ARE WE AT WAR?

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IN discussing peace and war and the foreign policy of Canada, we are in danger of being misled by the definitions on which we rely, and we are apt to forget that wars like roses retain their essential characteristics even if their name is changed. Grotius defined war as *"status per vim certantium qua tales sunt"*[1] in order to modernize Cicero's definition, *"bellum esse per vim certationem."* Perhaps we should further modernize the definition by adding some such words as *"vel vim minantium"* for Grotius wrote before the days when states were pledged not to resort to war as an instrument of national policy. But it is not easy to broaden a definition. It is probable that future wars will be undeclared, that they will be called by other names[2] as long as possible, and that the warfare which has been renounced will be very narrowly defined. However, even if a new terminology is necessary to enable modern states to observe the treaty obligations which their impatient peoples have forced them to incur, it is important that we should not be the dupes of this new terminology.

The danger of taking a narrow view of what constitutes war is particularly serious because, at the very time when astute statesmen are making their concept of war narrower and narrower, technicians (if we may use this word) are busy devising new means by which one state can impose its will on another. In 1915 Japan presented twenty-one demands to China and secured the acceptance of most of them. In 1929 Russia employed force against Chinese soldiers in Manchuria. In 1931 Japan took extensive military measures in Manchuria, which were followed by the operations at Shanghai. In 1936 and 1937 Italy and Germany have despatched volunteer armies to Spain, where they are participating in a contest which resembles a civil war. To do justice to the ingenuity of the technicians we need broader and broader concepts of war, and yet statesmen are increasingly reluctant to call military measures war. To make matters worse it is easier for the ordinary citizen to agree with the statesmen that it is for him to grasp the achievements of the technicians, for his memories recall the Great War which, while it was war in its purest form, was not a typical war. Indeed, we may never see its like again.

1. *De Jure Belli ac Pacis, Liber Primus. Caput I, ii.*
2. *e. g. measures of restraint short of war.*

If we abandon the attempt to formulate a definition of war which will satisfy the jurist who is anxious to know at what moment of time the status of belligerency and the duties of neutrality arise, we can form a realistic concept of war between nations. It is the attempt of a state to impose its will on another state by violence or by threats of violence, whether these threats are express or implied. We must class every attempt at intimidation as non-peaceful. It is war in this wide sense which peoples should have forced their governments to renounce, had they been resolved that their pretentious Peace Pact should not be a mockery. Yet unfortunately peoples are often willing to intimidate others even when the thought of actual violence and slaughter is repugnant to them. The disappointment of what appears an innocent hope that a threat menace may succeed, often lures states into a position in which they feel compelled to resort to more active measures of hostility. By insisting on a wide interpretation of the term "war" we can help peoples to avoid these regrettable mistakes. Like such other legal terms as "forgery", "perjury" and "theft" the word "war" has been too narrowly defined for ordinary use.

Furthermore, by applying our new concept of what war is, we shall reach a better understanding of the world in which we live. We shall realize at once that we are at war now and that we have been so for some time. It would be absurd to draw from this simple proposition the rash conclusion that the laws of war should govern our relations with foreign states, for these rules and conventions have been elaborated in relation to the narrower definitions of war. But, just as a man may be insane (in the broad sense of the term) and yet not require segregation in an asylum; or as a man may be a spendthrift though not interdicted as a prodigal, so nations may be at war (in the broad sense of the term) without resorting to extremes of violence and without taking advantage of the set of rights and duties which international law provides for belligerents.

While we must avoid this temptation of misapplying our new concept, it is almost essential to our mental health that we should not continue to suffer from the delusion that we are at peace, when we are not at peace in any worthy sense of the term. Consciousness of this, like awareness of other delusions, helps the victim to adjust himself to his environment and to behave rationally. Much that is otherwise unintelligible in our lives will be clear when we realize that we are now at war. We shall perhaps remember that peacemakers are blessed, and shall begin as thoughtful belligerents should to prepare ourselves for the peace which we hope to dictate, or for the peace which we may unhappily be compelled to sign.

It will help us to accept this new concept of war if we remember that wars have not always been the frightful things to which recent experience has accustomed us. The so-called Great War may come to be thought of as a very clumsily conducted struggle, which would never have taken the form it did but for inexcusable and almost incomprehensible ignorance. It is quite possible for a war to be won by suitable preparation and clever manoeuvring without the sacrifice of a single life and, theoretically, every war would be decided in this bloodless way if each side had complete knowledge of its own and its adversary's material and moral strength. With such knowledge at our command we could predict with reasonable certainty the outcome of a violent conflict and it would be simply stupid to insist on proving our prediction by the process of trial and error. Bloody struggles occur only because knowledge is incomplete and both sides erroneously believe that they can win quickly without great cost in men and money. The Germans might have won if Great Britain had remained neutral, as they wrongly believed might be the case, and the Allies might have won in 1915 if the Germans had not unexpectedly developed a substitute for imported nitrogen.

In wars as we have known them violent conflict is preceded by concentration, and concentration by mobilization. Intensive armament and the preparation of every citizen for his wartime duty are separated by a very fine line from the process of mobilization. They might conceivably suffice to produce a situation in which the outcome of violent conflict could be clearly foreseen, and if they did the conflict would not occur. In such circumstances a nation could, without infringing the Kellogg-Briand Pact by declaring war, impose its will on another as effectively as Japan imposed her will on China by what the jurists quaintly call measures of restraint short of war.

It may be objected that in war (in the narrow sense) you know who are enemies and who are neutral. At a given moment of time this may be true. There may, however, be neutrals who seem certain sooner or later to become active belligerents and, as their position may be long in doubt, each side will have to prepare to face them as enemies if it should not be fortunate enough to secure them as allies. And allies, once secured, are not certain to remain forever faithful. In addition to neutrals there may in future wars be states answering to the name of "passive belligerents" which accept the legal status of belligerents but propose to abstain from acts of violence and expect their nominal enemies to do so too. All this is true of war in the narrow sense. The new and broader

concept is closely related to the idea of passive belligerency. Many nations are at present passive belligerents, preparing for contingencies in which they may decide to become active.

Canada must now be classed as one of these nations. During the depression Canada showed some disposition to remain strictly neutral while the great nations of the world slowly arranged themselves in battle line. Was it her poverty or her will which led her to consent to seek this peaceful rôle? It was otherwise with Great Britain, whose decision to re-arm is the counterpart of her declaration in 1914 that she would defend Belguim, and whose actual rearmament is analogous to the raising of the new armies in the first year of the Great War. Now, Canada too, richer or more accommodating, has modified her policy and is to spend more than before on national defence. How, in view of our new concept of war, are we to interpret Canada's conduct? It is not equivalent to the despatch of division after division overseas in the Great War. Yet it is far from being negligible and history furnishes a parallel for it. Indeed, the antecedents of Canada's Minister of Defence may make us suspect that the historical parallel inspired the policy. For it was at Bannockburn that Scottish women and camp followers, who probably had no more intention than Mr. Mackenzie King of being anything but passive belligerents, are said to have won the day by waving their clothes and simulating reinforcements. This seems to be pretty much what Canada is doing and, if history really does repeat itself, she may be fulfilling an historic mission. In one respect the parallel must not be pressed. Since the conversation of the Scottish women has not been recorded we have no counterpart of the Canadian Hansard. The Conservatives and the members from the Maritime Provinces who voted in silence at Ottawa seem to have grasped by some subtle intuition the significance of the occasion.

There is nothing gloomy in the conclusions we have reached. It should be a matter for rejoicing that modern wars can be conducted in a sensible way with little loss of life, that they can be won or lost without actual conflict. It is, of course, better to win than to lose. What counts is skill in organization, industrial technique, command of raw materials, man-power based on adequate nutrition and sound health, and above all the moral force designated by the phrase "will to victory."

But we should make peace as soon as it is possible to do so on reasonable terms. Though modern war need not be bloody, it is frightfully costly. The cost is usually measured by calculating what a beneficent dictator could do with the same money. This

method of reckoning leads to absurd exaggeration. It is the calculation of an unscrupulous debater. More responsible critics would ask what we should be likely to do with the same money, given our actual government and our actual economic order. To this question the truthful answer may well be that we should maintain hundreds of thousands of men in a state of under-nutrition and find in the economies of a depression an approximate equivalent for the costs of a war. Still, for what it is worth, there is a chance that our peace-time behaviour may improve.

There is a real difficulty in making peace. The power to exact satisfactory terms depends on the development and maintenance of the will to victory. Psychologically it is hard to develop the will to victory without at the same time inducing a ferocity which will impel us to endeavour to impose terms so harsh as to defeat their own purpose. Today it is not an exaggeration to say that both fascists and communists have acquired the will to victory, but in acquiring it have come to aim at nothing less than the destruction of their opponents. At most they may be expected to offer the option of forced conversion which was the crowning mockery of the wars of religion. It is still an open question on what basis the democratic nations can develop the will to victory, if indeed they can develop it at all.

On the answer to this question the future of civilization may depend. It is to be hoped that democratic nations will develop the will to victory and at the same time the will to offer or accept moderate and reasonable terms of peace. Psychologically the task which they are set is difficult. It will be helpful if they realize that war is not something distant in which they may or may not engage, but something in which they are already engaged and that positive action is necessary to bring it to an end. The war cannot be won by bluff unless the enemy can be deceived. But, if the enemy is well informed, the war will be won as soon as it is evident that the democratic nations understand their position and are determined to see the struggle through.

When a nation can demonstrate that it possesses adequate physical force and an indomitable will to victory, it need not resort to violent measures. Its methods bear to war somewhat the same relationship that Japanese wrestling does to boxing. The British Empire in entering such a contest enjoys certain obvious advantages and suffers from certain obvious weaknesses. Its physical resources are very great. British tenacity and skill in organizing men and machines are not likely to be underestimated by those who have once made this expensive mistake. But tenacity does not ensure

the will to victory. It is a moral quality which can manifest itself quite as vigorously in opposing the national will as in supporting it.

There is also an element of uncertainty when we consider the policy of the Dominions. They are not likely to pledge themselves in advance to act in a definite way in contingencies which may or may not occur. The response which they would make in an emergency is unknown until the emergency occurs and is recognized as such. It is unknown to Great Britain, unknown to foreign powers, and unknown to the Dominions themselves. Just as the willingness of the British people to fight may be misjudged, there is room here too for one of those dangerous uncertainties which make it impossible to predict the outcome of a violent conflict. As we have seen, these uncertainties are dangerous because they lead to the mistakes that may convert a bloodless into a bloody struggle. Each side may think itself the stronger because each side holds a different opinion as to how the Dominions would act in a crisis. Perhaps the countries which have once been bitten will be twice shy. Perhaps the response of the Dominions on a previous occasion may make other democratic nations too confident of receiving their assistance. Democratic states find it very uncongenial and very difficult to growl and look fierce. Through indolence or diffidence they may keep silence until they have to rely on biting.

There is no need to spend time in considering what sort of peace might be dictated to democratic countries if they are defeated in a bloodless war. They would have to accept what they were offered. But it is possible that these states may be in a position to set the terms of peace themselves. They must not forget that a disarmament agreement would be in reality a peace treaty. The mistakes made at Paris in 1919 need not be repeated unless wild passions have been excited. A peace settlement which attempts to maintain "rights" of the victors which seem utterly unfair to the vanquished is not likely to last long. The Franco-British limitation of the Russian navy after the Crimean war, the German annexations in 1871, the harsher clauses of the Treaty of Versailles are a few examples among many. A lasting peace requires a world in which former enemies can meet as equals resigned to accept an adjustment of their aspirations on a basis of give and take.

It is one thing to claim rights, another to insist on the liberty to abuse them at pleasure. The rights of national sovereignty are capable of abuse. They are abused if people of alien race are subjected to humiliating disabilities; if natural resources are unreasonably withheld from those who suffer want because they have no access to them; if exorbitant prices are exacted by nations which

control the supply of essential raw materials; or if minorities alien in race or religion are subjected to persecution. However, abuse of rights, if easy to illustrate, is hard to define. In the long run the test of what is equitable must lie in world opinion. But nations which are sensitive to world opinion, and which have therefore a sense of decency, are not likely to abuse their rights. The danger of conflict lies when opinion sets a standard too high to be politically practicable in some country that is powerful.

There is a sense in which we can think of Canadian foreign policy as being directed to enabling Canada to abuse certain of her sovereign rights without being called to account. The Chinese Immigration Act, for instance, is definitely insulting to a foreign people. The political discrimination against Canadians of Asiatic descent in the male line—a discrimination which the Minister of Defence has pledged himself to maintain—is obviously offensive to Japan, China and India. Today Canada's somewhat anti-social behaviour in these matters enjoys the protection of armaments for which Canada does not pay. It is a great triumph for Canadian foreign policy, a triumph which is possible in a world which is at war (in the broad sense).

In a permanently peaceful world, Canada might have to forgo these pleasures, unless she insisted on them in the peace settlement. The illustrations have not been chosen in order to suggest that Canada is a particularly bad offender in insisting on rights which other nations cannot be expected to concede unless they are powerless to interfere. Many nations do far more unreasonable and provocative things than Canada does. The danger is that in criticising others Canadians may forget their own behaviour and be uncharitable when they ought to be sympathetic. There is also a danger that, unless Canadians realize the sort of sacrifices which they might have to make to ensure a peaceable world, they may greatly underestimate the difficulties of making peace on terms that are likely to last. If all countries insist on remaining at war—albeit in a state of passive belligerency—until they can secure all the rights which they would like to enjoy, they will prolong a wasteful and expensive struggle in which Canada may have to play a more active part than standing on a hill and waving her clothes to a chorus of parliamentary eloquence. While we are at war we should remember that the supreme moral duty of a belligerent is to make the most of every opportunity for a tolerable peace. Whether one's belligerency is active or passive "on ne fait la guerre que pour ses resultats."

It is therefore time for us to consider our war aims and to formulate clearly the terms on which we are willing to make peace.

Unless we can put ourselves in other people's shoes we are in some danger of quite innocently demanding unreasonable terms. The result would be either to prolong the war, or to make it take a form which would involve violence and bloodshed, or to conclude a peace which could not last. But we must put ourselves in other peoples' shoes without losing our own will to victory and so having to accept the peace terms which others may dictate. These terms are likely to be quite as bad as our own and may be much worse.

We are in an interesting and even an exciting situation,—a situation more interesting and more exciting than the Great War or the Great Depression. The task before us is peculiarly hard. The prospect of success is slight. The penalty for failure is appalling, but the reward for success is correspondingly great.