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## **WAR AND PEACE IN NORBERTO BOBBIO'S PHILOSOPHY**

### **Abstract**

The purpose of this paper is to present and analyse the basic ideas and concepts of the theory of war and peace that Norberto Bobbio elaborates in his philosophy. Bobbio devoted a large part of his “late” research to issues of war and peace, giving it the epithet of the most important philosophical, political and legal problem of today. He observes this problem through the perspective of a nuclear war, a war that requires rethinking and re-evaluation of traditional theories of war that cannot survive the test that a war led by this type of weapon sets before them. Through the analysis of the very terms “war” and “peace”, he arrives at a technical-legal definition of peace through which peace is understood, not as the simple absence of war, but as the activity of building long-term relations between countries. Such an understanding of peace leads Bobbio to theories of active pacifism. Among these theories, Bobbio chooses the theory of institutional pacifism, an idea that advocates the establishment of a Third, universal state, which should necessarily be based on democratic principles. It would have control over the means of waging war and it would be able to resolve conflicts between states in dispute, bringing humanity, at least, closer to the idea of permanent peace.

Key words: Bobbio; pacifism; peace; war; democracy; institutional pacifism

## **KRIEG UND FRIEDEN IN DER PHILOSOPHIE VON NORBERTO BOBBIO**

### **Zusammenfassung**

Der Zweck dieses Beitrags besteht darin, die grundlegenden Ideen und Konzepte der Theorie von Krieg und Frieden, die Norberto Bobbio in seiner Philosophie ausarbeitet, vorzustellen und zu analysieren. Bobbio widmete einen großen Teil seiner

„späten“ Forschung dem Thema Krieg und Frieden, welches er als das wichtigste philosophische, politische und rechtliche Problem der Gegenwart bezeichnete. Er betrachtet dieses Problem aus der Perspektive eines Nuklearkrieges, eines Krieges, der ein Überdenken und eine Neubewertung der traditionellen Kriegstheorien erfordert, die dem Test, den ein mit dieser Art von Waffen geführter Krieg an sie stellt, nicht standhalten können. Durch die Analyse der Begriffe „Krieg“ und „Frieden“ gelangt er zu einer technisch-juristischen Definition von Frieden, die den Frieden nicht als bloße Abwesenheit von Krieg, sondern als Aktivität zum Aufbau langfristiger Beziehungen zwischen Ländern versteht. Ein solches Friedensverständnis führt Bobbio zu Theorien des aktiven Pazifismus. Unter diesen Theorien wählt Bobbio die Theorie des institutionellen Pazifismus, eine Idee, welche die Errichtung eines dritten, universellen Staates befürwortet, der notwendigerweise auf demokratischen Prinzipien basieren sollte. Er hätte die Kontrolle über die Mittel der Kriegsführung und wäre in der Lage, Konflikte zwischen streitenden Staaten zu lösen, was die Menschheit zumindest der Idee eines dauerhaften Friedens näher bringen würde.

Schlüsselwörter: Bobbio; Pazifismus; Frieden; Krieg; Demokratie; institutioneller Pazifismus

## 1. Fundamental determinants of the concepts of war and peace

In order to be able to understand Norberto Bobbio's philosophical position in the context of war and peace, it's necessary to conceptually define the terms of war and peace and their relationship.

Bobbio starts with the common definition of “peace” in which peace is understood as the absence of conflict, whether that peace is understood “internally” as the absence of conflicts in one subject, like an internal conflict due to various duties or different interests one may have, whether their own or someone else's, or “externally” like the absence of conflicts between individuals or different groups. The first, “internal” peace can be linked to the moral system of the individual, while the second, as defined by Bobbio, is a problem of law (2009, p. 120). From this distinction we can already see that the question of pacifism in political sense can only refer to the second type of peace. Moreover, the second type of peace can be further divided into two different types. The first type refers to a social sphere where peace is often seen as a resolution of conflicts between individuals or groups in some society, and in the second type peace is understood as resolution of conflicts between countries, i.e. a termination of war in all its forms.

At this point is clear that this definition of the term “peace” cannot be separated from term “war” which means that, when we are talking about term “peace”, we are actually referring to a weak term, while the term “war” is a strong term in this dichotomy. The reason lies in the fact that a “strong term denotes an existentially more relevant state” (Bobbio 2009, p. 122). There is a variety of arguments. The modern political philosophy, as well as philosophy of history, is largely engaged with the war, but there is no period in philosophy for which we can clearly say that the concept of peace was at the centre of its study and reflection.

The pair, “order” and “disorder” can be viewed similarly. The term disorder is defined as a negation of the term order. In this case, the stronger term is the term “order” which is very close to the term peace, while, on the other hand, the stronger term from the previous pair, the term war, is now very close to the term disorder. Why did Bobbio choose these two terms? The reason lies in the fact that Bobbio connects war with the disorder in relations between the countries, claiming that those relations are traditionally seen as history of war. On the other hand, the term order refers to a state within a single country which the history of order in it, facilitated by peace in it, is actually its internal history. The moments of disorder within a country are exceptions, not the rule (2009, p. 123).

The task of pacifism is to make a kind of Copernican turn and try to introduce peace as order into the state of disorder that reigns in interstate relations, as opposed to peace as the simple absence of war. Thus, Bobbio constructs a different understanding of the term “peace”. Unlike the generic understanding of “peace”, in Bobbio’s theory peace is understood actively, as something unfinished, as something that needs to be continuously worked on and thus made permanent. This meaning can be seen in technical-legal sense when peace denotes termination and solution of war conflict. That state is regulated by international law and country in which, apart from the end of the war, the two sides agree on their future cooperation and relations. It is active and positive because, in addition to ending war, it leads to stability through the legal arrangement of relations. It can be noted that Bobbio’s understanding of peace has points of contact with the idea presented by Kant in his work *Toward Perpetual Peace*: “The existing causes of a future war, even if perhaps not yet known to the parties themselves, are nullified without exception by a peace settlement, however acutely and shrewdly they might be ferreted out of archival documents” (2006, p. 68, 8:344).

Understood in this way, the positive concept of peace based on international law is radically different from the understanding of peace offered by a traditional philosophical or theological perspective. In it, peace is not a matter of justice, but of specific legal and formal conditions which end war. Peace, like war, cannot be just or unjust, it is devoid of morality (Bobbio 2009, p. 127). The legal aspect of peace is crucial in Bobbio's understanding of pacifism, which will be discussed a little later.

Definitions of war have three main points:

- 1) 1. "war is a conflict,
- 2) 2. it is conducted among independent political groups or groups that are perceived as such,
- 3) 3. organised violence is the way to resolve that conflict" (Bobbio 2009, p. 124).

As we all know, those groups can start a war for various reasons. Often these wars are led for the resources, conflicts are caused by different economic reasons, conflicts are started to change political leadership of a certain country, or, simply, to achieve fame. Often there is more than a single reason to start a war.

By political group, Bobbio understands a group that wants to seize or retain the power of governing the people living in a certain territory through a monopoly of physical force in order to force the people to obey and cooperate.

Of course, it is clear that when we are talking about maintaining and establishing power, we should also talk about an armed conflict within a country, i.e. a civil war.

In this definition, Bobbio understands violence as organized use of physical force which is specifically aimed to what active subject wants to attain or achieve, which is not allowed by the passive subject. Here it is important to mention the adjective "organized" because the term war refers only to organized violence, while occasional violence, which may appear in some society whether between different individuals or political groups in that society, cannot be called war.

In that regard, these definitions allow us to derive four types of war:

- 1) War between sovereign states
- 2) Civil war
- 3) Colonial or imperialistic war

- 4) War of national liberation (wars on independence) (Bobbio 2009, p. 125).

## 2. War and law

As he connected the idea of peace with order and the development of relations between countries in the legal order, he does the same with war. The relationship between war and law can be viewed from four perspectives: war as the antithesis of law, war as the source of law, war as a means of exercising rights, and war as the object of law (Bobbio 2010, p. 953).

The first perspective, war as the antithesis of law, can be found in Hobbes (2004, p. 93), but also in Hans Kelsen. In his *General Theory of Law and State*, Kelsen claims that the rule of law is closely related to the establishment of a relatively solid and lasting peace (1949, pp. 13-14).

War as a source of rights sees the establishment of rights as a war victory reward. Most often, we are talking about revolutionary wars through which the winners, having won power, introduce new legal norms (Malatesta 1975, pp. 117-119).

War as a means to exercise rights is observed by the Just War Theory. It tries to establish certain criteria for judging the justification of a certain war, but also to determine the way in which the war should be conducted (Lango 2014, pp. 18-47).

In war as an object of law, law serves to determine who may and in what manner wage war, against whom war operations may be conducted, how, how long and by what means. An example of this relationship between the law and war are the Geneva Conventions.

When it comes to nuclear war, Bobbio's position is clear. Such war cannot be anything other than understood as the antithesis of law. As it cannot be effectively controlled and limited, nuclear war is a total war that should be annulled. "Modern war is, in a word, beyond any principle of legitimacy and any process of legalization. War, after being understood as a means of exercising rights, and an object of legal regulation, returned and became what it was in the Hobbesian reconstruction, *the antithesis of law*" (Bobbio 2010, p. 966).

In order to demonstrate this, Bobbio uses the metaphor of a labyrinth. War, especially a nuclear one, as claimed by Bobbio, is a blocked path in the labyrinth where one must return and find another path. For the first time in its history, man is capable to end it, thanks to the terrible destructive

potential of nuclear weapons. The path of war, as a blocked path in the labyrinth from which a man is seeking to get out, should no longer be an option (2009, pp. 31-36). Although it is indeed a demanding endeavour, one must act, harness one's strength in finding the right path, and not opt for this one.

The claim that war is a blocked path in a labyrinth can be viewed in two ways. The first way tells us that the war is an institution that has been over-run by time and it is doomed to disappear. The second tells us that war as an institution is completely deprived of content, it is unjust or godless, but it is also an impractical way of resolving conflicts.

These two stances towards war lead us to two types of pacifism that strive to completely eliminate war. Their importance, but also popularity, drastically increased with the discovery and development of nuclear weapons. Nuclear weapons deny and completely change the image of war that was built in the history of philosophy. We cannot talk about just war theory anymore, or about war as the means to claim something, or about war as a virtue.

These two types of pacifism Bobbio calls active and passive. Regarding the war conducted with nuclear weapons, passive pacifism sees the catastrophic scenario and as something that is not in anyone's best interest. War will never happen again because of the fact that it has become so destructive that it will force the parties in conflict to find other ways to resolve their disputes. A well-known balance of terror policy belongs to this type of pacifism, which replaces the traditional balance of power with something stronger, a balance of powerlessness based on a paralyzing fear (2009, p. 38).

Active pacifism claims that the fight against the nuclear war needs to be conducted in new ways in order to eliminate it. The threat of nuclear war is the complete annihilation, or in best case scenario, the loss of tens of millions of people, and this treat, as such, cannot be justified. Active pacifists are trying to create new means to fight against this treat such as active development of nuclear consciousness, education and different political solutions. For the former nuclear war is impossible, for the latter it is possible, but it is impossible to justify it. It is illegitimate (Bobbio 2009, p. 38).

On the following pages, the balance of terror will be analysed and considered in more detail, as the result of passive pacifism, traditional war theories, and the theories of active pacifism, which Bobbio sees as the only ones that create certain ways to actively fight against the war waged with this type of weapon.

### 3. The balance of terror

Balance of power is understood as the functioning of the international political mechanism, which depends on the balance achieved when two or more equally powerful military or political blocs are formed. Such a situation maintains the *status quo* and divides the world into certain spheres of interest (Haas 1953, p. 448). Resorting to war then becomes something that is not in anyone's interest, which allows only the appearance of its elimination. However, Bobbio claims in his theory that, when it comes to nuclear war, it is no longer a matter of balance of power, but balance of terror (2013, p. 55). Terror has now become an important factor in international relations that consequently leads to aggravation and cooling of relations that no one really benefits from. The policy of balance of terror reminds us of the importance of terror in the creation of policies due to its direct consequence on the relations that govern politics, namely the relations of force and power. These are the policies based on an old saying *si vis pacem, para bellum*. This is a state of eternal conflict in a multipolar world, although since the Cold War one can speak more about its bipolarity, which, on the other hand, is also not foreign to human history. Athens - Sparta, Carthage - Rome, Christians - Muslims are some of the examples we can recall. But it does not matter whether we understand it as multipolar or as bipolar. This is about the fact that the fate of the entire human species is threatened due to the terrible power of the weapons that could be used to wage this potential war. International relations that are based upon such policy are very reminiscent of Carl Schmitt's political philosophy. Carl Schmitt sees political relations between countries as the dichotomy of friend-enemy. The other is an enemy that needs to be defeated by any means necessary. Everyone allied with the enemy is automatically an enemy, and the enemy of my enemy thus becomes my friend because we have the same goal (2007, p. 39).

The relations between the countries in international community can also be described by Hobbes's philosophy on the state of nature in which *bellum omnium contra omnes* prevails. Although fear plays a significant role in Hobbes's philosophy, it is not destructive, rather it is a sort of a cohesive element. People want to get out of a state of fear and that is why they create state, a community where they will be able to defend themselves with joint forces.

State is created due to fear for one's own life and property. Elimination of that fear enables a state of peace. However, Bobbio claims that on the

international level the story is different and that in this political reality Hobbes' state of nature still applies. This is because the international community lacks a sovereign, or someone who would have a legislative and executive role, something that societies get when the state is established (Bobbio 2013, p. 56).

In the context of power relations between the individual and the state, peace is preserved precisely because of power inequality. The state has the monopoly on violence and power, the individual has nowhere near as great power that the state has. But in international political relations, the situation is completely different.

The main problem with politics based on the balance of fear is that it is not actually a balance. Such a policy has led to an ever greater and greater growth in armaments, ever greater tensions and even deadlier weapons. Under the guise of deterring the enemy from possibly attacking, more and more deadly weapons are being developed that have literally threatened the survival of people on the planet. Both sides are increasingly arming themselves, looking for increasingly deadly and destructive weapons, which constantly leads to an imbalance. When one side overtakes the other, the other tries to overtake the first, and so on *ad infinitum*. This means that the policy of the balance of terror is almost never in balance, it is always achieved at a higher and higher level, which actually has the exact opposite effect. It thus becomes an excuse to develop more and more destructive weapons and enables more dangerous escalations, instead of the opposite happening (Bobbio 2013, pp. 64-65).

The logic of power is in effect, which looks at things through the glasses of absolute antitheses. One or the other, there is no third path. Any agreement and arrangement thus potentially fails under the clause *rebus sic stantibus*. The agreement is in force until one of the parties decides that the time has come to resolve the conflict in their favour, defeat the other, and impose their own rules. "(...) [T]here is a totalization of one's own goals and the nullification of others goals" (Bobbio 2013, p. 162). The consciousness of the majority of politicians in the international arena is still the consciousness of the policies of power, not policies of peace and dialogue.

#### 4. Criticism of traditional war theories

Rejecting the balance of terror, and thus passive pacifism, leads to the question of whether there is any theory of war in the philosophical tradition



that can still be valid if it is placed in the context of nuclear war. Such an analysis should be started from the three main groups of theories of war that emphasize its justification. These are theories that justify all wars, theories that justify some and some that do not, and theories that do not justify any war.

- 1) Just war theory
- 2) Theories of war as the lesser evil
- 3) Theories of war as the necessary evil
- 4) Theories of good war
- 5) Pacifist theories

The well-known just war theory belongs to the second group, and this theory, like many others, has its own problems. Bobbio points out two main reasons why this theory shows major weaknesses. The first reason is the fact that the distinction between the unjust and the just is not carried out using two main principles: “the *clarity* of the criteria of judgment and the *impartiality* of the one who should judge” (2009, p. 58). Bobbio claims that in the just war theory, the criteria of justice that would apply to everyone have never been set. That is the reason why every war can be justified, in one way or another. On the other hand, as a theory that sees war as a kind of judicial process, there is a lack of a judge in it, the one who would be above the parties in war conflicts and judge justly. This problem is mostly related to the concept of *iusta causa*, according to which a war of aggression is justified if it has a justified cause, similar to a punishment for something that was done to the party that decides to wage it. However, reality teaches us that the one who wins the war very often is right, that every war can be justified, and that every war is just in the eyes of the one who leads it. It is far from what should happen in a court process, where one who is in the right should win.

It is the same with international order. The international order has a conservative role because it assumes that current situation is just, but the problem is in the fact that many wars, that are also considered just, overthrow that *status quo*. The example of that fact is any war for independence. Such wars then become revolutions, and revolutions are judged later, after they have ended. They find their legitimacy in the new order they have created (Bobbio 2009, p. 60).

When we talk about defensive wars, which the just war theory says are just by the formula *vim vi repellere licet*, Bobbio does not see a big problem for this theory if those wars are conducted conventionally. Then war really

is an object of law. However, in the context of a nuclear war, no war merely a defensive war, and strictly defensive action is almost impossible.

The theory of war, which sees war as the lesser evil, is one of the most widespread views on war in the history of mankind, and this view continues to this day. It also justifies certain wars and not others. Its main hypothesis has been stated many times, in various ways, in many political and war slogans. Any slogan based on, for example, choosing death over something else – “Better death than slavery”, “Better to die on your feet than to live on your knees”, “Either dead or free” and the like, advocates this theory. In it, war is seen as one of the means that serve to achieve some greater good. Peace, which can also be considered as good in this theory, is not the highest good. In the same way, war is not the greatest evil that can befall a man. A greater evil would be the loss of freedom or dignity, and war is the means by which this could be prevented or such good could be obtained. Choosing war is choosing some kind of alternative to a possible future reality in which, granted, peace suffers, but peace is something worth sacrificing.

This attitude towards war in the context of nuclear war, Bobbio brings to extreme consequences. He claims that choosing nuclear war as an alternative is actually choosing nihilism because with that choice one chooses the non-being, the absolute nihilation of humanity and the world as we know it. Such a war cannot be any alternative and it is not a means to achieve a higher goal (2010, p. 1020).

The theory of war as a necessary evil is based on dialectical view of human progress in which war appears as an antagonism, as an inevitability that leads humanity to something higher and better. In history, this attitude towards war also often appeared. Claims that war encourages human creativity, economy, industry, that it awakens community, virtues and the like belong to this theory. These theories are more concerned with explanations of war than with its justification. Bobbio’s position on this theory in the context of nuclear war is clear: “It is enough to see a few photographs of the city of Hiroshima after the explosion of the first atomic bomb, to reject with horror the idea that human progress must necessarily go that way” (2010, p. 1021).

Various totalitarian ideologies can be classified into theories that see war as good, more precisely, as good in itself. It is the same with theories that see war as the lawfulness of the world, as the intrinsic aspect of the world, or as a good that strengthens the humanity. It is not too difficult to assume that such theories in the context of nuclear war are rejected by Bobbio.

## 5. Towards the theories of active pacifism

Bobbio's analysis leads to the rejection of any theory that in any way justifies war. Although Bobbio can agree with the idea of justifying a defensive war waged with conventional weapons, as well as responding to violence with violence (Peyretti 2011, pp. 63-65), in the context of a nuclear war, the idea of a defensive war is almost impossible. Also, various arguments can be opposed to the idea that war leads to some kind of social or economic progress, especially if it is a nuclear war. Realisation of such an idea in the context of nuclear war is like a boomerang with an absolutely nihilating tendency. Such a war would potentially lead to the reset of humanity, if humanity were to remain on Earth at all. For the same reason, theories in which war has the role of achieving, discovering and encouraging some higher values, such as togetherness, courage, etc. can be refuted. Seeing a qualitative leap in war and an advantage in the development of technology makes certain sense. The war industry is often the most innovative. However, in the context of nuclear war, it is not possible to avoid the eternal question of ends and means. The vast majority of people could agree that there are more suitable means to achieve the goals of technological advancement of humanity, rather than those that threaten its existence. For this reason, it is necessary to take a step back and start looking for alternative paths. Such ways do not justify any war. These are the ways of pacifism.

Bobbio defines pacifism as "any theory (and corresponding movement) that considers permanent and universal peace (...) a highly desirable good, so desirable that any effort to achieve it is worth pursuing" (2009, p. 138).

A pacifist policy is not and cannot be a policy that is based neither on the balance of power nor on the balance of fear, which is at the same time only the temporary absence of an increasingly destructive war that would escape human control. War is always a possibility in this policy, something that constantly smoulders and threatens. The peace advocated by pacifist policies is of universal character, it is worldly. It is only possible if relations between the countries are not based on classical conditions and expectations, which, if disrespected or violated, can easily escalate into an armed conflict.

The types of pacifisms that Bobbio calls reformist pacifisms can be understood as a certain theoretical breakthrough in the struggle for the permanent peace. They try to achieve peace first by diagnosing the cause of war, so that it can then be acted upon through continuous reform and development in that specific field that causes war. Bobbio highlights three main

theories of reformist pacifism. One sees peace as attainable through development in the field of economics, another in the field of politics, and the third in the field of social reform. Such an idea stems from a specific view of historical processes that are always interpreted as progress, a path towards betterment, in which humanity will reach a reign of peace. (2010, p. 990). Reformist pacifism, which sees the economic development of humanity based on the ideas of the free market as the solution to the problem of war, believes that the cause of war lies in the excessive state interference in economic processes. Excessive protectionism and economic isolationism lead to crises from which the country sees a way out through war. Markets that cannot be “conquered” economically are “conquered” by military actions. Only strong economic ties and free market principles can reduce the influence of the state and end the cause of war (Hammarlund 2005, pp. 32-33).

Pacifism, which claims that war will disappear with the political development of mankind, most often derives the basis for its claim from the birth and development of democratic systems. War is most often attributed to monarchical, autocratic or totalitarian political regimes. The development and the expansion of democracy will put an end to war because the democratic system ensures freedom and political rights for every person. One of the ultimate goals of political pacifism is the unification of democratic states into an international union or federation (Rawls 1999, pp. 44-54). The European Union could serve as an example.

The third type of reformist pacifism, as claimed by Bobbio in his analysis, believes that the cause of war is deeper and more complex than a mere change in the political system. It sees the cause of war in the end of the capitalist system, which is the cause of all differences and conflicts. It seeks to eliminate not only war, but any antagonism that reigns or may reign among men (Hudis, Anderson 2004, pp. 349-350).

## 6. Three different types of active pacifism

### *6.1 Instrumental and finalistic pacifism*

The rejection of traditional theories of war due to their inadequacy to answer the questions and challenges posed by nuclear war leads Bobbio to the paths of active pacifism, since the policy of passive pacifism that advocates the balance of terror, but also the theory of reformist pacifism, which each in their own way offer a solution to ending war, but they are also not

immune to the crisis posed by a nuclear war, because it is really impossible to ascertain whether the detected causes are correct, and the means they propose are not really effective and achievable. "The novelty of the situation in which humanity is facing the threat of nuclear war is so radical, so disturbing, that it brings into crisis all the answers given in the past to the question about the meaning of war" (Bobbio 2010, p. 994).

Man should take his destiny into his own hands and confront this, maybe the biggest problem that humanity is facing, actively and responsibly. The path of passivity and justification of something so dangerous and destructive means that a person has given up on oneself, one's future and one's past. Because of that, Bobbio believes, it is necessary to roll up one's sleeves and try to find a solution, and not ignore the situation or leave it to a power-intoxicated minority.

Such active attempts exist, and Bobbio classifies them into three large groups.

Bobbio calls instrumental pacifism as the first form of active pacifism. According to Bobbio, two elements are present in it: "the first moment is represented by an effort to destroy weapons or at least reduce their quantity and danger to a minimum; the second moment is represented by all attempts whose purpose is to replace violent means with non-violent ones, that is to achieve the same result by different means" (2009, p. 79).

This is the most practical form of any forms of active pacifism. However, the main problem with this method proposed by instrumental pacifism in his first subtype advocating disarmament policies, is that the decision to disarm rests directly on the countries that possess these weapons. If these countries lose their weapons, they actually lose their mean to conduct war, either offensive or defensive, which is a direct blow to their power and reputation in the international political arena. It will be difficult for a country to give up something that increases its power and, in many cases, protects its sovereignty, because the decision on war and peace is one of the main characteristics of sovereignty. Such circumstances only confirm "the fact that there is no supreme authority above independent states for resolving disputes between them" (Jackson 2007, p. 12). Also, disarming everyone is difficult to achieve. If one country were to violate the idea of disarming and destroying all the means necessary for effective warfare, that country could dominate all other countries.

On the other hand, Bobbio understands the fighting with non-violence as the use of non-violent means in extreme situations in which the fight

with violent means would be considered completely justified and legitimate. This does not mean diplomacy, agreement and negotiation, but the active and consistent use of non-violent means as a complete substitute for violent ones. Violence, as a method of fighting, is completely rejected and impossible to justify, while non-violent means are given the criteria of moral correctness and political effectiveness (2009, p. 82).

The second form of active pacifism according to Bobbio is finalistic pacifism. The finalistic pacifism claims that war is a product of human nature, and it is necessary to change and improve it in order to eliminate war. Whether it is due to its corruption, sinfulness, passion, or primitive instincts, finalistic pacifism wants to find a solution to this situation. One of the methods proposed by finalistic pacifism is the pedagogical method through which a person should be corrected through education and upbringing. It aims to achieve the moral reform of a man. The second method is more of the therapeutic type. This method desires to act on human condition which leads to war, curing it as some sort of psychosis (Fornari 1970, pp. 135–139). Different anti-war associations, groups, advocates of appeal of conscience, religious organizations etc. are occupied with the first, and psychoanalysts and war psychologists with the second method.

### *6.2 Institutional pacifism*

The third form of active pacifism is institutional pacifism. Bobbio advocates this form. He calls it institutional because it is used to influence the institution - the state. The institution of the state is responsible for decisions on the conduct of war, the means by which it is conducted, as well as the ways in which it should be conducted. Reforming the institution of the state should bring lasting peace. Bobbio also calls this type of pacifism legal pacifism. It wants to create a state of permanent peace through law. According to this position, “war is an event that depends on the existence of the state as such, regardless of the economic structure on which it is established, and the political ideology that governs it, or, more precisely, on the type that is characteristic of all states in the current phase of international law that is based on the legal equality of subjects: the supreme and exclusive power to make the final decisions regarding the use of force” (Bobbio 2007, p. 83).

A precondition for institutional pacifism is the progressive limitation of state sovereignty to the extent that this will enable the establishment of a universal state. This should be a kind of union of states in the sense of a federation, where most advanced states would join in the beginning, followed

by others. This is not about creating a civil society that would be formed by all the citizens of those countries. Bobbio is inspired by Kant's idea of federation of states. Kant claims that in order to establish perpetual peace it is necessary to form the federation between the states based on republican constitution (Kant 2006, p. 63, 8:311). Why did Kant choose the republican constitution? "The republican constitution is a constitution that is established firstly according to principles of the freedom of the members of a society (as human beings), secondly according to principles of the dependence of all on a single common legislation (as subjects), and thirdly according to the law of the equality of the latter (as citizens of the state)" (2006, p. 74, 8:350).

The constitution of the universal state would be obligatory for all states as the constitution of each individual state is obligatory for its citizens. The main task of the universal state would be a peaceful resolution of conflicts which may occur in interstate relations. It would be some sort of a judge that has the ability to force the implementation of its decision.

Legal institutional pacifism goes a step further than pure diplomatic relations and wants to transform institutions, which would also affect the means used by that institution. Bobbio believes that this universal state would have no need to wage war or produce nuclear weapons because there would be no need for them anymore. But there is also a problem with this pacifism quite similar to the problem with instrumental pacifism. Namely, asking the states to give up their means of protection and implementation of their sovereign power is not a solution without problems.

It is worth to mention that this type of pacifism does not seek to eliminate the use of force, but rather to reduce it either by limiting the number of subjects who may use violence or by controlling the nature of the means of combating illegal violence (Bobbio 2009, p. 85).

### *6.3 The role of democracy*

In order for that Third, i.e. universal state, to be effective, it must not become the third among the parts that form it, but the third above those parts. It must have more power than the parts that form it, and in order not to become repressive, the Third must be organized through democratic principles, i.e. based on the agreement and control of precisely those parts that can create conflicts. Established within the framework of a democratic system, such an idea would acquire its active power through rules and institutions.

It is as Olivieri claims, the normative aspect of legal pacifism, which consists of rules, institutions and principles (Saporiti 2016, p. 103).

Why does Bobbio choose democracy? Precisely for the reason that it is a political arrangement that solves problems through dialogue and compromise. “Democracy is a form of government in which the main rules, when observed, have the purpose of allowing the resolution of social conflicts without the need to resort to mutual violence (heads are counted and not cut off)” (Bobbio 2014, p. 84). In democracy, ideas and attitudes collide, instead of weapons. It allows pluralism of opinion, and of all political systems, it is the best for the protection and development of human rights. Democracy is a political arrangement of the state that allows conflicts, and that resolves these conflicts peacefully or, at least, without a war. It implies a pluralistic society that solves problems and makes decisions that are relevant for the entire community precisely through democratic institutions (Bisignani 2019, p. 90). In a democratic political system, all citizens participate in the construction of policies, and in the development of the political life of the state in general, and precisely participation should lead to an end of violence as a way of implementing and creating those political decisions. In this case, we are talking about states that, like citizens in a democratic country, would, through democratic mechanisms and their own freedoms and rights, resolve the potential disagreements in which the third party would only be the one that would have the role of judge in disputes and the one that can ensure the implementation of decisions. In this context, Bobbio understands democracy like a form of government which is based on:

- 1) “Preliminary and negative non-aggression pact between parties that want to create a permanent association between themselves;
- 2) Second positive pact in which the parties decide to establish the rules for resolving future disputes, without the need to use reciprocal force;
- 3) Subjection to joint power which is so strong that it is able to force compliance of the two previous pacts;
- 4) Recognition and effective protection of some rights of freedom, civil and political, which prevent the established power from becoming despotic” (2013, p. 9).

This understanding of democracy is important in preserving peace. Its opposition would be despotism, the continuation of war within one state. The democratization of international relations would mean an end to the



despotism that rules them, which would lead to expanding and securing of peace beyond the borders of individual states. "The arrival of peace is strictly connected with the arrival of democracy" (Bobbio 2013, p. 9).

## 7. Selection criteria

It is important to point out the criteria by which Bobbio judges which type of active pacifism should be chosen. He draws these three types of active pacifism through the criteria of their feasibility and effectiveness. Which type of pacifism would be best to choose depends on these criteria. Feasibility is defined as the reasonable possibility that the proposed tool will be effectively applied, taking into account past experience and historical progress, and effectiveness is defined as the reasonable probability that the tool, once applied, will achieve the desired results (2009, p. 90).

Thus, he comes to the conclusion that the first path, the path of instrumental pacifism, is probably the most feasible, but the least effective. Finalistic pacifism is the opposite. It is, according to Bobbio, probably the most effective, but it is the least feasible. Institutional pacifism is in the middle. It more feasible, but less effective than finalistic pacifism, and at the same time, more effective but less feasible than instrumental pacifism. For this reason, Bobbio chooses institutional pacifism.

Bobbio claims that the creation of a worldly, universal state may not be what the future brings us, but the course of human history indeed indicates that states are increasingly striving to create larger and larger unions and communities. He claims that such union already exists, it just does not have sovereign powers, but it can be an example or a forerunner of that new universal state that Bobbio talks about. He is, of course, referring to the UN (2013, p. 226).

## Conclusion

The threat posed to humanity by nuclear war is truly unprecedented in human history. Theories and policies of pacifism are needed more than ever because of the destructive power of modern weapons, as well as a re-evaluation of the very understanding of the term "peace". The idea of institutional pacifism proposed by Bobbio has obvious weaknesses and shortcomings that he partly blamed on other pacifist theories, but it represents one, albeit imperfect, attempt to contribute to this important problem of humanity.

Humanity has never faced such a threat as nuclear war, and only an active struggle for peace has the ability to change the state of affairs. Such war is beyond human control and for this reason it should be eliminated. In his research, through the redefinition of the term “peace”, Bobbio came to an understanding of an active peace, which, through law, he places in the hands of a man who takes destiny into his own hands and does not depend on chance or militant policies that just rotate on political stages around the world. War as a means of resolving disputes can no longer be an option, neither can policies of passive pacifism, as well as traditional theories of war that fail the test of a war waged with weapons of mass destruction.

This path towards the ideal of eternal peace cannot be and is not ideal, because the idea of leaving the decisions about war and peace, the means of waging war, as well as some fundamental determinants of sovereignty, to a third party cannot evade being met with resistance. The same can be said about the acceptance of democracy as a political arrangement, because there are many countries in the world that are not organized like that and to which that concept is foreign, if not hostile. But if we start from the assumption from which Bobbio starts, through interpreting the state of international relations around the world through Hobbes’s philosophy of the state of nature, it can be concluded that, in order to overcome this state, it is necessary to create someone who will ensure peace, such as Hobbes observed that *bellum omnium contra omnes* will continue until a state is created that will protect citizens, resolve disputes with laws and thus lead to peace. Such an idea under the influence of the idea of perpetual peace presented by Kant enables the theory of instrumental pacifism based on democratic principles as a way out of the international state of *bellum omnium contra omnes*. Also, the other mentioned theories of active pacifism may help, like any idea and policy that would go in the direction of ending war, reducing the means for its conduct, raising awareness about nuclear weapons, but also developing the ethics of responsibility, because the constant outbreak of new wars is constantly pushing humanity towards the very edge of the abyss, and it is only left with the possibility of answering a single question: Which war will be the decisive step forward?

## References

- Bisignani, A. (2019). *Per Norberto Bobbio*. Bari: Cacucci Editore.

- Bobbio, N. (2014). *Elogio della mitezza e altri scritti morali*. Milano: il Saggiatore S.r.l.
- Bobbio, N. (2010). *Etica e politica. Scritti di impegno civile*. Milano: Arnoldo Mondadori Editore S.p.A.
- Bobbio, N. (2009). *Il problema della guerra e le vie della pace*. Bologna: Società editrice il Mulino.
- Bobbio, N. (2013). *Il terzo assente. Saggi e discorsi sulla pace e sulla guerra*. Casale Monferrato: Edizioni Sonda srl.
- Fornari, F. (1970). *Psicoanalisi della guerra*. Milano: Giangiacomo Feltrinelli Editore.
- Haas, E. B. (1953). The Balance of Power: Prescription, Concept, or Propaganda. *World Politics* 5 (4): 442-447.
- Hammarlund, P. A. (2005). *Liberal Internationalism and the Decline of the State*. New York and Basingstoke: Palgrave Macmillan.
- Hobbes, T. (2004). *Levijatan ili Građa, oblik i moć crkvene i građanske države* (trans. Borislav Mikulić). Zagreb: Naklada Jesenski i Turk.
- Hudis, P., Anderson K. B. (2004). *The Rosa Luxemburg Reader*. New York: Monthly Review Press.
- Jackson, R. (2007). *Sovereignty*. Cambridge and Malden: Polity Press.
- Kant, I. (2006). *Toward Perpetual Peace and Other Writings on Politics, Peace, and History* (trans. David L. Colclasure). New Heaven and London: Yale University Press.
- Kelsen, H. (1949). *General Theory of Law and State* (trans. Anders Wedberg). Cambridge, Massachusetts: Harvard University Press.
- Lango, J. W. (2014). *The Ethics of Armed Conflict*. Edinburgh: Edinburgh University Press.
- Malatesta, E. (1975). *Scritti: Volume 1. Umanita nova. Pagine di lotta quotidiana*. Carrara: Movimento Anarchico Italiano.
- Peyretti, E. (2011). *Dialoghi con Norberto Bobbio*. Torino: Claudiana srl.
- Rawls, J. (1999). *The Law of Peoples with "The Idea of Public Reason Revisited"*. Cambridge, Massachusetts and London: Harvard University Press.
- Saporiti, M. (2016). *Rigore intellettuale e impegno civile*. Torino: G. Giappichelli Editore.

- Schmitt, C. (2007). *The Concept of the Political* (trans. George Schwab). Chicago and London: The University of Chicago Press.