

The Role of War in a Voluntaryist Society

Written by Ben Speers.

Most voluntaryists understand that war is one of the most terrible, wasteful, horrific tools at the state's disposal. There can be no doubt that the death, devastation, and warping of the mind caused by war are terrible evils. But the question remains: "Is war ever justified?" Before a coherent answer can be given, we should first define war. If war is defined as a purely statist activity, then war is never justified for the simple reason that statism is never justified. However, if we include private, large-scale military operations in the definition of war, then war could be justified under certain specific conditions.

The question of the justness of war has been asked for centuries if not millennia. One very large body of thought on the issue is known as "Just War Theory." A veritable legion of philosophers has contributed to this theory, which is usually divided into two or three main parts. Due to the inevitable disagreements on the particulars of such a broad topic, I will present the most common or currently prevalent views in my description of just war theory below.

The first part, called *jus ad bellum*, deals with the justifications for going to war. First, a just cause must be established. According to the Catechism of the Catholic Church, which is a prominent proponent of just war theory, "the damage inflicted by the aggressor on the nation or community of nations must be lasting, grave, and certain." The main problem with this stipulation, which it shares with many other parts of just war theory, is that it is too vague. What type of damage is countenanced? Does drawing an offensive cartoon constitute "grave damage" to the moral sensibilities of a nation? And what if the victimized party is not a nation in the sense of a state, but rather a private group of individuals or a part of a nation? What if the victims are the civilians of a nation and the aggressor is their own government? According to the non-aggression principle, the voluntaryist definition of just cause would be "to defend or restore the rights of individuals who have been victimized by individuals who have initiated the use of force against them."

The next criteria of just war theory is that the justifying party must have suffered more wrongs than the offending party. Such a balancing act of variables that are difficult to quantify seems unnecessarily elaborate. As stated in the preceding paragraph, the much simpler non-aggression principle is highly preferable.

The concept of competent authority is another statist arrow sticking out of the back of just war theory. This principle asserts that only a "legitimate" government may prosecute a just war. The idea of private organizations or communities of individuals uniting to defend themselves is not contemplated under this view.

“Right intention” stipulates that once war is justified, all force used within that war must be used only to achieve the legitimate aims of the war. In other words, wrongful use of force cannot be justified simply because the war as a whole is justified. This would seem obvious to most voluntaryists.

The principle of “probability of success” states, according to the Catechism of the Catholic Church, that “there must be serious prospects of success.” One struggles to think of a reason why a voluntaryist would fight a war that could not be won, though arrogant states may throw away the lives of “their” soldiers for any number of reasons.

The stipulation that “all other means of putting an end to it [the conflict potentially leading to war] must have been shown to be impractical or ineffective,” again, according to the Catechism of the Catholic Church, seems to dovetail nicely with the voluntaryist point of view. After all, war is very costly, so it only makes sense that voluntaryists would expend all other practical means of resolving the issue before attempting to organize a war effort.

Quoting the Catechism of the Catholic Church yet again, macro-proportionality claims that “the use of arms must not produce evils and disorders graver than the evil to be eliminated. The power of modern means of destruction weighs very heavily in evaluating this condition.” Again, voluntaryists are motivated by cost-benefit analysis and rational self-interest (rather than nationalist propaganda), and as such, would be unlikely to engage in any use of force beyond that which would provide reasonable relief from aggression.

The second part of just war theory, *jus in bello*, has to do with the specific manner in which war is fought. First of all, distinction must be made between enemy combatants and non-combatants. This distinction can be difficult in the case of guerrilla warfare. However, a good voluntaryist would only ever engage in defensive war, and in that case it’s relatively easy to tell who the enemy combatants are: they’re the people who are shooting at you.

The principle of proportionality states that collateral damage or civilian casualties should not be out of proportion with the military utility of attacking a given target. In other words, it’s not okay to kill a bunch of civilians in order to neutralize a target of minimal importance. The emphasis that most voluntaryists place on the inherent value of human life is much stricter than this; a typical voluntaryist would probably not attempt to justify any loss of non-combatant life (and possibly not even loss of non-combatant property) in order to achieve military goals. “Military necessity” is the idea that the minimum possible amount of force should be used to achieve any given military goal. Voluntaryists naturally want to minimize waste and limit their military activities to defending themselves, so this concept is a no-brainer.

The fair treatment of prisoners of war is another easy one for voluntaryists. Support for torture and summary execution is scant to non-existent among voluntaryists.

The principle of *no means malum in se* means that combatants may not use techniques that are inherently immoral. Once again, such a distinction is superfluous if one is already living in accordance with the non-aggression principle.

Jus post bellam, or justifications for ending a war, is sometimes included as a third category of just war theory. To start with, just cause for termination posits that there may be good reasons to end a war, such as if the originally violated rights have been vindicated or if the just goals of the war become impossible to achieve through just means. This is another point that seems obvious; the only alternative would be endless war.

“Right intention” asserts that the victor must be unbiased in its treatment of the loser, such as objectively investigating alleged war crimes committed by its own (the winner’s) armed forces. To expect such objectivity from a state would be the height of naivety. However, judgments by impartial third parties, of which voluntaryist private arbitration is a good example, could be more likely to provide justice.

The principle of “public declaration and authority” once again reveals a statist worldview that does not consider the possibility of non-state actors in war. Essentially, this principle says that the terms of the ending of the war must be offered and accepted by ‘legitimate authority,’ whatever that means.

The doctrine of “discrimination” claims that the victors must distinguish between military leaders on the one hand and civilians and “mere combatants” on the other, reserving punishment for only those who are “directly responsible for the conflict.” This seems to be a contradiction since military leaders are usually only indirectly responsible for war; it is the front-line combatants who actually commit the acts of violence in war. In a voluntaryist system, individuals would be responsible for their acts of violence regardless of status as military leader, military follower, or civilian.

Finally, the “principle of proportionality” states that the terms of surrender should be in proportion to the original wrongdoing. If a war is being fought for purely defensive purposes and the terms of surrender are agreed upon through mutual consent, it is difficult to see how this principle could be violated by the defenders. This stands in sharp contrast to the end of World War I, which resulted in a very lopsided treaty against Germany. Speaking of World War I, the leader of the Catholic church in America at the time instructed all American Catholics to support the U.S. government’s war efforts. In fact, there seem to be few-if any-wars that have been condemned by any large portion of the just war theory community (i.e., the theologians and philosophers who claim to uphold just war theory). This tends to lend credence to the suspicion that just war theory is either too vague to counter-indicate very many wars or is actually designed to intentionally lend legitimacy to wars in general regardless of how just they really are. From a voluntaryist point of view, the whole theory seems very timid compared to the ideological restrictions that ought to be

placed on justification for war.

This leads us to the question of when, or even if, war can be justified in voluntaryism. As stated above, this depends largely on how one defines war. If one defines war as two or more states engaged in an active, large scale military confrontation, then no voluntaryist society could ever be engaged in warfare due to the lack of a state in voluntaryist societies. However, if we define war as any large group of people fighting violently for a common cause against another large group of people, then voluntaryists could potentially be part of a war.

Though some voluntaryists may be pacifists, most voluntaryists would probably agree that people could morally organize a defensive effort against a warlike aggressor. The key is in the defensive nature of the efforts in question. As long as the defenders were seeking only to protect or recover their lives and property and were directing their violence only against the aggressors, then there need not be any violation of the non-aggression principle.

Allow me to share two possible examples of a just war being fought by voluntaryists. First, imagine a voluntaryist society being attacked and/or invaded by a state military. The voluntaryists would be well within their rights to resist through force of arms. They could definitely prosecute a guerrilla war against the aggressors until the aggressors made adequate reparations for the damages caused by their aggression. If anyone doubts the power of small guerrilla forces in the face of large, technologically advanced state militaries, I would refer you to successful guerrilla actions during the American Revolution, the Napoleonic Wars, the American War of Secession (a.k.a., "The Civil War"), World War II, the Vietnamese-American War (a.k.a., "The Vietnam War"), The Battle of Mogadishu, and virtually any war in Afghanistan. Furthermore, I have written a lengthy article on the art of guerrilla warfare and insurgency/counter-insurgency in general which I can share if anyone is interested. If you would like to read this article, please leave a comment to that effect below.

A second example of voluntaryist just war would be a non-state aggressor waging war against the defending voluntaryists. This would probably be on a much smaller scale than a state-sponsored war. For example, if a large but private gang of thieves went on a violent spree of looting, raping, and murdering, a voluntaryist organized defense against this would obviously be moral. Private arbitration to recover/remunerate lost life and property would probably be more likely to be successful in this type of conflict. The security companies existing within the voluntaryist society could very well temporarily unite or form alliances in order to repel the invaders. With both professional security companies and ubiquitous volunteer militias arrayed against them, it's unlikely the aggressors would be very successful beyond a possible initial surprise attack (and even this would be risky). Stealing from well-armed, independent-minded, socially-organized people is a losing prospect even for the toughest looters.

In conclusion, just war theory, as it currently stands, is an overly-complex, nearly useless standard. The non-aggression principle is far simpler, far easier to apply, and far more restrictive of unjust war. And if voluntaryists voluntarily unite to defend themselves from aggression, there is no violation of the non-aggression principle. Stated simply, a defensive war fought and paid for by volunteers (and professionals privately contracted to volunteers) is the only truly just war. With no conscription, no draft, no war tax, no propaganda, no censorship, no aggressive warfare, and no incentive for wasteful destruction, voluntaryist war would be far less destructive of liberty than statist war. Of all the reasons to favor voluntaryism over statism, the end of unjust statist wars is one of the most powerful and would be a very dramatic positive influence on the valuation of the life, liberty, and property of human beings everywhere.