Victory, Peace, and Justice

The Neglected Trinity

By BEATRICE HEUSER

The first aim in war is to win, the second is to prevent defeat, the third is to shorten it, and the fourth and most important, which must never be lost to sight, is to make a just and durable peace.

—Sir Maurice Hankey

Since the U.S. Armed Forces handed out medals to their troops stationed in Germany to celebrate their “victory” in the Cold War, “victories” have eluded the liberal democracies, and their experiences with violent conflicts have been frustrating. We have seen ephemeral, short-lived, or fruitless victories in the first Gulf War, Bosnia-Herzegovina, Kosovo, Somalia, the Iraq War, and Afghanistan. After George W. Bush famously and rather prematurely proclaimed that the U.S. mission in Iraq was “accomplished” and the press hailed that as a victory, first General David Petraeus and then President Barack Obama have thankfully tended to avoid the term. There has recently been a wave of publications seeking to bring greater clarity to the concept of victory. It has been defined by some of Carl von Clausewitz’s followers as success in imposing one’s will upon the enemy and by others as the restoration of the status quo ante bellum (which, given the losses incurred by all sides in war, is never entirely possible). Unsatisfactory attempts have been made to introduce criteria of success according to a complex cost-gains calculus. William Martel has rightly identified the need to distinguish between victory and the outcome of the employment of force through strategy. Colin Gray has presented persuasive definitions of decisive military victory, while carefully distinguishing the result of a military campaign from...
the possible overall achievements on a political level: “decisive [military] victory . . . is hard to translate into desired political effect.”6 We are struggling with the concept of what victory in general means, as the new status quo or state of affairs (or the restored prewar state) has so often proved short lived: when is victory a meaningful concept? In search of an answer, it is worth enquiring as to how victory was seen in the past, what one might retain from past views for the present, and which views have led to dead ends.

Victory as Imposition of One’s Will on the Enemy

Ever since Napoleon (and his interpreters, among them especially Clausewitz), we have lost sight of a crucial truth that thinkers before Napoleon’s wars fully understood: namely, that victory alone is rarely of much value if it does not bring peace with justice.7 Military victory for its own sake was and is important to the generals and their armed forces, who can think of it as their contribution to fulfilling their side’s strategic aims. In that respect, as Aristotle commented, “The end of the medical art is health, that of shipbuilding a vessel, that of military science victory, that of economics wealth.”8 Greek and Roman generals were celebrated for their victories, but contemporaries were well aware that the effects of military victories were often of short-lived benefit. As such, they might not lead lastingly to that essential and often of short-lived benefit. As such, they might not lead lastingly to that essential and only legitimate overall purpose of war, which Aristotle identified as “peace.”9

There are cases when the evil that one confronts is so great, and the leadership of the other side is so thoroughly wicked, that the Clausewitzian definition of war as “imposing one’s will upon the enemy” should indeed be applied unconditionally. To conclude a war, peace must be sought by all the belligerents, and, at the very least, this means that the mind of a bellicose adversary must be changed through some means—whether by violence or persuasion, even if the latter does not amount to imposing one’s will upon the enemy fully. To change an enemy’s mind, one may need to deprive him of the hope that he might achieve his own aims more easily, faster, at less cost by using violence.

A military victory of the decisive sort, as defined again by Colin Gray as depriving the enemy of any hope of reversing his defeat in the near future, is certainly a particularly useful way to make him reconsider his course of action; indeed, it may be the only way. Nothing of what is argued herein should suggest that the defeat of enemy forces as a means of persuading the enemy to cease fighting is seen as insignificant. The shock of military defeat is certainly a huge factor in decisionmaking on any side, for which there may well be no substitute, to borrow General Douglas MacArthur’s claim. But often it takes more, and sometimes it takes less, than a military victory. In World War I, for instance, the German Heeresleitung managed to hide the Allies’ military victory from the German population because the Allies did not follow up their success in war by occupation of the defeated enemy country.

The Allies did not repeat their mistake in World War II. In that second great conflagration, few took issue with Germany’s unconditional surrender—the practical application in its extreme form of the call to impose one’s will upon the adversary—as the war aim of the Allies, and few have questioned the wisdom of this approach since.9 There is a weighty argument, however, about whether Japan might have admitted defeat earlier had the clause of unconditional surrender been dropped, and had the Japanese population not been led to believe that this might involve the removal of their emperor.10

Either way, crucially, World War II was an extreme case of conflict, as it pitted civilizations believing in the essential human right to life against regimes and their followers who believed mankind could be divided into humans and subhumans, of whom the latter could be eliminated or exploited to death with impunity. Confrontations with such extremely evil adversaries as Nazi Germany and Imperial Japan are the exception, not the norm. Most belligerents today do not aim at the enslavement of an enemy population, let alone its eradication, as the Germans did under Adolf Hitler. Instead, most wars arise from differences in purpose and aim on a less than existential level. They are conflicts about the distribution of wealth, resources, and territory, about a variance in status of different ethnic or religious groups, and about the right to determine one’s own way of life. It is difficult not to recognize some legitimacy in many of them, and the need to address all of them in some nonviolent fashion, through reforms, good governance, education, and investment. They can hardly be resolved through an unconditional imposition of one’s will upon the discontented side.

The Trinity of Victory, Peace, and Justice

Let us return to Aristotle’s definition of peace as the only legitimate war aim. According to the professed ethics of European societies from Antiquity to the French Revolution, the establishment of a better peace was self-evidently seen as the purpose of going to war. We find this argument articulated not only by Aristotle and pagan Roman thinkers but also by one of the fathers of the Roman Church, by East Roman or Byzantine thinkers such as Emperor Leo VI the Wise, and by Western Europeans in the Middle Ages and early modern times, from Christine de Pizan to the many authors of the 16th to 18th centuries who wrote about war. Military victory might be the preferred way to peace, but not the only one. Peace, harmonious order, and the kosmos were recognized as the overarching aims. How this was to be achieved—through negotiations, through the Byzantine equivalent of check-book diplomacy and soft power, through deterrence, coercion, or actual war—depended on circumstances.

But is peace alone a suitable aim? The peace of the graveyard—that is, the annihilation of the entire enemy population—was rarely articulated as an acceptable aim.
conditions to be lawful. This would later be called just war, bellum iustum, and it had to fulfill several criteria with regard to its causes, purpose, and conduct to be defined as such. The criteria that later came to constitute just war theory can be traced back to pre-Christian, Roman Republican concepts of a proper or orderly way to conduct a war, most of which can already be found in Cicero’s and Varro’s writings:

- The war has a just cause (self-defense or defense of another).
- It has the only just aim of the pursuit of peace.
- It is the last resort.
- It is conducted after a formal declaration of war.
- It is carried out with moderation (which is often referred to as the concept of proportionality).
- Balancing the consequences of not going to war or going to war in advance of doing so, it must seem reasonable to assume that the destruction and suffering caused will not outweigh the evil that is fought.12

Pagan Roman just war theory was adapted to Christianity by Augustine of Hippo around 400 CE. He added the need for legitimate authority (God, or his representative on Earth, the Emperor—later taken to mean a legitimate government).13 Augustine’s writings on just war, scattered over several parts of his work, were codified by Thomas Aquinas in the 13th century and gained general acceptance in international law. Thus, we find that in 1945, the United Nations (UN) Charter only allows defensive war (chapter VII.51), or action authorized by the UN Security Council in protection of international peace and security (chapter VII). In 2004, the UN High Level Panel on Threats, Challenges and Change, in its document “A More Secure World: our shared responsibility,” listed criteria of legitimacy for authorization of military intervention by the United Nations: the seriousness of the threat, the proper purpose, it is the last resort, it is conducted with proportional means, and the foreseeable balance of the consequences favors going to war over living with the consequences of inaction. This last criterion could be termed the choice of the lesser evil, or justice with moderation. Justice cannot be divorced from the peace; if it is, the peace will be worthless.

The pursuit of justice according to classical and later European authors, then, has several facets. The first is the restoration of a just state of affairs, the status quo before the war, or, if the status quo ante was not just, a just settlement of the dispute. In the absence of an international, mutually recognized court of justice to settle a dispute between two or more parties, this has often taken the form of war. Already Christine de Pizan, writing around 1400, tried to introduce an arbitration authority—composed of other princes and personalities of the highest moral authority—to settle disputes between princes. Many thinkers after her deplored the absence of such an authority, or a court of justice. Immanuel Kant, in his 1795 Eternal Peace, noted that war might serve to decide a quarrel but would not necessarily decide in favor of justice: “The field of battle is the only tribunal before which states plead their cause; but victory, by gaining the suit, does not decide in favour of the cause. Though the treaty of peace puts an end to the present war, it does not abolish a state of war (a state where continually new pretences for war are found).”14 As the Prussian General August Rühle von Lilienstern put it in 1813, “War is the means of settling through chance and the use of force the quarrels of the peoples. Or: it is the pursuit of peace or for a legal agreement by States with violent means.”15

Contemporary observers have often noted, however, that not all parties have always sought such a just settlement of a quarrel, or indeed peace. Shortly after the final defeat of Napoleon, Rühle remarked, “Victory . . . is not always the necessary condition of conquest or of peace, and peace is not always the necessary result of victory and conquest.” He added, “Victory and conquest are often causes of the continuation, the renewal and the multiplication of war.” In full cognizance of the old just war tradition, which had been dangerously challenged by Napoleon, Rühle conceded that it should in theory be the case “that one only wages war for [the sake of] peace, and that one should only wage war, in order afterwards to build it the more firmly and intensively on the lawful understanding between States.” Napoleon’s initiatives had shown, however, that wars were not always like this in reality. At times: a warring State only concludes peace for the sake of the next war. [contexts] in which it regards peace as a convenient and irreplacable period of calm, in order to continue thereafter the struggle that has been decided upon the more forcefully and completely. There are other contexts . . . in which a State derives some substantial, or perhaps only imaginary, gains from the continuation of war. In such cases, war is by no means waged for the sake of peace, as this would be a quite undesired event, but for the sake of the hoped-for gains, to be achieved through war. Such wars include those that are waged for passion and personal interests of individual military men or officials, of the army—in short, because of some subordinate interest, but not the general welfare of the State.16

Such wars do not, however, qualify as just wars; the problem arising from a victory of the party pursuing it in such a spirit lies in the unlikelihood that the defeated party will accept the outcome of the war.

Second, just war theory holds that one must fight the adversary only until the just cause is served. A rare example of a Greek who took an interest in this, Polybius in the second century BCE, opined, “[G]ood men should not make war on wrongdoers with the object of destroying and exterminating them, but with that of correcting and reforming their errors”—or, to use a slightly different translation, “undoing their erroneous acts.”17

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**The Emperor Napoleon in His Study at the Tuileries, 1812**

Jacques-Louis David, Samuel H. Kress Collection, National Gallery of Art
In a more practical vein, Machiavelli warned his Prince that “Victories are never so overwhelming that the conqueror does not have to show some scruples, especially regarding justice.” Other writers went further and advocated justice tempered by clemency. Machiavelli’s contemporary Giacomo di Porcia wrote in 1530, “the duty and office of any political leader, after the battle is won and victory achieved, [is] to save lives of those who have not been excessively cruel and overly resistant. For what would be less gentle, indeed more like to the cruel and fiercely brutal beasts, than to handle your enemy without any mercy and meekness? Undoubtedly a leader acting thus will kindle the minds of men against him.” Machiavelli’s French admirer, nobleman Raymond de Beccarie de Pavie, Baron de Fourquevaux, appealed to noble sentiments: “The true office of the conqueror is to pardon and to have pity upon the conquered.” Toward the end of the 16th century, Englishman Matthew Sutcliffe exhorted his readers to remember that “In the execution of wars . . . no cruelty should be used.” He urged “moderation even in the execution of justice, not only in the other actions of war.” For to “keep our conquest, there are two principal means which are necessary; force and justice.” About half a century later, French philosopher and mathematician Blaise Pascal mused that “justice without force is powerless; force without justice is tyrannical. Justice without force is opposed, for there will always be villains. Force without justice is derided. One must therefore bring justice and force together, making what is just strong and what is strong just.”

Just before the publication of Pascal’s *Thoughts*, his countryman Paul Hay du Chastelet admonished Louis XIV that the victor “has to preserve a generous humanity for the vanquished, to have compassion with them, to comfort them in their disgrace, and through good treatment, sweeten their rude misfortune.” If we consider the most successful pacification of two defeated enemies in the 20th century, Germany and Japan, it is precisely this recipe that worked: Marshall Plan aid for the Germans and reconstruction aid for the Japanese ensured that both nations had a vested interest in peace and stability through their new-found prosperity.

Third, the administration of justice is often identified with the punishment of the “guilty” party (usually defined as the aggressor, but who the aggressor is, and who the just defender or liberator is, are often uncertain in longstanding territorial disputes—think only of the Malvinas/Falklands issue). De facto, the party that calls for punishment is the victorious one, and punishment is meted out to the defeated side once fighting has come to an end. As General Curtis LeMay, responsible for the firebombing of Tokyo, remarked, “I suppose if I had lost the war, I would have been tried as a war criminal.” Polybius did not see punishment as such as a just war aim, postulating that good men should “extend to those whom they think guilty the mercy and deliverance they offer to the innocent.” Others argued that the enforcement of justice—punishment for war crimes—can only reasonably take place in a symbolic form, or at any rate selectively, against the leading decisionmakers responsible for these crimes. As the Spanish diplomat and soldier Don Bernardino de Mendoza noted in 1599, one cannot “punish a multitude”—or if one does, he either has to kill them all, or else the multitude will persuade themselves that this punishment is unjust, and the result, in many historic cases, has been the rise of revanchism.

Fourth, writing about postwar justice, Sutcliffe, Mendoza, and others after them argued that one must prevent injustice at the lowest level, such as attacks on individuals, but also pillaging and other ordinary crimes or iniquities that violate local customs. Effectively, they called for “good governance,” good administration, and the maintenance of law and order. The prevention of arbitrary arrests, assaults, theft, and arbitrary settlements of local disputes is part of the rule of law and justice. It stands to reason that the administration of justice is essential to a lasting peace.

Incorporating some or all of these dimensions of justice, it was a commonplace to see peace and justice as linked or in need of linking before Napoleon ravaged Europe. Allegories placing the two next to each other, depicted as beautiful goddesses draped in silks and often engaged in conversation or embracing, grace paintings throughout Europe, such as those of Tiepolo and Corrado Giaquinto. Even the French revolutionaries initially shared these war aims of bringing peace and justice; they saw the populations of Europe as oppressed by tyrannies and thus as brethren awaiting liberation, and they believed they were fighting only against their oppressors, not against the populations.

**The Trinity Neglected by the Napoleonic-Clausewitzian Paradigm**

Military writings between the time of Napoleon’s wars and World War II, by contrast, were dominated by the pursuit of victory for its own sake, victory divorced from the political settlement of a fundamentally political conflict, victory not as a reward for a just cause or for piety but due only to strength or at best cunning and underpinned by the Social Darwinist notion that the fitter nation deserved to prevail. Both the admirers and the enemies of Napoleon were blinded by his military victories. This was true especially of Clausewitz, who, casting all moral dimensions aside, formulated his famous tenet that “to impose our will on the enemy is” the “object” of war. “To secure that object we must render the enemy powerless; and that, in theory, is the true aim of warfare.”

Clausewitz thus reduced the meaning of victory to narrow military conditions: “1. The enemy’s greater loss of material strength; 2. His loss of morale; 3. His open admission of the above by giving up his intentions.” Clausewitz knew full well that he was taking warfare out of its greater political context when he stated this, as he wrote elsewhere: “In war the result is never final . . . even the ultimate outcome of a war is not always to be regarded as final. The defeated state often considers the outcome merely as a transitory evil.” Beyond this, Clausewitz deliberately omitted consideration of the trinity of victory, peace, and justice from *On War*. Only a few writers in the ensuing age, dominated by the imperative of the pursuit of victory at all costs, fully grasped Napoleon’s greatest shortcomings as a strategist: his inability to build a lasting peace.
In the subsequent age, which was dominated by the Napoleonico-Clausewitzian paradigm, enemies were expected to surrender unconditionally, and summary punishments were imposed upon the vanquished nation by the victor in 1871 as in 1919. The result was rarely a lasting peace, as B.H. Liddell Hart noted in 1939: “The more intent you appear to impose a peace entirely of your own choosing, by conquest . . . the more cause you will provide for an ultimate attempt to reverse the settlement achieved by war.”

It dawned on Liddell Hart that “Victory is not an end in itself,” as he noted in December 1936. In his own extensive reading, he rediscovered the thinking of sages who wrote prior to the age dominated by the Napoleonic-Clausewitzian paradigm. World War II, which to the minds of many Britons was due at least in part to the irredentism that the peace settlement after World War I created in Germany, was still an extreme example of the adherence to the paradigm, with its imposition of unconditional surrender, as we have seen. Indeed, a superficial reading of Winston Churchill’s famous “blood, toil, tears, and sweat” speech of 1940 to the House of Commons—with its emphasis on “victory; victory at all costs, victory in spite of all terror, victory, however long and hard the road may be”—seems quite in keeping with the paradigm. Nevertheless, even Churchill conceded that in this total war, the ulterior aim was the survival of Great Britain, “for without victory, there is no survival.”

Confronted with Hitler’s genocidal ideology and his military machinery of willing executioners, the Allies in World War II had no choice but to adhere to the Napoleonico-Clausewitzian paradigm.

**Victory vs. Survival**

The war raised a new question, however: what if military victory and survival became mutually incompatible? A year after the destruction of Hiroshima and Nagasaki, Bernard Brodie asserted, “If the [nuclear] aggressor state must fear retaliation,” that is, if there is a nuclear exchange, “no victory, even if guaranteed in advance—which it never is—would be worth the price.” He famously noted, “Thus far the chief purpose of our military establishment has been to win wars. From now on its chief purpose must be to avert them.”

Faced with the specter of total nuclear war, strategists to the west, and later also to the east, of the Iron Curtain began to debate whether war continued to be a rational choice—whether it could be the extension of a rational policy to another domain. Against this background, Liddell Hart’s rediscovery of earlier thinking about the relative value of victory and his skepticism about the Napoleonico-Clausewitzian paradigm were increasingly shared by others.

Doubts persist as to whether nuclear war could ever again be a rational choice, and victory is increasingly seen as a nonsensical concept in the context of a nuclear war. Significantly, in the Cold War, both the North Atlantic Treaty Organization and eventually the Warsaw Treaty Organization abandoned victory as a war aim. Nevertheless, wars on a lower scale promised to continue; anybody who doubted this was disabused of their optimism by the Korean War, which erupted in 1950. And such wars have generally been fought with the aim of winning them, in pursuit of victory. Indeed, the Korean War experience led to General MacArthur’s already mentioned claim that there was “no substitute for victory” for wars in general.

Yet even in less than total wars, the concept of victory is now seen as problematic in the light of the difficulties of turning military victory into lasting success. In “small wars,” limited wars, low-intensity conflicts, wars of national liberation, or whatever term one chooses, victory was difficult to obtain let alone maintain long before the watershed of 1989/1991. Victory, or the translation of a
military success into a lasting and favorable political settlement, had been elusive also in less than total major wars since 1945 including the Arab-Israeli wars, not to mention the many small clashes—small from a Western perspective—in which victory eluded the major powers involved, from the successive Indochina wars and Algeria to U.S. involvement in Somalia.

Already during the Cold War, Alexander Atkinson noted that Chinese Communism under Mao Tse-tung was not seeking victory through the classical means of war.37 No wonder that, after the experience of Vietnam, American strategists and military instructors long shunned the subject of small wars. They had proved particularly difficult for high-tech armed forces that were good at major campaigns in which overwhelming firepower promised success.

A counterfactual question deserves pondering: if nuclear weapons had not been invented, would we have been pushed to reevaluate the concept of “victory”? Counterfactual questions in history defy final answers, especially if they try to focus on single variables. What is clear is that, with or without nuclear weapons, there continue to be those who doubt that humanity can exist without war. Yet critics of war as a means of settling disputes go back at least to pre-Augustian Christian authors, and individual intellectuals have sought to develop concepts to eliminate war. Nuclear weapons made the pursuit of this aim more pressing than ever before, even to those who recognize that enduring human passions will continue to work against rational, let alone humane, solutions to conflicts.

**Conclusions**

As long as war continues to exist, and as long as states upholding the UN’s restrictive rulings on war encounter situations where they see the inescapable need to resort to warfare, there will be the question of how to define war aims in such a context. The works cited at the beginning of this article fell short of a helpful definition of war aims by divorcing victory, which they continued to see in the context of the Napoleonic-Clausewitzian paradigm, from peace and justice. In the words of a particularly eminent and influential British defense civil servant, Sir Maurice (later Lord) Hankey, “It must always be kept in mind that after a war we have sooner or later to live with our enemies in amity.”

Unless one has genocidal aims—which by definition no state upholding today’s international law can espouse—there are few wars where this consideration need not play a part. Hankey’s logical conclusion from this statement was cited at the beginning of this article: the most important aim in any war must be “to make a just and durable peace.” Victory is nothing if it does not lead to such a peace, and such justice must be seen as reasonable by both sides to make it durable. Hankey added: “Emotionalism of all kinds, hate, revenge, punishment and anything that handicaps the nation in achieving these four aims [of the pursuit of justice] are out of place.”

The main obstacle to a just and durable peace consists of all-too-human emotions, in addition to unpardonable collective selfishness, otherwise known as nationalism, chauvinism, or the arrogance and condescension that often underlie religious wars. Hatred, lust for revenge, and chauvinism in turn all too easily become untameable factors in democracies, as World War I and the inter-war years illustrated, and as we find in the rampant nationalism that characterizes interstate relations on the Indian subcontinent.

All this has practical implications, many of which find their echo in current debates about how to achieve “sustainable security.” It may well be unhelpful to gleat over one’s own success or victory. How different would relations with the Russian Federation be today if the West had not gloated over its “victory” in the Cold War and distributed medals for it, but instead celebrated the joint escape of East and West from the constant threat of World War III as a nuclear doomsday? Emphasizing postconflict reconciliation is thus likely to be a better model in many instances than continuing to humiliate the defeated party. That this model would not extend to defeated National Socialism (or to equally wicked regimes) stands to reason, but as noted, not all adversaries are so utterly evil. Where at all possible, a war must not be conducted in an unforgivable way: the laws of war (ius in bello) must be carefully observed even if it means, as many generals have complained, “fighting with one hand tied behind one’s back.” While this option is hardly available to small states, it certainly is to the world’s only superpower. It secures the moral high ground, which is crucial for the perception of justice, an essential prerequisite for a lasting peace. JFQ

**Notes**

1 Maurice Hankey, Politics: Trials and Errors (Chicago: H. Regnery, 1950), 26f.

6 Colin S. Gray, Defining and Achieving Decisive Victory (Carlisle Barracks, PA: Strategic Studies Institute, 2002), 18.
9 Hankey, 25 and following. He was critical of the imposition of unconditional surrender terms for Germany and Italy.
Russia’s recent authoritarian turn and Putin’s pandering to anti-American sentiment have highlighted the obstacles to a genuine partnership with the United States, assuring that bilateral relations will be a lower priority for both nations in the next 4 years. Nevertheless, as a key United Nations member, a still formidable military and nuclear power, and new member of World Trade Organization, “Russia still matters,” and the authors find and explore a set of mutual interests and concerns that necessitate pragmatic engagement between Washington and Moscow. In the near term, U.S.-Russian coordination will be required on the issues of Syria, Afghanistan, and missile defense in Europe. On a longer fuse, cooperation will be needed on such topics as the rise of China, security and development in the Arctic, and bilateral trade and development. In all these areas, the authors point out opportunities for the United States to advance its strategic goals.

**References**


20 Raimond de Beccarie de Pavié, Seigneur de Fournquevaux, *Instructions sur le faict de la Guerre extraictes des livres de Polybe, Frontin, Végèce, Cor- nazan, Machiavelle*, in *The Strategy Makers*, 47.


22 Blaise Pascal, *Pensées sur la Religion et d’autres sujets*, published posthumously (Paris: G. Desprez, 1669), item 103–298 (author’s translation). The author is grateful to David Yost for having drawn his attention to this and for his comments on the article.


29 Ibid., 80.


31 Ibid., 47.

32 Emphasis added. The audio for this speech is available at <www.youtube.com/watch?v=xju1MuvHoJQ>.