

*Note: As I worked on the paper, it became apparent that the focus of Gene Sharp's pioneering work has been on nonviolent ways of seeking Democracy from Dictatorships, however once the dictatorships were toppled, there was not much thought given to democratic institution building or addressing the question of security, both internal and external. Even his book, *Civilian-Based Defence*, is focussed on utilizing Gandhian nonviolent techniques of resistance rather than consideration of international police and peacekeepers or conflict negotiators etc. as part of the conflict resolution (national or international) peace infrastructure. Another problem seems to persist is exactly of opposite nature -- many western democracies as in the case of wars in Iraq, Afghanistan, and Libya (and Israel-Palestine stalemate) have tended to act like dictatorships when it comes to military interventions(wars) with lip service to the UN charter and international law. Making the Nonkilling as focus of the paper becomes cogent as it is a measurable tool for policy development compared to the concept of Nonviolence.*

Nonkilling Security and the State: A Review Essay**

by Balwant Bhaneja, Ph.D. (billbhaneja@rogers.com)

Paper presented at the Peace & Justice Studies Association 2013 Conference at Wilfrid Laurier University, Waterloo, Ont, Canada, 19 October 2013.

(**Joám Evans Pim (ed.) (2013), *Nonkilling Security & The State*, Honolulu and Omaha: Co-published by Center for Global Nonkilling and Creighton University, pp. 426)

Killings in recent history

It is generally agreed that the 20th Century was one of the bloodiest centuries, and we seem to have learnt little from that experience. Around 200 million people are estimated to have been killed in wars and armed conflicts during the 20th century. (Bhaneja,Leitenberg:87). A majority of casualties have been civilians, mostly women and children. The percentage of civilians killed and wounded as a result of hostilities steadily rose from five percent of all casualties at the turn of the last century to 65 percent during World War II to 90 percent in more recent conflicts, mainly Iraq wars (Schlichtman, Correll: 201).

However, most of these killings have not brought any military victories. NATO Commander General Rupert Smith in his book, *"The Utility of Force: The Art of War in Modern World"* writes that since the World War 2, there have been hardly any wars which could be described as clear-cut conquests (i.e. surrender by the other side). Most military interventions have bogged down, struggling to bring a conflict to an end staying in these troubled regions for decades and sometimes much longer (e.g.Cyprus, Korea, Iraq and Afghanistan). Political change in the past century has had more successes

when pursued through nonviolent means. An empirical study by Maria Stephan and Erica Chenoweth (Summy; Stephan and Chenoweth: 27) examined the success rate of 323 major social change movements, nonviolent and violent, between 1900 and 2006. It found that armed struggle achieved a success rate of 26% as compared to 53% for nonviolent campaigns. Another study by Max Abrams (Summy, Abraham: 50) discloses only a 7% success rate for terrorism. It is obvious the transition to democracy at the conclusion of a political campaign has been much higher for nonviolence than for violence.

Nonkilling

What is Nonkilling Security?

A straightforward definition will be of a conflict situation where human and economic security is achieved without killing other humans. This is applicable to an individual, household, region, nation-state and at international levels. Glenn D. Paige's seminal work, *Nonkilling Global Political Science* (Paige, 2007: 1) defines a "Nonkilling society" as "a human community, smallest to largest, local to global, characterized by no killing of humans, and no threats to kill; no weapons designed to kill humans and no justifications for using them; and no conditions of society dependent upon threat or use of killing force for maintenance or change." Paige argues that based on the evidence of evolution of nonkilling security structures and evidence pointed out in growing number of studies by peace researchers that his is not a utopian vision.

Is Nonkilling Security possible in the 21st Century?

My presentation refers to evolving components which form the building blocks of architecture of nonkilling security. This review paper is based on the findings of a recent volume entitled: *"Nonkilling Security and the State"* (Evans Pim (ed.), 2013). I am one of its contributing authors along with other 18 social scientists.

Perhaps it is important to ponder what the modern state is? Max Weber wrote and delivered his speech "Politics as Vocation" in Munich in 1918. He defines the state as "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory" (Satha-Anand:23) Being so defined, the state has become the only social institution that can claim legitimacy when engaging in violence and killing. Satha-Anand contends that by positing the state in this way Weber has turned the state into an institution that is inherently violent. Should that be a necessary pre-condition for a nation-state?

The notion of a nation -state where it has legitimacy to engage in warfare, it seems, is at variance with the limits of power agreed upon by the nation-states who have agreed to be members of the UN. The United Nations charter highlighting the peace and security

aspects in its Article 2(3) states that “All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.” Paragraph 4 of the same Article maintain: “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.” So any country having joined the UN as a member must abide its charter that will be any one’s assumption as a primary condition for UN membership.

Life as it stands in dignity is the core of our existence. Barbey states that the power to kill is never a right! It has been legally granted to people and societies in only three circumstances: (i) for self-defence, (ii) capital punishment, i.e. by death penalty, and (iii) through the power of war. However, all three of them have been given with very great limitations. (Barbey: 153-55)

For Self-defence

Individuals have a right to self-defence. It need not be by lethal means (see US Dept of Defence non-lethal weapons program, also used in some police departments. See <http://nlwp.defence.gov>). The right to life is a universal and intangible right, there are no possible limitations to it, one is either alive or not. Barbey points out that even if the law may, in some very particular circumstances, tolerate a threat to or even a destruction of the right to life, this does not in any way grant a right to kill. Again, exception to the obligation of respecting the right to life is not in any way acceptable without due trial or control, or at the worst without legal permission. (Barbey: 153)

Nations have a right to self-defence as well, but they also have an obligation to abstain from threat and aggression. UN charter Article 51 reads: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.”

By Death Penalty

The death penalty is a good example of what a nonkilling culture is not. The trend in decline of capital punishment has continued worldwide since the creation of United Nations in 1945. By January 2012, Amnesty International reports 140 of 195 countries and territories had abolished the death penalty for all crimes. In some other countries where the capital punishment is on the books, it has to be used only in the “rare of the rarest” cases.

Through the Power of War

War has been illegal since 1945 and the adoption of the UN Charter, specifically article 2, paragraphs 3 and 4 as stated earlier attest to that fact. Nevertheless, most states of the world still maintain military apparatuses, thus causing tremendous human suffering, losses of resources and threatening the very existence of the human species. Continual military build up including nuclear weapons proliferation as display of a country's military prowess have not helped in reducing the possibility of war and armed conflict.

With increasing number of military expeditions of NATO countries taking place in far off lands to meet local civil challenges, the justification for drawing huge sums of money assigned from public treasury for military preparedness and warfare requires some serious re-thinking. There are 193 sovereign nation states, but they have within their boundaries over 7,000 cultures. (Bhaneja, Sponcel: 94)) Most of the conflicts today are at cultural levels, the issues that have been exasperated by a lack of understanding of local history, language, and religions of peoples at the grassroots level. These are unlikely to be solved by combat fights and dropping of bombs.

Resources absorbed yearly by military budgets are now around four times bigger than the only partly met requirements set to achieve the millennium development goals.

Countries without armies

Only five countries have textually banned war in their constitutions. Italy did so in 1946, Japan in 1947, Ecuador in 2008, Bolivia in 2009 (and more recently Bhutan). (Barbey: 157) There ARE also countries that have given up having an army and therefore totally renounce the possibility of waging a military conflict. Out of the 193 countries of the UN, 23 do not have an army, to this if one adds Holy See and the two territories in the Pacific Ocean (Niue and the Cook Islands), the number rises to 26 countries without armies. That comes one country out of eight in our present world does so by not sustaining an army. (Barbey:158 -160). Many of these countries are "small countries with great ideals". Barbey shows that in addition to these 26 countries, there are other countries which have very small armies. 70 countries in the world, almost third of all countries, have armed forces with less than 20,000 persons and 20 of these countries have less than one soldier per 10,000 inhabitants. (Barbey: 168-169) 14 countries have fewer persons in their army than in the number of police in the Mauritius Special force, that is, less than 1500.

Nonkilling Military

Gene Keyes in his essay in this volume: “To Give Life - Possibilities for a Nonkilling Military” (Keyes 103-150) notes that Nonkilling military forces may seem a preposterous contradiction in terms, but there have been, in the U.S. military, components with such mottoes as: “That Others May Live” (air rescue); “Strive to Save Lives” (medevac); and “Alone, Unarmed, Unafraid” (reconnaissance pilots). Keyes chapter is an update of his Senior thesis prepared for Southern Illinois University, entitled, “Force Without Power” that he wrote in 1971.

Keyes provides some anecdotal evidence. Decades ago Major-General Cândido Rondon founded the Brazilian Indian Protection Service and gave it the motto: “Die if Necessary, but Never Kill.” The 1948-49 Berlin Airlift is according to Keyes most famous ‘unviolent’ major campaign carried out by a military force.

He writes that the above examples “hint at an esprit de corps for a hypothetical military service that spurns all weapons but one: courage”. He describes a working definition of “Nonkilling Forces” to be: “Men and women effectively forming an entire military command without weapons; well-equipped for mobility and logistics; trained to accept casualties, never inflict them.” (Keyes: 103)

The distinction emphasized by Keyes is not of war and peace, but between killing and dying. He postulates nonkilling militaries that could enter a war as well as prevent one; and that could as he points can become “global first responders in world-class catastrophes”. In all cases, “the essential duty of these unarmed services would be: ever to give life, never to take it.”

To imagine nonkilling forces across the board, Keyes considers the following broad questions: What can they do? Whose are they? What do they defend? (Keyes: 104-105). His main focus is on what these military forces can do—their military mission. Keyes considers a wide range of missions through peace, conflict, and war.

Peace	Conflict	War
1. Rescue Action	4. Friendly Persuasion	7. Defense
2. Civic Action	5. Police Action	8. Expeditionary Action
3. Colossal Action	6. Buffer Action	9. Invasion

For each of these categories Keyes in his paper provides several precedents and ideas for potential areas where such deployment could be promising. I would recommend all of you to read Keyes paper for his interesting case examples. It shows no end to creative possibilities. The United Nations may be a logical birthplace for a Nonkilling Military (e.g. a United Nations Emergency Force) , but just for the sake of argument, Keyes says that a nonkilling military may be established by countries such as Costa

Rica or Canada; NATO or the Nordic Council; the US or the EU; ASEAN or the Arab League.

A retired Canadian air force colonel Paul Maillet writes: “The traditional military approach to defense justification is made on a threat assessment on finding future enemies or use of military conflict over global resource competitiveness; however, the search for future enemies, hypothetical or realistic, all in concert with needing newer, more expensive military technology does not seem viable or sustainable approach to defence planning”. This is unfathomable “given the current nature of ethnic or insurgency conflict, the crippling cost of military hardware, the pervasiveness of media technology, growing economic constraints and an emerging awareness of other global priorities, such as poverty, energy and climate issues.” Small gangs of insurgents and militant radicals know now how to defeat/fatigue heavy conventional land armies and superpowers. In light of these new security realities strategies of overselling, up-selling, or cross-selling of expanding military budgets by Departments of Defense deserve serious re-examination to find alternates to lethal and injudicious military interventions abroad.

Nonkilling Departments/Ministries of Peace and Security

Bhaneja’s essay in the volume describes the importance of the nonkilling institution-building as an example, through creation of Departments and Ministries of Peace and Security at all levels of governments. (Bhaneja: 87-99)

There are presently four countries where Departments or Ministries of Peace have been formed: the Ministry of Peace and Reconstruction in Nepal (2007), the Ministry of National Unity, Reconciliation and Peace in the Solomon Islands (2005), Ministry of Justice and Peace in Costa Rica (2009) and more recently a Department of Peace in Papua New Guinea. Two countries, Canada (2011) and the United States (2013) have pending legislation for departments of peace. Additionally, there are violence prevention peace structures being created in the Philippines, Ghana, Southern Sudan, and Spain. Each of these institutional formulations developed by the governments address a specific peacebuilding need whether this be a reconciliation of feuding local communities, safeguarding of human rights, economic development, or building a culture of peace through peace education and nonviolent resolution of conflicts etc.

A significant component of the proposed Canadian peace department legislation is the building of a sizeable civil peace service, 500 to 800 peace specialists trained and ready for deployment for prevention, mediation and reconciliation of disputes at home and abroad. Currently, the expertise at the nation-state level in most countries is limited to “suits and boots” – suits the diplomats, talk to other suits, while the boots, the soldiers on the ground face other soldiers as our first responders finding solutions to problems of

conflict which starts with readiness to kill or imprison the enemy that has surrendered. In this scenario, there is little room for credible non-military or civil peace expertise to explore possibilities of prevention, mediation and reconciliation.

The Global Alliance for Ministries and Infrastructures for Peace (GAMIP) - formerly the Global Alliance for Ministries and Departments of Peace- was created in London in 2005 to encourage and support the civil society movement worldwide for departments of peace and to highlight specific peacebuilding interests of the host country. (Visit: <http://www.gamip.org>.) It has convened global summits in six countries on five continents. Following the U.K. meeting, summits were held in Canada in 2006, Japan in 2008, Costa Rica in 2009 and South Africa in 2011. GAMIP is currently based in Geneva, Switzerland where the Sixth Global Summit took place in September 2013. The Geneva Summit was attended by 160 participants representing 55 countries from all corners of the globe.

It is not too early for any of us to think big, and to speculate in detail on these contingencies, hoping to offer possibilities for superseding one of the worst things humanity has ever committed itself to: war. (Keyes:142-143). The nonkilling security could be a social invention, a political instrument in a world still afflicted by deadly power conflicts, occasional genocide, structural violence, natural disasters, ecological trauma, nuclear roulette, and the military habits of millennia. Keyes points out that it might well be acquired as “a deliberate initiative, or through unforeseen mutation, or evolution, by polities that had the vision or nerve or serendipity to do so.” (Keyes:104)

A deeper study of the countries with new infrastructures of peace without armies and no-war provision in their Constitutions can help us to understand the immense strategic value in how steps towards non militarisation in these countries has impacted for example the steady economic growth and modernization from a small state like Costa Rica to positive impact on major industrial powers such as post-war Germany and Japan that have benefitted economically by their Constitutionally mandated limited military capabilities.

When it comes to Culture of Peace, both rich and poor nations are at ground zero. WHO 2002 “World Report on Violence and Health” provides a substantive global snapshot of the epidemic of violence. Its main conclusion is that such human violence (homicide, suicide, and war-related) is a “preventable disease”. For any violence prevention as Paige has pointed out, “we need to understand the processes of cause and effect, however complex and interdependent” they may be. An educational task needs to be also aimed at the citizenry that exposes the long chain to killing along the lines depicted by Paige (Summy, Paige: 61). Summy notes that the road to killing originates in the notion of ‘power over’ of the schoolyard bully, the training of the high

school football team to hit the opponent harder and harder, the schooling of children that the name of life's game is winning at all costs (even if it means skirting the rules at times), the size of military budgets in comparison to the money spent on our most valuable commodity (our children), the military regalia on display in schools, the lionizing of military heroes, and the introduction into schools of cadet units.

Prevention of violence at the local, national, regional and global level has to be one of the top objectives of any governance system. We have to recognize that for global and national peace and security, our current approaches are inadequate, and require alternative approaches to prevention and solutions. These have to be done through shifting concepts of "power over" to "power with" and transmitting "power to" citizenary. (Summy: 36)

In modern times, the problem of violence prevention transcends the notion of a nation-state. This may require on part of sovereign state to experience loss of its authority and power, both externally and internally. (Jiang: 396) R2P is an effort in that direction however its use in the recent past has been questionable with serious concerns raised about whether the actions of USA and NATO in Afghanistan, Iraq and Libya enhanced or diminished the role of United Nations? Without any real effort on genuine violence prevention by R2P proponents at all levels of society and governance, R2P will continue to be seen by many with suspicion as an expedient tool of encroachment on a nation-state's sovereignty by veto holding powerful members of the UN and their supporters. These members will have to be respectful and sensitive to the UN, otherwise the UN may meet the same fate as the League of Nations and the Kellogg-Briand Pact.

The progress toward nonkilling security is ultimately tied to building, accepting, and diffusing primarily a global Nonkilling Ethic which accepts that it is every human's fundamental right 'Not to Kill' and 'Not to be killed'. As Life is prerequisite for everything, every other human value becomes secondary to Nonkilling as that defines our existence from our Alpha to Omega.

###

[REFERENCES CITED]

Maillet, Paul, "2013 Defence Matters: A Canadian Appreciation", Submission made July 2013 to a NATO commissioned research project on defence views in NATO national governments and their voters.

WHO Violence and Health (compiled by Joám Evans Pim), Center for Global Nonkilling, 2009, online at www.nonkilling.org

[For free download or for ordering a hard copy of the book, "Nonkilling Security and the State" by Joám Evans Pim (ed.), visit www.nonkilling.org]

12/10/13 (words: 3,204)