

Religion, Reason and War: A Study in the Ideological Sources of Political
Intolerance and Bellicosity.

By

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Abstract

The thesis critically examines the view that associates religion with bellicosity in politics. It is argued that the structural link between religion and the propensity to (political) violence is inaccurate because (1) religious theories of just war can be shown to be tolerant of difference in important instances and thus not belligerent; (2) secular ideology can be shown to be intolerant and bellicose in important cases; and consequently (3) the more important explanatory factor of bellicosity is not necessarily religion but it can be found elsewhere. It is argued that the true source lies in the association of a monistic ideological commitment and the willingness of its political agents to impose it on those with different ideological views.

The thesis is a critical and comparative discussion of those who have dealt with ideological violence. It compares interventionist theorists with those who are not in religious tradition and contemporary theory of just war to reveal that the cause of violence is located in an avoidable failure to reconcile religious morality and politics.

The thesis adds a new perspective on the debate, calling for a rethink of the relationship between religion and violence in politics. It also proposes greater scepticism about widely held assumptions about the bellicose tendency of religiously motivated political agents, arguing that theorists should rethink the real cause of bellicosity beyond the religious domain and pay closer critical attention to the sources of the belligerence of secular agents.

To my father who could not see this PhD completed

To Laura, my little angel who brought endless happiness to my life

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Introduction

i. A statement of the problem

Monotheistic religions, especially Islam, are claimed to be associated with an aggressive attitude towards others with different beliefs. This view is not only presented in the popular press and non-scholarly literature, but also in some academic literature where there is a tendency to associate religious commitment with an aggressive interventionist policy and secular commitment with peacefulness. In other words, since it is alleged that religion causes its political agents to have intolerant and anti-pluralist attitudes in thinking and practice, it will ultimately lead to political violence and war in national and international politics. The view seems to be affirmed not only by populist writers like Christopher Hitchens¹ and Richard Dawkins², but also by those scholarly intellectuals like Samuel Huntington³ and Bernard Lewis⁴. They have claimed that possessing strong religious convictions creates a high risk of bellicosity and increases the likelihood of a resort to political violence and war. For them, such convictions lead to a more bellicose attitude in political and moral thought and hence in practical world politics⁵. To show that religion is inherently prone to bellicosity, they cite phenomena like the crusades, the Inquisition, the European religious wars in the medieval period and the contemporary terrorism that is associated with Islam and Islamic culture⁶. But this view has not gone unchallenged and this thesis contributes to a rival argument in literature by theorists such as Karen Armstrong and

¹ See Hitchens, C. (2007). *God Is Not Great, How Religion Poisons Everything*. London Atlantic Books.

² See Dawkins, R. (2007). *The God Delusion*. Britain: Black Swan.

² See Dawkins, R. (2007). *The God Delusion*. Britain: Black Swan.

³ See Huntington, S. P. (1996). *The Clash of Civilizations: And the Remaking of World Order*. New York Simon and Schuster

⁴ See Lewis, B. (1993). *Islam and the West*. Oxford, New York: Oxford University Press.

⁵ The religion the thesis is concerned with is that politicised monotheistic belief that acts as an ideology or/and a comprehensive philosophy/way of life in human existence.

⁶ The polemic views is very often classified as Islamophobia in academia, see Rana, J. (2007). The Story of Islamophobia. *Souls: A Critical Journal of Black Politics, Culture, and Society* 9(2) 148-161; and Allen, C. (2010). *Islamophobia*. Surrey, UK: Ashgate Publishing, Ltd.

Jonathan Haidt who maintain that such a claim is inaccurate. Religion, as Haidt (2013: XVI) maintains, “is not a virus or a parasite, as some scientists (the “New Atheists”) have argued”, nor, as Armstrong (2014: 358) upholds, “has a single, unchanging and inherently violent essence”. Like them, I maintain that it is erroneous to think and generalise that religion, and particularly Islam, has an inherent tendency to drive politics towards intolerance and belligerence¹.

The view that religion has some sort of inherent tendency that drives politics or the state towards aggression against other states is either false and exaggerated or simplistic. This view in fact leads people to generalise that religion is aggressive. And this seems to be a misrepresentation that shows a lack of understanding towards religion because religious thought is not necessarily intolerant of difference; the problem is not with religion but with something else. I shall argue that the salient factor that explains the occurrence of intolerance and violent bellicosity – whether religious or secular ideology – is in the attempts to advocate a singular conception of the good and trying to impose it on everybody else. Tolerating political violence and belligerent attitudes is thus not confined to religious thought and theories; but it could also be linked to secular thought. We need to be more careful on how we understand the relationship between religion and politics or the state and its propensity towards aggression. Two general consequences arise if we are to accept this erroneous view about religion. First, we may mischaracterize peaceful theocratic states. Second, we may discount the fact that many violent aggressive incidences have been carried out by states that are described as secular.

The mistaken view of religion as inherently violent in its relation to political power leads to a dangerous complacency with respect to the aggressive tendency of the secular state. It is really important to not overlook the aggressive tendency of secular states by failing to notice the dangers inherent in some forms of secular political thought. ‘Totalitarian’ ideologies are

¹ Coady (2013: 237) also refers to the very same notion. He states “while religion is sometimes a component in a complex mix that can produce violence it is often a less significant factor than others in that mix, and otherwise it is often enough causally irrelevant to disturbing outbreaks of violence, including political disturbances”

sometimes identified as ‘secular religions’ due to their having much in common with religious faiths, a claim that might put into doubt their strictly non-religious credentials. In the history of humanity, there had been many authoritarian states claiming non-religious/secular ideologies that had nonetheless aggressive bellicose practices towards other states. In modern history, we have examples of Stalinist Soviet government in Russia, Nazi government in Germany and the Fascist government in Italy. What is important to note here is that even though scholars have sought to characterize them as quasi-religious because of their violent intolerance, among other reasons, these represent the most striking examples of violent intolerance of modern times and are not religious but secular¹. Indeed, the political religion thesis refers to the idea that authoritarian forms of government replace God and religious institutions, in that the exercise of power over people is then legitimized by divine or natural forces external to the public realm; these forces are located beyond the sphere of man-made power. Seemingly such authoritarian forms of governance, like religious forms, are also assumed to have the violently intolerant tendency, according to the political religion thesis. Political religion is highlighted by many theorists in the European history of political thought. Some of the most important works on totalitarianism and political religion are those written by Hannah Arendt’s “Religion and Politics” and *Origins of totalitarianism*² in which Arendt sees Communism and Nazism as new secular religions³ and Jacob Talmon’s *The Origins of Totalitarian Democracy*⁴ in which he suggests that totalitarian democracy originated in the eighteenth century ideas in France, in particular with Jean Jacques Rousseau’s conception of general will and civil religion.

The problem of religion in its relation to politics is that some states deploy religion to carry out their expansionist aggressive intentions in that they use religious claims to justify their aggressive

¹ See Maier, H. (2004). *Totalitarianism and Political Religions*: Routledge; and Gentile, Emilio. (1990). Fascism as Political Religion. *Journal of Contemporary History* 25(2/3) 229-251.

² See Arendt, H. (1994), *Essays in Understanding, 1930-1954*. (ed.) Jerome Kohn, New York, London: Harcourt, Brace and Co. Pp. 268-371; and Arendt, H. (1967). *Origins of totalitarianism*. London: Allen and Unwin.

³ See Van Camp, N. (2011). Hannah Arendt and Political Theology: A Displaced Encounter. *Revista Pléyade* (8) 19-35.

⁴ See Jacob Talmon (1966) *The Origins of Totalitarian Democracy*: Penguin Books (first published 1952).

policies before their people. My concern, however, is not with the notion of how religion is exploited for political purposes but demonstrating that religion is not the ground on which the aggressive tendency of the state (aggressive practical politics) and the practices of terrorism by some religious extremists, Islamists particularly, can be explained. In fact, it is not just these more radical forms of secular thought (totalitarianism) that pose potential problems of toleration. The seemingly more moderate secular views associated with human rights and liberalism also present problems when confronted with cultural differences internationally, as I shall argue. In contemporary history, one can point to some of the wars that could in principle be waged ostensibly for legitimate liberal purposes, based on grounds of tolerance and not violating principles of tolerance, were in fact motivated by liberal intolerance, with the tendency to attain material benefits and monistic ideologized liberal purposes (see chapter four). For example, military interventions by the United States in Vietnam, Cuba, Korea and the Middle East have been commonly claimed by some politicians and writers to be motivated by the very principles of liberal theory. In fact, it is sometimes claimed that such interventions have been excused in the name of supporting freedom, protecting peace and securing human rights etc., that are at the heart of liberal thought. However, they can be seen as violent and aggressive, driven by anti-pluralistic ideologies or at least unjust in a sense of being disproportionate to purposes announced. Thus, one may suggest here that secular thought, that is supposedly free from any religious influence, is sometimes associated with political theories that advocate violence and 'aggressive' military interventions. Such theories justify intolerance and bellicosity of the secular state towards other states with different ideologies when militarily seeking and advocating political and ideological reform in them. Therefore, the state, guided by this kind of secular thought, will seek to impose its singular conception of the good on peoples and states that display different value system.

ii. An overview of the argument

Violent religious and secular zealots seem to appeal respectively to religious and secular ideologies to authorize and justify their indiscriminate killing and invoking intolerance and belligerence. Yet, in this study, I am not concerned with excusing religion from the accusation of being a motivation of some religious fanatics through an investigation of its contents and the different interpretations of its sacred texts. What I am concerned with is problematizing the way in which some Western writers and scholars – notably, Hitchens, Dawkins, Huntington and Lewis¹ – with secular consciousness take as self-evident that religion is inherently aggressive and turn a blind eye to other non-religious, ideological, social and material factors. By doing so, I will be able to offer substantial evidence and support to my claim that religion is not necessarily a source of violence and it cannot thus be claimed that religion has an inherent tendency to violent intolerance in politics. My objective is, thus, to identify those writers and scholars who claim that all extremists, religious ones in particular, have intolerant attitudes and belligerent behaviours because of their ideological commitment, showing that their arguments are inaccurate.

Contrarily to their claim, I argue that religion is not inherently intolerant or drives politics to belligerence; and thus politics or the state and other independent political agents with religiously guided theory will not necessarily seek to impose their beliefs and practices on other states and nations. This is not only because (i) religion in a sense of religiously based theories can be tolerant of difference, and (ii) secularism in a sense of political ideologies can be intolerant of difference, but also because (iii) the cause of aggression does not merely reside with religious or secular beliefs but it resides somewhere else; in that intolerance and aggression occur when religious and moral values arise within an ideologized system with political actors and movements in the state

¹ Both Hitchens and Dawkins represent what is called neo-atheism. The neo-atheism is a contemporary movement; it criticizes religion and calls for ending its influence in human life. Its confrontation to religion appears to be populist and polemic rhetoric more than scholarly critique; whereas Huntington and Lewis are classified as neo-orientalists as they embodied the classical orientalism in its attack to 'backward' orient in the Middle East, but with much more focus on religious civilization in particular Islam.

trying to implement this particular value system in their national and international politics. The attempt to translate such a monistic and one-sided value system into action through forcefully imposing it on those who have different values systems is what seems to provoke such excessive intolerance and violence. Therefore, we need to distinguish between those religious and philosophical theories or views that leave themselves open to abuse at the ideological level by political actors and movements in the state and those theories that do not because the moral value system they hold is pluralistic and tolerant of difference¹. In the political power that is guided by religiously informed theory, as an action guidance theory, the main cause of intolerance and aggression could thus be explained not in the nature of the theory itself, but in the way in which religious doctrines becomes monistic and then forcefully imposed by religious inspired political actors on others with different beliefs than theirs. Therefore, what drives a religious ideology to become bellicose in a certain way could be explained not in its natural character but in its anti-political irrational force. Anti-politics² is an inevitable attribute that accompanies monistic believers' thinking and behaviour and hence in a radically politicised context, it would drive them to be socially and politically intolerant and bellicose of others with different views than theirs. In other words, religious theory becomes anti-political when it turns out to be an exclusionary monistic ideology in the hands of political actors and movements in the state who in turn will work to make their internal and external political decisions taken on the basis of religious or divine rules or one-sided moral principles. Such anti-political religious theory provokes intolerance and belligerence in practice when its political agents do not acknowledge the existence of any other ideals but their own and try to impose them in practice (Ryan, 2012: 31-34).

¹ See Alfarabi's religiously based theory on war (chapter two) and Vitoria's religious theory on war (chapter three).

² Politics that I am concerned with is defined in terms of reason and rationality and in opposition to anti-political and fanatical tendency towards the narrow private sphere of things. Such a politics is guided by a practical experience rather than a monist conception of the good. It senses reality and addresses and solves political problems in human life. It recognizes difference and calls for compromise and pragmatism in order to stop legitimizing and justifying the use of violence in the public domain both domestically and internationally.

iii. A brief description of the thesis method and the content of the chapters

I pursue in this study, a critical analytical inquiry that is both historical and comparative in character. I deal with thought of particular writers, scholars and theorists in both modern just war theory and medieval history of religious just war tradition. This approach helps me link contemporary just war thought to its history¹.

The study will be divided into five chapters. The first chapter will outline the logic of a series of arguments amongst recent scholars and writers through which they associate violence with religion and imply or claim that the latter has an inherent tendency to motivate or justify belligerent intolerance in politics. This chapter thus addresses the neo-atheistic views of Christopher Hitchens and Richard Dawkins and the neo-orientalistic views of Bernard Lewis and Samuel Huntington, arguing that their view on religion as having an inherent tendency to motivate violence and war in politics is overly simplistic as it disregards the fact that there are significant non-religious motivations that could also incite religiously-motivated political agents' violence. To refute the claim of the neo-atheists and the neo-orientalists about the association of violence with religion, the study, thereafter, will engage in the two religiously informed theories on war presented by the Muslim philosopher, Abu Nasr Alfarabi (chapter two) and the Christian theologian and theorist: Francisco de Vitoria (chapter three), arguing that their theories on war and just war do not leave themselves open to abuse at the ideological level as they show that religious and political elements can go along together. Thus, despite their strong religious commitment, they produce theories that can be regarded as tolerant of difference and do not authorize for the use of force to impose belief. I shall argue that Alfarabi and Vitoria have found ways to reconcile religions and politics in their theories without eliminating the religious elements

¹ In fact, scholars of just war tradition such as James Turner Johnson, John Kelsey and Cian O'Driscoll call for adopting the historical approach and placing historical experience as "guidance for moral decision-making today". They do so in order to avoid 'abstract' 'theorization' of the pure analytical approach, through reflecting on 'actual problems' with regard to war in 'different historical circumstances'. See (O'Driscoll, 2013)

or weakening their importance. They have given an important space for reason and political rationality. I conclude that Alfarabi's and Vitoria's religiously motivated political theories on war are not belligerent for religious reasons and this is a strong indication that religion as an ideology is not necessarily the reason why some religiously inspired political actors are belligerent. In other words, religion is tolerant as religiously based theory could maintain its religious nature and stay tolerant of difference by giving a space for a variety of non-violent, rational, political options.

The fourth chapter makes two fundamental arguments. Firstly, secularism can be intolerant since the liberal theorist could fail in tolerating difference by sometimes advocating war against non-liberal societies or states for monistic ideological reasons. I will hence demonstrate that the connection between religiously informed politics and violence and war is not accurate because the seemingly more moderate secular views associated with human rights and liberalism also present problems when confronted with ideological differences internationally. Fernando Teson and Terry Nardin provide us with the thought relevant to this argument. Their theories, as I shall argue, are ideologically motivated by a universal monistic liberalism with universal enforceable moral values. In fact, they prompt military intervention as an indispensable duty to enforce one-sided morality (a singular conception of liberalism as the best good). For them the only way to achieve peace and justice internationally is ensuring an ideological change upon the pretence of protection of the victims of human rights violations.

Nonetheless, secondly, arguing that secularism can also be tolerant, one can strongly demonstrate that different versions of liberalism from the former, however, found ways to mitigate the use of military intervention and war and limit it to very specific conditions. Contrary to the liberal thought shown in Teson and Nardin's arguments, there are other secular-liberal theorists like John Rawls and Michael Walzer who have found ways to preserve the liberal-secular nature in their theories and stay tolerant of difference, as they reject the unrestricted calls for intervention

and refuse to enforce ideological change (reform intervention). This is quite similar to Alfarabi and Vitoria who while maintaining the religious nature of their theories were able to employ political rationality which makes religion attuned to all aspects of human life. Although Rawls and Walzer maintain their strong liberal belief in their thought, they have been able to build theories on just war in which the liberal moral principles and liberal politics (their attitude of how political liberalism should tackle the question of humanitarian intervention in practice) are adjusted. They respect sovereignty of the state and advocate cultural and religious plurality. They also put limitations on intervention and reject war for ideological change; i.e. they reject imposing universal values. This proves that the cause of aggression is not in the nature of the theory, but it lies in the relationship between religious and political elements.

In the final chapter, the study will seek a possible explanation at the level of ideology for the problem of religious fanaticism and belligerence. The focus is on the relationship between religion that reflects its values in society's moral doctrines and politics. I argue that religious violence is to happen as a consequence of the deformation in the relationship between religion or morality and politics. The chapter illustrates why religion is sometimes associated with violence and what actually causes belligerence and how this tendency could be solved by renegotiating the relationship between morality or religion and politics. Thus, the chapter starts by discussing the discourse that demonstrates that religion is only violent in terms of its relation to politics. This discourse is clearly observed in European Enlightenment and it sees the problem of religious violence and war as a consequence of the deformation in the relationship between religion and politics, and that the relationship should be either terminated or amended. I will show how Enlightenment thinkers like John Locke, David Hume and Jean Jacques Rousseau explain their views towards religious fanaticism in relation to politics. Then through discussing Reinhert Koselleck's *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society*, I will show how it is important to end the dominance of one-sided morality on politics in order to end the

deformation in the relationship between morality and politics which gives rise to utopian monistic morality and anti-political attitudes and consequently intolerance and violence. For Koselleck, we need to properly reconnect morality to politics to avoid any violent consequences similar to those that occurred in post-Enlightenment Europe. Strikingly, such consequences are similar to those that are occurring in modern Islamic states and expressed in radical jihadism, according to Paul Berman and John Gray. Thereafter, aiming to illustrate some elements of a solution for violence and war that are driven by both religious and secular ideologies, I will demonstrate how it is important to disconnect politics from violence. According to Hannah Arendt, violence is the very opposite to politics and it is essential to create non-violent forms of politics. The chapter thus will suggest an urgent need to accept concepts of reasonable disagreement and value pluralism as they have been interpreted by Berlin, Rawls and Arendt. Consequently, the chapter will conclude that the cause of intolerance and aggression is neither with the religious thought nor with the secular thought, but it resides in the way in which the relationship between the religious and the political is set up.

1. On religious Fanaticism and Violence

1.1. Introduction

The objective of this chapter is to show evidence that there are recent scholars and writers who see religion itself as having an inherently violent tendency. The difficulty with such a view is that it sees the problem of fanaticism and violence as peculiar to people's religiosity itself, not as simply associated with religious extremism (forceful monism). And thus it tends to justify the use of violent means like war by secular agents such as states against those people, peoples or states with religious convictions, in order to impose anti-religious conviction, while defending secularism as the only alternative.

To tackle this, the chapter seeks to illustrate that the orientation that religion has an inherent tendency to motivate violence is strikingly seen in neo-atheism and neo-orientalism; the two discourses that appeared and noticeably developed in Europe after the Second World War. To elaborate on this, firstly, I will respectively explain the rationales behind the neo-atheists Christopher Hitchens' and Richard Dawkins's view on the violent nature of religion. Secondly, I will tackle the neo-orientalistic view of Bernard Lewis and Samuel Huntington. The chapter is to conclude that both neo-atheists and neo-orientalists understand religiously motivated actors' violence and war as structurally implicit in religion and that such an approach appears not only polemic and apologetic, but also simplistic, controversial, disputatious, hostile and populist. And it contradicts those commonly acceptable views that see religion as a source of love, hope, kindness, consolation and spiritual attainment (Hasan, 2014). Thus one cannot practically accept that all religions or even a particular religion have an inherent tendency to motivate violent intolerance: for the simple fact, as I indicate in the end of the chapter, that other non-religious

factors could also motivate religious agents to intolerance and violence, as scholars like Robert Pape (2003), Jonathan Haidt (2013) and Karen Armstrong (2014) illustrate.

1.2. Neo-atheism and the polemic attitude to religion

Neo-atheists seem to have taken the intellectual development of secularism in Europe, itself not particularly characterized by anti-religiosity, into the sphere of anti-religious, non-scholarly, populist, polemic speech. Exploiting the public's general fear of the religiously different and unknown, they provide direct, radical, ideological rhetoric evaluations and unrealistic proposals that call for a break with the opposite, or a rejection of difference. It is a retaliating exclusion of religion in particular as the opponent to what they believe is right. Their evaluations are, in fact, mainly combative, simplistic, aiming at prompting hostility to religious thought through turning to history to use it as a means to sustain a particular ideological understanding, as they claim exclusive knowledge of the truth. One of their unrealistic propositions is that war against Islam is a permanent state as an existential conflict exists for the secular West.

Historically, however, the intellectual process of modernization and rationalization prompted since the Enlightenment has led religion to lose its authority and its unquestionable, effective power in social and political life. The political revolutions in Europe, in particular in England and France in the 16th and 17th centuries transformed this thinking into practice. Church property was seized, and the church lost worldly power and social and political significance. Although secularisation was not simply a creed of anti-religion, the process of transforming society towards non-religious values, anti-clericalism and secularised institutions seems to have been understood by neo-atheists as an anti-religious process. They see this as a call for irreligious values, creeds and practices. They try to actively counter religion and enforce their views. Two of the most prominent are Christopher Hitchens and Richard Dawkins. Their criticisms show a sharp,

extreme and intense drive towards viewing religion itself as evil, violent and threatening to the civilized world.

To start with, for Hitchens, religion divides people and makes them fanatic; it is a superstition made by human beings themselves due to their fear of death, dark evil, the unknown and of their fellow humans (Hitchens, 2007: 12). Additionally, religion violates morality because it provides a false picture of the world to the innocent and the naive (Hitchens, 2007: 205). It has, hence, a deceptive effect on its believers; it creates for them a fake happiness (Hitchens, 2007: 12). The most crucial consequence of all these negative features of religion is that it sharply, religiously divides people through multiplying factional suspicion among them. This is inherent in religion because fear of human difference – the base on which humans create religion – makes religion encourage reticence and reserve. Thus hatred increases between people of different religions and eventually this gives rise to fanaticism, extremism, destruction and war. Accordingly, Hitchens states that “religion has been an enormous multiplier of tribal suspicion and hatred, with members of each group talking of the other in precisely the tones of the bigot” (Hitchens, 2007: 35-36).

Moreover, for Hitchens, religious thinking genuinely makes believers fear any criticisms to their religion, as critics pose a real danger to their faith. This is exactly what happened, Hitchens claims, with the Iranian fatwa in 1989 regarding Salman Rushdie’s *Satanic Verses* (Hitchens, 2007: 28-29). Another example of this fanaticism is Muslims’ reaction to critically cynical cartoon pictures of the Muslim prophet Mohammed in Denmark (Hitchens, 2011: 704-708). He states that Denmark “[a] small democratic country with an open society, a system of confessional pluralism, and a free press has been subjected to a fantastic, incredible, organized campaign of lies and hatred and violence, extending to one of the gravest imaginable breaches of international law and civility: the violation of diplomatic immunity” (Hitchens, 2007: 204).

For Hitchens, furthermore, religion contradicts the civilizational progress of human beings, as destruction and war are inevitable consequences of it. Hitchens thus states that "... people of faith in their different ways are planning yours and my destruction, and the destruction of all the hard-won human attainments that I have touched upon. *Religion poisons everything*" (Hitchens, 2007: 13). Here the most apparent example is the 9/11 terrorist attack. This represents an existential clash between liberal, enlightened, Western civilization and the militarized, violent, religious fascism of Islam that appears as a brutal and totalitarian ideology (Calderone, 2011). The threat of Islamist jihadism is not temporary but permanent (Hitchens, 2006). Thus, the war against theocratic terrorists or religious extremists is an existential war (Hitchens, 2003). Because of this, Americans or the West must fight a war of existence against the 'parties of God' as only either 'us' or 'them' can exist on the planet. No peace can ever be achieved with the religious fascists (Todd, 2011).

What is more, according to Hitchens, theocratic terrorism or religious extremism co-exists with failed societies where religious tension is prevalent, and allies itself with rogue authoritarian, militarized dictatorships (Hitchens, 2011: 580). Thus, the Western war on terror in Afghanistan and Iraq was indispensable because such military intervention for the democratic world is a natural reaction. It is right and proper to make a stand in the face of the threat of this religious extremism that has strongly appeared since 9/11. Indeed, Hitchens provides a dark picture about how 'religion kills' as he puts it. He presents many stories and examples for how religious identity has to be the driving force of violence (Hitchens, 2007: 18, 20). Such are the religious tension between Roman Catholics and Protestants in Belfast, the Lebanese religious war, the religious tensions in India, Al-Qaeda violence, and the religious war in previous Yugoslavia, in addition to the extreme view of the Christian right in America (Hitchens, 2007: 15-36).

Similarly to Hitchens, for Dawkins religion is violent by nature as all kinds of religiosity whether moderate or extreme will ultimately lead to violence. Indeed, for Dawkins, to begin with, religion curbs and silences the voice of reason because it promises people that death is not the end and that martyrdom or sacrificing themselves for religion is glorious. What enables such things to happen is the nature of religion itself, that does not encourage questioning at all. It is clearly observed in Dawkins' *The God Delusion* that religion is hostile and evil by nature. Dawkins (2007: 346) states, accordingly, that:

... religious faith is an especially potent silencer of rational calculation, which usually seems to trump all others. This is mostly, I suspect, because of the easy and beguiling promise that death is not the end, and that a martyr's heaven is especially glorious. But it is also partly because it discourages questioning, by its very nature.

It is understood here that true rational calculation is silenced by religion, since for believers, religious teachings have triumphed over all other alternatives or solutions. Religion easily makes believers look forward to dying and becoming martyrs in order to execute what they think is God's will, as God promises them that heaven is waiting for them. It is the nature of religion that makes religious teachings unquestionable, according to Dawkins. It follows that any religious teachings whether moderate or not will eventually lead to extremism because they themselves are unquestionable, glorified and supernatural and these are 'an open invitation to extremism' (Dawkins, 2007: 345-346). For Dawkins, both moderate and fundamentalist religious beliefs contain the seeds of fanaticism, absolutism and violence. Accordingly, Dawkins concludes, what should be blamed and warned against is religion itself (Dawkins, 2007: 345-346). This is because faith itself provides its followers and in particular their children with certain ingredients to make them "grow up into potentially lethal weapons for future jihads and crusades" (Dawkins, 2007: 348).

In this regard, Dawkins gives examples from Christianity and Islam to prove his point. He claims that other religious extremists such as American ‘rapture’ Christians go too much further with their brutal thought, yearning for nuclear war because “they interpret it as the ‘Armageddon’ which, according to their bizarre but disturbingly popular interpretation of the book of Revelation will hasten the Second Coming [of Christ]”. (Dawkins, 2007: 341). This thought, Dawkins argues, applies to Islam as well; Islamists literally believe in the Qur’an in which one finds bellicose verses that can be interpreted to justify their wars against ‘infidels’. And thus dying for this cause in such a holy war, for Islamists, as they believe, would pave the way for them as ‘martyrs’ to go straight to heaven (Dawkins, 2007: 343, 347). And, for Dawkins, only religion has the natural power to make decent people sacrifice themselves for a selfish goal: their heavenly reward. And in comparison of religious fanaticism to secular version of extremism such as ‘patriotic love of country’, Dawkins (2007: 342-343) states that:

... unlike their Palestinians counterparts, or their Kamikaze counterparts in Japan, or their Tamil Tiger counterparts in Sri Lanka, these human bombs [of religious absolutism] had no expectation that their bereaved families would be lionized, looked after or supported on martyrs’ pensions [but they believed that they themselves would go directly to heaven for doing so] ... Only religious faith is a strong enough force to motivate such utter madness in otherwise sane and decent people.

Dawkins here regards that only religion has potential sufficient power to make decent normal people suicide bombers, as they do not wait for rewards in this life as do those soldiers and resistant patriots who fight to defend their countries in Palestine, Japan, Sri Lanka, for example.

Furthermore, defending his atheist belief, Dawkins indicates that the hostility resulting from the religious disagreement is not limited to speech, but accompanies violence and killing because it comes from a fanatic belief. Unlike religious fanaticism, Dawkins shows, first, if hostility ever existed in atheism, it would be a result of a passionate scientific reason and “limited to words. I

am not going to bomb anybody, behead them, stone them, burn them at the stake, crucify them, or fly planes into their skyscrapers, just because of a theological disagreement” (Dawkins, 2007: 318). Second, the ‘so-called hostility’ of an atheist does not come from fundamentalist belief but from a passionate scientific mind. For example, “the evidence for evolution is overwhelmingly strong and I am passionately distressed that my opponent can’t see it - or, more usually, refuses to look at it because it contradicts his holy book” (Dawkins, 2007: 320). For a believer, his holy book represents the only truth available for all human beings. Thus, his book and God will denounce all those heretics who refuse this truth and then justify for him the attempt to kill them. Therefore the power of atheism contrasts sharply with that of religion and hence Dawkins (2007: 309) argues that “[i]ndividual atheists may do evil things but they don’t do evil things in the name of atheism” Dawkins wants to show that atheism, unlike religion, does not have strong enough power to systematically motivate people to do violence. Hence violence can never be committed in the name of atheism. Only religion has such a power.

After enumerating the motives behind many wars, Dawkins states that “[e]ven more plausible as a motive for war is an unshakeable faith that one’s own religion is the only true one, reinforced by a holy book that explicitly condemns all heretics and followers of rival religions to death ...” (Dawkins, 2007: 316). Dawkins here introduces religious wars as an apparent example that confirms that religion is inherently violent. For him, the history of humanity is full of frequent wars in the name of religion. These wars, as the believers of religion thought, applied the religious dogmas of holy books. Third, unlike religious fanatics, atheists, Dawkins shows, “do not need religion to be moral” (Dawkins, 2007: 318). And there is no need for religion for people to attain morality. The roots of the morality that religion claims to provide are not restricted to it but can be found in other ‘non-religious’ terms. In addition, any anger that could be associated with atheists is only because of the apparent contradiction with rationality that occurs when some

believers declare something rejected, such as the theory of evolution, just because their bible says so.

Dawkins, hence, claims that if the motive force of brutality is not religion in itself, then it is highly plausible to exploit people's religiosity by appealing to religious teachings to convince them to commit or to justify brutality. Therefore, in both cases, religion is hostile. For instance, if anybody argued that both Hitler's and Stalin's cruelty was motivated by their atheism, Dawkins would agree that both did wicked things; but he would disagree that a belief in atheism incited them to do so. For Dawkins, either Hitler was not religious but deployed religion, 'cynically exploiting the religiosity of his audience' (Dawkins, 2007: 313) to achieve his political ambitions. This kept the public quiet and maintained their belief in him. Otherwise, Hitler was motivated by religious (Christian) rhetoric, as appeared when he used Martin Luther's anti-Semite description of Jews as a 'brood of vipers' in one of his speeches. Therefore, for the second scenario, Dawkins states "Hitler would have to have been unusual not to have been influenced by the long Christian tradition of blaming Jews as Christ's killers" (Dawkins, 2007: 311). As for Stalin, Dawkins claims that he obviously was an atheist. However, the bad things he did were not in the name of atheism, but "in the name of, respectively, dogmatic and doctrinaire Marxism, and an insane and unscientific eugenics theory tinged with sub-Wagnerian ravings" (Dawkins, 2007: 315-316).

In the end, one may conclude that both the neo-atheistic reasoning of Hitchens and that of Dawkins in fact strongly advocate the idea that religion as a phenomenon itself provokes violence and that religious belief whether fanatic or not will ultimately lead to violence. Similarly, the neo-orientalists Lewis and Huntington perceive religious difference as the reason behind the violent clash between civilizations, and believe that intolerance is planted in religion. This will be the subject of the next section.

1.3. Neo-orientalism as an apologetic approach against religion

It seems that the neo-orientalists are arguably in the same line of reasoning that is presented by the neo-atheists discussed above. Both see religion as having an inherent tendency to motivate violent intolerance. Yet I argue in this section that one should understand neo-orientalism's view of religious fanaticism in relation to two intertwining contexts different from that of neo-atheism. The narrower context sees neo-orientalism as an inevitable natural development in the political dimension of classical orientalism. This can mainly be observed in Edward Said's critical analysis of classical orientalism¹. Both Bernard Lewis² and Samuel Huntington's writings significantly exemplify contemporary orientalism. This took shape in the post-Second World War era in reaction to the political and military dangers that Islamism had and could have for the liberal-secular West. In the modern development of orientalism, the wider context is characterized by moral apologetics. Neo-orientalists attack other or opposite comprehensive systems of belief like Islam to refute them and show their 'apparent' errors, using historical evidence and polemic arguments as self-verifying experience. Appealing to rational academic logic to support their criticisms of the oriental world, neo-orientalists aim at justifying any Western war on the Muslim world as a response to the dangers of Islam or Islamism and at the same time showing how constructive liberal values are in the West compared to other religiously-based value systems in the oriental world.

Indeed, with respect to the first context, neo-orientalism cannot be separated from the mainstream of the classical orientalism that Said criticizes. It focuses more particularly on triumphalist religious civilizations that have flourished in religion's birth-land; nonetheless, similar

¹ Said is a Palestinian American theorist engaged in the critical theory of post-colonialism. His work *Orientalism* (1978) shows how the West generalises and stereotypes the societies and cultures in the Middle East, Asia, and North Africa.

² Lewis is a British-American historian and is counted among the greatest Western scholars in oriental studies. He is known especially for his studies on the history of Islam and the interaction between Islam and the West. Of Lewis's important works, there are *The Assassins: A Radical Sect in Islam*; *Islam and the West*, *The Crisis of Islam: Holy War and Unholy Terror*, *Race and Slavery in the Middle East*, *The Muslim discovery of Europe*, *The political language of Islam* and *The Arabs in History*.

to the classical orientalism, it follows the same approach that characterizes peoples of the orient as being evil, barbarous and violent. Based on Said's *Orientalism*, if one intends to highlight some of the consequences of classical orientalism, two prominent images of oriental people strikingly portray the 'evil' nature of Islam. The first is the preconceived image of the Muslim-Arab: eager, barbarous, full of desire and sensual pleasure. The second image concerns the irrational, uncivilized character of Arabs and Muslims in general which make them intrinsically intolerant of difference. In *Orientalism*, Said indicates that orientalist like Gustave Flaubert¹ have associated,

[T]he Orient with the escapism of sexual fantasy... what they realize they want comes easily to their daydreams packed inside Oriental clichés: harems, princesses, princes, slaves, veils, dancing girls and boys, sherbets, ointments, and so on. The repertoire is familiar ... because, once again, the association is clearly made between the Orient and the freedom of licentious sex. (Said, 2003: 190)

Said refers here to the idea that Islam is clearly associated with the evil part of human nature and with the image of desire for sensual pleasures; this association, Said shows, can also be observed in Dante's *Inferno*² (the hell) in *the Divine Comedy*. Dante imagines that before he arrives at the centre of the hell, where the Satan is located, he passes *Maometto* or Mohammed who is placed with the 'Disseminators of Scandal and of Schism', as Dante categorises them³. This location is a part of a hierarchal composition of sinners and their punishments. Accordingly, *Maometto* would be punished in a 'disgusting way'. Dante made a particular parallel for *Maometto* to disseminate the image of 'revolting sensuality', and grouping him with a priest called Fra Dolcino who pretended to a theological eminence that Dante considered Mohammed did as well (Said, 2003: 68-69).

¹ Flaubert is a French novelist and orientalist.

² Dante's *Inferno* is a vision of his journey through Hell.

³ Dante's poem groups all the historical figures he accuses of diverting Christians from the true (Christian) religion into a particularly nasty lower region of Hell, and he puts *Maometto* (the Muslim prophet) there. It is they who are the 'Disseminators of Scandal and of Schism', and his Christian bias makes him consider *Maometto* as one of the worst. Dante's vision of Hell puts the sinners in it onto various levels – and the worse the sin, the greater the torment, and the lower the position is in the hierarchy, with the very bottom of Hell's pit reserved for Satan.

The thinking behind the second image is that unlike the West, Muslim Arabs of the Orient are irrational, hostile, illogical, uncivilized and non-liberal. And they do not have 'real' moral values. Accordingly Said (2003: 48) states that:

... [o]n the one hand there are Westerners, and on the other there are Arab-Orientals; the former are (in no particular order) rational, peaceful, liberal, logical, capable of holding real values, without natural suspicion; the latter are none of these things.

Certainly, for orientalists, unlike the West, the Middle East is seen as illiberal, aggressive, irrational and unable to embrace genuine values. Thus, for them, Arab-Muslims live naturally in a world of distrust and suspicion. In Arab-Muslim life, manoeuvre and stratagem thrive; and the need for revenge controls everything and makes everything function. Otherwise, Arab-Muslim people would feel "ego-destroying" shame. Arab-Muslims, unlike Westerners, do not value peace. The orientalist claim is that either warfare or at least non-peace was the natural situation of life in Arab tribal society. According to classical orientalism, intolerance towards unbelievers is planted in Islamic faith, and cannot be ignored especially when a disruption or interference with Muslims' faith and of their established life arises. This sort of upheaval would stir up their 'deeper passions' and give rise to rage and hatred towards those accused of the disruption or the interference. This rage leads to a violent reaction that includes kidnapping, assassination, and killing indiscriminately. The justification of their actions can always be found in the lives of their prophet and *Salafs* (Mohammed's companions and other ancestors) (Sullivan, 2001).

Two observations can hence be seen in neo-orientalism: the first is that contemporary, politically motivated neo-orientalism does not go much further than classical orientalism did, in terms of its focus on Arabs or Middle Easterners in a particular confined geopolitical sphere. However, its treatment of the orient now is expanded and focused more specifically on Islam as a religious civilization and particularly on the effects Muslims have on Western civilization. The following

are major images for neo-orientalists: first, Muslims do not have the ability to develop and modernize like the West; and second, Islamic values and practices are more likely to support intolerance and violence (Safi, 2006). In the second observation neo-orientalists are enthusiastic to show that there is a need to respond to the dangers that Islam imposes on the civilized West. These observations are clearly shown in Lewis and Huntington's writings. Both – and this is mainly concerned with the second context, the vision of neo-orientalism on the relation between religion and violence – not only have they sought to detect errors in the lifestyle, belief and practices of Arab-Muslim peoples in the orient, but they have also stressed the dangers these pose for the West and the urgent necessity to stand against these dangers; and by doing so they justify the West's war against them. Thus one can suggest that in the moral apologetic of Lewis and Huntington's analysis, neo-orientalists have used self-verifying historical evidence and arguments to justify their view of the violence Islam allegedly imposes upon the West. The aim is to show that the religious fanaticism and backward cultural structures of the religious civilizations that stand against the liberal-secular civilization of the West have the problem of violence and intolerance implanted in their religious faith and culture. This will inevitably lead them to violence and clash with other civilizations eventually. It seems, as a result, that people of such civilizations have no other choice but to believe in and then adopt the principles of Western civilization, in order to attain progress in their life, as it is the only democratic and peaceful alternative available to them.

1.3.1 Bernard Lewis on Islam and violence

This section will detail how Lewis develops his orientalist view, showing his intention to affirm the same old images of classical orientalism about Arabs and Muslims and, in particular, the violent nature of Islam and its followers.

Lewis, firstly, stresses that hostility and war in Islam are implanted in its structure. Lewis invokes the notion of the 'violent potential of religion' as the pivotal cause of tension between the Muslim world and the West. In Lewis's point of view, Islam appears to be aggressive towards others; and the reason for this intolerant trend in Islam is endemic to Islam (Lewis, 1990: 47-60). In this regard, Lewis articulates that:

... [t]he notion of barbarian [as an attribute of Islam in the European perception]... with it came related ideas of barbaric splendour and oriental despotism, contrasted with classical austerity and European freedom. (Lewis, 1993: 25-26)

Lewis here refers to the oriental perception of the 'apparent' contrast between Westerners and Muslim barbarians of the Middle East; it is the already formed picture of the indulgence and of Muslims in the orient, and their tyranny. Additionally, in Muslim faith, Westerners are guilty of imperialism, racism, slavery, exploitation and infidelity. Muslims also have never been ready to accept the full equality of others who believe in different faiths, especially Judaism and Christianity. Consequently, Lewis regards this sense of intolerance as an 'irrational' and barbaric 'reaction' against the Judeo-Christian heritage and the present Western secular modernization (Lewis, 1990: 47-60). Furthermore, Lewis indicates that jihad or the holy war in the path of God is an essential principle in the Islamic belief. Because Islam is universal in its ambitions, its holy war has to continue until all people in the whole world are converted to Islam or have submitted to its political power. Therefore, there will be no peace until the Islamic faith prevails all over the world, except in case of truces, according to Lewis (Lewis, 1993: 9-10, Lewis, 1995: 9).

Secondly, Lewis indicates that the seeds of the failure of Islamic civilization in modern times come from within Islam itself, not from outside it. In his essay on "What Went Wrong?", Lewis (2002) goes further in explaining how Islamic belief carries in it the seeds of its failure. He indicates that:

... finding targets to blame serves a useful, indeed an essential, purpose – to explain the poverty that they have failed to alleviate and to justify the tyranny that they have introduced. ... To a Western observer, schooled in the theory and practices of Western freedom, it is precisely the lack of freedom – freedom of the mind from constraint and indoctrination ... (Lewis, 2002: 43-45)

He seeks to maintain here the idea that Muslims have tried to find outside forces to blame in order to provide excuses for their failure, though this failure simply relates to Islamic beliefs and traditions themselves. Hence, he suggests that Muslims adopt some kind of Western basic principles of freedom in order to solve their problems. The matter is as simple as that.

Thirdly, Lewis maintains that the clash of Islam with Christianity is inevitable because both have the same background and follow the same approach. Such religions are triumphalist and thus accompanied by the dualism of “us”, the civilized and “others or the rest” who are barbaric and brutal. Lewis (2003: 39) states that “[f]or some religions, just as ‘civilization’ means us, and the rest are barbarians, so ‘religion’ means ours, and the rest are infidels” He indicates that there are two such kinds of religions known to human experience which have been identified as civilizations: Christianity and Islam. Lewis adds that because Christianity and Islam are defined by civilization and thus claim to possess the only path to salvation in life and afterlife, the clash is unavoidable and never finishes, as it is a part of their conscience and virtuous duty to bring others to God’s will in his final revelation. To do their godly duty, the two religious civilizations have launched their holy war in terms of jihad and crusade and these conflicts can be seen in the long and semi-continuous conflict of conquest and re-conquest between the two (Lewis, 2003: 42). He accordingly states that:

... the first Arab-Islamic invasions took Islam by conquest to the then Christian lands of Syria, Palestine, Egypt, and North Africa, and, for a while, to Southern Europe; the Tatars took it into Russia and Eastern Europe; and the Turks took it into the Balkans. To each advance came a Christian rejoinder: the

Reconquista in Spain, the Crusades in the Levant, the throwing off of what the Russians call the Tatar yoke in the history of their country, and, finally, the great European counterattack into the lands of Islam, which is usually called imperialism. (Lewis, 2003: 42)

What Lewis (2003) wants to conclude here is that religions such as Christianity and Islam are triumphalist; and intolerance is thus naturally integrated in their approach towards others. It appears that for Lewis the triumphalist religions are the only ones that have the theological seeds of conflict and violence; whereas other religions have no such problem. What can be noted here is that other non-triumphalist and non-aggressive religions, that take the relativist approach to religion as Lewis argues, appear to be much more regional cultures and social traditions than religious dogmas and are limited in their social scope and in expanding orientation. It might be that these kinds of relativist religions are not very relevant to, or much debated in terms of, the connection between international relations and violence, or of war between states and civilizations. In other words, the violent nature of any religious beliefs is more likely to appear when the theological struggle for a belief is faced by the theological struggle of another belief. And this highly probably happens when a political agenda is injected in between the struggles. The most apparent example nowadays is the war against unbelievers carried out by Islamists and the war against terrorism launched by the West (Lewis, 2003: 39-40).

One can conclude here that neo-orientalists like Lewis have used the self-verifying evidence in the history of Islam in their approach to criticisms of Islamic civilization to claim its barbarous and intolerant nature. They aim at showing that Islam as a whole is naturally, not because of reasons that are out of its control and not of its will, so distant from understanding the precepts of civilized development such as democracy, human rights, freedom of opinion, acceptance of diversity and political and religious pluralism. The Western world that has been able to perfectly digest the moral values of Christianity is in an unavoidable war with the fundamentalist religious

civilization of Islam. This image of the necessity to the West of a response to the cultural, political and military dangers of Islam clearly appears in Lewis's attempts to trace back the origins of fundamentalism in history of Islam. His writings include investigations that start from the Assassins in the Islamic middle ages to the wars and expansions of the Ottoman Empire in Southern Europe in the early modern period and to Islamism in the contemporary world.

Certainly, this way of thinking towards Islam has been promoted by neo-orientalists after the Second World War, and noticeably intensified after 11th September 2001; since then Islam has been strikingly blamed for the rise of terrorism (Safi, 2006). In fact, neo-orientalists, like Lewis, ultimately seek to show that the aggressive ideological or religious war waged by 'Muslim terrorists' against the West is provoked by the Islamic faith. This is because Muslims aim to dominate the world and eliminate the secular 'godless West'. Likewise, in his attempt to define the enemy in the global war on terrorism, Dobrot (2007: 2-3) suggests that this war is indeed religious and ideological: the enemy camp consists of three overlapping groups. Although these groups are separated, what assembles them is the belief that Islam is the only true religion; and that it is superior to all other religions. And thus, it must be "spread by force to bring peace to the world." The first group ideologically aims to establish 'a new unified Islamic State'. To achieve this goal, its organized and trained members carry out violent acts, legitimized by their own very literal and selective interpretation of the Qur'an. While the second group financially and morally supports the first group, the third group consists of the states and the organizations which support the ideological tendency of the first group or advocate its objectives (Dobrot, 2007). Dobrot concludes that Islamic faith, with an ideological tendency directed by both Muslim intellectuals and armed forces, is the enemy of the West. Similarly to Lewis, this thinking indicates indeed how Islam is seen to be intrinsically violent; and thus, according to the neo-orientalists, it is Islam that ought to be blamed where religious fanaticism is concerned, because it is a defective religion. And nothing can cure Muslims' defected religious civilization and values

but adopting Western, liberal, secular values. This is also clearly duplicated in Huntington's writings, as will be detailed in the next section, which aims to show why he views neighbouring religious civilizations as inevitably violently clashing.

1.3.2. Samuel Huntington on Islam as a violent religious civilization

Similarly to Lewis, one of the main ideas that Huntington¹ endeavours to illustrate is that defects and failures in many aspects of the Muslim world are not, as Muslims claim, from reasons unrelated to Islamic faith; the reasons that led to the decline of their civilization are not, as they claim, outside factors like colonisation and foreign dependence etc. Instead, according to Huntington, the only reason for their backwardness and their failure to progress like other ethnic groups, and nations like the West is inherent in their cultural values. Islamic civilization's cultural values make it entirely dependent in its thinking and behaviour on fundamentalist religious values that provoke divisions and weaknesses, which in turn lead to involvement in violent religious conflicts. Accordingly, Huntington's thesis on clash of civilizations shows that:

... [t]he relations between Muslims and peoples of other civilizations ... have been generally antagonistic; most of these relations have been violent at some point in the past; many have been violent in the 1990s. Whenever one looks along the perimeter of Islam, Muslims have problems living peaceably with their neighbours. (Huntington, 1996: 256)

By connecting a particular religious faith to a civilization, Huntington's clash of civilizations thesis can, thus, be classified as neo-orientalism. On this ground, he refers to the idea that the problem of the West is not simply to do with Islamic fundamentalism but with Islam itself and its culture. Consequently, Huntington argues that Islamic faith is inherently violent. So Huntington has found his answer to the question of why Muslim civilization is seriously

¹ Of Huntington's most important works, there are *The Third Wave: Democratization in the Late Twentieth Century*, *Culture Matters: How Values Shape Human Progress* and *Political Order in Changing Societies*.

involved in violence in the conventional orientalist fashion. This view claims that Islam is an aggressive religion because it glorifies bellicose values. To clarify this proposition Huntington (1996: 32) argues that:

... people are always tempted to divide people into us and them, the in-group and the other, our civilization and those barbarians. Scholars have analysed the world in terms of the orient and the occident, North and South, Centre and Periphery. Muslims have traditionally divided the world into *Dar al-Islam* and *Dar al-Harb*, the abode of peace and the abode of war.

Galtung (1990) asserts the very same idea. For him, religiously motivated terrorist groups create the bilateral equation ‘us and them’; that is, in a religious society, people are usually separated into two groups: unbelievers and believers. In religions such as Christianity and Islam where God or the sacred is somewhere outside us, it would be highly probable that some people will be seen as closer to that God than others. It is the dichotomy between Evil and Good, Satan and God or Hell and Heaven. Accordingly, God has chosen his people and left the others to Satan. And the true believers and clergy, predictably possess a special and privileged position in the relation to God, while others are heretics, who must be subject to inquisition and then punished because of their heretical views and faulty beliefs (Galtung, 1990). Yamin (2008: 9) affirms both what Galtung and Huntington’ arrive at stating that:

... [c]omparison, and the consciousness of the “self” and “the other” is the logical consequence of group identification. It also creates the required distance and boundaries to dehumanize the other. A culture of pseudo-speciation advanced on the basis of religious distinction is often difficult to resist or challenge, because it is grounded in non-negotiable values and the sense of one’s identity and self-esteem. The threat to religious identity, therefore, is potentially a source of high levels of violence and conflict that are often extremely difficult to resolve.

According to this statement, behaviour based on religious values creates a conscious identification of the self and the other. This in turn leads to the establishment of boundaries and of distinctions between the self and the other, as religious values are non-negotiable. As a result, it can be suggested that religion becomes in this way the source of radical behaviour.

Furthermore, according to Huntington, the resurgence of fundamentalist religious movements in the late twentieth century has been very much noticeable (Huntington, 1996: 69). For example, the Islamic fundamentalist movement seeks to find solutions in Islamic faith for problems that Islamic societies have suffered, but not in other ideologies or civilizations. Therefore, this resurgence has entailed a fundamental reform and a comprehensive reconstruction of Islamic societies from top to bottom. This reformation hence has been universal and has had to touch every Muslim society (Huntington, 1996: 110). For Huntington, this call for a fundamental reform, Islamism, has occurred first in the cultural realm and then moved on to both the social and the political spheres. The result has been political Islam and its jihadist terrorist ideology.

Moreover, for Huntington, precisely because societies possess differences in religion and culture, they feel that they cannot understand and trust each other; and thus it is more likely for people in general and in turn politicians in these societies to see other religiously different societies as sources of threat to their own (Huntington, 1996: 34). Accordingly, Huntington (1996: 28) indicates that:

... [t]he bloody clashes of civilizations ... [are] not for reasons of ideology or power politics or economic interest but because of cultural kinship ... The revitalization of religion throughout much of the world is reinforcing these cultural differences.

Huntington demonstrates here how the contemporary global revival of religions around the world has led to the intensification of 'religious consciousness' and has reinforced the differences among religions (Huntington, 1996: 69). It can be understood from Huntington's reasoning on

religion that religious civilizations such as Islam and Christianity are inherently violent. Huntington suggests, accordingly, that:

... [f]or people seeking identity and reinventing ethnicity, enemies are essential, and the potentially most dangerous enmities occur across the fault lines between the world's major civilizations ... People define themselves in terms of ancestry, religion, language, history, values, customs, and institutions. They identify with cultural groups: tribes, ethnic groups, religious communities, nations, and, at the broadest level, civilizations. (Huntington, 1996: 32)

According to this, Huntington (1996: 42) affirms that religion is the most important element of all in defining civilization, especially that kind of religion that has survived in the land of its birth, where the people who constitute its adherents would identify themselves as part of that religious civilization. Islam, Confucianism, and Hinduism are such religions, but Christianity and Buddhism are not included because both have flourished outside of their birth land (Huntington, 1996: 47). Yet he adds that “[r]eligion is a central defining characteristic of civilization; fault line wars are mostly between people of different religions” (Huntington, 1996: 253). In other words, what Huntington seeks to illustrate is that religion provides its followers with values that legitimize and justify the use of corporal force. Cinoglu (2010) and Seul (1999) also try to affirm and explain this very same notion. For them religiously inspired terrorist groups usually interpret religious values in a way which is different from that of the mainstream. The reason for this lies in the powerful ability of religion to serve the identity-related needs of groups and individuals. This special role of identity dynamics produces and escalates many conflicts that occur along religious fault lines.

In this context, Yamin (2008: 2-4) indicates that Huntington's perception of the clash of civilizations clearly shows that the religious cleavage is its most evident representation. Yamin also demonstrates that although most known religions claim they are seeking for peaceful co-

existence with the ‘others’, religion is often referred to as a source of violence and conflict. It mobilizes ethnic conflicts as it is usually used to justify events of this kind. Past and present religious divisions between various religious groups such as the previous cleavage between Christian Serbs and the Muslims of the former Yugoslavia, and that is underway between Israeli Jews and Palestinian Muslims have been perceived by social scientists as an obvious manifestation of the clash of civilizations (Yamin, 2008).

In the end, one can suggest that the consequence of this limited understanding, and the narrow thinking of neo-atheists and neo-orientalists concerning religion and religious civilizations has been that religiosity is confused with religious extremism; in that, for them the individual’s belonging to a religion not only leads him/her to have an emotional bias in favour of his/her fellow believers and towards sharing their fate in both life and afterlife, but also leads him/her to adopt political choices and take essential life decisions on the basis of this emotional favouritism, at the expense of other possible ‘belongings’ that reflect his/her political, non-religious ambitions and aspirations.

However, the crucial question that arises here is whether it is possible to generalise that a particular religion is violent and that all its followers, believers and representatives are aggressive and consequently terrorist. More specifically, is it feasible to accuse Islam of being a religion of violence, and maintain that all Muslims are backward, and blame them of attempting to curb the development and intellectual achievements of the West? Such an accusation, levelled by some in the neo-atheist and neo-orientalist communities, cannot firmly stand, because one cannot generalise either that Islamic faith is inherently violent by nature, or that religious motivations are exclusively behind the violence and aggression of a clear minority of Muslims, exploiting as they do the existence of some Qur’anic verses that refer to war and violence. Surely, “Islam is not a pacific religion; it allows military operations and violence in a certain and limited context”

(Hasan, 2014). What is happening is that ‘a minority of Muslims’ take Islam ‘out of that context’. It is also highly likely that there are also non-religious motivations behind the violence that fundamentalists of any of the world’s religions commit (Hasan, 2014). Robert Pape, for example, illustrates that, in fact, religious motivations are not necessarily the reasons behind the terrorist suicidal attacks he has studied. There is a common non-religious strategic objective behind most religious terrorist offences; that is, to force the occupiers to withdraw their troops from the lands that they regard their homes (Pape, 2003: 3, Pape, 2006: 4). Yet there are those who still want to generalise that Islam is inherently violent, ignoring the fact that most followers of the religion regard it as a means towards love, compassion and faith. In fact, these people have one obvious thing in common with religious terrorists: that is, both believe that religion is violent and calls for wars (Hasan, 2014)¹.

Moreover, the views of neo-atheism and neo-orientalism sharply contrast with those of some recent scholars like Jonathan Haidt (2013) and Karen Armstrong (2014). For Haidt, the search for an explanation of violence should be directed towards the way in which human beings’ moral and psychological nature works. The problem of violence relates to humans’ minds, not to religion itself: in the human mind, the focus is on *belonging* when one approaches religion in a Durkheimian way, and on *multilevel selection* when approaching morality in a Darwinian way. These two factors involve binding humans into teams to create communities with a shared morality and binding practices, and consequently blinding them by ‘groupish righteousness’, the ‘gut feelings [that] drive our strategic reasoning’, which “makes it difficult – but not impossible- to connect with those who live in other matrices [moral groups]” (Haidt, 2013: 370). Thus, only moral monists think that their belief is the true morality or ‘one particular moral matrix’ for all people in

¹ Mehdi Hasan is a British political journalist and author, on “Islam Is A Peaceful Religion”, a debate at Oxford Union, Oxford University, UK [online] <http://www.youtube.com/watch?v=MdpJqi3XcuI> [accessed 06/01/2015].

all times and places. 'Their monism is the source of violence, not 'individuals and their supernatural beliefs' (Haidt, 2013: 287-291, 317-318, 365-371).

For Armstrong, religion is not simply about "obligatory beliefs, institutions and rituals, centring on a supernatural God" (Armstrong, 2014: 2). Religion involves secular practices and activities. It has always been seen as a politically oriented phenomenon, and so is central to the state. And seeing it only as 'a personal and systematic pursuit' as it is in the ideology of Protestant Christianity is a Western idea. This Western understanding of religion was produced in the early modern period in which religion and politics were separated with the end of the Thirty Years War and the creation of the sovereign nation-state. Religion performs complex activities and involves many different things that have a political dimension. Therefore, religion is not always aggressive, but because of human anxiety and the fear of threats in both human nature and the nature of the sovereign state and its use of forcible subjugation, political tensions arise as a reaction to foreign ideologies and foreign enemies. The tension has primarily developed as a result of humans' development of religious mythology to convince themselves that their struggle is against "the antithesis of order and goodness, the monstrous enemies" (Armstrong, 2014: 8). For example, in majority Muslim nations, the alien ideology of nationalism, Western secularism and Western imperialism associated with Christianity have been depicted as evils that threaten to destroy Muslims' not-yet-separated religious-political cosmic and political order. The result is that 'aggressive strains' have been developed to resist their enemies (Armstrong, 2014: 359-366).

1.4. Conclusion

This chapter seeks to show detailed evidence for why and how both the neo-atheists Hitchens and Dawkins and the neo-orientalists Lewis and Huntington associate violence with religion, claiming that religion by its very nature will ultimately motivate intolerance and violence. Through doing so, I demonstrate that this view is built on polemic and apologetic foundations.

Their challenges to religion and religious cultures lead them to arrive at unrealistic polemic conclusions about proclaimed authentic errors in religious beliefs and cultures. This is all in order to justify the perpetual war with religion and religious civilizations and at the same time to show that secularism, or liberalism in particular, is the best and the only choice for people as it is the ideology that human history ends with, to borrow the thesis of Francis Fukuyama's *The End of History*. The chapter thus concludes that religion cannot apparently be the right basis on which one can understand the violent tendency of some religiously motivated groups and states, because there are other non-religious factors which motivate intolerance and the violence of some political agents who have a religious identity, as is shown by Pape, Haidt and Armstrong. In the next two chapters, I will maintain that religion is not intolerant by nature and that it does not necessarily motivate violence. To do so, I investigate the relation between war and religion in terms of two mediaeval religiously motivated theories on war presented by the prominent theorists Alfarabi and Vitoria.

2. Alfarabi's Religiously Inspired Theory of Just War

2.1. Introduction

In the previous chapter, it was illustrated that the neo-atheists Christopher Hitchens and Richard Dawkins, and the neo-orientalists Samuel Huntington and Bernard Lewis see religion as inherently inclined to incite intolerance and violence. I indicated that this claim is highly unlikely to be the case because there are more likely to be other, non-religious, reasons that motivate religious fanatics to violence than their religious commitment. With this chapter I add that there are also some historical cases that refute such a claim. There have been religiously informed theories showing peacefully oriented arguments regarding war such as those presented by Abu Nasr Muhammad Alfarabi (the current chapter) and Francisco de Vitoria (chapter three). The aim of this chapter is thus to present the religiously based theory concerning war that is introduced by Alfarabi (870-950 A.D), seeking to show that religious commitment is not necessarily the motive to religious fanaticism. Alfarabi's religiously inspired theory of just war demonstrates that Islamic faith, like other religions is not inevitably a source of intolerance and violence.

Alfarabi is one of the most prominent Islamic theorists who wrote on religion, politics, philosophy and metaphysics in relation to jihad, the just war in Islam. His writings include *The Civil Policies*, *The Aphorisms of the Statesman*, *The Book of the Attainment of Happiness*, and *The Opinions of the Inhabitants of the Virtuous City*. In his writings, Alfarabi gives special attention to the concept of *Attainment of Happiness* or 'compulsion to happiness'¹ in which both education and coercion or jihad (just war in Islamic tradition) are means that will be deployed to help people practise virtues

¹ *Attainment of Happiness* is translated from Alfarabi in the European literature as 'compulsion to happiness'. Compulsion to happiness was first referred to by Aristotle in his *Nicomachean Ethics* (NE, Book X, chapter 6, 7 and 9). For Aristotle, because the purpose of political life is to make citizens virtuous, individuals need to be made virtuous (Sweeney, 2007: 30).

and thus attain ‘true happiness’¹. His religiously informed theory of just war is to be interpreted in the context of his understanding of the struggle towards ‘true’ happiness as coercion.

In the chapter, I argue that Alfarabi establishes his theory on jihad indicating what kind of wars could be justified in accordance with his non-geographical understanding of the state. The state is theoretically united around its people’s special intellectual and moral or religious principles through which they maintain true justice and peace in order to attain happiness². For Alfarabi, violent action occurs either as a means to defend the people living in the state from external invasion or attack, or as a means to keep ‘true’ peace that is maintained through the balance between classes prevalent within the political community, thus protecting people’s united theoretical and moral/religious principles. This occurs by means of implementing justice as a moral virtue, through applying the right to correct wrongdoing. By doing so, Alfarabi rejects the war known, in the contemporary literature, as ‘holy war’ or the war to kill infidels, as means to spread Islamic faith and law and to subjugate unbelievers to Islamic order outside the Islamic nation³.

To support this argument, firstly, I will shed light on Alfarabi’s types of justified wars, showing that he justifies five kinds of wars in the context of his understanding of ‘compulsion to happiness’ as a just war/jihad. Secondly, I demonstrate that Alfarabi’s jihad is different from holy war because for him the attainment of theoretical virtues of which religion is an intrinsic part can only be obtained by teaching and persuasive rhetoric or speech. Thirdly, I delve into

¹ Happiness here means the ultimate end for which human beings were created and must endeavour to attain during their whole earthly life by practising the right virtues, and the means of persuasion through teaching, and coercion through war are to be used to help people attain happiness.

² There are two kinds of virtues: intellectual and moral, according to Aristotelian philosophy. The former comes about through teaching and the latter through habituation (*Nicomachean Ethics*, Book II, chapter 1)

³ Alfarabi’s jihad is not exactly the same as the notion of jihad known as a ‘holy war’. Jihad as a holy war conveys the understanding of a particular group of traditionalist jurists in Islam: Abu al-Hasan Al-Ash’ary (d. 935) and Abu Hamid Al-Ghazali (1058–1111) and Taqi ad-Din Ahmad Ibn Taymiyyah (1263–1328) who followed the theology of the ninth century traditionalist figure Ahmed Ibn Hanbal (born 780 m) that rejected any opinions that cannot be supported by verses of the Qur’an or the content of the *alhadith*. Their contemporary followers are called *salafiyoon* (The followers of predecessors). They mainly advocate literal interpretations of holy Qur’an on jihad. They believe in an excessive version of violent jihad to realize the political objectives of Islam, justifying their understanding by interpretations of some sacred texts in their most literal form (Black, 2001, Fakhry, 1983, Kroessin, 2008: 34-35, Watt, 1962).

interpretation of Alfarabi's external jihad explaining his theory of the state arguing that Alfarabi's state theory is concerned with the kind of theoretical-religious principles that pre-exist in the political community or the nation. I do so in order to show how the pre-existence of these principles is essential to exercise just war and to conclude that Alfarabi does not advocate the violent global jihad known as a holy war and that he was able to reconcile justifications of jihad/war generally with tolerance. Fourthly, I deal with Alfarabi's internal jihad, arguing that such a jihad appears to be just as it aims to maintain the well-being of the virtuous nation and preserve true peace as a necessary condition for Muslims' struggle towards true happiness. Finally, in the fifth part of the chapter, I respond to an objection that might arise based on the views of some scholars who claim that Alfarabi's theory of war is merely a product of classical Greek philosophy and is thus non-religiously informed. I argue that his theory is fundamentally Islamic in its foundations.

2.2. Alfarabi's types of justified wars

This section explains the kinds of war that Alfarabi seeks to justify. I argue that in terms of the relationship of people, peoples, cities and nations within the context of the Islamic world and the relationship of the Islamic nation to other religiously different nations, Alfarabi makes his 'virtuous leader' make use of the coercion, of which war represents the highest form, as a means of 'compulsion to happiness'. He identifies five kinds of just war as follows:

... [w]ar is either (*a*) to ward off an enemy who has come against the city from without; or (*b*) to acquire a good to which the city is entitled from without from those in whose hands it is; or (*c*) to bring and force people [to bring people by force] to what is best and most fortunate for themselves [, quite] apart from [best for] others, when they do not know it of themselves and do not submit to those who know it and invite them to [partake of] it; or (*d*) [a] war on ... those for whom it is best and most fortunate that their place in the world should be that of slaves [, but who do not submit to slavery or servitude] ...

; or (e) [a] war with men who are not of the people of the city, and against whom the city has a prescribed right, [which these people] withhold it from [them]. This is a matter involving two things, one of which is the acquiring of the city's good (b), and the other is that they are brought to render justice and equity [justice and equity prevail](i.e. c or d)... As for making war on them [foreigners] to destroy them as a whole and extirpate them because their continued existence harms the people of the city, that also is acquisition of a good for the people of the city (b). (Alfarabi, 1961: 56)

The first of these wars is characterized by combat that aims to ward off an invasion coming from outside the city. This type of combat is common and known as a defensive combat. Its goal is to protect and defend either the virtuous city itself or the Islamic nation, as a whole from the invaders. The enemy here either belongs to corrupted cities within the nation or a known enemy of the nation who have come to impose their domination and beliefs on people of the virtuous city or nation (the Islamic nation). The second kind of war seeks to gain a good that the virtuous city claims for itself. The city is given the right to acquire this good from those who have held it. This kind of combat is concerned with disputable rights between people, tribes or cities within the nation. The other people or cities, who possess the good that people of the virtuous city proclaim as their own, will be fought against in order to win ownership of the good. The ultimate aim of this war is not to conquer or to subjugate them, but to acquire a good the city deserves. The third type of war is to force a particular group of people within the virtuous city (Islamic Emirates and/or the whole Islamic nation) to do what is best and most fortunate for themselves. It is justified in circumstances where they do not know themselves what is good for them, where they have refused to accept the call of those who know the truth, and where attempts to persuade them have failed. This war is waged against those people of the virtuous city who violate the law prescribed by the virtuous ruler. By not following the particular rules that are concerned with the principal theoretical opinions that have united all people, cities and nations of the Islamic nation as a whole, they violate the correct rules that the rest of people in the community of the virtuous

city follow, and thus disturb people's endeavour towards true happiness. This war is also against those people of corrupted cities in the nation (the Islamic nation) in order to reform them and transform them back into virtuousness.

The fourth kind of war is waged against slaves or servants who rebel against people's theoretical principles, norms and traditions in the virtuous city/Islamic nation. Those rebellious people who do not accept their own fortune in the world, as servitude is the best for them and for the city. The slaves or servants have rejected the virtuous ruler's peaceful calls to accept their fortune in the work assigned to them, according to their natural rank in the society. Justice as a moral virtue for Alfarabi requires giving every person what belongs to him or her by nature according to his or her specific rank in the order of humanity (Benabdalali, 1979, Fakhry, 2002). Exercising the virtue of justice depends on the idea of "diversity of natural aptitudes in the individuals or classes that make it up" (Fakhry, 1983: 125). Like any other business or occupation in the virtuous nation, slavery or servitude is the natural rank for some people. It is their practical virtue, and so it is best for them to stay as such. Therefore, when they rebel against the rules, they disturb the balance between classes and breach justice. This, in turn, leads to an interruption of other people's vocations/crafts or arts and affairs (practical virtues) through which people practise the ethical and intellectual virtues (put them into effect), which lead them to happiness: the ultimate purpose for which the political community has existed in the first place.

The fifth kind of war happens when foreigners who live in the city rebel against the virtuous city and reject calls for peace. They either have refused to give back to the people of the virtuous city what is theirs by right, having seized it from them or have committed treachery against the city. To maintain justice (the moral virtue) in the virtuous city, the unjustly taken rights must be returned and suitable punishment must be inflicted on the wrongdoers in a proportionate way in order to restore the normal condition in which people are able to continue practising their virtues

for the *attainment of happiness*. If they reject the request to do so, and refuse to accept things as they stand, which is what is best for them, the punishment could be as harsh as killing all of them to end their dangerous existence and thus protect the well-being of the virtuous city and its struggle towards supreme happiness. The major purpose of warfare is to stand against those who threaten the well-being of the virtuous city (Alfarabi, 1961: 56-57, Butterworth, 1990: 85, Lambton, 1981, Najjar, 1993)¹.

2.3. Alfarabi's external jihad vs. Islamic holy war

The just war or the Islamic notion of jihad that Alfarabi advocates is, I argue, very different from that of jihad as a holy war. The holy war in Islamic tradition is a product of the extreme views of some classical jurists or traditionalists, in particular those specialists in *alhadith*: the sayings and deeds of the Muslim prophet. Seemingly, they are confused between the two concepts of war: *jihad* and *qital* that have different meanings in the Qur'an (Heit, 2005). Fight or *qital* refers to any kind of actual combat carried out by warriors practicing practical virtue (by following their profession) whether for religious or non-religious reasons; *qital* has no particular religious nature, although traditionally, it is called 'jihad of the sword'. However, the holy war refers to warfare resulting from hostility and inherent opposition to the governing religious principles and laws between *dar alislam* (the sphere of Islam where Islamic law is applied) and *dar alharb* (everywhere else where the reign of Islam is not supreme). From time to time, such hostility in turn could lead to actual fighting or killing. Such holy war mainly aims to put into practice through violence or warfare the universal mission of Islam, which is to bring the entire world into Islam (Johnson, 2002: 35-36, 51-52).

¹ Najjar (1993), the source is in Arabic. N.B. All Arabic sources used can be found in the bibliography translated into English with their detailed Arabic scripts.

Indeed, the kind of war, or the Islamic notion of jihad that Alfarabi advocates is very different from holy war that is used within the context of *dar alislam* versus *dar alharb*. The concept of jihad that Alfarabi is mostly concerned and involved with in relation to other non-Islamic nations is ‘jihad of the tongue’. The aim of jihad here is to demonstrate to unbelievers the righteousness of the message of Islam by means of persuasion, not by coercion through the use of force or war. This is because, for Alfarabi, the realisation of the theoretical virtues of which religion is an inherent element in the nations or cities only takes place through speech or teaching.

There are two primary methods of realizing them (virtues). These are instruction and the formation of character. To instruct is to introduce the theoretical virtues into nations and cities. The formation of character is the method by which the moral virtues and practical arts are introduced to nations. Instruction proceeds by speech alone. The formation of character proceeds through habituating nations and citizens to doing the acts that arise from the practical states of character by arousing in them the resolution to do these acts; the states of character and the acts issuing from them should come to possess their souls, and they should be as it were enraptured by them. The resolution to do a thing may be aroused by speech or by deed. (Alfarabi, 1926: 29)

According to this, Alfarabi’s virtuous leader makes his people realize theoretical virtues like religion through instruction or education; while other practical virtues like arts and crafts suitable to each person are to be introduced by him through habituation. Therefore, maintaining justice as a moral virtue leads to the maintenance of the practical virtues.

In this jihad, for Alfarabi, Muslims struggle to proclaim God’s message and raise it abroad, using instruction or education through ‘righteous’ rhetoric only; in that the act of jihad should be linked to the ‘truthful’ intention of a Muslim to purify oneself from within. In other words, the purpose of the action or effort of jihad is to purify oneself of selfish desires and to do what leads to the good, and to avoid doing what leads to sins and evils. Thus, ‘jihad of the tongue’ is strongly

linked to two other kinds of struggles or efforts called ‘jihad of the heart/soul’ and ‘jihad of the hand/sword’ (Heit, 2005). The former aims at the self-discipline shown in the Muslim’s endeavour towards attaining truthful faith and the moral reformation necessary for attaining true happiness. And by the latter, the Muslim sets oneself as a good example to other Muslims through doing good works (practical virtues), such as doing his craft professionally and doing beneficence to others. According to the Islamic tradition the greater jihad is basically inward and spiritual. In this respect, Alfarabi articulates the process of such a spiritual jihad as follows:

... [t]he Active Intellect’s task is to take care of the speaking animals [human beings] and to lead them to the ultimate perfection, the true happiness that human beings must reach, so that the human arrives at the same level of Active Intellect; in that the Active Intellect brings about a change in the material intellect of the human in which the particular objects of sense are stripped of their material properties and “converted” into intelligibles that have no connection to matter. (Alfarabi, 1927: 3)

In view of that, the active intellect¹ governs the world of knowledge. Although it is located outside of human reason, it sets and intends an important task for human beings. This task is to help the human intellect to develop and achieve the perfection of a person’s being. This happens through initiating a process leading to perfection, which is the supreme happiness. The active intellect works as an agent that causes man to start the act of thinking, which makes humans rational animals (Adamson and Taylor, 2005). Thus, a person should seek to obtain happiness by attaining a unity with the active intellect. The process of attainment requires a person to control his or her self through an endeavour of struggle called *jihad Al-Nafs*/jihad of the soul. Elhajibrahim (2006: 1-18) explains the process of *Jihad Al-Nafs* as follows:

¹ Active Intellect is a term mentioned in Aristotle’s *On The Soul*, book III, chapter 5. It represents an aspect of the human soul which can exist without the body, and works to transform the intelligible or potential knowledge received by the passive intellect of human soul into actual knowledge. For monotheistic thinkers like Alfarabi, prophecy is an emanation sent by the final cause: God speaks to man’s intellect through the active intellect.

... [t]his struggle to manage and control the self is called the greater struggle of Jihad, more specifically *jihad alnafs* the struggle of the soul, “And whosoever strives (*jahada*), strives (*yujabidu*) only for himself. Surely Allah is self-sufficient, above need of His creatures” (Quran 29:6). During this stage of active *jihad*, the lower self is subdued and the higher potentials are realized. The person struggles with turning his inner self and his worldly life into a new way of living that understands the true reality in which the material is only a small portion. One begins to understand the covenant that his soul made with God when God brought [together] all the souls of the children of Adam that will be born and asked them, “Am I not your Lord? They said: Yes; we bear witness. Lest you say on the day of Resurrection: we were unaware of this” (Quran 7:172). Upon realizing this true reality, the person begins the greater struggle to make himself true to this covenant.

According to this, in the Qur’an, as in Alfarabi’s philosophy, attaining happiness is an active process, a practical struggle in life, and includes not only the elite of the Muslim community but all people. This is because God created human beings to achieve happiness without exception for any group. It seems as if there is kind of convention made by God with every human soul in order to achieve happiness in the earthly life through the *jihad* of the soul. The virtuous person who is able to perform a visual or an audible relation with the active intellect is the Sage, as he is united with the active intellect (that Alfarabi calls the Angel of Knowledge) through contemplation or meditation (that is the emanation itself, as called by Alfarabi). The Sage becomes a prophet when he is united with the Angel of Revelation or the Holy Spirit, which is the active intellect itself (Corbin, 1993, Marhaba, 1983: 450-451). Thus, for Alfarabi, the virtuous ruler himself is not only a philosopher but also a perfect warrior, a maker of laws, a king and prophet or an *imam*¹. “An *Imam* in Arabic refers to the man who is accepted as people’s leader and people in turn believe or trust what he aims at... As a result, conceptions of philosopher, king, Imam and maker of laws refer to the same meaning” (Alfarabi, 1926: 43-44).

¹ An *imam* is a recognized authority on Islamic theology and law and a spiritual guide.

Moreover, in addition to ‘jihad of the tongue’, Alfarabi tacitly refers to another kind of jihad which is ‘jihad of the sword’ (the lesser outward physical jihad). This jihad is relevant to ‘jihad of the hand’ in terms of its call to Muslims to do what leads to the good. More specifically, practising practical virtue, like soldiers and officers in the army who are doing properly and professionally the work they were trained for and has been assigned to them. Such a kind of jihad carries the meaning of just physical confrontation or fighting and killing (*qital*), although it is not necessarily authorized by religion or has a known religious nature. It could have other non-religious reasons or justifications as long as the intention behind the act of jihad is the free will of the Muslim to please God (Johnson, 2002: 61-62). In this sense, according to Alfarabi’s understanding, jihad is not obligatory to all Muslims; it is only a work of charity; it is a practical virtue in a sense of performing work with the high intention of doing it the best way. Accordingly, a Muslim is exempt from conducting jihad, but his duty is therefore to provide (for example, food or money) for the welfare of those who fight or guard in the Muslims’ army. Therefore, soldiers, guards and the like who are performing ‘jihad of the sword’ are actually practicing their own craft (practical virtues) that is to say *qital* or ‘jihad of the sword’, and not specifically engaged in a holy war.

2.4. On interpretation of Alfarabi’s external jihad and tolerance

To show that Alfarabi does not justify violent, external, holy jihad, I illustrate his theory of the state, arguing, first, that it has a non-geographical theoretical meaning and thus, second, that the pre-existence of the theoretical virtues in society is essential for Alfarabi’s virtuous leader to exercise just war as a ‘compulsion to happiness’. In other words, the offensive war to spread faith will not succeed outside of the border of the Islamic nation and thus his understanding of jihad is not violent.

2.4.1. Alfarabi's theory of the state and jihad

Alfarabi's theory of the state does not focus on the geographical meaning of the term, but its main concern is the political civilized association that is established as a result of the co-operation among people based on certain social, intellectual and religious relationships and principles (Benabdalali, 1979: 60-62). Alfarabi is not concerned with one particular kind of civilized association of humans or the political community in its material sense, as apart from its people's theoretical, intellectual and moral beliefs, in which religion is an inseparable natural part. What he is concerned about more specifically is not the nature of governance but what the political association of people ought to be in principle, in relation to its inhabitants' united theoretical orientations that form their own intellectual and moral or religious opinions. Yet his theory of the state is not utopian at all; he does not intend to articulate a mere Platonic theory of the state. His vision of the state must be articulated to be achieved (Benabdalali, 1979: 61-62). In this sense, he seeks to transfer the theory into practice in the sphere of the political. Accordingly, the kind of theoretical principles determines the kind of intellectual and moral-religious opinions according to which people combine in such an association and make them gather in cities and nations. The preservation of these principles is actually the major element of his political philosophy (Benabdalali, 1979: 63, Marhaba, 1983: 469-670).

Firstly, what sustains this view is that Alfarabi categorizes cities into virtuous, or not, according to their religious beliefs or theoretical and moral virtues. What make other cities different from the virtuous city are their adopted opinions, and thus the resulting actions that reflect particular theoretical and moral principles different from those of the virtuous city. Indeed, Alfarabi refers to other cities as "the 'ignorant' city, the wicked city, the city which has deliberately changed its character and the city which has missed the right path through faulty judgment" (Alfarabi, 1985: 253). For him, these cities stand in opposition to the virtuous city because they have theoretical

principles different from those of the virtuous city. Such principles make their opinions and judgments defective and their behaviours wicked. Even Alfarabi divides the ignorant city into a number of cities depending on their defective theoretical opinions and thus actions (Alyazigi and Karam, 1990 : 466). Of these cities, as Alfarabi enumerates, there are the ‘city of necessity’ whose people only co-operate to meet their material needs, nothing else; ‘the city of meanness’, the ‘city of depravity and baseness’; the ‘city of honour’ of those that love to gain glory and splendour as an end in itself, the ‘city of power’ of those that value the love of prevailing over others, the ‘communal/democratic city’ in the sense of the freedom to indulge in passions and pleasures (Alfarabi, 1985: 255-257). He also describes the city which has deliberately changed its character as “a city whose views and actions were previously the views and actions of the people of the excellent city, but they have been changed and different views have taken their place, and its actions have turned into different actions” (Alfarabi, 1985: 259).

Accordingly, the theoretical or religious views of such cities do not help them know, understand and believe in the ‘true’ happiness that the excellent city believes in and seeks, and nor do they make them have practical virtues, like excellence in crafts and arts like the virtuous city. It is thus essential to understand that the political association that Alfarabi is concerned about is basically a religious or cultural association based on certain united theoretical, intellectual, moral, and practical principles or virtues (arts/crafts), such as the Islamic nation and perhaps other religious or cultural nations in the rest of the world at the time like the Christian nation (the Roman or Byzantine nation at the time). Indeed, Alfarabi uses Islamic or Qur’anic terms to name the imperfect cities. These terms are (1) *jahlia* which refers to pre-Islam where ignorance of the ‘true’ faith and polytheism were prevalent; (2) *faseka* which is an attribute of the denunciation of the covenant with *Allah* and departing from obedience to Him through forbidden acts that lead to sins, wickedness or blasphemy; (3) *mubadela* which means that people have broken their covenant

to God and exchanged it for another faulty one; (4) *dallah* which refers to those inhabitants of the city that have missed the right path through faulty belief (Alfarabi, 1985: 253-255).

As Alfarabi sees the nation as both a cultural and religious domain, and as a Muslim thinker, his concern must thus be relating to both the Islamic nation as a theoretically or religiously united association and the whole world, the universal association of all people everywhere, since the Islamic mission is to spread Islamic faith all over the world. Alfarabi wishes, in fact, to make all humans one virtuous political community through advocating co-operation among all different virtuous nations (Marhaba, 1983: 462, Saqr, 1989: 23). In this regard, Alfarabi shows that:

... [t]he most excellent good and the utmost perfection is, in the first instance, attained in a city ... The city, then, in which people aim, through association, at co-operating for the things by which felicity in its real and true sense can be attained is the excellent city, and the society in which there is a co-operation to acquire felicity is the excellent society; and the nation in which all of its cities co-operate for those things through which felicity is attained is the excellent nation. In the same way, the excellent universal state will arise only when all the nations in it co-operate for the purpose of reaching felicity. (Alfarabi, 1985: 231)

According to this, Alfarabi indeed believes in the possibility of achieving true happiness not only in the city in its Platonic and Aristotelian geographic meaning as a small and most suitable unit for political association, but also in nations and the whole world. Alfarabi uses the word 'city' to refer to smaller kingdoms, emirates or sultanates within the Islamic nation that were somewhat similar to the city-state or nation-state as known in contemporary politics, in the sense that a nation is a cultural and ethnic one. For him, thus, "[t]he excellent philosophers who have discussed the view of the excellent cities apply word 'city' (*madina*) to a group of people who concur with one another in holding excellent views and who live near to one another in one place within closed walls or in tents, in an inn or in a house, on top of a mountain or beneath the

ground” (Alfarabi, 1985: 52). The focus here is on common theoretical views, not on the size of the city. Alfarabi’s city is like a nation-state in the contemporary sense; it is the natural, political, civilized association of human beings. It is the political community of the people who have common descent, language and history and most importantly have the same united opinions on what the best form of life to them is, in the sense of similar religious, cultural and social beliefs and norms, the practising of which leads them to happiness. Examples of such city-states or nation-states could be found among some of the Arab, Turkish and Persian peoples who had established emirates or sultanates within the Islamic nation at the time. These nation-states or city-states were domains or territories controlled and ruled by emirs, sultans, or kings.

Secondly, Alfarabi’s understanding of the state as concerned with the kind of theoretical principles prevalent or pre-existing in the nation or city can also be confirmed by his presence during a period of war between cities and states which had previously been under the authority of the Islamic caliphate. People of these states or cities had similar religious values and the central power of the caliphate represented by the Caliph (the political and religious leader) in Bagdad was weakened by foreign military emirs who controlled the Islamic state at the time and divided it to emirates or states. Nevertheless, in theory, these states stayed under the Caliph’s religious authority. The relationship between emirates was hostile, and sultans or emirs used military force in order to influence and dominate one another. One could therefore find a nation that consisted of many separated cities or states but had the same religious culture and values (ShamsAldin, 1990). Alfarabi takes a view in his theory of war that reflects the geopolitical background in which he lived. Centrally, he does so by differentiating between war within a nation and war in relation to other different cultural and religious nations.

For Alfarabi all city-states or nation-states that are Islamic in belief (united around common theoretical principles) are inherent parts of the Islamic nation and thus form, for him, the internal

world, must be ruled by one *imam*. The leader of the Islamic nation is not only a religious leader, *imam*, but also a virtuous leader. He is the leader of all emirates and sultanates (cities and nations) that the Islamic nation consists of. Leaders of these cities or nations should be under the authority of the virtuous leader. They are not as excellent as the virtuous leader in their presiding over their states (Alfarabi, 1926: 31-35, Marhaba, 1983: 464); all other cities and nations that are formed on non-Islamic opinions, beliefs, laws and forms of life represent the external world in Alfarabi's theory of the state.

2.4.2. Justifications of Alfarabi's external jihad and tolerance

To show that Alfarabi's theory of war is tolerant, as he does not justify violent external holy jihad, I explain how the pre-existence of the theoretical virtues in the society is essential for Alfarabi's virtuous leader to exercise 'compulsion to happiness' in the sense of coercion and war.

For Alfarabi, *qital* or combat against unbelievers in their cities and nations abroad, in order to establish and spread Islam is ineffective or useless. This is because religion is a natural part of the theoretical virtues that humans can only truly acquire by truthful conviction through correct, persuasive speech and the learning of theoretical sciences by *imams* and kings (the educational role of the leader and his assistants from the elect). People cannot obtain these theoretical religious virtues through coercion, compulsion or force (Parens, 2006: 74, 76). Forceful means, of which war is the extreme expression, are only used against people, cities and sub-nations within a culturally and religiously unified nation, by the leader and his assistants. They implement their disciplinary and corrective role in order to acquire moral and practical virtues (respect for justice and the honest performance of duty).

However, to use force against any nation, Alfarabi's *imam* or leader has to make sure that these cities or nations have attained first the theoretical and intellectual virtues that are later obtained

(secured and fastened) according to their exercise of moral and practical virtues (arts and crafts). The reason behind this is that there is an inherent link between achieving theoretical virtues and intellectual, moral and practical virtues (Alfarabi, 1995a: 67-68). To ensure that the moral and practical virtues imposed by compulsion are successfully obtained, the theoretical virtues that people have must be successfully achieved beforehand and this cannot go *vice versa*. According to Alfarabi, the extent of success of people's habituation of the moral and practical virtues in other nations or cities that do not have already the same theoretical and religious virtues is very low, if not an impossibility; and thus it would not necessarily lead to the attainment of the theoretical virtues. But the question here is, why is the pre-existence of theoretical virtue in a nation an essential condition for the exercise of 'compulsion to happiness'?

First of all, only in such an intelligible virtuous world, a political community that its border was *naturally* established according to its belief in *particular* theoretical virtues or principles, the virtuous souls get together in and attain true happiness. This is because true happiness to be fulfilled, individual virtuous souls should be co-operating and practicing theoretical, moral and practical virtues. Therefore the political community as a place to practise theoretical/religious virtues is naturally linked to peoples' moral and practical virtues. Theoretical virtues determine moral and intellectual opinions which reflect on the practical virtue of the way in which crafts and arts are being conducted. To ensure that the moral and practical virtues imposed by compulsion are successfully obtained, the theoretical virtues that people have must be successfully achieved beforehand and this cannot go *vice versa*¹. Accordingly, Alfarabi states that:

... [t]he more similar immaterial souls increase and connect to each other, the more the accommodation inside and between every person increases. The more the souls are followed by other souls, the more

¹ According to Alfarabi, intellectual virtues that human beings (the *existence*) seek to acquire naturally and/or willingly are essential to help both understand theoretical virtues (the *essence*/the divine ultimate elements) and create moral virtues, which in turn determine the kind of practical virtues or arts and crafts that a society has. In that good intellectual force gives rise to good moral virtues (justice) and *vice versa*. Intellectual force itself is influenced by environment.

the accommodation for the souls of who turn in newly increases because these new souls come across the predecessors' souls; and the predecessors' pleasures increase because of the connection of the successor's souls with them ... This leads to indefinite increase of the pleasure of every person through time ... this is the ultimate and true happiness that is the aim of the active intellect. (Alfarabi, 1927: 52)

In view of that, the greater a person's virtue is, the more his soul is able to obtain immateriality in its relation to the active intellect; and thus the more the person is able to attain the ultimate happiness. A portion of happiness will increase at the same rate as joined virtuous souls increase in the intelligible world which is to say, the civil community (Alfarabi, 1927: 52, Fakhry, 1983). These virtuous souls need a virtuous place, a nation or city to get together in and attain true happiness: this is because the attainment of personal virtue does not mean that true happiness is fulfilled yet. The city with virtuous souls co-operating and practicing theoretical and intellectual virtues is the starting point (Azadpur, 2005).

Secondly, the moral and practical virtues imposed on people who have already different theoretical virtues will not lead them truly to gain the new theoretical virtues because people can only desire and perform the theoretical/religious virtues or principles as authorized by their own national social norms (Alfarabi, 1927: 70-71). Indeed, the success of the habituation of people's moral and practical virtues and in turn theoretical virtues is impossible because the social and cultural perceptions of moral values, such as justice, are restricted by the natural characters and makeup of nations. These values are likenesses or images of the essence of human nature and are not universal (Alfarabi, 1927: 70-71). According to Alfarabi, it is impossible to ignore the environmental effects on people's sensitive faculty, which produces distinctive intellectual concepts. Such concepts are most probably conflicting with other people's concepts in other nations. This is due to the inherent link between the sensitive, imaginative, and rational faculties. Indeed, Alfarabi indicates how it is difficult to isolate human senses from the effects of their

environment, and how this issue in turn reflects on social concepts such as justice. Alfarabi outlines the faculties which compose the human soul: the nutritive or the appetitive (desire) that works on providing the nourishment of hatred and the liking for objects of sense; the sensitive (the apprehension) that recognizes substances through the known senses; the rational that is the ability to reason and understand things intellectually; and the imaginative that works in-between the sensitive faculty and the rational faculty. The imaginative faculty memorizes images of perceived objects and combines or separates them. It sometimes simulates forms that have been captured by the sensitive and the rational faculties and reproduces them (Elhajibrahim, 2006, Fakhry, 2002). The function of the imaginative faculty varies from one society to another because it mediates between the rational faculty and the sensitive one that (the latter faculty) consists of senses subdued and subordinated to the limits and control of the surrounding environment. As a result, varied and perhaps conflicting theoretical and moral (religious) conceptions about important things in human life will be seen among peoples of different nations. This includes the concept of justice. Social and religious values would differ due to the characters of the nation, and there exists no way in which to universalize them. Accordingly, war against another nation which is culturally and religiously dissimilar is unjust.

Thirdly, the pre-existence of the theoretical virtues in a nation is essential to exercise 'compulsion to happiness' because, for Alfarabi, people through compulsion will not do the right thing required of them merely on the basis of a conviction of truth. In other words, those people who were compelled to admit a particular truth (through compulsion/force) will not do the honest and truthful things needed to attain or reach true happiness (the ultimate end of human existence and that everyone must seek). Such an admission of conviction of truth must be natural and a person must have been raised since childhood with this particular truth or belief. According to Alfarabi,

[A] difference between them [Excellence in producing an imaginative impression and excellence of persuasion] is that excellence of persuasion aims at the hearer doing the thing [the required act], after a conviction of truth, while excellence in producing an impression of this kind aims at the soul of the hearer rising up to seek the thing imagined or flee from it, and [be either] drawn to it or dislike it, even without a conviction of truth. (Alfarabi, 1961: 48-49)

Accordingly, skill of persuasion should not only aim at the hearer doing the thing required, but also aim at the soul of the hearer rising up to seek the thing imagined or flee from it, and be either drawn to it or dislike it, without the need for admission or conviction.

Moreover, the attainment of true theoretical virtues in people fully succeeds when instruction delivers “two things: first, making what is being studied understandable and causing its idea to be established in the soul and second, causing others to agree to what is comprehended and established in the soul” (Alfarabi, 1926: 40). In this regard, Alfarabi employs Aristotle’s argument about the child’s habituation of the good and the virtuous through deterrence by punishment. However, if a person has been raised since childhood with immoral and wicked desires and beliefs, according to Aristotle, he or she would never be curable. Consequently, compulsion may stop a person from acting in accordance with his or her bad desires or beliefs, but this compulsion will never lead them to the ultimate happiness; as the person lacks curability (Parens, 2006). Accordingly, Parens shows that:

Alfarabi claims that religion is inherently multiple, religions must be adapted to the time and place for which they are given ... each nation possesses a distinct national character ... if a religious law, which does not suit its national character, is legislated for a nation, it [this] will not give rise to a virtuous nation. (Parens, 2006: 77)

Therefore, Parens shows that Alfarabi never speaks of compelling belief, and he refuses using jihad to eradicate *shirk* (the beliefs and opinions of those who are not Muslim).

Finally, the fourth reason that the imposition of virtues on people who have already different theoretical virtues will not lead them to truly believe in them is that, according to Alfarabi, to be able to do so the leader must inherently belong to the city or the nation. He is like the heart in the body; he cannot be foreign to the city or nation. He originally belongs to few in the city, but he is the perfect person because of his ultimate perfection of theoretical and intellectual virtues. And he must thus truly believe in the same religious doctrines as those of his people and act according to them.

The unity of the ideal city or state is fivefold, being made up of the most virtuous or excellent, the interpreters, the experts, the fighting-men and the rich [the money earners through physical work like peasants, shepherds and sellers etc.]”... The chiefs and rulers of this city are of four descriptions. A. [The first of these is] the king in reality. He is the first chief, and it is he in whom are combined six conditions: (a) wisdom; (b) perfect intelligence; (c) excellence in persuasion ; (d) excellence of imagination; (e) power to fight the holy war in person ; and (f) that there should be nothing in his person to prevent him attending to matters which belong to the holy war ... (Alfarabi and Dunlop, 1952: 113)

Alfarabi shows in this statement that each nation is divided into parts, and the main part of it, – the heart – is the first leader, who is a king in reality. But if no single man has the qualifications required in the first leader, the rule should be distributed among a number of elect men, of whom each has one of these traits. Otherwise, the rule should be given to a king or a group of people who have an excellent knowledge of the traditions of their predecessors and of previous *imams* (Sankari, 1970). And thus they will have a very good ability in deduction, excellence in opinion and persuasion and in the use of imaginative methods, and jihad. It is difficult for such a leadership to be foreign to the city. It is an inherent characteristic of the city that its parts and,

[T]he classes of its parts are united and combined with each other by love. It is held together and continues to be maintained by justice and the actions of justice. Now love is sometimes natural, as the

love of parent for child, and sometimes willed, by its beginning being in things willed followed by love. Love that is willed comes in three ways: (a) by sharing in virtue; (b) on account of advantage; and (c) on account of pleasure. Justice follows upon love. Love in these classes first occurs on account of (a) sharing in virtue. This is connected with sharing in thoughts and actions. (Alfarabi and Dunlop, 1952: 115)

Accordingly, the relationship of love between the parts of the city or its inhabitants is either natural, or willed as a result of common thought and action: sharing in the virtues that let them live together in a city in order to benefit each other and thus attain true pleasure. Consequently, the perfect leader must be an inherent part of such a city, not a leader that is appointed or forced upon them through war and conquest.

To conclude, for Alfarabi, the Islamic nation is more perfect than other nations or cities that are located outside the Islamic world and have non-Islamic beliefs or different laws built on non-Islamic theoretical and intellectual virtues or values. Cities or nations like persons have different theoretical, intellectual and practical abilities. However, Alfarabi's virtuous leader (philosopher, legislator and *imam*) is not only a believer in a certain religious dogma, so that he has to be confined to his people's religion and not breaching its teachings. He knows the essence of human nature and the First Cause¹ through rational and logical knowledge, and religion for him is merely an image of the essence and never is the essence. However, most people would not be able to walk the path of true happiness unless they embrace religious and national images and principles. Thus he should respect religion because his aim is to ensure that not only 'the few' but also 'the many' are striving towards true happiness, each by depending on his or her theoretical and intellectual abilities (Sweeney, 2007: 568).

¹ First Cause is synonymous with the Active Intellect that governs the intellectual world and facilitates theoretical virtues. For Aristotle, nothing comes from nothing and God is the final cause or end (*Physics*, Books III).

Therefore, religion as a theoretical virtue is an inherent part of a human being's nature, and as a true philosopher, the leader knows that it is impossible to seek to remove any part of human nature; and that any attempt to do so by imposing by force different theoretical or religious principles will make such theoretical virtues or religion tyrannical, with the result that people will not genuinely believe in them and will not do the desired good action (practical and moral virtue) that will lead them to true happiness. This can only be achieved through free will and choice. The change in people's character through corporal punishment will not lead them to acquire the desired theoretical virtues and then achieve happiness (Sweeney, 2007: 570-571).

In conclusion, according to Alfarabi's jihad, the offensive war between nations of different religions is not allowed. Alfarabi does not advocate the violent concept of jihad as a global holy war against infidels to convert them to Islam. His external jihad is strictly verbal through means of speech and argument. His understanding of jihad permits fighting or conflict only as a necessity to defend the Islamic nation but does not permit it as a means to convert belief, whether inside or outside of the Islamic nation.

2.5. On interpretation of Alfarabi's internal jihad and tolerance

In this section, I argue that Alfarabi's tendency towards intervention within the Islamic nation does not make him intolerant. This is because, firstly, he is driven by the intention of maintaining the well-being of the virtuous or Islamic nation and preserving 'true' peace; secondly, his understanding of justice as moral virtue justifies such internal jihad as tolerant.

First of all, Alfarabi's internal jihad takes the offensive form when it aims to attack those who do wrong but only within the Islamic state. It occurs against both Muslims and non-Muslims due to their breaching Islamic law, as in the case of rebellion. For such an offensive war, violators or wrongdoers will first be called upon to submit to Islamic order. This is because, for Alfarabi,

peace and submission to God, Islamic order or laws are already present in the reign of Islam, *dar alislam*, and must be kept so in the interest of all people in the Islamic nation. Their interest lies in maintaining the virtuous theoretical/religious principles in unity, which thus guarantees the existence of the route of the struggle to happiness. What is more, for Alfarabi,

The war of the chief with people merely that they may be humbled and submit to him and honour him for nothing else save the running of his writ among them and their obedience to him ..., is an unjust war. Similarly if he makes war for nothing else save that conquest is his end, that too is an unjust war. Similarly if he makes war or kills to appease rage, or for pleasure which he takes in victory merely, that likewise is injustice. And similarly if those people have enraged him by injustice and what they deserve for that injustice comes short of war and short of killing, war and killing are undoubtedly unjust ... (Alfarabi, 1961: 57)

Fighting or *qital* in Alfarabi's concept of offensive jihad or war is just; and this is mainly because of its role in maintaining the well-being of the virtuous association and 'true' peace that people/Muslims need in order to attain happiness (Bonner, 2006: 5). Such a war, however, does not aim at domination or despotism over others as it must not be for the sake of the ruler's increased honour, the venting of rage or to achieve other pleasures through victory, like the love of bloodshed and subjugation or the love of false peace. Such a peace does not necessarily mean that people are living in true peace and are truly happy as they may possibly be behaving peacefully, not protesting or resisting, because of their fear of tyranny, weakness, or need. For Alfarabi, peace and war are means to achieve justice and maintain co-operation and harmony in the political community so that people keep practising virtues which will lead to happiness. True peace, for example, is achieved through preservation of justice with religious, social and political co-operation. In *Aphorisms of the Statesman*, Alfarabi states that:

... [t]he parts of the city and the classes of its parts are united and combined with each other by love. It is held together and continues to be maintained by justice and the actions of justice. ... Love in these classes first occurs on account of (a) sharing in virtue. This is connected with sharing in thoughts and actions. ... Agreement of opinion in regard to the beginning is the agreement of their opinions about God and spiritual things ... The end (b) is happiness. What lies between (y.) are the actions by which happiness is attained. When the opinions of the inhabitants are agreed on these things and that has come about owing to the actions by which mutual happiness is attained mutually, it engenders mutual love, of necessity, because they are neighbours of each other in one dwelling, some of them needing others and some being useful to others, which engenders (b) the love existing on account of advantage. Then on account of their sharing in the virtues, and because some of them are useful to others, some taking pleasure in others, that engenders also (c) the love existing on account of pleasure, and through it they are united and combined (Alfarabi and Dunlop, 1952: 115).

Accordingly, justice does not occur in society if people do not truly love one another, through sharing in the theoretical and religious virtues that unite them, and their actions for achieving the ultimate end of happiness. True love leads in turn to exchanging advantages and thus achieves mutual pleasure for them. Thus, the purpose of justice here is not justice as an end in itself, but the preservation of the political association in which the inhabitants unite and combine according to their common theoretical and moral virtues, in order to achieve happiness.

For Alfarabi's jihad, the rule is that the best method is to seek peace through means of persuasion, through speech to the wrongdoers to change their behaviour and recover the usurped rights of their people. However, if the state of harmony and co-operation among people in the Islamic civil community is breached and thus the endeavour of people to attain happiness is hindered, then compulsion, of which war represents the highest degree, is necessary as a punishment. In *Aphorisms of the Statesman*, Alfarabi states "[i]n preventing it [injustice], violence, fighting and severe punishments are often needed. The violence and severe punishments must be

measured, so that each part (*sc.* of the original wrong) may be confronted with a commensurate punishment. When from the doer of the injustice there is taken the equivalent portion of evil, justice is done” (Alfarabi and Dunlop, 1952: 116).

Both kinds of jihad, the greater inward spiritual jihad, in particular ‘jihad of the tongue’ and ‘jihad of the sword’ (with *qital* as the lesser outward physical jihad), that Alfarabi advocates complement each other. Both are used to guarantee that people of the city or nation are living in ‘true peace’, loving one another; and so justice is prevalent among them and thus that they are practising virtues which lead to happiness. The former, jihad of the tongue, represents the educational method of Alfarabi’s virtuous leader, that aims at attaining the theoretical virtues in people everywhere, whether inside or outside the Islamic nation. Alfarabi shows that in the virtuous city or nation, for people’s actions to lead to happiness, theoretical virtues must be united and shared. This is expressed in Alfarabi’s *Aphorisms of the Statesman* as follows:

... [j]ustice follows upon love. Love in these classes first occurs on account of (*a*) sharing in virtue. This is connected with sharing in thoughts and actions. The thoughts which they must share in are either *a*. in regard to the beginning; *b*. in regard to the end; or *y*. in regard to what lies between. Agreement of opinion in regard to the beginning is the agreement of their opinions about God and spiritual things, about the good men who are the pattern, how the world and its parts began, and how man came into being, then (about) the classes of the parts of the world, their mutual relation, ... their station with reference to God and spiritual things, and man's station with reference to God and spiritual things. This is the beginning (*a*). The end (*b*.) is happiness. What lies between (*y*.) are the actions by which happiness is attained. (Alfarabi and Dunlop, 1952: 15)

Accordingly, attaining the theoretical virtues requires (1) an acquisition of knowledge concerning the Final Cause (God) and His religious principles; (2) then to develop a knowledge of the science of man through examining the ends and the ultimate perfection for which humans were created, and through which their common life can be achieved; (3) and lastly a knowledge of

good and evil; virtues and shortcomings; and advantages and disadvantages. The theoretical virtues are both the theoretical knowledge and the facts which originate in human instinct or nature, and by means of which humans are able to acquire their beliefs and opinions – whether through contemplation and deduction, or through learning and teaching (Alfarabi, 1926: 2).

The latter jihad, ‘jihad of the sword,’ represents the disciplinary method followed by the virtuous leader or those who are authorized by him, and is directed only at people within the Islamic nation. The presence of the theoretical virtues within the community whose aim is the achievement of supreme perfection and happiness allows people to draw on them for intellectual ability and power. These are the forces which enable them in turn to enact the laws and make the rules which are necessary to help them attain the high standards the route towards their virtuous goal demands (Alfarabi, 1995b: 113). However, not all actions and deeds of people are virtuous.

In *The Opinions of the Inhabitants of the Virtuous City*, Alfarabi states that:

... [t]he most excellent good and the utmost perfection are, in the first instance, attained in a city, not in a society which is less complete than it. But, since good in its real sense is such as to be attainable through choice and will and evils are also due to will and choice only, a city may be established to enable its people to co-operate in attaining some aims that are evil. Hence felicity is not attainable in every city. The city, then, in which people aim through association at co-operating for the things which by which felicity in its real and true sense can be attained, is the excellent city. In the same way national and universal entities attain the true happiness when all cities and nations cooperate to obtain good ends. (Alfarabi, 1985: 231)

Accordingly, people live together in civil communities (cities or nations), not merely because of their instinct but from choice, and they co-operate according to a unity of opinion (in the sense of a shared intellectual and religious belief) in order to achieve political goals accompanied either

with virtues, good deeds and merits or evil characters and bad deeds (Alfarabi, 1926: 23-25, 29, 31, Marhaba, 1983: 454-457).

Secondly, the high value Alfarabi places on the quality of justice makes his internal jihad justified and tolerant. Indeed, what Alfarabi aims at with such an internal jihad is ensuring that the principal common virtues (theoretical and practical) that all Muslims in cities and sub-nations of the Islamic nation as a whole believe in and practise are not threatened or aggressively opposed by any. Indeed, the ultimate purpose of Alfarabi's jihad as a 'compulsion to happiness' is the preservation of religion as an essential part of people's theoretical virtues, and a maintenance of the process of practising those virtues in order to attain happiness. For Alfarabi, thus, jihad has nothing to do with forcible religious conversion (proselytism by force), which entails the exclusion of those others with different beliefs. It does not aim at converting new persons or those unbelievers like Christians and Jews in the Islamic nation to Islam; but the aim is that of sustaining the union of opinion on particular theoretical and religious principles that are already prevalent. Islamic faith is what makes the whole nation united in its struggle towards true happiness. Thus, in the case of those with aggressive attitudes that severely threaten the unity of the Islamic nation, persuasion must first be attempted, and if that does not work then punishment must be used. Indeed, according to Alfarabi,

[T]he ruler has to use force and compulsion with those who [out of nature or habit] cannot be educated or persuaded to obey the law spontaneously ... Hence the ruler needs to employ two groups of educators: a group [the negotiating group] that educates the citizens by persuasion and by means of arguments; and a warlike group to compel the lazy, the wicked, and the incorrigible to obey the laws by force. (Alfarabi, 1926: 31)

For Alfarabi, every person who lives in a civil community must act in accordance with their occupation and business in the community. These are understood in the sense of crafts and

functions (practical virtues) suitable to his or her natural rank, and this is just, and enough for him to achieve his potential for the ultimate happiness possible. The co-operation between people to achieve happiness is essential, and the perfect leader of the nation has to use his leadership to employ the elect, the few in the community whose role is either to convince those who do not co-operate (the multitude) of the importance of co-operation, or otherwise to force them to do so. In this respect, Alfarabi indicates that:

... [t]he supreme ruler and, those who are in possession of scientific knowledge of the knowable, and are familiar with its demonstration belong to the elect, while the rest are the vulgar or the multitude. Thus, the methods of persuasion and imaginative representation are employed only in the instruction of the vulgar and the multitude of the nations and the cities, while demonstrative methods which reveal the nature of things (beings are made intelligible) are employed by the supreme ruler to instruct the elect. (Alfarabi, 1926: 38)

Accordingly, the virtuous leader has the fullest and deepest possible theoretical knowledge and uses different ways to teach people, and put in place the requisite virtues. He deploys a certain kind of demonstrative philosophy to teach the elect in the community how to use imaginative methods to persuade the public. Accordingly, in Alfarabi's thought, people are divided into 'the few' who have responsibility for civil leadership as they are excellent and skilful in their arts or crafts, and 'the many' such as slaves and servants, and others whose occupation is serving the city, which does not qualify them to take any civil leadership (Alfarabi, 1926: 36-37). If they disobey the law or rebel against the city and thus threaten the justice that guarantees the unity of the city or the nation, the many have to be taught how to attain true happiness by means of both persuasion and compulsion (Mahdi, 2001: 139).

Based on both his educational and his disciplinary or corrective roles in the city or nation, the virtuous ruler will use compulsion only if the common good of the city or the nation are

jeopardized. If this happens, he will use force proportionate to the danger which occurs. His aim is to restore the goods which are deservedly the property of the nation by removing them from those who have usurped them. His main objective here is thereby to preserve justice. The leader and those people assigned by him from the elect to do so, will first suppress the wicked or force the violators to respect justice. Such justice is expressed in the context of a belief that all inhabitants of the nation must have moral and practical virtues that are like work ethics or values based on the virtue of hard work. These virtues are reflections of the intellectual and theoretical virtues of society (including religious principles). Second, the leader aims at making the intractable respect the terms of co-operation and learn the society's religious values (the theoretical and intellectual virtues or terms) on which the civil association was established in the first place. This co-operation by people on the basis of the common theoretical or theological values by which true happiness is attained makes the city or the nation virtuous. Accordingly, for the civil political association to run properly and justly, everyone has to have rights and duties in relation to their line of work or business, which embody moral and practical virtues. These, according to the terms on which co-operation is agreed, are derived from the theoretical and intellectual virtues (Alfarabi and Dunlop, 1952: 115, Benabdalali, 1979: 82-84).

For Alfarabi, every being is created and formed with the potential to achieve its ultimate perfection, its fullest and most perfect realisation or nature. This perfection varies depending on its nature and the final cause for its existence. Human beings, for example, were created for a virtuous cause: the perfect happiness that is their ultimate end and the greatest thing a human can attain, in which the human soul becomes fullest and perfect and its existence no longer requires a material form (Alfarabi, 1985: 205, Marhaba, 1983: 457-458). This entails the idea that human perfection differs from one person to another depending on his or her theoretical and intellectual ability, and thus their rank in humanity. Every person living in a city must exhibit practical virtue expressed through their occupation, function, art or craft. These functions are assigned to them,

on the basis of distributive justice, in a way suitable to their rank, and determined by their natural characteristics, which in turn are governed by instinct and will (Alfarabi, 1926: 28-29). For instance, the courage of the lion and cunning of the fox are inherent complex attributes. Each practise its typical attribute willingly because it is easier to them than doing the opposite (Alfarabi, 1995a: 68). The same is true for human beings, who have inherent characteristics that condition their moral and ethical actions and reactions. The tasks of the most honourable and important nature are those which most closely resemble those performed by the virtuous leader. Social and political relations are like the relation between the heart and the other organs in the human body. It is a pyramidal relationship. In this respect, Alfarabi states that:

... [t]he heart is the ruling organ which is not ruled by any other organ of the body. It is followed in rank by the brain, which is also a ruling organ, its supremacy, however, not being primary but secondary: it is ruled by the heart and rules over all the other organs and limbs. For it is itself subordinate to the heart, whereas all the other organs and limbs are subordinate to it, in accordance with the natural aim of the heart. (Alfarabi, 1985: 175)

If this attuned sequential chain of balancedly distributed functions is interrupted for any reason, the cooperation among people for the struggle towards happiness will be endangered, and thus justice must be sustained by coercion (rectification justice). Thus, justice for Alfarabi has both relatively distributive and remedial meanings. Justice in this sense is not natural because natural justice is based on fear, weakness, and need. Real justice can only be attained by all those who live by depending on civil association for the realisation of their common needs, by means of continual work and co-operation (Alfarabi and Dunlop, 1952: 115-116). If human association in cities and nations does not so function, the whole association becomes an arena of conflict for survival. However, Alfarabi's justice is not based on subjugation or on defeat through the use of superior force. It is not the Thrasymachusian justice of Plato's *Republic* where the action of the stronger is always just and the weak have no choice but to stay silent and accept the oppression.

Alfarabi's justice depends on the idea that equality between persons is proportional. Even though people in society have natural differences that give them different theoretical, intellectual, moral and practical virtues or excellences, their common interest of each in attaining his or her own ultimate perfection and true happiness can be achieved through fairly distributing their communal goods in a way equal to each person's attributes. And thus, the leader who has special abilities seeks to protect everyone's portion in everyday life through ensuring that, first, the mutual economic relation among people is correct, and that, second, there is no kind of deception, and seeks to restore seized property to its rightful owner in the case of crime or usurpation (Alfarabi and Dunlop, 1952: 115-116, Benabdalali, 1979: 83).

Accordingly, for Alfarabi, preserving justice in this respect will ensure that the theoretical virtues that led people to have a political association in the first place are kept united, as the whole civilized political association of people in cities or nations is based on them, living together as they do, according to this consensus of religious cultural norms (theoretical, intellectual virtues). Protecting these virtues is essential to Alfarabi's virtuous leader, and the preservation of justice is crucial to the continuation of the virtuous life in the city or nation. Coercion is only justified in order to sustain the process of practising the virtues which lead to happiness, and thus to maintain the common interest of people in having the truly united theoretical opinions or religious beliefs that ensure their way to happiness. One can thus indicate here that Alfarabi is a true defender of religious faith, not for the purpose of subjugation of others by converting them to Islam, but to ensure that the striving of Muslims towards happiness is undisrupted.

In conclusion, Alfarabi only justifies the defensive jihad of the sword against external attack, and the offensive jihad in very strict circumstances within the Islamic nation in order to protect the theoretical virtues or the faith, according to which Muslims are united in one Islamic nation and because of which they keep practising the virtues that lead to happiness in their earthly life. This

is to be done through the defence of justice and the correction of wrongdoing. It is not driven by the desire for conquest and domination over others. Accordingly, this section concludes that Alfarabi reconciles religious convictions with plurality, and that he advocates interreligious tolerance and rejects using coercion as a means for religious conversion, and for excluding those others with different religious convictions. Alfarabi's internal jihad aims at the preservation of the practise of virtues in pursuit of happiness through maintaining justice. In the following section, I show how although Alfarabi's understanding of just war is overwhelmingly Islamic, he was able to reconcile the justification of jihad with tolerance.

2.6. Alfarabi's religious theory of war

Some scholars of Alfarabi provide seemingly contrasting interpretations to that of this chapter. What is common among them is the idea that Alfarabi's theory of war or the 'compulsion to happiness' is purely philosophically informed. I want to challenge this common misunderstanding and argue that although Alfarabi was influenced by Plato and Aristotle, he produced a theory on the relationship between justice and war that is religiously based and purely moral. Plato's and Aristotle's theories of justice that are merely driven by the rational reasoning of philosophy provide respectively a transcendental or an idealistic and positive understanding of justice.

To start with, Richard Walzer (1985) argues that Alfarabi and his predecessors are merely supporters of rational philosophy, as they use exactly the same Greek philosophical sources. As a thinker who belongs to the Islamic world, his aim was mainly to rationalize Islamic doctrines by representing what is binding in religion as only binding by virtue of reason. He thus rejects the Islamic notion of jihad advocating war only as means for the sake of peace, just like his Greek predecessors Plato and Aristotle (Azadpur, 2011: 13, Walzer, 1985: 5, 15-17, 441-442, 472, 479). Similarly, Joshua Parens (2006) argues that Alfarabi uses philosophy to criticize the religious notion of jihad as it is understood by the traditional jurisdiction of Islam (Parens, 2006: 8) by

showing “the impossibility of establishing a universal virtuous regime through religious warfare” (Sweeney, 2007: 545). Alfarabi is thus sceptical of the notion of offensive jihad to establish a universal religion. For Parens, Alfarabi rejects jihad precisely because it is impossible to establish a universal virtuous regime with a solo religion, ‘a regime of the inhabited world of Alfarabi’s *Attainment of Happiness*’, through holy war (Parens, 2006: 29). Alfarabi’s conclusion, according to Parens, is based on his ‘Aristotelian evaluation of offensive jihad’ that makes him think that religion in relation to the ‘compulsion to happiness’ is a problem, and that philosophy is therefore the solution to it (Parens, 2006: 76). Along the same line of reasoning, Ann Lambton (1981) and Charles Butterworth (1990) argue that the methodology of philosophy that Alfarabi follows “independently justifies the Islamic call to jihad: one can start with either philosophy or religion, for each confirms the other” (Sweeney, 2007: 543). Alfarabi is thus both a believer and a philosopher, and Islamic faith for him must not contradict wisdom or stand against rational political philosophy. Accordingly, Alfarabi “seeks to make the classical Greek tradition intelligible to Muslim readers in the context of revealed religion” (Lambton, 1981: 317), but at the same time he refers to the juristic tradition of global jihad (Butterworth, 1990: 84). He gives both religious and philosophical justifications for violent global jihad. Therefore, according to them, for Alfarabi both religion and philosophy will support violent global jihad.

Likewise, Sweeney (2007) argues that for Alfarabi, although philosophy is superior to religion, it should respect religion (Sweeney, 2007: 570). “Alfarabi’s philosophy is not directed principally to the believer ... but to the philosopher who needs reasons why it is wrong to strive to eliminate religion” (Sweeney, 2007: 571). In that, Alfarabi was trying to ‘limit political rationalism’. Nevertheless, in a way contrary to Parens, Sweeney (2007) reads Alfarabi as regarding religion as a solution to the problem that philosophy imposes with regard to the question of ‘compulsion to happiness’. Sweeney argues that Alfarabi “uses philosophy to criticise the limits that Aristotle places on compulsion to virtue... [and] he uses religion to re-establish limits that are more

natural” (Sweeney, 2007: 568). Alfarabi regards the nation, not the city, as in Aristotle’s version, as the most natural limit to jihad or just war because moral virtues in the nation are the religious virtues naturally imposed on the nation by the religious leader, and willingly and intuitively followed by its people. In the Aristotelian method, the family’s virtues naturally are imposed by father and spontaneously accepted by all the family members and thus must not be removed by violence. Similarly, Sweeney adds that the consequence of Alfarabi’s reasoning is that the nation’s religious virtues also must not be altered or eliminated by force. This is because religious virtues and other national ethical norms are the principal theoretical and intellectual force of the nation: “ethics and religion are inseparable for most people” (Sweeney, 2007: 565). For Alfarabi, religious virtues, according to Sweeney, must be respected by all families, cities and nations and must not be manipulated or weakened by an imperial or universal regime (Sweeney, 2007: 566). In conclusion, for Sweeney, to answer the problem of the coercive ethical drive of philosophy towards universalism, Alfarabi regards religion as limiting the use of force as a means to attain virtues. Any attempt to make religion universal is certainly not accepted by lovers of true philosophy and wisdom (in particular the virtuous ruler), but only by believers, because such attempt would lead to a confusion of the image with the essence and thus confuse religion with philosophy (Alfarabi, 1927, Sweeney, 2007: 536-564).

Moreover, according to Muhsin Mahdi (2001), the rationality of philosophy, not religion, is what decides the right rules and laws. He states that “so long as he [Alfarabi’s supreme ruler] lives, the rational faculty rules supreme and laws are preserved or changed in the light of his judgment as philosopher” (Mahdi, 2001: 137). Thus, for Mahdi the true religion and its teachings are reduced to positive laws or rules set by the virtuous ruler; and Alfarabi does not pay much attention to religion as an ethical morality that defends a system of rules based on ideas of right and wrong (Azadpur, 2011: 13). War is, accordingly, used by the supreme leader to “establish his divine law [those positive rules] and to suppress the wicked and the incorrigible” (Mahdi, 2001: 141). Thus,

because it is not religion but philosophy that functions universally, for Alfarabi the aim was never to create “the community of believers in a particular set of dogmas [(Islamic dogmas) but to generate the] community of lovers of the one and true wisdom” (Mahdi, 2001: 144). Consequently, Mahdi criticizes the conclusion that Alfarabi deliberately uses Greek philosophy or harmonizes it with Islamic doctrines “with the intention of supplying a rational justification for the Islamic concept of holy war whose aim was to propagate the divine law everywhere on earth; that he formed a war of civilization whereby a more advanced nation justifies the conquest of more backward nations” (Mahdi, 2001: 140). For Mahdi, religion is only a means used in the context of “the use of force to the extent to which it is necessary to establish a new regime and suppress the wicked and incorrigible inside the regime” (Mahdi, 2001: 143). According to Mahdi’s reading, for Alfarabi jihad becomes a just war that is philosophically justified and not any more ruled by divinely revealed doctrines of Islam. Yet Mahdi argues that Alfarabi keeps the same objective for jihad, of creating a universal regime through just war, that is to say, through actual fighting.

Nevertheless, it appears that the reasoning provided by the scholars above is quite narrow and includes insufficient comprehensive interpretations of Alfarabi’s understanding of the relationship between religion and the concept of just war as a ‘compulsion to happiness’. In fact, Alfarabi’s tolerant thinking is not merely philosophically, and non-religiously, driven and designed as these scholars would suggest. Before being a philosopher, Alfarabi was a strong believer and advocator of Islam; and for Muslim philosophers like Alfarabi, Islam is the perfect religion for humanity. Their debate was never directed against religion (Lambton, 1981: 316).

Indeed, there is no doubt that Alfarabi was influenced by the classical Greek philosophy of Plato and Aristotle. However, Alfarabi as a Muslim thinker, driven by both Islamic theology and rational philosophy, produces justifications for war that are religiously informed and quite

different from his Greek predecessors. Alfarabi does not deliberately attempt to harmonise religion with philosophy in order to justify jihad or war in its universal scope, and he does not replace the religious meaning of jihad with a merely philosophical meaning. Diego Cucarella (2010: 3, 14-15) affirms this by stating that Alfarabi does not “simply reproduce Greek thinking on war”. He shows that Alfarabi envisions a different justification for war, that the virtuous ruler can wage a just war abroad for educating other non-virtuous nations that do not exercise moral virtues. Nevertheless, according to Cucarella’s reading, Alfarabi still accepts invading other nations with different religion in order to impose the right moral virtues. Alfarabi, in fact, only agrees to a particular kind of peacefully, but still-religiously oriented jihad abroad that is ‘jihad of the tongue’, preaching Islamic faith by using correct and truthful speech with certain demonstrative evidence. Alfarabi rejects holy war on a universal scale, but he still believes in the possibility that religion can play a universal role for uniting people in certain opinions, and thus achieving a virtuous, political, human association for the whole world for purpose of achieving happiness.

Alfarabi does not seem to stand, at least theoretically, against the idea that religion could perhaps function universally. He might not entertain the idea of the domination of one religious faith over the entire world; but with a potential consensus on certain opinions amongst the whole human race in mind, he would encourage the idea of a universal religion in the context of a universal political association. This is not only because he is religiously driven by the universal orientation of Islam, but also because such an association will provide the best and most potential circumstances to practise virtues for happiness, according to Alfarabi’s thinking.

Alfarabi’s theory concerning just war is religiously informed and different from those of Plato and Aristotle. One may refer to two main reasons for this. Firstly, contrarily to Aristotle, Alfarabi’s philosophy endeavours to make, not only ‘the few’ in the political community but ‘the

many', all people, attain perfection or happiness. 'This is to happen through religion because religion is an imitation of philosophy and for the 'compulsion to happiness' to succeed in its educational part, religious images or likenesses must be used. Alfarabi actually believes that it is possible to help 'the many' to practise moral and practical virtues through imagining theoretical virtues in the sense of moral national or religious images, but these cannot capture the essence, the true theoretical knowledge of the universe. The many only need likenesses to enable them to adjust their theoretical knowledge, as he argues. Such likenesses are invented by the supreme leader or his assistants from the elect in order to deploy them with imaginative representation to the many (Alfarabi, 1926: 38). Alfarabi indicates in this respect that:

... [t]he theoretical sciences are taught by imams and kings or by those of the elect who are educated in theses sciences ... both kings and the elect will be trained to do this educational role and they will be habituated to use all logical methods in all theoretical sciences from their youth ... until they are appointed in different presidencies according to their different characters ... Persuasive methods will make them skilled in theoretical knowledge, but there are also theoretical truths they will understand through the imagination. This information contains the ultimate principles and the principles that are incorporeal. There is no way for 'the many' to completely understand the ultimate principles that are incorporeal and cannot be understood that way. But by means of persuasion, they may absorb them through representation of their likenesses. (Alfarabi, 1995a: 72-73)

According to this, only the few will be able to fully understand the theoretical virtues that give rise to moral and practical virtues (ethically good actions). The many can only recognize images or likenesses of these theoretical virtues. Therefore, the many cannot comprehend intellectual or philosophical knowledge of the reasons behind good actions. They are able to imagine, desire and perhaps do the good act, but only by means of external motivation employed through the elites' use of persuasive methods (Sweeney, 2007: 559-560). Alfarabi's philosophy is, thus, directed at all believers and his adaptation of the concept of 'compulsion to virtue' in order for humans to

attain happiness and perfection is motivated by his religious morality. For example, in *The Opinions of the Inhabitants of the Virtuous City*, Alfarabi states that:

... [t]his book contains altogether three sections, theological, natural and voluntary (i.e. 'ethical'). The first section deals with God and His attributes. The second section discusses the Angels and the Spiritual Beings. Among these is the Active Intellect: it should be considered as the Faithful Spirit and the Spirit of Holiness. It ought to be considered as that through which Revelation comes to the man who is a prophet. It should be considered as the intermediary between God Most High and the man who receive revelation. The only felicity for the soul is to be within the domain of the Active Intellect. It is the Active Intellect that ought to be considered as governing man and as providing every man with the principle which ought to be used in attaining felicity, and as guiding man towards the right path for felicity and directing him to the right aim. Alternatively God ought to be considered as providing man with these things through the mediation (medium) of the Active Intellect. (Alfarabi, 1985: 53-55)

Accordingly, the active intellect is the mediator through which God's will is sent to humans' intellect in images and ideas. The active intellect works to help humans to think well and to gain knowledge of truth in life and the afterlife, and of the relationships between the two lives. It does that by sending images to humans' intellect that carry the knowledge that is needed to attain true happiness. The use of this religious/Islamic language shows that Alfarabi's book is still religious or Islamic in its drive, and takes no stand against any established religious principles that the many believe in. He also enumerates six principles of being in his assumed universal system: the incorporeal First Mover; the First Cause, the incorporeal intellects; the Second Cause, the active intellect, soul, form, and matter. For the first cause, Alfarabi does not hesitate to refer to it as God. For the second cause, the intellects, Alfarabi calls them the spirits and angels: the Holy Spirit or the Angel of Revelation (Adamson and Taylor, 2005, Alfarabi, 1985: 89-164, Fakhry, 2002).

Secondly, for Alfarabi, the driving force of ‘compulsion to happiness’/jihad is purely moral in the religious meaning of the term: that is the preservation of the principal theoretical and intellectual virtues that incorporate the doctrines of Islam. Alfarabi’s theory of war is not driven by Plato’s transcendental definition of justice, nor merely by Aristotle’s purely positive justice (Ryan, 2012: 102), although he was largely influenced by the latter. Both Plato and Aristotle see justice as derived from rational knowledge and human reason. Justice in this sense is not driven by inner motivations like selfless love, and the benevolent feelings and sympathy that sometimes motivate humans to do good and virtuous actions which depart from, or regardless of, social convention (Slote, 2014). For Plato, justice is commonly and mistakenly associated with reality, and only by following the path of philosophy, can justice be understood (Plato, 2003: 240-248). However, for Alfarabi, justice is indeed applicable in reality through the means of ‘compulsion to happiness’: by persuasion, law and war. For Aristotle, justice as a value has an objective foundation in the nature of things. It is the natural end of things. Aristotle tries to deduce values from certain objective facts through observing things empirically; in that identifying the end or the *telos* behind the existence of humans gives an idea of the necessary goods, virtues or morals that are required for them to fully perfect their life (Aristotle, 2014 Book I, chapters 1, 2, 5, 7 & Book III, chapter 5). Although both Alfarabi and Aristotle believe that virtues or ethics are necessarily coercive, Aristotle’s thought, conversely, is not purely moral, but his concept of ‘compulsion to virtue’ comes with an abstract political positive nature (Aristotle, 2014 Book III, Chapters 1-6).

For Aristotle, for example, religion has nothing to do with the ethical dimension of nature that is the good, or in other words the basis for ethics and the characteristics that make beings such as humans attain perfection by enabling them to perform the function that were created for (the natural end or the inherent cause for their existence, the political community). Accordingly, the instructions that Aristotle suggests in order to protect political stability and make the city-state run smoothly are abstract; they do not represent external reality or the true nature of human

social life in which myth or superstition and human existence are inseparable. Consequently, Aristotle suggests some Machiavellian political advice to avoid the evils of revolution resulting from both the belief of some that the political equality entails economic equality and the belief of others that economic differences necessitate political inequality. For Aristotle, in this regard, only those who are liberated from necessity by their possession of property and wealth and thus are self-governing domestically could be part of the self-governing political community. What is important here is that for Aristotle there is a single method of governance (only one rule); that is, that if the best rule, all others will automatically obtain the best possible for them. So, to create a balance in the relationship among people in the city, the material wealth and assets must be distributed in accordance with the distribution of the political power (Ryan, 2012: 104). This means that the elite, the few, in the political community will acquire the largest portion of the wealth of the political community. Now that Aristotle's concern is obviously the aristocratic few, not the pure common morality of society, he arrives at his conclusion that "[f]acts, as well as arguments, prove that the legislator should direct all military and other measures to the provision of leisure and the establishment of peace" (Aristotle, 1999: 174). Thus, for him increasing the oligarchy's leisure is crucial for the existence and the preservation of the political community. What is more striking and seems not quite purely moral, but abstractly political, is that for Aristotle war for this reason (the oligarchy's leisure) is just. For example, war to capture slaves from nations other than Greece is natural and just. What also seems extremely political, and not morally driven as in Alfarabi's moralism and politics, is that for Aristotle the war of the Greek to avoid slavery is justified; and if slavery is somehow imposed on the Greek as a punishment, they are entitled to the manumission. However, this does not apply to the natural slaves because slavery is suitable and more beneficial to them (Aristotle, 1999: 174).

It appears that, first, war for Aristotle is justified not merely in the interest of the governed as he argues, but in the interest of the governing: the few, not the many as Alfarabi suggests. Second,

Aristotle's arguments about values or virtues are derived from his observation of the mere facts of political life. Thus, politics for him is an abstract practical science, seen as a mere craft for the political leader. Nevertheless, Alfarabi employs both the Aristotelian distributive and corrective justices (Alfarabi and Dunlop, 1952, Aristotle, 1999: 115-116), aiming at the protection of the principal ethical virtues of all people that will lead them to realize true happiness, which is the only cause and purpose for existence of their political association. The ultimate purpose of justice and war here is to achieve happiness for the people, the many, not merely the physical material existence of the political association and its survival, as Aristotle demonstrates. The political community is a means, not the ultimate end, for Alfarabi. It is the place for everybody, in particular the many, to practice virtues for true happiness. It is the place in which religion forms both the primary theoretical principles and moral doctrines of the people. This purpose for Alfarabi is also not Platonic or utopian but applicable in reality. Plato sees justice as having particular requirements; thus justice is to be created and his plan or programme for attaining the requirements of justice is utopian, as there is no possibility for such justice to be breached afterwards (Ryan, 2012: 70). However, for Alfarabi, the terms of justice had been set when the political community was created and thus the mission is to protect the community in order to preserve the people's practice of virtues for happiness. Therefore, one can conclude here that Alfarabi's concept of 'compulsion to happiness' is primarily religiously inspired and quite different from the Greek versions of Plato and Aristotle. Indeed, Alfarabi's thought is religious in all its dimensions, causes and proposes. Alfarabi's religious convictions, however, do not lead him to have an understanding of jihad as a just, violent, holy war beyond the borders of the Islamic community.

2.7. Conclusion

In this chapter, with the purpose of showing that religion is not necessarily the source that drives religious fanatics to violence, I assess Alfarabi's theory of just war. The chapter demonstrates that, first, Alfarabi refutes the idea of jihad as a holy war because for him the exercise of 'compulsion to happiness' as a just war cannot function without the pre-existence of the theoretical/religious virtues in the society. Second, he singles out a particular concept of jihad that is strictly internal and occurs, within the Islamic nation, and has no specific religious purpose. It is concerned with the use of coercion against wicked people and corrupted cities or nations, within the Islamic nation, that threaten the very principles that unite the opinions of the inhabitants of the virtuous city or Islamic nation. This internal jihad is not merely in order to impose virtues on people who do not have them already, or to convert them to Islamic faith since they belong to the wrong faith, but Alfarabi's intervention aims at the protection of the faith from within, and occurs after a serious peaceful attempt to convince wrongdoers through rhetoric of the need to undo their wrong doing. This is because, for Alfarabi, faith is an inherent part of a human's theoretical virtues. These are the principles of the inhabitants of the virtuous city for which the whole political civilized association of people has been created.

The upshot is that Alfarabi's religious thought is eventually tolerant as it greatly respects religious differences, and it is evident that he reconciles faith with plurality. He has found a way to reconcile religious convictions with inter-cultural and religious tolerance and, hence, peace. He rejects using coercion as a means for the religious conversion of those who belong to different nations and believe in different set of religious and cultural norms or doctrines other than Islamic ones. However, he does not totally eliminate the need for force within a religiously unified nation. His interventionist thought is nevertheless strictly internal to the Islamic nation and driven by defence of the Islamic nation and the safeguarding of its faith, the principal ethical

dimension of the reason for having a virtuous life. Without the realisation of such an important dimension, people of the political community would not have such a good life. Alfarabi's thinking on just war as a 'compulsion to happiness' is tolerant because it is mainly driven by his propensity towards the protection of religious faith, but not towards imposing it. In other words, having virtuous life in the city and endeavouring to gain true happiness through practising virtue is the purpose for which humans were created. And this should happen naturally in normal circumstances. These circumstances, that are needed to keep people striving towards happiness, must be maintained. This means that religion must be kept too, because faith is inseparable from the reality of human life. Religion is a very important element of the theoretical, intellectual, and moral virtues that people practise in the place they live in (the political community: the city or the nation). This place is the only place in which they can attain true knowledge/true theoretical and intellectual virtues: and that is because through the experience of their senses in the city, the meaning of true life for people can be translated into principles. Alfarabi is a religious thinker whose thought inclines to be tolerant of religious differences. Consequently, religion cannot be claimed to be the cause of violence or war and thus it cannot be the steady ground on which political intolerance and the bellicosity of religious extremists is understood. In the next chapter, I study the Christian theologian and theorist Francisco de Vitoria's theory of just war, aiming to show here too that religion is not inherently prone to intolerance and violence.

3. Francisco de Vitoria: Religion and Toleration

3.1. Introduction:

With the investigation of Alfarabi's religiously based theory on war in the previous chapter, we found that theories inspired by Islamic teachings are not necessarily violent and we concluded that Islam is neither inevitably itself prone to violence, nor in its relation to politics, as has been claimed by the neo-atheists and the neo-orientalists studied in the first chapter. This chapter will similarly illustrate the non-violent nature of Christianity in Francisco de Vitoria's theological writings on war, showing that his writings illuminate that religion cannot be the right ground on which the tendency of religiously motivated political agents is explained. In Vitoria's case, the agent is the religious state represented by the Spanish Christian civil power. Thus, in this chapter, I will demonstrate that Vitoria as a thinker with a strong religious tendency in his thought still explicitly advocates a reasonable extent of plurality and that toleration and respect for difference between nations have considerable importance in his reasoning on international justice and just war. He creates a space for non-Christians within the sphere of morality and law that he seeks to build. Vitoria's writings clearly show that religion can be tolerant and that it calls for pluralism too. In his thought there are strong indications of the notion of respect for cultural and religious differences between peoples.

Vitoria (c1483-1546), a prominent Medieval Christian thinker, was one of the first to engage strongly with the political and the philosophical dimensions of the question of the rights and just rules that should govern the relationship between the Christian world and the non-Christians in

the New World. In sixteenth century Spain, a Christian state¹ already engaged in a colonial mission in the New World, Vitoria was the *prima* professor of theology at the University of Salamanca². The school of Salamanca inclined “to incorporate Renaissance scholarship into a scholastic framework ... Vitoria’s personal tendency ... was to turn all speculative moral matters to a practical everyday use, and this led to his being frequently consulted on topics of the day” (Hamilton, 1963: 174). Thus, Vitoria reflected outspokenly on the legal, moral and political aspects of the question of the colonization and administration of the New World. In this regard, Vitoria had, as described by his students, ‘a pungent style’ (Hamilton, 1963: 4-7).

Vitoria’s ‘lectures’ the *De Indis* (On the American Indians³) and the *De iure belli* (On the Law of War) delivered in 1539, and published in 1557 (Reichberg *et al.*, 2006: 288) conclude his thought about the relation between religion, politics and war. Thus, the arguments he raises with regard to the question of the relationship between Christians and non-Christians in terms of right/morality, religion and war show how he was driven by his Christianised readings of Greek philosophy, drawing on Aquinas’ reasoning, and are extracted also from his own philosophically secular concept of natural law derived from the Greco-Roman version. This combined approach helped him to use religiously-inspired rational language; so that his arguments can be fitted in with the politics of reality. In fact, Vitoria was not an oratorical humanist though he was

¹ In the eyes of many scholars and university professors at the time, the world was no longer only Christian but also a world of independent and self-governing nations (nation-states), capable of building their interrelations with each other in terms of the law of nations (*jus gentium*). Consequently, the emphasis on Christian principles of justice and just war started declining while natural law came to be the primary basis for doctrine regarding justice and just war (Alvarado, 1992, Hernandez, 1991, McKenna, 1932).

² Beside the Empire, the civil power, and the Church or Papal power, the great powers that played an influential role in Christendom in the Middle Ages, there was the power of the universities founded by the Dominican Order. Thus Friars, such as Francisco de Vitoria who was one of the leaders in school of Salamanca that marked the golden age of Spanish universities, played a significant part in public life at the time. Friars’ special mission was intellectual, preaching and teaching. This mission, for them, was the most effective means to realize the truth and the reason for life. Moreover, the Friars’ mission was extended as a matter of course to giving advice on political matters at both national and international levels (McKenna, 1932: 638). This gave members of the Dominican Order political influence in the kingdoms, as messengers and ambassadors of the kings. The members very often arranged treaties and agreements between political powers on issues of alliance and war. This role continued in Spain after the Reformation (McKenna, 1932: 638-639).

³ In this chapter, I use the term ‘the Indians’ to refer to the Native Americans in the New World, the explored Americas at the time.

influenced by literary and rhetorical writings of the sceptical Roman orators of philosophy. He was not also a merely traditional Christian/neo-Scholastic theologian although he was profoundly influenced by both the literature of early Christianity and Aquinas' scholasticism, which sought to provide a rational basis for Christianity in the Middle Ages, by re-examining the works of early Christians and of ancient Greek philosophers. Therefore, Vitoria's universal justice is to be understood not only in relation to the natural law that governs the ideal world, but also in terms of the common sense and human experience that should govern the real world.

Accordingly, I argue that Vitoria's thought is religiously informed and inspired and at the same time it is intellectually oriented towards advocating a pluralism of beliefs and cultures and their peaceful-co-existence. He seeks to extend the scope of morality beyond that of Christian morality and the political sphere of the Spanish-Christian state, so that respect for the moral and political domain of non-Christians (in the New World) will be sustained, regardless of their non-Christian convictions. To show how Vitoria does so, in the first part of the chapter, I demonstrate that his theology brings together religious morality and reason. This occurs through a special treatment of the relationship between law and morality, as both are mediators between God and humanity. The results of his theoretical approach are non-violent universal principles that are not only religiously informed by the divine-natural law, but also driven by reason or rational-pragmatic politics derived from the notion of common sense and experience. This approach, in turn, leads him to consider the Spaniards' war in the Americas as unjust. In the second part of the chapter, firstly, I shed light on a common view presented by two important scholars of Vitoria's thought: Antony Anghie (2005) and James Scott (1934). This view indicates that Vitoria's vision on the Indian question in the New World is biased towards Christianity and thus non-pluralistic. To contrast with this view, secondly, I illuminate that although Vitoria strongly advocates Christian morality, he does not demonstrate in his writings on war that the Christian conception of the good has to be imposed on non-Christians by force. This is clearly illustrated in his approach to

just and unjust war in relation to the punitive model of early natural law-Christian scholars and the notion of common sense and experience, in particular his treatment of Spanish warfare and conquest in the New World. Thirdly, in the same context of contrasting Anghie and Scott's understanding of Vitoria with regard to the Indian question, I show that in terms of the notion of common sense and experience, Vitoria believes that cultural difference between nations forms a barrier to launch even a just war: this is because war will be just on both sides of the confrontation due to the 'invincible ignorance' of the 'unjust' side. Finally, I conclude the chapter by stating that Vitoria is a very religious thinker and his approach to just war is pragmatic and pluralistic and thus his religiously inspired theory on war is tolerant.

3.2. Vitoria on religion and politics: towards pluralism and non-violence

Understanding how Vitoria sees the integration of the relation between civil/political power and religious-spiritual power within a political community and between different organized political communities, and thus between law and morality as both are mediators between God and humanity, will help us clarify the plurality of his thought and make us understand why he seeks to extend the realm of morality to include non-Christians. In fact, Vitoria inherited Thomas Aquinas' legacy regarding the relationship between Christian ethics and natural law tradition and sought to develop this legacy in a dynamic way. Vitoria, hence, developed a kind of philosophical argument with peaceful, practical, universal principles that are concerned with all peoples regardless of time and "far from being limited to marginal aspects of external State policy" (Koskenniemi, 2009: 5). In this regard, McKenna (1932: 642-643) indicates that:

Vitoria admitted that legal questions should be treated according to the principles of law; but law must be moral at least it should not be unmoral. Consequently, theologians trained in the philosophy of law should be added to the jurists, who dealt, for the most part, with the wording of texts without

considering the spirit of the right or wrong involved. In his opinion neither was complete without the other; the lawyer should be something of a moralist and the moralist very much of a lawyer.

What McKenna is saying here is that, according to Vitoria, for human life to run smoothly, law and morality cannot be separated as they necessitate each other, and thus should be integrated so that no conflict comes about between what is legal and what is moral. For Vitoria, this is due to the idea that to recognize the purpose of human power (the civil-political power), at least we must assume the existence of Supreme Reason, the Final Cause or God (the spiritual power), so that we can obtain our salvation and eternal happiness. Vitoria, indeed, demonstrates that:

... human partnership arose for the purpose of helping to bear each other's burdens, amongst all these partnerships a civil partnership (*civilis societas*) is the one which most aptly fulfils men's needs. It follows that the city (*civitas*) is, if I may put it, the most natural community, the one which is most conformable to nature ... [The clear conclusion is] that the primitive origin of human cities and commonwealths was not a human invention or contrivance to be numbered among the artefacts of crafts, but a device implanted by Nature in man for his own safety and survival. (Vitoria, 1991: 8-9)

According to this, to achieve salvation and eternal happiness we should recognize God's power and believe in the purpose of humans' life in living together in organized social and political communities to secure safety and survival through helping each other. The civil power is, hence, just and legitimate as its 'supreme source' lies in the 'infinite perfection'/God in which every individual and social representation participates (Hernandez, 1991: 1042). Thus, Vitoria (1991: 4) states that "[e]very public or private power by which the secular commonwealth is administered is not only just and legitimate, but is of God, and so cannot be abolished even by the consensus of the whole people". In this context, Vitoria (1991: 10) also adds that:

... if God was responsible for endowing men with the necessity and inclination which ensure that they cannot live except in partnership (*societas*) and under some ruling power, we must conclude that partnership and power are themselves God-given.

Accordingly, each community should respect the civil power of the other as the power of such civil authority is a product of the divine power. In confirmation of this, Vitoria indicates that in the natural state humans lived free and equal in natural conditions that were free from any revelation/Godly divine rules and from human political regulations; only natural laws existed. But humans as rational and virtuous creatures sought to improve their life conditions and to extend their freedom by overcoming the division of individuals' own self-interests in human society. This endeavour entailed accepting the restrictions of the new-built political society and that led to constraints on their natural liberty (Niemela, 2008: 223). Yet, since God's commands are just and rational, they not only lead to eternal salvation that is the goal of spiritual power, but also they must lead to worldly happiness that is the mutual goal of the religious and the secular power. Thus, both spiritual authority and civil authority complement and mutually support each other (Niemela, 2008: 320-321, Vitoria, 1991: 92, 93-94).

Moreover, the natural law refers to human striving towards perfection by seeking to possess what is necessary for all men to become fully human. That is to say, humans should aim at establishing equality and justice among themselves. This is concerned with the neo-Thomistic Christian anthropology and "its understanding of man as created in God's image and likeness and thus worthy of a certain sort of treatment" (Williams, 2004: 48). However, Williams (2004: 52) points out that:

... [s]ince according to Thomas's Teleological framework man is not perfect, but must move towards perfection, [...] a man's "own" refers not only to what he actually possesses, but to that which is necessary for him to become fully himself. The quality of "becomingness," therefore, takes him to the

fullness of his being [...] Natural right, from a Thomastic standpoint, hinges on the becomingness of particular perfective goods to the individual in order for him to achieve the fullness of being.

What Williams (2004) shows here is that all people in fact seek to achieve perfection and to do so they need to follow the natural law or rights. Natural rights, hence, outline the sort of justice that humans should aim at.

Nevertheless, rights are not only natural but also ‘the consequence of God’s law, not of God’s grace’ (Pagden and Lawrance, 1991: xvi). Vitoria (1991: 10) asserts this by indicating that:

... [t]he *efficient cause of this power* [The efficient cause of civil power, God] can easily be deduced from the preceding argument [the final cause of civil power is natural necessity]. If, as we have shown, public power is founded upon natural law, and if natural law acknowledges God as its only author, then it is evident that public power is from God, and cannot be over-ridden by conditions imposed by men or by any positive law.

Therefore, human-enacted laws or public rights are products of Nature of which God is creator. Natural power is from God and must be respected, and its dictates must be followed by everyone. In this regard, Vitoria (1991: 10-11) states that:

... [f]or things which are natural to all creatures must themselves be created by God, the author of nature, since he who gives the creatures their form and structure, as Aristotle again says, must also be responsible for the consequential things entailed by that form. For this reason Paul teaches us that ‘whosoever resisteth the power, resisteth the ordinance of God’ (Rom. 13:2). Therefore I conclude that power exists in the commonwealth by God’s ordinance.

Consequently, what Vitoria implies here is that a ruler’s authority is natural and appears as a consequence of God’s law, not of God’s grace/faith and is thus illegitimate to overthrow. If a ruler’s authority relies on God’s grace, it might then be a possibility to depose him by those who judge him as, for them, only a godly ruler is a just legislator/secular ruler. As a result any other

non-godly prince may become a heretic in the eyes of those who chose to judge him and might legitimately be disposed as a result (Pagden and Lawrance, 1991: xvi). According to the above clarification, in order to make their participation in the divine power meaningful and worthwhile, humans both have to develop and maximize their material and spiritual resources, and work to lead others, persons and societies and any created beings to fully perfect their nature (Hernandez, 1991: 1042). Thus, to help others to fully perfect their life, individuals should make their cooperation beneficial not only to each other within their society, but also to their neighbours/other human beings in other societies (according the precept of Christian charity). We should also establish justice and equality among all peoples because, as Vitoria states, “[t]he commonwealth takes upon itself the task of governing and administering itself and directing all its powers to the common good” (Vitoria, 1991: 11).

Moreover, up to this point of the discussion, what one can infer is that Vitoria, in fact, seeks to show that universal justice is to be understood not only in relation to the natural law that governs the ideal world, but also in terms of common sense and human experience that govern the real world. Consequently, he has revived the law of nations/*ius gentium* from the ancient Roman legal system. This law is a combination of the divine-natural law and human-positive law. It is ‘a set of precepts enacted by the power of the whole world’ regardless of the beliefs of individuals and the customs of societies and their place and time. The law of nations is thus of two kinds of doctrines. While the first kind is derived from natural law, the other kind is derived from the consensus of the whole world. The natural law itself comprises two kinds of principles: the first kind is a set of norms and principles created by God at once in the human soul at the creation. The second kind of principles of the natural law comes out of human apprehension of the first principles to provide rational underpinnings for all codified laws. Accordingly, the general consensus of men occurs along with the interactive and instinctive process of apprehension of Godly ‘self-evident first principles’, in which human beings use their rational capacity and their

practical reason to participate through the natural law in the divine law. The general consensus of men, which is the 'common knowledge', is agreed on by all men because, for example, it is unthinkable that God who implanted the first principles in the soul of Christians, according to Vitoria, may be deceiving them. This is as if all Christians, for instance, who are rational beings, consider something to be wrong and it is not. God believes in the collective rational capacity of human beings (Jahier, 2009, Reichberg *et al.*, 2006: 290, Vitoria, 1991: 160, 170-172). This customary law of nations, which is like an inter-national social contract, was presumed to be negotiated and voluntarily accepted by all nations as it works theoretically in the interests of all self-governing/sovereign political communities. In theory, the abrogation of the *ius gentium* would seemingly be possible because not all of its principles come from natural law. However, in practice, this abrogation appears to be implausible to occur since it is difficult to attain the consensus of all men (Niemela, 2008: 318-319).

For Vitoria, the law of nations is thus placed in between the natural law and the positive law. This mid-way that the law of nations located in gives to it a kind of flexibility that allows it to vibrate logically between the ultimate strengths of the divine source of natural law and the compromising pragmatic trait of the human origin of the positive law. Vitoria places the law of nations in between the natural law and the positive human law in order to have a more dynamic and flexible universal rules that have both spiritual and secular dimensions and do not contradict but reciprocally reinforce each other (Pagden and Lawrance, 1991: xv-xi). By doing so, he was able to defend the plurality of his thought not merely by religious terms that are associated with the divinely inspired natural law (comprehensive supreme doctrines), but also by political and practical/pragmatic terms those that are emerged out of the common sense and practical experience and are usually associated with the human positive law (political ethics or human rules). Accordingly, Vitoria (1991: 40) states that:

... the law of nations (*ius gentium*) does not have the force merely of pacts or agreements between men, but has the validity of a positive enactment (*lex*) 'The whole world, which is in a sense a commonwealth, has the power to enact laws which are just and convenient to all men; and these make up the law of nations. From this it follows that those who break the law of nations, whether in peace or in war, are committing mortal crimes, at any rate in the case of the graver transgressions such as violating the immunity of all ambassadors. No kingdoms may choose to ignore this law of nations, because it has the sanction of the whole world.

In view of that, what makes the law of nations particularly close to the divine-natural law is that it was virtually enacted by a legislative body of all the peoples of the world. The law of nations was established by a human ruling grounded in reason. Its guidelines relied on 'universal consensus' powered by the 'whole world' "irrespective of the local legislative convictions, beliefs, and customs of individual communities, or indeed their place in time" (Pagden and Lawrance, 1991: xv). Consequently, by this re-position of the law of nations, the relations between states or autonomous political communities become neither totally subject to the mere natural law, nor to the mere human law but subject to two criteria attuned together. The first criterion is Vitoria's version of the law of nations that resembles an inter-national legal system concerned with the regulation of external relations between independent nations; and it, hence, has nothing to do with any inter-personal relations of individuals within particular societies as such. Therefore, at the international level, any offensive behaviour of the state that occurs for reasons that are concerned with personal or private or the one-sided morality of a particular society or societies would be regarded as an act of aggression (Vitoria, 1991: 40). The second criterion is Vitoria's notion of common sense and experience extracted from the practical pragmatic politics of the real world, political human rules. Such human laws (*lex humana*) are derived from the divine law as they are enacted depending on men's conscience. For Vitoria "*the laws and constitutions of rulers are such, that whoever transgresses them is guilty of a crime in the court of conscience*" (Vitoria, 1991: 33).

Accordingly, breaching the positive rules is an act of evil and leads to a violation of divine moral law too: this is because, as Vitoria states,

[J]ust as divine law has the power to assign guilt, so too does human law ... human law comes from God; therefore it imposes responsibility just like divine law ... a work of God is not only one which He performs Himself, but also one which He produces through intermediate second causes. Therefore divine laws mean not only those which God himself has instituted, but also those which men have carried [out] by the authority of God. (Vitoria, 1991: 35)

Therefore, by associating human law with the divine Law, Vitoria makes political ethics or human rules as important and useful to everybody as other kinds of rules, and thus required to be rightfully applied when possible. Indeed, at the time, Spanish scholars such as Vitoria “were often less governed by theory than by common sense and experience” (Hamilton, 1963: 164). According to Fastiggi (2004: 3-4), for Vitoria “[a] Catholic king ... is subject to the Pope in matters pertaining to the faith. The king or civil ruler, though, is not subject to the Pope in temporal matters.” In theory, Vitoria conceded that the Pope had the right of direct intervention in civil matters; however, driven by common sense and experience (Vitoria, 1991: 95-100),

[He] limited this right to occasions when the civil power had completely broken down, for neither kings nor peoples could be expected to keep up a high standard of Christianity in their lives and the Pope ought to be reasonable about it. (Hamilton, 1963: 165)

What is more, it appears that Vitoria’s universal sociology and political philosophy that attune the religious with the political restrict the civil and religious powers claimed by the Spaniards in the New World. In principle, Vitoria rejects the Spanish war in the New World. For him the Spanish conquest of the Indians’ lands that was dependent on claims to world sovereignty by the Pope and the Emperor is false. The Emperor had no dominion over people that were not previously

under the dominion of the Roman Emperor. In accordance with that, Vitoria (1991: 257-258) states that:

... as regards human law: it is established that in this case, too, the emperor is not master of the whole world, because if he were it would be solely by authority of some enactment (*lex*), and there is no such enactment. Even if there were, it would have no force, since an enactment presupposes the necessary jurisdiction; if, therefore, the emperor did not have universal jurisdiction before the enactment of the law, the enactment could not be binding on those who were not his subjects. Nor does the emperor have universal dominion by legitimate succession, gift, exchange, purchase, just war, election, or any other title, as is established.

What Vitoria, in fact, seeks to demonstrate here is the notion that dominion is universal and applicable all over the world. The legitimacy of the Indians' sovereignty, thus, can be established according to the idea that both the Indians and the Spanish ownerships were grounded in the divine natural law; and that dominion is a gift of God. The Indians were not subject to the Spanish crown by human law. Their position can only be judged by divine statutes (Vitoria, 1991: 238).

Furthermore, Vitoria (1991: 253-254) shows that the Emperor's pretensions to rule the entire world were annulled because the only universal reign is Christ's reign.

[T]he emperor is not master of the whole world. The proof of this is as follows: dominion (*dominium*) can exist only by natural law, divine law, or human law. But the emperor is not master of the world by any of these ... St Thomas rightly says that in natural law all are free other than from the dominion (*dominium*) of fathers or husbands ... therefore no one can be emperor of the world by natural law ... as regards divine law ... it is certain that Nebuchadnezzar [the Emperor] did not receive some special gift of imperial power from God; the meaning of the passage is simply that he ruled like any other prince, since as Paul says 'there is no power but of God' (Rom. 13: 1) ...

Vitoria (1991: 261) also refutes the Spanish claim that the Pope through delegation to the Emperor, is to have sovereignty over the world.

[I]f the pope had such secular power over the whole world, *he could not give it to secular princes* ... any such power would be annexed to the papacy, and no pope could separate it from the office of the supreme pontiff, or deprive his successor of it ... if a pope were to give away this power, the gift would be null, or the succeeding pope could take it away.

In this regard, Vitoria continues to say that simply by virtue of being Christ's Vicar on Earth, the Pope cannot possess universal dominion over all nations including the Indians. This is because only temporal authorities that received the faith are under his civil jurisdiction. The Indians were unbelieving people; therefore, they were not subject to the Pope's spiritual authority (Alvarado, 1992: 7). According to Vitoria (1991: 263),

[I]f the barbarians refuse to recognize any dominion (*dominium*) of the pope's, war cannot on that account be declared on them, nor their goods seized ... the pope has no such dominion ... Indeed, the Saracens who live amongst Christians have never been despoiled of their goods or otherwise oppressed on this pretext; if this title [being unbelievers] was sufficient to declare war on them, it would be tantamount to saying that they can be despoiled of their goods on the grounds of unbelief, since it is clear that no unbeliever recognizes the pope's dominion.

The Pope cannot also, therefore, donate the Indians' lands to the Spaniards because he could not make a claim of having civil jurisdiction over the Indians. He had such a jurisdiction only if the spiritual goods of Christians are in danger.

Moreover, one can also indicate here that Vitoria's rejection of the Spanish war is a spontaneous reaction to the fact that there should be no conflict between law and morality or politics and religion because such conflict contradicts the divine-natural law. Indeed, Vitoria criticizes this war because it also contradicts nature in the first place. Either the war was pursued over religious

differences (Vitoria, 1991: 265) or for imperial expansion. If it was the first, this assumes that the Indians had no natural dominion because of their lack of Christian faith. This is false because dominion is a gift of God and being a sinner does not cause man to lose his natural characteristics, and rationality is natural (Vitoria, 1991: 243, 302). If it was for the second reason, in general terms, such a war could be just on both sides as both would be innocent and 'have equally just cause to fight', but in real terms killing was unlawful and thus the offensive war of the Spanish is unjust. And consequently, "the war was just, but the killing was unjust" (Vitoria, 1991: 303), and this would be self-contradiction and contradicts nature; or the war was pursued over the glory of the prince which means that the prince does not order war for the common good or utility of the members of the commonwealth in which "the laws must not be framed for the convenience of any private individual" (Vitoria, 1991: 303). Otherwise the prince becomes a tyrant; and his subjects, who have been forced into war, with taxes imposed on them to conduct this war that was waged not for the common public good, become like slaves; and this contradicts nature too.

To conclude here, in his attempt to theorize for a just world, Vitoria was not only guided by the ultimate supreme-religious principles, but also by the practical political ethics of the real world. Thus, for him, to successfully construct applicable arguments, a theorist should not only address the issues of the ideal world, but also the issues that people confront in the real world. Indeed, the relationship between the religious authority and the civil authority, accordingly, becomes attuned to the reality of life so as to be rational and useful to everybody. Vitoria brings both the religious and the political language together to defend the plurality in his thought. By theorising for just universal rules, Vitoria is to conclude that all humans have legitimate sovereigns regardless of their convictions. In fact, what Vitoria seeks to demonstrate is that both private and public dominions are not dependent on faith/God's grace, but on the natural law of God; and that there is no difference between law and morality because both faith with its spiritual authority

and civil law with its temporal authority are just mediators between God and humanity (Niemela, 2008: 224), and are smoothly adjusted to work together to fulfil the Great Commission: Christ's testament to the disciples to spread his teachings to all nations. That is the ultimate purpose that a theologian, like Vitoria, should seek to achieve (Alvarado, 1992: 12-13).

3.3. Vitoria: a pluralistic theorist

Two important studies have engaged the attention of many scholars of Vitoria's thought. These are James Brown Scott's *The Spanish Origin of International Law: Francisco de Vitoria and his Law of Nations*¹, and Antony Anghie's "Francisco De Vitoria and the Colonial Origins of International Law" in Anghie's *Imperialism, Sovereignty and the Making of International Law*². In contrast with the view that this chapter advocates, both studies claim that Vitoria is not pluralistic but biased towards Christian faith and politics. Firstly, I want to highlight these two views of Vitoria, demonstrating that they see Vitoria as a Christian apologist who has no space in his thought for plurality and the tolerance of cultural differences between peoples. Secondly, I respond to them arguing that his theory is strongly pluralistic and that this is clear in his understanding of the punitive model of just war and his treatment of the Indians in relation to the Spanish conquest in the New World. Thirdly, I show that Anghie and Scott's views on Vitoria as justifying the Spanish imperial war on the Indians and the conquest of their lands is inaccurate, because for him the whole war is an act of aggression due to the fact that the invincible ignorance of the Indians resulted from cultural differences.

3.3.1 Other readings: a non-pluralistic Vitoria

Firstly, Anghie understands Vitoria as advocating the hegemony of Christian belief and politics over the world. For Vitoria, according to this interpretation, the Christian ruler possesses an

¹ (Scott, 1934)

² (Anghie, 2005)

inherent right to impose through war the universal-Christian practices on those who do not accept them voluntarily. In that, according to Anghie, for Vitoria the universal natural law and the law of nations reflect the values of Christianity, and thus war is the only mechanism to enforce this law for the Spanish.

Anghie sees Vitoria as suggesting that there are universal norms which are originally Christian or Spanish, according to which the behaviour and the relationship between peoples or nations, whether between the Spanish and the Indians or between the Indians' nations themselves, should be regulated. By doing so, Anghie claims, Vitoria grants the Spanish "an extraordinarily powerful right of intervention" (Anghie, 2005: 22) to cause other nations, like the Indians, to comply with these norms (Bowden, 2005: 12). Thus, Anghie sees Vitoria as seeking to reconcile "two radically different cultural manifestations of humanity: the Spanish and that of the indigenous peoples of the Americas" (Jaycox, 2010: 15). By doing so, Vitoria diminished the Indians' dominion and intensified the superiority of the Spanish 'Christian' civilization. In this sense, the Indians' sovereignty becomes of lesser importance than that of the Spanish. Consequently, they can be invaded lawfully by the Spanish (Anghie, 2005: 21). Accordingly, Anghie (2005: 21-22) states that:

... [w]hile appearing to promote notions of equality and reciprocity between the Indians and the Spanish ... Vitoria's scheme finally endorses and legitimizes endless Spanish incursions into Indian society. Vitoria's apparently innocuous enunciation of a right to 'travel' and 'sojourn' extends finally to the creation of a comprehensive, indeed inescapable system of norms which are inevitably violated by the Indians. For example, Vitoria asserts that 'to keep certain people out of the city or province as being enemies, or to expel them when already there, are acts of war'. Thus any Indian attempt to resist Spanish penetration would amount to an act of war, which would justify Spanish retaliation. Each encounter between the Spanish and the Indians therefore entitles the Spanish to 'defend' themselves against Indian aggression and, in so doing, tortuously expand Spanish territory ...

Consequently, it appears that Anghie regards that the central purpose of Vitoria's work is to provide justifications for Spanish imperial ambitions. His conclusions incline strongly to show Vitoria as a defender of what Spain had done. This is supported by the idea that Christian belief existing in the Western societies is translated as universal law by Vitoria especially when he tackled the Indian question. According to Anghie's understanding, in Vitoria's thought, the Indians had to resemble European-universal lifestyle to be Christians' fellow humans and to have equal rights in accordance with natural law. Anghie understands Vitoria as seeking to replace the divine law, Christianity, with the natural law so that he could create a new understanding of a situation in which a sovereign-ruler has the power to launch a just war against the Indians in order to make them accept the Christian-universal norms (Niemela, 2008: 311-312). Accordingly, there is no way for Vitoria, according to Anghie, to accept the Indians' culture and norms. In this respect, Anghie (2005: 22) adds that:

... the Indian is very different from the Spaniard because the Indian's specific social and cultural practices are at variance from the practices required by the universal norms - which in effect are Spanish practices - and which are applicable to both Indian and Spaniard ... The ideal, universal Indian possesses the capacity for reason and therefore the potential to achieve perfection. This potential can only be realized, however, by the adoption or the imposition of the universally applicable practices of the Spanish ... thus the Spanish acquire an extraordinarily powerful right of intervention and may act on behalf of the people [Indians themselves] seen as victims of Indian rituals.

To put this in another way, Anghie claims that when discussing equality and neutrality in terms of the relationship between Christians and non-Christians, Vitoria constructed a veil to cover the imperial ambitions of the Spanish and their exploitation of non-western or non-Christian territories. To do so, Vitoria reconstructed a new but biased structure for the international law expressed in the law of nations. The principles of sovereignty and equality between states and peoples that Vitoria tried to discuss contain no legal framework to regulate Spanish-Indian

relations. These principles were the means by which to absorb the Indians into “the ambit of a universal law which reflects the values and beliefs of Christian societies ... [And tools to conceptualize the] homogenous state-centred system of Europe” (Niemela, 2008: 311). Anghie (2005: 23) is, hence, to conclude that:

... all the Christian practices which Vitoria dismissed earlier as being religiously based, as limited in their scope to the Christian world and therefore inapplicable to the Indians, are now reintroduced into his system as universal rules. This astonishing metamorphosis of rules, condemned by Vitoria himself as particular and relevant only to Christian peoples, into universal rules endorsed by *jus gentium* is achieved simply by recharacterizing these rules as originating in the realm of the universal *jus gentium*. Now, Indian resistance to conversion is a case for war, not because it violates divine law, but the *jus gentium* administered by the sovereign.

The outcome of this reasoning is that the Spanish possessed a superior civilization and the barbarians ‘might be governed partly as slaves’ (Vitoria, 1991: 291).

In summary, Anghie implies that when interpreting the problem of Spanish-Indian relation, Vitoria was seeking to create “a system of law to account for relations between societies which he understood to belong to two different cultural orders, each with its own ideas of propriety and governance” (Anghie, 2005: 16). Once he created this system, the universal natural law, he established a framework characterized by the idea that the power of the sovereign-ruler is also the power to wage war. As a result, any violation to this system would require using the agency of war. The Indians were unable to wage a just war because ‘only Christian subjectivity is recognized by the laws of war’ (Anghie, 2005: 26). There is inherently a lack of objectivity in ‘justness of war’ for non-Christians. Vitoria’s presumption is that the Saracens, and by extension the Indians, and in turn all non-Christians can never wage truly just war depending on their subjective belief. Although they had their own politics, the Indians were “excluded from the realm of sovereignty

and exist only as the objects against which Christian sovereignty may exercise its power to wage war” (Anghie, 2005: 26). Therefore, for Anghie, the Indians have had the potential to achieve perfection due to their possession of the capacity of reason. However, because of their specific social and cultural practices that are different from the universally applicable practices of the Spanish, only by the acceptance or imposition of these universal practices can the Indians realize their potential. For this to occur, a necessary transformation of the Indians’ practices is required, and sanctions must be imposed; and that the argument of subjective belief cannot be used to render their war truly just because they are inherently incapable of waging a just war, like the Saracens. Anghie suggests that Vitoria sees Christianity as a universal belief, and that its practices must be applied to every man. Therefore, the only ruler that has sovereignty is the Christian ruler. Other non-Christian realms have no right to claim to defend themselves against any Christian Sovereign-ruler who is justly trying to impose the universal-Christian practices on those who do not accept them voluntarily. Accordingly, for Anghie, Vitoria gives to the Christians the power to wage war on non-Christians as a just means to enforce Spanish practices and norms. By doing so, according to Anghie, Vitoria solved the problem of cultural differences and how the relations between two very different cultural societies should lawfully and morally be ruled (Anghie, 2005: 16).

Secondly, Scott’s interpretation is similar to the line of reasoning shown above in Anghie¹. Even though Scott states that Vitoria is not biased towards Christian politics, he justifies this by arguing that for Vitoria it is the responsibility of Christians to look after their neighbours and to protect them because universal morality for him is Christian and this requires maintaining Christian practices and norms and using war as the means to do so. For Scott, Vitoria’s war is thus justified for the benefit of, and in the interests of, the non-Christians as their civilizations are imperfect or deficient unlike the universal-European-Christian civilization.

¹ (Scott, 1934)

For Scott, the right of armed intervention of the Spanish in the Indians' lands depends on the idea that this intervention is for the Indians' interests and benefits since they lived in an imperfect civilization. According to Scott, Vitoria's main principle is the universal equality between peoples and states. The Indians had real dominion and sovereignty and they are actually equal to the Spanish. Bowden (2005: 9) states that, for Scott, Vitoria and his 'lectures' "are of great significance because they 'set forth his law of nations, which was to become the international law not merely of Christendom but of the world at large' [(Scott, 1934: IX)]." However, according to Scott's reading of Vitoria, Christianity in Vitoria's thought represents the universal morality, and the exercise of Vitoria's new universal natural law requires maintaining European customs. For example, the Christian-Spanish colonial project was aimed at civilizing barbarians, and it was devoid of self-interest and exploitation. This project was for their benefit since they lived in an imperfect civilization. More specifically, this project is to be seen as an implementation of the notion of responsibility for guardianship of the Indians, the right to sociability and communication, the right to propagation of Christianity and the right of intervention to protect the innocent and the converted, which Vitoria advocates (Vitoria, 1991: 290-291). The thought that Scott presents here, then, is that universal morality is Christian and that Vitoria's thought is not biased towards Christian politics. Scott, thus, asserts that:

... [a]s a moralist and humanitarian Victoria would have been the last to deny the essential rightness of this argument. 'I say,' he [Vitoria] continues, 'there would be some force in this contention; for if they were all wanting in intelligence, there is no doubt that this would not only be a permissible, but also a highly proper course to take, nay, our sovereigns would be bound to take it, just as if the natives were infants.' Here we have the suggestion of guardianship for infants, on condition that the trust should be exercised in behalf of the minors; and the same argument would apply to their 'barbarian parents' because Victoria conceived them to be, notwithstanding their age and experience, less intelligent than 'the boys and youths of other nations'. But whether it be a question of guardianship of minor or adult

individuals, or of a people, 'surely this might be founded' - it is Vitoria who is speaking - 'on the precept of charity, they being our neighbours and we being bound to look after their welfare'. (Scott, 1934: 161-162)

For Scott, thus, Vitoria is one of the first who used natural law to conclude that there is no bias towards Christian politics and that the superiority of natural law makes both the Spanish and the Indians equal (Niemela, 2008: 310, Scott, 1934). Scott shows Vitoria as "a champion of non-Christian rights with no bias in favour of Christian politics" (Niemela, 2008: 310). For Scott, the universal morality is represented in Christianity. This morality can be traced in Vitoria's writings where what had been Christian becomes universal (Niemela, 2008). Christian rules were expanded to become natural and universal and, according to Scott, were placed in a higher position against any other public titles. Therefore, Scott claims that Vitoria's intention was no bias towards Christian politics, and the superiority that Vitoria gives to European customs and the natural law are intended to improve and civilize the imperfect civilization of the Indians. And that the Spanish involvement in the Americas was void of self-interest and exploitation and was initiated out of the responsibility to guard the Indians and bringing them into human sociability and communications.

In fact, Scott's view of Vitoria shows that Vitoria has no space in his thought for plurality and tolerance of cultural differences between peoples. Scott sees Vitoria arguing that the universal morality or law is Christian, and thus it requires upholding Christian norms and practices. Thus, according to the Christian principle of charity, non-Christians or the Indians are our neighbours and Christians and their rulers are, hence, bound to look after their welfare and safety. Accordingly, Christian rulers have the responsibility for guardianship, and the propagation of Christianity among non-Christians to help them attain salvation and improve their cultural and civil perspectives. In the course of doing so, the Christians have the right to wage war for the

interest of non-Christians as this will work to make their life better. In other words, Scott claims that Vitoria seeks to universalize Christianity and then imposes Christian customs on non-Christians and justifies war on them, to do so as an act of charity, not of intolerance to difference. Nevertheless, both Anghie's and Scott's views appear to be contradicting the non-violent pluralistic view on Vitoria that this chapter maintains. Thus, in the following section, I will illustrate this pluralistic argument in detail.

3.3.2. In defence of Vitoria's pluralistic approach

It appears from the views presented above that both Anghie and Scott see Vitoria as looking at the Indians' culture as inferior to that of the Christian-Europeans and that there is no way for him to accept the Indians' norms. Nevertheless, in contrast to Anghie's and Scott's understandings, I show that although Vitoria, above all, was a Catholic theologian and his ideas have to serve the Christian message, he speaks not only to the spiritual sense of Christianity, but also to its human temporal one, the political in the sense of the world of human public affairs and practical or applied opinions and actions. Without weakening his supreme-religious principles, Vitoria shifts subtly between the religious and the temporal side in order to serve conclusions he already seems to have in his mind (Jahier, 2009), they are pluralistic and non-violent. He develops a very dynamic synthesis between the divine rights and mundane natural rules. He states eight reasons according to which a war, in particular the Spanish war in the New World, could be justified. These reasons, I argue, were not only driven by the power of the punitive model of his supreme-religious doctrines, but also by the notion of common sense and experience governed by reason and pragmatic politics. By implementing such an approach, Vitoria was able to conclude that a just war must not be motivated by personal ambitions or imperial interests, or most importantly by religious and cultural differences. To clarify this, in the following section, I will demonstrate, firstly, how Vitoria develops his doctrines out of the

thought of early Thomistic Christian theorists placing strong restrictions on aggressive unjust wars that come about without prior wrongdoing, indicating that he is clearly unbiased towards Christian and Spanish politics. I will, secondly, explain how each just reason for war is placed either under the category of the supreme-religious doctrines or common sense and experience, and thus he did not replace Christian law with the natural law, concluding that his justified wars are not aggressive in character, which makes him pluralistic and non-violent.

3.3.2.1. The *Punitive* Model and Vitoria's unjust wars

Like other early Thomistic Christian theorists, lawyers, theologians and philosophers, Vitoria's thought on universal justice and just war, which was conceived within a broadly Christian theological view, sees natural law flowing from the love of God who created nature. Nature that is ordered according to divine laws must, then, be essentially harmonious and perfect, and rights, accordingly, do not ever conflict. Consequently, only sin and aggression can break the divine harmony of perfection of nature and thus produce conflicts. According to the divinely-inspired natural law, in conflicts there is only one rightful side; and thus, there is a need for a remedy to restore the violated natural rights, and punishment in vengeance on the wrongdoer who has breached the right to pursue the common purposes of human beings: the happiness, the success and self-realisation of God's creatures and their engagement in the activities that contribute to achieve these purposes (Vitoria, 1991: 295-298, 314-316).

In a historical sense, in the attempts to understand Christian political thought on the justification of warfare, it seems that there was a kind of ambiguity. The New Testament generally does not talk much about teachings on warfare and is not clear enough in this regard. To overcome this ambiguity, Christian theorists accommodated biblical teachings to the Jewish precepts of holy war (divinely commanded wars) and the Roman heritage of just war. Although a holy war that was fought for the ideals of the Christianity had traditionally been permissible within the

Christian faith, as long as it was waged by divine power, for other kinds of wars to be just, they have usually to be fought in the name of public authority for worldly goals.

Rome had a tradition of the just war from the time of Cicero (106-43 B.C.), in which he defines just wars as those undertaken for defence of honour or for safety. He also states that wars without provocation are unjust and that only war for revenge or defence could be just. Finally, he says that to be considered just, a war must be proclaimed and declared, or reparation must first be demanded ... Many of these elements later found their way in Christian formulations. (Gomes, 2008: no page no)

For example, Augustine's understanding of just war is regarded as a combination of Roman and Judaeo-Christian thinking. Augustine gave a non-literal reading to the New Testament. The reading was spiritual and referring to the inner side of the human soul. What are prohibited, according to Augustine, are not wars themselves, but violence and cruelty and the lust for power. The Christian notion of love (love of God) can only be achieved by having justice, which in turn can be recognized when reasonable people are bound together to serve God and the law of God. Motivated by the precept of 'the love of the sinner' (turn the other cheek), Augustine justified wars on the basis of punishing the sinner to obtain the object of love of God. Indeed,

The actual justification of war [according to Augustine] came from the need to avenge injuries, or to punish wrongs by members. This seems similar to the Ciceronian view that the aims of the just war are to address grievances and secure compensations for loss, and to return the aggrieved part to the *status quo ante bellum*. (Gomes, 2008: no pg)

In addition to this Roman orientation, Augustine added to the justifications of war any violation to divine rights. This association between just war and holy war, in turn, seems to have widely opened the doors for the Crusades to commence wars for conversion in the name of Christian faith. In fact, when discussing just war doctrines, many scholars of the medieval period had appealed to principles of natural law. The most prominent version of the synthesis between war

for divine rights and war for mundane objects emerged out of St. Thomas Aquinas's writings on just war in Christian theology. Aquinas (1225-1274) sought to unite natural law tradition with biblical ethics of just war. Aquinas theorized in favour of just war by pointing out its just causes (Gomes, 2008). To launch a war, in the Thomistic point of view, it must have a just cause that seems to be derived from that ground of rights in which both Christian and natural ethics are placed.

Similarly, Vitoria does not see the natural law as being applied differently to non-Christians. There are certain obligations which need to be imposed and certain means, like just war, to be used in order to achieve the ultimate purposes of human beings. These obligations and means are governed by principles of the natural law that apply to human beings generally beyond the wall of the state or nation. For Vitoria, achieving universal justice thus entails using just war as a means to make aggressors of divinely inspired natural laws assert the rights breached. People are the immediate and mediating source of the divine power; therefore, to make our participation in divine power meaningful and worthwhile, not only do we have to develop and maximize our material and spiritual resources, but also we have to work to help others to fully perfect their nature, to live a completely appropriate human life (Vitoria, 1991: 155-172). For this, Vitoria advocates a punitive model in which war is only motivated ultimately by peace and by a desire to correct evil and wrongful ways. A prince would then have the power to claim just cause and to rightfully prosecute and use force against his citizens and foreigners alike, only if they already have committed sin and aggression. In other words, according to this model, Vitoria's account of a just cause of war poses an effective barrier to all of war of imperial expansion, war of religion and war for the glory of the prince, because punishment/just war occurs only when sufficient harm has been inflicted. And war thus functions only as a means of law-enforcement for avenging injuries and reprehension of enemies, but only after a culpable offence has been

committed (Reichberg *et al.*, 2006: 314, Vitoria, 1991: 302 -303). Accordingly, Vitoria (1991: 303) confirms that:

... the sole and only just cause for waging war is when harm has been inflicted ... offensive war is for the avenging of injuries and the admonishment of enemies ... ; but there can be no vengeance where there has not first been a culpable offence.

Vitoria's argument for this draws its reasoning from the idea that a prince cannot have greater power beyond his commonwealth than he has within it. He has no more authority over foreigners than he has over his citizens (Vitoria, 1991: 303). As is the case with his citizens, he cannot use force against foreigners without prior offence (Vitoria, 1991: 304). Consequently, for Vitoria, pre-emptive self-defence or prearranged conflict is not permitted because,

[I]t is quite unacceptable that a person should be killed for a sin he has yet to commit ... it is not lawful to execute one of our fellow members of the commonwealth for future sins, and therefore it cannot be lawful with foreign subjects either. (Vitoria, 1991: 316)

In addition, for Vitoria, the wrong for which war is being used as punishment and remedy has to be proportionate, of sufficient extent, to become the basis for a just cause; “not every or any injury gives sufficient grounds for waging war ... the wicked man ‘shall be beaten according to his fault, by a certain number’ ... Therefore it is not lawful to start war for every reason or injury” (Vitoria, 1991: 304). In this context, Vitoria reveals that if there is a concern that a war can have devastating consequences, that is against the common good, and it must be ceased.

[W]ars should only be waged for the common good ... if the recovery of one city is bound to involve the commonwealth in greater damage, for instance the devastation of several cities, heavy casualties, or rivalry between princes and the occasion of further wars, there can be no doubt that the prince should cede his right and abstain from war. (Vitoria, 1991: 314)

One can conclude here that Vitoria's position towards the Spaniards' war in the Americas is indeed a rejection of the war on the ground that it was an act of aggression in the first place. However, in the following section I show that he seeks to question whether any possible titles may justify the war and the conquest of the Indians. To do so he builds both hypothetical arguments driven by the divine-nature law and other arguments driven by his notion of common sense and experience of the reality of post-war situation.

3.3.2.2. Vitoria's just wars and the *Indian* question

As illustrated above, just titles for war as means to achieve justice universally must be driven by the power of the divinely inspired natural law. Thus, Vitoria's just war only permits wars that are initiated for the purpose of ultimate peace and are motivated by the desire to avenge injuries and reprehend wrongdoers, but with prior offence. Generally, to achieve these aims, any just war must be used as a means to temporarily subjugate and then educate people of the unjust side, aiming to lead them to comprehensively understand the principles of the law of nature and to, hence, fully perfect their human nature. In 'On The American Indians' and 'On The Law of War', Vitoria states eight just titles; of these titles, there are only three directly inspired by the divine-natural law (the punitive model) but in fact they are hypothetical arguments he refutes in relation to the Indian question: (1) the right of natural partnership and communication (Vitoria's first just title), (2) the right of spreading the Christianity (the second just title) and (3) the right that depends on mental incapacity of the Indians (the eighth just title) (Vitoria, 1991: 278-286, 290). The remainder of these titles are concerned with the notion of common sense and experience derived from the post-conquest reality: (1) the protection of converts, (2) papal constitution of a Christian prince, (3) in defence of the innocent against tyranny, (4) by true and voluntary election and (5) for the sake of allies and friends (Vitoria, 1991: 286-290). Thus, apart from these titles, any war that is driven by any personal or private reasons (like glory, imperial

interests and ambitions) and by narrow morality (like religious differences) is, then, unjustified as it would produce conflict in nature (Vitoria, 1991: 302-303).

Firstly, with regard to the divine-natural law and just war, according to Vitoria's first and second titles, ideally, it is the business of Christians/the Spaniards to correct and direct the barbarians who are not in a state of salvation. The Indians are obliged to comply with these rights depending on the notion of natural partnership and communication: the right to travel and trade and settle among them. If the barbarians do not allow the Spaniards to preach freely, it will be justifiable to start war against them not for the purpose of imposing the faith on them but only for the safety and opportunity needed to preach the Gospel.

If the barbarians permit the Spaniards to preach the Gospel freely and without hindrance, then *whether or not they accept the faith, it will not be lawful to attempt to impose anything on them by war, or otherwise conquer their lands ...* it is obvious, because no war can be just when not preceded by some wrong ... (Vitoria, 285)

According to natural law, the Spaniards like other travellers have the right to travel and dwell in the world as long as they are not doing anything evil by their visit. Thus, in this context, "since the barbarians have no just war against the Spaniards, assuming they are doing no harm, it is not lawful for them to bar them from their homeland" (Vitoria, 1991: 278). If they prevented them from doing so, the Spaniards have the right of a defensive war that is a merely practical and necessary measure, and this is quite different from that 'war against harmful and offensive enemies'. This assumes that the barbarians are cowardly, foolish and ignorant by nature; in that case, "[o]nce victory has been won and safety secured, they may not exercise the other rights of war against the barbarians ..." (Vitoria, 1991: 282). However, the Spaniards have to prove that they have not come to do harm in the first place, "[a]nd they should demonstrate this not merely in words, but with proof" (Vitoria, 1991: 281-282). Otherwise, the whole war must be ceased if massacres and pillages have occurred. And in fact Vitoria believes that this kind of brutality

happened, referring to living experience. Vitoria states, accordingly, “but it may happen that the resulting war, with its massacres and pillage, obstructs the conversion of the barbarians instead of encouraging it ... my fear is that the affair may have gone beyond the possible bounds of justice and religion” (Vitoria, 1991: 286).

In fact, as a religious scholar in University of Salamanca, Vitoria and his colleagues received many *conquistadores* who returned from the New World in order to confess their sins. This matter would impel Vitoria to question what kind of sin was held by the Spaniards when the Indians’ lands occupied, their properties taken, and when the Indians were killed in the course of this (Koskenniemi, 2009: 8). Koskenniemi has clarified this by commenting that:

... [c]oncern over the behaviour of the *conquistadores* was a strong motivating factor for their engagement [Dominican scholars]. They had been shocked by the destruction by Cortes of the Aztec empire on the Yukatan peninsula (“Tierra firma”) in 1519-1521 and Pizarro’s killing of the Inca ruler Atahualpa and the consequent plundering of the Inca riches and destruction of the Inca regime during 1531-1539. And they were concerned over the “*encomienda*” system of distributing Indians to the settlers to carry out forced labour first all over the colonised territory. The former events raised the question of the basis of Spanish title, the latter the nature of Indians as human beings and the legal rules governing the relations among actors from different cultures. (Koskenniemi, 2009: 6)¹

Similarly, Williams (2004) indicates that Vitoria’s lectures and thought on the Empire and just war were reflections on the immediate and indirect political circumstances in the New World:

Struck by news regarding Pizarro’s conquest of Peru, Vitoria resolved to study the situation of the *Indios* in depth, and in November 1534 wrote a passionate letter of denunciation to his religious superior, Miguel de Arcos. He accused the Spanish *conquistadores* of invasion and aggression and

¹ The Province of Tierra Firme (province of Mainland) served in Spanish colonial times as the name of the Isthmus of Panama, which was a province of Venezuela, and Colombia.

refuted the theological arguments in favour of the conquest, provoking a crisis of the nation's conscience. (Williams, 2004: 54)

Moreover, for the other just title that depends on the mental incapacity of the Indians, Vitoria indicates that they are 'so close to being mad': they lack many things indispensable for human use, hence, "they are unsuited even to governing their own households (*res familiaris*)" (Vitoria, 1991: 290) Ideally, according to requirements of charity, the Spaniards are obliged to take care of their neighbours, the barbarians, and might take over their administration so long as it is proven that it is for their own benefits. The barbarians by nature appear as slaves; and so they "might be governed partly as slaves" (Vitoria, 1991: 291). Nevertheless, Vitoria states that:

... the barbarians undoubtedly possessed as true dominion, both public and private, as any Christians. That is to say, they could not be robbed of their properties, either as private citizens or as princes, on the grounds that they were not true masters (*veri domini*). It would be harsh to deny to them, who have never done us any wrong, the rights we concede to Saracens and Jews, who have been continual enemies of the Christian religion. Yet we do not deny the right of ownership (*dominium rerum*) of the latter, unless it be in the case of Christian lands which they have conquered. (Vitoria, 1991: 250-251)

Vitoria demonstrates here that the Indians still have dominion (Vitoria, 1991: 239). Thus, he states that the Indians are equal to the Spanish. In other words, the Indians had a legitimate title to their lands as they were the true owners. The Spaniards, hence, have no right to deprive the Indians of their ownership. The Indians were also not slaves, as Aristotle's natural law would presume. They were true masters, because "it may be argued that they were in undisputed possession of their property, both publicly and privately" (Vitoria, 1991: 240). The Spaniards cannot appropriate their properties but only in very limited circumstances such as,

[I]f the barbarians were not true masters before the arrival of the Spaniards, it can only have been on four possible grounds ... These four grounds are that they were either sinners (*peccatores*), unbelievers (*infideles*), madmen (*amentes*), or insensate (*insensati*). (Vitoria, 1991: 240)

In fact, the Indians were neither mad nor insensate, because before the arrival of the Spaniards they had possessed property and land and exercised dominion over their own affairs both publicly and privately. Whereas irrational beings do not have dominion, “only rational creatures have mastery over their own actions ... If, then, brutes have no dominion over their own actions, they can have no dominion over their things” (Vitoria, 1991: 248). And madmen “can be the victim of an injustice (*iniuria*), therefore ... [they] can have legal rights ... ” (Vitoria, 1991: 249) but cannot exercise dominion. Therefore, although their behaviour looks evil and barbarous because of their education, the Indians unquestionably possessed a true dominion over their own affairs and properties. In this respect, Vitoria indicates that:

... they [the Indians] are not in point of fact madmen, but have judgment like other men. This is self-evident, because they have some order (*ordo*) in their affairs: they have properly organized cities, proper marriages, magistrates and overlords (*domini*), laws, industries, and commerce, all of which require the use of reason. They likewise have a form (*species*) of religion, and they correctly apprehend things which are evident to other man, which indicates the use of reason. (Vitoria, 1991: 250)

Vitoria also dismisses the Spanish claim of the right of discovery that can only be applied in the case that the Indians’ territories were without owners. For this title to be valid, it must be in accordance with natural law and the law of nations that states “... a thing which does not belong to anyone (*res nullius*) becomes the property of the first taker” (Vitoria, 1991: 280).

Hence it follows that the Spaniards, who were the first to discover and occupy these countries, [the Indians’ lands] must by right possess them, just as if they had discovered a hitherto uninhabited desert... the barbarians possessed true public and private dominion. The law of nations, on the other hand,

expressly states that goods which belong to no owner pass to the occupier. Since the goods in question here [the Indian properties] had an owner, they do not fall under this title. (Vitoria, 1991: 264-265)

What is more, being sinners or unbelievers are the other two claims that might pave the ground for the Spaniards to deny that the Indians had a dominion. For the former, 'being sinners', Vitoria demonstrates that sins do not lead man to lose his rational characteristics because rationality is natural. And if the sinner had no natural civil right of ownership even he willingly renounced this right, it would follow that he had no natural dominion. But this conclusion is false because,

[N]atural dominion (*dominium*) is a gift of God just as a civil ownership is, or indeed even more so, since civil ownership clearly belongs to human law; therefore if a man were to lose his civil ownership by offending God, by the same reasoning he would lose his natural dominion; but the proof that this is false is that the sinner does not lose his dominion (*dominium*) over his own acts and body. (Vitoria, 1991: 242)

For the latter claim, 'being unbelievers', Vitoria shows that non-Christians are subject to natural law. From lack of faith, it does not follow that the Indians lose their dominion because dominion is obtained by natural or human law. According to this, Vitoria concluded that:

... [i]t is clear that it is not lawful to take away the possessions of Saracens, Jews, or other unbelievers on the grounds of their unbelief *per se*; to do so is theft or robbery, no less than it would be in the case of Christians. (Vitoria, 1991: 244)

One can conclude here that in contrast to the views of Anghie and Scott, the cultural difference with the Indians is taken into consideration and respected by Vitoria. This can be confirmed by the idea that for Vitoria the act of invasion was aggressive and thus wrong in the first place, because the Spanish conquest is based on the harm wrongly inflicted on the Indians when the

Spaniards landed on their territories without any evident wrong-doing having been committed by them.

Secondly, with regard to Vitoria's justified wars in the context of common sense and human experience of the real world, for Vitoria the possible justifications of the Spanish conquest could come out of the notions of common sense and experience. In that case, Vitoria's other justifications are not based on the first act (the war of invasion), which is wrong, but on the tangible living consequences of the invasion that are seen in post-invasion actual conditions and incidents that cannot be rationally and politically ignored.

Indeed, for Vitoria, peace should be always the motivating final aim of human beings in order to achieve the ultimate ends of humankind, the perfection of human being's life. Peace is one of the main rules of a war that is only initiated by the desire to correct wrongdoing as Vitoria asserts. This ultimate goal was indicated by Vitoria as follows: "since princes have the authority to wage war, *they should strive above all to avoid all provocations and causes of war*. If it be possible, the prince should seek as much as lieth in him to live peaceably with all men, according to Paul's words in Rom: 12:18. He should remember that other men are his neighbours, whom we are all enjoined to love as ourselves (Matt. 22:39)" (Vitoria, 1991: 326-327). However, for Vitoria, the desired everlasting ideal peace is not always achievable in the real world according to human experience, as in the case of the typical historical instance of tyranny against the innocent. Therefore, we need sometimes to deploy policies, means and tools appropriate to practical human experience in order to lead others in their endeavours towards perfection, to become fully or 'perfect' human. To do so, "it must be an opinion formed according to the judgment of a wise man" (Vitoria, 1991: 306) who is freed from anger, hate and greed, because "[i]t is possible that they [the prince or private subjects] act invincible [or insurmountable] error, or under the influence of some passion [like Turks' and Saracens' war against Christians]" (Vitoria, 1991: 306). The just man is to

speak with freedom and to examine the justness of, and the causes of, wars and to prepare for negotiation. Therefore, any other possible titles that could be used as justifications of wars, as Vitoria implies, actually come from the notion of common sense and experience, not only from the punitive model (of the supreme, divine-natural doctrines).

Indeed, Vitoria criticizes the Spanish empire and its invasion of the Indians' lands as an act of aggression, but at the same time he does not want to ignore the reality of the Spanish presence in the Indians' lands, and whatever circumstances and outcomes occurred as a result of this conquest. Vitoria points out that:

... if all these titles [by which the Spaniards could have legitimized their existence in the New World] were inapplicable, that is to say if the barbarians gave no just cause for war and did not wish to have Spaniards as princes and so on, *the whole Indian expedition and trade would cease*, to the great loss of the Spaniards. And this in turn would mean a huge loss to the royal exchequer, which would be intolerable ... *trade would not have to cease ... royal revenues would not necessarily be diminished* ... [And] it is clear that once a large number of barbarians have been converted, it would be neither expedient nor lawful for our prince to abandon altogether the administration of those territories. (Vitoria, 1991: 291-292)

Accordingly, the final conclusion Vitoria comes up with is that the war of the Spaniards in the Americas is unjust. However, the common sense is that even though no one of these titles is applicable to legitimize the Spaniards' existence in the New World, it would be, according to the conditions of the real world and the doctrines extracted from human experience and political ethics, intolerable and unlawful for the whole Indian mission and trade to be ceased. This is because, in the first instance, the end of the mission would cause a great loss to Spain as well as the fact of reality that many Indians were already converted. For Vitoria thus the thought is that there is a need to find a solution to such a complex situation that fits into the notion of common sense and experience. In other words, some of Vitoria's possible just titles

must be understood in the context of the realities of the Spanish presence in the Indians' lands. For instance, without a doubt, Vitoria had already known that some people in the New World were converted to Christianity. Thus, for him one of the just titles of war could be the protection of innocent Christians who converted so that to prevent any anticipating danger from happening to them. On this *status quo* Vitoria built some arguments depending on the reality of the Spanish presence in the New World not merely to justify the Spanish intervention in the Americas but to rationalize it and even mitigate its effects on both the Indians and the Spanish because one should acknowledge the influential role that universities and their *prima* professors had played in the public life at the time¹.

The first of these arguments is the protection of converts, the third just title proposed by Vitoria. It revolves around the idea that if the Indians' rulers act to compel and frighten some converted Indians to return to their previous heathen practices, the Spanish would have the right to initiate war on them to protect the converted. The Spaniards could thus intervene by force to protect those who were already converted, because their rulers might renounce their conversion to Christianity or seek to force them to retreat to their paganism. In this regard, Vitoria articulates that:

... if any barbarians are converted to Christ, and their princes try to call them back to their idolatry by force or fear, the Spaniards may on these grounds, if no other means are possible, wage war on them and compel the barbarians to stop committing this wrong. If they persist, they may exercise all the rights of war, sometimes including the deposition of their masters, as in other just wars. (Vitoria, 1991: 286)

¹ See footnote two in the beginning of this chapter.

According to this, after attaining salvation when converted to Christianity, the converted innocent Indians have to be protected from the other tyrannical barbarians who want to force them to revert to their idolatry

The second argument is the Papal constitution of a Christian prince, the just fourth title proposed by Vitoria, in which the focus is on the situation when ‘a good proportion’ of the Indians had been converted to Christianity, in whatever means used to do so, and became ‘true’ Christians. In this argument, whether the converted have asked for help or not, the Pope could authorize for the Spanish to remove the Indians’ non-Christian rulers and replace them with Christian princes (Cavell, 2009: 32). Because “the Church may liberate all Christians from their obedience and subjection to infidel masters for the sake of the faith and to forestall danger, provided all provocation is avoided” (Vitoria, 1991: 287).

The third argument is the defence of the innocent against tyranny, the fifth just title proposed by Vitoria. According to it, in order to protect the innocent from their own tyrannical rulers who were permitting human sacrifices and cannibalism, the Spanish could wage war. For the Spaniards’ conquest of the Indians’ territories may be justified because of the Indians’ ‘evil and barbarous education’. This can be observed in Vitoria’s intention for protection of the innocent victims of crimes against the natural law, such as cannibalism and human sacrifice as follows:

... because of their tyrannical and oppressive laws against the innocents, such as human sacrifice practised on innocent men or the killing of condemned criminals for cannibalism. I assert that *in lawful defence of the innocent from unjust death, even without the pope’s authority, the Spaniards may prohibit the barbarians from practising any nefarious custom or rite ...* The barbarians are all our neighbours, and therefore anyone, and especially princes, may defend them from such tyranny and oppression. (Vitoria, 1991: 287-288)

The fourth argument is the true and voluntary election, the sixth just title proposed by Vitoria. It is when the Indians and their rulers themselves had recognized the wisdom and humanity of the

Spanish; so that, they decided to accept their governance established by war. Vitoria expresses this notion as follows:

... imagine the barbarians recognized the wisdom and humanity of the Spaniards' administration, and one and all, both masters and subjects, spontaneously decided to accept the king of Spain as their prince. This could happen, and might be a legitimate title in natural law. Any commonwealth can elect its own master; for this, the unanimous consent of all is not necessary, a majority being clearly sufficient. (Vitoria, 1991: 288)

The final argument is for the sake of allies and friends, the seventh just title proposed by Vitoria; i.e. to help their injured friends or allies under unjustified attack of another Indian tribe. The Spanish can militarily intervene and acquired dominion over the Indians and their lands as a reward for their support of a party of them against others. This consideration embodies the possibility of intervention to protect: "an alliance with one Indian tribe engages in a lawful dispute with another Indian tribe" (Marks, 1990-1991: 46).

[W]hensoever, the barbarians themselves are engaged in legitimate war with one another, in which case the injured party has the right to wage war, and may call upon the Spaniards to help them, and then share the prizes of victory with them (Vitoria, 1991: 289).

To conclude, one can say that in Vitoria's thought, there is an assertion that before one makes a judgment about a claim and begins to determine if it is morally true or not, he/she needs to evaluate it by looking at its real-world relationships. Therefore, it is possible to say that Vitoria's attempts to rationalize and moralize what the Spanish were doing in the Americas in the post-conquest era actually derives from this conclusion.

3.3.3. *The Spanish unjust war in the Americas and Vitoria's invincible ignorance*

In fact, Anghie and Scott's understanding of Vitoria on the Indian question as being biased towards the Christian-European culture could possibly be acceptable in the context of Spain's expansion in the Caribbean Islands, where people, as it is commonly argued, appeared to lack the most fundamental social development and self-governance. Nevertheless, the issue of the Aristotelian natural slavery of some people due to their inferior intelligence and thus to justify ruling of local people could not be theoretically justified any more. "[I]t had become increasingly difficult to allege cultural impoverishment a basis for enslavement" (Reichberg *et al.*, 2006: 289), with the discovery of the great empires of Mexico and Peru. In fact, since the Spanish rule in the New World and its exercise of dominion over the indigenous people was by force of arms, the moral warrants, the reasons or titles for the employment of the coercive measures provided by some apologists at the time, like cultural impoverishment and cultural difference, became controversial among Spanish intellectuals like Vitoria, and was criticized by them, and rendered as unacceptable just causes for the resort to war (Reichberg *et al.*, 2006: 289).

In fact, Vitoria respects the Indians' culture and norms and thus he implies that the cultural difference makes the ignorance of the Indians invincible. The epistemological ignorance is insurmountable because it occurs at the first confrontation between two parties with different cultures and customs, and unknown to each other. It does not appear as a result of neglect of the other foreign party that started the attack by the refusal to listen to its argument, assuming that such an argument is a call for the good, such as peace. Therefore, according to Vitoria, if the act of neglect does not occur, such ignorance is not a sin, and war as a just means cannot thus be used. Accordingly, for Vitoria, there is no doubt that this was the case with the Spanish invasion of the Indians' lands and that the Indians reacted to the Spaniards' force in self-defence against

customarily different people whose appearance in their lands was armed and undoubtedly offensive (Vitoria, 1991: 268, 282).

To clarify more what Vitoria's argument is on 'invincible ignorance', I show that he believes that the Spaniards factually used excessive violence that was beyond what religion and justice permit. According to this, Vitoria points out that:

... [e]verything that has been said so far is to be understood as valid in itself; but it may happen that the resulting war, with its massacres and pillage, obstructs the conversion of the barbarians instead of encouraging it ... I myself have no doubt that force and arms were necessary for the Spaniards to continue in those parts; my fear is that the affair may have gone beyond the permissible bounds of justice and religion. (Vitoria, 1991: 286)

What Vitoria wants to say here is that the confronting or 'forceful' behaviour of the Indians against the 'offensive' armed appearance of the Spaniards was inevitable because the fear and non-trust towards one another would drive both parties to fight and aggressively react to each other in turn. Therefore, for Vitoria, in the real world, when a just war involves culturally different self-governing nations, we might need to follow the wise judgment grounded in experience and common sense. Some people/peoples have not only different and narrower, but unbeatably one-sided understanding of morality, due to the invincible epistemological ignorance resulting from the difference in cultures and practices. They are not able to understand comprehensively, and then follow, the divinely inspired principles of natural law. Consequently, Vitoria is indeed sceptical of the just cause of war between two nations with different religions or cultures. Such a war might be just on both sides as both believe that they are fighting for a just cause. It is sometimes, hence, difficult to make a sound moral judgment about the justness of war in such a case. Such a war, though is truly just on one side (the Spanish) — because it occurs merely for immediate defensive reasons to mainly personal safety (when preaching faith) — is

also just on the other side (the Indians) due to the invincible ignorance resulting from the cultural difference and the understandable fear of the unknown. This makes the unjust side innocent and its fight defensive. Nevertheless, for Vitoria, war cannot be just on both sides at the same time because in a moral sense this contradicts nature. Vitoria (1991: 313), accordingly, states that:

... except in ignorance it is clear *that this cannot happen*. If it is agreed that both parties have right and justice on their side, they cannot lawfully fight each other, either offensively or defensively ... where there is provable ignorance either of fact or of law, the war may be just in itself for the side which has true justice on its side, and also just for the other side, because they wage war in good faith and are hence excused from sin. Invincible error is a valid excuse in every case.

Vitoria is thus to claim that although there is only one rightful and just party in any war, some wars might sometimes be just on both sides because of the possibility of the invincible ignorance of the unjust party due to its cultural or religious beliefs, and thus definite one-sided morality. Driven by its private narrower epistemological understanding of morality and rights, — a kind of invincible ignorance would appear through observing the just party with strange customs to be the enemy — the unjust party is able to believe that it is justified to fight and that its offensive war is actually a defensive just war. Thus, one could then indicate here that Vitoria believes that war between nations of different cultures would always have elements of invincible ignorance and ultimately it does not have to happen according to both the divine-natural law and the common sense and practical wise judgment. This is because, according to Vitoria, “[i]t is not incompatible with reason, indeed, when there is right on one side and ignorance on the other, that a war may be just on both” (Vitoria, 1991: 282).

In this respect, I may indicate here that Vitoria, hence, excuses the Indians’ offensive action, considering that the Spaniards were not attacked merely to deny them from accessing the

Indians' territories or to deny their rights of trade and evangelization as just titles of war, but because of the invincible-epistemological ignorance, accompanied with understandable fears towards the Spaniards who landed on their territories armed with strange social and religious customs and norms different from theirs. Thus, Indians cannot be blamed for their offensive behaviour to the Spaniards when they first arrived in their lands as they have had no means of knowing what the Spaniards were coming for, assuming they had come peacefully not to plunder their land and to preach Christianity violently, in order thus to believe truly in the Spaniards' ultimate peaceful, and useful ends that are in the Indians' own interest (Vitoria, 1991: 176, 282).

To sustain this understanding of Vitoria toward the argument of invincible ignorance, it is useful to mention that, for Vitoria, the Indians cannot be forced to believe in Christianity unless they deny the right to preach the gospel, and preaching the faith accompanied by miracle, reasonable persuasive evidence or clear revelation of the spirit, to gift the Indians' territories for the Spanish (Vitoria, 1991: 269, 270). Regarding this, Vitoria (1991: 271) comments that:

... they are not bound to believe unless the faith has been set before them with persuasive probability. But I have not heard of any miracles or signs, nor of any exemplary saintliness of life sufficient to convert them. On the contrary, I hear only of provocations, savage crimes, and multitudes of unholy acts.

Even if the gospel is convincingly presented to the Indians and the Indians are then in mortal sin, according to Vitoria the Spaniards still cannot convert the Indians by force because there might be among Christians themselves worse sinners than those of the Indians. He thus adds that:

... not all sins against natural law can be demonstrated to be so by evidence, at least to the satisfaction of all men ... the pope may not make war on Christians because they are fornicators or robbers, or even because they are sodomites; nor can he confiscate their lands and give them to other princes; if he

could, since every country is full of sinners, kingdoms could be exchanged every day. (Vitoria, 1991: 274)

But in reality the Indians were in a state of invincible ignorance, and did not know what Christian princes were offering to them (Alvarado, 1992: 7, 9). In this regard, Vitoria indicates that “... the choice ought not to have been made in fear and ignorance ... The barbarians do not realize what they are doing; perhaps, indeed, they do not even understand what it is the Spaniards are asking of them” (Vitoria, 1991: 275-276). In addition to that, any claim of clear ‘divine revelation’ was not given to the Christians to punish the sinners or the Indians in the New World. There was no godly donation given because of committing sins by the Indians (Alvarado, 1992: 9). And this is confirmed by Vitoria as follows:

... [s]ome ... say that the Lord has by his special judgment damned all these barbarians to perdition for their abominations, and delivered them into the hands of the Spaniards just as the one delivered the Canaanites¹ into the hands of the Jews ... it is dangerous to give credit to anyone who proclaims a prophecy of this kind contrary to common law and the rules of Scripture unless his teaching is confirmed by some miracle, the proclaimers of this prophecy offer no such miracles. (Vitoria, 1991: 276)

For Vitoria, the ignorance to be surmountable with the Indians and thus to bear the sin and justify war on them, it is sufficient to prove that the Indians neglected the Spaniards’ call for peace and that not “every care humanly possible to find out the truth” has been taken by them (Vitoria, 1991: 268). However, for Vitoria there was not such a kind of negligence with the Indians. Their ignorance was invincible. For example, refusing to listen and then believe in Christian faith when announced to them (the Indians) would make their ignorance surmountable. But, according to Vitoria, to believe, faith must be set before them with sufficient ‘persuasive

¹ In the Book of Joshua, the sixth book in the Hebrew Bible, after the death of Moses, Joshua led the Israelites into Canaan (now territories of Palestine and its surroundings) to serve God in the land.

probability' through 'miracles or signs or any exemplary saintliness of life'. The fact is that the Christian faith was not 'preached to them in 'a sufficiently pious way' but there were "provocations, savage crimes, and multitudes of unholy acts" (Vitoria, 1991: 271).

According to this, one could conclude that when a just war or attack by an army with particular customs or culture is made on a country or people with different cultures, the argument regarding negligence that makes ignorance surmountable is quite impossible to make work. Even if we assume that the Indians had been given the chance to listen to what the Spaniards wanted from them in the first place, and did not neglect their argument about the 'good cause' behind their appearance on their lands in order to make them believe in it, there is evident logical doubt that the Indians would be convinced of the righteousness or justness of the Spanish, and then surrender themselves and give their properties and lands and power to them. For Vitoria, hence, there is only one case in which such a war between different religious or cultural nations can happen. It is when Christian lands are occupied by Jews or Saracens, for example, so an act of aggression is committed by them against the Christians. It appears that, for Vitoria, the argument of invincible ignorance accompanying the unjust side due to the cultural differences between nations is unavoidably required to be taken into our account when discussing the justness of war (Vitoria, 1991: 313).

3.4. Conclusion

I have argued in this chapter that Vitoria was not only concerned with the religious supreme doctrines he believes in, but also with those practical principles that are concerned with matters of the real world. With the Indian question, Vitoria theorizes in favour of principles that bring together both the divine natural law and human political principles inspired by common sense and human experience. With these principles, Vitoria freed himself from the strict abstract principles of divine natural law, and hence, was able to be more flexible in forming his thought

and making it tolerant and pluralistic. The new principles in which both spiritual and secular dimensions smoothly and reciprocally reinforce one another made him able to conclude that the Spanish war in the Americas was unjust because, first, it contradicts nature and, second, because of the invisible ignorance that appears when thinking in terms of common sense and human experience. This leads us to conclude that Vitoria believes that non-Christians who are not guilty of any offensive behaviour must not be an object of war merely because of their religious or cultural difference to the Christians. For him, the just war is an act of punishment to correct the wrong-doing and achieve a long-lasting peace. For Vitoria, private or personal ambitions like enlargement of empire, seeking personal glory and narrow morality like religious and cultural differences are not just causes of war.

The arguments found in Vitoria's writings indicate that religion cannot be the right ground on which a war of the religious state is justified. Indeed, unlike the claims made by Anghie and Scott, Vitoria advocates pluralism; he clearly respects cultural and religious differences between peoples. Vitoria does not also advocate the forceful domination of Christianity and Christian politics over peoples with a different culture. For him, thus, Christians cannot give to themselves the right to impose their belief through war on those who do not accept them voluntarily, just because of their belief that Christian practices are universally applicable. Additionally, Vitoria does not see non-Christians peoples as less civilized than the Christians and thus to have no such rights as the Christians. Therefore, for him, war cannot be justified on the ground that it is for the benefits and interests of the non-Christian. In Vitoria's thought there is a great space for plurality and tolerance of cultural differences between peoples. I want to conclude here that Vitoria in fact theorizes for new universal political rules or ethics through advocating an active political engagement of the Christian state in terms of its morality, ethics and practices. He, hence, extends the scope of morality and politics to include others/the Indians beyond the narrower domain of Christian political world.

This chapter endeavours to show that religiously inspired politics cannot simply be claimed to be violent for religious reasons: this is because Vitoria and Alfarabi before him clearly demonstrate to us that religion can be a source for toleration and peace. In the next chapter, I will show that secular ideology, like religious dogma can sometimes be violent for reasons that have nothing to do with the nature of the ideology itself.

4. Liberalism between Tolerance and Intolerance

4.1. Introduction

In the last two chapters this thesis illustrated that both Alfarabi and Vitoria found a way to reconcile religion with politics showing, consequently, that religion can be tolerant and not necessarily a force that drives people and states to violence and belligerence. The current chapter aims to show that in terms of military intervention there is more than one kind of liberalism and that in this respect not all liberals are non-interventionist and tolerant; however, there are particular liberals such as Fernando Teson¹ and Terry Nardin² that are strongly interventionist as incline ideologically to advocate political reform intervention. However, liberalism as a secular direction is not necessarily aggressive by nature because there are some liberals like John Rawls³ and Michael Walzer⁴ who tend to have pluralistic, tolerant, not-too-belligerent, non-interventionist approaches towards other states with non-liberal understanding of the good life. Consequently, this chapter serves the notion that the intolerance and aggressiveness that appears in the thought or theories of some thinkers cannot be exclusively generated because of the nature of their secular or religious commitment.

¹ Teson is an American academic who is known for his scholarship and professional activity in the spheres of political philosophy and international law; particularly he is known for his contribution to the thesis that defends military intervention for humanitarian reasons. His publications include *Humanitarian Intervention: An Inquiry Into Law and Morality* (first published 1988) and *A Philosophy of International Law* (1988); in addition to many papers and chapters of books that are mainly concerned with war and humanitarian intervention, see (FSU, not dated).

² Nardin is an American professor of political theory and history of international political ethics. He is well known for his interest and contribution to the literature of the morality of war, humanitarian intervention and issues of justice, coercion and the rule of law; and of his most known works that are concerned with humanitarian intervention are “The Moral Basis of Humanitarian Intervention” (2002) and “Introduction” in Nardin and Williams’ *Humanitarian Intervention* (2006), see (NUS, not dated).

³ Rawls is a well-known American political philosopher. His *Theory of Justice* (first published 1971) that proposes a way of conceiving justice in relation to fairness has become one of the most significant publications in political philosophy and a central reading in the curriculum of academic courses of political theory. Rawls’ publications inspired a number of critical and sympathetic reactions in the academic field of political philosophy. Among his other influential works, there are *Political Liberalism* and *The Law of Peoples* in which he aims at reviving the tradition of the liberal social contract and addressing the use of political power internationally envisioning peaceful and tolerant international system, see (Wenar, 2013).

⁴ Walzer is an American political thinker and a professor Emeritus of social science. His works address a wide range of topics in political theory and moral philosophy. He is most known for his contribution to the just war theory. Among his books, there are *Just and Unjust Wars* (1977), *Thick and Thin: A moral Argument at Home and Abroad* (1994), *On Toleration ...* (1997) and *Arguing About War* (2004), see (IAS, 2014).

Therefore, the chapter shows that not all liberal views are reform interventionist, as some are strongly interventionist on ideological grounds. Additionally, liberals like Teson and Nardin cannot thus morally defend their position as grounded in justice because they promote and enforce a particular monistic view of the good as justice. Their position is not simply a moral claim that ought to be accepted, but an ideological claim in which one part is imposing their will or beliefs on other, non-liberal societies and states, and this is analogous to some fanatical religious approaches. Moreover, despite criticisms to pluralistic non-interventionist liberal thinkers of not being liberal enough, liberals like Rawls and Walzer are still properly counted as liberal. Accordingly, this chapter argues that i) liberalism is a complex secular ideology with strongly belligerent, interventionist elements; ii) by identifying those interventionist elements and contrasting them with the more peaceful/tolerant liberalism we can begin to understand not only that religion is not necessarily bellicose but what the genuine cause of bellicosity is; and iii) it is a commitment to a monist conception of the good that points towards bellicosity, and this can be seen in some religions and some liberalism, and explains also why it is not to be found in Alfarabi and Vitoria.

To maintain this argument, this chapter proceeds as follows: first, it argues that because of the excessive force of liberal commitment to a singular conception of the good, liberalism sometimes lends itself to intolerance just as well as other views. Such an orthodox type of liberalism is highly interventionist on ideological grounds. Thus, I will explain why the position of orthodox liberals like Teson and Nardin towards humanitarian intervention is too belligerent, showing that they reject any principles that might lead them to compromise their commitments to individual rights. They are extremely enthusiastic to advocate armed intervention motivated by their ultimate belief in individual rights as absolute liberal values that must be enforced when possible; and they thus leave no place for toleration of other non-liberal cultures or societies. For them, humanitarian intervention is thus to protect and guarantee the protection of what they believe is the best good

(a particular monistic understanding of liberalism) through the enforcement of democratic and other liberal rights without need for authorization because such an intervention is morally right and an obligation/duty in the hands of liberal states.

Second, I argue that in contrast to Teson and Nardin who give priority to the monistic liberal moral over the political, pluralistic liberals like Rawls and Walzer give priority in international politics to the political over the moral and the struggle to enforce it. They refuse to impose liberalism as the best conception of the good internationally. Thus they are not intolerant or belligerent because they find strategies to reconcile their liberal commitment and tolerance internationally; and that despite criticism of their beliefs (of not being liberal enough), they are still counted as liberal. In principle, they reject war and seek to maintain peace and justice among states. They respect other non-liberal value systems and defend peoples' political sovereignty in that they do not advocate ideological transformation of the targeted regime because for them it is reasonable for non-liberal peoples or states to reject the imposition of liberal ideology (Rawls) and it is an indication of aggressive imperial ambition (Walzer).

Thirdly, I conclude that although liberalism appears with Teson and Nardin as analogous to the position of religious fanatics in terms of enforcing will and beliefs, it is similar to religion and is not necessarily belligerent and aggressive towards the different by its very nature. However, it is the monistic commitment to a singular conception of the good and the attempt to impose it at the international level that triggers such intolerance and violence.

4.2. Orthodox liberalism

Liberalism is not a pacifistic ideology; there is a group of orthodox libertarian and classical liberal theorists who are willing to uphold and militarily enforce certain 'liberal' or democratic rights at the international level to protect their monistic, narrow, singular conception of the good that

non-liberal peoples or states can reasonably disagree about. More specifically, such a concept is a more traditional liberal conception of equal liberty/autonomy as core to a good life. In other words, the concept emphasizes the doctrine of individual freedom and liberty as the major political value that government powers are not only legitimized through it, but also constrained by it. Equal liberty in this sense is the freedom to do what every individual wills without infringement of the same freedoms of others. This is because with autonomy all individuals in the world can exercise their faculties that lead them to their happiness or good life.¹ In this respect, certain natural and individual rights like political freedom, freedom of speech and association, freedom of worship, private property and equality under law should be strictly respected (Long, 2004).

The difficulty with this kind of liberalism is its commitment to a monist conception of the good that gives rise to intolerance and a strongly interventionist tendency in it. In that with such a monistic and narrow conception of the good, monistic liberals become excessive in upholding human rights in general and democratic rights in particular. For them such rights are not negotiable; in that there is no recognition of any disagreements about them. These liberals are extremely intolerant when these rights are infringed by non-liberal states, because for them such violations are not merely a violation of the rights of citizens, but a direct assault to their own singular conception of the good. Consequently, for them, the liberal state acquires a moral responsibility and permissibility to use force to intervene to uphold these rights regardless of any international, conventional, legal constraints; so that they protect their conception of the good. For them, to guarantee the protection of this good, the enforcement of democratic and other rights in non-liberal states (political-ideological reform) becomes a necessity. This is where Teson and Nardin's treatment of the question of humanitarian intervention demonstrates a very good

¹ See Herbert Spencer, *Social Statics: or, The Conditions essential to Happiness specified, and the First of them Developed*, London: John Chapman, 1851. [Online] available from <http://oll.libertyfund.org/titles/273> [accessed 03/23/2015].

manifestation of such an ‘orthodox’¹ liberalism. This is discussed in the next section, in which I focus on Teson and Nardin, demonstrating that their interventionist elements are abundantly clear in their discussion of humanitarian intervention.

4.2.1. Fernando Teson and intolerant liberalism

The idea here is that Teson upholds individual libertarian rights for a reason that is not merely about defending them as such. But he sees the intervention for humanitarian reasons as an opportunity to protect his singular conception of the good (Global liberty) by enforcing ideological reform towards democracy in states on the receiving end of interventions. This notion can be seen in the context of the two arguments he defends. The first is that humanitarian intervention is an inherent right in the hands of liberal states as it is their responsibility to do the right thing by advocating global liberty and justice for all people and creating institutions to support this (It is their right of just institutions). The second argument for Teson is that ideological-political reform is necessary. Such reform will not undermine ‘humanitarian’ intervention and its ‘good intention’ but strengthen it because liberal political values will put an end to violations of individual rights permanently.

For Teson’s first argument, on the infringement of human rights, the non-liberal state becomes a legitimate target for intervention by liberal states. And there is no need for any authorization as long as it serves the direct and indirect interests of the community of liberal states. Accordingly, the interveners must uphold liberal values and hope to spread them as a result of the intervention. Even if they do not have the approval of a common international agent such as the Security Council of the United Nations or of the whole community of democratic states, which may appear as illegitimizing the intervention, however the intervention has same justification (Teson, 2005: 36) because it will act in the interest of all democratic states (Teson, 2005: 37).

¹ The term Orthodox here is used to characterize those liberals who see liberalism as the only ‘true’, ‘right’ belief.

The first reason said to give the liberal state such inherent rights to intervene is that for Teson the non-liberal state loses its sovereign right against domestic revolution and foreign intervention when it violates the human rights of its citizens. Non-liberal states that are accused of human rights violations are always liable to military intervention by foreigners because such states lose their sovereignty as a result of breaching the social contract with citizens. Consequently, the citizens can revolt and ask for and receive military assistance from foreign states (Teson, 1997: 124). By violating human rights, according to the Lockean social contract, the sovereign (The non-liberal state), not only takes its relationship with its people into the state of nature in which individuals' natural rights are prevalent, but also takes it into the state of war where these rights have to be enforced by their own natural executive power against the sovereign that violated them. It is the right of revolution or resistance that will be activated when the sovereign (The non-liberal state) not only breaches its citizens' rights, but also rules them by coercion against their wishes (Dunn, 1969). Accordingly, such non-liberal states that do not pursue the criteria of democratic representation (Teson, 1997: 119) are internationally illegitimate because their leaders 'rule by terror' and deny their citizens' basic rights that include not only the right to life, but also to security, free speech and property (Teson, 1997: 126). These regimes are always a possible target for intervention.

The premise to which Teson is committed here is that individual rights transcend a state's right of sovereignty, and "states have no moral value in themselves" (Lee, 2010: 33). The state exists to protect and enforce its citizens' human rights. Therefore, if the state violates these rights, it can no longer claim to be pursuing the intrinsic goal of its moral existence. By so doing, it loses its legitimacy both domestically and internationally. Accordingly, Teson concludes that moral principles always constrain state behaviour in both domestic and international relations (Teson, 1997: 15-17). In fact, as Teson affirms, any rights that governments possess are originally derived from the rights of their citizens. The political units (states) have been created depending on

individual rights that in turn legitimize states and give them sovereignty. In this respect, Teson states that:

... [t]o wage war against such states (except in self-defence) is a crime. But governments who turn against their citizens are on a different moral footing. By denying human rights they have forfeited the protection afforded them by international law. They are no longer justified qua governments, they no longer represent or are entitled to represent the citizens vis-a-vis the outside world, and therefore foreigners are not bound to respect them. In sum, dictators lose their international rights by virtue of the violation of the terms of the original contract-by betraying their *raison detre*. (Teson, 1997: 119)

Teson's position comes from the moral and legal hypothesis that the international rights (legitimacy and sovereignty) that a state has are not independent of the rights of its people; in that, the moral rules must be an intrinsic part of the international legal discourse. The rights of states thus ought to be recognized by international law as they are derived from human rights that are morally and legally protected by the same law. The individual rights given up to the institutions of state by the rational consent of the state's citizens are in the "continuing observance by those in power of the rights of everybody" (Teson, 1997: 314). Therefore, the rationale that makes the state wage a just war in self-defence of the rights of its individuals against any foreign aggression is the same as that rationale that foreigners have when they intervene to protect human rights of individuals breached by their own government. Teson illustrates thus that:

... [a] just war is always defensive of rights. A war in self-defence, the legality and morality of which few would challenge, protects the rights of individuals against deprivations by foreigners. Humanitarian intervention protects those same rights against deprivations by their own government. Both types of war are thus covered by the same rationale. (Teson, 1997: 315)

The result is that the non-liberal regime loses its right to protection by international law; i.e. it has no defensive right against force that aims to restore human rights. Though, according to Teson, this may form no sufficient ground for humanitarian intervention as there could be other reasons to stop humanitarian intervention, but sovereignty as an international right would not be one of them (Teson, 2011a: 2-4).

The second reason that gives liberal states an inherent right to intervene against non-liberal states comes from the idea that it is a moral obligation or responsibility of liberal states to promote liberty globally as a secondary and conditional duty. The role of liberal states in this process is instrumental. Liberal states are assigned by their citizens to do the right thing; that is, to achieve justice domestically and internationally as justice is a pre-institutional value owed to all human beings. Therefore, humanitarian intervention is to be implemented by liberal states not only to protect individuals' rights, but also to achieve justice internally and externally. To do so, all liberal states and their institutions have to follow the requirements of justice as a principled 'duty of fairness' owed to all humans. Therefore, every person has the right to live under just institutions regardless of any cultural, historical and traditional restraints. Teson confirms this by indicating that:

... all individuals around the globe have a right to live under just institutions ... a liberal government seems to be a logical toll to help in the realization of universal freedoms ... citizens in a liberal state delegate to their liberal government the responsibility to help achieve a more just world, to do the right thing internationally (with due caution and within the limits of the fiduciary relationship). (Teson, 2011b: 125)

According to this, the liberal constitution of a liberal state entails a liberal foreign policy that not only defends liberty in terms of national self-defence, but also promotes liberty globally. Therefore, for Teson, the protection of individual freedom, physically defending the liberal state's

citizens, is not enough to secure a society from tyranny. A liberal constitution should maintain the institutions and resources of the liberal government to confront any foreign threats or enemies that aim to destroy the institutions of liberal states. Teson affirms that the protection of citizens of a liberal state is the main reason to limit the power of governments internally, and hence “there is no reason to exempt foreign policy from this stricture” (Teson, 2011b: 119).

To advocate this notion of global liberty, firstly, Teson argues that as the liberal constitution should be the only one that is ‘justified philosophically’ in foreign relations, in the system of international law the liberal constitution has moral superiority over any other constitution of non-liberal states. Accordingly, in violations of the human rights of foreigners, a liberal constitution ought to let the institutions or governments of the liberal states act not only to protect their citizens’ rights domestically, but also internationally. This is due to the fact, as Teson argues, that foreigners as individuals have rights too; their rights, basic human rights, are natural rights and are independent from the culture and traditions of their own society. In this sense, the liberal constitution ought to allow liberal states to defend not only its citizens and territories, but also its institutions: this is “*because* its institutions are worth defending, not because they are its institutions” (Teson, 2011b: 121). In this aspect, Teson affirms that “[a] liberal government is not pacifist: it responds to foreign aggression against its citizens, and it likewise responds to foreign attempts to undermine or destroy its liberal institutions” (Teson, 2011b: 120). Consequently, according to Teson’s understanding above and his understanding of the Kantian ‘liberal peace’ thesis, liberal states have the right to go to war against non-liberal states providing that their aim is to promote liberal institutions overseas. This is due to the cosmopolitan fact that every human has the right to live under just institutions regardless of culture, history and tradition.

Secondly, to advocate the idea of global liberty, Teson argues that ruling under direct consent of its citizens, the state must restrain its power in accordance with its citizens’ rights in order to

protect them domestically. And under their delegation, the state institutions must strive to do the right thing internationally. Teson affirms the contractarian principle in which the duty to protect and to implement the liberty of citizens by their own government is the result of consent and delegation between the two parties. By doing so, he points out that it is certainly appealing to say that a liberal state has no right to promote and secure the freedoms of other persons who are not part of the social contract; as this is a duty of someone else or other persons' own government. We do not "owe all persons around the globe the same duties [of justice]" (Teson, 2011b: 125) especially if the promotion of duties globally would be at the expense of domestic freedom (Teson, 2011b: 125). However, "not all our moral obligations flow from the social contract" (Teson, 2011b: 124), as Teson argues. Therefore, the duty to promote liberty globally is a secondary and conditional duty because "citizens in a liberal state delegate to their government the responsibility to help achieve a more just world, [that is] to do the right thing internationally (with due caution and within the limits of the fiduciary relationship)" (Teson, 2011b: 124-125). Thus, this duty functions under the liberal government's role to do the right thing, not under a direct consent or delegation of its citizens. Cosmopolitans like Teson, indeed, see justice as a principled 'duty of fairness' owed to all human beings. Institutions are only instrumental to achieve this duty. In other words, liberal governments are assigned to realize the pre-institutional value of justice among humans. All liberal states, thus, have to follow morally and universally this requirement of justice (Nagel, 2005: 119) although this ought to be 'conditioned on cost and the fulfilment of other more pressing obligations' (Teson, 2011b).

For Teson's second argument on the necessity of the ideological-political reform, he argues that liberal reform in the intervened state is indispensable. Teson maintains that if liberal states were in a position to intervene to protect human rights, it would be a good opportunity for them to enforce liberal reforms in the intervened state. This is an indispensable motivation for intervening liberal states because for them liberal values implemented in politics will lead to long-lasting

peace and permanently prevent any future violations of individuals' human rights. Teson extracts this from the Kantian peace thesis. He states that:

... democratic peace' scholars have reformulated the Kantian thesis thus: democracies do not go to war with each other; however, they often go to war against illiberal states... Democratic peace theory has provided support for American (and perhaps European) policy of promoting liberal institutions overseas. (Teson, 2011b: 122)

The motivation for intervention to push for liberal reform for Teson does not undermine its 'humanitarian cause' nor diminish the moral stance of liberal states in terms of their intentions to restore human rights. What Teson wants to say here is that motives are morally irrelevant and cannot thus be morally used to judge actions. The intention is more important than motive in evaluating or judging actions morally. Teson distinguishes between the intention and the motive for intervention. Taking Iraq's war in 2003 as an example, he criticizes those who, he argues, failed to recognize this distinction. Teson believes that the 'motive' as a word refers to an ulterior goal that is wished to be achieved with the intended action, though it is not part of that action. It is like having a motive to be a hero; it is a self-interested, not selfless motive. The motive can be used to evaluate persons, for example, a bad motive would lead to a severe judgment on that person, such as describing him/her as evil. However, such a bad motive "does not affect the moral status of the act" (Teson, 2005: 11). Yet 'intention' as a word characterizes an agent's act (humans, states etc) because it praises its act or criticizes it; in that, the intention is the agent's willed, planned, committed and executed act that its consequences are desired. In other words, the intention is under the control of its agent. The agent wills to do a thing, commits to do it, and does it. For instance, "[if] a government wages war with the *intention* to rescue victims of tyranny and does in fact liberate those victims, then the intervention is humanitarian ... even if its *motive*

is self-interested or otherwise non-humanitarian” (Teson, 2005: 11). According to Teson, we should distinguish the humanitarian intention from the motive of intervention because,

[Governments] always have motives other than ending tyranny; and, moreover, that is the way it should be. Governments owe a fiduciary duty to their citizens. They are bound to advance their interests internationally, so it would be morally wrong for them to care only about saving others. Moreover, political leaders have more personal motives such as incumbency. (Teson, 2005: 12)

Therefore, political leaders who push for intervention in order to liberate people must be criticized if they have ulterior motive such as gaining access to oil. Teson demonstrates that:

... [y]et the evaluation of the agent ... is irrelevant for the moral evaluation of the (intended and performed) act ... we intuitively feel that governments (who, by hypothesis, have self-interested motives) sometimes do nonetheless the right thing, and this is because we intuitively see the distinction between intention and motive ... Once we understand the difference between intention and motive, the criticism based on lack of right intention (both of the humanitarian intervention doctrine and of the war in Iraq in particular) loses much of its appeal. (Teson, 2005: 13-14)

Yet to evaluate an action or intervention morally, the intention (the humanitarian outcome), though there is hardly a pure humanitarian motive for politicians, is the relevant factor here, not the motive (the democratic reform or any political and economic interests). Teson accordingly points out that “lawful interveners need not be saints, but for an act to count as humanitarian intervention we should require at least the intent (in the sense explained) to liberate the victims of severe tyranny” (Teson, 2005: 15).

In this context, for Teson every intervention by liberal states can have both ‘the good intention’ to achieve the liberation of oppressed people and ‘the non-humanitarian motive’, such as enhancing the security of the liberal community of states and to promote liberal values. In that, such an intervention becomes an act of pre-emptive self-defence of the liberty of citizens of

liberal states through confronting 'potential' external threats. Teson demonstrates here a kind of utilitarian thinking that appears very clearly in his article 'Ending Tyranny in Iraq' where he argues that to judge the war in Iraq as a whole, two sorts of justifications should be met. The first is liberating Iraqis (the narrow strategy) and enhancing the security of the United States and the democratic states by democratising and pacifying the Middle East. The second justification is that by so doing, promoting liberal values in the world (the grand strategy) which is "part of the motivation" (Teson, 2005: 21). Achieving these two strategies which are needed in order to spread freedom to Iraq will lead to greater freedom in all countries in the Middle East and eventually peace. In fact, according to Teson, punishing Saddam was not the only intent of the coalition, but removing him from power and allowing the reform to occur without any complexities that could appear because of any possible non-humanitarian motives. Furthermore, he adds that the military opposition or resistance of some Iraqis to the intervention does not mean that Iraqis did not welcome the intervention. The Iraqi insurgents were unjustly fighting coalition troops. They were not defending their country (self-defence) but themselves and aiming to restore the oppressive regime. The intervention was to remove them (the dictators and their henchmen) from power in the first place (Teson, 2005).

The war in Iraq, accordingly, is justified because the intent of ending the tyranny of Saddam Hussein's regime existed and was executed. The intervention is then judged by the action. Judging politicians who led the intervention of having bad motives is independent of whether the Iraq war or the act of intervention is justified in the first place. Teson shows that:

... [t]he coalition intended to topple Saddam, committed to doing it, did it, and moreover, committed itself to helping Iraqis reconstruct their ravaged society on the basis of a liberal constitution, human rights, democracy, and creating the conditions for economic recovery. If the intention was to depose Saddam Hussein and thus end tyranny, then the fact that the United States had an ulterior motive may be a reason to lower our "moral estimation" of the United States' government ... Maybe it was a reason

not to vote for George W, Bush. But it was definitely not a reason to conclude that the intervention itself “was not really” humanitarian ... We have to separate our reasons for judging actions from our reasons for judging persons. (Teson, 2005: 18)

It appears that Teson’s intervention involves non-humanitarian motivations, including unavoidably liberal-democratic reform. For him, moreover, the obligation to rescue the individual victims whose human rights are violated is conditioned not only in terms of cost, but also in terms of reason and the primacy of the duty of defence of liberty as well (Teson, 2011b). In this respect, according to Teson, the military intervention is to be put into effect after ‘a prudential calculation’ that insures that suffering resulting from such an intervention is not ‘substantially disproportionate’; that is, it does not exceed the ongoing suffering resulting from the disrespectful nature of the dictatorial regime targeted by the intervention. And more importantly, the intervention “has strengthened the total system of liberty, i.e., human rights, shared by all” (Teson, 1997: 123). However, Teson does not hesitate in indicating that in the process of calculation on the part of the intervening liberal state or a coalition, not only the restoration of human rights is considered but also other non-humanitarian motivations such as the “desire for border security and strengthening of alliances” (Teson, 1997: 121). These motivations, also, must not hinder the process of liberal reform in the intervened state.

Nevertheless, it appears to be extremely difficult, if not impossible, to prudentially measure, as Teson seems to argue, the suffering resulting from such an intervention in comparison to the ongoing suffering resulting from the disrespectful nature of the targeted regime. Additionally, it is not quite possible for interveners, as Teson argues, to assure (1) when peaceful means are “likely to fail” (Teson, 1997: 122); and to assure that (2) the intervention is going to be “as surgical as possible” (Teson, 1997: 122); and that (3) “the victims of oppression are *‘willing to revolt against their tyrannical government, or who would be willing to revolt if they were fully autonomous’*” (Teson, 1997: 126).

These are all presumptions, and they are met depending on the intervener's assumed prudential calculation that, according to Teson, such an intervener could be individual states with particular self-interests. What makes such an intervention aggressive is that, first, it is impossible to know exactly the reason behind an intervention in this sense, whether it is the good intention to protect victims of human rights violations or a non-humanitarian motive; second, such intervention is driven by a monistic ideology and is justified as an inherent right in the hands of liberal states; third, it needs no authorization from any super authority as long as it is in the interest of all liberal states.

In the end, Teson cannot be said to be tolerant in any meaningful sense. For him, tolerance forms no moral restriction on the act of intervention when there is an opportunity to intervene. Only prudential calculation of the cost can form a barrier to it. To follow Teson's view, it means that you are against international cultural and ideological plurality. Under the force of his liberal morally sovereign or possessive individualistic commitment¹, any non-liberal state can become a target of reform intervention when there is a good opportunity, regardless of the sovereignty of the state and the culture of its society. This view is as bellicose as the view of some bellicose religious thinkers.

4.2.2. Terry Nardin and intolerance of liberalism

Similarly to Teson, Nardin's argument on humanitarian intervention is about imposing good/justice in its very classical libertarian meaning. His argument shows how he is excessive in upholding human rights and intolerant of those who violate them. For him, infringements of rights permit the liberal state to intervene and enforce liberal reform to guarantee that it will not happen again. What sustains this understanding of Nardin is that, firstly, he understands the

¹ In possessive individualism, an individual owes nothing to society. See Macpherson, C. Brough (1962) *The Political Theory of Possessive Individualism: From Hobbes to Locke*, Oxford, Oxford University Press.

good, universal justice, as concerned with what the state is compelled to do. In that to achieve justice at the international level, liberal states have the moral responsibility to intervene to correct the conduct of other non-liberal states that violate human rights. Secondly, humanitarian intervention on the part of liberal states as a moral duty will not require any authorization from other agents because it is not about permissibility, as this is a practical matter, but about the moral responsibility to protect the good. For Nardin, thus, intervention as a duty of liberal states has to guarantee the protection of the good and make sure it lasts by means of liberal reform.

First, Nardin's singular conception of the good, common morality, bypasses both cultural and international positive laws and gives ultimate authority to any governments to intervene to protect human rights. Therefore, no matter what the conditions are, humanitarian intervention is seen by Nardin as a permissible action when it is concerned with what are called universally recognized moral values, common morality. In such a morality, human rights, including all liberal ones, are universally valid and ought to be protected, according to Nardin. Accordingly, the ethics of humanitarian intervention, for Nardin, are grounded in common morality, not in international law. This is because international law rests on customs and agreements and may be derived from particular religious or national moralities. International law does not rest on moral reasoning. Yet the principles of common morality, according to Nardin, are universally common because they are recognized by different societies, even though their weight does not depend on convention resulted from this recognition, but on "a conception of the person and of what is owed to persons" (Nardin, 2002: 64).

Common morality assumes that human beings are thinking, choosing agents, and that everyone has an equal right to think and choose. It therefore requires us to recognize the inherent capacity of each person to make choices of his or her own. The foundation of common morality, then, is the principle that each person must respect the agency of every other ... common morality is a critical morality

possessing wider authority than the moral practices of particular communities, and for this reason it provides a standard by which to criticize these practices. (Nardin, 2002: 64-65)

Human rights are at the heart of common morality and are protected through humanitarian intervention. For example, governments that respect human rights are entitled to intervene and they are justified in using as much force as is needed to thwart violence committed against other persons, provided that those persons are morally innocent. Therefore, for Nardin, the moral responsibility of humanitarian intervention by liberal states comes from the idea that universal human values come from natural law and are independent of the culture and tradition of societies. The repressive murderous state loses its “moral right to freedom from foreign interference” when it violates the human rights of its citizens and it cannot thus claim the right of suspension of universal human values (Nardin, 2006b: 7). Nardin sees natural law as the basis for morality; and this provides a ground to justify his understanding of humanitarian intervention as a duty. And thus for him,

A government’s moral right to exercise authority within its own territory is premised on it respecting the moral rights of its people. Humanitarian intervention is not an exception to the non-intervention principle but an integral part of it, for if the principle were fully and precisely stated it would be seen to allow interventions to end such abuses. (Nardin, 2006b: 7)

Accordingly, nobody is excluded from humanitarian concerns. In this common moral world, human beings have rights only “as members of the human community”, and not as members of any particular communities. Human rights are thus universal moral rights and Nardin does not exclude any (Nardin, 2002: 65, 67, 69). In this respect, Nardin shows that human rights are,

[R]ooted in a widely shared and rationally defensible conception of human dignity, and for these reasons relatively independent of the contingencies of particular situations. It follows that the moral principles underlying humanitarian intervention do not need to be rethought ... these principles have

been known for centuries, if not millennia. They will acquire new meaning in each new situation to which they are applied, and because this requires judgment they will often be misapplied. But the principles themselves will not soon be replaced. (Nardin, 2002: 70)

For Nardin, common morality is concerned with universal moral values the principles of which come from the natural law that forms the basis for morality. Such a concept has wider moral authority than that of international law. Consequently, the authority of the moral view, ‘the common morality’ that Nardin proposes overturns both state sovereignty as advocated by international law and the moral practices of particular cultures advocated by national law. In fact, Nardin tries to reconcile the problematic relation between the traditions of modern international law that depend heavily on the political and territorial integrity of states, and the traditions of natural law that adhere strictly to humanitarian intervention as a basic moral duty (Nardin, 2002: 70).

He understands the logic of international justice in terms of the relation between justice and coercion. In that sense, the idea of morally permissible coercion is a broad interpretation of the duty to protect in the cosmopolitan libertarian sense.¹ It can be the basis on which principles of distributive justice of liberal egalitarianism² are grounded. As a result of this reconciliation of the libertarian and liberal egalitarian arguments, Nardin sets out a theory of a concept of international justice that is not about the distribution of substantive goods but is ‘about just and unjust conduct’. It is not about what is ‘good or even morally right for states to do’; it is about ‘what states could in principle be compelled to do’ (Nardin, 2006a: 464).

¹ In cosmopolitan libertarianism generally, individual liberty, political freedom, voluntary association and a society with a greatly reduced state are advocated and must be protected.

² Liberal egalitarianism generally values equality, personal freedom and responsibility.

Second, because humanitarian intervention is a duty in the hands of the liberal state, thus it does not need authorization: this is because it is not about the permissibility, for Nardin, but about the responsibility as a moral duty to protect victims and make sure the protection lasts.

Indeed, Nardin makes humanitarian intervention a basic, universal, moral duty in the hands of liberal states, a duty for international justice: This is because, for him, it is impossible to separate the intention of beneficence (to love one's neighbours) from the moral responsibility to assist one's neighbours. In this regards, he points out that:

... [g]iven the principle of beneficence, we have some responsibility to assist others. It is not enough to avoid harming them. We should help other people achieve their ends, when we reasonably can, and in that way promote their well-being. We have a duty to assist others when assistance is needed. And we can provide it without doing wrong and without undo cost. And the more pressing their need, the stronger our duty — for example, when they are victims of violence. (Nardin, 2006b: 12)

Moreover, regardless of the fact that humanitarian intervention is an imperfect duty, Nardin implies that liberal states are the only states that can intervene to protect victims of human rights violations in other non-liberal states. This rests on the idea that it is not only their responsibility to intervene, but also they are capable and effective in doing it, which makes humanitarian intervention perfect and enforceable. Indeed, for Nardin, once there is a particular agent to perform it, such as assigning the right to intervene to a particular institution or organization such as the United Nations, humanitarian intervention becomes a perfect and enforceable duty. Accordingly, single liberal states cannot ignore this duty; they are obliged to help to make the intervention possible and successful. For instance, they could make a contribution in terms of creating an effective international institution capable of implementing this duty of humanitarian intervention when necessary (Nardin, 2006b: 18-19). In other words, when the intervening agent — whether national (single states) or international (common international organization) — is

proven to be capable and effective in preventing extreme violations of human rights, like effectively preventing a massacre on another state's territories, the duty of intervention can be identified and specified and thus becomes an obligatory perfect duty (Nardin, 2006b: 13). Although humanitarian intervention is generally an imperfect duty, Nardin indicates that this imperfectness is not always precisely specified because there is always "an inherent indeterminacy in all rules, and therefore in all duties, not only imperfect duties" (Nardin, 2006b: 15). What Nardin claims here is that the indeterminacy in the imperfect duty of humanitarian intervention is similar to all other imperfect duties; it is thus irrelevant and does not affect its imperative character. Therefore, liberal states have no choice but to perform this duty as it is their responsibility. For example, Nardin indicates that:

... the duty not to violate another's rights cannot be completed, in the usual sense of that word, whereas a beneficent rescue can in fact be completed. More generally, no rule can ever determine the individual contingent actions (as opposed to types of actions) required to comply with it. Rules state considerations to be taken into account in choosing and acting, and whether a given action responds adequately or not to those considerations is always a matter of interpretations. (Nardin, 2006b: 15)

Furthermore, for Nardin, in order for such a duty to be implemented, it does not need any authorization. In the context of why the authorization is not necessary, Nardin points out that:

... [a]n intervention that lacks proper authority cannot be defended within the discourse of international law as enforcing that law. But that same act, if morally justified, can without contradiction be said to enforce respect for human rights as well as to protect those whose rights are violated. No disagreement over terminology can erase this conceptual link between protection and enforcement. (Nardin, 2006b: 20)

Nardin here wants to say that a single state without authorization from the international community cannot intervene to rescue or protect the victims of another state because

intervention belongs to the realm of moral law; and such intervention breaches the legal one. Thus, basically, the enforcement of international law on the part of intervening states for humanitarian reasons is illegal as it is not authorized internationally. However, for him there is an 'inherent' conceptual link between protection (to protect the victims) and enforcement (to thwart the violators) in the case of humanitarian intervention. Thus, in protecting the victims and enforcing the rules against violence, the question of proper authority becomes a legal and practical matter and hence does not make the intervention immoral as such. He wants to show that the question of proper authority is morally irrelevant. As a result, Nardin indirectly implies that liberal states are the only states that can intervene in other non-liberal 'tyrannical' states when they want to protect victims of human rights violations. This is due to the idea that they are the only states that can morally and practically do so according to common morality. In that; these liberal states are theoretically established on a contract between individuals and governments to respect and protect their natural human rights. There are no other states but liberal states that possibly can morally claim that the protection of individuals' 'human' rights is their chief motivation.

For Nardin, liberal states can seek liberal reforms and other motivations alongside humanitarian reasons for intervening. Indeed, firstly, Nardin accepts that there could be motives other than stopping human rights violations. This can be seen in his attempt to identify the intervening state or agent's motive, which is, he argues, perceived as the way in which the agent acts depending on his desires and dispositions that explain why the agent decides to undertake a particular action, such humanitarian intervention. Nardin states, accordingly, that:

... [a] government can choose to rescue the victims of an atrocity, making this its intention and acting to bring it about, from a variety of motives. If the chief motive is concerned with the injustice to the

victims and compassion for their suffering, we may call its action “humanitarian”. (Nardin, 2006b: 10-11)

Secondly, for Nardin, liberal reform is necessary to put an end to the conditions that lead to human rights violations. As the intrinsic aim of the intervention here is to end the violations (protection by use of enforcement), by the end of the intervention, it must be guaranteed that the circumstances that have allowed and led to the violations in the first place are over. The only way to do so is to establish a new regime (Nardin, 2006b: 20). Nardin states, accordingly, that “[h]umanitarian intervention must go beyond rescue to reform and reconstruction. A new regime must be established and enforced until it can sustain itself” (Nardin, 2006b: 20). Therefore, Nardin does not refer to the kind of political-ideological reform that will occur after the intervention but he implies that only liberal states can guarantee the removal of the circumstance that led to the human rights violations in the first place.

To sum up, Nardin sees the logic of international justice in terms of the relationship between justice and coercion; namely, it is the duty to protect individual liberty and political freedom in a society in addition to the responsibility to advocate the value of equality as fairness (both libertarian and egalitarian principles). By this understanding, Nardin greatly reduces the state’s power and sovereignty legitimized in international law and humanitarian intervention becomes a moral duty. Consequently, the question of the proper authorization for intervention no longer matters; it becomes a practical issue that does not render the intervention immoral as such if not obtained beforehand. What motivates Nardin’s humanitarian intervention, thus, is not simply a moral claim, but the protection and guarantee of a particular understanding of liberalism in the name of justice to justify the liberal state’s intervention in non-liberal states that do not follow such an understanding of liberalism.

The comprehensive and assertive conception of the good (the common morality) that Nardin adopts makes his humanitarian interventionist position in non-liberal societies intolerant. Nardin appears to be tolerant of war as a means of overcoming violations of individuals' human rights regardless of questions of cultural or societal differences internationally. Thus, from his liberal perspective, the use of war as a means to respond to failures to protect human rights appears to be endless.

4.3. Pluralistic Liberalism.

In the discussion of orthodox liberalism in the previous part it was indicated that there was indeed a strong tendency towards intervention, which is driven by a particular, excessive belief and severe intolerance towards human rights violations in order to enforce the particular understanding of the good of the non-liberal state. Such a commitment to strive towards realizing their specific understanding on the good points clearly towards a strong bellicose tendency with this kind of liberals. Liberalism in this sense tends to be bellicose in a way similar to the sort of intolerant bellicosity associated with some religious zealots. If this liberal belief was the only truly representative of liberalism, one might no longer claim that true liberalism is tolerant. However, this is not quite correct because Teson and Nardin's principled liberal belief appears to be somewhat dogmatic, authoritarian and limited (anti-political and monistic)¹. Additionally, there

¹ In fact, according to Charles Beitz (2004), principles of natural rights in the liberal sense "were attempts to formulate constraints on the use of a government's coercive power in circumstances of religious and moral diversity. They make sense only against a background assumption that the central problem of political life is the protection of individual freedom against predictable threat of tyranny or oppression" (Beitz, 2004: 8-9). People are then to claim human rights at all places and times. Consequently, the justifications of international human rights are treated as internal to the conception of human rights. In other words, the justifications of human rights are inseparable from their nature. Therefore, understanding the nature of human rights in terms of the protection of individual freedom against predictable threats of tyranny or oppression leads to the legitimization of their content internationally. In this liberal understanding of human rights, the content of international human rights, thus, has nothing to do with functioning international practices but with the nature of these human rights only (Beitz, 2004: 8-11). Human rights here are more likely to look like aspirations and too ambitious (anti-political and monistic). They cannot be general rights like natural rights that belong to all men who are capable of choice. If they were general, they would be highly restricted because not all human rights mentioned in the UDHR can be internationally general, such as the right to an adequate standard of living. We must conceive international human rights as special rights if we want them to be genuine. It is also unrealistic to regard human rights as fixed or invariant across time; because such rights cannot play the same roles in all societies across history from Ancient Greeks to modern Europe (Beitz, 2004: 8-11).

are some liberals who are prepared to compromise their commitment to some orthodox, traditional liberal principles of individuals' rights to build arguments that can stand for international tolerance. Their reasoning behind this is that upholding human rights in the way to which Teson and Nardin commit themselves at the international level will lead to enforce liberal rights on non-liberal states, which can reasonably disagree about.

In fact, for liberals like Rawls and Walzer, it is reasonable to reject upholding such rights on the grounds that they are protecting a conception of the good that non-liberal peoples or states can reasonably disagree about. Rawls thinks that peoples can reject some sets of liberal rights because they can pursue a good that does not require these or, at least, they can pursue a reasonably good life without those rights. Teson and Nardin reject this. Rawls accepts disagreement in justice/rights to a greater extent at the international level, than Teson and Nardin. And this is the key difference between the monistic orthodox liberalism and that kind of pluralistic liberalism that Rawls and Walzer advocate at the international level. They are unwilling to intervene to uphold human rights in order to enforce a singular conception of the good. For them humanitarian intervention is not about enforcing the good through the ideological-political reform of the regime into liberalism. They are pluralistic and tolerant about rights and by implication the good, whereas Teson and Nardin are not. In the following part, I will demonstrate this pluralistic tendency of Rawls and Walzer respectively, arguing that although they appreciate the fact that there are other concepts of the good that must be respected, this does not render them less liberal.

Indeed, in principle, both Rawls and Walzer are in favour of non-intervention. For them, intervention should occur in order to change the inherently aggressive nature of the tyrannical regime. It should not be performed to impose external, universal, liberal values because not all liberal values are universal in order for non-liberal peoples to obtain them and hence to deserve

respect and toleration. In all times and cases, religious and social cultures of non-liberal societies must be respected and guaranteed as other societies are informed by different conceptions of the good (Rawls) and the foreigners do not know enough about the history, cultures of the society or the state (Walzer). Both attempt to theorize for global tolerance by defending the principle of sovereignty through the recognition and protection of different cultural, political and thinking patterns between peoples.

4.3.1. John Rawls, a tolerant liberal

This section demonstrates that Rawls has been able to reconcile liberalism with tolerance at the global level. Rawls accepts disagreement about justice/rights to a greater extent at the international level. Thus, I argue that Rawls' position on humanitarian intervention is truly tolerant because his ultimate objectives are achieving justice and lasting peace, not enforcing a particular conception of the good. He places restrictions on humanitarian intervention and rejects the liberal transformation of the target state. To sustain this argument, I show, first, that for Rawls some liberal rights can reasonably be rejected by non-liberal peoples and therefore must not be enforced as universal. Thus, the transformation required in the target state is not ideological but political in character and aims at changing the aggressive nature of the regime with respect to its people's religion and customs. Second, I demonstrate that because Rawls believes that other non-liberal societies are informed by different conceptions of the good and can reasonably disagree about the liberal one, he defends the principle of sovereignty, indicating that not all human rights and liberties in the liberal sense are human rights that all other-non-liberal society must protect. Third, I indicate that Rawls, unlike what his critics claim, is driven by a concept of global justice that is not about indicating what 'we ought to do'. For him, it is not merely a normative question in order to identify what moral principles should be enforced

internationally, but a question of real world politics; that is, concerned with the kind of foreign policy that liberal states should follow to eliminate aggression and war.

Firstly, for Rawls, there is “a special class of urgent rights, such as freedom from slavery, and serfdom, liberty (but not equal liberty) of conscience, and security of ethnic groups from mass murder and genocide” (Rawls, 2002: 79). Non-liberal states are to be excluded from forceful intervention by liberal states by their fulfilment of this list of rights and by meeting the conditions of decency. The decency of a state here means, first, that it ought to be peaceful and non-expansionist (Rawls, 2002: 64). Second, its legal system ought to work to secure “for all members of the people what have come to be called human rights” (Rawls, 2002: 65). Third, it ought to impose “moral duties and obligations (distinct from human rights) on all persons within the people’s territory [so that people of the state are viewed as] responsible and cooperating members of their respective groups” (Rawls, 2002: 65-66). Finally, officials or rulers of a society ought to believe sincerely that the legal system is “guided by a common good idea of justice” (Rawls, 2002: 66). Therefore, according to Rawls, non-liberal societies are not obliged eventually to protect and obey the wide range of liberal human rights to be legitimate internationally. Liberal states, in fact, cannot force non-liberal states to comply with liberal principles that their people do not necessarily endorse. Accordingly, as liberal states should not impose comprehensive moral or religious view on their people, internationally equal respect for other peoples who ‘meet a minimal condition of decency’ (Nagel, 2005: 134, Rawls, 2002: 67, 80-81) entails that “the foreign policy of a liberal state should not have the aim of moving all other societies toward liberalism, if possible” (Nagel, 2005: 134).

Nevertheless, though he does not completely deny the possibility of intervention and changing the inherently aggressive nature of the ‘outlaw’ state (that is not specifically non-liberal) that breaches international peace, Rawls’s view on humanitarian intervention is non-belligerent or

aggressive. In fact, Rawls states three main principles in *The Law of Peoples* that are concerned with his interventionist position. These are: “[p]eoples are to observe a duty of non-intervention ... Peoples have a right of self-defense but no right to instigate war for reasons other than self-defense ... Peoples are to observe certain specified restrictions in the conduct of war” (Rawls, 2002: 37)¹. These principles indicate that Rawls’ general commitment is to avoid war (non-intervention). However, a military intervention can be justified as a war of self-defence in case of inherently aggressive states that are in permanent systematic breach of its citizens’ human rights, initiate war and endanger the safety and security of well-ordered societies. Consequently, changing the regime into well-ordered but not necessarily liberal one is permissible as a result of such an intervention. Rawls states that “[w]ar is no longer an admissible means of government policy and is justified only in self-defence or in grave cases of intervention to protect human rights ...” (Rawls, 2002: 79).

Indeed, for Rawls, war is only justified when liberal and decent well-ordered states rightfully engage in a war of self-defence with states that (1) naturally have aggressive objectives and (2) do not respect and fulfil the urgent human rights of its people. For example, when ‘the outlaw’ state commits ethnic cleansing or mass murder against its people or engages in war with other states in an attempt to pursue its non-reasonable interests (Rawls, 2002: 92). If the expansionist policies of outlaw states are truthfully believed to be about seriously endanger the safety and security of well-ordered societies, the right of self-defence is to be applied. Rawls affirms that the right of war of self-defence is only applied in situations when well-ordered societies pursue reasonable interests; and “only when they sincerely and reasonably believe that their safety and security [and their free institutions] are seriously endangered by the expansionist policies of outlaw states” (Rawls, 2002:

¹ Rawls states five more principles in *The Law of Peoples*: 1) peoples are free and independent, and their freedom and independence are to be respected by other peoples; 2) peoples are to observe treaties and undertakings; 3) peoples are equal and are parties to the agreements that bind them; 4) peoples are to honor human rights; 5) peoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime.

90-91). This war is just because it is waged in the interests of the whole community of well-ordered states, not only liberal states, in their pursuit of their reasonable interests in changing not only the way in which the outlaw state behaves, but also its dangerous nature. Therefore, transformation into a well-ordered regime, though not necessarily into liberalism, is vital as the ultimate aim of any such war is achieving justice and lasting peace. Once this aim is achieved, the sovereignty and the religious and social cultures of the targeted state must be respected and guaranteed (Rawls, 2002: 90-91, 95-98).

Both liberal states and decent states or societies should not tolerate the aggressive and dangerous nature and behaviour of outlaw states; according to Rawls,

This refusal to tolerate those states is a consequence of liberalism and decency. If the political conception of political liberalism is sound, then liberal and decent peoples have the right, under the Law of Peoples, not to tolerate outlaw states. Liberal and decent peoples have extremely good reasons for their attitude. Outlaw states are aggressive and dangerous; all people are safer and more secure if such states change, or are forced to change, their ways. Otherwise they deeply affect the international climate of power and violence.” (Rawls, 2002: 81)

Accordingly, military intervention is only qualified in ‘outlaw’ states that refuse to comply with the principles of Rawls’ Law of Peoples and try to advance their non-reasonable interests by engaging in war.

Moreover, according to Rawls, not all non-well-ordered states qualify for military intervention. There are ‘burdened’ states that are non-well-ordered but not outlaw and find it difficult to become well-ordered because of their historically, economically and socially ‘unfavourable’ circumstances. They are only qualified for the ‘duty of assistance’ to help them become well-ordered (Rawls, 2002: 106-126).

According to Rawls' principle that "[p]eoples are to observe certain specified restrictions in the conduct of war" (Rawls, 2002: 37), civilians of an outlaw state, even when they are defending the regime, must not be punished. This is because they are not organized but ignored and controlled by the leaders and officials of the state, who must be punished as criminals for their wicked will and aggressive actions that lead to war. Rawls adds that:

... [even] soldiers are often conscribed and in other ways forced into war; they are coercively indoctrinated in martial virtues; and their patriotism is often cruelly exploited. The reason why they may be attacked directly is not that they are responsible for the war, but that well-ordered peoples have no other choice. They cannot defend themselves in any other way, and defend themselves they must. (Rawls, 2002: 95-96)

Furthermore, where military intervention occurs in outlaw states, Rawls affirms the idea of toleration as well. He holds that people in the enemy camp have the same rights that The Law of Peoples guarantees to everyone else. Therefore, these rights must be respected. And by so doing, the well-ordered peoples will set a good example for the outlaw peoples of the sort of treatment they could expect and experience if human rights are created, recognized and applied within their societies. It is an educational process aimed at teaching the significance of human rights. This process also has to be executed by informing, when possible, the outlaw people about the peaceful nature of the motive behind the intervention or war, tell them of what kind of good relation they seek for them. This can practically be verified as "once peace is securely re-established, the enemy society is to be granted an autonomous well-ordered regime of its own" (Rawls, 2002: 98).

Secondly, the defence of the principle of sovereignty in Rawls' treatment of humanitarian intervention and war is a strong indication of his tolerance at the global level. For Rawls, global justice is about the question of the relationship between justice as a political virtue and

sovereignty as an involuntary membership of individuals without which justice cannot be applied as a value. “A sovereign state is not a voluntary association” (Nagel, 2005: 128). The political unit, the state, is not a product of a traditional social contract between people and the government. Consequently, the social value of a society is involuntarily or coercively imposed. In fact, global justice is grounded in a hypothetical contract between peoples (Rawls’s Law of Peoples), in which human rights do not depend on any particular comprehensive religious or philosophical doctrine of human nature, but are grounded in principles of justice. Namely, in international politics, justice is interpreted depending on a list of urgent basic human rights that function to constrain political power and its use in both domestic and foreign politics. Human rights, here, are defined in terms of obligations; their functional role specifies limits to a regime internal autonomy (the sovereignty of a society) and to the justifications of war and its conduct (Bernstein, 2007).

Rawls’s defence of toleration in the Law of Peoples is driven by his belief that not all basic rights and liberties advocated by the liberal society and its standards of full liberal justice are human rights that other, non-liberal societies must protect and thus demand obedience to them. It is then not necessary for hierarchical societies to meet the standards of full liberal justice in order to deserve respect and toleration. The Law of Peoples advocates a kind of practical approach to human rights that seems to focus on “the doctrine and discourse of human rights as we find them in international practices” (Beitz, 2004: 6-7). In other words, the content of international human rights is to be understood in the light of its important role. Therefore, the justifications of human rights have nothing to do with their nature; both justifications and nature are separable. This clearly opposes the comprehensive monist liberal perception that maintains that understanding the nature of human rights (the protection of individual freedom against predictable threat of tyranny or oppression) leads to legitimize their content internationally. The function of human rights, for Rawls, is then to “restrict the justifying reasons for war and its conducts, and they specify limits to a regime’s internal autonomy” (Rawls, 2002: 79). These rights

are binding on all people and societies only if they are compatible with all reasonable political doctrines (his eight principles) (Beitz, 2004: 6-7).

Human rights are, hence, qualified as basic goods and thus have the same value basis and the same rationale as liberal basic rights and liberties. However, not all basic rights and liberties are human rights that society must protect and demand thus obedience to them. Additionally, “not all societies have to meet the standards of full liberal justice in order to ... deserve respect and toleration” (Hinsch and Stepanian, 2008: 125-128). In this regard, Rawls points out that:

... [h]uman rights are distinct from constitutional rights, or from the rights of liberal democratic citizenship, or from other rights that belong to certain kinds of political institutions, both individualist and associationist. Human rights set a necessary, though not sufficient, standard for the decency of domestic political and social institutions. In doing so they limit admissible domestic law of societies in good standing in a reasonably just Society of Peoples. (Rawls, 2002: 79-80)

The role that human rights play leads to the placing of limits not only on the sovereignty of a society, but also on the justifications of war and its conduct. This is because, first, a society can transform into an aggressive outlaw society and thus entails intervention in the name of self-defence of well-ordered societies. Second, the fulfilment of ‘a special class of urgent rights’ that are identified in the Law of Peoples, not all liberal human rights, is enough to exclude non-liberal states from forceful intervention by liberal states (Rawls, 2002: 79-80).

Thirdly, what confirms that Rawls’ ultimate objectives of humanitarian intervention achieve justice and lasting peace is that, for him, global justice is about ending war, not merely specifying and enforcing international moral obligations on states as his critics will claim.

Indeed, critics of Rawls’s *The Law of Peoples* have first argued that for Rawls, peoples, not individuals, are the ultimate units of moral concern. Rawls’s approach thus fails to qualify as

liberal (Wellman, 2012: 216); second, Rawls includes representatives of non-liberal hierarchical peoples in the original position. However, in a liberal sense, any society that fails to secure democratic rights, freedom of expression, and equality of all its citizens should not be called reasonable or decent. Therefore, Rawls's list of basic human rights wrongly omits core liberal rights (Wellman, 2012: 217-218). Indeed, Fernando Teson (1998) and Charles Beitz (2004) criticize the idea of toleration among peoples advocated by Rawls 'as being not liberal enough' and as "[not sufficiently sticking] to liberal principles, and [being] distant from core liberal commitments" (Yun, not dated: 128, 129). For them, Rawls' toleration of decent people "fails to offer sufficient protection to individuals, that is at the heart of international liberal commitment to the liberal rights of individuals" (Yun, not dated: 128). For Rawls, Teson argues, human rights in the *Universal Declaration of Human Rights* (UDHR) are liberal aspirations because Rawls believes that liberal human rights are "the product of the peculiar history of the West, in particular of wars of religion" (Teson, 1998: 108). They are thus not universally valid. The result is that Rawls found himself formulating principles of international justice that depend on "a weak and more general concept of rationality" just to make all 'rational' representatives or all well-ordered people agree. Beitz also indicates that Rawls' conception of the political role of human rights is narrower than what we observe in present practice" (Beitz, 2004: 14). Beitz adds that:

[Rawls] distinguishes human rights in the Law of Peoples ... human rights proper ... from a conception of human rights that 'simply expands the class of human rights to include all the rights that liberal governments guarantee'. (Beitz, 2004: 15, Rawls, 2002: 78)

Additionally, Beitz states that this "distinction relies on an idea of reasonable toleration among peoples - specifically, toleration by liberal societies of those non-liberal societies which he labels as 'decent hierarchical peoples'" (Beitz, 2004: 15-16).

Similarly, Alistair Macleod (2008) shows that the role of human rights in Rawls' *The Law of Peoples* can be achieved "only by pursuing domestic policies that are respectful of human rights that states can secure themselves against legitimate intervention in their internal affairs by other states" (Macleod, 2008: 138). The sort of hope for protection of human rights that one could derive from such a role of human rights, for Macleod, is illusory. This is because the doctrine of human rights to which Rawls assigns such an important role seems to be extremely narrow; it only represents a small -sub-class of the rights recognized in the UDHR.

Consequently, Teson concludes that Rawls "fails to capture central moral feature of international order" (Teson, 1998: 105). He "abandons the individualist assumptions about human nature" (Teson, 1998: 110) and human rights of liberal theory. "His proposal is still too forgiving of serious forms of oppression in the name of liberal tolerance" (Teson, 1998: 105). Teson holds thus that Rawls cannot rely on the liberal commitment to tolerance, though "tolerance of illiberal views is indeed mandated by liberal principles". This is because, tolerance from the liberal point of view is to respect individual autonomy (the Kantian thesis) and observe the 'danger of state censorship' (from the experience of the utilitarian principles). This does not justify toleration of non-liberal governmental behaviour like "coercion against people who dissent" (Teson, 1998: 114).

Moreover, as Teson claims, it is unnecessarily for Rawls to worry that liberalism (according to the Kantian liberal perspectives) morally justifies liberal states' use of force to eliminate non-liberal governments whenever possible. Although this could be one of the reasons to justify waging war morally. In reality, however, war could be excluded simply because it is disproportionate to the intended goal. Humanitarian intervention in practice is subject to a number of constraints such as the impossibility or prohibitive costs of victory, and democratic changes can in most cases be achieved by the use of moral persuasion and diplomatic pressure (Teson, 1998: 120). Yet,

regardless of the case, from the liberal point of view, as Teson holds, liberals do not need to call non-liberal states legitimate and reasonable, as Rawls does, for the sake of defending why it is unjustified to use force against them. We do not have to show the same moral beliefs. Liberal states, practically have to use both diplomatic and forcible means to make such aggressive regimes fully respect human rights or to rescue the victims of political communities (Teson, 1998: 120).

In addition, Teson accuses Rawls of falsifying liberal theory. He thus argues that Rawls' attempts to do so cannot survive in political theory. He cannot build an international social contract on the assumption that all rational persons, including not only those whose non-liberal cultures do not value freedom, human rights, and democracy but also those who believe in liberal theory, are less free as a result of the constraints of social cooperation. Rawls, Teson argues, rejects treating persons as free, equal, reasonable and rational according to liberal conceptions. This really makes his assumption for the Law of Peoples 'too narrow' (Teson, 1998: 110). Rawls also advocates, as Teson shows, the concept of 'enabling rights' that cannot see individuals as free and equal citizens but persons who are "*responsible and cooperating members of society who can recognize and act in accordance with their moral duties and obligations*" (Teson, 1998: 112). In this sense, human rights are defined in terms of obligations to perform the behaviour the authority permits. Human rights here become 'freedom to obey' the authority/rulers (which are, according to Rawls's decency criteria, supposedly faithful and sincere¹). Thus human rights in this respect are not the legal expression of human nature (freedom). This seems for Teson like 'unconditional surrender to authoritarianism'. And therefore, it is assumed that it should be respected not criticized by other liberal societies because liberal society "must tolerate other societies informed by different conceptions of the good" (Teson, 1998: 112, 113, 114).

¹ Rawls (2002: 66) officials or rulers of a society ought to believe sincerely that the legal system is "guided by a common good idea of justice"

However, three main justifications for Rawls's global justice theory can be identified. First, Rawls as a political philosopher did not aim to build a complete theory of global justice because Rawls believes that such a job is 'the product of morally legitimate international politics' (Wellman, 2012: 223). Second, Rawls is not offering a theory of international justice because he is addressing Kant's third question of philosophy about what *we can hope for?*, he is not tackling his second question about what *we ought to do?* (Kant's first question is *what can I know?*). Third, *The Law of Peoples* is an extension of Rawls's *Political Liberalism*, so is more concerned with legitimacy rather than justice. Therefore, Rawls's view is that:

... it is illegitimate to force others to comply with principles that they could reasonably reject ... people of non-liberal societies do not necessarily endorse the liberal understanding of society as a fair system of cooperation among free and equal persons. (Wellman, 2012: 223)

Indeed, Rawls's political liberalism begins with "tradition of democratic thought" for its justifications, this theory works to the public culture of modern liberal democracies and the "shared fund of implicitly recognized basic ideas and principles' this culture supplies" (Talisie, 2001: 58) Rawls's theory of political liberalism 'avoids controversial philosophical claims and premises altogether'. In its applications, it stands independent in order to have a 'freestanding' view of justice for the basic structure of society (Talisie, 2001: 58). "[H]e rather asks us to imaginatively place ourselves in a condition specially designed to aid us in thinking about justice" (Talisie, 2001: 32). It is the 'original position': an original contract that does not attempt to explain "how societies arise and from where their authority derives" (Talisie, 2001: 32). Consequently, for Rawls,

These rights [human rights in *The Law of Peoples*] do not depend on any particular comprehensive religious doctrine or philosophical doctrine of human nature. The Law of Peoples does not say, for example, that human beings are moral persons and have equal worth in the eyes of God; or that they

have certain moral and intellectual powers that entitle them to these rights. To argue in these ways would involve religious or philosophical doctrines that many decent hierarchical peoples might reject as liberal or democratic, or as in some way distinctive of Western political tradition and prejudicial to other cultures. Still, the Law of Peoples does not deny these doctrines. It is important to see that an agreement on a Law of People ensuring human rights is not an agreement limited only to liberal societies. (Rawls, 2002: 68)

In fact, for Rawls, global justice is not about international moral obligations, but about how liberal states should deal with non-liberal states. The global justice question, for Rawls, is not a question of international obligations in general, although there are moral constraints and duties like the duty of assistance should be respected internationally. But the question, for Rawls, is how a liberal state should deal with both a non-liberal decent state and an outlaw state (Nagel, 2005: 134). It is “about what principles should govern the foreign policy of liberal society” (Nagel, 2005: 134). To clarify this point, we need to know (1) how the global justice issue is not a question of international obligations and (2) that it is about what principles should govern the foreign policy of liberal states to eliminate war: the great evil in human history.

Firstly, for Rawls, the egalitarian principles of domestic justice cannot be internationally extended because justice as a political value is not derived from ‘a comprehensive moral value’ (Nagel, 2005: 120). The requirements of justice are different internationally in so far as there is not ‘a unified sovereign power’ that governs the whole world. The political conception of justice Rawls adheres to is in fact anti-monism. It means that different principles apply to different types of entities or things (Nagel, 2005: 122). The egalitarian principles that govern individual members of different states “cannot be reached by extending to the international case the principles of domestic justice” (Nagel, 2005: 123). This is because arbitrary inequalities of race, sex, wealth generate differences, but eliminating these inequalities is not universally applicable (Nagel, 2005: 128). In fact, for Rawls, we have against all other persons or groups ‘negative rights’ “like bodily

inviolability, freedom of expression, and freedom of religion” (Nagel, 2005: 127). However, we do not have against all persons or groups ‘positive rights’ that are linked to the ‘socioeconomic justice’ like “rights to democracy, equal citizenship, non-discrimination, equality of opportunity, and the amelioration through public policy of unfairness in the distribution of social and economic goods” (Nagel, 2005: 127).

Yet global justice entails mutual respect and equality of status among peoples. This in turn requires: (1) placing moral constraints (non-aggression and fidelity to treaties) and (2) duty of some ‘development’ assistance to “peoples living under unfavourable conditions that prevent [them from] having a just or decent political social regime” (Rawls, 2002: 37). Like outlaw states, the burdened states must be brought into the community of well ordered-peoples, as Rawls affirms. It is a duty to assist them, though this kind of society is not aggressive or expansionist, but lacks both the right traditions and the proper materials needed to be well-ordered. The duty of assistance entails a duty of just savings in the domestic field of the burdened society. The aim of this principle of just savings is not to make society wealthy as “[a]society with few natural resources and little wealth can be well-ordered if its political tradition, law, and property and class structure with their underlying religious and moral beliefs and culture are such as to sustain a liberal or decent society” (Rawls, 2002: 106). However, the aim is to establish reasonable institutions that preserve justice and to secure social order within states. Executing the duty of assistance also requires respecting human rights and appreciating the political culture, religious and moral beliefs of the burdened society and helping them “to manage their own affairs reasonably and rationally and eventually to become members of the Society of well-ordered Peoples. This defines the “target” of assistance” (Rawls, 2002: 111).

Secondly, global justice is about the principles that should govern the foreign policy of liberal states in order to eliminate ‘the worst sources of human suffering’ that are the great evils of

human history. This understanding is advocated by Christopher Wellman (2012) who indicates that Rawls is interested in “how liberal democratic societies might justifiably go about the important project of eliminating the world’s great evils” (Wellman, 2012: 231). Wellman demonstrates that Rawls’s Law of Peoples is “rather a blueprint for solving a limited practical problem: ‘[h]ow can we eliminate the great evils of human history?’” (Wellman, 2012: 224): like unjust war, religious persecution, starvation, poverty, genocide etc (Rawls, 2002: 7). In this regard, Rawls illustrates that:

... [t]wo main ideas motivate the Law of Peoples. One is that the great evils of human history — unjust war and oppression, religious persecution and the denial of liberty of conscience, starvation and poverty, not to mention genocide and mass murder — follow from political injustice, with its own cruelties and callousness ... The other main idea, obviously connected with the first, is that, once the gravest forms of political injustice are eliminated by following just (or at least decent) social policies and establishing just (or at least decent) basic institutions, these great evils will eventually disappear. (Rawls, 2002: 6-7)

Consequently, imposing the Law of Peoples on the world by liberal societies (instituting the eight principles) is permissible as it is “an effective way to eliminate political incompetence and oppression” that causes human suffering (Wellman, 2012: 225).

In addition, Rawls does not suggest that individuals do not matter morally but he focuses on peoples rather than individuals because politically organised ‘empowered’ groups have proven historically to be the agents responsible for the great evils. Thus, they are the only party that realistically stands “the best chance of imposing the reforms necessary to eliminate these evils” (Wellman, 2012: 226). As Rawls’s major task in the Law of Peoples is limited to eliminating the problem of history’s great evils, by his definition, the decent hierarchical states do not cause such great evils, they are not part of the problem but like liberal states are part of the solution.

Likewise the West allied with the Soviet Union during the World War II, for instance, to fight against a common enemy, the Nazis. Therefore, all well-ordered states ought to work together to eliminate ‘the great evil in human history’, war. Rawls does not lay out a theory of an ideal and comprehensive code of international law in order to favour only liberal principles. His aim was rather to solve the limited practical problem of how to eliminate the great evils that still exist (Wellman, 2012: 227). Therefore, “a society need not be fully just in order to be reasonable” (Wellman, 2012: 226). And the protection of positive rights is not relevant to the question at hand. This does not mean that Rawls regards these rights as unimportant, but for him “their protection is not necessary to eliminate the severe political oppression upon which this project [The Law of Peoples] focuses” (Wellman, 2012: 228). He seems to strongly focus on the bellicose nature of outlaw states, “the tendency of rights-violating societies to wage unjust wars” (Wellman, 2012: 229). Therefore, what concerns Rawls is only a particular kind of conflict that involves the violations of more ‘minimal’ human rights because his task is to apply specific principles of the Law of Peoples “as an effective means to eliminate ‘the worst sources of human suffering’” (Wellman, 2012: 230).

Accordingly, one can conclude that toleration is grounded in the role of the special list of human rights Rawls made in order to achieve justice. Therefore, intervention and regime change are only allowed to eliminate injustice that occurred because of the violation of human rights, and not because of ideological differences. What makes Rawls support toleration of other well-ordered non-liberal societies is thus the fact that all societies that have decent political and social institutions should be respected and tolerated by liberal society as they are all reasonable and are informed by different conceptions of the good.

4.3.2. Michael Walzer, a pluralistic and tolerant liberal

Similarly to Rawls, I argue that Walzer rejects the imposition of a singular conception of the good as the best on all peoples. To support this argument, first, I show that this position is shown in his views that non-intervention is the general rule that must always be sustained. Second, I show that the minimalist moralism Walzer adopts clarifies why for him intervention is generally wrong and that the imposition of liberal values as universal values on the target state is to become a form of imperialism.

Firstly, non-intervention for Walzer is the general rule that must always be sustained although there are some exceptions to this rule. To understand this, one initially needs to grasp the relationship between the right of individuals' collective self-determination or the right in a political community and the moral minimalism that are theorized by Walzer. For Walzer, each individual has the right to live in a common political community. This right suggests that the social and political arrangements of a society are in fact its individuals' collective work that is a matter of their collective self-determination. Additionally, because tribalism is a constant characteristic of people's life, according to Walzer, the nature and number of people's identities will thus be different according to the differences in terms of their history, traditions, values and principles. There are thus many kinds of tribal associations for people. Consequently, first, people have to continually negotiate their differences to solve the problem of fear that is the main cause of antagonism within their own territory. Second, people will never be members of a single universal tribe as there is no specific version of values that can be universally applicable. Thus any supplanting of the social and political arrangements of people is an act of aggression that will breach their right in a common political community. Walzer's moral minimalism comes here to confirm that foreigners' understandings about injustice or wrongdoing in a political community of people cannot be fully right or even might be mistaken, as they cannot hold a correct and

thorough picture of what is really happening during a crisis from outside. Therefore, to satisfy the tribes or the political communities at risk, on behalf of the moral minimalism, there must be an international agreement to legalize people's political arrangements and choices whether by federal or con-federal legalizations and balances and, when necessary, international pressure and forceful intervention (Lee, 2010, Walzer, 1980, Walzer, 1994).

By advocating the moral rule of non-intervention, Walzer places limits on armed intervention. For him, intervention is morally prohibited except in certain circumstances: the first exception is assistance in the self-determination of people who exhibit their own particular political features and are already engaged in a military struggle for national liberation. Walzer indicates that when the rule of non-intervention is better off respected, it does not follow that other states should stay indifferent. He thus points out that:

... [w]e (Westerners, Americans, democrats) can offer moral, political, and ideological support; we can provide material aid of different kinds; we can launch diplomatic campaigns against the tyrannical government; we can shut down any trade that strengthens its hand. But the fight inside the country should remain just that—a fight among insiders. (Walzer, 2011: no pg)

However, when the intervention is necessary, that is, when it aims to help in self-determination, it is best carried out by neighbouring states. Thus, Walzer shows that:

... [w]hen intervention is necessary, neighbors are the best substitute for insiders. But when does “necessity” kick in - when the rebels have been utterly defeated, or when they are on the brink of defeat, or when too many of them are being killed? I would like to say, we will know necessity when we see it - (Walzer, 2011: no pg no)

The second exception is restoring balance between parties to a local struggle disturbed as a result of the intervention of a state in a civil war of another state (Walzer, 1977: 90, 97, 101). It is the case when a state wrongly intervenes in a civil war in another state. Walzer points out that:

... [f]or counter-intervention in civil wars does not aim at punishing or even, necessarily, at restraining the intervention states. It aims instead at holding the circle, preserving the balance, restoring some degree of integrity to the local struggle. It is as if a policeman, instead of breaking up a fight between two people, should stop anyone else from interfering or, if he cannot do that, should give proportional assistance to the disadvantaged party. He would have to have some notions about the value of fight, and given the ordinary conditions of domestic society, those would be strange notions for him to have. But in the world of states they are entirely appropriate; they set the standards by which we judge between actual and pretended counter-interventions. (Walzer, 1977: 97)

The third exception is in the case of serious violations of human rights by the state mostly in cases of imminent genocidal danger (mass murders, genocide, and enslavement). Walzer indicates that:

... [t]here is another sort of case, however, where we don't look for outcomes of that sort, where we don't want the local balance to prevail. If the dominant forces within a state are engaged in massive violations of human rights ... Against the enslavement or massacre of political opponents, national minorities, and religious sects, there may well be no help unless help comes from outside. And when a government turns savagely upon its own people, we must doubt the very existence of a political community to which the idea of self-determination might apply. (Walzer, 1977: 101)

Secondly, the imposition of liberal values as universal values is viewed by Walzer as a form of imperialism. Indeed, apart from the three exceptions to the non-intervention rule, Walzer seems to be reluctant to advocate intervention that aims at political reform so long as the tyrannical regime is not engaged in any act that is genocidal.

It isn't only aggressiveness, then, but also murderousness that makes a political regime a legitimate candidate for forcible transformation. Still, the primary cause of the intervention is to stop the killing; regime change follows from that purpose. An authoritarian regime that is capable of mass murder but

not engaged in mass murder is not liable to military attack and political reconstruction. (Walzer, 2006a: x)

However, Walzer justifies preventive or pre-emptive measures in case of inherently aggressive states that turn against their peoples, but are yet to engage in mass murder and/or in an actual aggression committed abroad. The argument he developed here is extended to the reestablishment of lawfulness after an intervention (Walzer, 2006a) that aims at not only stopping grave violations of human rights, but also at the protection of the victims through fostering their statehood. Accordingly, in case of an inherently aggressive and murderous regime; one whose brutality is apparent in its previous behaviour, the ideal form of intervention is to be conducted through an effective international system. The intervention should be timely, proportionate, preventive and depends on the use of effective collective measures of force and policies short of war, preventive force to foster the statehood when a state does not (Walzer, 2006a: xv, Walzer, 2006b). It may be that the only way that well-functioning states can develop is in the context of some form of imposed trusteeship or protectorate or shadow government (Walzer calls it 'long-lasting intervention'). External assistance seems to be essential to foster responsible statehood. For example, Walzer regards both America's and Saddam's war in 2003 as unjust. Saddam did not launch an attack on America for America to respond to by deploying a full war. However, he was defending his inherently aggressive and repressive regime, not defending his country. Nevertheless, for Walzer, the regime of an occupied country, such as the case of Saddam's regime, ought to be changed. As "denazification" was essential for post-Nazi Germany, "debaathification" is "a necessary political-military process" (Walzer, 2005: 165). Accordingly, Walzer states that:

... [w]e want wars to end with governments in power in the defeated states that are chosen by the people they rule – or at least recognized by them as legitimate – and that are visibly committed to the welfare of those same people (all of them). We want minorities protected against persecution,

neighboring states protected against aggression, the poorest of the people protected against destitution and starvation. (Walzer, 2005: 164)

According to Walzer, although the main motive behind intervention is to stop substantial and serious violations of human rights (mass murders, genocide, and enslavement), the targeted regime is eventually to be changed indirectly by its people or directly as an outcome of the justified occupation. It is here about changing the dangerous nature of the inherently murderous regime, not about reform intervention (Walzer, 2006a: xvi).

Moreover, any kind of imperial ambitions and/or seeking revenge renders the intervention unjustified. Additionally, if the interveners proceed in a way that makes a mess in the occupied country, the intervention is to be counted as unjust. The criteria for *jus post bellum* are built by Walzer out of the 2003 Iraq war, as a case in point. His *post-bellum* argument is stated as follows:

... [i]t seems clear that you can fight a just war, and fight it justly, and still make a moral mess of the aftermath – by establishing a satellite regime, for example, or by seeking revenge against the citizens of the defeated (aggressor) state, or by failing, after a humanitarian intervention, to help the people you have rescued to rebuild their lives. But is the opposite case also possible: to fight an unjust war and then produce a decent post-war political order? That possibility is harder to imagine, since wars of conquest are unjust *ad bellum* and *post bellum*, before and after, and so, presumably, are wars of economic aggrandizement. These two are acts of theft – of sovereignty, territory, or resources – and so they end with critically important goods in the wrong hands. (Walzer, 2005: 163)

What Walzer could find as justified is then not the use of preventive war but the use of the ‘preventive force’ that aims at containing the brutality of an inherently aggressive and murderous regime, apparent in its previous behaviours. The containment policies follow with ‘hope’ for producing a new democratic regime (Walzer, 2006a: xv). For example, the ‘preventive intervention’ in Northern Iraq that formed a non-fly zone in the 1990s was justified because it

prevented the massacre of the Kurds by Saddam's forces. This kind of intervention also created suitable conditions for regime change; that is, as a possible result of the containment policy exercised by the intervening states, there would be a strong anticipation of the Kurds' ability to form their own autonomous government without direct assistance on the ground. In such a scenario, the intervening states "are operating at the edge of the non-intervention principle but not in violation of it. If preventing aggression and mass murder is justified, then so is this indirect version of regime change" (Walzer, 2006a: xvi)

However, for Walzer, the 2003 war on Iraq was not a response to an act of aggression, such as the Iraq invasion of Kuwait 1990, or to a humanitarian intervention to stop on-going massacres. The war was a preventive war that aimed at changing the Baathist regime in Baghdad, because it was inherently an aggressive regime in nature and committed mass murder against its own people. The cause, then, was not an imminent danger posed by the Iraqi regime, nor its possession of, or capability to produce, weapons of mass destruction. What excuses the Bush administration had offered were an inclination towards a new perception or an expansion of the right to wage a war. This new insight is to allow democratic states to launch a preventive war to stop the evil that inherently brutal, repressive and aggressive regimes of such states as Iraq under Saddam Hussein were 'capable of doing or [had] done in the past' but 'not the evil that [they] are doing' now (Walzer, 2006a: xiii). According to Walzer, to effectively succeed in avoiding full-scale war and massacres, preventive force should be collectively used; that is; there should be a real commitment by many states to cooperate, "[c]ollective security depends on collective recognition"(Walzer, 2006a: xvi). Preventive force or "force-short-of-war" can include weapons embargos and other sort of smart sanctions such as the oil-for-food programme of the United Nations in Iraq after the first Gulf War in 1991.

What is more, in Walzer's ideal situation, interveners could be a global common agent or single states. The first has greater legitimacy, and the interveners must be ready to leave (Walzer, 2000: page xv) once the human rights violations have been stopped as best proof of the pure moral humanitarian intention (Walzer, 2005: 155-156). Full war is better avoided, Walzer points out (Walzer, 2006a: xviii). However, it does not follow that the threat to wage it should not be used. Such a threat would strengthen and enforce the global rule of law (Walzer, 2005: 155-156). To avoid wars such as the 2003 war on Iraq, Walzer indicates that the focus should be on the establishment of,

[A] strong international system, organized and designed to defeat aggression, to stop massacres and ethnic cleansing, to control weapons of mass destruction, and to guarantee the physical security of all the world's peoples. (Walzer, 2005: 155)

This international system becomes real if all its agents or states "take responsibility for the global rule of law and that they be prepared to act, politically and militarily, with that end in view" (Walzer, 2005: 156). The system should work to strengthen its means such as threatening to launch a big or extended full war. For instance, the United States' threat to go to war against the Iraqi regime before 2003 made the inspections more effective and strengthened the inspection system.

Walzer also adds that although humanitarian intervention is a duty and morally praised as it goes beyond the basic duties of humans, it is still an imperfect duty because it depends on the subjective preferences of its agents (Walzer, 2000: xiii). Even if intervention is morally permitted, there is no specific agent in the international community that is morally assigned to intervene to prevent or stop a massacre. Accordingly Walzer points out that:

... [t]he general problem is that intervention, even when it is justified, even when it is necessary to prevent terrible crimes, even when it poses no threat to regional or global stability is an imperfect duty-

a duty that doesn't belong to any particular agent. Somebody ought to intervene, but no specific state in the society of states is morally bound to do so. (Walzer, 2000: xiii)

To sum up here, Walzer rejects intervention but with exceptions in three cases: the help in self-determination, the counter-intervention in a civil war and the case of genocide or mass murder. He prefers avoiding full war by using collective preventive measures to protect the victims of oppression of tyrannical states by changing the inherently aggressive nature of such regimes. Walzer's focus here is on the removal of violations of people's rights to self-determination, and not on changing the ideological-political character of the regime.

What is more, Walzer's minimalist morality makes the aim of intervention mainly concerned with changing the dangerous nature of the inherently murderous regime, not with the ideological reform or regime change (Walzer, 2006a: xvi). For him,

A minimalist view is a view from a distance or a view in a crisis, so that we can recognize injustice only in the large. We can see and condemn certain sorts of boundary crossings, gross invasions of the domestic sphere ... But we won't have much to say about the precise boundaries ... Minimalism gives us no access to the range of social meanings or the specific forms of distributive complexity. (Walzer, 1994: 39)

For this reason, Walzer rejects liberal values as universal values. In this regards, he states that "[b]ut moral minimalism, while reasonable enough and universal enough, has no imperial tendencies; it doesn't aspire to global rule" (Walzer, 1994: 64)

Walzer thus regards the thought that justifies reform intervention as legitimizing the imperial cause. The imposition of liberal values as universal values is viewed by Walzer as a form of imperialism. For Walzer, the 'internal factor of every morality' is the dualism of meaning: minimal and maximal or thin and thick. Thin morality indicates a "set of universal meanings for principles as saying, "[m]en and women everywhere begin with some common idea or principle or set of

ideas and principles, which they then work up in many different ways” Whereas ‘morality is thick from the beginning’, it is “culturally integrated and, fully resonant, and it reveals itself thinly only on special occasions, when moral language is turned to specific purposes” (Walzer, 1994: 2-4). Walzer here wants to deliver the following message: we cannot impose liberal values on other non-liberal societies claiming that they are universal values. The intervention that aims to generate liberal democratic political rule could create a ‘misfit’ as the new form of government imposed cannot be compatible with the cultural aspect of people of the intervened-in state. The intervention for reform is thus morally unjustifiable because it violates people’s political rights to choose a suitable way in which to run their political life. Walzer explains why such reform intervention is wrong by indicating that:

... what goes deepest for one groups (personal salvation or the knowledge of God, say) is likely to mean little to another – so that the first group is hard pressed to understand how members of the second group can possibly be moral men and women ... We are constantly surprised by goodness in others ... [Thinly,] We share some values with these others, including important values, for which it is sometimes necessarily to march (and sometimes to fight). (Walzer, 1994: 18)

Walzer defends the minimal rights of people who are unknown (abstract individuals). However, ‘rights in detail’ are rights that are ‘thickly conceived’ belong only to concrete men and women who are, as Karl Marx and Friedrich Engels argue in *the German Ideology*, individualized in society¹. “Since I know very little about their society, I cannot foist upon the Chinese [for example] this or that set of rights ... they must make their own claims, their own codifications (a Chinese bill of rights?), and their own interpretative arguments” (Walzer, 1994: 60-61).

¹ Human nature has a developmental character makes human differentiated from others animals by virtue of the development of the capacity of individuality: having many particular abilities and faculties like language and imagination.

The question that follows here is why there are exceptions to non-intervention and reform intervention. In fact, all exceptions revolve around Walzer's conceptions of moral minimalism and the right of people in a political community.

Firstly, as Walzer states, we have to negotiate our differences consciously because the nature and number of our identities or ourselves will be different in terms of history, traditions, rituals, ideals, principles and values (Walzer, 1994: 83, 85). As Walzer points out, the social differentiation of the self occurs in domestic society, while cultural differences are brought about in multi-national states or in international society. Therefore, toleration at the domestic level "solved the problem of fear [that is the major cause of national antagonism], by creating protected space for a great diversity of religious practices" (Walzer, 1994: 77,78).

Furthermore, on the international level, tribalism as "a permanent feature of human social life", according to Walzer, is defined in "the commitment of individuals and groups to their own history, culture, and identity" (Walzer, 1994: 81). And there is no particular version of tribalism. This leads to the fact that, as Walzer affirms, "our common humanity will never make us members of a single universal tribe ... we only participate, all of us, in thick cultures that are our own" (Walzer, 1994: 83). Therefore, a great variety of arrangements ought to be expected and welcomed (Walzer, 1994: 83, 85), as Walzer indicates, because not all nations have 'liberal constitutional protection'. What is then required to satisfy the tribe or a community at risk is,

[A]n international consensus that validates a variety of choices, supporting any political arrangements [Such these arrangements could depend on] federal or con-federal checks and balances and ... international pressure - and, when absolutely necessary, forceful intervention - on behalf of the moral minimalism. (Walzer, 1994: 80, 81)

Secondly, the same rationale people's right in a political community, for which Walzer rejects intervention and reform intervention, may be used to justify his exceptions for non-intervention.

Walzer advocates the idea that a state exists on a moral assumption: a fit between people (the community) and their government. This is due to the fact that the nature of political life is not the state but the political community (people and government together). The nature of political life is both (1) a contract that is a kind of moral understanding of community for a long time and (2) a communal integrity that is the right of people to live as members in a historic community, and to express their inherited culture and political forms (Walzer, 1980: 211). Therefore, the moral basis continues as long as there is a fit between government and community with exceptions. The reason for this is concerned with both (1) the need for a state to protect human rights, and (2) for the preservation of diversity and order in international relations. For the former, human rights do not exist in a vacuum but require political institutions to define, prompt, and protect them. In the absence of a global political community, the state is the primary embodiment of political association (the political association itself is a human right). Walzer shows that:

... [r]ights are only enforceable within political communities where they have been collectively recognized, and the process by which they come to be recognized is a political process which requires a political arena. The global is not, or not yet, such as arena. (Walzer, 1980: 226)

For the latter, the preservation of both diversity and order at the international level, the intolerance through military intervention violates two rights. The first is the right of people to live without interference by foreigners in their political community (state) as government is the instrument that citizens use to secure their internal and external security. The second is the right of the state itself to political sovereignty and territorial integrity as a member of the society of states (Walzer, 1980: 208-210). However, both of these rights are separate; therefore, there could be a tyrannical government that represses its citizens' common life but still has its rights against foreigners. Even when the government becomes repressive, foreigners cannot act to intervene on

the basis of the argument that such a state has no right because they do not know enough about the state: its history, culture, harmonies and conflicts. Only citizens have the right to rebel. This right cannot transfer to foreigners because such a right is only enforceable within the political community. This is why foreign states cannot join a civil war, when no other states have joined (Walzer, 1980).

Furthermore, this right can no longer be used as a justification against military assistance or intervention that is provided for a people who have clearly demonstrated their special political characteristics and have already engaged in the struggle for national liberation or self-determination. This is because each citizen has the right of individuals' collective self-determination. Any attempt to hinder the process of forming new social and political arrangements of people by others such as their own government or a foreign power is an act of aggression. This also entails saving the integrity of the local struggle for self-determination (counter-intervention) when other states have intervened in an ongoing process of self-determination or civil war. However, without the right in a political community, people cannot protect their human rights, sovereignty and the integrity of the territory of the state. In case of mass murder, genocide, enslavement and grave human rights violations, a political community requires protection because such serious violations are too grave to be a matter of domestic consideration. These kinds of violations of human rights are acts that 'shock the moral conscience of mankind' and threaten the very existence of a political community.

For the justification of the last exception, preventive measures or long-lasting intervention are to be used in case of an inherently aggressive regime. These measures include the pre-emptive use of force-short-of-war to foster statehood when a state does not or cannot; as, for Walzer, the only way to keep the target state well-functioning and able to develop is sometimes to apply some forms of imposed trusteeship, protectorate or shadow government. The justification of this

exception is linked to the previous one; in that the grave violations of human rights, including massacres, ethnic or religious cleansing, and other similar actions that are committed by a people's own government, in fact, threaten the actual existence of the political community itself, which is the basic right of individuals, the right in a political community. Therefore, when it is reasonably believed that a genocidal act is being planned and more likely to happen imminently, it may be the right time to use preventive measures such as a no-fly zone to prevent violence and to control the aggressive regime and sometimes even impose a kind of political transformation. This is to happen as a part of the intervening party's responsibility to protect to ensure that the government or the reformed political community will not again fail to perform its responsibility to protect its own people's human rights. In other words, it is to make the right of individuals' collective self-determination revives (Lee, 2010, Nardin, 2013).

Walzer's view on global tolerance in terms of his approach to war has been criticized as being "political rather than philosophical, a matter of persuasion rather than proof" (Nardin, 2013: 68). And that in Walzer's theory of non-intervention, there is an attempt to build a society of states similar to that of individuals in domestic society. Therefore, "[i]ndividual rights to life and liberty correspond to states' rights to territorial integrity and political sovereignty" (Beitz, 2009: 326). Exceptions to the theory of non-intervention only apply when these rights are violated, therefore, using force is justified to defend against violations and to punish the violator. Walzer considers that because of "our recognition of diversity and our respect for communal integrity and for different patterns of cultural and political development" (Beitz, 2009: 328), the principle of legitimacy is morally defensible. However, as Beitz claims, international toleration in classical liberalism is a condition of peace among states. Kant's concept of global justice is best understood as the requirement of mutual toleration that results from the legacy of the reorganization of the political system in Europe at the conclusion of religious wars. Contrarily, in

Walzer's view, international toleration is to "protect the autonomy of communities conceived as having an existence apart from their embodiment in states" (Beitz, 2009: 331).

Consequently, Beitz shows that society of states' theorists will refuse this view of Walzer; they would argue that the nation has no particular social character to be capable of existence apart from the state. Therefore, it is difficult to believe that the right of self-determination Walzer advocates inheres in or belongs to the social group rather than the political state. This is because the judgment that must be respected in the exercise of sovereignty belongs to the government or the ruler of the state, not to the group or community that composes the nation (Beitz, 2009: 331). In fact, for Beitz, Walzer seems to advocate an excessively wide conception of global justice with a view of society of peoples. However, the problem of such a just global political order is how to manage this pluralism in terms of mutual toleration among political societies (Beitz, 2009: 332). In the real world of global politics, the emergence of super-structures (international institutions and norms of human rights) in international society makes the possibility of the international enforcement of such norms of human rights viable. In fact, as a result of the character of actually existing states it makes no sense for us to "conceive ... most modern states as relatively autonomous arena of development" (Beitz, 2009: 333). Additionally, Beitz argues that there is a possibility of conflict between the values of self-determination and human rights. The justification of humanitarian intervention seems to appeal to a different order of values than that of the self-determination that Walzer advocates (Beitz, 2009: 335).

Beitz would be right in this assessment if Walzer was Hobbesian in his intellectual commitments in order for him to believe that civil society is only established when the sovereign is created through a social contract to end the condition of violence or 'the state of war of all against all'. Walzer's position in this respect is not merely Hobboisan or Kantian but it appears to be Lockean in character. In his liberal character, he advocates the Lockean idea of the

establishment of a society regardless of the existence of the state that endorses the right of individuals to establish society and then a state on the basis of the majority.

To conclude, in the previous two sections, I addressed Rawls and then Walzer's arguments on militarily backed humanitarian intervention, demonstrating that their arguments are explicitly strongly liberal, and highlighting some criticisms and defences of them not being liberal enough. I illustrated how both of them seek to reconcile liberalism with tolerance internationally, yet they are still counted as liberal. Motivated by the concept of the respect of state sovereignty and of cultural and religious plurality internationally, they place limitations on intervention, especially the kind of intervention that aims at imposing universal values. Their liberalism offers a viable alternative to the orthodox liberalism.

Many liberal thinkers have criticized them for being inconsistent or limited in their commitments to the core liberal values when they theorize global tolerance. The critics hold that Rawls and Walzer are tolerant only to the extent that they are prepared to be not liberal; in that they have been able to reconcile liberalism with tolerance internationally only by sacrificing consistency with liberal commitments to ultimate values of individual and human rights. Despite criticism of non-interventionist or pluralist liberalism, the liberal tolerance of both Rawls and Walzer demonstrates the feasibility of a peaceful non-interventionist liberalism that can offer a feasible alternative to orthodox interventionist liberalism. Walzer's liberal commitment, for example, does not drive him to believe that liberalism is the best concept of the good and that it must be imposed on other peoples and countries internationally when the opportunity of humanitarian intervention occurs. Similarly, for Rawls there is more than one conception of the good. Therefore, Rawls rejects the "traditional way of thinking about the nature and objectives of liberal political theory" (Talisie, 2001: 58) that looks to human nature or to God for its justifications. Indeed, liberal theory generally begins with moral and theological claims about

human nature. Such theory draws its support from some comprehensive philosophical or religious doctrine in order to be applicable to the political realm (Talisie, 2001: 58). “For the comprehensive theorist, then, a theory of justice is not a freestanding philosophical view, but is always in need of the support of what might be called a ‘background’ theory” (Talisie, 2001: 57). In fact, Rawls and Walzer’s major concern is regulating the political relationship among peoples and states in order to achieve justice and peace at the global level. They are not concerned with defending or imposing moral liberal claims on non-liberal states.

4.4. Conclusion.

In this chapter, I have delved into the discussion of liberal approaches to global tolerance in relation to militarily backed humanitarian intervention, distinguishing between two liberal approaches: the first is the orthodox liberalism, that is driven by ideological reform intervention to enforce liberalism as the best conception of the good, and the second is the pluralistic liberalism, that is guided by non-intervention as a general rule and refuses to impose liberalism as the best conception of the good. I show that while the latter is tolerant, the former is too belligerent and intolerant in a way that is similar to some fanatical religious thinkers in terms of enforcing will and belief. I also show that the orthodox liberals are belligerent not only because they are ideologically driven in their motivations with regard to military interventions since they see imposing liberalism as the only conception of the good as an indispensable outcome of an intervention, but also because, consequently, such liberals cannot be non-interventionist. This is because for them the intervention is endorsed not only if a state violates its citizens’ rights and the violation is truly grave, but also for the sake of justice and just political institutions in the liberal sense at the international level. Subsequently, they would not tolerate non-liberal regimes and would transform the targeted regime into a liberal one if they were in a position to intervene in the name of the protection of human rights. Conversely, some liberal approaches are not

belligerent because they do not have these particular features, and this makes such liberals desirable although at the cost of appearing not very liberal as their critics claim.

More specifically this chapter also indicates that both Teson and Nardin are strong advocates of military intervention. What makes their interventionist position too belligerent is that it is ideologically based; liberalism for them is the best way of life and thus all people everywhere should share and advocate this liberal conception of the good. Both Teson and Nardin advocate humanitarian intervention regardless of the sovereignty of the state and the cultural differences between peoples. They also advocate liberal reform intervention in the targeted regime. While Teson is straightforward in announcing that this transformation must be liberal, Nardin does not indicate what the transformation is, although there are no reasons why the new regime should not be democratic: this is due to the fact that the removal of the injustice to the victims – Nardin's announced objective – cannot be guaranteed except under democratic circumstances allowing the removal of the violations of individual human rights forever. However, for Rawls and Walzer, the general rule is non-intervention; they hence restrict liberal transformations; and although they advocate militarily backed humanitarian intervention one way or another, they do not do so for the sake of imposing liberalism through political reform. For them, changing the inherently aggressive nature of the target regime is to occur only as a practical and indirect political consequence of the necessary political-military process of humanitarian intervention, rather than as a result of their belief that liberalism is the best way of life and that all people, societies and states must share this belief as their own concept of the good. In addition, the kind of rights Rawls and Walzer defend internationally are different from those advocated by Teson and Nardin. For Walzer, there is one right to defend as all other rights including human rights derived from it: it is the right of self-determination or the right of people to form and live in a political community. For Rawls, the rights that apply internationally are only a list of urgent human rights, not all liberal human rights.

One can strongly indicate here that if true liberalism is a monistic exclusionary one, one could claim that liberalism as a secular philosophy is inherently prone to an intolerant interventionist attitude towards those with different ideological views. Apparently, Teson and Nardin's attitude mirrors the view on religion and bellicosity that we encountered in the first chapter with the neo-atheists and the neo-orientalists, which we refuted by showing the tolerance and non-interventionist elements in the religiously informed theories of Alfarabi (chapter two) and Vitoria (chapter 3). Similarly this chapter refutes the notion that liberalism is intolerant by nature and shows that liberalism as well as other religious views cannot be intolerant by nature. This is due to the fact that some liberals are not inclined to impose liberal moral rights internationally and consider other political principles that require compromising some liberal principles.

In the end, one can point to the fact that because of its commitment to a monist conception of the good, orthodox liberalism points towards bellicosity and that this is analogous to some fundamentalist religious views like that advocated by Al-Qaida and other religiously inspired terrorist groups. However, this cannot be seen in both the pluralistic liberalism and Vitoria's and Alfarabi's religiously inspired theories, which explains what the genuine cause of bellicosity is and that religion is not necessarily bellicose.

In the following chapter I will delve into the discussion that such aggressiveness could be explained in the kind of relationship between the moral and the political in the theory rather than in the actual nature of the belief or ideology.

5. Inquiry into the Problem of Ideologically Driven Violence and Its Solution

5.1. Introduction

Previously we established that both Alfarabi and Vitoria have found ways to reconcile religion and politics without downgrading religious doctrines and thus generally produced peacefully oriented theories on war and just war. We also found that violence can be motivated by ideological commitments framed not only within religious thought, but also within secular thought. We have seen this in the views on humanitarian intervention highlighted by some liberal theorists like Fernando Teson and Terry Nardin, who tend to justify the imposition of the liberal conception of the good on others, when there is a chance to intervene militarily. On this basis I concluded that violence is not integral to religion; and religion as an ideology cannot be the domain in which we understand the belligerent tendency of some religiously inspired political actors: persons, groups and states. However, the reason why some religiously guided actors are belligerent is the forceful monism.

In this chapter, I propose that an understanding of the belligerent tendency of both religiously and non-religiously inspired political actors is located in the relation of politics and religion to morality; i.e. violence and war against others with different conceptions of the good seem to result from a deformation in the relation between religion, morality and politics. The relationship between both what is religious and what is political to morality tends to be utopian and impractical which in turn gives rise to intolerance and violence in the public political sphere. The problem is that such a one-sided morality dominates practical politics, excluding other conceptions of the good and leaving no space for rational/practical politics to influence the public political sphere. This eventually gives rise to monistic and exclusionary politics, and

consequently to political violence and war. A one-sided value system of religiously derived moral doctrines cannot be exclusively action-guiding in politics without being forcefully imposed on other people. And so, if such a system has been enforced in politics it works like a mediating factor inducing intolerance, conflict and bellicosity.

This chapter thus aims at interrogating the idea that to overcome the propensity to conflict, one ought to consider politics and political thinking as freed from exclusionist morality and in opposition to violence. First of all, it is significant to end the dominance of a one-sided morality over the terrain of politics; one-sided morality whether religiously derived or not should not be the exclusive action-guiding principle/theory in politics because the political power or authority resulted in will dominate over morality in society. In this way politics becomes a direct application of a particular moral order and conflict appears as a result. Secondly, it is important to separate politics from violence, in that we need to understand politics as an attempt to create and enhance non-violent forms of better political life for human beings.

In fact, the empirical diversity in ethical beliefs in any political-civil association as a historical fact postulates that there are several values which are possibly equally correct and yet contradict each other. A plurality of belief encompasses different and sometimes contrasting views regarding the best forms of life that people should live. This leads people with contradicting beliefs to be in disagreement and conflict with each other, at least in theory. The state as the political expression of people's association is generally assumed to manage this kind of disagreement as part of its political practices at both national and international levels. It may incline either to negotiate or mitigate it, or to escalate it. Respectively the aim of the state here might be to prioritise the common good, or to support varying social groups at different times regardless of any moral preferences, at the very least aiming to guarantee the stability and continuance of the political-civil association. Or its goal might be the attainment of glory for its leaders or for private

interests, or to further the social views of its ruling group, or of a certain social class at the expense of other groups' interests and views. For example, the state may endorse only one way of life as the best conception of the good. This way of life may be believed to be the most suitable for humanity as a whole, and bring with it a single set of purposes to pursue in life, and a single set of arrangements or virtues that everyone, both inside and outside the state need to commit themselves to in order to realize.

What I am mainly concerned with in this chapter is how a political actor or agent such as the state becomes violent and thus goes into conflict with other states, motivated by a political attitude originally inspired by its ideological, moral or religious preference; and how such morally or ideologically inspired violence can be reduced or halted in the political public domain both domestically and internationally. To this end, I will first show that there were attempts to link religious violence to politics in the European Enlightenment that are related to the idea of monism that this chapter highlights. I thus respectively clarify how Enlightenment figures such as John Locke, David Hume and Jean-Jacques Rousseau offer interpretations of why religion is sometimes associated with violence in relation to politics. Secondly, I will try to indicate where the problem is; if it is not religion itself, what actually causes the violent tendency of the state? Seeking to illuminate how things can go wrong in terms of the relationship between morality and politics, I follow Reinhart Koselleck's argument in *Critique and Crisis* (1988) and argue that the violent tendency of the state and other political groups and actors appears when a strong single conception of morality is conceived independently of politics – the domain of public space – and is then imposed on politics by those who want to realize it in the public sphere for many virtuous or idealistic reasons like salvation and value monism. Thirdly, as Koselleck only provides an explanation of what went wrong in Europe, I address John Gray's view that the sociological historical explanation of the problem in Europe is also relevant to radical Islam, arguing that it is almost the same story, or it complements it. Fourthly, in the search for what such a problem

implies, I illustrate two potential elements of the solution: reasonable disagreement, and value pluralism. I argue that adopting such conceptions in political life, in both theory and practice, regarding the relationship within and between societies would be to guarantee a reduction of the violence driven by ideologically comprehensive doctrines.

5.2. The Enlightenment and the problem of religious intolerance

This section reviews a line of argument found in some of the most prominent Enlightenment thinkers; the discussion of the problem of religious fanaticism and violence is mainly concerned with the relationship between religion and politics. Enlightenment thinkers, I argue, have treated the problem of religious fanaticism as a relational problem between religion and politics rather than as a structural problem within religion itself, as we demonstrated in the first chapter with the discussion of the neo-atheists and the neo-orientalists. For them, the problem of violence and war in relation to religion is not merely caused by the religiosity of people or society, but rather is caused by a deformation in the relationship between religion and politics. Indeed, in the views of the three influential Enlightenment thinkers, John Locke, David Hume and Jean-Jacques Rousseau, it seems that ending religious violence occurs either through terminating the relationship between religion and politics by completely separating them from each other (Locke) or through re-establishing the relationship between religion and politics by combining them with each other again in order to limit the scope and validity of religious authority, but without ignoring the actual effects of religion in real life (Hume), or through ending the existing conventional relation of religion to politics by eliminating established religions and creating a civil religion instead, which will play right its role in achieving peace (Rousseau). However, what is certain is that they do not call for ir-religiosity as the neo-atheists and neo-orientalists appear to be doing. Thus, next, I will illuminate the positions of these thinkers in relation to their explanations of how and why religious violence and belligerence are linked to politics.

5.2.1. *Locke's separation of religion and politics to end religious violence*

According to Locke, the involvement of religion in politics and *vice versa* eventually will give rise to intolerance, violence, and belligerence, and in turn the violation of people's natural rights¹ (Goldie, 2010: 11, 13, Locke, 2010: 36, 37, 45). Consequently, he seeks to completely separate religion and political power from each other to end religious violence.

Indeed, Locke advances a theory to end religious violence, war and the violation of natural rights (Dunn, 1969: 165-186). For him, the crucial matter is how to stop such a violation from inciting civil anarchy and war in society. His answer is in dissolving the relationship between the religious authority and the political authority, because religious power and the political have different business. Indeed, to separate the state authority from religion, Lock tries to build a "trade-off between freedom and political constraints" (Creppell, 1996: 204). Locke thus affirms that the political authority cannot be given the right to convert people to its religion. In this respect, he refers to four instances.

Firstly, it is a 'misapprehension' to believe that religious conversion by coercion could alter people's behaviour and indirectly convince their minds, as beliefs are generally inherited. Christianity in essence, according to Locke, adheres to 'peaceable means' and does not give authority to anybody or any magistrate to use compulsion to alter others' faiths. This kind of religious compulsion is ineffective, Locke argues, because religious belief is 'a matter of inward conviction' (Goldie, 2010: 9). Accordingly, Locke refuses to accept the right of anybody or any

¹ When Locke attacks religious zealots or enthusiasts, he has been "deeply fearful of civil anarchy driven by religious fanaticism" (Goldie, 2010: 13). He has been hostile to enthusiasts, in particular the nonconformists or the non-adherents to the Anglican Church. Locke believes that they had 'no ground for objecting to the imposition of order' (Goldie, 2010: 13). He shows this as follows: "Nobody therefore, in fine, ... neither single persons, nor churches, nay, nor even commonwealths, have any just title to invade the civil rights and worldly goods of each other upon pretence of religion. Those that are of another opinion, would do well to consider with themselves how pernicious a seed of discord and war, how powerful a provocation to endless hatreds, rapines, and slaughters, they thereby furnish unto mankind. No peace and security, no not so much as common friendship, can ever be established or preserved amongst men, so long as this opinion prevails, that dominion is founded in grace ... and that religion is to be propagated by force of arms" (Locke, 2010: 45)

civil authority to claim the privilege of access to the 'truthful' belief. Any attempt, then, to impose one religion as the only and righteous truth is a persecution (Tate, 2010). Tate (2010) thus emphasizes that in Locke's account, religion is a matter of soul and people did not originally consent for the civil authority to have power over their souls, or their religion. Locke, indeed, assures this notion by indicating that:

... the care of souls is not committed to a civil magistrate any more than to other men. It is not committed unto him, I say, by God; because it appears not that God has ever given any such authority to one man over another, as to compel any one to his religion. Nor can any such power be vested in the magistrate by the *consent of the people*; ... because no man can so far abandon the care of his own salvation, as blindly to leave it to the choice of any other, whether prince or subject, to prescribe to him what faith or worship he shall embrace. For no man can, if he would, conform his faith to the dictates of another. All the life and power of true religion consists in the inward and full persuasion of the mind ... (Locke, 2010: 39)

Locke demonstrates here that God did not give any of His authority to any person, or to any civil administration, to impose by force their own religious belief. Thus, no-one and no civil authority can associate itself with jurisdiction over the salvation of human souls. This kind of jurisdiction cannot be vested in them even by people's consent, because nobody can blindly give up the care of his own salvation and leave it to be under the dominion of others, whoever they are. Faith cannot be adjusted depending on others' dictates because the true religious belief of men requires an inner absolute persuasion of an individual's mind.

For Locke, secondly, using coercion to impose a particular faith is wrong because the enforced outward belief would not be able to secure the 'converts' salvation'. This is because there is only one religious truth and nobody and no civil authority can claim to have access to it and cannot,

thus, guarantee for the enforced converters to have it too. The reason for this is that, as Locke articulates,

The care of the salvation of men's souls cannot belong to the magistrate; because, though the rigour of laws and the force of penalties were capable to convince and change men's minds, yet would not that help at all to the salvation of their souls. For there being but one truth, one way to heaven; what hopes is there that more men would be led into it, if they had no other rule to follow but the religion of the court; and were put under a necessity to quit the light of their own reason; to oppose the dictates of their own consciences; and blindly to resign up themselves to the will of their governors, and to the religion, which either ignorance, ambition, or superstition had chanced to establish in the countries where they were born? (Locke, 2010: 40)

In view of that, the civil authority does not have the power to persecute individuals to compel them to its religion for the objective of securing 'religious uniformity'. The reason for this is that such religious persecution would not guarantee that the 'enforced converts' are going to have true belief. The enforced belief, because it is outward, would not be able to secure the 'converts' salvation'. Even though the civil authority's concern was to insure that the religious belief imposed is real and sincere, there is only one religious truth and nobody and no civil authority can claim to have the privilege of access to this truth. Therefore, the civil authority cannot command any individual to deny or to quit his or her belief, that he/she has adopted depending on his/her own reason and self-consciousness.

Thirdly, Locke argues that the state and the Church are different and distinct in terms of their own business. Although asserting that the state should be Christian, but restrictively within its own 'governors' private selves', Locke does not believe that the state could be the means to save people's souls. Similarly, religious opinions cannot be the ground on which any sort of 'civil

discrimination' could happen (Goldie, 2010: 8). Locke (2010: 53) identifies this thought in 'A Letter Concerning Toleration' by stating that:

... [n]o man whatsoever ought therefore to be deprived of his terrestrial enjoyments, upon account of his religion. Not even Americans [the Indians], ... subjected unto a Christian prince, are to be punished either in body or goods, for not embracing our faith or worship ... If they are persuaded that they please God in observing the rites of their own country, and that they shall obtain happiness by that means, they are to be left unto God and themselves.

Locke indicates here that a man cannot be deprived of his rights to enjoy the benefits of mundane interests, such as belongings or properties, upon pretence of religion. This principle is also to apply to the Indians who were under the authority of Christian princes: the Spaniards. They ought not to be punished for their refusal to believe in Christianity and its deeds. It must be left for them to determine, and for God to judge the original religious ritual practices of their country, that they believe in and perform.

Finally, Locke also believes that the state should not be given the right to convert people to its religious belief because if the right is given to a 'confessional state' to enforce a 'truthful' belief over other people's, the same argument could be applied to other confessional states elsewhere. Other confessional states will be justified like the former state in their attempts to compel the others to their own truths, that are supposedly true too (Goldie, 2010: 8).

One can conclude that both by restraining 'unreasonable impulses', which lead to fanaticism, violence and war and completely separating religion and political power from each other, Locke ends the involvement of religion in politics and *vice versa*.

5.2.2. *Hume's combination of religion with politics for ending religious violence*

For Hume the separation of religion from politics or political life will certainly give rise to violence; and thus a kind of combination between the religious and the political is necessary in order to solve the problem of religious fanaticism.

Hume criticizes those philosophers who call for the separation of religion from politics in common life describing their philosophy as being false. For him this 'false' philosophy calls for its independence from custom and religion; it rejects custom and religion as prejudices and lays stress on separating custom from political life. But this attempt does not weaken religious power. Instead it strengthens it at the expense of political power and creates a kind of autonomy for each. Thus, a strong religious authority separated from the political authority will give rise to religious fanaticism: the spirit of persecution and violence. Hence, Hume suggests solving the problem of religious fanaticism by calling for a 'true' philosophy in which social custom and religion are combined with politics and maintained in a rational and purposeful way, in that it is possible for philosophers to acquire knowledge of reality and be aware of the effects of custom and religion. And by doing so, reason will be brought into custom and religion¹ (Hume, 1987a: 54) so that it is possible to critically transcend their irrational effects and attain a truly benevolent, tolerant, philosophical standpoint (Livingston, 1998: 21-22, 28, 29-30, 31-32, 34-35).

Indeed, for Hume, a strong religious authority separated from the political authority will give rise to religious fanaticism: the spirit of persecution and violence; in that, because of the separation, religious power will be stronger and the authority of priests will not give much consideration to

¹ According to Hume, it appears that custom and religion should not be separated from political life or politics. To explain why a combination of the two is better, he points out that reason must be brought to custom and religion through politics. In this respect, Hume shows how "[m]ost religions of the ancient world arose in the unknown ages of government, when men were as yet barbarous and uninstructed, and the prince, as well as peasant, was disposed to receive, with implicit faith, every pious tale or fiction, which was offered him. The magistrate embraced the religion of the people, and entering cordially into the care of sacred matters, naturally acquired an authority in them, and united the ecclesiastical with the civil power. But the *Christian* religion arising, while principles directly opposite to it were firmly established in the polite part of the world, who despised the nation that first broached this novelty" (Hume, 1987a: 54)

non-religious logical rules or laws issued by legitimate political authority. And the separation between political or civil power and religious power will also give rise to a 'spirit of persecution' that in turn will lead to 'factions from principle' and 'factions from interest'. Thus, divisions or factions that are caused by reasoning upon opposite religious principles will make the 'rage' crueller, to the point where the nature of the human mind becomes savage (Hume, 1987a: 53-55). Therefore, what Hume wants to say is that religious radicalism would be weaker in a confessional state. Hume's argument is that because of the authority of priests, and of the separation between civil and religious power, a 'spirit of persecution' has emerged, and this has led to factions of principle and of interest as well. In this regard, Hume (1987c: 271) emphasises that:

... the present fury of the people ... is in reality incited by the fanaticism of religion; a principle the most blind, headstrong, and ungovernable, by which human nature can possibly be actuated. Popular rage is dreadful, from whatever motive derived: but must be attended with the most pernicious consequences, when it arises from a principle, which disclaims all control by human law, reason, or authority.

Accordingly, in reality, religious fanaticism made people's anger intense and violent as it makes the nature of human mind savage and cruel. This sort of rage becomes extremely unpleasant and leads to exceedingly dangerous and destructive outcomes, when associated with religious fanaticism. Hume gives, therefore, an explanation of why the consequences of people's fury become crueller when the 'rage' arises from religious principles that do not consider any legal constraints, logical rules or legitimate authorities. To explain in more detail, Hume (1987a: 53-55) refers to the European religious wars as real 'factions' that have arisen 'from principle'; that is to say, the divisions that lead to such kind of wars are fatal as they cause 'rage' amongst people who are especially 'reasoning upon opposite principles of religion'. The different or opposite principles cause a 'contrariety' of action; and because of the nature of the human mind, any contrariety would give rise to a shock resulting from the 'impatience of opposition'. For instance,

Hume condemns both Protestants' religious confrontation of Catholics and Catholics' violent hatred towards Protestants. In Hume's vision, on the one hand, the burden of responsibility for all the bloody religious confrontations lay with the Protestant reformers. On the other, with Catholicism had lain the violent hatred of different others who were objects of revenge and war (Hume, 1987b: 154, Seed, 2005: 450).

To conclude, contrarily to Locke, Hume presents an argument with regard to the need for a relationship between religion and politics without the negation of either of them. I show, in this section, that he endeavours to combine religious power with political power because the separation will strengthen religious authority at the expense of political power and make religious dogmas merely illusions, and this will incite fanaticism and violence. The combination, however, will make the logic in the common political life of humans constrain any unreasonable effects religious superstitions could cause, as religious values, although essential to ordinary people and indispensable in their common life, do not have to be determined by reason in order to be universally accepted, according to Hume. Being isolated from the world of custom and religion will not help philosophers to critically understand the actual effects of religion and custom, and that their power cannot be ignored in public life.

5.2.3. Rousseau's alternative: the elimination of established religions and civil religion to end violence

Rousseau believes that in the existing or 'modern', unfree, corrupted society, the deformed link between religion and politics creates a distortion in their relationship that consequently leads to religious fanaticism and violence. However, in the 'new' society reformed according to the 'true' social contract, established religions will be eliminated to end the contradiction between religion and politics and thus to end the religious violence. By eradicating religious differences, Rousseau's positive rules of a 'civil religion' in the new or true social contract will prevail over any other social and religious rules. In this sense, such a civil religion becomes a kind of 'Habermasian'

constitutional patriotism¹ where the individual's feeling of belonging to the 'political' society and his/her political-civil commitments to its laws become his/her own belief, and prevail over his/her non-patriotic custom and religion.

Indeed the solution that seems to be suggested by Rousseau to the problem of religious violence is of taking away the superstition from religion and achieving harmony between the religious and the political, whereby the individual becomes a real social being and truly loves the laws and justice, sacrificing his or her life for his or her duties. In other words, the solution is in forming a new civil religion, or a new action-guiding creed that gives a 'holy' dimension to the new social contract that has been formed between individuals and the state, in order to secure the continuity of the relationship between political power and individuals. This new civil religion is a set of social-political principles. It consists of social sentiments that are genuine products of the social contract. These sentiments are the social contract's rules concerning social relationships within the society, such as individuals' moral and civil duties in their relationship to the state and to one another within the civil political society. The rules of the new religion function as a guide for free citizens of the state formed on the basis of the true social contract's conditions, which exist in order for them to stay good citizens and faithful subjects of the state. As long as they are committed to the rules of the new civil religion, and do not breach public interest and public safety, there is no need for the political power to intervene in their everyday life, and no need either for oppression and punishment any more. With the civil religion derived from the general will, a new set of moral principles will appear for humanity. For Rousseau this is the only way to fully realize human rational, moral and political nature. This civil religion will end division and unify people according to dogmas that genuinely represent people's true collective national will and beliefs (Rousseau, 2001, Simpson, 2007). To conclude here, the civil religion is a genuine product of the concept of the 'general will' that should be freed from the harmful influence of

¹ Constitutional patriotism: a concept associated with Jurgen Habermas, a German sociologist and philosopher.

superstition. The 'general will' in the social contract ought to build a kind of balance between the sovereign and the subjects (Simpson, 2007: 25).

Rousseau, in fact, seeks to eliminate the contradiction between the religious and the political through creating a harmonic relationship between the freedom of individuals and reason, or the political rights of the social contract. Therefore, because, according to Rousseau, there are no moral principles in nature or in pre-social conditions, only social pity of an individual's fellow human, the free political society is thus a convention that generates political autonomy and freedom, and is established on the basis of human rational deliberation and humans' collective interest, reason and consent. By this social contract, the current chains will be destroyed and rational, non-coerced, uncorrupted people will be formed to achieve moral perfection, political freedom and to establish an 'absolute' democratic sovereign. (Hampsher-Monk, 1992 153-196, Rousseau, 1997: 41, 49-54, 57-64, Wolff, 1996: 85- 92).

It appears here that the corrupted morals and principles of modern society (religious and societal ones) will more likely give rise to the use of political violence, persecution and war as means to achieve immoral goals. In other words, religious extremism and its oppressive violent effects are more likely to be the consequence of the moral corruption of the unfree society whose distortion of the relationship between the religious and the political is its major cause. The sceptical and confronting qualities/principles in modern society, established as moral and religious values, support inequalities in this society. Hence, people's actions and reactions (like domestic violence and war), and beliefs and principles (moral, religious values) are symptoms of their own aversions (Hampsher-Monk, 1992 153-196, Rousseau, 1997: 41, 49-54, 57-64, Wolff, 1996: 85- 92).

According to Rousseau, in such a society religious fanaticism prevails and thus people of different faiths will condemn one another; and hatred, violence and war spread consequently. Accordingly, Rousseau believed that in such an unfree, corrupted society, the violence resulting

from religious superstitions is inevitable because a religious believer cannot live at peace with people whose souls he regards as hated or damned by his God. Consequently, writing in the wake of the wars of religion between Protestants and Catholics, Rousseau criticizes the established religions: the religion of citizen, the religion of priests and rejects them because they have the tendency to promote violence. He also considers that the religion of the Gospel/man is utopian. Thus, the best answer to stop religious wars, for him, is establishing a civil religion that is 'the state's articles of faith' (Rousseau, 2001).

Indeed, for Rousseau the corrupted morality and the superstition of the unfree society will lead to either religion to be too violent as in the 'religion of citizen' and 'religion of priests' or to be too other-worldly as in the 'religion of man'. Thus Rousseau calls for the complete elimination of the defective, violent established religions and the creation of a civil religion, in order to achieve peace and end religious violence. This is because for him the only possible peaceful religion (true Christianity) is spiritual and it withdraws from the political sphere; and thus a new religion is to be established to be effectively able to play its very important role in keeping peace in the new society.

The tendency towards violence stemming from religion is explained by Enlightenment thinkers in terms of its relation to political power, not merely by saying that violence is structural to its nature, as the neo-atheists and the neo-orientalists fanatically claim. They, thus, suggest that in order to end religious violence, either the relationship between religion and politics must be destroyed, and they must be separated from each other completely (Locke), or the relationship between the two must be rebuilt in order to reduce any unreasonable effects of religion on human life (Hume), or the established religion must be eliminated and a new one created because this is the only way to make sure religion plays its role correctly by keeping the peace (Rousseau).

5.3. Koselleck's problematic relation of morality to politics and conflict

What I aim to demonstrate through dealing with Koselleck here is that having a strong monistic conception of morality, which religion is one branch of, and attempting to impose it on others through politics, make political actors such as the state violent both domestically and internationally. Indeed, for Koselleck the problem is that such a strong singular conception of morality is initially defined aside from politics, and redefined and imposed on politics later. In other words, what we need to understand, in the context of Koselleck's argument here, is that when there is plurality of different ethical views, why do some views subjugate others in some cases and not in others? Koselleck, in fact, seeks to demonstrate that the plurality of ethical belief is a historical and ethical fact that exists and we should allow it to exist. Such a diversity of beliefs cannot be prevented without coercion deployed by those political agents who want to impose their own monistic conception of the good in politics, excluding other different conceptions of morality. The result is that they devalue other moral doctrines and refuse to give equal rights to their fellow citizens domestically, and to other international political actors and agents that believe in different value systems than theirs. They consider that their views or beliefs cannot be reasonably rejected by others. They cannot thus see the fact that the truth of their belief cannot be definite because the truth of a personal belief is not publicly available to every other person, and that they must recognize that others have reasons to disagree.

This actually echoes Alfarabi's and Vitoria's explanations of why we cannot impose our belief on people located out of the territories of the state or nation. This is not to say that a person who has a vision of the best conception of good is always liable to be violent. However, having such a vision might be necessary, but not sufficient, to make a person violent. Therefore, for this monistic view to provoke violence, a person should try to make his/her own belief publicly or politically enforced. An example of non-violent, idealistic, religious morality is the 'true'

Christianity of religion of the Gospel as seen by Jean-Jacques Rousseau. Such a religion is not publicly imposed, as it withdraws into the private sphere and separates itself from the state or politics to become purely spiritual and peaceful. And this kind of religion totally opposes another kind of religion illustrated by Rousseau as the 'religion of the citizen', where there is a strong relationship between politics and religion; and the state's laws become themselves the religious laws. In fact, what makes such a religion aggressive is that it replaces true worship with official, dogmatic ceremony and breeds a violent intolerance of other nations (Rousseau, 2001).

Indeed, the real problem for Koselleck is that morality is very often conceived independently from politics in a very narrow single way and then publicly imposed on politics by those who want to realize it as the only true moral view. In fact, according to Koselleck, the desire to declare morality detached from politics and then impose it on politics has its manifestation in modern, cosmopolitan, political, ideologies that have given rise to totalitarianism and conflict. Koselleck's argument with regard to the liberal political thought of the Enlightenment can be used to provide the sociological historical explanation of what exactly went wrong in Europe or in modernity with regard to global conflicts. For Koselleck, the nature of power in the civil-political association is inseparably both moral and political, and that attempting to artificially separate the morals of civil society from the politics of the state, in opposition to those political morals practised by the state and its institutions is utopian. Such attempts will establish an anti-political attitude in society which is the original cause of totalitarianism and conflict. What Koselleck is trying to illustrate here is that the moral system created out of the dichotomy between morality and politics is not only monistic and independent from politics, but also revived through politics. That is to say, political agents of the moral system initially try to detach the society, which is the exclusive sphere of moral law, from the political or the state, which advocates political morals manifested in its secular-legal system, and then place its moral principles in opposition to those of the state. In the end, aiming to subjugate the state and its political morality to their monistic moral system

and to eliminate the state by taking on its functions, they impose their monistic morality in order to realize it in the political sphere (Edwards, 2006: 438).

For Koselleck, in fact, such a morality as that is totalitarian or absolute, as it dictates and subjugates the political and tries to exterminate it by creating a political utopianism of morality. This emerged in Europe in the 17th century with absolutism, where religion (the moral law) was banished from the state by Hobbes philosophically and by the absolutist state politically. And this explains why in a historical sense liberalism sometimes tends to take on these highly moralizing and potentially quite violent doctrines as well. The Enlightenment in this sense is the self-product of secularising authoritarianism (the Hobbesian absolutist state). Accordingly, for Koselleck, liberals have never broken through the Enlightenment; they are an inherent part of it. Accordingly, Enlightenment thinkers and their modern liberal successors, according to Koselleck, have been behind the rise of moral utopianism and political absolutism, and thus the ‘pathogenesis of modernity’, the intolerance and violence in modern Europe, such as the horrors of World War II and the ideological conflict during the Cold War.

In other words, what explains the rise of this ideological utopia and political absolutism and thus conflict and the ‘pathogenesis of modernity’, according to Koselleck, is that the moral critique of politics will inevitably appear as a political critique of morality of the state. Such critique that is morally inspired will definitely have a political character. This is due to the fact that it is impossible to negate the political from civil society, as that stands against human evolution experienced in living human history. Thus, any “attempts to allow the philosophy of history to negate historical factuality, to ‘repress’ the political realm, are utopian in origin and character” (Koselleck, 1988: 11–12). This is because the relationship between politics as ‘a constant task of human existence’ (Koselleck, 1988: 25), and morality, that always claims political and legal preferences, is consistent and pre-ordained in human life and inseparable from human existence.

It is a 'historical factuality'; and any attempts of the philosophers of history (of the Enlightenment) to stand against this factuality produces utopian ideologies that take over both the moral and political spheres in the political-civil association. Thus, "[t]he crisis caused by morality's proceeding against history will be a permanent crisis as long as history is alienated in terms of its philosophy" (Koselleck, 1988: 11–12); that is to say, for Koselleck, the excessive one-sided moralism resulting from its exclusion from politics is articulated in Enlightenment political thought, and will lead to conflicts; this schism is the original cause of the 'pathogenesis of modernity'.

Indeed, Koselleck tries to explain how moral utopianism and political absolutism commenced and gave rise to conflict in modern Europe. He shows that the modern attitude to politics emerged as anti-politics and utopian because the civil society of the European Enlightenment (the bourgeois public in the 18th century) formed a separated space from the realm of politics, believing that such a society would be free from social and political antagonism (Edwards, 2006: 429). Koselleck expresses this as follows:

... [p]olitically powerless as a subject of his sovereign lord, the citizen conceived himself as moral, felt that the existing rule was overpowering, and condemned it proportionally as immoral since he could no longer perceive what is evident on the horizon of human finiteness. The dichotomy of morality and politics made morality's alienation from political reality inevitable. The expression of this inevitability is that morality skips the political aporia. Unable to integrate politics, moral man stands in a void and must make a virtue of necessity. A stranger to reality, he views the political domain as a heteronomous definition that can only stand in his way. In consequence, this morality makes men think that in so far as they attain the heights of their destiny they can completely eliminate the political aporia. That politics is fate, that it is fate not in the sense of blind fatality, this is what the Enlighteners fail to understand. (Koselleck, 1988: 11)

In view of that, what happened is that Enlightenment created a purely moralized man who could not see politics but an immorality that stands in the way of his salvation, will and destiny; and thus he has to avoid its influence on him. However, according to Koselleck, this was an error planted in civil society by the Enlighteners as politics or the political is not necessarily evil or immoral.

For Koselleck, this process of the isolation of society and its moral and religious values from the political occurred in the context of the emergence of the Hobbesian absolutist state that was believed to eliminate any factional differences among people and thus achieve permanent peace and stability (Edwards, 2006: 429). Civil society, the private social sphere, was thus depoliticized and the political or the absolutist state, the political sphere, was demoralized. The philosophers of the Enlightenment understood the political as an amoral sphere where the interests of the political actors of the absolutist state were enforced. Enlightenment thought appears to oppose the state or the political to make reason triumph over the absolutist state: the state that is recognized as the realm of the political and the amoral enemy by the Enlighteners because it failed to recognize the logical, historical 'moral progress' of the bourgeoisie's emerging interests (Edwards, 2006: 433). In this respect, Koselleck (1988: 39) states that:

... [t]he moral doctrines, as the real heirs of religion, aimed deliberately at life on earth while remaining extra-political in the framework of the Absolutist State ... man as a human being had intentionally been omitted from the state structure; it was as a subject alone that he had any public quality. What the Enlightenment brought about then was the distinction between man and the subject being no longer understood. Publicly man was to realise himself as a human being, with the resulting decay of the Absolutist State. That it was the split between morality and politics, of all things, which began and then accelerated the process was something Hobbes could not foresee. (Koselleck, 1988: 39)

According to this, though religious morality had allegedly been transformed into secular morality in everyday life, it had no political influence in practical politics at all. In such a case, the moral man had nothing to do with politics anymore because the political sphere had been strictly separated from the private social sphere, and this, in fact, was opposed to what Hobbes sought for. According to Koselleck, “the subordination of ethics to politics, is to Hobbes thematically pointless, since reason removes whatever difference may exist between the two domains. The need to found a State transforms the moral alternative of good and evil into the political alternatives of peace and war” (Koselleck, 1988: 25) Accordingly, Hobbes did not seek to subordinate the moral sphere to the political realm of the state as such; he only sought to transform the moral in a sense of the duality of good and evil into the parallel of the political duality of peace and war.

For Koselleck, the Enlightenment’s critique as a process encouraged an apolitical realm in society. Historians of the Enlightenment theorized on behalf of morality using reasoning and intellect, but produced instead the total ideological, political thought that led to the domination of the political over the moral sphere in society later, as moral opinions were pushed out of politics. In other words, there were political consequences of Enlightenment moral philosophy, in that such a critique informed the actions of the public institutions in the social structure that practise indirect politics to oppose politics of the state, and to seek to exterminate the state. These practices would increasingly take on political functions; in that the attempts to oppose the politics of the state entail employing the practices and institutions of the state itself in order to achieve the goals envisaged in ideological utopian thought, according to which ideal moral imperatives (the ideal theory) must govern the world order. This means the subordination of politics (the non-ideal theory) to morality and society. What Koselleck is implying here is that this is all about the ideal theory from Hobbes onwards or in reaction to Hobbes. The imposing of ideal theory,

morality as the best conception of the good, on politics led to rethinking politics without constraints. Politics is here to be seen as non-ideal theory (Edwards, 2006: 436, 444).

Therefore, the triumph of morality does not indicate the end of politics, as it does not herald 'the cessation of political conflict' and antagonism in the political-civil society, but rather redefines politics and intensifies conflicts. The anti-political attitudes of the society manifested in ideological utopias become a means of morally justifying political conflict. Such a development has political imperatives, not moral imperatives as such. By the domination of the moral sphere of civil society over the political, as politics redefined in different terms, conflicts and wars become something that could be justified on moral grounds. Moral force under the control of the morally redefined politics will thus justify using political violence and war.

In other words, what Koselleck wants to say here is that the political conflict is about 'the very meaning of politics.' That is to say, the modern attitudes to politics first emerged in the Enlightenment and were characterized by the belief that social change occurs morally through education and persuasion, not politically through political institutions and practices: this is because politics or the state represents only the interest of the ruling elites like monarchs and aristocrats. However, the paradox is that to oppose the political, the society has to employ the institutions and practices of the state; in other words, the realisation of the moral interests of bourgeoisie must be achieved in the realm of political, the state. And this paradox continued to characterize political thought and practices in the 19th and 20th centuries (Edwards, 2006: 436, 441, 444). In this respect, Edwards (2006: 441) illustrates that:

Koselleck was clearly thinking about the ideological utopias of the Cold War both in the form of American capitalism and Soviet communism, [which] had taken on the anti-political attitude of the Enlightenment as a means of justifying a state of perpetual global civil war.

In other words, for Koselleck, liberalism as a modern ideology is very much a descendant of the Enlightenment in which morality overcomes politics. That is to say, moral thinking is dominating in politics in liberal thought. In fact, this seems to be manifested in modern cosmopolitan liberalism that sometimes appears as an interventionist exclusionist ideology. This possibility was highlighted in the previous chapter with Nardin and Teson's views on military intervention and regime change.

To conclude, Koselleck uses the Enlightenment as a means to analyse the political ideologies of modernity and the conflicts that have happened in modern Europe. For Koselleck, thus, we need to solve the problem of modernity, that of the radical separation of morality and politics. We should find a way to make them related to one another in order for political theory to be able to say anything moral about politics. The schism is the original cause of the 'pathogenesis of modernity'. According to this understanding, morality and politics should not ideally be separated; and thus the relationship of the state and society should somehow be renegotiated in order to make them both properly related to each other in a way that makes a political theory able to provide moral claims about politics. Plainly, what Koselleck in this respect calls for is that the political theorist always needs to find a way to reconcile morality or religious morality with politics. According to Koselleck, religion as a social trend that reflects its values in moral doctrines always makes political claims in order to guide politics in reality. In addition, the political cannot be negated from the social life of human beings because politics is fate and cannot be suppressed. Koselleck's critique of modern liberal moralism and 'cosmopolitics' shows that the violent tendency of the state is explained in the artificial detachment of morality and politics and that unfortunate and erroneous way of reattaching them. Accordingly, to overcome the propensity towards conflict in theory and practice, the reconciliation between morality and politics should aim at freeing political thinking from one-sided moralism. To do so, we need to

end the separation between the state and society, or the public political sphere: the domain of politics and the private social sphere: the domain of morality.

5.4. The Enlightenment and the violence of Islamism

For Koselleck, the modern ‘pathogeneses’ of totalitarianism and conflict in Europe, seen in the utopian ideologies of revolutionary Bolshevik Marxism and cosmopolitan liberalism are by-products of the European Enlightenment. Koselleck’s interpretation in fact covers only a half narrative of the whole story of the Enlightenment ideal of a universal civilization, which is the European part in which Koselleck shows why Europe was driven to totalitarianism and destructive conflicts. The other half of the narrative is concerned with question of why the jihadists of Islamic fundamentalism in the present time commit this barbaric act of violence, if religion is not what drives them to do it. Jihadists themselves are not creatures of the Enlightenment. The thesis presented in both *Terror and Liberalism* (2004) by the American political philosopher, Paul Berman and *Al Qaeda: What It Means to Be Modern* (2003) by the English political philosopher, John Gray, actually completes the story. Berman and Gray show that the story of the violence of radical Islam is a part of the same story of the Enlightenment ideal; the story of Islamic fundamentalism is not separated from, or non-relevant to, the European Enlightenment. Both Islamism and nationalist socialism are represented in Ba’athist socialism: the pan-Arab movement of the 20th century not only is inspired by the European totalitarianisms of German Romanticism (the intellectual root of Nazism), and its ideology as a method, but also is a by-product of the Enlightenment ideal of universal civilization. It is a late and advanced mutation of it which occurs when the Western European system came into contact with non-Westerners as prophets of a universal civilization (military intervention and regime change).

Berman (2004: 60) points out that “[b]oth the Ba’athi and Islamists were two branches of a single impulse, which was Muslim totalitarianism – the Muslim variation on the European idea. Their dreams bore the mark of the Muslim world, but their dreams were not exotic.” According to Parman, both trends of Pan-Arab Ba’athism and Islamism are a by-product of European totalitarianism, though they put forward Islamic and Arab ambitions, but these were intellectually originated in the West in essence. For example, he states that:

... Ba’ath socialism told a myth about man and history, and this, too, was recognisable. In the Ba’athi myth, there was a people of God. They happened to be the Arab nation ... The philosophies and teachings that come from the West invade the Arab mind and steal his loyalty. The Arabs needed to return to a direct relationship with their pure, original nature – needed to return to the ‘Arab Spirit’.
(Berman, 2004: 56)

What Berman wants to say here is that this nationalist or Ba’athist socialism is driven by the same philosophical teachings that had motivated the European Nazi and fascist socialisms before. Similarly, Gray affirms that what explains modern totalitarianism and conflict is the Enlightenment utopian idea that “a new humanity without the flaws of the old could be created” (Gray, 2004: 16); and for Gray, “al-Qaeda is yet another example of the malaise produced by post-Enlightenment thought” (Galford, not dated). The question which arises here is how did Enlightenment philosophies help in creating such a malaise? To clarify this, Gray illustrates how understanding the radical jihadism of Al-Qaeda and ISIS requires understanding certain ideals of the Enlightenment, specifically modernization as an Enlightenment project and an ideological process from its birth from positivism to its final form in neo-liberalism. The idea is that the organized destructive form of violence practised by radical Islam is similar to that which had been exercised by modern secular Western ideologies like Anarchism and Bolshevism; that is, the violence committed by radical Islam is somewhat inspired by the Enlightenment ideals and is deeply involved and entangled in secular modern Western ideas. This kind of violence has

nothing to do with Medieval Islamic values, as has been claimed both by Islamists themselves and their opponents.

What Gray means by modernization as an ideological process with ideals is that the Enlightenment idea of the progress of humanity is mythical. This is because of the assumption that the modernization of societies as a result of the pursuit of science and the growing knowledge after their realisation of the values of the Enlightenment will make them better; that is to say, the idea that all human beings will have the same set of modern values that must be accepted everywhere is a European utopianism. For Gray the problem is that the ‘West’s ruling myth’ translated into an illusion about the future of human beings is seen in the idea of the progress of humanity, in that the advance of science can be imitated in ethics and politics. The condition of human beings can be perfectly remade again by science through political engineering. Ethics thus becomes an objective science, and through it moral and political conflicts will disappear (Gray, 2003). Believers in progress seek “what theists found in the idea of Providence – an assurance that history need not be meaningless” (Gray, 2004: 11).

According to Gray the Enlightenment ideal of a new world or a universal civilization, derived from the idea of human progress, produced organized violence in that secular totalitarian ideologies took on this ideal to justify their brutal politics and wars. In this regard, Gray indicates that “ [it] was only after the First World War, when secular ideology seized control of government, that politics and war become missions to save mankind” (Gray, 2003: 114). Gray points out that there have been many attempts to reshape the human condition, from the Bolsheviks and Nazis to modern radical Islam and global neoliberalism. Both totalitarian Bolshevism and global capitalism are secular religions rooted in the positivism of Saint-Simon¹

¹ Count Henri de Saint Simon (1760-182) a French socialist whose thought influenced the foundations of Positivism and Marxism

and Comte¹, in which liberalism, for example, was identified with ‘secular humanism’ or ‘the Religion of Humanity’, in that liberal values have become universal (Gray, 2003: 34, 38, Gray, 2004: 116).

Accordingly, Bolshevism regarded that “human emancipation required industrialisation” (Gray, 2003: 8). And hence Soviet communism was no more than an excessive development of the belief in progress that the Enlightenment had originally taken from the idea of hope or salvation in Christian morality (Gray, 2003: 7-8). Similarly, cosmopolitan liberalism holds the promise of universal salvation like a religious revelation that entails a struggle to achieve it. For modern liberals it is military intervention that provides such a chance for regime change to liberal democracy: the destination of humanity through which human salvation is attained. It is hence the end of history as Francis Fukuyama heralds. Through the process of struggle to attain human salvation, cosmopolitan liberalism has created a distinctive kind of privatised and organized form of violence. Alongside state warfare, a new type of unconventional warfare practised by ‘political organizations, irregular militias and fundamentalism networks’ (Gray, 2003: 72) emerged in the Nineties taking advantage of the anarchy produced within the context of failed states and the freedom created by the neoliberal economy making capital global (Gray, 2003: 72-73, 84).

It is thus possible to conclude from Gray’s above argument that the modern violence of radical Islam can be understood in two contexts: first, it is a consequence of a modern ideology similar to those European secular ideologies that used the same kind of violence; and thus, it has no precedents in Medieval Islamic history in terms of form and scale. Second, the ideological fantasy of modern liberal democracy, with regard to the achievement of universal civilization as the only possible destination to save humanity, has instigated a kind of anarchy both in the movement of capital that helps financing such violence and in the military intervention that has mostly resulted

¹ August Comte (1798-1857) the founder of Positivism as a science and a philosophy.

in failed states, which have been the most suitable environment of such kinds of stateless violence (BBC, not dated).

In this respect, Gray's idea is that as much as the free market ideals of neo-liberalism and the establishment of the communist society of Marxism are influenced by, and formed according to, Enlightenment ideals, radical Islam is influenced by these ideals too. Indeed, according to Gray, many of the mid-twentieth century radical Islam's themes,

[H]ave been borrowed from radical Western thought. The idea that the world can be regenerated by spectacular acts of violence echoes the orthodoxy of French Jacobinism, nineteenth century European and Russian anarchism, and Lenin's Bolshevism. Movements such as Nazism and radical Islam do not offer an alternative to the modern faith in progress but an exacerbation of it. (Gray, 2004: 16)

Accordingly, some theoreticians of radical Islam have been influenced by the idea of a 'revolutionary vanguard' borrowed specially from European 19th anarchism and communism, aiming to cleanse humanity from immorality through using organized violence and terror (BBC, not dated). For example, Syyyid Qutb's¹ thought was not only influenced by the thought of Islamic fundamentalism, but also by Western ideas; especially the idea of 'a vanguard of true believers to remark the world'.

One of his [Qutb] central tenets, that of a vanguard of true believers to remake the world, is drawn straight from 19th-century anarchists. The idea that the world can be created anew through violence, an idea al-Qaeda put into practice on Sept. 11, 2001, is another modern construct. (Galford, not dated)

For jihadists, like Qutb, the strict adherence to their own version of Islamic law, and jihad as a religious war against the West and those Muslims who do not advocate their vision of Islam, is 'the source of human perfection' (Bright, 2003). Indeed, for Qutb, Muslims must spend all their

¹ Syyyid Qutb (1906-1966) is an Islamic theorist and leading theoretician for the Egyptian Muslim Brotherhood. One of his well-known books is *Islam and Universal Peace* (1977) published by American Trust Publications, Washington.

lives in jihad against falsehood/*jabiliyya* systems. In Qutb's view, to reach the final stage of jihad, 'the armed struggle', Muslims must follow a detailed, organized, comprehensive plan. This plan synthesizes two notions. The first is the idea of the perpetual international revolution of Muslims against *jabiliyyah*, and the other is that Islam is the ultimate religion of humankind and Muslims are the divine who were elected by God to liberate humanity from oppressive rulers and help them achieve salvation. For him, to spread the message of Islam is unlikely without eliminating the forces of materialism of *jabiliyya*. Accordingly, Muslims have to establish Islamic states in their own countries and annihilate all other non-Muslim countries. By that, Qutb stated the instructions towards using systematic violence against every Muslim or Non-Muslim government on earth. It is the anarchy of violence that is organized according to a very clear plan. According to this plan, the first step is to establish the Islamic forefront, a central organization of all Muslims. The second is that this unique movement would follow an ideology oriented against the *jabiliyyah* world. The third is that the Islamic vanguard and their followers must separate mentally and culturally from the material world of *jabiliyyah* (the process is called *al-hijrah*). In the fourth step, the movement would transform into a religious and political unity. At the moment in which Muslims reach out to establish a real Muslim society, the permanent struggle against *jabiliyyah* starts. This war would not stop until the satanic power of *jabiliyyah* is demolished (Bonney, 2004, Harifyah *et al.*, 1998).

It appears that the same revolutionary language Qutb used had been used by another jihadist figure: Al-Mawdudi¹. Al-Mawdudi's universal revolutionary jihad with its mechanism is quite similar to that of revolutionary communist struggle against the capitalist system. Both claim that by using both violent and non-violent means during their own struggles for universal justice, they will eliminate the ideologies and apparatuses of the tyrannical classes and establish their own

¹ Abul Ala Maududi (1903-1979) was a leading theoretician for Islamic revival and a political figure in Pakistan. One of his well known books is *Human Rights in Islam* (1976) published by The Islamic Foundation, UK, Leicester.

unique system of state rule. The two aim to achieve that through changing the outlook of their own people to motivate them to initiate the requested revolution. For Al-Mawdudi, Islam seems to be as the communist manifesto, a revolutionary programme that would be carried out by an Islamic ‘international revolutionary party’. The ideology of this party is to remove the existing ‘lordship of man over man and to establish the kingdom of God on earth’ through a revolutionary struggle, which is different from that conventional kind of conflict that usually occurs between states. Islam, then, is not merely religious sermons, or the nation of some specific people on the earth, but is a jihadist ideology that has no national boundaries and accepts no other system beside it. Jihad is ‘the systemic endeavour’ prescribed to forbid wrong, even by bloodshed. The jihadist war, thus, is to protect people from injustice and violence and to liberate them from the extremely violent Hobbesian situation, known as *jahiliyyah*/falsehood in Islamic culture. Consequently, the true believers, who are always few, will perform the onerous task of jihad once they are called on by their leaders (Bonney, 2004, Harifyah *et al.*, 1998).

Consequently, there seems to be some truth in Gray’s conclusion that “radical Islam is like fascism chiefly in being unequivocally modern” (Gray, 2003: 20). The late 18th century and early 19th century counter-Enlightenment thought of European Romanticism was sceptical of and resistant to the Enlightenment ideal of universal civilization. It called for glorifying faith and ‘will’ posing itself as alternative. Similarly, Radical Islam rejected rationalism and objectivism favouring subjectivism, expressed in ‘will’ and in religious revelation. Such romanticism, that motivated National Socialism and revolutionary Bolshevism in Europe, actually inspired radical Islam too (Gray, 2003: 25-26). More specifically, radical Islam imagined that “a wholly new world could be brought into being by acts of terror.” And this can clearly “be found in the late nineteenth-century European revolutionary movements” (Gray, 2003: 20-21). This does not resemble at all medieval societies that were established on the belief in central authority. For Gray, no doubt that there was extreme violence in the medieval world, however, this violence, though it sometimes

caused disorder, was exercised by central authorities. Conversely, modern violence is exercised by stateless groups favouring an unstructured chaotic globe that gives them the freedom to function effectively (Galford, not dated). In fact what radical jihadists claim to invoke in their discourse has no antecedents in the early history of Islam, but is only an envisaging of the utopian incorrupt moral, future global whole that Western revolutionary ideologies have envisioned before. In this regard, Gray states that the rejection of reason (the ideal of the Enlightenment) by radical Islam shows that it is a modern faction, not merely a medieval movement in thought and practice. “The medieval world may have been unified by faith, but it did not scorn reason. Its view of the world came from a fusion of Greek rationalism with Judaeo-Christian theism. In the medieval scheme of things, Nature was believed to be rational” (Gray, 2003: 25).

In fact, the rational orientation in Islam in the medieval period called for a harmonized relationship between religion and politics, based on the belief that reason and religion should not contradict one another. Religion and rational philosophy can go along with each other without blending them together or eliminating their differences. Thus, religion should not be violent as it can harmoniously work with politics and rational philosophy without making it intolerant. This approach was inspired by Greek philosophy. Indeed, the Islamic civilization was involved in a philosophical self-dialogue, and in dialogues with others, especially the Greeks. It was trying to add a new soul to itself. For Islamic philosophers, the nature of the relationship between Islam as a religion, and philosophy as a rational political ethics and a logical justification of politics in society, is inclusive and integrated, and should not be contradictory. Reason and prophecy should never contradict one another. The rational thought that had been represented in ‘Mu’tazilite’ thinking founded by Wasil ibn Ataa’ (d. 748) depends on the concept of optional instructions (rational choice). ‘Mu’tazilates’ believed that achieving God’s justice on earth requires that human beings use their freedom, and that they have a duty to pursue justice by commanding right and forbidding wrong. Further, to enforce God’s moral law, they have to believe that rewards and

punishments can be used in this world, not only in the next world after life. Consequently, in the 'Mu'tazilate' view, human acts are free and people are, therefore, entirely responsible for their decisions and actions. Divine predestination is regarded as incompatible with God's justice and human responsibility. The 'Mu'tazilates' are generally seen to be responsible for the incorporation of Greek philosophical thought into Islamic theology (Kelsay, 2007: 62-63, Kroessin, 2008: 34-35). Islamic philosophers like Alfarabi, Avicenna and Averroes endorsed 'Al-Mu'tazilate' reasoning; they tried to bridge the gap and unite two discursive methods of knowledge: the Judaeo-Islamic and the Platonic-Hellenic. For them, the Islamic prophecy can be politically and philosophically understood and interpreted through these two discourses. Some philosophers like (*Ikhwan al-safa*: the Brethren of Purity) regarded that philosophy is of divine origin. By the assistance of accumulated wisdom and science, a human being could be led to perfection as both believer and sage (Azzam, 2004, Black, 2001: 63). Some other philosophers like Avicenna and the Sufis claim that knowing the 'Being' through inspired intuition could be recognized by rational knowledge through the faculties of philosophers' reasons.

For Alfarabi, for example, religion is an imitation of Philosophy. For Sufism¹, the idea of jihad, becomes 'an inward endeavour'. This mythical theology is concerned with the approach of the individual soul to God, not with collective salvation through revolt (Adamson and Taylor, 2005: 167, Black, 2001: 130). The case is similar with other philosophers like Ibn Rushd (Averroes) and Abu Bakr al-Razi (d. 925). Averroes claims that although the Qur'an includes the highest truth, its words should not be interpreted and understood literally. Only by means of the rational analysis of philosophy can one approach the deepest final truth. Averroes stated that the notion of rational reasoning is not heresy because both rational and doctrinal reasoning did not exist in the early days of Islam. Averroes harmonizes religion and philosophy but without blending them or

¹ Sufism or *Sufiah* or *tasawwuf* in Arabic is defined in Islam as the inner, mystical dimension of Muslim belief and has many forms and schools.

eliminating their differences. Because both religion and philosophy are true, truth might be recognized on different levels. Accordingly, the possibility of a contradiction between revelation and science seems not to be allowed, as the human intellect is supreme. This smooth combination between revelation and science can be observed in Averroes' understanding of Aristotle. He supposes that the divine soul, God, is formed by embracing all human souls. So then, the ultimate truth of the world soul cannot be imagined and perceived without man's participation (Raslan, 1997, Salloum, 1997). Abu Bakr al-Razi (d. 925) goes further when he says that as long as we can know God by reason, prophecy and revelation are superfluous because they retard knowledge, and are harmful because they cause wars. The outcome of this notion is that the person who is able to know things as they are for himself, is himself a prophet. This means that all prophets were in the highest class of philosophy. They were philosophers. Commenting on this idea, Black (2001: 63) points out that:

... [t]his held out the prospect of an alternative epistemology, and therefore an alternative authority to that of the Jurist. Rational discourse, according to al-Farabi and most Philosophers, was an alternative way of perceiving, explaining and, above all, proving the truths of the Qur'an.

Furthermore, radical Islam's claim of its attempt to restore and re-establish medieval values, through systematic organized violence and repressive Islamic laws, does not resemble any kind of tradition that early Islamic rule could have adopted in thought and practice as its long term permanent strategy. For example, there is little in common between the repressive contemporary ISIS and "the subtle Islamic states of mediaeval times, which in Spain, for example, exercised a degree of tolerance at a time when the rest of Europe was wracked by persecution ... In power, ISIS resembles a 20th Century totalitarian state more than any type of traditional rule ... jihadists of Al-Qaeda and ISIS are] thoroughly modern" (BBC, not dated).

In view of that, the way in which violent jihadism is using violence in an attempt to achieve its utopian objectives in the future is very Western. In fact, not only have ideas or methods been taken from the West, but also radical Islam owes the opportunity to emerge and flourish to those westerners who believe in the Enlightenment ideal of universal civilization and seek to achieve it in reality through military intervention and regime change. Such beliefs and practices by Western powers holding these utopian ideologies have established the suitable demographic, geographic and geopolitical space for it to thrive; this is the domain of the failed state. For instance, a secular failed state unravelled in Iraq after Western military intervention gave ISIS the chance of power to emerge and thrive. No doubt ‘geopolitical calculation’ played its part in the Western intervention in Iraq, but the ideological utopianism of those who believe that all “modern societies are evolving towards a single form of government – the type that exists in western countries. If only tyranny was swept away in Iraq, the country would move towards democracy and the rest of the Middle East would follow” (BBC, not dated).

5.5. Elements towards a solution

Identifying the problem entails questioning how to sort it out, and hence one needs to ask how to respond to the deformation in the relationship between morality and politics which leads to political violence and conflict. My focus will be on two potential elements of a solution to the problem of violence and conflict that should be highlighted in political philosophy. These are *reasonable disagreement* and *value pluralism*. Choosing these two elements comes as a result of the fact that they reflect to some extent the conclusions of the chapters on Vitoria and Alfarabi. Alfarabi’s and Vitoria’s arguments in this respect fit with John Rawls’s view about reasonable disagreement that in turn contrasts with the argument of intolerance explicit in the thought of those liberal theorists I studied in the previous chapter, such as Teson and Nardin, who advocate

comprehensive monistic liberalisms, and those of jihadist theoreticians who seek to enforce their own comprehensive religious views on others as the best and only conception of good.

5.5.1. Rawlsian reasonable disagreement

Initially, what I want to show here is that to restore the constructive relationship between morality and politics in a way does not turn it to be something brutal, all reasonable comprehensive moral doctrines, according to Rawls, should affirm through ‘overlapping consensus’ a freestanding political conception that is ‘a conception of political justice’, and is generated from the ‘public political culture’ of a society of reasonable persons. Rawls, consequently, indicates that there is a deep philosophical reason why you should not impose your own moral, philosophical or religious views on those non-believers who have different reasonable ones. This is because the reasonable persons who seek to cooperate with others and recognize their ‘rational self-determination’ (Blunden, 2003), both within and between well ordered societies (domestically and globally) accept the ‘burdens of judgment’. According to the burdens of judgment, the disagreement of people over which, if any, of their moral, philosophical, reasonable views is the best is understandable; and being reasonable thus prevents you from using political coercion to impose your view on those who have reached different conclusions. The burdens of judgment come out of the human capacity for ‘genuine toleration and mutual respect’ (Wenar, 2013). It is the ‘public reason’ that makes it unreasonable for any citizens of the political-civil community to seek to impose their particular value system on others as the whole and only truth, using coercive political power. Persons have ‘a moral duty of mutual respect’ (Wenar, 2013). In this respect, Rawls shows that “reasonable persons see that the burdens of judgement set limits on what can be reasonably justified to others ... It is unreasonable for us to use power, should we possess it, or share it with others, to repress comprehensive views that are not unreasonable” (Rawls, 2005: 61).

For Rawls, however, there is still a possibility of the existence of unreasonable views in society, but such views must be contained; in this regard, he states “[o]f course, a society may contain unreasonable and irrational, and even mad, comprehensive doctrines. In their case the problem is to contain them so that they do not undermine the unity and justice of society” (Rawls, 2005: xvii).

As it is not unreasonable to expect all citizens to endorse the same comprehensive moral, religious or philosophical view, people who are living in a well-ordered political society need to develop and retain a political concept that revolves around “free and reasoned agreement in judgment” (Rawls, 2005: 101), in order to legitimize political power and achieve stability in the political-civil community. Such a political conception appears as a result of the ‘shared fundamental ideas implicit in the public political culture’ (Wenar, 2013). Such ideas form the principles of justice in the well-ordered society (Rawls, 2005: 13-14, 100-101, Wenar, 2013), a concept that is ‘freestanding’ and independent, that cannot depend on any sole one of the reasonable comprehensive doctrines of the society, and one that makes the only basis for cooperation between reasonable citizens. Most importantly, nevertheless, mutually accepted terms of cooperation – the political principles of justice – are justified for reasons from within person’s own reasonable, comprehensive world views; that is to say, the principles of justice are accepted for different reasons. These principles that are ‘publicly recognized rules and procedures’ become the governing terms or principles of cooperation in the well-ordered society, according to which “each participant may reasonably accept, provided that everyone else likewise accepts them” (Rawls, 2005: 16). It is the ‘overlapping consensus’ in which each citizen affirms the moral political conception of justice according to what they believe is their own right moral reasons as given by their reasonable comprehensive doctrines. They justify that ‘by referencing only public values’ like the respect of religious freedom, and publicly accepted standards like well-

established facts, and those standards that rely on common sense (Rawls, 2005: 133, Wenar, 2013). Rawls, in this respect,

[Is] grounding the political conception [of justice] in a “minimal moral conception” that is “freestanding” ... meaning that it does not contain any particular metaphysical or epistemological doctrine, and can be rendered compatible with the major ones that citizens may hold. The political conception is neither value-neutral nor uncontroversial; nonetheless, it is a “core morality that reasonable people can accept despite their natural tendency to disagree about comprehensive visions of the nature of value” ... People are to treat it as a “module” that they can attach to their comprehensive conception in whatever way seems to make sense for them, supplying it with the underlying metaphysical and epistemological basis that they derive from that conception. (Nussbaum, 2001: 891)

The international implications of Rawls’s argument of reasonable disagreement in a well-ordered society like the liberal one, are shown in his theory of global justice explained in the *Law of Peoples* (1999). Rawls shows that all peoples are subject to global justice, and that well-ordered, non-liberal and non-aggressive societies are to be considered as decent peoples, and their decision to uphold non-liberal conceptions of justice must be respected by liberal societies because like them they are equal member of a just ‘society of peoples’ (Neufeld, 2011: 260-262).

It appears that Rawls was able to reconcile the relationship between morality and politics. However, in a practical sense the reconciliation needs more explanation of how to stop the intolerance and violence which accompany such deformation in the relationship between the two. From here comes the notion of value pluralism and its effects on politics and violence as clarified by Isaiah Berlin and Hannah Arendt.

5.5.2. Value pluralism and the politics of anti-violence

By ending the deformation of the relationship between morality and politics, intolerance and the exercise of coercion, and political violence and war to impose a specific comprehensive absolute conception of the good, should end. To do so, value pluralism should be put into practice.

Plurality of belief is a fact, unless a monistic moral absolutism is successfully and forcefully dominating over other comprehensive moral views. The consequence of such domination is intolerance of other non-believers. Thus, in normal situations, such a fact should then naturally occur and will exist in reality of human life. It then must be allowed to exist in political life, because only coercion can prevent it from existing. To avoid morality being conceived independently of politics (ignoring the reality of political life in which plurality of belief is a historical ethical fact), and then to be imposed on politics as the only absolute truth that must be realized in, and recognized by, political-civil society, we should see politics in practice as a recognition of difference between people. In other words, the idea is to revive real constructive politics that is guided by practical experience and the observation of practical matters rather than ideology. This thus recognizes the differences between people in a public space where there is no place for violence, and for the coercion used to impose one particular comprehensive value system on others in the political sphere. Politics should be about plurality, which is what is missing from the monistic views of jihadists and those who try to use politics or the state to convert or even to kill others who have different value systems than their own.

Morality, and religious morality in particular, should be attached to politics in a non-utopian way. Otherwise, in practice, political intolerance and totalitarian aggressive politics are to flourish along with such a utopian monistic morality. Thus, what we need in order to prevent that from happening is a value-pluralist attitude which governs the public domain, in which several equally correct and fundamental but perhaps conflicting values coexist not only within political-civil

society, but also between societies and peoples. This conflict of values will not cause any violence because, as Berlin shows, whoever has embraced value pluralism would empathize with different ways of life, and is less likely to use oppression towards those who have other ways of life. This is because the ability to choose their own moral doctrines is what makes human beings moral agents with a particular identity that classifies what they are and what they do. In this sense, value pluralism is morally objective and non-monistic, and politically non-utopian or idealistic, and non-absolutist (Cherniss and Hardy, 2014). Berlin shows that we should think objectively morally because “the world that we encounter in ordinary experience, [is one] in which we are faced with choices between ends equally ultimate, the realisation of some of which must inevitably involve the sacrifice of others” (Cherniss and Hardy, 2014). In that, for Berlin, such objective values “could only be known through patient empirical inquiry into existing (or historical) cultures and ways of life” (Zakaras, 2013: 89). Such value pluralism sets limits to differences in that, for instance, vital human needs must not be violated. Therefore, pragmatism and compromise in politics are to be deployed against any severe violation, and against the use of violence. This is what makes politics not merely a ‘body of knowledge’ exhibited in the political wisdom of statesmen, and is expressed in the concept of ‘common sense’. Politics is a skill of the ‘practice of politics’ that addresses political issues and is able to solve real political problems. According to Berlin, “the art of politics ... demands a ‘sense of reality’ which revolves around an ability to note and comprehend what is novel and unique, individual and distinct. In short, politics requires a grasp of historical context” (Ferrell, 2009: 306). Such a politics extracted from value pluralism is that what it is needed to defend against ideologically motivated authoritarianism, and the political violence and potential international conflicts that will emerge out of its narrow politics. Absolute morals are more likely to function in an ideological way, and then deepen the schism and move intensely and powerfully using excessive violence. Only ideologically politicized morality can legitimize violence as it inclines to ‘deterritorialize’ politics

and ‘moralize or theologize’ non-believers, and thus creates the total or ‘absolute enemy’ that falls ‘outside humanity’. By this reasoning, such an enemy must then be morally and physically annihilated. To avoid violence and conflict, ethical differences should be recognized (Lievens, 2010: 918-925). Hanna Arendt follows Berlin in theorizing for a politics free from violence.

For Arendt, the recognition of others within a political context occurs only in a non-coercive public space where the absolute antagonism and violence that are used to shape people and reform their beliefs and convictions are hindered from entering the political sphere. She feels that political violence, even if is justified, should never be legitimized, and thus only in this context of understanding, can politics or the political provide a way to overcome the propensity to violence. Arendt understands the political as providing this way to overcome the propensity towards violence and conflict. With Arendt’s politics of plurality, violence should not be instrumentally justified and virtuously legitimized in the public sphere any more. This is because violence is the extreme opposite to politics; hence legitimized violence is anti-political. With Arendt’s politics, there is no possibility to link human political actions to violence.

Indeed, a link between politics and violence was plausibly suggested in the writings of some early to mid-20th century statist and revolutionary theorists, such as Max Weber’s ‘The Profession and Vocation of Politics’ in *Political Writings*, Georges Sorel’s *Reflections on Violence*, Carl Schmitt’s *Concept of the Political* and Frantz Fanon’s *The Wretched of the Earth*. In their writings we find the idea that violence is not only instrumental for politics, but conceptually and empirically necessary and virtuously justified and legitimized through the appeal to ‘our ethical and aesthetic sensibility’; by tragic heroes in Weber, and sublimity in Sorel, Schmitt and Fanon. For example, through the idea of creating the future – the creation of a new world from nothing – they tried to distinguish between virtuous violence and vicious violence, often using rhetoric. Virtuous violence is thus associated with virtues like courage, sacrifice, responsibility, honesty, fearlessness and self-respect

(Frazer and Hutchings, 2007). For Arendt, conversely, we need a 'decisive break' with violence to stop the cycle of violence in politics because, for example, the politics emerging out of revolutionary violence is imprinted by the same violence that created it. Violence only serves short-term goals. For long term, future, political ends, like shaping a new political order or new rules or new conceptions of justice, violence is not a reliable instrument; so that violence should not serve directly political ends, but it may be deployed as an armed reaction force only for tactical or strategic defeat of an external armed enemy who presents an immediate physical threat. It indirectly serves the 'possibility of creating and pursuing political ends' in the public sphere. There should not be an immediate connect between violence and politics because the violence that serves political ends directly as a creative force will threaten any possibility of good, and abolish any attempts 'at the true new beginning' of a new order as soon as it tries to create one by shaping and positing new rules forcefully. The most likely result of using such force or coercion is more violence, and this makes violence natural and normal in political life (Finlay, 2009).

The important question that follows here is, what does make politics as articulated by Arendt anti-violence? The answer is the detachment of the world of politics from the world of natural or comprehensive moral views. This is on the understanding that principles of politics should not reflect any particular theory of natural rights, but reflect things one can acquire when engaging in the sphere of politics of public space. According to Arendt, the good thing about the public sphere is that its politics is 'artificial'; in that political activities are not natural, but constructed by human beings. Consequently, no particular 'ethnic, religious, or racial identity' can be the basis for the membership of the political community. And thus it is important that everyone directly participates in politics because the public political domain becomes the space in which different value systems and forms of life are articulated and defended, not for the sake of using politics as means to realize such systems and forms, but as a means "to realize the principles intrinsic to political life; such as freedom, equality, justice and solidarity" (d'Entreves, 2014). This is because

individuals' public interests are not the same as, nor the sum of, their private interests and this is due to the fact that the public interests or opinions can only be 'formed through political activities in the public space', where citizens' opinions are argued and their differences are debated and their problems are solved. Political public interests are not the collection of individuals' private opinions. The public interests are concerned only with the common public world of shared things like activities, institutions, intrinsic purposes and ambitions that all citizens have been pursuing and enjoying for a long time, even before their individual private interests were formed. This world is "the world that lies beyond the self, that was there before, will be there after, our death" (d'Entreves, 2014). This world that is a kind of a network of actions and relationships comes into being because of the fact of plurality as an intrinsic condition of human action, that makes both similar and equal human beings and unique human beings not only in terms of their biography, but also in terms of their own perspectives. This context of plurality in human life is what makes human beings' political activities and actions meaningful. Therefore, only within this kind of plurality we can make our actions recognized and consented to by others through language and deeds. By the realisation of our actions in the public sphere we achieve the real freedom; a freedom that is expressed in our capacity to imagine the emergence of a new thing, a new start. Most importantly, we can visualize the possibility of a new good politics as an attempt at the true start of a new regime. Within this new regime or beginning, violence as a means for politics is abolished (d'Entreves, 2014).

5.6. Conclusion

In the search for possible understanding of the problem of religiously driven violence and any potential solution to it, this chapter argues that understanding such a problem should be within both the historical and the philosophical contexts of the relationship between politics and morality. Showing how the Enlightenment philosophers, Locke, Hume and Rousseau viewed the

relationship between religious violence and politics, and then taking on Koselleck's view on the reconciled relationship that morality should have with politics to avoid totalitarianism and conflict in modern Europe, I concluded that we need to re-attach morality to politics in a way that does not turn the relationship between the two into something wicked, morally bad both in principle and practice. However, Koselleck's argument does not cover the kind of violence committed by jihadists in the other, differently geopolitically developed, world. Gray comes in here to show that their violence is also a consequence for the ideal of the European Enlightenment, manifested in the idea of progress and the development of humanity towards a perfect form of life. For Gray, Islamists have taken this notion, using as a result the same kind of violence Anarchists and revolutionary Bolsheviks had used in modern Europe. He also adds that global liberalism's endeavour to implement this notion through military intervention for regime change created the most suitable environment for radical Islam to revive and begin to use that kind of systematic violence. The chapter also focused on *reasonable disagreement* and *value pluralism*, as two potential elements to deploy to end the propensity to violence in politics. The two concepts as clarified by all of Rawls, Berlin and Arendt work in contrast with the intolerance that those liberal theorists whose thought sees in humanitarian intervention a chance for regime change. In the end, the elements of a solution the chapter engages with incline to suggest that the intolerance and violence associated with the attempts to impose a particular monistic moral view on those who have different views is not unavoidable. We ought to just accept the simple reality of human life that is pluralistic and varied and work to make our disagreement reasonable.

Thesis Conclusion

This study is a theoretical inquiry into the view that religion is intrinsically intolerant of pluralism and disagreement and that it invokes bellicosity in politics. I looked into both the current field and the history of political theory on just war in relation to religious morality and politics. My objective was to investigate whether such a view is really accurate or just a mere fanatic monism in the thought of some writers and theorists. The primary focus was on the thought of particular writers, theorists and philosophers in relation to the relationship between peoples and nations with different religions and political ideologies more than on domestic politics. My argument was that religion does not necessarily drive its political agents to impose it as their best conception of the good on those who have different ideological views. This is due to the fact that religion can be tolerant and secularism can be intolerant and the cause of intolerance, violence and bellicosity is in the attempt to impose religion or a particular ideological view as a singular and best conception of the good on others.

What this inquiry discovered is that contrary to popular opinions and views on the certainty of the relation of religion to bellicosity, religion is not the cause of bellicosity in politics but the genuine cause is in the combination of a commitment to a monistic conception of the good and the enforcement of it in politics. In other words, when a monistic moral commitment accompanies the willingness of a political actor or agent to enforce it using violence as a political means, a kind of utopian anti-political potential appears in political public life. However, this potential can only be seen in some ideological views, but certainly not in most of them and this explains why, in fact, religion is not inherently violent or a driving force to intolerance and bellicosity.

This discovery is important, contributing a new perspective to an important issue and debate about the ideological sources of bellicosity in the field of political theory. This has been shown in the identification and exposition of the problem of intolerant views on religion and also in my problematization of it in relation to both peaceful-religious and interventionist-secular theories on just war. What makes such a conclusion important is that it points towards ways of rethinking the very relationship between religion, politics and reason. So that we can begin to understand not only that religion is not necessarily bellicose by its very nature, but also what the genuine cause of bellicosity is. It also calls to pay closer critical attention to the sources of the belligerence of secular agents and proposes greater scepticism about mischaracterising some people/peoples and states as potentially belligerent on the basis of their religious belief, showing that this can no longer be defended. Thus the attention can be directed to the fact that religion as a moral commitment will not necessarily lead to bellicosity if it is not accompanied enforcement as a political means.

In the first chapter, the thesis has highlighted the claim of the recent neo-atheists, Christopher Hitchens and Richard Dawkins and the neo-orientalists, Samuel Huntington and Bernard Lewis on the structural relationship between religion and violence/belligerence. The objective was to outline the common ground among them and show that such a view is not only polemic and apologetic, but also insufficient and incomprehensive. This is due to the fact that not only could there be other reasons for violence and war than religious commitment, but also most importantly, as I show in the second and the third chapters, there are historical instances of theorists on just war who were strongly inspired by religion and set up theories that are been peacefully oriented. Their religious commitment did not drive them to justify war for religious reasons. Indeed, in the second and the third chapters, the thesis has analytically interpreted two historical theories on just war inspired by Islam and Christianity, the religions most regularly accused of being intolerant and violent throughout history. These were constructed by the

Islamic figure, Abu Nasr Alfarabi and the well-known Christian theologian Francisco de Vitoria. The aim was to refute the view illustrated in the first chapter and show, in contrast, that religion is not at odd with pluralism and difference. The outcome for Alfarabi, a strongly religious thinker, is that his religious thought on war is tolerant as it respects religious differences and reconciles faith with plurality. He rejects both the domestic jihad and the global jihad (outside of Muslim lands) to convert non-Muslims to Islam. As for Vitoria, pluralism and acceptance of difference is evident in his general theory that brings together both religion manifested in religious-natural law and politics represented in the notion of common sense and experience to end any contradiction in nature in a way that makes peoples respect the autonomy of one another. His theory on war reflects this understanding and he rejected the Spanish war and conquest in the Americas on this ground.

In the fourth chapter, the thesis has investigated liberal approaches to ‘humanitarian intervention’ in non-liberal states. I sought to identify the interventionist elements in writings of the liberal just war theorists, Fernando Teson and Terry Nardin. I showed that their commitment to a singular conception of the liberal good as the ideal that everyone should follow led them to be intolerant of those who do not uphold it and violate democratic and other liberal rights. The objective was to contrast them with more pluralistic and peaceful liberal political theorists, John Rawls and Michael Walzer, who believed that non-liberal people have sufficient reason to reasonably reject the liberal conception of the good. This enabled me to show that secular ideology can also be intolerant and bellicose. The conclusion here is that the orthodox liberals’ drive to bellicosity is for reasons that have nothing to do with the natural character of their secular ideology. It is not only that the commitment to their ‘assumed’ best conception of the good is the reason, but also their attempt to enforce it. Thus, bellicosity might be linked not only to religion but also to other secular ideologies.

Finally, in the fifth chapter, the thesis has argued for a possible ideological solution to the problem of ideological violence and war focusing mainly on religious intolerance and violence. First, I traced back the problem of religious intolerance and violence into its Enlightenment European history with Locke, Human and Rousseau. Second, I engaged in Reinhart Koselleck's treatment of the problematic relationship between morality and politics in his modern critique of the ideals of Enlightenment as the cause of conflict. Third, I explained Paul Berman and John Gray's attempts to shed light on such a link between the Enlightenment and violence as relevant to violence of radical Islam. Fourth, I discussed some elements to the solution of the problem of ideological violence, highlighting Rawls' reasonable disagreement and the notion of value pluralism in relation to the notion of politics of anti-violence offered by Isaiah Berlin and Hannah Arendt. The purpose was to specify a possible explanation for how religious violence happens in relation to morality/religious morality and politics and then suggest some elements of a solution to it. The conclusion is that for the Enlightenment thinkers, religious violence is seen as a relational problem between religious and political power. For Koselleck, conflict and religious violence can be explained in the non-reconciled relationship between morality and politics. For him, none can and should be dominated and negated at the expense of the other and the separation should be ended as this kind of domination, negation or division is the original cause for the 'pathogenesis of modernity', its crises and conflicts. Along the same line of reasoning, I also concluded that both Berman and Gray see the Islamic fundamentalism story as not separated from the European Enlightenment. Like the modern European totalitarianism that is the by-product of Enlightenment, Al-Qaida and ISIS are also of its consequences, but a late development of the phenomenon. The chapter suggests that the deformation of the relationship between morality/religious morality and politics should be ended and constructively re-established on the idea of reasonable disagreement and politics of non-violence through putting value pluralism into practice.

Finally, this research suggests that rather than focussing on equating religion with violence we should stop stigmatising religion because a) it is false, b) it is liable to cause harm to religious persons who are wrongly assumed to be violent and c) it fails to address the real cause of violence which is monism associated with the willingness to impose it on others.

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