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**THE POLICY OF VIOLENCE
AND ITS DESTRUCTIVE IMPACT ON HUMAN
RAPPROCHEMENT**

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ABSTRACT

The legitimacy of a political system is essentially determined by its ability to restrict, and ultimately prevent, the exercise of violence in society on the basis of clearly defined legal rules and procedures, so as to ensure political stability and a dignified life for all citizens. Any *political* use of violence, whether by interest groups or state organs, must be prevented.

The use of force by the state must be restricted to the prevention, or containment, of violent acts domestically and to the repulsion of violence (aggression) internationally. Accordingly, under the rule of law, the only option is the *legal* use of force as a measure of self-defense of the polity, and within the checks and balances of the constitution. A deliberate “policy of violence” – that is based on the creation of fear among the citizens – is not only incompatible with basic human rights, but is diametrically opposed to the *raison d’être* of every state.

At the same time, the state has the responsibility to provide conditions of *social justice* and *equality* to all its citizens so as to eliminate possible causes of violence. When it comes to a sustainable policy of the avoidance of violence, justice and the rule of law are the reverse side of the coin.

On the basis of these maxims, the paper (1) analyzes the nature and scope of violence in the context of political philosophy and contemporary international law. The paper describes the destructive impact of violence on social cohesion and political order in general, and deals with its delegitimizing effect at the national and international level. After an assessment of the specific role and duty of the state and its legal system, the paper (2) explains the social, political and legal implications of violence at the national level (especially in situations of civil war and domestic terrorism) and (3) analyzes the international use of violence (between states as well as against states by groups or individuals, as in the cases of international terrorism). The interdependence between domestic and international violence is particularly explored. The paper (4) concludes with a reflection on the *exclusionary* nature and effect of violence in contrast to the *integrative* mandate of the state, and draws the political and legal consequences from a general ban on the use of force for political aims.

(I)

Violence and state authority*

Civilization requires, first and foremost, the *taming of violence*. Many philosophers have described the “state of nature” as the opposite of civilization. In this primitive state, anarchy and lawlessness prevail,¹ conditions that make it impossible for a society to prosper, and which prevent the advancement of humanity – in the individual as well as in the collective sense.²

One of the decisive criteria or measures for a group’s (a collective’s, a nation’s) civilizational status is the extent to which it is able to control violent behavior of its members, but also of itself as a collective actor (state) vis-à-vis other collectives (states). The “basic lesson of civilization,” one might say, is that of *moral self-constraint* in terms of social behavior. Unlike in the state of nature, in the state of civilization, *violence* as a form of social interaction is to be replaced, albeit realistically only in gradual steps, by *co-operation* – a form of behavior that requires (a) *mutual respect* and (b) the acceptance of *general rules* of behavior that are derived from the principle of equality of all human beings.

It is against this background that the antagonism between *law* and *violence* becomes a central issue of state identity. It is the special role of the state, as organizational structure, to ensure the suppression of violent behavior by its citizens, and to achieve this goal on the basis of clearly defined *legal norms*. This is why the state must possess the “monopoly of violence” (in the sense of a monopoly of the legitimate use of force)³ – in order to preserve an order of non-violence and peace among its citizens.⁴ The very essence of the rule of law lies in this authority of the state at the *meta-level*, namely its power to “enforce” the basic norm of non-violence on a consistent and sustainable basis. This alone will enable the citizens of the state to live *free of fear* and, thus, to fully develop their humanity; and this capability alone will distinguish a state, as a legitimate legal entity,

* Unless otherwise indicated, all web links mentioned in this text were visited on 20 December 2013.

¹ Cf. Thomas Hobbes, *Leviathan* (1651). Oxford: Clarendon Press, 1947 (reprint).

² For details of Hobbes’ theory on conflict in the state of nature see Gregory S. Kavka, *Hobbesian Moral and Political Theory*. Princeton: Princeton University Press, 1986, chapter 3, pp. 83ff.

³ The term (“*Gewaltmonopol*”) was originally coined by the German philosopher Max Weber. See his work *Wirtschaft und Gesellschaft: Grundriss der verstehenden Soziologie* [1921/22]. (Ed. Johannes Winckelmann.) 5th rev. ed., Tübingen: Mohr, 2009, § 17 (“*Politischer Verband, Hierokratischer Verband*”).

⁴ For a general analysis of state and violence see Walter Benjamin, *Zur Kritik der Gewalt und andere Aufsätze. Mit einem Nachwort von Herbert Marcuse*. Frankfurt a. M.: Suhrkamp, 1965.

from a “failed state” – where the state’s inability to control violence among groups on its territory, its loss of the monopoly on violence, has led to a situation of *anarchy*.

Reversely, the state, as the enforcer of the law, must not itself engage in a *policy of violence* against its citizens. Force must only be used in the interest of the common good, namely for the preservation of the state’s legal order (including the norm of non-violence), and within strict legal (constitutional) constraints. This applies to the *domestic*, but also to the *international* level – where the Preamble to the UN Charter clearly states “that armed force shall not be used, save in the common interest.”⁵ Only a dictatorship would adopt violence as a state policy.

In order to analyze the phenomenon of violence properly, it is essential to distinguish between violence as a symptom and violence as a method (i.e. as a tool). The latter characterizes the action of the state as enforcer of norms (which is its constitutional role) – but also, in the case of authoritarian rule, as oppressive power, while the former relates to a possible form of reaction by an individual, a group, or a state, to an actual or perceived injustice or objectionable behavior. In order to minimize the inclination, or resort, to violent behavior as reaction to perceived injustices, the creation of a *just* and *equal* society should be the main priority for a state that is committed to the rule of law, as it should also be the main concern for the international community in regard to inter-state relations. At the domestic level, this concern – in terms of the reactive aspect of violence – is echoed in the words of the late Martin Luther King, Jr.: “A riot is the language of the unheard.”⁶

In order to avoid misunderstandings in terms of the legal implications, a brief conceptual clarification is in place. In contemporary discourse, especially in international relations theory, the terms “violence” and “force” are often used interchangeably.⁷ Semantically, “force” has a wider meaning that also includes, for instance, the “force of arguments” in the sense of the “power” or “strength” of a certain position.⁸ “Force,” thus, could be described, more generally, in the sense of the exertion of power, which may,

⁵ *Charter of the United Nations and Statute of the International Court of Justice*. New York: United Nations, no date, Preamble, second chapter.

⁶ Quoted according to Willie L. Brown, “Riots Echo Decades-Old Anguish of Dispossessed,” in: *San Francisco Examiner*, 3 May 1992, p. A13.

⁷ On the meaning in the context of international law cf. the article of the author: “Force, use of,” in: Joel Krieger (ed.), *The Oxford Companion to International Relations*. New York: Oxford University Press, 2014.

⁸ See also Kellie Carter Jackson, “Violence in Political History: The Challenges of Teaching about the Politics of Power and Resistance,” in: *Perspectives on History*, May 2011, American Historical Association, <http://www.historians.org/publications-and-directories/perspectives-on-history/may-2011/political-history-today/violence-in-political-history>.

though not necessarily, include violent means. The “force of the law,” however, is ultimately guaranteed by violent means. The main distinction here is between *arbitrary* violence as a method of fear and intimidation (as in a *dictatorship* or tyranny, or through a tactic of *terrorism*⁹) and the use of violent means on the basis of specific legal provisions, and within a system of checks and balances (i.e. under the rule of law) as, for instance, in a *democracy* or in a *constitutional state*.

The issue of the specific *role* of violence in the context of politics gives rise to the intricate ethical question as to whether “the end justifies the means” – and under which specific conditions.¹⁰ All through history, this has been one of the most challenging questions of state legitimacy.

(II)

Violence at the domestic level

At the national (domestic) level, the resort to violence has a long and varied history – in different socio-economic contexts and within different civilizations. In situations where (a) a state fails to ensure fairness and justice to all its citizens, or (b) the state structure collapses due to internal or external factors,¹¹ or (c) under conditions of sectarianism where ethnic, religious, or social groups have succeeded to put their interests above those of the nation:¹² in all those situations *violence* may be perceived by the protagonists as the *only means* (1) to settle disputes (that would otherwise be dealt with through negotiations and rational discourse), and, more generally, (2) to preserve a group’s interests in an essentially anarchic struggle for survival, without any consideration for the common good or the integrity of the state as such.¹³

⁹ Terrorism is indeed the most extreme form of the use of violence for political ends, which has become particularly obvious in the era of the French Revolution. One of its leading protagonists, Maximilien de Robespierre, advocating a “reign of terror” to defend the revolution, but also aware of the grave moral dilemma, spoke about “virtue, without which terror is destructive,” and “terror, without which virtue is impotent.” (*Report Upon the Principles of Political Morality Which Are to Form the Basis of the Administration of the Interior Concerns of the Republic*. [English translation] Philadelphia, 1794.)

¹⁰ On the ethical dilemma of the use of force see James B. Conant, “Force and Freedom,” in: *Atlantic Monthly*, Vol. CLXXXIII (January 1949), pp. 19-22.

¹¹ On the notion of “failed state” and the implications for international relations see James A. Piazza, “Incubators of Terror: Do Failed and Failing States Promote Transnational Terrorism?” in: *International Studies Quarterly*, Vol. 52 (2008), pp. 469-488.

¹² On the risks of political exploitation of ethnicity see Donald L. Horowitz, *Ethnic Groups in Conflict*. Berkeley: University of California Press, 1985, esp. Part 3: “Party Politics and Ethnic Conflict.”

¹³ As an illustration of the devastating consequences of the “politicization of violence,” see the brilliant analysis of Ian Kershaw of the history of conflict in 20th century Europe: “War and Political Violence in Twentieth-Century Europe,” in: *Contemporary European History*, Vol. 14, No. 1 (2005), pp. 107-123.

There are three typical situations of political violence¹⁴ – or violence as a “political language”¹⁵ – in the domestic context (which, however, cannot be isolated from the transnational dimension¹⁶):

- (A) **Civil war situations:** Examples are: the confessional conflicts in 16th and 17th century Europe; ethnic conflicts in the wake of state collapse such as the violence on the territory of the former Soviet Union or the former Yugoslavia during the 1990s; uprisings in the Arab world since 2011, which have resulted from situations characterized under (a) above, and, in some cases, have led to confrontations described under (c). These conflicts often include acts of ethnic cleansing and genocide.¹⁷
- (B) **Domestic terrorism:** This means the use of violence by individuals or groups to achieve specific political goals (that may be related to economic, cultural or religious issues or grievances). These uses of violence are essentially aimed at creating fear among the civilian population and/or directed at institutions that are identified with the power and authority of the state.¹⁸
- (C) **Violence used by the state as a means of terror** (“state terrorism”) to impose and maintain an unjust order or to uphold totalitarian control over its citizens:¹⁹ This extreme and arbitrary (illegal) use of violence by state organs is not to be confused with what would be tolerable as (legal) exercise of the “monopoly of violence,” including the use of

¹⁴ This is not to be understood as an exhaustive list, however.

¹⁵ The term is used by Kellie Carter Jackson in her analysis of teaching about violence in the historical context, *op. cit.*

¹⁶ See Chapter III below.

¹⁷ In an analysis of domestic violence in Africa, Jacqueline M. Klopp and Elke Zuern have made the point that democratization processes in ethnically heterogeneous countries may also lead to large-scale violence that in turn will accelerate the disintegration of society and lead to a loss of social cohesion: “The Politics of Violence in Democratization: Lessons from Kenya and South Africa,” in: *Comparative Politics*, Vol. 39, No. 2 (January 2007), pp. 127-146.

¹⁸ For a general analysis of terrorist violence in the context of state authority and legality see Saul Newman, “Terror, Sovereignty and Law: On the Politics of Violence,” in: *German Law Journal*, Vol. 5, No. 5 (2004), pp. 569-584.

¹⁹ For details see, *inter alia*, Laura Westra, *Faces of State Terrorism*. (Studies in Critical Social Sciences.) Leiden: Brill, 2012, chapter 4: “State Terrorism and Economic Oppression: The Many ‘Faces’ of State Terrorism,” pp. 101ff.

armed force, by a legitimate state and within the constraints defined by law.²⁰

Media violence

Apart from these typical situations, or constellations, of the political use of violence, there are two pervasive *societal trends* that underlie, and reinforce, a “climate of violence” which is detrimental to social cohesion and political stability, whether in the short or in the long term. The latter seems to be the case with a kind of *mega-trend* in the consumer societies of the modern industrialized world: Violence has become a rather common ingredient of entertainment. For essentially commercial reasons, the media industry seems to have opted to engage in, and exploit, a “cult of violence” that, in the meantime, has become a hallmark of modern pop culture.²¹ This is more than obvious in an ever larger number of movies, computer games, Internet sites, etc. In a comprehensive and far-reaching analysis and documentation, American scholar Nancy Signorielli bluntly stated: “Although violence has always been a part of society and human nature, at no other time in history have people of all ages and walks of life been exposed to as many violent images and messages as they are today.”²² It goes without saying that the heroization or glorification of violence, or its exploitation for purposes of entertainment, goes against the moral teachings of virtually all religions. Nonetheless, the public does not in any way seem to be immune against the persuasions of the industry.²³

Due to individual states’ – and the international community’s – proven inability (or lack of resolve?) to contain this trend, the consequences are indeed deep and serious. They are visible in what one might call the “brutalization” of social attitudes, especially in the field of youth culture. It should surprise non one if, in the long term, this kind of violent social culture will lead to the *fragmentation of society* (threatening the stability of the state and its legal order) and to a “politics of violence” where the resort to naked force is not

²⁰ See Max Weber, *op. cit.*

²¹ See esp. Richard Jackson, “Introduction,” in: *Re(constructing) Cultures of Violence and Peace*. Amsterdam / New York: Editions Rodopi B.V., 2004, pp. 1ff.

²² *Violence in the Media: A Reference Handbook*. Santa Barbara (CA): ABC-CLIO, 2005, p. 2.

²³ Cf. Ann Marie Seward Barry, *Visual Intelligence: Perception, Image, and Manipulation in Visual Communication*. Albany: State University of New York Press, 1997, chapter 8: “Media Images and Violence,” pp. 301ff.

anymore taboo (whether in individual or group behavior). In this regard, we also must not overlook the brutalizing effect of wars on society in general.²⁴

Electoral violence

The other pervasive trend, with short- as well as long-term effects, is particularly dominant in the non-Western world (although it was quite common in 20th century Europe before World War II). In many a country, the “politics of violence” has become a characteristic feature of *electoral competition*. Conflicts of interests and ideological disputes are waged with violent means, whether by parties or other societal groups, or by the executive power of the government (police or military forces). The tactics of intimidation, including the use of lethal force, are similar, in nature, to terrorist violence. Campaigns that are supposed to be a (peaceful) *competition* between political programs and ideas, to facilitate rational choice by the populace, often degenerate into fierce fights that remind one of the literal, not just metaphorical, meaning of the German word *Wahlkampf* (“electoral battle”). One could mention here many recent examples such as the violent confrontations, in connection with elections and the competition between political parties, in Afghanistan, Algeria,²⁵ Iraq, Libya, South Asia (India, Pakistan, Bangladesh),²⁶ Philippines, Côte d’Ivoire, Kenya,²⁷ Zambia,²⁸ etc. This kind of political violence was endemic in Europe in the period between the two world wars (e. g. in Nazi Germany,²⁹ among fascist movements in other European countries, in the Soviet Union after the

²⁴ In regard to recent European history, this nexus has been painstakingly analyzed by Ian Kershaw: “War and Political Violence in Twentieth-Century Europe,” in: *Contemporary European History*, Vol. 14, No. 1 (2005), pp. 107-123.

²⁵ See the comprehensive analysis of Kelsey Lilley, “A Policy of Violence: Insurgent and Counterinsurgent Tactics in the Algerian War of Independence and Algerian Civil War,” Case Study 2: “The Algerian Civil War, 1990-1998,” *e-International Relations*, 12 September 2012, <http://www.e-ir.info/2012/09/12/a-policy-of-violence-the-case-of-algeria/>.

²⁶ Paul Staniland, *Militarized Elections and the Politics of Violence in South Asia*. Paper presented at American Political Science Association Meeting (Chicago 2013), <http://home.uchicago.edu/~paul/Staniland/MilitarizedElectionsMar13.pdf>. – On recent incidents in India see the articles of Oommen Kuruvilla, “Beware, violence has boomerang effect,” in: *Times of Oman*, 30 October 2013, <http://www.timesofoman.com/Columns/Article-1454.aspx>, and “Gandhi condemns politics of violence,” in: *The Telegraph*, Calcutta, 10 January 2013, www.telegraphindia.com/1130111/jsp/bengal/story_16428379.jsp.

²⁷ Lydiah Kemunto Bosire, “The politics of violence and accountability in Kenya.” *Oxford Transitional Justice Research Working Paper Series*, 16 July 2009, <http://otjr.csls.ox.ac.uk/materials/papers/44/bosirefinal.pdf>.

²⁸ Cf. the commentary by Masuzyo Chakwe, “YALI condemns politics of violence,” in: *The Post Newspapers Zambia*, 6 February 2013, http://www.postzambia.com/post-read_article.php?articleId=30206.

²⁹ On the political instrumentalization of violence in post-World War I Germany up to the fascist takeover see esp. Hans Mommsen, *The Rise & Fall of Weimar Democracy*. (Trans. Elborg Forster & Larry Eugene Jones.) Chapel Hill: University of North Carolina Press, 1996.

Bolshevik revolution, in the years of Stalinist terror, etc.).³⁰ In a commentary on the situation in Kenya (which has also brought about the involvement of the International Criminal Court), Daniel Branch notes a dangerous trend in domestic politics, which he characterizes as the “normalization of violence.” This also applies to the “politicization of violence” (i.e. the use of violence as an instrument of politics) in the other countries mentioned here. In Branch’s analysis of the events in Kenya, “violence has become a well-established means by which power and authority [...] is contested in a variety of settings.”³¹

In such a context – where violence increasingly replaces lawful means of political competition – the polity disintegrates and the state, having abandoned the “monopoly of violence,” gradually loses its legitimacy. The country risks becoming a “failed state” whose fate may affect, and destabilize, not only the neighbouring states, but even the wider region. This is the typical situation of *anarchy* which (1), *directly*, is the result of uncontrolled violence between groups of society and (2), *indirectly*, the consequence of the state’s loss of the monopoly of violence.

Spill-over effect of domestic violence

The international dimension of domestic violence is particularly obvious in the socio-political dynamic of *civil war*. The combatants, representing rival groups in terms of ethnicity, religion or vested interests, will sooner or later, and almost unavoidably, (a) look for outside support, or (b) attract outside involvement (whether intended or not), or (c) try to “export” the conflict to neighboring countries (as a tactic of war). The developments triggered by the conflicts in Afghanistan, Iraq, Somalia, Syria, among others, are clear evidence of this risk. In 20th century history, the civil war in Spain was another example of the “transnational dynamic “of civil strife.”³²

The repercussions of “internationalization” – in terms of the dynamic of an originally domestic conflict and the impact and scope of violence – are far-reaching and serious:

³⁰ For a historical overview in the context of the populist politics of the inter-war period in Europe see also Ian Kershaw, *op. cit.*

³¹ Daniel Branch, “The Normalisation of Violence.” *Oxford Transitional Justice Research Working Paper Series*, 17 July 2009, http://www.csls.ox.ac.uk/documents/Branch_-_the_normalisation_of_violence_OTJR.pdf.

³² For a general analysis see the article of Eric M. Forman, “Civil War as a Source of International Violence,” in: *The Journal of Politics*, Vol. 34, Issue 04 (November 1972), pp. 1111-1134.

- (a) An increase in the *intensity* and *duration* of the conflict: Outside support, or the expectation of it, will make conflicting parties even more intransigent and less inclined to seek compromise with their adversaries.³³ This will not only be detrimental to a negotiated settlement, which is obvious, but it will also have a long-term negative impact on social cohesion and peace.
- (b) *Regional destabilization*: Due to the involvement of third parties in otherwise local disputes or tensions, the threat of terrorist acts in neighboring countries may increase. The interdependence between local and foreign conflict situations may well create the risk of a *chain reaction* at the regional level. Examples are the situation in and around Iraq and, more recently, in and around Syria. In our era of global interdependence, civil wars and other forms of violence at the domestic level, mutually reinforcing each other at the regional level, may also have worldwide repercussions. Domestic and international violence cannot anymore be seen in isolation.

(III)

Violence at the international level

In a general sense, international violence can be defined (a) as violence by and between states (“war”) and (b) as violence by non-state actors against states. Historically, it has been one of the main concerns of international law to regulate, and tame, the use of force between states.³⁴ War and the violent settlement of disputes has nonetheless been one of the main features of the history of mankind.

An analysis of violence and its impact on human rapprochement at the international level will have to deal with the issue of *war-proneness of states* and its

³³ A case in point is the domestic conflict in Syria. Cf. the interview with the author published in the Turkish newspaper *Zaman*: “Man soll sich nicht von außen militärisch einmischen.” *ZAMAN* im Gespräch mit Prof. Hans Köchler.” *ZAMAN Österreich*, Vienna, 20 March 2012, http://avusturya.zaman.com.tr/at/newsDetail_getNewsById.action?newsId=249989.

³⁴ For a general analysis of the legal issues see, *inter alia*, Hans Köchler (ed.), *The Use of Force in International Relations: Challenges to Collective Security*. Studies in International Relations, Vol. XXIX. Vienna: International Progress Organization, 2006.

structural (systemic) reasons. There are basically two aspects, or criteria, of a state's inclination to the external (international) use of violence:

- (a) *War-proneness of authoritarian states* (that practice a “policy of violence” domestically): Aggressive behavior vis-à-vis other states (externally) to divert attention from internal problems (that result from domestic oppression and the deep social frustrations caused by it) is a historically proven pattern of behavior of authoritarian and repressive régimes. Conversely, it is argued that democracies are also more peaceful internationally. Following Rudolph J. Rummel and his extensive statistics of state behavior,³⁵ the advocates of the “democratic peace theory”³⁶ have been trying to prove that there is indeed a negative correlation between the democratic organization of a polity and its inclination to aggressive behavior externally. It is further argued that democracies do not engage in violent conflict with each other.³⁷
- (b) *War-proneness of great powers* (i. e. as a characteristic of power politics)³⁸, irrespective of whether the governmental system is “authoritarian” (repressive) or “democratic”: A case in point is the so-called “humanitarian interventions” of the post-Cold War era.³⁹ Under the influence and effective leadership of great powers, military operations that would otherwise be outlawed under modern international law have been repeatedly undertaken with the proclaimed aim of protecting the civilian population in situations of civil war. However, it is to be ascertained in each and every case whether the stated humanitarian motive (“responsibility to protect”) is more than a tool of legitimization of an agenda of power politics that would, in its

³⁵ Rudolph J. Rummel, *Understanding Conflict and War*. 5 Vols. Beverly Hills (CA): Sage Publications, 1975-1981.

³⁶ For an elaboration of this concept see Nils Petter Gleditsch, “Democracy and Peace,” in: *Journal of Peace Research*, Vol. 29, No. 4 (1992), pp. 369-376.

³⁷ Cf. Aaron Wildavsky, “No War without Dictatorship, no Peace without Democracy: Foreign Policy as Domestic Politics,” in: *Social Philosophy and Policy*, Vol. 3, No. 1 (Autumn 1985), pp. 176-191. – Similarly, Francis Fukuyama speaks of the “fundamentally un-warlike character of liberal societies” (*The End of History and the Last Man*. New York: Perennial, 2002, p. 262.)

³⁸ For a general analysis see the author's article: “The Politics of Global Powers,” in: *The Global Community. Yearbook of International Law and Jurisprudence*, 2009, Vol. I, pp. 173-201.

³⁹ For a general assessment see Hans Köchler, *The Concept of Humanitarian Intervention in the Context of Modern Power Politics: Is the Revival of the Doctrine of "Just War" Compatible with the International Rule of Law?* (Studies in International Relations, Vol. XXVI.) Vienna: International Progress Organization, 2001.

own right, not justify the use of violent means.⁴⁰

The “bellicose,” and absolute, understanding of sovereignty (that is often characteristic of great powers) is nowhere more poignantly expressed than in the dictum originally attributed to Cardinal Richelieu of France, and later adopted by Louis XIV of France and King Frederick the Great of Prussia, according to which the “cannons” are the *ultima ratio regum* (“the last resort of kings”).⁴¹

Historically, violent behavior of states was understood to be one of the political options that belong to the exercise of state sovereignty. The *jus ad bellum* (“right to war”) was considered a natural prerogative of the sovereign ruler. A paradigm change in terms of international law – and morality – occurred only rather recently with the general ban on the use of force in the Briand-Kellogg Pact of 1928 and in Article 2(4) of the Charter of the United Nations (1945).⁴² In view of these developments, war cannot anymore be considered – according to the famous dictum of von Clausewitz – as the “continuation of politics by other means.”⁴³ The ban on the use of force also includes the interdiction of the *threat of force* since a threat, as *intimidation* of the other, is itself of violent nature.⁴⁴

Irrespective of the potential merits of a *multilateral* use of force for strictly humanitarian purposes, one must be aware of the demoralizing effect of *unilateral* uses of force on the international community (such as the occupation of Palestinian territories in 1967, the invasion of Afghanistan in 1979, or the invasion of Iraq in 2003, to mention only a few). How should the community of states ever be convinced, and prepared, to respect the general ban on the use of force – the main requirement of sustainable peace – if the most powerful states simply neglect that principle, putting the assertion of their “national interests” above international law and morality; and how should the citizens be convinced of the (moral as well as legal) legitimacy of these undertakings?

⁴⁰ For the underlying doctrine see Paragraph 138 of the *2005 World Summit Outcome* (“Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity”): United Nations, General Assembly, A/RES/60/1, adopted on 24 October 2005.

⁴¹ These words were inscribed on the bronze cannons of the French and Prussian armies (in the latter case in the singular version: *ultima ratio regis*).

⁴² For details see Hans Köchler, “Sovereignty, Law and Democracy versus Power Politics,” in: *Current Concerns*, No. 34, Supplement, Zurich, 22 November 2013, pp. 18-25.

⁴³ Carl von Clausewitz, *Vom Kriege: Auswahl*. (Ed. Ulrich Marwedel.) Stuttgart: Reclam, 1981.

⁴⁴ For the legal aspects see Nikolas Stürchler, *The Threat of Force in International Law*. Cambridge Studies in International and Comparative Law. Cambridge / New York etc.: Cambridge University Press, 2007.

Furthermore, resort to war (namely the unilateral use of force) totally undermines and discredits the idea of *international solidarity*, and it creates *mistrust* between the *peoples*. A violent foreign policy that operates with ultimatums and threats of intervention against other states makes a mockery of the United Nations Charter's principle of "sovereign equality" (Article 2[1]) and precludes *partnership* between sovereign states. It further strengthens prejudices and reinforces enemy stereotypes, conjuring up the very "clash of civilizations" that has become a major concern since the end of the Cold War.⁴⁵

It is a well-established historical fact, rooted in the psychology of collective behavior, that aggressive action of states against other states not only leads to violent reactions by the targeted countries, but also may trigger chain reactions of international violence such as last century's two world wars. The dictum "violence begets violence," famously used by Martin Luther King, Jr. in the era of race struggle in the United States,⁴⁶ is particularly pertinent in the transnational domain.

It is therefore no surprise that, in view of the systemic repercussions and in the interest of a stable global order, the use of violent means is only admissible as an *exception*, and in the service of the common interest.⁴⁷ This relates to (individual and collective) *self-defense* according to Article 51 of the UN Charter and to measures "to maintain or restore international peace and security" on the basis of Chapter VII of the Charter. The underlying idea is that of *collective* security – in distinction from the arbitrariness of unilateral action that has been characteristic of traditional power politics.

Among the most pervasive forms of inter-state violence are the occupation and/or annexation of foreign territory. It has indeed been one of the most enduring causes of conflict since ancient times, and not only since the era of colonialism. As outright negation of the right to self-determination, which has been generally recognized since the end of the colonial era, armed occupation has not only provoked *reactive* violence

⁴⁵ The notion was originally coined by Bernard Lewis ("The Roots of Muslim Rage," in: *The Atlantic Monthly*, Vol. 266, No. 3, September 1990, pp. 47-60) and later used, and made a household name, by Samuel P. Huntington: "The Clash of Civilizations?" in: *Foreign Affairs*, Vol. 72, No. 3, Summer 1993, pp. 22-49.

⁴⁶ "Hate begets hate; violence begets violence; toughness begets a greater toughness. We must meet the forces of hate with the power of love." Martin Luther King, *Stride toward Freedom*. New York: Harper & Brothers, 1958, p. 87.

⁴⁷ Cf. the text in the Preamble of the United Nations Charter ("armed force shall not be used save in the common interest").

(“liberation struggles”) on the part of subjugated peoples, but also has challenged the very system of rules (“international rule of law”) on which today’s global order is built.⁴⁸

The arrogance of power, which is typical of imperial (or, more precisely, imperialist) rule, is also obvious in the ambition to reshape the cultural and civilizational identity of entire nations in the image of the conqueror (or the intervening power).⁴⁹ A case in point is the policy of “régime change,” or the imposition of a different political system, on another polity by military force (instead of through diplomacy and persuasion or, gradually, through economic co-operation). Such uses of force have often proven to breed further resentment, and to destabilize the polity in question. They have almost always ultimately been counterproductive – not to speak of their legally dubious nature (even if undertaken in the framework of “humanitarian intervention” or as actions based on the “responsibility to protect”).⁵⁰

Another *systemic problem* of the use of violence in today’s international order is directly related to the tradition of imperial rule in 19th century Europe, and to the emphasis on national sovereignty in an *exclusivist* meaning (that, in a certain sense, is also documented in the provisions of Chapter VII of the UN Charter). The five “great powers” of 1945⁵¹ – all of whom have acquired nuclear capability – enjoy a special – one might say excessive – privilege as “permanent members” of the United Nations Security Council. Due to the *veto* provision of Article 27 of the Charter, they are the only countries that effectively are in a position to use force against other states (i. e. *unilaterally*) without the fear of coercive measures against themselves.⁵² Shortly after the foundation of the world organization, the Austrian legal philosopher Hans Kelsen has identified this as a major

⁴⁸ A case in point is the continued violation of United Nations Security Council resolutions in connection with the occupation of Palestinian territories since 1967. See Hans Köchler (ed.), *The Legal Aspects of the Palestine Problem with Special Regard to the Question of Jerusalem*. (Studies in International Relations, Vol. IV.) Vienna: Braumüller, 1981.

⁴⁹ Cf. Hans Köchler, “Civilization as Instrument of World Order? The Role of the Civilizational Paradigm in the Absence of Balance of Power,” in: *IKIM Journal of Islam and International Affairs / Jurnal Islam dan hubungan antarabangsa IKIM*, Vol. 2, No. 3 (2008), pp. 1-22.

⁵⁰ For a recent example where the use of force has resulted in large-scale destabilization, almost disintegration, of a country see Hans Köchler, *MEMORANDUM by the President of the International Progress Organization on Security Council Resolution 1973 (2011) and its Implementation by a "Coalition of the Willing" under the Leadership of the United States and the North Atlantic Treaty Organization*. International Progress Organization, Doc. P/22680c, Vienna, 26 March 2011, <http://i-p-o.org/IPO-Memorandum-UN-Libya-26Mar11.pdf>.

⁵¹ These are the four “sponsoring governments” of the UN Charter (United States, USSR [succeeded by Russia], UK, and China) plus France.

⁵² For details see Hans Köchler, *The Voting Procedure in the United Nations Security Council: Examining a Normative Contradiction and its Consequences on International Relations*. (Studies in International Relations, Vol. XVII.) Vienna: International Progress Organization, 1991.

problem of, or obstacle to, the international rule of law (the achievement of which is absolutely essential for *peaceful co-operation* among member states as equals): “The veto right of the permanent members of the Security Council places them above the law of the United Nations, establishes their legal hegemony over all the other Members, and thus stamps the Organization with the mark of an autocratic regime.”⁵³ It is not surprising that this privilege encouraged – or reinforced – what nowadays is called a “policy of double standards” in matters of international security and peace. It risks making the United Nations system of *collective* security (that is based on the sovereign equality of states)⁵⁴ entirely dysfunctional – with the long-term erosion of the very legitimacy of the United Nations Organization as a consequence. As recent history has demonstrated, the veto has also effectively undermined the general ban on the use of force, and indirectly encouraged the use of violent means for political purposes – and not only by the most powerful international actors.

In our era of globalization, with the ever more complex interdependence between states with different social, cultural, economic and political systems, a militaristic foreign policy and the unilateral use of violence have not only brought about an increase of regional tensions and made the world less safe, but also have contributed to a global climate of confrontation with civilizational undertones.⁵⁵

International terrorism

The recent phenomenon of international terrorism cannot be seen in isolation from the unilateral use of violence by states. The controversy around the “global war on terror” touches upon the very essence of the use of violent means by state and non-state actors alike. It relates to basic questions of the moral and legal qualification of the use of force in the context of global power relations. Terrorism, as instrumentalization of violence for political purposes, is an almost classical case of the maxim “the end justifies the means,”

⁵³ Hans Kelsen, “Organization and Procedure of the Security Council of the United Nations,” in: *Harvard Law Review*, Vol. 59 (1946), p. 1121.

⁵⁴ Article 2(1) of the UN Charter.

⁵⁵ See, *inter alia*, Hans Köchler, “The ‘Clash of Civilizations’: Perception and Reality in the Context of Globalization and International Power Politics,” in: Felix Kalandarishvili et al. (eds.), *Materials of the Tbilisi International Forum “Globalization and Dialogue between Civilizations.”* Tbilisi, Georgia: International Forum “Globalization and Dialogue between Civilizations,” 2004, pp. 62-70.

which expresses a perennial dilemma of political and legal philosophy also in the face of the state's monopoly on violence.⁵⁶

For the purpose of definition, we understand as “international terrorism”:

trans-border and/or internationally organized and politically motivated acts of violence against civilians or state institutions or state representatives with the aim of (a) destabilizing or destroying a state's political order, or (b) realizing a particular group's political (social or national) aspirations – whether domestically or in a larger regional or even global context. (The latter motivation is specifically *ideological* and not merely related to social or economic grievances.)⁵⁷

In general, the *modus operandi* of terrorism is that of instilling fear, and its logic is that of *blackmail*. There are no other acts of violence that would be more incompatible with, or diametrically opposed to, social harmony at the domestic and peaceful co-existence at the international level. In the absence of a legally agreed definition,⁵⁸ the General Assembly of the United Nations has characterized terrorism as “criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political reasons.”⁵⁹ It is to be noted that an “operative” definition of terrorism includes acts of non-state and state actors (“state terrorism”) alike.⁶⁰ If we follow this definition, the notion “global war on terror” will have to be clarified in the sense of a *joint*, not unilateral, worldwide effort to eliminate the causes of terrorist acts and to apprehend those responsible.⁶¹

⁵⁶ For a general analysis of the instrumental aspect of violence and its legal implications see the author's article “Force, use of,” *loc. cit.*

⁵⁷ For an analysis of the different aspects of the concept see, *inter alia*, Edwin R. Micewski, “Terror and Terrorism: A History of Ideas and Philosophical-Ethical Reflections,” in: *Strategic Insights*, Vol. IV, Issue 8 (August 2005), http://mercury.ethz.ch/serviceengine/Files/ISN/32118/ichaptersection_singledocument/4047817c-12ba-4e0c-b760-9d10ac97cb87/en/micewskiAug05.pdf.

⁵⁸ On the problem of definition of the term terrorism see “Definitions of Terrorism,” United Nations / Office on Drugs and Crime, http://www.odccp.org/odccp/terrorism_definitions.html. – See also Alex P. Schmid and Albert J. Jongmann, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*. Amsterdam / New York: North-Holland Publishing Co., 1988.

⁵⁹ Resolution 54/110 of 2 February 2000, operative Paragraph 2.

⁶⁰ On the notion of “state terrorism” see Hans Köchler (ed.), *Terrorism and National Liberation. Proceedings of the International Conference on the Question of Terrorism*. Studies in International Relations, Vol. XIII. Frankfurt a. M. / Bern / New York: 1988.

⁶¹ For details of the concept and underlying strategy see esp. the critical analysis of Jeffrey Record, *Bounding the Global War on Terrorism*. Strategic Studies Institute, United States Army War College, Carlisle, Pennsylvania, December 2003. – On the Security Council's role see the author's analysis: *The Security Council as Administrator of Justice? Reflections on the Antagonistic Relationship between Power*

Any analysis of the phenomenon of international terrorism is superficial, and will not be conducive to the formulation of policy options, if it does not also deal with violence as a *symptom*, which means addressing the (ideological) *motives* and (social or economic) *causes* of terrorist acts. To merely describe those acts of violence as acts of pure evil, committed by evil people for the sake of evil, means to refuse a *causal analysis* based on a rational assessment of specific social, economic, cultural and historical factors. This form of *demonization* of violence gives terrorism a quasi-metaphysical dimension, which it does not possess under the conditions of real politics.⁶²

Terrorism, as a strategy, is targeting the state as such; it is aiming at the very *integrity* of the polity (as *community* of citizens). Terrorist violence is meant to break the bonds of solidarity between the citizens and to undermine, and ultimately destroy, the confidence the citizen has in the state as guarantor of public order and individual freedom, and as embodiment of the rule of law.⁶³

Accordingly, the tactics of terror are defined by *unpredictable* and *random* violence. Terrorism, including a state policy of terror,⁶⁴ may well contribute to, and be the cause of, state collapse (as in the cases of Somalia or Libya) while it may also be a symptom of a failed state. This *duality of symptom and cause* drastically demonstrates the complexity of a phenomenon that threatens social cohesion domestically (since it may lead to the fragmentation of society into mutually suspicious groups)⁶⁵ and undermines, in an international context, the confidence that is indispensable for durable peace among nations.⁶⁶

and Law. (Studies in International Relations, Vol. XXXII.) Vienna: International Progress Organization, 2011, Chapter IV, pp. 59ff.

⁶² On the aspect of demonization see the author's analysis: "The Global War on Terror and the Metaphysical Enemy," in: Hans Köchler (ed.), *The "Global War on Terror" and the Question of World Order*. Studies in International Relations, Vol. XXX. Vienna: International Progress Organization, 2008, pp. 13-35, esp. chapter 1, pp. 13ff.

⁶³ For the relationship between the rule of law and individual liberty in the context of the political history of Europe see esp. Blandine Kriegel, *The State and the Rule of Law*. Princeton: Princeton University Press, 1995.

⁶⁴ For a case study and analysis of state terror relating to the events in Cambodia (1975-1979) see Rosemary H. T. O'Kane, *Terror, Force, and States: The Path from Modernity*. Edward Elgar: Cheltenham, 1996, pp. 180ff.

⁶⁵ On the complexity of the causes of terrorism in the context of a global agenda of non-violence see esp. Johan Galtung, "On the Causes of Terrorism and their Removal," in: Hans Köchler (ed.), *Terrorism and National Liberation*, pp. 51-66.

⁶⁶ On terrorism in the context of global peace see Resolution 60/288 of the United Nations General Assembly, adopted on 8 September 2006: "The United Nations Global Counter-Terrorism Strategy."

Terrorism expresses the *logic of war* in its purest and most extreme form. The terrorist's tactic to impose his will by brute force *precludes* any form of a negotiated settlement of the dispute or grievances that, whether justified or not, may be at stake in a given constellation. One may thus say about the *nature* of terrorist violence that it is not merely illegal, but intrinsically *unethical*, and that, in many instances, it has the nature of *collective punishment*.

In the interest of the community of citizens it embodies, the state nonetheless has to react to the terrorist challenge in a *rational*, not vengeful, manner. In order to be able to address the grievances that may have led to terrorist acts, the state has to analyze the causes of violence in all their complexity.⁶⁷ The maxim of political wisdom – in regard to the challenge of terrorist violence – could be summarized as the need for: “*understanding* terrorism also as a symptom, but not *dealing* merely with the symptoms.” Security measures, as advanced and sophisticated as they may be, can only be *ad hoc* steps that will have to be complemented by a *political* approach and a long-term strategy of “containment” in a comprehensive social, cultural and economic sense.

A policy that is oriented towards *societal harmony*, at the domestic level, and informed by a *co-operative attitude*, at the international level, is indeed the best antidote to terrorist violence. The effort dubbed the “global war on terror” will be doomed to fail if the states engaged in it refuse to identify and address the root causes, and if the rationale of that “war” is just that of a more efficient and sophisticated use of violent means (in comparison to those of the terrorists).⁶⁸ Dealing with the symptoms can never be a surrogate for a comprehensive political strategy against terrorist violence.

⁶⁷ For the importance of a comprehensive and inclusive strategy see the author's article: “Terrorism and Counter-terrorism: Towards a Comprehensive Approach,” in: Hans Köchler, *Manila Lectures 2002: Terrorism and the Quest for a Just World Order*. Quezon City: Foundation for Social Justice, 2002, pp. 29-42.

⁶⁸ For a critical analysis in connection with the situation in the Middle East see the commentary by Harlan Ullman, *The wrong war again*. UPI United Press International, “Outside View,” 30 October 2013, http://www.upi.com/Top_News/Analysis/Outside-View/2013/10/30/The-wrong-war-again/UPI-52011383105840/.

(IV)

Conclusion:**The exclusionary nature of violence versus the inclusive mandate of politics**

A harmonious society – at the domestic, regional and global level – is only possible if the use of violence is restricted to the *meta-level*, namely as a measure of last resort to enforce the very ban on violence (between individuals as well as collectives, by state as well as non-state actors):

- (a) Domestically, this refers to the role of the state whose “monopoly of violence” means the authority to use of force within the *limits* of the law and for the *enforcement* of that very law. For that supreme authority to be perceived as legitimate, a functioning separation of powers, and in particular an independent judiciary, are indispensable.⁶⁹ Only such provisions can prevent the *arbitrary* exercise of state power, which, in turn, may breed violence and undermine social cohesion.
- (b) Internationally, the exercise of violence at the meta-level refers to the role of the United Nations Security Council and its authority, under Chapter VII of the UN Charter, to maintain or restore international peace and security. However, it seems to be the predicament of the world organization that its Charter lacks the essential provisions for a genuine separation of powers.⁷⁰ This structural deficiency has been at the roots of the legitimacy problem of the United Nations Organization as guarantor of peace and the international rule of law ever since its foundation.⁷¹

Apart from these uses of force at the meta-level (in the sense of emergency measures to preserve the common good and the rule of law),⁷² violence, in general, is an **extreme rejection of rationality**. It precludes the resolution of a dispute or conflict of interests

⁶⁹ On the nature and function of the separation of powers in the context of the rule of law see esp. Immanuel Kant, *Zum ewigen Frieden* (On Perpetual Peace) (1795), “First Definitive Article for Perpetual Peace.” English edition: *Perpetual Peace and other essays on politics, history, and morals*. (Translated, with Introduction, by Ted Humphrey.) Indianapolis / Cambridge: Hackett Publishing Company, 1983.

⁷⁰ For the difficulties in terms of restraining the unilateral use of force by states (that result from the lack of a separation of powers) see, *inter alia*, the author’s analysis: “The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of World Order,” in: *Chinese Journal of International Law*, Vol. 5, No. 2 (2006), pp. 323-340.

⁷¹ For details see, *inter alia*, Hans Köchler, *The Security Council as Administrator of Justice? Reflections on the Antagonistic Relationship between Power and Law*.

⁷² For a philosophical analysis of violence in the context of state authority see also Walter Benjamin, “Zur Kritik der Gewalt,” *op. cit.*, pp. 29-65.

(whether between individuals, between collectives [states], or between individuals and collectives) on the basis of an open *discourse* among the parties.

Only free and open debate can help individuals as well as collectives (states) (a) to analyze the exact nature and underlying reasons of a dispute, (b) to identify common ground between divergent positions, and (c) to eventually reach a *compromise* which, in turn, can be the basis for lasting peace according to the (rational) principle of mutuality. Resort to violence as a means of politics is always a defeat of reason and common sense. History has amply proven that this makes force ultimately *ineffective*. Furthermore, as Noam Chomsky pointed out, violence “antagonizes the uncommitted” and thus is counterproductive even according to its own aspirations.⁷³

In terms of social order, violence is *exclusionary* and a total rejection of human dignity. It means *negation of the other* (whether individual, group or state) and reduces the human being to the status of a mere *object* (as target of aggression, in the most extreme form even of annihilation). Nonviolence, in contrast, to use the words of Mahatma Gandhi, “is the law of the human race and is infinitely greater than and superior to brute force.”⁷⁴

History has amply proven the *destructive* nature of violence in relation to the state as a *community* of citizens. Violence, whether used by individuals or groups, is incompatible with a sense of *joint purpose* that, in turn, is indispensable for the state as guarantor of public order (and thus for the enjoyment of rights by all its citizens) and for the state’s role as a sovereign actor at the international level. As a political tactic, violence is also self-defeating. In the often quoted words of Martin Luther King, Jr., “The ultimate weakness of violence is that it is a descending spiral, begetting the very thing it seeks to destroy.”⁷⁵

Violence indeed represents the animal instincts of the human race. It has to be transcended towards a pattern of behavior that is based on the *rational capacity* of man,

⁷³ Noam Chomsky et al., *The Legitimacy of Violence as a Political Act? Noam Chomsky debates with Hannah Arendt, Susan Sontag, et al.* December 15, 1967, <http://www.chomsky.info/debates/19671215.htm>. – Similarly, Chandra Muzaffar in a recent commentary speaks of the “utter futility of terror tactics in order to secure one’s political goals.” (“Nairobi and Peshawar: The Futility of Terror Tactics.” Statement, *JUST Commentary*, Vol. 13, No. 10, October 2013, p. 4.)

⁷⁴ Quoted according to: *Mahatma Gandhi’s Writings*, chapter “Peace, Non-violence & Conflict Resolution: The Gospel of Non-violence,” published by Gandhi Book Centre / Gandhi Research Foundation, India, <http://www.mkgandhi.org/nonviolence/phil1.htm>.

⁷⁵ Martin Luther King, Jr., *Where Do We Go from Here: Chaos or Community?* Boston: Beacon Press, 1968, p. 62.

which means conflict resolution through careful, and honest, analysis of points of difference and identification of possible areas of compromise. This is the fundamental *task of politics* – insofar as politics is indeed committed to the common good. At the level of relations between states, this means that the paradigm of *power politics* has to be transcended towards a co-operative model of diplomacy which alone is in conformity with the sovereign equality of states, a basic principle of modern international law.

The glorification of violence and war, which too often in history has been an accompaniment of politics,⁷⁶ must be replaced by an *enlightened attitude* that focuses on the common interests of mankind and that relegates the use of force to the very enforcement of its prohibition – as paradoxically as this may sound. Human rapprochement and peace among nations cannot be envisaged in any other way.

* * *

⁷⁶ For a philosophical analysis see also Gabriel Weimann and Abraham Kaplan, *Freedom and Terror: Reason and Unreason in Politics*. Milton Park, Abingdon: Taylor & Francis, 2011, esp. chapter 6: “The ethics of terror,” pp. 66ff.

Bibliography

- [American Society of Law, Medicine & Ethics], "When People Attack People: Ethics, Law and Policy of Violence." (Symposium issue) *Journal of Law, Medicine & Ethics*, Vol. 32, No. 1 (Spring 2004).
- Hannah Arendt, *On Violence*. Orlando / Austin / New York / San Diego / London: Harcourt, 1970.
- Robert J. Art and Kenneth N. Waltz (eds.), *The Use of Force: Military Power and International Politics*. Lanham (Md.): Rowman & Littlefield, 7th ed. 2009.
- Ann Marie Seward Barry, *Visual Intelligence: Perception, Image, and Manipulation in Visual Communication*. Albany: State University of New York Press, 1997.
- Walter Benjamin, *Zur Kritik der Gewalt und andere Aufsätze. Mit einem Nachwort von Herbert Marcuse*. Frankfurt a. M.: Suhrkamp, 1965.
- Daniel Branch, "The Normalisation of Violence." *Oxford Transitional Justice Research Working Paper Series*, 17 July 2009, http://www.csls.ox.ac.uk/documents/Branch_-_the_normalisation_of_violence_OTJR.pdf.
- Willie L. Brown, "Riots Echo Decades-Old Anguish of Dispossessed," in: *San Francisco Examiner*, 3 May 1992, p. A13.
- Anthony Burke, *Beyond Security, Ethics and Violence: War Against the Other*. Milton Park (UK) / New York: Routledge, 2007.
- Peter A. R. Calvert, "Revolution: The Politics of Violence," in: *Political Studies*, Vol. 15, Issue 1 (February 1967), pp. 1-11.
- Masuzyo Chakwe, "YALI condemns politics of violence," in: *The Post Newspapers Zambia*, 6 February 2013, http://www.postzambia.com/post-read_article.php?articleId=30206.
- Kellie Carter Jackson, "Violence in Political History: The Challenges of Teaching about the Politics of Power and Resistance," in: *Perspectives on History*, May 2011, American Historical Association, <http://www.historians.org/publications-and-directories/perspectives-on-history/may-2011/political-history-today/violence-in-political-history>.
- Noam Chomsky et al., *The Legitimacy of Violence as a Political Act? Noam Chomsky debates with Hannah Arendt, Susan Sontag, et al.* December 15, 1967, <http://www.chomsky.info/debates/19671215.htm>.
- Carl von Clausewitz, *Vom Kriege: Auswahl*. (Ed. Ulrich Marwedel.) Stuttgart: Reclam, 1981.
- James B. Conant, "Force and Freedom," in: *Atlantic Monthly*, Vol. CLXXXIII (January 1949), pp. 19-22.
- Frantz Fanon, *The Wretched of the Earth*. (Pref. by Jean-Paul Sartre. Trans. Constance Farrington.) New York: Grove Press, 1966.
- Eric M. Forman, "Civil War as a Source of International Violence," in: *The Journal of Politics*, Vol. 34, Issue 04 (November 1972), pp. 1111-1134.
- Francis Fukuyama, *The End of History and the Last Man*. New York: Perennial, 2002.

- Johan Galtung, "On the Causes of Terrorism and their Removal," in: Hans Köchler (ed.), *Terrorism and National Liberation: Proceedings of the International Conference on the Question of Terrorism*. (Studies in International Relations, Vol. XIII.) Frankfurt a. M. / Bern / New York: 1988, pp. 51-66.
- Mahatma Gandhi, "The Practice of Non-violence," in: *Mohandas Gandhi: Essential Writings*. (Selected with an Introduction by John Dear.) Maryknoll, N.Y.: Orbis Books, 2002, pp. 94-127.
- David Garnham, "War-Proneness, War-Weariness, And Regime Type: 1816-1980," in: *Journal of Peace Research*, Vol. 23 (1986), pp. 279-289.
- Nils Petter Gleditsch, "Democracy and Peace," in: *Journal of Peace Research*, Vol. 29, No. 4 (1992), pp. 369-376.
- Thomas Hobbes, *Leviathan* [1651]. Oxford: Clarendon Press, 1947 (reprint).
- Donald L. Horowitz, *Ethnic Groups in Conflict*. Berkeley: University of California Press, 1985.
- Samuel P. Huntington, "The Clash of Civilizations?" in: *Foreign Affairs*, Vol. 72, No. 3, Summer 1993, pp. 22-49.
- Richard Jackson, *Re(constructing) Cultures of Violence and Peace*. Amsterdam / New York: Editions Rodopi B.V., 2004.
- Simon Jenkins, "The bloody disaster of Libya, Iraq and Afghanistan is laid bare," in: *The Guardian*, 19 November 2013, <http://www.theguardian.com/commentisfree/2013/nov/18/libya-iraq-afghanistan-bloody-disaster-bombs-militia>.
- Ernst Jünger (ed.), *Krieg und Krieger*. Berlin: Junker und Dünhaupt Verlag, 1930.
- Stathis Kalyvas, *The Logic of Violence in Civil War*. New York: Cambridge University Press, 2006.
- Immanuel Kant, *Perpetual Peace and other essays on politics, history, and morals*. [*Zum ewigen Frieden*, 1795.] (Translated, with Introduction, by Ted Humphrey.) Indianapolis / Cambridge: Hackett Publishing Company, 1983.
- Gregory S. Kavka, *Hobbesian Moral and Political Theory*. Princeton: Princeton University Press, 1986.
- Hans Kelsen, "Organization and Procedure of the Security Council of the United Nations," in: *Harvard Law Review*, Vol. 59 (1946), pp. 1087-1121.
- Lydia Kemunto Bosire, "The politics of violence and accountability in Kenya." *Oxford Transitional Justice Research Working Paper Series*, 16 July 2009, <http://otjr.csls.ox.ac.uk/materials/papers/44/bosirefinal.pdf>.
- Ian Kershaw, "War and Political Violence in Twentieth-Century Europe," in: *Contemporary European History*, Vol. 14, No. 1 (2005), pp. 107-123.
- Jacqueline M. Klopp and Elke Zuern, "The Politics of Violence in Democratization: Lessons from Kenya and South Africa," in: *Comparative Politics*, Vol. 39, No. 2 (January 2007), pp. 127-146.

- Hans Köchler (ed.), *The Legal Aspects of the Palestine Problem with Special Regard to the Question of Jerusalem*. (Studies in International Relations, Vol. IV.) Vienna: Braumüller, 1981.
- Hans Köchler (ed.), *Terrorism and National Liberation: Proceedings of the International Conference on the Question of Terrorism*. (Studies in International Relations, Vol. XIII.) Frankfurt a. M. / Bern / New York: 1988.
- Hans Köchler, *The Voting Procedure in the United Nations Security Council: Examining a Normative Contradiction and its Consequences on International Relations*. (Studies in International Relations, Vol. XVII.) Vienna: International Progress Organization, 1991.
- Hans Köchler, *Democracy and the International Rule of Law: Propositions for an Alternative World Order. Selected Papers Published on the Occasion of the Fiftieth Anniversary of the United Nations*. Vienna / New York: Springer, 1995.
- Hans Köchler, *The Concept of Humanitarian Intervention in the Context of Modern Power Politics: Is the Revival of the Doctrine of "Just War" Compatible with the International Rule of Law?* (Studies in International Relations, Vol. XXVI.) Vienna: International Progress Organization, 2001.
- Hans Köchler, *Manila Lectures 2002: Terrorism and the Quest for a Just World Order*. Quezon City: Foundation for Social Justice, 2002.
- Hans Köchler, "The 'Clash of Civilizations': Perception and Reality in the Context of Globalization and International Power Politics," in: Felix Kalandarishvili et al. (eds.), *Materials of the Tbilisi International Forum "Globalization and Dialogue between Civilizations"*. Tbilisi, Georgia: International Forum "Globalization and Dialogue between Civilizations," 2004, pp. 62-70.
- Hans Köchler (ed.), *The Use of Force in International Relations: Challenges to Collective Security*. (Studies in International Relations, Vol. XXIX.) Vienna: International Progress Organization, 2006.
- Hans Köchler, "The Precarious Nature of International Law in the Absence of a Balance of Power," in: *The Use of Force in International Relations: Challenges to Collective Security* (2006), pp. 11-19.
- Hans Köchler, "The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of World Order," in: *Chinese Journal of International Law*, Vol. 5, No. 2 (2006), pp. 323-340.
- Hans Köchler, "The International Use of Force and the Phenomenon of Terrorism: Symptoms and Causes of Violence in Today's Global Order," in: *Youth for the Alliance of Civilizations. 28 October - 2 November, 2007*. Baku, Azerbaijan: Islamic Conference Youth Forum for Dialogue and Cooperation, 2007, pp. 48-51.
- Hans Köchler (ed.), *The "Global War on Terror" and the Question of World Order*. (Studies in International Relations, Vol. XXX.) Vienna: International Progress Organization, 2008.
- Hans Köchler, "Civilization as Instrument of World Order? The Role of the Civilizational Paradigm in the Absence of Balance of Power," in: *IKIM Journal of Islam and International Affairs / Jurnal Islam dan hubungan antarabangsa IKIM*, Vol. 2, No. 3 (2008), pp. 1-22.

- Hans Köchler, "The Politics of Global Powers," in: *The Global Community. Yearbook of International Law and Jurisprudence*, 2009, Vol. I, pp. 173-201.
- Hans Köchler, *The Security Council as Administrator of Justice? Reflections on the Antagonistic Relationship between Power and Law*. (Studies in International Relations, Vol. XXXII.) Vienna: International Progress Organization, 2011.
- [Hans Köchler], "'Man soll sich nicht von außen militärisch einmischen.' ZAMAN im Gespräch mit Prof. Hans Köchler." *ZAMAN Österreich*, Vienna, 20 March 2012, http://avusturya.zaman.com.tr/at/newsDetail_getNewsById.action?newsId=249989.
- Hans Köchler, "Sovereignty, Law and Democracy versus Power Politics," in: *Current Concerns*, No. 34, Supplement, Zurich, 22 November 2013, pp. 18-25.
- Hans Köchler, "Force, use of," in: Joel Krieger (ed.), *The Oxford Companion to International Relations*. New York: Oxford University Press, 2014.
- Blandine Kriegel, *The State and the Rule of Law*. Princeton: Princeton University Press, 1995.
- Oommen Kuruvilla, "Beware, violence has boomerang effect," in: *Times of Oman*, 30 October 2013, <http://www.timesofoman.com/Columns/Article-1454.aspx>.
- Bruce B. Lawrence and Aisha Karim (eds.), *On Violence: A Reader*. Durham (NC): Duke University Press, 2007.
- Bernard Lewis, "The Roots of Muslim Rage," in: *The Atlantic Monthly*, Vol. 266, No. 3 (September 1990), pp. 47-60.
- Kelsey Lilley, "A Policy of Violence: Insurgent and Counterinsurgent Tactics in the Algerian War of Independence and Algerian Civil War." *e-International Relations*, 12 September 2012, <http://www.e-ir.info/2012/09/12/a-policy-of-violence-the-case-of-algeria/>.
- Martin Luther King, Jr., *Stride toward Freedom*. New York: Harper & Brothers, 1958.
- Martin Luther King, Jr., *Where Do We Go from Here: Chaos or Community?* Boston: Beacon Press, 1968.
- Martin Luther King, Jr., *The Martin Luther King, Jr., Companion: Quotations from the Speeches, Essays, and Books of Martin Luther King, Jr.* (Selected by Coretta Scott King; introduction by Dexter Scott King.) New York: St. Martin's Press, 1993.
- Michael Mann, "The Dark Side of Democracy: The Modern Tradition of Ethnic and Political Cleansing," in: *New Left Review*, No. 235 (May/June 1999), pp. 18-45.
- Edwin R. Micewski, "Terror and Terrorism: A History of Ideas and Philosophical-Ethical Reflections," in: *Strategic Insights*, Vol. IV, Issue 8 (August 2005), http://mercury.ethz.ch/serviceengine/Files/ISN/32118/ichaptersection_singledocuments/4047817c-12ba-4e0c-b760-9d10ac97cb87/en/micewskiAug05.pdf.
- Hans Mommsen, *The Rise & Fall of Weimar Democracy*. (Trans. Elborg Forster & Larry Eugene Jones.) Chapel Hill: University of North Carolina Press, 1996.
- Chandra Muzaffar, "Nairobi and Peshawar: The Futility of Terror Tactics." Statement, *JUST Commentary*, Vol. 13, No. 10, October 2013, p. 4.
- Saul Newman, "Terror, Sovereignty and Law: On the Politics of Violence," in: *German Law Journal*, Vol. 5, No. 5 (2004), pp. 569-584.

- Rosemary H. T. O’Kane, *Terror, Force, and States: The Path from Modernity*. Edward Elgar: Cheltenham, 1996.
- James A. Piazza, “Incubators of Terror: Do Failed and Failing States Promote Transnational Terrorism?” in: *International Studies Quarterly*, Vol. 52 (2008), pp. 469-488.
- Jeffrey Record, *Bounding the Global War on Terrorism*. Strategic Studies Institute, United States Army War College, Carlisle, Pennsylvania, December 2003.
- Tom Richardson, “Humanitarian Hubris and the Politics of Violence,” in: *Unrest Magazine*, Issue 4, 1 July 2011, <http://www.unrestmag.com/humanitarian-hubris-and-the-politics-of-violence/>.
- Rudolph J. Rummel, *Understanding Conflict and War*. 5 Vols. Beverly Hills (CA): Sage Publications, 1975-1981.
- Rudolph J. Rummel, “Libertarianism and International Violence,” in: *Journal of Conflict Resolution*, Vol. 27, No. 1 (March 1983), pp. 27-71.
- Alex P. Schmid and Albert J. Jongmann, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*. Amsterdam / New York: North-Holland Publishing Co., 1988.
- Nancy Signorielli, *Violence in the Media: A Reference Handbook*. (Series “contemporary world issues.”) Santa Barbara (CA): ABC-CLIO, 2005.
- Paul Staniland, *Militarized Elections and the Politics of Violence in South Asia*. Paper presented at American Political Science Association Meeting (Chicago 2013), <http://home.uchicago.edu/~paul/Staniland/MilitarizedElectionsMar13.pdf>.
- Nikolas Stürchler, *The Threat of Force in International Law*. Cambridge Studies in International and Comparative Law. Cambridge / New York etc.: Cambridge University Press, 2007.
- Harlan Ullman, *The wrong war again*. UPI United Press International, “Outside View,” 30 October 2013, http://www.upi.com/Top_News/Analysis/Outside-View/2013/10/30/The-wrong-war-again/UPI-52011383105840/.
- [United Nations], *Charter of the United Nations and Statute of the International Court of Justice*. New York: United Nations, no date [1945].
- United Nations Office on Drugs and Crime. *Definitions of Terrorism*. Vienna, 1992.
- United Nations, *2005 World Summit Outcome*. General Assembly, A/RES/60/1, Resolution adopted on 24 October 2005.
- United Nations / General Assembly, sixtieth session, A/RES/60/288, Resolution adopted on 8 September 2006: “The United Nations Global Counter-Terrorism Strategy.”
- Max Weber, *Wirtschaft und Gesellschaft: Grundriss der verstehenden Soziologie* [1921/22]. (Ed. Johannes Winckelmann.) 5th rev. ed., Tübingen: Mohr, 2009.
- Gabriel Weimann and Abraham Kaplan, *Freedom and Terror: Reason and Unreason in Politics*. Milton Park, Abingdon: Taylor & Francis, 2011.
- Laura Westra, *Faces of State Terrorism*. (Studies in Critical Social Sciences.) Leiden: Brill, 2012.

Aaron Wildavsky, "No War without Dictatorship, no Peace without Democracy: Foreign Policy as Domestic Politics," in: *Social Philosophy and Policy*, Vol. 3, No. 1 (Autumn 1985), pp. 176-191.

RESUMÉ

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