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Freedom from the Scourge of War

An Address by

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Freedom from the Scourge of War

The fact war is hell has not stopped men from creating enormous theaters of hell on earth. This truth is not new. War has been with us since the inception of territorial claims. With the creation of the modern state and its organizational capacities, war has taken on a new dimension. It can end human civilization. This truth is new.

The spiritual admonition to honor peace and love life contained in Hinduism, Buddhism, Judaism, Christianity, Islam and other religions has not terminated war. In fact, religious identity has and remains a force stimulating and rationalizing violent passions despite core teachings dedicated to our personal and collective betterment.

International law, until the mid twentieth century, was content to only address conduct in war (*jus in bello*) and justifications for war (*jus ad bellum*) assuming war to be an acceptable fact of life.

The sentiment for non violence which grew in intellectual circles and spawned hundreds of peace societies in the 19th century in response to the slaughters of the Napoleonic wars affected political institutions when the Czar of Russia, Nicholas the Second, convened the Hague Peace Conference of 1899.

Its advocacy of systematic peaceful resolution of disputes could not overcome the intransigent adherence to national autonomy and the unencumbered use of force by the state. A deluge of immeasurable suffering, bloodshed, terror and destruction, arising from two world wars, both begun in the most industrially advanced area in the world, Europe, and the failed efforts of the League of Nations to create a council to resolve disputes, forced humanity to rethink and recalibrate our attitude toward war.

In August of 1945, as the cities of Hiroshima and Nagasaki blazed under irradiated fires, the heart of humanity shivered with the knowledge that within our hands is the technical means of our own destruction. As Nobel Peace Laureate Dr. Joseph Rotblat said, "In the nuclear age the human species has become an endangered species."

No danger hangs over us today like the threat posed by these horrific devices. They still force us to a moment of decision today. They compelled recognition of our shared responsibility to one another and to future generations 60 years ago. Apparently 4,000 years of recorded organized ignorance, struggles, tribulations, and sacrifices was not enough. The face of hell drove us to a clear decision. Would the world continue to be organized around the principle of the law of power where only the few held sway over the rest or move to a greater level of collective security and shared interests by relying on the power of law?

A former US president General Dwight D. Eisenhower, who knew the cost of war, stated the principle "...this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be instead a proud confederation of mutual trust and respect. Such a confederation must be one of equals. The weakest must come to the conference table with the same confidence as do we, protected by our moral, economic, and military strength. That table, though scared by many past frustrations, cannot be abandoned for the certain agony of the battlefield." ⁱ

And how does that confederation define its purposes? "We, the Peoples of the United Nations, determined to save succeeding generations from the scourge of war which twice in our lifetime has brought sorrow to mankind..." This statement embodies a new legal and moral norm abhorring war. The UN Charter continues by affirming fundamental human rights and equal rights of all nations. The goal of this majestic legal instrument, stated in its first Article, is to create framework to "maintain international peace and security. And to that end to take effective collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression, and other breaches of the peace and to bring about by peaceful means and in conformity with the principles of justice and international law the adjustment and settlement of international disputes."

This puts us all on notice that collective security must be recognized as the process through which each individual state must pursue its own interests.

The use of force by states, including warfare, is prohibited except as authorized by the Security Council or pursuant to Article 51, which addresses other basis for the use of force: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measure to maintain international peace and security." This right of self defense is addressed in the Secretary General of the United Nations' High Level Panel on Threats, Challenges and Change recently released "A More Secure World: Our Shared Responsibility"ⁱⁱⁱ which emphasized an important restriction:

"However, a threatened State, according to long established international law, can take military action as long as the threatened attack is imminent, no other means would deflect it and the action is proportionate."

This prestigious panel reminded us that during the cold war these rules were violated hundreds of times because the Security Council was paralyzed but that since the end of the cold war "... *the yearning for an international system governed by the rule of law has grown. There is little evident international acceptance of the idea of security being best preserved by a balance of power, or by any single – even benignly motivated – superpower.*" One might further state that recent events in Iraq demonstrate that these laws have the power of preventive wisdom. As the Vietnam War should have taught, ignoring such rules generates peril.

But some claim that extraordinary weapons and circumstances compel new rules. The High Level Panel addresses this argument squarely:

"The problem arises where the threat in question is not imminent but still claimed to be real: for example the acquisition, with allegedly hostile intent, of nuclear weapons-making capability. Can a State, without going to the Security Council, claim in these circumstances, the right to act, in anticipatory self-defense, not just pre-emptively (against an imminent or proximate threat) but preventively (against a non-imminent or non-proximate one? Those who say "yes" argue that

the potential harm from some threats (e.g. terrorists armed with a nuclear weapon) is so great that one simply cannot risk waiting until they become imminent, and that less harm may be done (e.g. avoiding a nuclear exchange or radioactive fallout from a reactor destruction) by acting earlier.

The short answer is that if there are good arguments for preventive military action, with good evidence to support them, they should be put to the Security Council, which can authorize such action if it chooses to. If it does not so choose, there will be, by definition, time to pursue other strategies, including persuasion, negotiation, deterrence and containment -- and to visit again the military option.

For those impatient with such a response, the answer must be that, in a world full of perceived potential threats, the risk to the global order and the norm of non-intervention on which it continues to be based is simply too great for the legality of unilateral preventive action, as distinct from collectively endorsed action, to be accepted. Allowing one to so act is to allow all."

As International Court of Justice Christopher Weeramantry said, *"International law depends also on consistency of its application. What is illegal for some cannot be legal for others and international law cannot command respect if those who wish to enforce it violate it themselves. If the law enforcers of a domestic legal system should act in this way, they would expose themselves and the law to ridicule. It cannot be otherwise on the stage of international law."* For some States to engage in aggression based on their own unilateral determinations makes a mockery of the body of law it has taken thousands of years for civilization to evolve and diminishes the sacrifices of the millions who have died in the pursuit of justice and peace. Moreover, for some to say that they are not bound by the law while others are is not practical.

Hypocrisy does not work in rearing children; it does not work in pursuing world stability. And it certainly does not work in stemming the tide of nuclear weapons proliferation. One cannot ever instruct others to give up smoking with a cigar in one's mouth.

And the costs of war and the illusion that to prevent war one must prepare for war are hard to measure. The largest cost is the failure to pursue the numerous paths toward stability based on enhancing justice and the quality of life for people, the very oxygen of hope that deters violence best. I am so proud to represent the International Peace Bureau here because it, like many other civil society organizations, advances practical programs based on sustainable development, gender equity, human rights, and conflict prevention and peaceful resolution to wean us away from the temptations of violence and war. And this approach is hardly new. It helped rebuild the world after the devastation of World War II and today we need another Marshall Plan, but this time it must be global.

Again, let me quote President Eisenhower:

Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, and the hopes of its children. The cost of one modern heavy bomber is this: a modern brick school in more than 30 cities. It is two electric power plants, each serving a town of 60,000 populations. It is two fine, fully equipped hospitals. It is some 50 miles of concrete highway. We pay for a single fighter with a half million bushels of wheat. We pay for a single destroyer with new homes that could have housed more than 8,000 people.

This, I repeat, is the best way of life to be found on the road the world has been taking. This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron.... This we do know: a world that begins to witness the rebirth of trust among nations can find its way to a peace that is neither partial nor punitive.

In the course of human history several decades is not a long time. In 1953 President Eisenhower stated principles and set a compass point for progress that remains relevant today, especially when he called for *"the dedication of the energies, the resources, and the imaginations of all peaceful nations to a new kind of war. This would be a declared total war, not upon any human enemy but upon the*

brute forces of poverty and need.

The peace we seek, founded upon decent trust and cooperative effort among nations, can be fortified, not by weapons of war but by wheat and by cotton, by milk and by wool, by meat and by timber and by rice. These are words that translate into every language on earth. These are needs that challenge this world in arms...We are prepared to reaffirm, with the most concrete evidence, our readiness to help build a world in which all peoples can be productive and prosperous. This Government is ready to ask its people to join with all nations in devoting a substantial percentage of the savings achieved by disarmament to a fund for world aid and reconstruction. The purposes of this great work would be to help other peoples to develop the under developed areas of the world, to stimulate profitability and fair world trade, to assist all peoples to know the blessings of productive freedom.

The monuments to this new kind of war would be these: roads and schools, hospitals and homes, food and health. We are ready, in short, to dedicate our strength to serving the needs, rather than the fears, of the world.

We are ready, by these and all such actions, to make of the United Nations an institution that can effectively guard the peace and security of all peoples. These proposals spring, without ulterior purpose or political passion, from our calm conviction that the hunger for peace is in the hearts of all peoples--those of Russia and of China no less than of our own country.

They conform to our firm faith that God created men to enjoy, not destroy, the fruits of the earth and of their own toil. They aspire to this: the lifting, from the backs and from the hearts of men, of their burden of arms and of fears, so that they may find before them a golden age of freedom and of peace.ⁱⁱⁱ

The principles of law, the principles of pursuing peace by serving human needs rather than by fear and terror of state violence, better known as war, are not new and have always worked well. They work well because they are based on our capacity to be human, to be understanding, tolerant, even forgiving and generous.

For some to say that these principles are dated because of current terrorist activities is to diminish the strength of the institutions we seek to protect against terrorists. There can be no real war on terrorism. Yes, a rhetorical war in the sense of a war on poverty or a war on drugs, can galvanize attention to address a particular kind of criminal behavior that seeks to justify itself by dressing up in political rhetoric or distortions or religious language. Such simple organized crime should not be dignified with being capable of instituting "war." Activities designed to harm innocent people and engender fear and terror to influence their conduct is criminal conduct. It should be prosecuted in international tribunals when it is multinational and cross border and causes injury such as to be classified as a crime against humanity. And when such conduct is within a state is should be prosecuted under the law. War is a destructive institution that should not be invoked except under the long standing principles dealing with states.

Moreover, terrorism is an activity. Like any loathsome activity we must seek to prevent it. But, if we declared war on murder we would be in a universal and perpetual state of war because the potential will continue to exist wherever humans fail to control their anger and thus the norm of peace will be corroded. This is an unacceptable standard for the world to follow. Cooperation in prosecution, yes; war, no.

And more important than cooperation in prosecuting terrorism is cooperation in building the bridges to a peaceful world. To build these bridges now might even be easier than during the 1950s. There are no major countries in hostile postures toward one another. The human resource of half the population, woman, has now been recognized as essential to pursuing and obtaining peace and security. Our capacity to communicate has vastly increased. Our recognition of our collective duty to protect the global commons – the climate, the oceans, the rainforest and all living systems upon which civilization depends – is increasing every day. The failure of war as an institution is increasingly apparent. From the Middle East to Kashmir, from Bosnia to Central America, military solutions and violent means have failed and there is a clear conclusion that only by peaceful political and diplomatic means can progress be achieved.

And most important, we now know our capacity to deploy weapons of horrific destructive capacity that could easily destroy civilization in an afternoon are available. The paradox of the modern age is thus expressed by understanding nuclear weapons: the more we perfect the weapon the less secure we become. The paradigm of weapons bringing security simply makes no sense in a time of vast technical capacity. And if we do not now put in place the institutions to constrain science and technology we will find fewer people with lesser resources able to inflict greater damage. Thus, the need for changing our framework is essential. We must begin today to change the pattern of fear and violence that leads to more arms, thus reinforcing fear to one of hope and cooperation leading to disarmament and thereby a pattern of peace that builds trust.

Our personal goal in life can be to make our own lives sanctuaries of peace, for peace is not just the goal, but also the way. War is a consequence of forgetting this human purpose, to be at peace and thus to learn and to love. The hatred engendered by war is the ultimate distortion of balance. Balance is achieved best when we move from love of self to selfless love. For no other power brings humans into harmony between inner purpose and outer expression as well. And when such harmony is achieved individual lives are at peace. It is my fervent hope that we all be blessed with lives dedicated to serving this principle of peace. Thank you deeply.

ⁱ <http://coursesa.matrix.msu.edu/~hst306/documents/indust.html>
President Dwight D. Eisenhower, Military Industrial Complex Speech, 1961, Presidential Public Papers, 1960, pgs. 1035-1040

ⁱⁱ <http://www.un-globalsecurity.org/panel.asp> The Panel was composed of an outstanding group of experts which included, • [Anand Panyarachun](#) (Chairman), former Prime Minister of Thailand; [Robert Badinter](#) (France), Member of the French Senate and former Minister of Justice of France; [Joao Clemente Baena Soares](#) (Brazil), former Secretary-General of the Organization of American States; [Gro Harlem Brundtland](#) (Norway), former Prime Minister of Norway

and former Director-General of the World Health Organization; Mary Chinery-Hesse (Ghana), Vice-Chairman, National Development Planning Commission of Ghana and former Deputy Director-General, International Labour Organization; Gareth Evans (Australia), President of the International Crisis Group and former Minister for Foreign Affairs of Australia; David Hannay (United Kingdom), former Permanent Representative of the United Kingdom to the United Nations and United Kingdom Special Envoy to Cyprus; Enrique Iglesias (Uruguay), President of the Inter-American Development Bank; Amre Moussa (Egypt), Secretary-General of the League of Arab States; Satish Nambiar (India), former Lt. General in the Indian Army and Force Commander of UNPROFOR; Sadako Ogata (Japan), former United Nations High Commissioner for Refugees; Yevgenii Primakov (Russia), former Prime Minister of the Russian Federation; Qian Qichen (China), former Vice Prime Minister and Minister for Foreign Affairs of the People's Republic of China; Nafis Sadik (Pakistan), former Executive Director of the United Nations Population Fund; Salim Ahmed Salim (United Republic of Tanzania), former Secretary-General of the Organization of African Unity; and Brent Scowcroft (United States), former Lt. General in the United States Air Force and United States National Security Adviser. Among its many sage suggestions are the following:

- The call on the US and Russia to take measures to reduce the risk of nuclear accidents and de-alert their strategic nuclear weapons.
- The call on all states parties to the *Biological and Toxic Weapons Convention* to negotiate a credible verification protocol without delay.
- The call on the Security Council to use authority to refer cases of suspected crimes against humanity to the International Criminal Court, and calls on ALL states to sign, ratify and act on ALL treaties for the protection of civilians, including the *Rome Statute* of the International Criminal Court.
- The call on member states to conclude legally binding agreements on marketing and tracing, as well as brokering and transfer, of small arms and light weapons.
- The recommendation that states should provide incentives for further development of renewable energy resources and phase

out environmentally harmful subsidies for fossil fuel use and development.

- The urging that states to begin new negotiations to produce a new long-term strategy for reducing global warming beyond the period covered by the *Kyoto Protocol*.
- The call on all nations to abide by the *Geneva Conventions*.
- The reminder to all readers that when the genocide began in Rwanda, "troop contributors withdrew peacekeepers, and the Security Council, bowing to United States pressure, failed to respond."

iii

http://www.edchange.org/multicultural/speeches/ike_chance_for_peace.html

President Dwight D. Eisenhower, Chance for Peace, April 16, 1953

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 President Dwight D. Eisenhower, *Chance for Peace*, April 16, 1953

Jonathan Granoff is an author, attorney, and international peace activist. His life's work is dedicated to the total elimination of nuclear weapons worldwide. To that end, he is the current president of the Global Security Institute. He also serves as the Senior Advisor of the American Bar Association's Committee on Arms Control and National Security, and is Co-chair of its Blue Ribbon Task Force on Nuclear Nonproliferation. He holds positions on numerous governing and advisory boards including the Lawyers Committee on Nuclear Policy, the Lawyers Alliance for World Security, the Jane Goodall Institute, the Bipartisan Security Group, and the Middle Powers Initiative.

Mr. Granoff has lectured worldwide emphasizing the legal, ethical and spiritual dimensions of human development, peace and security, with a specific focus on the threat posed by nuclear weapons. He is an award winning screenwriter and has been featured in more than 50 publications. Mr. Granoff earned his BA cum laude from Vassar College and his Juris Doctorate from Rutgers University School of Law.

He has studied with the Sufi Master Bawa Muhaiyaddeen since his youth and is honored by receiving his namesake, Ahamed Muhaiyaddeen. Firmly committed to advancing interfaith understanding and cooperation, he has worked extensively for the UN Millennium Peace Summit of Religious Leaders and the Temple of Understanding, and participated actively with the Council for a Parliament of the World's Religions, the United Religions Initiative and the Interfaith Center of New York. He feels privileged to represent the International Peace Bureau at the Seventh Nobel Peace Laureates Summit in Gwangju, Korea, 2006.