest:

*Abolition legislation and international cooperation did not end the trans-Atlantic slave-trade. (...) slave importations to Brazil, Cuba and Puerto Rico actually increased after the trade was outlawed. Underdeveloped plantation economist in these jurisdiction created huge demand for slave labour and record profits for illegal slave-traders. Most Brazilian and Cuba policy makers linked economic growth with continues slave imports, and many tacitly supported the illegal traffic.*⁴⁴¹

In the present case, the harsh contentment policy levied on Nord Korea whereby China could not respect it due to their trading interest with Nord Korea:

*Restrictions on North Korean exports of its big money earners—coal, iron ore and various nonferrous metals products—have likely led to a shortage of foreign exchange, constraining the country’s ability to import at greater volume. However, these goods are all currently in high demand in China and carry very high prices, inviting smuggling or requiring a change in Chinese policy.*⁴⁴² *Beginning with visual inspection and ending with the most sophisticated time-series models that can be implemented given the weakness of the data, no evidence has been found that economic sanctions by the UN Security Council have had any effect on either North Korea’s trade in luxury goods with its largest trade partner, China, nor any indirect effect on North Korea’s aggregate trade with its two principal partners.*⁴⁴³

Thus, such a security system that depends on individual States could likely not come to realization. Even though the harsh contentment itself does not originate with Walzer, the modification and orientation that he gave to it does not make it less illusory or utopic.

In addition, as to regards to terrorism, Walzer only pointed out the act of terrorism and to some extent, reasons that often results to terrorism. To this area of conflicts, Walzer insisted on the fight against terrorism not to involve the innocents but he did not lay down any mechanism or measures under which such aggressiveness could be stopped. Terrorism like every other aggression functions with weapons. This means that, if they could be prevented from being in possession of weapons such act could be totally stopped or greatly reduced bringing back the necessity of ethics of arms. That is to say, than concentrating on how to fight terrorists without harming the innocents, it could have been better to see on how to control the production and distribution of ammunition across the globe by the international society. For example, if all the industries that produces arms and all the individuals who could produce arms as well as the resources that could enable the production of arm, could be

⁴⁴¹ John Harris, “Voyage of the Echo: the trials of an illegal trans-Atlantic slave ship” (2014), in Lowcountry Digital History Initiative: www.ldhi.library.cofc.edu, consulted on the 18 July 2022 at 10: 30am.

⁴⁴² William Brown, “China’s Trade with North Korea Rises Slightly in January and February, Amid Partial Border Openings”, 38 North, 2022, p. 3.

⁴⁴³ Marcus Noland, “The (Non) Impact of UN Sanctions on North Korea”, in East-West Center Working Papers, 2009, p. 7.

checked and followed up as to regards to the production of arms and their distribution across the globe, the problem of arm conflicts could be drastically reduced or totally stopped.

7.2. THE LIMITS OF WALZER'S APPROACH OF PEACE IN THE SOCIO-POLITICS OF NOWADAYS

Walzer present different approaches through which arm conflicts could be avoided, that is, through which the issue of aggression could be avoided such as politics-short-of-force whereby through multiple creation of international organizations, states activities could be brought to control and prevented from being aggressive. He equally provide a governing system through which there could be a high possibility of achieving individual freedom, cultural pluralism, distributive justice and peace. According to him, it is the harmony of all these that could lead to perpetual peace and not through international federation which Kant advocated for. Though he precise that, the ideal possible means of governing the globe, which he talked of is not yet in practice in the world and that, the present stage of governance of the globe, has more one shift from the right (anarchy) before arriving at the ideal one he opted for. But the politic-short-of-force and the possible governing system he opted for, have lots of limitations that could render the approach difficult to be implemented in nowadays socio-politics.

7.2.1. The difficulties in achieving Walzer's international policies

On the area of politics-short-of-force approach whereby international organizations are to be created to function across borders, could lead to the outcome of too many organizational centres and thus could in turn results to conflicts. Walzer opting for this, aimed at avoiding a single centre which in the long run could serve as an arena of tyranny. Looking at his proposal of creating multi-international organizations, as a response to peace today, will not be far from what is happening in our world today whereby law making lies in the hands of powerful states as is the case with UN Security Council. That is to say, having many centres cannot stop the manipulation of the stronger as Walzer feared and as such, cannot prevent aggressive act. This is because among the different organizations, there must be the most centred and important one which could directly or indirectly control the others. For example, the political party that succeed to become the ruling party in many states could still in one way put power in the hands of one particular set of people or states that may happen to be aggressive in their ideologies. Conflicts between the members party, can still continue in the other organizations since political party is the main call of ruling a state. Such manifestations could equally raise conflicts among States or between different states that are ruled by different parties on the issues that concerns international society. So, with the presence of powerful States such as

USA, China, Russia, Great Britain, France and many others, they cannot allow members of minor or less powerful states to control things in the organizations. In other words, the powerful states must always like to dominate the most strategic organization such as what is happening today under collective security (UN Security Council) which is the most strategic aspect of the UN.

In UN, there are 6 centres of different organs namely, the General Assembly, the Security Council, the Economic and Social Council, the House of Representatives, the International Court of Justice and the secretariat. Among all these organs, Security Council is one of the most strategic organ which the powerful states manipulates to suit their interests. For instance, the use of Veto power by the powerful states who are considered as the permanent members of Security Council, is mainly to defend their interest against the general decision. For instance, USA, Russia, China, Great Britain and France, who are regarded as the powerful states, are considered as the permanent members of UN Security Council in possession of veto powers:

*The five countries, in the membership of the UN Security Council, have a privilege called veto power. A veto is the power to overturn a resolution that has been decided by a majority vote of the members of the Security Council. (...) In its development, the veto power is often used by permanent members of the UN Security Council to protect their own interests.*⁴⁴⁴

This shows that man can never be void of interest; the powerful States will always want to dominate in the organizations and this may end up in failure. In such situations, peace can only reign when there is harmony among super powers. But any rise of disagreement among them will therefore be felt across the globe. That is why Raymond Aron holds the view that, it will be important for every state to try to rise and meet up with the challenges presented by the other States. This shows that, with the presence of powerful states, the less powerful states will still remain dominated until they rise and meet up with the challenges. Even though Walzer talked about distributive justice whereby through international monetary fund other less powerful states could rise economically, but it will be difficult to achieve this under the influence of powerful states who by all means will try to dominate the strategic ground to keep themselves powerful as seen above.

Furthermore, the issue of direct change of aggressive and murderous regime to a democratic regime may not be applicable in all political spheres. For Walzer, the main objective of politics-short-of-force is to prepare a state towards a change of regime and

⁴⁴⁴ Calvin Al Fitrah and al., "The existence of veto power in the united nation's Security Council on the enforcement of international human right: advantages and disadvantages", in Yogyakarta, Universitas Muhammadiyah, 2021, p. 2.

political system to democracy. But from the view of the existence of democracy, in different states especially here in Africa, it do not seem to be favourable. This is why Mazadou oumarou calls for the review of this political system as to regards the being of Africans.⁴⁴⁵ According to him, such political system that emerges in Europe and transported to Africa by the colonial masters or the imperialist, do not suit or matches with the African cultures or ways of life. He disclosed that, westerners live more of liberal life which could enable the democracy to work perfectly in their area whereas Africans are more of communal life which could not really suit with democratic political system. This is because, democracy as a political system has as a call to a liberal life which is not the case in Africans ways of life.⁴⁴⁶ So it becomes difficult and almost impossible for democracy to be perfectly operative in Africa. For this reason therefore, Mazadou called on Africans to retraced back their original system of democracy left behind as a result of the invention of colonialism in Africa which led to the loss of many originalities or values of the Africans. One of the most originality of the Africans, lost in the past as he pointed out, was “Kamite democracy” which will be well discussed in chapter ninth (9) of this work. This shows that, the change of political system to democracy as a means of getting rid of aggressive and murderous regime cannot really be effectively implemented in an unequal domain such as Africa. This has been part of the socio-political issues Africans are facing today as it ends up rising tyrants rather than rational leaders who are conscious of the state duties.

On the other hand, Walzer’s ideal possible system of governing the globe, which base on this politics short of force, will equally be difficult to implement as it disclosed limitations that are identical with that of politics-short-of-force. This is because in this governing system, Walzer opted for many centres rather than one centre of governing body. For him , the system should be in such a way that, there should exists a centre for collective security council that See's to the affair of criminality across the globe by states (or the act of aggression) among States; there should be a centre for monetary affair that permits the flow of currencies across borders and distribution of economic affairs; there should be a centre for judiciary where by, criminal acts among States as well as members of states could be judged assisted by collective security; the centre of political parties that runs candidate across borders; the centre of labour union that See's to the affairs of workers or labourers; there should be a centre of humanitarian affair that See's to the issue of human rights; there should be a centre of

⁴⁴⁵ Oumarou Mazadou, « Democratie Moderne Et Pouvoir Traditionnel : Essai sur le kamitisme politique », p. 10.

⁴⁴⁶ *Ibid*, p. 12.

commercial affair that See's into the issues of business and the centre for other sectorial affair. All these centres for him should share nothing in common as a main centre so as to avoid a single centre system which could results to tyrannical system of governing the globe.

From all these, Walzer was trying all the possible means to avoid a single centre system because for him, it could lead to the disappearance of the integrity and sovereignty of States as well as to the rise of murderous tyranny across the globe which could not be stopped. But looking into the system in question, the powerful States can still take dominate over other less powerful states through the monopolization of strategic centres such as political centres, collective security centre, monetary centre as well as commercial centre which is what is happening nowadays. For instance China, USA, Great Britain, Russia and France are dominating the economic global system as well as collective security. These two strategic centres account for the main call of global operation especially the UN Security Council as portrayed by Al Shraideh Saleh in the following;

*While other organs in the UN make recommendations to member states, the Security Council enjoys an important and powerful position in the Organization, as the only organ that has the authority to make decisions that member states are obliged to obey. In addition, its authority penetrates into the powers of other organs of the UN. All General Assembly resolutions must be approved by the Security Council at one stage of its decision- making process, whether before or after the resolution. The Security Council also mandates the working agenda of the Secretariat, which could raise question marks over the issue of separation of powers in the UN that could affect its functions.*⁴⁴⁷

Thus, they remain the final say concerning situations across the globe. Any reaction on a situation across the globe always favours their interest or is influenced by their aspirations.

Also, even under many centres, political powerful States often influence decisions of less powerful states by winning them over to themselves either through the signing of treaties or granting of aids. Through these means, powerful states often bring the globe under partitions of supporters such as the issue that exists presently among the supporters of Russia and supporters of US. For the attacked of Russia on Ukraine, it was as a result of these partitions whereby the activities of NATO in Ukraine were considered by Russian president Putin, as a threat to Russian integrity and sovereignty as he portrayed in the letter he addressed to the world: “*And for our country, this is ultimately a matter of life and death, a matter of our historical future as a people. And this is not an exaggeration: it is true. This is a*

⁴⁴⁷ Saleh Al Shraideh, “The Security Council’s Veto in the Balance”, in *Journal of Law, Policy and Globalization*, Vol.58, LISTE, 2017, pp. 35-6.

real threat not just to our interests, but to the very existence of our state, its sovereignty”.⁴⁴⁸

In this light, Milanovic Marko analyses this as follow;

*Putin then spends a lot of time on explaining the threat posed to Russia by NATO's expansion, the supposed control by the West over 'Nazis' in Ukraine, the placement of sophisticated weapons in Ukraine, including potentially nuclear weapons. This is, to President Putin's mind, nothing less than an existential threat to Russia.*⁴⁴⁹

It is this NATO's expansion which Russia saw as a thread that induced her to retaliate with arm conflicts so as to equally show her superiority.

So the existence of different centres as holds by Walzer, will not end such quest unless the issue of arm production are handled as well as the conflicting quest of states are put to check and controlled. That is why Emmanuel Kant emphasis on the abolition of standing army and accumulation of ammunitions that could stand as thread to the fellow states as well as any treaty that could bring the globe into groups of influence. That is, whereby treaties are used to induce and win states over in preparations against any uprising war or any future uprising war ought to be abolished. Thus, arriving at Walzer's stage of governing system is really questionable and even if it becomes possible, it cannot really stand as an ideal system for the governing of the globe. Therefore, until the interest of power tussle is resolved among States, the approach of politics-short-of-force and the possibility of governing the globe of Walzer will remain unrealistic. To resolve this, there will be a need of employing the notion of the republic proposed by Rousseau and Kant at the international level whereby, each state as an individual, participate in law making without anyone placed superior above the other. That is to say, where each and every state plays an equal role in decision making and are equal before the law.

7.2.2. The presence of technological revolution as an obstacle to war convention

In this perspective of war convention, Walzer aimed at showing that, war could be fought under moral conditions, that is to say, subjecting the act of war to moral and logical judgment which obviously is contrary to the view of the realists who think that war cannot be subjected to moral or logical judgement once it breaks out. For the realist, war does not respect emotion or any justification. For once it breaks out it burst like fire that cannot be controlled moving from one escalation to the other until one side is defeated. This is why

⁴⁴⁸ Marko Milanovic, "What is Russia's Legal Justification for Using Force against Ukraine?" 2022, p. 3. www.ejiltalk.org/what-is-russias-legal-justification-for-using-force-against-ukraine/. Consulted on 19 July 2022 at 4pm

⁴⁴⁹ *Idem.*

Clausewitz defined war as “*an act of force to compel our enemy to do our will*”,⁴⁵⁰ that is, an act of subduing an opponent to accept the victor’s point of view. Under this perspective, it can be seen that, to talk about moral and logical subjections of war, it is almost an impossible reality.

Also, regarding revolution in technology, whereby ammunition for war does not longer remain at the stage of shouting of gun and throwing of bombs but it has generated to mass slaughtering missiles which when released, it does not respect barrier nor affecting only those it was made for but it goes beyond the target and affect millions of innocents. Even though Walzer considered the use of missile in the face of war as violating war convention, but the aggressors who are out for their interest does not always care about the law the convention holds and to counteract and stop such aggressors will remain the use of the same measures which could frightened their acts. Walzer recognized this very well but was not able to give or arrived at a solution. This put a question mark on the war convention he base on to justify acts of war as well as to subject acts of war to moral and logical judgement. On this ground, none of these holds because escalation under such weapons of war and in the face of such war, innocents will become the most victims to account for as in the case of Ukraine where by Russia used the bomb that whipped almost the entire city and it stands to threaten any power that will try to intervene with a weapon called “Satan two”:

*Russia stepped up its bombardment of Ukraine’s biggest cities, firing missiles on targets in populated areas as Vladimir Putin’s forces turned to more brutal military tactics in a bid to regain momentum on the sixth day of the invasion. One Russian missile hit Kyiv’s television tower, knocking out transmission for a short period. A video posted by Ukrainian officials showed secondary explosions near the Babyn Yar Holocaust memorial that killed at least five people, according to Volodymyr Zelensky, the country’s president.*⁴⁵¹

*Now a few important, very important words for those who may be tempted to intervene in ongoing events. Whoever tries to hinder us, and even more so to create threats for our country, for our people, should know that Russia’s response will be immediate and will lead you to such consequences that you have never experienced in your history.*⁴⁵²

Thus, this work still insists on the need of ethics of arms production as well as security on the production of ammunitions across the globe to stop the mass production of ammunitions and any sort of mass destructive ammunition.

⁴⁵⁰ Carl Von Clausewitz *On War*, p. 75.

⁴⁵¹ <https://www.ft.com/content/e51014c3-0b97-4a3d-8a19-bc49b3ccd042>, consulted on the 20 of July 2022 at 6pm.

⁴⁵² <https://www.spectator.co.uk/article/full-text-putin-s-declaration-of-war-on-ukraine> consulted on the 20 of July 2022 at 6pm.

The escalation of aggression using indirect form of attacks is the common phenomenon used by the powerful states against the less powerful states. Nowadays, aggressive states no longer attack directly but they have resorted to the use of indirect measures whereby, they stir and stimulated citizens within the state they aimed at attacking against their government or regime leading to civil war. They often stay behind and supply them with arms and in the process, they could use the policy of humanitarian intervention to intervene in the war and uproot the regime. For instance, “*France’s double game tactic in Libya causes it to appear on the public stage as a peace broker while betting on a warmonger behind the scenes*”.⁴⁵³ When that is done, they established and occupy the territory under the pretext of preparing the territory towards self-determination. In the process of occupying, they go forth to satisfy their interest and their quest which obviously is exploitation of resources and expanding their markets as was the case of Libya and Ivory Coast. Libya case was mainly to remove Muammar Gaddafi from power whom US government and France so as threat to their interest in Libya as seen above. When the regime of Muammar Gaddafi was removed, Libya was occupied and her resources exploited as the state is still facing the effect till present.

On the other hand, France removed the regime of Laurent Gbagbo because he was a threat to their interest through the stimulation of the citizens. France intervenes and removed Laurent Gbagbo in power and sends him to prison replacing him with Alassane Ouattara who could ease the achievement of their interest. With such escalation and change of aggression, Walzer’s war convention becomes useless. That is why Raymond Aron holds that the rules and regulations uphold by the idealist as a means of peace, will become a powerful weapon in the hands of aggressive powerful states to devour and crucify the less powerful states, and thus becoming another means of aggression in another way. Therefore, this issue of a sufficient reason for humanitarian intervention by voluntary individual states, provide aggressors with another way of perpetuating their acts.

Until the issue of humanitarian intervention under unilaterality is abolished and replaced strictly with multilateralism, the aggressive state will still find their way out. That is to say, humanitarian intervention need to be based on the coming together of international society having their specific military without being dominated by any of the powers, nor the collective security itself being dominated by any of the powers, so as to avoid any move of Interest. This can be seen in Putin’s letter addressed to the citizens of the world on the reason

⁴⁵³ Daily Sabah, France’s ‘surrealpolitik’ policy in Libya. www.dailysabah.com consulted on 20 of July 2022 at 6pm.

why he has to mobilise for war against Ukraine. This letter disclosed the interest nature and the threat of the activities of USA and her NATO allies, to Russian integrity and sovereignty which according to Putin ought to be stopped:

Yes, in fact, until recently, attempts have not stopped to use us in their own interests, destroy our traditional values and impose on us their pseudo-values that would corrode us, our people from the inside, those attitudes that they are already aggressively planting in their countries and which directly lead to degradation and degeneration, because they contradict the very nature of man. It won't happen, no one has ever done it. It won't work now either.

*Despite everything, in December 2021, we nevertheless once again made an attempt to agree with the United States and its allies on the principles of ensuring security in Europe and on the non-expansion of Nato. Everything is in vain. The US position does not change. They do not consider it necessary to negotiate with Russia on this key issue for us, pursuing their own goals, they neglect our interests.*⁴⁵⁴

Even though Walzer in his provisional system for the governing of the globe made it clear on the aspect of collective security having their own specific military, but he did not foresee the manipulation of the super powers as disclosed in this work above. Hence as already pointed out, until the issue of ammunitions, conflicting quest and the manipulation of super powers are handled, the peace building of Walzer remains untenable.

More to this, indirect aggression on the aspect of terrorism has equally escalated and had taken both political, religious, racial, media and biological phase. Most of these terrorists' attacks have religious background such as Islamic movement whose aim is to disfavour other religious bodies such as Christianity, as was the case in Nigeria during the reign of Jonathan where Boko-haram terrorists embarked on massive killing of Christian through the setting of bombs in churches in the northern part of Nigeria. Such act of terrorism equally aimed at disfavouring the regime in power as it did in that reign of Good-luck Jonathan in Nigeria. It is in this regard that Marc-Antoine asserts: *"By contrast, I argue that Boko Haram is basically an indigenous uprising with a religious ideology, a political meaning, and some social support locally, unlike transnational professional terrorist groups that can strike anywhere in the world"*.⁴⁵⁵

Also, act of terrorism equally has taken racial phase as a form of revenge. For instance, some Arab groups such as A-Qaeda employed this act of terrorism to set terror across states that did not belong to their race or religion: America, Europe and certain non-Arabic part of Africa. For instance:

⁴⁵⁴ <https://www.spectator.co.uk/article/full-text-putin-s-declaration-of-war-on-ukraine>, consulted on 20 of July 2022 at 6pm.

⁴⁵⁵ Marc-Antoine Pérouse de Montclos, (ed.), *Boko Haram: Islamism, politics, security and the state in Nigeria*, Zaria, African Studies Centre, 2014, p. 136.

*In an interview with Al Jazeera, Awlaki, a prominent leader of al-Qaeda in the Arabian Peninsula (AQAP) branch, explained his violent, anti-Western ideology. "The United States is a tyrant, and tyrants across history have all had terrible ends. I believe the West does not want to realize this universal fact," he said. "Muslims in Europe and America are watching what is happening to Muslims in Palestine, Iraq and Afghanistan, and they will take revenge for all Muslims across the globe."*⁴⁵⁶

So, most of these terrorists attacks, emerges as a result of the acts perpetuated by powerful states such as USA and France on less powerful states like Iraq, Syria and Libya.

These phases of terrorism have equally escalated to the use of different measures such as; the use of mass destruction weapons as was the case of US that led to the death of thousands of citizens of different countries:

*The threat of terrorist attacks against the U.S., eventually, potentially, with weapons of mass destruction—bugs or gas, biological, or chemical agents, potentially even, someday, nuclear weapons. The threat of so-called cyberterrorism attacks on our infrastructure. The United States received its first bitter taste of biological terrorism in the form of anthrax spores a few weeks after the terrorist attacks on the World Trade Center and the Pentagon in 2001. But the potential for more lethal and, indeed, catastrophic terrorist violence was only part of the alarming story. (...) The perpetrators of the attacks on New York and Washington on September 11, 2001, used conventional means—i.e., the hijacking of airlines—and turned them into instruments of mass destruction.*⁴⁵⁷

This shows that another measure was through media where most terrorists used its tools such as, internet, cyber, face-book etc. to carry-out their act of terror and to make their act known across the globe as they considered it as a battle field. They equally used it as a form of sensitisation to stimulate others to join them. The most recent means was the bio-chemical terrorism whereby virus are smuggled to some countries in order to plant a deathly pandemic or diseases in a particular area or state to instil pain and suffering on the people as seen the quote above.

Terrorism is no longer just the act of individual or group criminalities but has become a governmental act whereby, some governments sponsor terrorists to perpetuate acts that can bring about the achievement of their interest.

The pivotal event in this most recent emergence of state-sponsored terrorism as a weapon of state and an instrument of foreign policy was the November 1979 seizure of fifty-two American hostages at the U.S. embassy in Tehran by a group of militant Iranian "students." (...) As events would later show, this incident was only the beginning of an increasingly serious and extensive state-sponsored terrorism campaign directed by the Iranian regime of Ayatollah Khomeini against the United States as well as other Western countries. (...) Acts of violence, perpetrated by terrorists secretly working for governments, were shown to be a relatively inexpensive and, if executed properly, potentially risk-free means of anonymously

⁴⁵⁶ Nacos Lebens Brigitte, *Mass-Mediated terrorism: Mainstream and Digital Media in Terrorism and Counterterrorism*, Third Edition, New York, Rowman & Littlefield Publishers, Inc, 2016, p. 8.

⁴⁵⁷ *Ibid*, p. 17.

*attacking stronger enemies, thereby avoiding the threat of international punishment or reprisal. As Daniel Byman argues in his seminal work on the subject, "States sponsor terrorists as their proxies for a variety of reasons. The most important is often strategic interest: terrorists offer another means for states to influence their neighbors, topple a hostile adversary regime, counter US hegemony, or achieve other aims of state".*⁴⁵⁸

Even though such act of instilling terror by governments according to Hoffman, existed in the past, but cases in the past were different from "*the type of state-sponsored terrorism that has emerged since the early 1980s is the way in which some governments have embraced terrorism as a deliberate instrument of foreign policy, i.e., as a cost effective means of waging war covertly, through the use of surrogate warriors, proxies, or guns for hire*".⁴⁵⁹ This shows that some states today sponsor terrorists to cripple the economics of their opponents or to weaken the strength of a regime so as to be able to intervene as a means of assistance to achieve their interests as in the case of France in Ivory Coast and Libya. Modern terrorism can be seen into two perspectives; terrorism whereby the less powerful states use against the powerful states to cripple them economically and morally and the one used by powerful states against the less powerful states so as to remove the regime that does not favour their interest. The type of terrorism sponsored by the powerful states are mainly to create an uprising and civil war in a state so as to bring about the change of regime and the establishment of new regime that will favour their interest in the politico-economic activities of the state. On both perspectives, the main purpose of using terrorism sponsored method is to avoid direct attacks that could lead to international sanction.

Terrorists such as Boko Haram, Isis, IShabab, al-Qaeda, secessionist etc., are sponsored by some individuals, religious groups, politicians or States even though their sponsorship are not always direct but indirectly and so it becomes difficult to trace the sponsors of these terrorists. Thus, to resolve or stop the act of terrorism requires tracing their sponsors. If their sponsors could be discovered and stopped, the bone of terrorism will fully be broken and their act stopped. Sponsorship comprises both financial and material support which could be stopped through a security system placed over the transactions of arms across borders and within territories. This is because in either case, the main core of the sponsorship has to do with the acquisition of arms and all the necessary means that could facilitate the perpetration of terrorist acts. So, instead of fighting them directly using ammunition, it would be far better to fight them by tracing their sources of arms.

⁴⁵⁸ Bruce Hoffman, *Inside Terrorism*, p. 323.

⁴⁵⁹ *Idem*.

CHAPTER EIGHT: THE RELEVANCE OF MICHAEL WALZER'S THEORY OF PEACE IN THE SOCIO-POLITICAL ISSUES OF NOWADAYS

Socio-political issue has been a common quest among scholars, which can partially be traced right from the era of the Sophists who shifted thought from cosmological and metaphysical issues to that of man and his socio-political issues. This shift to discuss on man and his socio-political issues has experienced changes in its manifestations and solutions in the course of time. Socio-political issues here refers to situations or problems relating to societal and political activities. This socio-political problems, as to regards the area of the writing of Walzer, has to do with the issues of aggression and the use of war comprising internal and external quest of states which stands as hindrances to peace. This quest, as to regards its external manifestations, equally brought to light the international socio-political issues of Walzer

These socio-political issues that Walzer aimed at proposing solutions in his work through his theory of peace are equally visible nowadays such as aggression, military conquest, coup d'état, tyranny, terrorism, secessionist and inter-tribal wars, for instance, according to Africa portal: "*States such as Chad, Guinea, Mali and Sudan are still dealing with the aftermath of coup d'etat that occurred in the last 18 months. These messy takeovers have fuelled instability in the Maghreb, East Africa and the Horn*".⁴⁶⁰ Also, "*intra-state conflict, terrorism and unconditional changes of government are three of the biggest security issues in Africa to monitor in 2022.*"⁴⁶¹ All these pose threats on African peace in particular and the world peace in general calling to mind the international issues of Walzer. It shall be of necessity to illustrate the socio-political issues that Walzer aimed at resolving as to compare to those of our contemporary.

8.1. THE SOCIO-POLITICAL ISSUES OF MICHAEL WALZER

Walzer as a member of an anti-war movement aimed at resolving socio-political issues that were hampered in the 20th century such as aggressive regimes that was accompanied by military conquest. These aggressions consists in the violation of the integrity and sovereignty of state(s), illegitimacy of a state both internally and externally, that is to say, a situation where a state is aggressive or tyrannical to her citizens and also, terrorism and the possibility of governing the globe in regards to maintaining peace at both national and international level.

⁴⁶⁰ Africa Portal, Africa: Key issues to track in 2022, 2022. www.africaportal.org consulted on 23, July, 2022 at 3pm.

⁴⁶¹ *Idem.*

8.1.1. Aggression and the use of war

Aggression as a source of war: The 20th century, under which Walzer wrote his book *Just and unjust war* was an era filled with aggressive and monstrous regime as was the case of the second war world, Iraqian war, and the genocide of Rwanda etc. These wars were as a result of military conquest, occupations of territories, for political, economic and social ambition. Here, Walzer aimed at resolving the issues of ambition and uprising that often lead to these wars as he termed all those who started the war as aggressors. Aggressors for him therefore are to be held responsible for any war. This is to say, the aggressors who first lunches an attack are to be held responsible for the outbreak of that particular war. This aggressiveness can be accountable when there is a violation of the fundamental rights of either a state or the citizens which was common in the 20th century.

The 20th century experienced many cases of aggressive regimes as already mentioned above, which can be accountable in two perspectives as Walzer presents. The first perspective has to do with the aggression at the international level where states in their conquest violated the integrity and sovereignty of other states: For example, German attacked on Poland which resulted to the second war world was what Walzer considered as direct violation. Also, on the area of intervention, whereby the act of a regime at the international level is considered as a monstrous and dehumanisation act: For example, the case of Iraq as portrayed in part two of this work.

On the other perspective, the 20th century equally experienced the violation of individual rights which was what Walzer refers to as national illegitimacy of a government. Here according to Walzer, a state obtains her right of existence from that of the citizens. Therefore when the right of the citizens are violated by the government, the legitimacy of the government or state is put to question as it will depend on the reaction of the citizens. At this level, such violations can results to civil war as in the case of Rwanda:

This genocide was the result of a long-established discrimination, divisionism, and an ideology of hatred that encouraged the Hutu ruling regimes to consider the Tutsi as invasive foreigners. They were considered as Hutu oppressors who should be gotten rid of definitively. This ideology spurred sporadic killings of the Tutsi, pogroms, exiles and humiliations of all kinds, culminating in the Genocide against the Tutsi in 1994. This genocide, committed by Rwandans against Rwandans, destroyed social bonds between Rwandans and damaged economic institutions.⁴⁶²

⁴⁶²Donatien Nikuze, "The Genocide against the Tutsi in Rwanda: Origins, causes, implementation, consequences, and the post-genocide era", in *International Journal of Development and Sustainability*, Vol. 3 No. 5, 2014, p. 1088.

Thus, this shows that, it was as a result of the division, hatred and discrimination that existed in this country during this period, which equally was favoured by the regime in power that was seen as the violation of some citizens' right thus, favoured the genocide.

The handling of aggression that is, ways which aggression were being handled. For Walzer as seen already above, aggression is the only reason for going to war. But for him, there should be a better way of handling aggressive issues apart from the employment of violent war. It can be seen that, during the 20th century, retaliation to aggression always lead to cruel and violent war that totally rendered war a hell as Walzer puts it. For instance, the horrible outcome of second War World even though it was a just war, the consequences were immeasurable and disastrous. This is why Walzer proposed and redesign the harsh contentment policy that could enable the use of force but not the kind of violent war. Such measures proposed by Walzer were that which required the coming together of other states to place punishment that could stop the aggression of that act of aggression. That is to say, the measures which could weaken and stop the act without it reaching to the extent of violent war. Thus, at this stage, he opted for a preventive measures through which a suspected and assured uprising of aggressive regime could be reacted to and stopped before it generates to the actualisation of that which can results to violent war. These measures consists of the harsh contentment policy and politics short of force as already presented in the part two of this work. This equally has solved the issue of the cruelty of war.

8.1.2. The problem of retaliation and the right of the innocents

The problem of retaliation: For Walzer, even though aggression is the only reason to resort to war, there are two possible ways of responding to aggression which is forceful retaliation and pacific retaliation. Under forceful retaliation, which can either be of preventive or of confrontation could results to war which ought to be fought respecting the war convention. On the other hand, the pacific retaliation is whereby the victims choose not to employ any sort of violence but rather resort to a peaceful form of retaliation. According to Walzer, such retaliations are not to be brutalised and any form of brutalization on such reaction is the violation of human rights as well as the right of the innocents and as such, presenting a form of peaceful atmosphere in the face of aggression.

The problem of the right of the innocent: Here, the problem of the cruelty of war lies on the violation of the right of the innocents. For Walzer, all form of retaliation ought to respect the right of the innocents. This has been the reality of war whereby Walzer illustrate that, when it escalate, it involves both the innocents and the combatants leading to

unnecessary horrible casualties. Thus for him, war is hell because of its horrific aspect which according to him could be controlled and subjected to moral standard. The horribleness that is embedded in the nature of war could be uplifted and thus serve the rights of the innocents. This is the reason why he reoriented the world convention aiming at eliminating confusion that could cause dilemma in the course of war as to regards the choices on the action to take. This world convention is purposely according to him to serve the rights of the innocents reduce the casualties of war and reduced the outbreak of war with the right of the innocents respected in the course of war, which this can bring war to the standard of human activities and which could be of great use than destructive war. Therefore, for him, defending the right of the innocents should be the major and centre point of decision as to regards resolutions. That is to say, the right of the innocents should be the only purpose of violating the convention of war, which means; the major right could lead to the violation of minor rights and thus the only way and possibility of achieving and maintaining a peaceful atmosphere: the measure of defending the right of the innocents.

8.2. SOCIO-POLITICAL ISSUES OF NOWADAYS

8.2.1. The presence of crises in our world today

Aggression in our contemporary has escalated to different dimensions which comprise direct and indirect aggression involving arms confrontation. On the aspect of direct aggression which recalls the aggression Walzer aimed at resolving in his work is still perceptible as one of the major socio-political issues in our contemporary as already mentioned above with the case of France: That is to say, where the right of a state, community, group or individual rights are violated. For instance, the mobilization and attack of Russia on Ukraine, on the 28 of February 2022, violated the integrity and sovereignty of Ukraine as a nation, if respected and followed the presentation of Walzer on the reason to embark on war, Russia here will be seen as an aggressor for they don't have any logical and moral reason on mobilising and attacking Ukraine on the pretext of their integrity and sovereignty being under thread. The work of Walzer on this aspect of aggression is still relevant in our contemporary as it is one of the common phenomenon we are living or fact which requires a resolution. Even though Russia is termed aggressor by the international society, which is in line with the view of Walzer in regards to the measures she puts in place under which such aggressive acts could be handled to avoid major casualties, were not employed. Thus, it shows the relevance of the necessity of employing Walzer major proposers in regards to these issues of aggression.

Also, another aspect of aggression that makes Walzer's work to be interesting in regards to our contemporary is the presence of terrorism which has even escalated to an international issue or burden presently. Our world is experiencing different raises of terrorists group such as, Isis, Al-Shabaab, Boko-haram, intensified by the war of Iraq, Syria and even the war in Libya. Most of these wars are arouse grievances put forth by some Islamic groups who expressed these grievances through acts of terrorism. For example, the multi-national military joint task force put in place by the Lake-Chad basin states in Africa when Boko Haram attacked some African countries. So in 2015, the coming together of Nigeria, Niger, Cameroon and Chad military forces were purposely for the respond of terrorist attacked known as the jihadists: "*The Multinational Joint Task Force (MNJTF) is an effort by the Lake Chad basin states – Cameroon, Chad, Niger and Nigeria – to pool resources against jihadists that threaten all four countries. The joint force has carried out periodic operations, often involving troops from one country fighting in the country next door*".⁴⁶³ For Walzer, responding to terrorism aggression should not be the violation of the innocent's rights which to some extent is being respected in the fight against Boko-haram in the multi-national join forces put in place by some African states.

Another aspect is on the national aspect of aggression which often results to secession as a result of the maltreatment of minor groups or tribes to an extent. The violation of the rights of such groups often induced the Minor groups to retaliate with a war of secession. That is to say, liking to separate and form their state. Such wars are very much present in our contemporary: For instance the case of Sudan, the on-going crises in Nigeria, and that of Cameroon. Also, another aspect of socio-political issues of nowadays is coup d'état, in the world today, many leaders turn to rule the country in regards to what suit them while forgetting or disrespecting the will or the constitution that holds the country. In Africa to be precise, some states leaders do not respect their term of services when they come to power. Some even go further to modify the constitution that was being voted and put in place by the people (citizens) just for their selfish interest in order to remain in power. This as a result stairs anger and riot in a state where some citizens will not like to full their arms and see things happened the way they never expected. For instance, the coup d'état that took place at guinea Conakry in on 5th September 2020 was a clear evident where the president was being accused of the continuous modification of the constitution.⁴⁶⁴

⁴⁶³ International Crisis Group, *What Role for the Multinational Joint Task Force in Fighting Boko Haram?*, Africa Report N°291, Brussels, 2020, p. i.

⁴⁶⁴ Lone Zamfir I, "Political crisis in Guinea", European Parliamentary Research Service (EPRS), 2021, p. 1.

More so, most of these arms conflicts such as those of secessionist are mostly fought using guerrilla Warfare as pointed out by Walzer making the war difficult to be controlled since the opposition cannot be well identified: For example, the case in the North West region of Cameroon. Such warfare, as pointed out by Walzer, is always protracted and complicated that is to say, it is an arm conflict that often last for long as a result of the nature of the warfare. This is because, such war is often started by the citizens whose rights were or are violated by the government. That is why Walzer strongly advise that such kind of war should not be won because it is immoral to win such war. Winning this type of war is the same as winning the citizens whose rights legitimize the existence of the state. Thus to maintain peace in such issues or situations, he proposed that, when it has to do with the general citizens, their wish should be granted and if it has to do with group or groups fighting with the government, the process mentioned in Walzer's work presented in part two of this work should be followed.

The rights of the innocents: Furthermore, on the aspect of the rights of the innocents, in the process of arm conflicts, it is another important socio-political issue very pertinent in the work of Walzer regarding our present socio-political issues. This aspect of violating the rights of the innocents is very hampered and realistic in most of our present day to day crises which equally paved the way for crises to escalate to another level and lasting for so long. Some of these crises that violate the rights of the innocents are for example, Russia attacked on Ukraine on February 28 2022 which everybody in this country were victims including the innocents: For instance, *“The use of explosive weapons caused most of the civilian casualties. How-ever, Russian troops have also intentionally murdered innocent civilians, as the shocking images of executed civilians in the streets of Bucha painfully demonstrated”*⁴⁶⁵ The crisis in Centre-Afrique, Ivory Coast and the present crises in Cameroon where the innocents are being massacre and slaughtered. Such acts grieved many other citizens who in one way or the other entered the war and this lead to the long lasting of the war. It is avoiding these casualties that induced Walzer to propose some measures mainly to avoid the violation of the rights of the innocents. Thus, it is necessary and pertinent to employ these views of Walzer which placed the rights of the innocents above every other thing in the face of every crisis. By so doing, many crises could often be avoided and thus restore peace with no much casualties.

Another important aspect of Walzer's socio-political issues on our present day is the use of harsh contentment policy. Walzer indicates that, the harsh contentment policy

⁴⁶⁵ Haesebrouck Tim and al. (ed.), “The War in Ukraine”, Gies Occasional Paper, 2022, p. 2.

employed by the United States of America against Iraq was meant to be respected by the members of the international society. But this harsh contentment policy failed to achieve its purpose because it prevents the war for some period of time but didn't stop the war. The most important reason behind this failure as pointed out by Walzer shows that, it was as the result of lack of harmony among the members of the international society in the implementation of the harsh contentment policy. This reality is still perceptible today where decisions are taken but not implemented or respected harmoniously as a duty to each member state leading to the failure of many decisions taken collectively. Some examples of some of the failure of harsh contentment policy were the case of North Korea when she was testing her missiles as already mentioned above. This decision taken failed because, North Korea continuously are testing their missiles and presently the harsh contentment levied on Russia as a result of their attacked on Ukraine which can equally be seen as a failure because it did not weaken the Russian so far who are still strongly continuing with their aggressive acts.

All these failures goes in the same direction, as Walzer pointed out, was that of the lack of the involvement of all the members of the international society in the implementation of the decisions taken. When harsh contentment was levied on North Korea, not all the members' states respected it. Countries like China and Russia and many other communists states were not in accord with that and thus did not respect it as already proven above in chapter seven of this work. All these weaken the harsh contentment policy and rendered it ineffective. Thus, it becomes of necessity to devise a means under which all members states ought to respect the decisions taken for the effective and efficient implementation of the harsh contentment policy. Also certain measures that were pointed out by Walzer such as the use of war-short-of-force were not or are not employed accounting to the failure of the harsh contentment policy.

Walzer equally didn't totally ignore the issue of pacifisms: That is to say, a situation where war is avoided by all means. To this aspect, Walzer acknowledged another form of retaliation which is different from that of the usage of arm conflicts retaliation. He envisaged a form of retaliation whereby a victim of aggressor could retaliate using a Pacific means such as peaceful demonstration against the aggression that is to say, resisting the aggression in a peaceful manner, employing peaceful means to revolt against the act. Such peaceful demonstration according to Walzer, are not supposed to be brutalised because doing so will mean an act of dehumanization and violation of the rights of innocents. Their peaceful demonstration portray them as non-combatant and so measures of war or arm conflicts and brutalization are not supposed to be used against them. Even though this view is already part

of the international human rights, it has not yet been applicable as would have wish Michael Walzer as we can see today.

Many of our contemporary socio-political Issues are escalating to the level of arm conflicts as a result of the violation of these rights. For instance, Cameroon is in a crisis that has escalated today to a secessionist war as a result of the violation of these rights of innocents: Peaceful demonstration of protest;

Since 2016, the socio- political crisis in the two English-speaking regions in Cameroon, popularly known as the 'Anglophone crisis', has dominated political discourse in the country. (...)This was after the government failed to respond to their demands for the translation of the Code of the Organisation for the Harmonisation of Business Law in Africa (OHADA) into English, and for the replacement of Francophone magistrates in the English-speaking courts untrained in the English Common Law system and lacking English language skills. The lawyers reiterated their demands during further strike action on 8 November 2016, and added a further demand for a return to the federal system which existed prior to 1972. The peaceful protest attracted lawyers and young people, including taxi drivers and motorbike riders, but was violently dispersed by security forces; some of the lawyers were arrested. The repressive measures taken by the government of Cameroon against protesters caught the attention of other actors who joined the demonstrations. In solidarity with the lawyers, teachers' trade unions in the English- speaking regions called for a school boycott movement from 21 November 2016. During the teachers' march in Bamenda, several people joined the rally to ask for the improvement of their living conditions in Cameroon and to have an end to their marginalisation by the state. The state security forces again responded violently, resulting in the loss of two lives, with others injured. After unsuccessful negotiations between the government and the Anglophone civil society, the demonstrations escalated into a general strike of the Anglophone community involving youths. Young people have taken their place at the forefront of the issue (...), and the situation gradually deteriorated into violent confrontations and an armed insurgency from 2017.⁴⁶⁶

International society failed to intervene. For Walzer, it ought to have intervened in the pacific demonstration by lawyers and teachers, who were brutalised by the government; this issue might have not escalated to this level of secessionist war. Also, if the government had avoided the use of the act of brutalization and employed a similar pacific respond right from the beginning, the whole thing would have been avoided. Cameroon government resorted to a Pacific means by the use of dialogue, when it was already too late and had already escalated to the war of secessionism making it difficult for it to work. Therefore, this socio-political aspect raise by Walzer is of great importance in our society today.

⁴⁶⁶ Delmas Tsafack, "Youths and the Anglophone Crisis in Cameroon: A Reflection on the Sociology of Social Movements in a Complex State" in BANGURA Ibrahim (ed.), *Routledge Studies in Peace, Conflict and Security in Africa: Youth-Led Social Movements and Peace-building in Africa*, New York, Routledge, 2022, pp. 200-1.

8.2.2. Issues concerning International governance

On the issues concerning international governance, Walzer strongly holds that, organizations at the international level are not yet at the point of effectiveness. He argues that the stage in which the present organization at the international level is operating is yet to arrive at the effective stage. He portrays that, the present organizations at the international level can be equal with a shift from anarchy which still requires a two more shifts to arrive at the possible ideal stage of an effective governance of the globe. At this point, Walzer aimed at looking into the issues that surrounds an effective governance of the globe. Here, he disclosed that, the present stage of governing the globe lack effectiveness which entails the continuous present of violence across the globe as a result of weakness in their decision making. This is to say, the implications of the decisions taken are not always taken into serious or followed up to the latter. In other words, it remains a verbal frame of principles and laws that has no practical backup.

Again, Walzer equally show case the issue of the persistence of inequality that is still in existence at the international level where by the international society comprises of weak states and thus leading to a weak organization. As a result of this decision mechanism, it becomes uncertain and often slows the response to global issues and implementation of the decisions taken. This aspect becomes the centre issue at the international level which Michael Walzer argues to be the main weakness of the present governing system at the international level. The relevance of these discovering in nowadays socio-political atmosphere at the international level is the reality of the presence of arm conflicts across the globe. This reality affirms with the view of Walzer, on the ineffectiveness of international governing system at the international level. Affirming with Walzer on the slowness of the decision mechanism of international organization is perceptible in the present on-going arm conflicts between Russia and Ukraine. Equally, it is perceptible in the civil wars going on in different states across the globe especially here in Africa. For instance, the Anglophone crisis in Cameroon, the Biafra crisis in Nigeria, Burkina Faso, Equatorial Guinea and hampering issues of terrorism that put the world peace into jeopardy. All these arms conflicts are evidence of ineffectiveness of international organization as pointed out by Walzer.

Also, it is worth nothing the inequality and weakness of States that constitute members of international society which goes in line with what Walzer disclosed. Decisions among the member states lies in the hands of few states who are considered as world power. These few states includes US, China, Russia, great Britain and France to some extent who presently are considered to have vector Powers. From the view of things following the issue concerning

Nord Korea and the testing of their bomb, issue concerning the crises in Syria and presently concerning the arm conflicts between Russia and Ukraine, shows that when there are no reactions from the above-mentioned powers, nothing can take place. In other words, the fate of the world instead lies in the decision of these powers whereby other member states have little or no saying in any matters or issues concerning the globe. This can be seen from the embargo levied on Nord Korea when they were testing their missiles which were considered as thread to international peace, and which brought division among these powers whereby the disagreement of China and Russia on the punishment levied on Nord Korea put the entire whole agreement in a fiasco.

Presently, Russia who was the first to attacked Ukraine is considered an aggressor under international war convention. This needed an immediate reaction from international society to intervene and stopped the war. But due to the fact of division among the five super powers, it renders any form of decision and intervention useless. This was because Russia, being one of the permanent members of UN Security Council that has veto power and equally having a strong tight with China and some of the communist states, hinders the intervention of other members of international society. Also, she is economically and militarily well equipped, rendering the sanctions levied on her by the international society ineffective. This is because the harsh containment policy of Walzer is not employed in the ongoing aggression. Had it been that the international society acted harmoniously in the implementation of the containment as put-forth by Walzer, the war would have been evitated. For the harsh containment of Walzer comprises a harmonious sanction, establishment of inspection system and no-flying zone whereas, sanction was the only measure employed so far which is not harmoniously respected as some states are still having economic transaction with Russia.

CHAPTER NINE: THE AFRICAN APPEAL OF PEACE AND THE NEW PERSPECTIVE

A quest towards a development to a peaceful matured self-determined state has been the focus of Africans right from the moment of their political independence as from late 1950s. Africa is a continent that experienced colonisation under imperialist such as Germany, Britain, and France for about 150 years. The continent is made up of nations with cultural values and ways of life that is peculiar to them. These nations have equally experienced political theories which distances them from their history and cultural values. As such, the crisis of development models, which favoured the emergence of various political paradigms such as socialism, capitalism, democracy or liberalism, have shown their inability to keep the promises which they were supposed to accomplish in African governing system in regards to their development to a peaceful matured self-determined state. Presently, democratical state has been the order of the day upholds by many scholars as the ideal political system under which equality of all before the law, individual freedom, distributive justice, political freedom and perpetual peace could reign.

Democracy emerges to power in the western world as the result of the fall of socialism; *“in the democratic upsurges in Eastern Europe in 1989, a rallying-cry from crowds in the street was ‘We are the people’”*⁴⁶⁷. This revolution of democracy spread over the world which equally involves Africa. Etymologically, democracy comes from two Greek words “demos” which means people and “cratos” meaning government thus democracy here mean, Government by the people.⁴⁶⁸ Abraham Lincoln defines it as; “government of the people, by the people and for the people.” Therefore, *“Democracy means rule by the people, as contrasted with rule by a special person or group. It is a system of decision making in which everyone who belongs to the political organism making the decision is actually or potentially involved. They all have equal power.”*⁴⁶⁹ This view of democracy portrays two realities that is, participating directly in decision making by all or by voting representatives. These two realities poses philosophical problems which are been faced in African States today. That is to say, when it has to do with voting, the minority are being dominated and when it has to do with participation by all, it leads to the problem of equality of knowledge.

⁴⁶⁷Ted Honderich (Editor), *The oxford companion to philosophy*, p. 196.

⁴⁶⁸ Robert Audi (Ed.), *The Cambridge Dictionary of Philosophy*, Third edition, New York, Cambridge University Press, 2015, p. 844.

⁴⁶⁹Edward Craig (Ed.), *Routledge Encyclopedia of Philosophy*, Version 1.0, London and New York: Routledge, 1998, p. 2055.

These difficulties under democracy are said to be alleviated by a model whereby concentration is based on mutual discussion as opted by Weil rather than people just feeding opinions into a voting mechanism. Opinions under discussion or dialogue will be formed much better and individuals will be more obviously respected in an equal manner. Therefore, equality and liberty become the prerequisites which are needed in order for it to work properly.⁴⁷⁰ Thus, theory of democracy therefore is a system of government whereby every eligible person participate in the decision making and has equal right to opine, to freedom and to treatment. Despite this modelling of democracy, and as the most practicing political system in the world in general as well as in Africa in particular, it seem not to be of any relevant as to regards the mission of bringing African states to a peaceful matured self-determined state as African states are facing differing types of conflicts and crises. This aroused the interest of certain African scholars such as Oumarou Mazadou and Jean Godefroy Bidima who opine for a return to the African origin of political sphere and conflict resolution. This part therefore, will be centred on the bases of peace in the African origin as to regards their political sphere and conflict resolution and also, the new perspective whereby how to build a strong security system of peace in African States today will be proposed.

9.1. THE BASES OF PEACE IN THE AFRICAN ORIGIN: POLITICAL SPHERE AND CONFLICT RESOLUTION

After a long time of being assimilated to imperialists' political system and ways of life, Bidima and Mazadou, through "*the palaver tree*" and political Kemitism respectively, recall Africans to return to their political sphere of origin and ways of conflict resolution. This political sphere of origin and ways of conflict resolution by Bidima in *the palaver tree*, and Mazadou in political Kemitism, require an elucidated insight in view of bringing solution to our contemporary African political sphere and its challenges. But before going into that, it will be necessary to look into what African political sphere and conflict resolution in African society is all about.

⇒ Conflict Resolution in African society

Conflict takes various forms and dimensions in African societies; it is significant to note that conflict is difficult to define from the perspective of the Africans. It has been part of the networking relationship amongst men in the society:

Consequently, conflicts are in the magnitude of rage, rift, misunderstanding, family and market brawls, skirmishes and wars, public insurrections and assaults. It also includes chieftaincy and boundary disputes. These storms of conflicts are widely spread in Africa. Conflict as an element of social interaction has been defined in

⁴⁷⁰ *Idem.*

*various dimensions. Some writers argued that, a conflict situation emerges when two or more parties could not agree on an issue. The parties to such conflict may not necessary be the government or nation states. In an incompatible stage among nation or states, every part involved seeks to achieve certain objectives, such as additional or more secure territory, security, access to markets, prestige, alliances and the overthrow of an unfriendly government.*⁴⁷¹

In this light, Adeyinka defines Conflict as “*a particular relationship between states or rival factions within a state which implies subjective hostilities or tension manifested in subversive economic or military hostilities*” where according to him, “*human beings weather tribal, ethnic, linguistic, religious, socio-political, economic, cultural or otherwise is in conscious opposition to one or more other identifiable human group because these groups are pursuing what to be incompatible goals*”.⁴⁷² Conflict according to him, arises from interaction among individuals who have incompatible ends: “*in which the ability of one actor to gain his ends, depends to an important degrees on the choice or decisions that other parties will take. Conflict could be violent on uncontrollable dominant or recessive, resolvable or insolvable under various sets or circumstances*”.⁴⁷³

A. A. Mohammed as presented by Adeyinka, argues that Conflicts in Africa are:

*inevitable wherever severe resources are unequally distributed among competitors and inequity is reflected in cultural and political relationship between groups. With regards to various issues in dealing with conflict, it is important to bear in mind not just overt, physical violence, but also the sometimes subtly disguised forms of structural and cultural violence.*⁴⁷⁴

That is to say, Conflict resolution in African society comprises both the phenomenological, ideological, moral and spiritual issues that poses problem in families in particular and in the community in general.

⇒ African Political Sphere

The idea of Hannah Arendt, defines political sphere as “*a space where people reveal themselves to each other as equal, and where they manifest their desire to build together a humanizing community*”.⁴⁷⁵ Three classical concerns can be considered as essential to African political sphere: the well-being of African citizens, the power, and the suited paradigm for social and political organization. The mission statement of African political sphere can be resumed in three points: “*The concern for self-regulation of modern African society; the*

⁴⁷¹Theresa Ajayi Adeyinka, “Methods of conflict resolution in African traditional society” in *An international multidisciplinary journal, Ethiopia*, Vol. 8, No 33, African Research Review, 2014, p. 140.

⁴⁷² *Idem.*

⁴⁷³ *Idem.*

⁴⁷⁴ *Ibid*, pp. 140-141.

⁴⁷⁵ Albert Kasanda, “Analyzing African social and political philosophy: trends and challenges” in *Journal of East-West Thought*, 2014, p. 30.

legitimization of African state, and issues regarding the participation of citizens in decision making spheres, equality and justice".⁴⁷⁶ For Albert Kasanda;

*The search for a suited paradigm of social and political organization has been reduced to the choice between capitalism and socialism, in Africa. For many leaders, socialism was the best option because it was thought to be in compliance with African culture. Senghor, Nkrumah, Nyerere, Sekou Touré, Mboya have made of this option their priority. Many others leaders remained loyal to capitalism. This was the case of people such as Mobutu (Congo/Zaire), Ahidjo (Cameroun), Eyadema (Togo), and Bongo (Gabon). Beyond this ideological option, they all remained submitted to foreign (Western) interests and policy as well as they developed a philosophy of power.*⁴⁷⁷

Two trends of political spheres can be outlined in this light which are; the maintenance of the political systems inherited from the imperialists and the desire to harmonise the systems with African cultures and this become a dilemma in regards to the nature of African state.

Most of our African leaders prefer Western paradigm such as democracy as a means of overcoming ethnic cleavages (multi-ethnicities) which could enable the rise of modern African states. The opposers of the employment of Western political system think that building African state, basing on Western paradigm, could leads to the eclipse of African peculiarity. These two perspectives are the main ground of political debate in Africa even-though African civil society is still committed to both: preservation of benefits of democracy and the conquest of new political spaces in regards to the development of gender, ecology, peace and mediation of conflicts, and recognition of cultural diversity. Thus, it is in this perspective that the following questions are posed: what is political Kemitism and what is la palabre? How can political Kemitism be applicable in nowadays political sphere and how can la palabre be used in our contemporary African political sphere in conflict resolution? These will be the concentration of this sub-chapter which will be presented under the virtue of la Palabre in conflict resolution and the efficacy of political Kemitism in favour of nowadays political sphere.

9.1.1. The virtue of la Palabre of Bidima in conflict resolution

Jean Godefroy Bidima, a Contemporary Cameroonian philosopher, born in 1958 currently living in the United State of America, is an author of many books some of which are; *Théorie critique et modernité négro-africaine: De l'école de Francfort à la "Docta Spes Africana"* (1993) and the titles *La philosophie négro-africaine* (1995) and *L'art négro-africain* (1997); *La Palabre: un juridiction de la parole* (1997). Some of his main field of interests are; "continental philosophy, African philosophy and Juridical Anthropology. This

⁴⁷⁶ Albert Kasanda, "Analyzing African social and political philosophy: trends and challenges", p. 46.

⁴⁷⁷ *Ibid*, p. 30.

his interest contributed to his philosophical development of “*the palaver tree*” which will be the concentration of this sub-chapter. His preoccupation is to recall Africans back to their former ways of problem resolution which he term “*la palabre*”. Bidima’s “*the palaver tree*” is certainly a pioneer work in that direction, which was first published in the collection *Le Bien Commun* (The Common Good) with the Paris editor Michalon . It must be underlined that it was published in 1997, precisely when the democratic transitions were taking place in many African countries.

⇒ **La Palabre (palaver) of Bidima**

Today according Bidima, philosophers, African or Africanists, have new context in which they are invited to revisit which is, that of the notion of “African democracy.” This expression, “African democracy,” according to him;

*Had been used by autocrats claiming that their regimes were versions of an authentic African tradition of leadership. Now the time has come to examine the phrase in the context of an African appropriation of the universal concept of democracy, defined everywhere by pluralism, a multiparty system, equality between men and women, and respect for human rights and the rights of minorities.*⁴⁷⁸

For Bidima, African democracy must involve the populations as a whole, in the light of an open discussion for a good settlement and the satisfaction of justice. That is why he holds that African democracy “*must also speak to the populations at large, to their sense of what constitutes a productive discussion that leads to a good settlement, and to their feeling that justice has been well served*”⁴⁷⁹ and this is precisely an appropriate perception of *the palaver tree*. For him therefore, the democratization of a state in Africa has to take the shape of *the palaver tree* in order to overcome violence and maintain peace and tolerance. He regards *the palaver tree* as an essential dialogue and argumentation process and he presents it as an “*entretien*” in French which refers to both discussion and maintenance. It is through this that he arrived at the goal of maintaining peace, harmony and general social agreement on decision taking. It is in this light that he set the strategy under which conflicts could be solved and the maintenance of social ties. Palaver tree becomes for him, a matter of discuss and redeem and not discipline and punishment.

To Bidima, *the palaver tree* is characterized by scenes where one addresses the audience in the form of presenting a meaningful argument which in turn calls for exchange of words or expression towards a resolution of a particular conflict. It is in this light that he

⁴⁷⁸ Godefroy Jean Bidima, *Law and the Public Sphere in Africa: La Palabre and Other Writings*, Translated and edited by Laura Hengehold, Bloomington, Indiana University Press, 2014, p. xiii.

⁴⁷⁹ *Idem*.

regards *the palaver tree* as “*the place par excellence of politics. By means of the palaver tree, society interrogates its reference points, looks at itself from a distance, and can enter into uninterrupted dialogue with itself and its other*”.⁴⁸⁰ *The palaver tree* is a forum that permits each and every one to express their anger and suggestions which therefore renders it public space of discussion and deliberation that must condole anger and argument. It is often carried out under the tree which is symbolical to the Africans. For Bidima, “*if trees are so frequently part of the judicial décor, this is because they attract divine charisma and transmit it to the magistrates*.”⁴⁸¹ This concept of *the palaver tree* is based on reflections on the past, present and future of a rising Africa. The space of *the palaver tree* is highly symbolised because it signifies and expresses relations between subjects, law, and the forbidden as well as that which exists between culture and nature.

Evidence is one of the common features of *the palaver tree* in order to avoid arbitrariness and give ground for the final decision of the juries. The court of *the palaver tree* according to Bidima is instructed by five sorts of evidence: “*oracles, oaths, ordeals, testimony, and the exercise of the judicial duel. Not all of these are brought in at the same moment: sometimes one requires evidence in the course of instruction during the pre-palaver and sometimes during the hearing*”.⁴⁸² This permits the need of adjournment in order to arrive at a just decision. This is what according to Bidima likens *the palaver tree* with judiciary but they are distinguished in the manner of carrying out the processes of conflicts resolutions and the goal of *the palaver tree* which is to bring harmony among the parties and restore the atmosphere of peace in the society. Oath is for the guarantee of peace in the future followed with forgiveness. It is characterized with a follow up after *the palaver tree*.

In terms of sanction in *the palaver tree*, it consists of compensation and reparations which differs from one community to another. There also according Bidima, exist “*psychological sanctions such as shame, the gods’ vengeance, and particularly, exile. Among the Bantu, exile always takes place in the home of maternal uncles. There, the condemned man’s rights are reduced, because he will never again have a full right to the use of landed property*”.⁴⁸³ When someone after a critical judgement is seen as a culprit, the person will be demanded some certain items such as animal (goat), which main purpose is to preserve relation among men through the sharing of the animal including the culprit. Thus, he presents;

⁴⁸⁰ *Ibid*, p. 15.

⁴⁸¹ *Ibid*, p. 18.

⁴⁸² *Ibid*, p. 20.

⁴⁸³ *Ibid*, p. 21.

Forgiveness here is not an activity destined to lower the person but to reinsert him into a relationship with the other. It does not imply folding a guilty conscience into it's for interior to restore a relation with abstract transcendence through remorse, but an opening toward others, which exteriorizes and re-establishes a bond with immanence. (...) A follow-up is initiated after the palabre; the hearing is not the end of it all. Palabre must continue, for which reason the Odjukru often designate several members of the age class of both plaintiff and accused to verify if peace has really come about. Often, one does not assign blame to anyone but attributes the conflict to a bad spirit. Everyone knows that this is a way of talking to avoid hurting the accused party.⁴⁸⁴

Punishment under *the palaver tree* is seen as a sort of transformation or change and not the exclusion of the culprit. In all, truth at times are forgone for the sake of peace and thus, social harmony.

Interaction within *the palaver tree* is designated in such a way that, no one ought to monopolize conversation or the space of conversation: *“The only serious prohibition in palabre is against monopolizing either the conversation or the space where it occurs. Because the rotation of speech brings order in its wake, it also contains the principle of its own subversion. The “distributors” of speech are supposed to be on the jury’s side.⁴⁸⁵* In other word, it contains the principle under which the jurists can be systematically replaced when need be. The council comprises a jury and some elders who are the distributors of speech which is done turn by turn. Thus he presents;

In strongly hierarchized state societies, the court jurisdiction is composed of members of royal families, “champions” of initiatory tests, and often the eldest in an age class. If the jurisdiction covers a small territory, it is composed of the eldest, but on the occasion of an appeal or a very serious case, the family heads refer it directly to the sovereign.⁴⁸⁶

This equally shows that the employment of *the palaver tree* according Bidima, can be done at different levels which are family, big family, community or societal level. Not all cases are taken out of the family such as incest. Most of these cases are referred to *the palaver tree* of the family in question to avoid certain disgrace that will tarnish the honour of the family.

The palaver tree also, comprises certain rules of gestures. That is, gestures that are permitted and those that are not permitted in the space of dialogue or discussion. Gestures such as spitting, scratching or fastness in speech are not permitted while the shaking of head and clapping of hands to show one's stand is permitted. It is in this light that he asserts;

First there are communicative gestures, among which we will distinguish palaver behaviours tied to the rhythm of speech. For example, it is forbidden to have a rapid speaking rhythm on the stand (in the palabre of the Beti). As for intonations, someone may clap his hands or shake her head even when he or she has not yet

⁴⁸⁴ *Ibid*, P. 22.

⁴⁸⁵ *Ibid*, P. 23.

⁴⁸⁶ *Ibid*, p. 19.

*been given the floor. There are gestures that express comfort of position and of posture. Those who appear before the court are always standing while the jury and audience are seated. Next, there are gestures centred on one's own body. For example, it is forbidden to scratch oneself or to spit when one is "on the stand," but this luxury can be allowed to the jury.*⁴⁸⁷

Here, the accusers are often surrounded by the members of his family which someone among them can rise and speak on the behalf of the accused.

The palaver tree consolidate social pedagogy in conflicts resolutions whereby the main purpose is not just the execution of an obligation or the serving of sentences, but rather mostly aimed at preserving future relationship among families or citizens. Hence he illustrates;

*One must save a relation, not satisfy vengeance. The palabre is an entertainment in the double sense of "conversation" and of "making something hang together." After the sentence and before the actual act of compensation, palabre requires forgiveness. This consists less in humiliating than in preserving honour. The party who yields must first ask for pardon from the plaintiff, who then solicits forgiveness from the community in order to save his or her adversary's honour. Compensation is sometimes symbolic because what counts is substituting a constitutive, living, and fragile relationship for an already constituted and defective one.*⁴⁸⁸

This shows that to "discipline and punish", *the palaver tree* is characterized by "discuss and redeem" which permits a remorse of the culprit and reconciliation of the culprit with offenders as well as with the community in general. Sentencing to dead, exile, ostracise, seizure of rights and condemn to slavery are employed in cases of un-repented and grievous offences whereby the culprit has proven to be a source of problem to the society.

⇒ Conflict resolution using *la palabre* in our contemporary African political sphere

1) The virtue of the palaver tree

To begin with, *the palaver tree* brings harmony since it aims at safeguarding future relationship among families, in the society and it is based on restorative and reparative justice. The form of tribunals introduced by the westerners that took it roots in Africa at the expense of *the palaver tree* lacks these characteristics of the restoration of harmony in the society. For example, Westerners tribunals aimed at desert justice where by, the culprit faces punishment and not correction: "*These courts lacked a conception of restorative and reparative justice. These two problems, the fact that the International Criminal Tribunals lack a truly democratic and international character, and their poor adaptation to the way local cultures verbalize conflicts, oblige us to turn toward other modes of restorative justice*".⁴⁸⁹ this shows

⁴⁸⁷ *Ibid*, p. 25.

⁴⁸⁸ *Ibid*, p. 27.

⁴⁸⁹ *Ibid*, p. xxxi.

that *the palaver tree* is very useful, as its function reminds participants that problems of justice has to do with the reconnection of law and morality and which objective is less to punishment than to reconcile and harmony.

Again, *the palaver tree* comprises of reconciliation through deliberation as it gives one the opportunity to express them which is in line with the agora practice in ancient Greek era. Thus, Bidima asserts: “*It Gives the Opportunity to Start over Again: In Africa, palabre has sometimes served, and been situated alongside the state’s system of justice, with its colonial heritage. But it reminds the state that punishment and truth cannot be made the chief issues at stake in mangled societies unless reconciliation and peace are also respected*”.⁴⁹⁰ This is therefore another way of fulfilling justice, which does not only modify the inflation of the realm of criminal justice in our contemporary, where punishment is the only response to transgression, but could also bring reconciliation and harmony in our social life. Hence, *the palaver tree* gives opportunity to the culprit to start all over again since its aim is not mostly on condemnation but to rebuild.

In addition, reemploying *the palaver tree* will renew Africans noble form of memory where by Africans takes their transformation into their hands.

Thus, he presents:

*Interrogating African historicity with respect to palabre implies that we see it as a factor of mobility and of social transformation. Historicity is also the transformation of self by self, as we are told by sociologist Alain Touraine: “Societies are not defined by their functioning, but by their capacity to transform themselves. Historicity, in other words the transformation of the self by the self, is the highest system.” (...) Palabre aims at the transformation of the self by the self. To commit oneself to palabre implies relativizing one’s own convictions in order to be open to others and to new events. This opening is a self-transformation in the adventure of speech and of action.*⁴⁹¹

The noble form of the memory of African was in function in Africa which entails a system peculiar to Africans and was the era Africans experienced success as far as harmony and unity is concern.

Also, the employment of *the palaver tree* is an antidote to the escalation of conflicts since it is void of revenge. The end of *the palaver tree* is not always to disgrace or humiliate the culprit but to bring the culprit to confessing his act, apologise and reconcile back with the accuser and the community. That is why, in certain community, *the palaver tree* is not always decisive but an adjourned kind of court aiming at calming the tension of the offense and reconciling the parties which to some extent takes some periods of time. Thus “*palaver tree*

⁴⁹⁰ *Ibid*, p. xix.

⁴⁹¹ *Ibid*, p. xxii.

shows how to escape the cycle of revenge by regulating conflict in a way that does not privilege the aspect of obligatory payment or punishment. Certain palaver trees demand nothing but apologies on the part of the one who did wrong (bidjuga in the Beti palabres of Cameroon)".⁴⁹² Vengeance in its nature is like a fuel poured in a conflict that could trigger its escalation to another dimension. That is why, Hitler refers Versailles treaty as "a peace to end all peace".

More so, the use of *the palaver tree* enables the harmony of ethical and juridical order. This is because it comprises both ethical dimension and juridical dimension harmonizing them in such a way that the culprit is not condemned totally as to face the act of his crime. Thus Bidima affirms;

*To evade this primitive and punitive notion of law, one would have to encourage the installation of "palabre-based" courts from which no litigant will leave dishonoured. The importance given to these courts will reduce the frequency of recourse to immediate justice (public lynching, for example) and will give justice its true place between the ethical and juridical orders.*⁴⁹³

That is to say, *the palaver tree* is out to bring the culprit to a repented individuals or persons by applying the act of love that takes into consideration the dignity and future of the community as to regards the importance of peace and harmony.

The palaver tree paves away for tolerance whereby, one feel for others in such a way that the person's predicament is taken into consideration in decision making and action. Hence Bidima asserts that *the palaver tree*,

*Establishes the limits between the tolerable and intolerable, allowing one to evaluate and strengthen the connections between them: It leads conflicting individuals toward consensus. In palabre, according to this perspective, one exorcises disagreement in order to foster unity, and create a people united and indivisible. Palabre would therefore give a society the opportunity to achieve a symbolic order and "develop" into a new state.*⁴⁹⁴

This means that, before condemning a culprit, the historical and background of the person is often resorted to so as to know the kind of person the culprit in question is. This enables the juries to take a reconcilable decision about the situation at hand.

2) The need and the steps for the realisation of the palaver tree in our contemporary Africa

For *the palaver tree* to survive and be employed in nowadays political sphere, Africans need to consider it as a mechanism which has never been lost in the light of the melancholic of Zizek. Thus, Bidima asserts; "*the melancholic link to the lost ethnic object*

⁴⁹² *Ibid*, p. xxviii.

⁴⁹³ *Ibid*, p. 28.

⁴⁹⁴ *Ibid*, p. 30.

*allows us to claim that we remain faithful to our ethnic roots, while fully participating in the global capitalist game. Melancholy is thus an exquisitely postmodern stance, the stance that allows us to survive in a global society by maintaining the appearance of fidelity to our lost roots.*⁴⁹⁵

For example; a good example is the survival of the *gacaca* of Rwanda which became a very useful tool in the resolution of the Rwanda genocide where international criminal court failed as Bidima presents;

The criminal court for Rwanda had great difficulty judging the génocidaires and their accomplices in the limited time it was allotted, and since it was necessary to judge everyone if reconciliation were to be possible, judgment could no longer be rendered in terms of the civil code or the common law but only in terms known to the users of the criminal justice system. Gacaca, the traditional palabre of the Rwandan people, with its defects and its false steps, was there to say that where justice is concerned, the important thing once condemnation or pardon have been given is what comes next [l'après].

That is, *the palaver tree* can be recuperated and brought to light in our present day. It is under such mentality that *the palaver tree* could be restituted.

Another aspect under which *the palaver tree* could be brought to light according to Bidima is to revisit the notion of African democracy: The present of western democracy in Africa. Hence for him, “*the process of democratization must engage a renewed meaning of the palaver tree which violence is bypassed and peace and active tolerance achieved*”.⁴⁹⁶ Thus, it is the call for the examination of this phrase that will allow Africans to restructure and provide space of *the palaver tree* under which the growing Africa could achieve its purpose. By revisiting and re-examine African democracy, it will permits the necessity of restructuring it in such a way that it could be open to the inclusion of the entire population enabling them to participate just as such as it is the case in *the palaver tree* In problem solving and the strive towards self-development.

In other to employ *the palaver tree* successfully in Africa, there will be the need for Africans to have confidence in the power of logos. Logos could be referred to as a dialogue or deliberation on matters arising. For Bidima, “*if democracy is sick, this is because it has lost its relationship to the Logos and to the dynamical order of discourse. Words no longer take the side of creative genius, but rather the side of trauma, of shame and of blackmail; they weigh on individuals instead of helping to build them up.*”⁴⁹⁷ That is to say, even though the Westerners claim to have grip over this logos under the promotion or consolidation of

⁴⁹⁵ *Ibid*, p. xviii.

⁴⁹⁶ *Ibid*, p. xiii.

⁴⁹⁷ *Ibid*, p. xxxvi.

democracy, but in reality, they don't have mastery over the logos. This is because according to him, they have less confidence in logos and has dissolved logos into technocratic machinery. This has been the weakness of western democracy and thus cannot be efficient and effective in Africa. Therefore, the necessities of employing the palaver tree in respect of the power and dynamic order of discourse (logos).

To realize *the palaver tree* in Africa, it needs inclusive participation of everyone in issues that concerns the people. This is because *the palaver tree* enables everybody to participate and take turn in the discussion, which Bidima classified under three instances: “*Taking the floor, the taking of turns, and the distribution of speech are the three modalities in which freedom is expressed*”.⁴⁹⁸ Taking the floor in *the palaver tree* according to him means to take an initiative of affirming or asserting something at a given moment which presupposes the consideration of consensus and dissensus. On the other hand, the taking of turns in the course of *the palaver tree*, consists of allowing the other person on stage to play his/her part, and allowing the person to finish his/her argument or communication. Also, the distribution of speech during *the palaver tree* indicates the particular period of time allocated to a person to occupy the floor. That is to say, the mechanisms under which speech circulate to avoid the monopoly of speech because monopoly is the opposite of *the palaver tree*. In all, for Bidima, the initiation of *the palaver tree* towards the overcoming of conflict and the restoration of social bond enables individuals and communities to manage and overcome certain defects and to bandage their wounds.

Despite this lucrative remedy proposed by Bidima for nowadays socio-political issues in Africa, traditional Africa according to Mazadou, “*lived with dignity long before independence, a so-called "palaver" democracy where social or community problems were discussed. This democracy appeared manifestly illusory because, how to understand indeed a form of power where everyone would manage to agree?*”⁴⁹⁹ For him, it is an illusory and embryonic democracy which is at the height of traditional dignity and African tribal rationality. But it can only boast of being specificity without saving the African continent from disenchantment. That is to say, the possibility of having a unanimous agreement in view of our fast growing world accompanying with lots of changes in point of view and ideologies.

⁴⁹⁸ *Ibid*, p. xxxvii.

⁴⁹⁹ Oumarou Mazadou, « Democratie Moderne Et Pouvoir Traditionnel : Essai sur le kamitisme politique », p. 25.

9.1.2. The efficacy of the political Kamitism of Mazadou to nowadays political sphere

Oumarou Mazadou is a Contemporary Cameroonian philosopher. His works based on Political philosophy, African political philosophy, African philosophy and Moral philosophy. His works on political philosophy mostly centred on the evaluation of Western democracy in Africa and its remedies. It is in this light that he holds the view that studies in social science has brought to understanding that, political regimes in succession in Africa right from the time of independence to present, portrays limitations that requires a need for a better political system in Africa which could enables the maintenance and acquisition of peace.⁵⁰⁰ For him, the striking issue here is the withering away of African originality which makes Africans to appear as strangers in the historical process of the continent.

Though this situation faced by Africans according to Mazadou, is as a result of the superiority view of the westerners over Africans and their culture, which leads to the disappearance of most Africans values of authenticity. Thus he asserts;

*To this end, in the early 1990s, we realized that a succession of efforts and questioning of its own history led Africa to liberal democracy modelled on the Western model. This form of European power is a system which, to be sure, does not take into account the community spirit, even African historicity, because it looks like a simple social veneer for Africa.*⁵⁰¹

Thus for him, it is necessary to trace back these values of African authenticity under which Africans, in this modern era, could drive towards their development in both areas of life, especially to a peaceful self-determine State. Thus he affirms; “*this corrosive posture vis-à-vis Africa turns out to be one of the reasons which justifies this desire to unravel the political field by proposing the possibility of a "Kamite" democracy which would claim to be a compromise between ancient Africa and contemporary Africa.*”⁵⁰² this shows that for him, this return could be done through the employment of Kamitism (Kamite democracy). It is therefore inevitable to define what Kamite democracy is.

⇒ The conception of Kemitism (Kamite democracy) of Mazadou

Historically, the term Kamite is derived from the word Kam, which means black in the Hebrew language and the word originate in Egypt used to designate black colour. Therefore, Kam here, goes back to the third son of Noah called Ham in English and Cham in French also presented as Kham. This son of Noah is said to be black in colour and was considered as the

⁵⁰⁰ *Ibid*, p. 21.

⁵⁰¹ *Ibid*, p. 25.

⁵⁰² *Ibid*, p. 21.

ancestor of Egypt as well as all the Africans.⁵⁰³ So therefore, the concept Kamite is derived from Kham, the second son of Noah which means black.

In view of the failure of western democracy in Africa so far, and the difficulties in the realization of *the palaver tree* as it seems to be an ideal reality which could be difficult to be realized practically, Mazadou resorted to the possibility of employing a middle ground between the democracy of the westerners and that of *the palaver tree*. This middle ground is what he refers to as Kamite democracy which refers back to the goddess Maât of Egypt prefigured as the Holy Spirit who reigns over the kingdom of God in heaven and on earth. This middle ground is where by Kamite civilizational values as was in Egypt, where existed 42 United States regions called “Nomes”. These 42 United States regions correspond with the 42 commandments of Maât which could be summed under Unity, truth, justice, fairness, respect for one self and others, power, harmony, solidarity and accuracy.⁵⁰⁴

In addition, this Kamite democracy that Mazadou talked of, is that under which reason prevail, justification and accuracy becomes the criteria of drafting rules that govern discourse. In other words, it is a governing system whereby, everyone is equal before the law without discrimination. But in terms of agreement which poses a problem in *the palaver tree*, agreement could be carried out not basing on majority or minority but on justification and accuracy (reason) under which all the 42 commandments of Maât could be perceptible. Striking in-between western democracy and *the palaver tree* will lead to a political system where by the drafting of rules and regulations, that is, of the constitution that will govern the state, is to be done under the dialogue whereby decisions taken has to be in respect of the 42 commandments of Maât. On the area of conflicts resolutions, the 42 commandments of Maât, is to serve as a ground under which the culprit is to be determine bearing in mind of the need of bringing the culprit to correction and repentance so as to strengthen social harmony. All in all, it is a call to base the governance, social decisions and act and communal activities on the 42 commandments of Maât.

⇒ **The efficacy of political Kamitism (Kamite democracy)**

To sought dialectical solution therefore, is to balance between traditionalism, mimicry and syncretism, through a proposed political system known as Kamite democratic system which is a democracy situated halfway between the liberal and structured democracy of the West and the consensual and dialogical democracy of Africa. Thus, one can assert with clarity

⁵⁰³ *Ibid*, p. 24.

⁵⁰⁴ *Ibid*, p. 27.

that democracy to some extent make sense for the development of Africa but is of great importance that Africa return back to her former originality and employ Kamite democratic system which is situated halfway between the liberal and structured democracy of the Western world and the consensual and dialogical democracy of Africa. This middle ground political democratic system is that which can bring development that is worthy of its name.

Western democracy according to Mazadou seems a senseless pathway in Africa as to regards conflict resolution and development because it ends up paving a way to power-hungry monger leaders. Democracy supposed to bring about a good leadership but Western democracy ends up raising power seekers and corrupt leaders aiming at exploitation and accumulation of wealth. In essence, people do not seek leadership to govern the electorate in a better way, rather they seek leadership to gain themselves power that will enable them accumulate more wealth from public resources. The regime of democracy according to Plato is that which is not convincing because the men in power are not at the people's service, they instead serve themselves. Democrats, said Plato pass their time in popularizing themselves, occupying themselves with the needs of their own people they are such a business men that cannot be trusted⁵⁰⁵. This is a good example of leaders competing for power, which is still a reality in almost all our contemporary African political sphere. Thus, democracy has created a means whereby power mongers without the charisma of leadership are able to pave their way to power at the expense of those who have the charisma of good leadership. Hence, western democracy in Africa ends up resulting to Tyranny as held by Plato and has become a dangerous weapon in the wrong hands which is what we are suffering today.

On the other hand, Kamite democracy could resolve this problem of leadership because it upholds the system whereby leaders are expected to have divine and ancestral power as was the case in the democracy of traditional chiefdom. In western democracy, the choice of leadership is done through popularity whereby the majority carries the vote whereas in Kamite democracy, the system of chiefdom is maintained whereby leadership is based on what characterised a good leadership in African perspective (in the respect of the 42 commandment of Maât). That is why Mazadou affirms that Kamite democracy is “*a realistic democracy of traditional chiefdoms which are receptacles of divine and ancestral power*”.⁵⁰⁶ Thus, the political system that is needed in Africa, which could drive towards her development in both areas of life, especially to a peaceful self-determine State, should be that

⁵⁰⁵ Plato. *The Republic*, pp. 1199-1205.

⁵⁰⁶ Oumarou Mazadou, « Democratie Moderne Et Pouvoir Traditionnel : Essai sur le kamitisme politique », p. 28.

which rhyme with the ancient ways of leadership since it has been successful. Kamite democracy from above presentation, has proven to have a system that pave a way for the ancient way of leadership and as such could be effective and efficient for the restitution and maintenance of peace in Africa.

Western democracy does not really suit or function fully in African ways of life that is peculiar to Africans. Western world culture favoured subjectivism and individual liberalism which is perceptible in the assertion of Rene Descartes, “*I think, hence I am*”.⁵⁰⁷ This view is a clear demonstration of individuality which is not the case in African context that is rooted in communal life thus the reverse statement of Leopold Sedar Senghor, “*I feel, I dance with the other: I am*”.⁵⁰⁸ This shows that African ways of life differ from that of the western world and will require a political system that is peculiar to them. It is in this light that Kasanda held the view that,

*The idea of African humanism doesn't fully coincide with Western perception of humanism. If these two approaches consider the human being as their starting point, they interpret it differently. The Western perspective puts emphasis on human being as an individual being; the individual is viewed as able to perform and acquire knowledge about different aspects of human life as well as to manage, by virtue of his/her reason, a political order that is useful to his/her own self-realization as a human being. African conceptions of humanism insist on human being as a social being. For this approach, the individual is a relational being; he/she is viewed as a “bridge maker” or a “hyphen” between different beings.*⁵⁰⁹

That is to say, Western democracy has a structure that is peculiar to the Westerner which cannot match with African ways of life. It is in this perspective that Mazadou opted for Kamite democracy which he considered as “*a democracy of compromise between what is received from African tradition, external influences and what is produced by society as it functions at the time considered*”.⁵¹⁰ In other word, a political system that suits with the ways of life of African, their present needs and their integration with the actual world. This for him, renders Kamite democracy “*a cosmic democracy that takes into account the intimate and fundamental relationship that binds the African to nature, according to the spirit of Maât*”.⁵¹¹ It is through this, that Africans can attain a system that could be effective and efficient for the restitution and maintenance of peace in Africa.

⁵⁰⁷ Rene Descartes. *Discourse on the Method*, first publication:1637, in First Anchor Books Edition: *The Rationalist*, translated by John Veitch, New York, Doubleday, 1960, p. 63.

⁵⁰⁸ Bartholomew Toochukwu Okeke and Ignatius Onwuatuegwu Nnaemeka, “A Philosophical Reflection on what negritude meant for Senghor” in *Journal of Humanities and Education Development (JHED)*, 2020, p. 335. <https://dx.doi.org/10.22161/jhed.2.5.4>

⁵⁰⁹ Albert Kasanda, “Analyzing African social and political philosophy: trends and challenges”, p. 41.

⁵¹⁰ Oumarou Mazadou, « Democratie Moderne Et Pouvoir Traditionnel : Essai sur le kamitisme politique », p. 28.

⁵¹¹ *Idem*.

Furthermore, Western democracy is of no important as to regards conflict resolution and development in our contemporary African political sphere because the political system comprises “laiser-fair” and the exploitation of human environment. One of the strong point of democracy is individual freedom that is, a system whereby everyone is free and equal which paved a way for man to exaggerate the freedom and equal right. The political system can suit very well in western world who are out for exploitation and individual liberalism and which is visible in their world today with the practice of homosexuality, lesbianism, abortion and technological exploitation of mother earth that degrades moral values. Whereas African ways of life base and rooted on moral values in harmony with their environment. In this light, Julien Basil Fouda presents that Western world is characterised with the promoting spirit of voluntary domination of the world and according to him, such “*promoting mentality enters into unlimited course towards a knowledge and power that plunged them into permanent dissatisfaction on acquired results*”⁵¹² and Africans in contrary according to him, live in communion with nature in an equal sentiment and harmony entertained thanks to an assemble of technic and compensatory rites.

In line with this, Africans need to trace themselves back to their former political system if they really want to enjoy any resolutions of conflicts and development worthy of its name. Thus, it is urgent for Africans to carve out an educational policy and a governance that would suit its environment, by setting up a governance in African colours. African policy must therefore be rethought on the basis of the African personality, his own environment and culture. It is only in this condition that the intrinsic and liberating power of traditional Africa can explode to transform the social, political, religious environment of black Africa where it will be good to live and where it will be possible to live happily with dignity, humanely and decently. It is in this light that Mazadou structured Kamite democracy as “*a democracy that presents a physiognomy that perfectly matches the geopolitical, cultural, economic and social realities of Africa*”.⁵¹³ This is in line with what a Zambian leader, Kaunda held, as presented by Kasanda in the following;

Human being is the final purpose of all political initiative. He declared: “I am deeply concerned that this high valuation of Man and respect for human dignity which is a legacy of our [African] tradition should not be lost in the new Africa. However “modern” and “advanced” in a Western sense the new nations of Africa

⁵¹² Marcien Towa, *Essai sur la problématique philosophique dans l’Afrique actuelle*, Yaoundé, Clé, 1981, p. 28.

⁵¹³ Oumarou Mazadou, « Democratie Moderne Et Pouvoir Traditionnel : Essai sur le kamitisme politique », p. 28.

*may become, we are fiercely determined that this humanism will not be obscured. African society has always been Man-centred. We intend that it will remain so”.*⁵¹⁴

Kamite democracy of Mazadou enables the fulfilment this requirement of Kaunda the Zambian leader. In all, as presented by Mazadou, “*Kamite democracy can be assimilated to this African form of political power, which is rooted both in ancient and contemporary history and which allows the African to participate with dignity in universal culture*”.⁵¹⁵ Thus, Kemite Democracy remain an important tool for development in both areas of life, especially to a peaceful self-determine State in Africa though with a need of establishing a security system under which the purpose of perpetual peace could be possible.

9.2. HOW TO BUILD A STRONG SECURITY SYSTEM OF PEACE IN AFRICAN STATES TODAY

Looking at the issue of peace in our contemporary Africa, one will say that, harmony stands as a great instrument in the realization of a calm and peaceful environment. In regards to the background or the history of the African people, one will say that, the notion of communal life style, emotional and solidarity have already been a strong feature that characterised the Africans sphere. Africans being a people with particular culture, have their ways of life as seen above and for anything to be achievable in a peaceful atmosphere anywhere, it must be in line with one’s culture. It is very true that, some aspect of the Africans in regards to their values, have really gotten missing or lost today in regards to globalization, it is seen that, what the Africans need is a sense of sensitisation and consciousness as a duty in regards to their true identity and personality. Africans need to be sensitised on some particular things that is, toward a culture that we can call ‘our own’. That is to say, the culture of love, respect, solidarity, and communal lifestyle etc. If we try to go back to our roots as seen above in the work of Bidima and Mazadou, many things will be corrected. In addition to their views, if a strong and genuinely system of security is employed in Africa today, peace can be achieved to a greater extent. This is because we are humans and cannot be void of troubles and so on, thus, there is a need to set up a strong and genuinely security system to avoid the rise of anger, conflicts, dispute, or war which could bring casualties, and disasters. From this, a strong security system could bring peace in Africa today as well as in the world at large. Hence, a strong security system is an important and genuine instrument for peace as will be structured and demonstrates below.

⁵¹⁴ Albert Kasanda, “Analyzing African social and political philosophy: trends and challenges”, p. 41.

⁵¹⁵ Oumarou Mazadou, *op. cit.*, p. 28.

9.2.1. The need of harmony amongst the security systems of the State

With the general saying; “*charity begins at home*”, one will say that, homes are not left out in the crusades for peace building, which referred to the roles of parents. Parents have a very great role to play in the upbringing of children as far as security in general is concern as was the case in the originality of African culture whereby any atrocity committed by anyone is referred back to the parent. Parents, as held by ABBE NSSI ESSONO Francois-Xavier in one of his conference held in the Faculty of Science of Education,⁵¹⁶ are great actors in the building capacity of all the children and thus, if all parents can really take into their hands their respective duties in the upbringing of their children, it will really help greatly in bringing about peace in our different societies today. Thus, the first security goes to the discipline of children at the family level where the roles of parents are greatly needed for peace building in the society. For instance, in most of our homes in Africa today, one really knows that, things like insults, quarrels and disrespect are punishable. This is done by parents or guidance basing on the society's rules and regulations. So if children growing up are properly taught by the family in regards to rules and regulations of the home⁵¹⁷ and society which basis on the ones of the state, children will grow up knowing that there are certain things that they are not allowed to do.

Parents here do not refer only to the biological parents of a child but including other parents whereby children are not considered as belonging to their biological parents alone but to the society. It is in this line that African originality did not placed the discipline of children only on the biological parents but on every other parents in respect of the general value and personality of Africans which is what makes Africans a communal society. It is the coming of western culture that brakes this communal bond of Africa that facilitated the security of the community. Thus, it is necessary to retrace back this communal discipline of African originality. To enable the full functioning of this communal discipline, biological parents themselves as emphasised by Essono, have to come back into to the formal ways of children upbringing without living them completely in the hands of institutions such as babysitter, kindergarten or nursery schools because for him, an institution or employee personnel cannot educate and take care of a child more than the parents themselves.

⁵¹⁶ Francois-Xavier Nssi essono, “Governance of education in Africa: A socio-anthropology of public partnership action in Cameroon education”, A conference held in the faculty of science of education on Wednesday the 23, March, 2022.

⁵¹⁷ Etampe Augustin Massango, ““Alternative facts” as the crises of *the Republic* according to Hannah Arendt in The Post-truth Era: A phenomenological-hermeneutic Approach”, A Dissertation submitted to the Department of Philosophy for the obtaining of a Master degree in Philosophy under the supervision of Charles Romain Mbele, The University of Yaoundé I, January 2022.

Even though there are views that the society influence and change children's attitudes, but contrary to these views, the changes is because some parents failed in their responsibilities of children upbringing. Let's take for instance, the situation where all parents perfectly take into their hands their respective duties of home education to these children with the assistance of other parents in accordance to common values, the views where environment changes children will be untenable. This is because, if parent A, B, C and D trains and educate their children well with an effective common required home education, these respective children will be the same people to be with each other in the face of socialisation in the society and the actions they will put in place will be a reflection of what they were being taught. If each parent considers the child of the other as his/her own child as was the case in the traditional African society in its originality, it will enhance a harmonious upbringing of children and thus brings security and peace in the society.

Looking at the community level where people come from different societal background, for example in a town where people are coming from different tribes such as Bamelike, Betti, Bassa etc. to live in a particular area as a community and having different traditional and cultural backgrounds, the system of *the palaver tree* can serve as a common mechanism that can harmonise their communal life. *The palaver tree* starts at the level of families then to the community and so on and its organizational structure is the constitution of different families that form the judicial sitting. For instance, when a child does something and he/she cannot be handled at the family level, the family have that right to summon this child at the community level where the case will be tabled in front of men and women from different families. One of the Vital and important characteristics of this *the palaver tree* is that, it is based on open communication where by everyone is given free chances to express themselves. If this concept is practice today, it will be able to solve many conflicts in our communities today since decision will no longer be in the hand of one person in the name of "headquarter" (chefs de quartier) who can at times act in regards to his interest.

The palabre today can replace our numerous "headquarters" (chef de quartier) that are existing in different villages and communities. When a case is more than the community level of palabre, it can be referred to state security force. If palabre is put into practice, those judging things who are parents living in the same community having better knowledge of the environment and their community members, will better know who is who in regards to any act of criminality. Thus, it will be easy for the community to detect who these people are when things goes wrong. It is only when things are beyond the community level that they can take another step ahead. Though in regards to Bidima's palabre tree, when someone commits

a Taboo, the person was to be banished out of their society. But in the present society, banishing will not really solve problems as a result of the enlargement of network system where moving and establishing in different areas is very easy. To continue in this same light, once a child is more than a community, the child should be handed over to the state security where they will be taken to prison after the justification of the crime committed.

Even though prisons today has turn not to mean anything to many culprits because the treatment they are being given are not the best. The government needs to resort to the employment of teachers that are trained mainly to educate those in prison. Prisoners in this case, are to be liberated from prison only when they knows how to do one thing in regards to professionalism and show a sign of change from their criminal attitudes. From the training they obtain, it will be a great change in that person life in particular as well as the country as a whole because going out from prison with handwork will help them sustain their living in the society. Thus, regarding this perfect Harmony and flow that had existed from the family to this level, it can be seen that, if everything is respected accordingly, there will be a great change that will foster peace and security in the state.

9.2.2. The need of right people at the right place as to regards administration

At the level of the political system in African continent in regards to governance, putting the right people at the right place is of great necessity for that which is practice today is really not efficient and effective. This is because at this level, Africans are not using but the Africans ways in resolving their issues since Africans are mostly practicing but a capitalist's form of governance. In line with this, Mazadou affirms in his work that, most of the difficulties that the Africans are facing today, is the fact that they have embrace something that is not theirs and they are trying to force it on their ways of life.⁵¹⁸ The only solution for the Africans is to get back to their roots and practice for example Kamite democracy which in one way characterised their history. For instance, in Africa today, we see people that use their intelligence to play over the others to stay long in power. This is the same reason for the coup d'état that took place in Guinea Conakry where the president was blamed of amending the constitution always to suit himself in power.⁵¹⁹

Looking from this perspective, some political ideas of Plato and Karl popper will be of help. For instance, when conscious and virtuous people are in power, the general will of the citizens will be satisfied. Plato in his view talked only about philosopher kings or kings made

⁵¹⁸ Oumarou Mazadou, « Democratie Moderne Et Pouvoir Traditionnel : Essai sur le Kamitisme politique », pp. 21-25.

⁵¹⁹ Lonel Zamfir, "Political crisis in Guinea", p. 1.

philosophers who can do well in power and it is only when this is respected that, there can be justice in the state. This philosopher king that Plato meant here, are those who possess the quality of a good leadership which is in line with Kamite democracy where the right people are the one to rule. It is only under this that the political freedom of Immanuel Kant and Karl Popper could be realised in Africa though with the need of defining the criterion under which leaders could be changed at will as opted by Popper⁵²⁰ even though he did not present the criterion. Everyone just as popper held, can be a ruler in so far as the person possess the competence required than giving power in the hands of a particular type of people which may result to tyranny. This poses the problem that has been running throughout the history of political philosophy which is that of the right people in the position of leadership. Thus, how can a good leader be gotten or determined? And taking into consideration the idea of Popper, how can leaders be changed at will without war or violence?

When a candidate is evaluated and found fit to be a leader, whether through voting or not, the candidate will need to hand a plan of action or project to be realised during his/her reign and the process or stages of its realisation. The plan of action or project to be realised during their reign should be the point of their campaign under which the citizens goes for the best. It is this project or plan of their actions that the elected leader is to be evaluated upon. In the course of time such as six months or one year in accordance with the plan of action, if the implementation is not accurate, it shows that the elected leader is not competence and has to be changed immediately without finishing his/her tenure. It is this possibility of changing leaders at will as pointed out by Popper that can lead to political freedom. But the question remains on how these political leaders could be removed at will from power without conflicts. This problem was not sufficiently resolved by Popper. He rather deviates to the possibility of achieving this through political parties under which competition could instil leaders to rule in respect of the citizens' will who have the power to vote them into power.⁵²¹ But this solution is far limited because manipulation can still turn everything round to the favour of the strongest or the leaders who have the power to use the military and state security at will.

Under this, it can be seen that removing rulers from power has become a hard struggle because the state military and security system are placed under their control. This makes things very difficult for the citizens to reclaim their rights that has been tempered with. To resolve this issue therefore is to place the military under the control of the constitution of the people. In a state, constitution refers to the people and if individuals or citizens of a state as

⁵²⁰Karl Popper, *All life is problem solving*, pp. 93-4.

⁵²¹ *Ibid.*, pp. 94-8.

Walzer holds define a state, it becomes the right of the citizens to be in possession of the means under which they could have control over the leaders because everything belongs the people. Thus, the military ought to be answerable to the constitution which is the general will of the people. When the military are under the control of the citizens, and when things are not moving well at the level of leadership, it will be easy for them to retaliate and there will be no resistance when they are out for action. Thus, with the respect of this, the change or removal of incompetent leaders who are not fulfilling their duties, will not be accompanied by violence or bloodshed as has been the case throughout history.

The legislative order of the constitution of a state, is another issue that has to be addressed. Generally, legislative system of a state, refers to the parliamentarians and the house of senates. The parliamentarians are the direct representative of the people voted by the people. Normally, these parliamentarians are those who supposed to enact laws in the state but in most of our African countries today, what the parliament votes for are rather regarded as bills and can only be made public as law after the president has accorded and enact it into law. Whereas, under Normal circumstances, the president was supposed to be under the Parliament who are directly the mouth piece of the citizens. Decisions taken by the parliament are decisions of the people because they are only carrying the voice of the people they represent. Nowadays some parliamentarians are corrupted, they often forget the people they are representing and thus, most of their works and decisions today are made in regards to what will please the leader and not the people.

To resolve the above problem, there will be a need of integrating the idea of Eric Weil whereby a forum is created (establish) for different proposal and discussion from the citizens on matters arising⁵²². This platform or forum will be for the discussion of any dissatisfaction observed in the society where logical proposals confirmed during the discourse is taken into consideration and forwarded for adoption in the constitution. This forum is to precede the parliamentary session and should be the base under which the constitution is established. This forum will enable individuals to raise problems and at time solutions that will better orientate those leading which will equally help in avoiding conflicts. This is another great way that we can resort to peace in the society basing on the voice of the people. Through this forum, the functions of leaders could be perceptible when the citizens air-out their minds and thus, help in dictating and changing of leaders who are not competent.

⁵²² Marco Filoni, "Law, Moral Law and Politics in Eric Weil", p. 112.

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GENERAL CONCLUSION

Reflection on peace building of Michael Walzer, in the light of his just and unjust war theory, is the object of this analysis. To carry out an elucidated analysis on this work of Walzer, it called for a comprehensive exercise on peace building project put forth in the history of philosophy comprising of those in the ancient, mediaeval, modern and contemporary philosophy. This permits the proceedings critical analysis and evaluation of that of Michael Walzer by portraying its limitations and relevance in our contemporary.

In the course of reflexion of this work, it can be seen that, there are peace building that are basically ideals in nature that is theoretical while others are based on realistic ways of achieving peace. Some of the peace buildings such as the work of some contemporary political philosophers, aimed at striking at the middle that is, harmonising both the ideal and the realistic. It can be seen that, philosophers under the ideal demonstrate the possibilities of achieving and maintaining peace without war while those of the realistic regards war as indispensable aspect of life. It is this demonstration that permits the understanding of the one of Walzer which is in line with that of some contemporary philosophers such as Raymond Aron, which aimed at portraying the possibility of controlling the indispensable realistic nature of man on war.

From the above analysis, it could be seen that, in the history of ancient philosophy, peace was totally base on the achievement of justice which in that era, it seems to be possible under the umbrella of wisdom. And thus, the governing body which was seen as the driving power of every other human activity toward the realisation of happiness was advocated by ancient scholars to base on wisdom under which justice could be brought to light and thus a peaceful state.

In mediaeval era, this point of view of the ancient philosophers experienced ruptured with that of philosophers such as St. Augustine and Machiavelli who shifted away from the ideal construction of peace building and looked at the possibility of achieving peace in consideration of the theological and realistic aspect of man respectively. For Augustine, peace can only be maintained in this Terrestrial City, which is the Earth in which we're living on, through the respect of moral laws which cannot be separated from theological norms as to regards his philosophy. War which for him is part and parcel of human reality can serve as a means of bringing about peace. Therefore, peace cannot be a permanent reality in this Terrestrial world but a permanent reality in the interior of the citizens of the Celestial City who are on pilgrimage here on earth and can only be in its fullness in the City of God. So we can only maintain peace here on earth but not having it in its fullness.

For philosophers such as Machiavelli, man in his nature cannot be void of conflicts and so requires the use of force and canniness to put man in check and maintain stability in the political realm. This Machiavelli's view brought political realm to the level of the zone whereby, he who is best in the employment of force and canniness takes and maintain power. That is to say, where the strong controls and subjugate everyone bringing to what Hobbes refers to as the state of nature where according to him, man is a wolf to man.

It is this conflicting nature of man which in the view of Hobbes makes the world a zone of conflicts where by, everyone is in war with each other. It is from this realistic aspect of man that induced Hobbes to sort for a reasonable mechanism under which peace could be achieved and maintain. Unlike Machiavelli who made political realm a scrambling space for power, Hobbes renders the political realm a systematical accumulation of power capable of subduing every other power and bringing order in the state. That is to say, creating a harmonious monstrous power under which the conflicting nature of man could be put to check and bring about a lasting peace. It is this mechanism under which such harmonious monstrous power could come about, that he referred to as social pact and finally, it raised attention in the modern Era.

With this harmonious monstrous power refers to as leviathan by Hobbes, some political philosophers such as John Locke, Jean Jacques Rousseau and Kant, also known as the contractualists, called this to question. Thus, it is because the present of such power in the hands of humans, who in themselves are egoistic in nature (self-centredness), that brings about inequality among men. This is what Rousseau referred to as master-slave contract and it induced the modern contractualists' postulation for Democratic Republic under which each and every one are equal and enjoy freedom. This view disclosed the fact that, the absence of equality and freedom as in the work of Hobbes, instead escalated to another level of conflicts and war which is that of social and state conflicts as pointed out by Rousseau and Aron. Thus, achieving and maintaining peace here as in the work of modern philosophers was through the transformation of political realm to a Democratic Republic where equality and freedom reign. It is basing on the achievement of this political system that Kant establishes the process of perpetual peace at the international level. For Kant, nature is driving towards a perpetual peace in the world at large which proceed from the Democratic Republic at the level of the state, organization at the international level and then comes the cosmopolitanism where people from different states could move and settled side by side with each other giving rise to what he called global federation which could be a point of critics to contemporary philosophers.

For contemporary philosophers such as Aron, this view of the idealist is an illusion which means, a view that cannot be realised in reality but remains in the world of abstraction. This is because for him, Man possesses idealistic and realistic nature which cannot be handled on the ideal aspect alone but must include some realistic aspects. It is in this light that he equally refers to the realists view as a realist's delusion which can never resolve the problem of conflicts that is at hand. That is to say, basing on the realistic aspect of man alone, the issue of war and conflicts cannot be resolved. So for him, there is the need for the employment of the morality of prudent under which both laws and force need to be employed to put man in check so as to achieve and maintain peace at both the state and international level. Thus for him, the ideal mechanism of Kant that aimed at globe Federalism remains an illusion which can never be realized. For him therefore, states could come together and put down mechanism that can guide their relation and their dealings with each other and equally the necessity of being prudent to react with force against any act that will threaten the world peace so as to avoid war.

Furthermore, Popper on his part agrees with Kant on the aspect of political freedom which enables him to call for an open society void of dogmatism. But he reproaches Kant on the fact that, his work was limited as a result of not providing mechanism under which a state with political freedom could be determined. Thus for him, the world and states in particular could enjoy peace in the condition where by those in power could be changed at will. It is only when this is possible that one can talk about political freedom and it is under the possibility of this political freedom that perpetual peace could be achieved. This is because, those in power will be ruling in the view of satisfying the citizens who can opt for their removal at their failures. The mechanism under which this could be possible as opted by Popper is through making political parties to be competitive with no more than two political parties in a state.

Eric Weil on his part, points out that the political problem of modern states which he regarded as the statolatry problem where by, the Democratic Republic State failed from achieving its purpose because those in power has resorted into the confiscation of power to themselves and accrediting themselves with the position of all powerful and all-knowing thus, rendering the state a divine entity. Whereas for him, a state is constructive which owes its existence to man. Therefore, the state is for the service of man and it needs to be structured in such a way that everyone in the state have the chance of participating in problem solving. Thus to his mind set, a successful state ought to be that which base its politics on ethical realities involving her citizens in public discourse towards amelioration and revolution in all

aspects of life without conflicts. Contrary to the view of Hegel, who regards revolution as a point of conflicts of two opposing realities,⁵²³ Weil regards it as a point of discourse and dialogue where by new ideas and certain points of disagreement are brought forth for logical evaluation and consideration. Hence for him, it is through this means that conflicts and war could be avoided and thus, the achievement and maintenance of perpetual peace. And to bring citizens to this level of logical mind, it is through education where by the citizens are educated on how to live in the society with their fellow man having the rationality that Kant postulated. It is this aspect of education that Weil uses to show how the individuals of Kant could be brought to reality. That is to say, individuals capable of universalizing their maxims and capable of legislating. Thus for Weil, education, ethical dispositions and public means of dialogue are the tools of making a state a better and peaceful atmosphere.

These works and views of these authors enables the understanding of Walzer's peace building which equally like the contemporary philosophers especially in line with Aron, aimed at lying down mechanisms under which the inevitable violence aspect of man could be brought to logical and moral dispositions. For him, war is an outcome of human decision which could be handled on the same perspective. That is to say, if war is an act of man that proceed through decision, then it could be controlled as well through decisions. Walzer here aimed at removing the horrible aspect of war by giving it a logical and moral standard which he referred to as the moral theory of war. This theory subject war to moral judgement in such a way that as man's daily activities is subjected to moral law and conduct, so war could be considered as an activity which could be subjected to the same moral law and conduct; when, how and the aftermath of war.

For Walzer then, peace could be achieved and maintain if reasons for war could be limited to aggression alone so as to prevent any other selfish reasons to embarking on war. And also, aggression could be prevented if there will be a harmonious agreement among States in response to aggression which can either be through war short of force or politics short of force. That is to say, a harmonious employment of force against any act of aggression and monstrous and dehumanisation. Seeing that the act of war is realistic that can hardly be boycott or avoided, he called for the necessity of respecting the right of the innocents in the process so as to avoid the escalation and horrible aspect of war which is casualties that renders war a hell. It is in this perspective that he set up his war convention because to prevent an aggression, it calls for the use of war. Walzer equally addressed the globe

⁵²³ Georg Wilhelm Friedrich Hegel, *Element of the Philosophy of Right*, editor; A. Wood, translated by H.B. Nisbet, Cambridge University Press, 1991, pp. 14-17.

governing system putting forth a possible governing system under which the multiplicity of culture, individual freedom and distributive justice which he considered as the backbone of peace could be possible. This according to him could be achievable under multiple global organizations across boundaries each having their centre that governs their activities. These centres are to be independent of each other, coming together to assist the others where necessary.

Nevertheless, this Walzer's view portrays some limitations in regards to nowadays socio-political situation such as the continuous escalation of the means of war, resulting to different phases of war. For instance, the escalation of aggression from direct to indirect aggression, the escalation of terrorism from organization form to State form of terrorism, the escalation of humanitarian intervention to a self-centred humanitarian intervention, the escalation in technology that leads to mass destructive arm production and differences in ways of life. These difficulties render the employment of Walzer's peace building in our contemporary socio-political issues limited. Thus, calls for a new perspective under which these limitations could be dismissed.

However, there are several important aspects that are of necessity to the resolution of nowadays socio-political issues such as the harmonious agreement among the members of the international society, the readiness to use force on and stop any act that could jeopardise world peace and the necessity of defending the right of the innocents which in itself is the panacea of quenching conflicts. This enables a better look into the socio-political issues that engulfed African societies to be precise. It is this relevance in the work of Walzer that this work aimed at employing in the resolution of the socio-political issues of nowadays and to refill the gap created by the limitations of this work of Walzer. This enables one to trace back the harmonious agreement that has been existing in the history of traditional African which is trace from the work of Bidima's *the palaver tree* and that of Mazadou's Kamite democracy. It is from this perspective that, this work affirms the necessity of resorting to *the palaver tree* in our present day Africa political sphere and establishing the system of Kamite democracy as a political system.

As to regards the escalation of technology in aggression and terrorism, it is of great necessity for the international society to resort to security system under which the resources of the production of arms is controlled under the mechanism that defines the ethics of arms production in all aspects; both biological and chemical so as to enables the prevention of being in possession of mass destructive arms. Equally following the view of Kant, there is a

need of putting a demarcation on standing army and the possession of arms. As it will go a long way to stop tension and mind-sets of war thus prevention is better than cure.

the palaver tree here which permits dialogue at family, community and public level as suggested by Bidima and which similar with public forum proposed by Weil, will permits this harmonious agreement in the security system within the political sphere. And Kamite democracy will permits the organization of political system to be structured in respect of African culture and personality in relation to actuality. It could enable the realization of establishing good leadership and political freedom postulated by Kant and Popper. This political system of Kamite democracy as in rapture with that of Mazadou, is that under which parents have to take into their hands their duties as was the case in traditional Africa, the employment of *the palaver tree* at both families, communities and national level where issues are handled in common under harmonious agreement in respect of the commandments of Maât. Also, it is a system under which the culprit is handled with the purpose of transformation and not punishment as is the case of nowadays prison. That is to say, those taken to prison should be in such a way that they are discharged as a transformed individual to better personnel. This could avoid the formation of many hooligans. Equally, it is a political system under which education is mainly to transform individuals to good citizens in the light of the individuals of Kant, uphold by Ayissi Lucien.⁵²⁴

Again, this Kamite political system referred to here is that under which the political leaders are elected or appointed following their competency in the light of Plato political leaders and who could be changed at will as held by Popper in his open society. And here, the military and the security system are supposed to be placed under the power of the people who are the constitution. To sum up, the state is legitimate because of the people and without the will and the right of the people, the state has no legitimacy as held by Walzer. It is in this light that, this Kamite democracy is to be directed without neglecting the harmonious aspect of the Africans.

⁵²⁴ Lucien Ayissi, *Corruption et gouvernance*, Paris, L'Harmattan, 2008, pp. 173-75.

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