A Just & Ecologically Sustainable Peace

moral imperative and practical necessity

JUST WAR THINKING HAS BROUGHT US NEITHER PEACE NOR JUSTICE

TIME TO CHART A NEW COURSE

From Just War

To Just Peace

The Ecological Turn

If we are to fashion a transformative response that is equal to the challenge of repairing our broken world, we must do so in the context of our deepening ecological predicament.

In the words of Tu Weiming, the pre-eminent neo-Confucian scholar of our time, we need to embrace:

> *. . . an anthropocosmic worldview, in which the human is embedded in the cosmic order, rather than an anthropocentric worldview, in which the human is alienated, either by choice or by default, from the natural world.*

The relationship between justice and peace on the one hand and care of the Earth on the other is close and pervasive.

War and peacetime military activity can have a hugely detrimental impact on the natural environment. Water pollution resulting from the use of depleted uranium, release of toxic dust and carbon emissions associated with heavy military operations, extensive damage done to natural habitats by bombing campaigns, and the likely catastrophic effects of a nuclear war on climate change and ecosystems are a few obvious examples.

The converse is equally true. We now understand more clearly how environmental degradation can provoke armed conflict. Soil erosion, desertification, air and water pollution often lead to sudden and inevitably destabilising mass migrations, as we have already seen in Darfur and Syria, and are likely to see in the South Pacific as Island nations prepare for humanitarian catastrophes borne by increased extreme weather events and rising sea levels.

Clearly, care of the Earth's ecosystems must be made a key pillar of conflict prevention and post-conflict peacebuilding. But this is not enough.
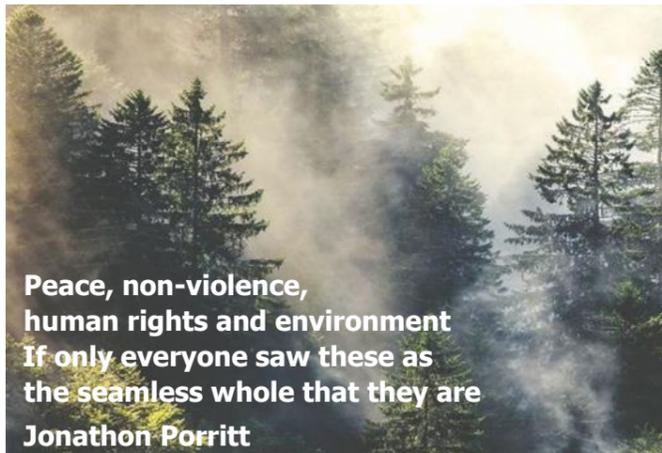
Peace, non-violence,
human rights and environment
If only everyone saw these as
the seamless whole that they are
Jonathon Porritt

People, nature and importantly future generations are routinely excluded from decisions that vitally affect them. The rich and powerful, intent on maintaining their power and privilege, exclude other voices for fear of losing control of key decisions. They do this, indifferent to the harm such exclusion inevitably leaves in its train.

The ecological turn is a potent antidote to the politics of exclusion. It points to an inclusive global ethic which transcends parochialism, nationalism and extremism as well as anthropocentrism. The *Earth Charter*, issued in 2000 after a decade long worldwide dialogue and Pope Francis's encyclical *Laudato Si'* are significant steps in this direction.

Reshaping the Future

Vision and values are the indispensable foundation of a just and ecologically sustainable peace. But to bear fruit they must be complemented by and help sustain the right institutions, decision-making processes and strategies. This remains a weakness in 'just peace' discourse.

In many ways this was the strength of the 'just war' doctrine. It posed a crucial question: what are the permissible ways of handling the evil of aggression? To this it offered a clear answer, namely that violence was permissible but only for a just cause and by use of just means. And for this prudent decision making was placed firmly in the hands of the ruler.

Just Peace on Earth

In the Community • With the Earth
In the Market Place • Among Nations

By contrast, a just and ecologically sustainable peace, by virtue of its holistic agenda which is its strength, offers a more encompassing message and to a wider audience. Its focus is as much the citizen as the ruler. In some ways this is another strength, for it empowers citizens and communities to make ethically informed judgments and engage directly with the defining issues of our time.

However, the vision of a just and ecologically sustainable peace needs to be translated into clear guidelines that can inform ethical and inclusive decision making.

To be able to do this we must ask two questions. First, what does it mean to be a citizen in a globalised world? Secondly, where does legitimate authority lie when it comes to dealing with such problems as climate change, nuclear weapons, refugees or Indigenous rights?

Citizenship and legitimate authority now function across a range of actors and public spaces, of which the national, sovereign state is but one.

In Australia, this means giving due attention to state and local as well as federal authorities, and to the way they engage with international institutions, some regional, others global, not least the UN system and its agencies. Nor can we ignore the role of powerful market forces, or the remarkable growth of civil society organisations.

In decisions made at all levels, the great imperative is to include the voices of the poor and marginalised, of other living species and importantly of generations yet unborn.

The journey to a just and ecologically sustainable peace is beckoning but the work has only just begun.
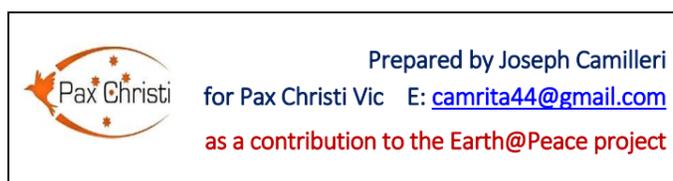
The Just War Doctrine

The idea of the 'just war', as we've known it in the West, has its origins in the Christian tradition.

The early Church, inspired in part by the life and teaching of Jesus, resisted participation in wars waged by the Roman Empire. For Christians, many of whom believed that the 'Reign of God' was at hand, waging war made little sense. Some practised a passive shunning of physical violence (pacifism), while others sought to actively resist evil and in particular injustice (nonviolence).

However, by the end of the 2nd century condemnation of war featured less and less in the writings of the church fathers. Clement of Alexandria (c. 150-215) was perhaps the first to introduce the idea of the just war'. Two centuries later, Ambrose (c.339-397), while remaining faithful to the Christian rejection of violence, nevertheless entertained the idea that war can be justly waged if it is to defend the wider community, so long as agreements are honoured and the defeated are treated with mercy.

The young Augustine (354-430) went further, arguing that it was just to use force against heretics in the interests of their own spiritual health and the safety of the state.

In later years, Augustine tempered his view of war, arguing that force can be used if it is done under the right authority and for a just purpose.

In Augustine's view war could be waged only on the authority of God. In practice this meant the decision to go to war rested with the ruler, and soldiers had the duty to carry out the order to fight to ensure the common peace and safety.

The idea of a just cause, on the other hand, stems from Augustine's preoccupation with evil. Violence authorised by the ruler was seen as the lesser of two evils – the evil we resort to in order to prevent or punish

> *the desire to do harm, cruelty in taking vengeance, a mind that is without peace and incapable of peace, fierceness in rebellion, the lust for domination, and anything else of the sort.*

Centuries later, Thomas Aquinas refined the concept of just war in his *Summa Theologiae*, widely regarded as the most influential contribution to Catholic theology. For war to be permissible (i.e. permitted by God) it has to be just. And for war to be just, it must satisfy three tests.

First test. War has to be waged under the authority of the prince (or ruler) in order to protect the state and its people.

Second test. War may be legitimately conducted against others if they are culpable of aggression. And even then, the use of force is permissible only if peaceful means to remedy the situation have been tried and failed. This has come to be known as the principle of *last resort*.

Third Test. The intention behind the decision to wage war must be right. It must aim to achieve good or prevent evil. To this is added an important qualification. For the intention to be right, the intended action must take account of all the consequences that the ruler can foresee, even those he may not desire.

The conditions under which States may resort to war. became the guiding principles of *Jus ad bellum*.

In the early 17th century Hugo Grotius, widely regarded as the father of modern international law, stripped away a good deal of the trappings of theological discourse and grounded just war theory firmly in natural law.
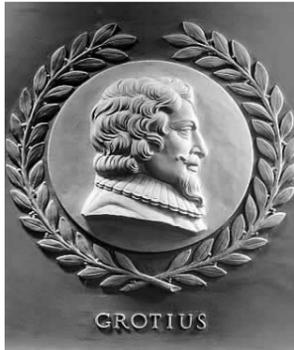
Grotius identified several causes of war as 'just': *defence, recovery of property, punishment, and obtaining of what is owed to us*. For Grotius wars are justly undertaken, and therefore in line with God's will, if they are in response to "wrongs not yet committed, or to wrongs already done".

He went on to establish rules to govern what is legally permissible in the conduct of war – now commonly referred to as *jus in bello*. Under these rules, the means used are strictly limited to what is necessary to achieve victory.

More generally, Grotius was keen to place other humanitarian constraints on war. From this there gradually emerged in later centuries the body of international law we now know as international humanitarian law (IHL). These laws are designed to tame the brutality of war. They include the Geneva Conventions, the Genocide Convention and the Rome Statute that established the International Criminal Court.
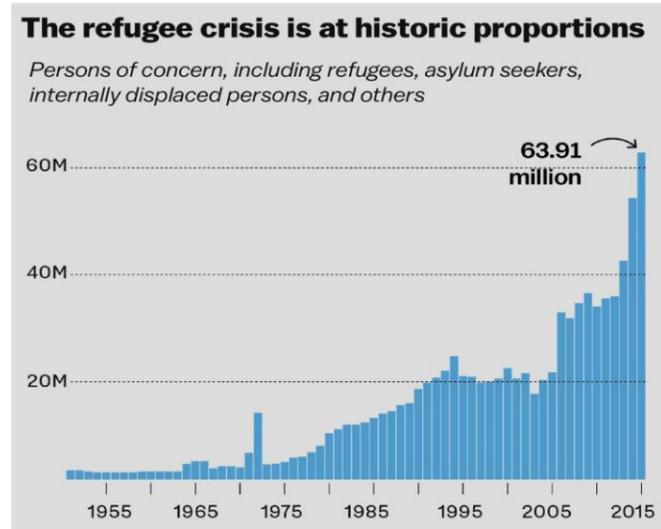
The Failings of Just War

The Just War doctrine, however well intentioned its advocates, has not served us well. It has singularly failed to stem the frequency, intensity and brutality of violence in the world,

Apart from two world wars, the Holocaust and the atomic bombings of Hiroshima and Nagasaki, the 20th and 21st centuries have seen the spread of nuclear weapons and a succession of bloody conflicts and genocides.

e long list includes: the Russian and Chinese civil wars, e Spanish civil war, the First Indochina war, the periodic ab-Israeli hostilities, the Korean War, the French-Algerian r, the Vietnam war, the devastating wars in Afghanistan, q, Libya and Syria, and countless armed conflicts in different parts of Africa and Latin America.

The death toll resulting from war in the 20th century is 187 million and probably higher. The number of armed conflicts in the world has risen steadily since 1946 and now stands at 50 or more in any one year.

Equally revealing is the trendline in forcible displacements.

The refugee crisis is at historic proportions

Persons of concern, including refugees, asylum seekers, internally displaced persons, and others

Many factors have contributed to the futility of just war notions. Most important perhaps are the vested interests of political, military and business elites that stand to gain from war and the development, production and transfer of ever more lethal weapon systems. Just war thinking does little to address this issue.

But the problem goes much deeper. Just war has proved a remarkably poor guide to prudent, let alone ethical decision making. As we have painfully discovered over the years, notions of just cause and just means in war are often slippery, open to hypocrisy, cover-up and even outright deception.

Whatever relevance the just war may have once had, it has been overwhelmed by the dramatic changes ushered in by the industrial revolution, the rise of global empires, independence struggles and the relentless global expansion of production, trade and finance.

In any case, in today's world, it is often unclear whether this or that authority is legitimate, and in a position therefore to pronounce on what is or is not just.

Does an oppressive regime have the authority to declare its use of violence as just? Extreme cases like the former Apartheid regime in South Africa come to mind. And what of current Australian governments and Aboriginal deaths in custody? Which is the legitimate authority in this case that can adjudicate on the justice or otherwise of policies of incarceration? Similarly, with Australia's use of force to prevent asylum seekers from reaching its shores?

And what if a national authority asserts that it is waging a just war, as the United States did when it invaded Iraq in 2003, even though the UN Security Council argued otherwise?

Similar problems arise when rulers argue that a particular decision to use force is taken as a last resort, that it has a reasonable chance of success, or that the overriding aim is to establish the conditions for peace.

These are the very arguments used by Russia to justify its military engagement in the Ukraine and Syrian conflicts, and by successive US administrations and other NATO countries to justify the use of arms in Afghanistan, Iraq, Libya, Syria and elsewhere. Are such arguments in the least credible? In these and other cases the question remains: Who has the legal or moral competence to pronounce on the justice or otherwise of military action?

As for the requirement that everything be done to spare non-combatants, the reality of armed conflicts in the last 100 years is the extraordinary rise in civilian casualties – the result of ever more destructive weapons systems.

The modern cost of war
WORLD WAR II

24 million military deaths

Over 40 million civilian deaths

Remarkably just war theory has little to say about the production, acquisition and transfer of arms regardless of how lethal their use may be, or how pernicious the investment in war making may be. Just war notions seem unaware that arms kill simply by their very existence.

Just war has even less to say about the destruction of our natural environment and the plant and animal species that inhabit it. Yet, as we shall see, the human future and the planet's future are inextricably linked.

The Shift to Just Peace

Given the enormity of our contemporary predicament, many are looking for new ways of approaching the future – some from a secular, others from a religious standpoint.

The notion of Just Peace represents a significant step in this direction. Linking peace and justice is not a new idea. Johan Galtung, regarded as the father of modern peace studies, argued as far back as the 1960s that violence should be understood in both its direct and indirect manifestations.

Direct or physical violence, which we associate with the battlefield, involves the piercing, crushing tearing, poisoning burning, exploding, evaporating, starving of human bodies.

Indirect or social violence, which we associate with the slum or ghetto, involves inequality, poverty, discrimination, social constraints and lifelong division of labour.

For Galtung, violence is that activity that hinders, frustrates or negates human fulfilment and violates what it is to be human.

He saw peace as the transcendence of both physical and social violence. For peace to flourish, a nonviolent structural transformation was needed to overcome various forms of social pathology. These he identified as:

- The obsession with *having* rather than *being*
- The emphasis on *domination* rather than *liberation*
- The tendency to *political alienation* rather than *participation*
- A culture of *killing time* rather than *creatively living in time*
- The politics of *exclusion* rather than *inclusion*.

This remains one of the most radical formulations of the meaning and scope of peace. Others have advanced a less challenging approach by focusing on the role of national and international institutions.

Over the last 100 years lawyers, scholars, diplomats and others have sought to develop a legal and organisational framework that recognises the interests of different parties and enshrines a wide range of civil, political, social, economic and cultural rights, and the principle of non-discrimination on the basis of race, religion, ethnicity, gender or sexual orientation. The UN system itself represents the most ambitious attempt to date to forge an international agenda that combines, economic and social development, human rights, peacemaking and peacekeeping.

In recent decades, many within the Christian tradition have called on their churches to move away from nations of 'just war' in favour of a just peace framework. In this the World Council of Churches (WCC) has played a key role.

Building on its work for peace, justice and human rights in the Middle East and South Africa and its *Restorative Justice* program in the 1990s, the WCC initiated the *Decade to Overcome Violence (2001-2010)*. This was quickly followed by the International Ecumenical Peace Convocation (IEPC) in 2011 which issued *An Ecumenical Call to Just Peace*.

The 'Way of Just Peace'

. . . a collective and dynamic yet grounded process of freeing human beings from fear and want, of overcoming enmity, discrimination and oppression, and of establishing conditions for just relationships that privilege the experience of the most vulnerable. and respect the integrity of creation.

In April 2016, a conference convened by the Pontifical Council for Justice and Peace and other Catholic organisations, notably Pax Christi International, called on the Church to abandon 'just war theory', initiate a global conversation on nonviolence and just peace, call 'unjust world powers' to account, and support those engaged in nonviolence. These sentiments were echoed a few months later in Pope Francis's message for the 2017 World Day of Peace *Nonviolence: A Style of Politics for Peace*.

Scholars and religious leaders in other faith traditions have voiced similar sentiments. In Islam many have called for a profound renewal based on service to Allah, which requires respect for human life and a commitment to justice, mercy and the unity of the human family. Peaceful resolution of conflicts through consultation, mediation and dialogue is seen as integral to the transformative power of divine revelation.