TRUST, PREDICTABILITY AND LASTING PEACE

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Abstract. *The main focus in the paper is the connection between trust and peace which makes predictability as a necessary condition of the normalcy of life possible, especially collective and communal life. Peace is defined as a specific articulation of the distribution of (political) power within a society. Peace defined in such a way requires a set of rules (norms, or laws) needed for the stability of the established social state of affairs. The main purpose of those norms, laws, is to provide predictability without which stability of such a state of affairs is not possible. The role of trust in this scheme is crucial. However, trust precedes the peace (defined as a set of accepted set of laws), and cannot be obtained by enforcing such normative instruments as laws. Trust is so a component of freedom, the same which contains distrust as its possible component. In this sense peace should be taken as the power of control, first the control over ourselves, the power which makes status and existence of trust possible and feasible.*

Key words: *Trust, peace, predictability, laws, freedom.*

1. INTRODUCTION – SOME PRELIMINARIES

Peace, the last word in the title is the most important part of it. Can peace be lasting? What this means: lasting continuously for an indefinitely long period of time, or lasting forever, as in "eternal peace"? There is a conceptual tension here between the two: we may find that peace has a kind of primacy to its opposite, war, just because it, contrary to war which is *per definitionem* a temporary state of affairs that should pass (having peace as its final goal), is not *defined* in terms of temporariness but as a state of affairs which exists as if it will exist for ever (*sub specie aeternitatis*). Peace is a "normal" state of affairs, so it should last and be disrupted only incidentally and sporadically, rarely.

However, I would argue that peace has to be solid, firm and strong in order for it to exist at all, let alone for it to be something really lasting. My thesis is that peace is fragile and very demanding, and that some of its demands are ambiguous while others are hard to fulfill. The uncomfortable conclusion will be that we have so much of it, the peace we

get, depending on the amount of efforts we put in its maintenance – but those efforts are often uncertain, and sometimes even counterproductive. This is so because peace is an extremely complex and subtle structure, demanding apparently opposing requirements such as freedom and justice. This is crucial: the validity of the structure of the peace depends on freedom, but also on justice: in the first sense from freely given consent (i. e. consent could not have been given after all); in the second sense there are normative requirements of freedom, but these depend on a series of factual, empirical, suppositions.

What is certain is that peace, however, depends on predictability, and predictability depends on trust. These two relations seem to warrant further exploration.

Let me first put here some preliminary definitions, or characterizations, that I will use in my further argumentation. I would like to define the terms *"life", "freedom", "value", "peace", "conflict", "war",* and *"trust"*. I will put these terms in foursets: 1) life and freedom, 2) values and morality, 3) peace, conflict, and war, and 4) trust, as the main term under investigation.

1.1. Life and freedom are closely interrelated and intertwined

Life is *the activity of setting goals and attempting to realize them.* This seems to me to be the most basic description of life, and the definition of "freedom" is very close: it is the capacity to do this, i. e. *freedom* is *the power to set goals and attempt to realize them.* Freedom is a precondition of life, life is the realization of freedom.

1.2. Values and morality

Values come from our being interested in something – something that no one is interested in is worthless. The values are whatever becomes the object of this activity of "setting goals" (even without attempting to realize them). It is obvious that this is a definition of non-moral values, values that are *morally neutral.* This is important because it makes it possible to separate almost of all the values from the burden of (additional) moral designation and to retain our freedom therein: we are free to set any goal for which we can find the means for its realization, and then try to realize it. From the moral point of view it will be ok until it comes into conflict with some moral requirement, and only then will it become morally relevant. This Kantian approach is good for several independent reasons:

▪ it makes it possible to retain our freedom: we are free to do anything we want. The accumulation of success in the realization of set goals will be the inventory of achievements which is up to us to strive for and materialize, and if it is not morally wrong we may realize those goals without paternalistic or moralizing preaching: it is up to us to do anything that is morally permissible. Our happiness, our economy, our political goals, our worldview and our world itself will depend on the goals we set, and we will be free therein, i. e. not determined in any way in advance.

▪ it will not imply the utilitarian "More is better" clause (open maximization without possible optimum), which would make anything that we do insufficient and inadequate.

▪ it preserves the heterogeneity of the world without sacrificing the rigor of morality: morality is universal, but values like happiness and wellbeing are relative and cannot be determined in advance, before people set their goals and eventually structure them in some life plan (Kant, 4:418), allowing others to have different goals than us and pursue a different, i. e. their own, idea of what is good (for them, not us) within the limits of morality (in this case within the limit of the freedom possible for all).

▪ it preserves the difference between moral and non-moral values and guards us from totalitarianism which would follow if we reduce morality and other values (like legal or religious, or political, or even economical values) to the same kind of values commensurable with each other and reducible one to the other.

▪ Having this in mind we have the stance that morality is exclusionary, that it requires primacy of moral evaluation over all other values, and excludes any tolerance. But the benefit of this is the possible heterogeneity of the set goals and the preservation of the autonomy of those who set those goals. There is a possible scope of morally indifferent goals whose realization is valuable, and which constitute the realm of all the values that are morally allowed.

▪ *Which are those values?* They are the values of life which are independent of morality because they are based on goals which are legitimate and, as such, morally permissible. The values contained in peace (although not necessarily the value of the peace itself) are of such a nature: they are determined precisely as the scope of all legitimate goals. But what, and which, are those goals?

1.3. Peace, conflict, and war

Peace is a specific articulation of the distribution of power in a society. This may seem to be too vague for a definition: which articulation?, which society? We will see in Section IV that this has some other interesting, important, and far-reaching features. For now I would just propose this as the definition of what peace is in the context of what the scope of realized values could be. Another feature of this scheme is that it comes as if it will last forever (*sub specie aeternitatis*), as a kind of frozen collective will.

1.4. Trust

Trust is the scheme that *overcomes time:* it makes the prospect of the reality of something that does not exist in the present point of time to be taken as real. Of course, in trust we do not take that whatever will exist only in the future already somehow exists in the present. Something else is there at stake: that it is certain – or as certain as it could be – that it will exist in the future, in general or at a designated point of time. Trust makes room for *predictability*, and predictability is how we get to the future at this particular point in the present. Being so the basis for the reliability of what we believe and hope to happen in the future, trust does an important work of securing connecting two points that should be connected, present point and some future point. However, it should be noted that this hope is not empty or vain hope "that can hurt and destroy you", as Thucydides would say, but a hope "backed up with plenty of other resources" (Thucydides (1), V:103). These "other resources" mentioned by Thucydides are of importance here, and this is the subject of the second section of my paper.

2. TRUST

Trust is a very sensitive relation which cannot be obtained on demand. It has to be built within the framework of the society and our mental frame. It is very fragile. It has to be there as if from before, but at the same time it has been built on the ongoing basis as being construed at that particular point in time, always affirming anew the reasonableness

from previously established or newly created expectations. It demands routines and practices, but it has to be based on a current particular decision as it has been created in it. To recognize and appreciate trust, it has to be taken simultaneously as very vulnerable and at the same time as being beyond any inquisitiveness and suspiciousness. Trust is like time in Augustine's answer regarding time[1]: when nobody is asking what it is or whether it exists, it is there, while even the question itself might risk destroying it.

We may ask how can trust exist? Why do I believe anyone, why do I believe myself? The seemingly simple answer is – because I can, because I am free, and that is why. What is strange is that "I can" implies "I will", and even in a necessary way: I cannot not to believe to myself in the same sense in which I cannot will not to believe to myself; even if I believe that I am wrong, for example, what I believe is that I am right in believing that I am wrong, that it is true that I am wrong. We are doomed to freedom (*cf.* Christine Korsgaard, p, 26).

Regarding others, I believe them because I must respect them. Why must I? That is a moral requirement, a requirement for the universal respect which implies mutuality: if I respect others without respecting myself it will be servility, not respect, if I respect myself without respecting others, it will be arrogance, not respect. From the point of view of instrumental rationality (as, e. g. one found in utilitarianism) it might be different, but even there we have to hope that it is rational to believe others as we believe ourselves because this is the basis of reliability, predictability, of the possibility of respecting laws, respecting values and life, and all of that augments (maximizes) the prospect of the production of good.

To be effective, trust *has to be embedded in communication as such*, embraced within our behavior, it has to be a part of our life and what we are. But it is easier said than done. It can be diminished and/or destroyed by hypocrisy (which can more easily include cordiality and affability, or even sympathy, pleasantness in our communication with others, while trust, excluding suspiciousness still has to contain seriousness and actual responsibility), or some kind of resignation and apathy.

So, trust is a kind of *invisible medium* which makes communication possible. What kind of communication? Any kind, but if we focus on peace, we will see that trust is a prerequisite for one specific condition of peace, namely the control of (our) future time – for which we need predictability. Trust is needed for any communication to function at all – the possibility of applying to the content of our communication the most basic criterion of all, the criterion of truth, depends on trust without which we could not discern the truth-telling from the lying. But in the context of peace, trust is needed for long-term schemes. Why is this important? It is important because we *need* long-term schemes in this context: peace is not, it cannot be, a matter of ongoing deliberation on a daily basis, it has to be articulated through rules and laws capable of ensuring long-term expectations in the most important areas of life. This is what makes peace what it is. And this is the scheme of social and other (economic, political, legal, customary, moral, etc., even religious) rules where expectations are secured through predictability which makes those expectations feasible. Aims, goals, plans, and projects become feasible *because predictability is functioning in a viable way,* as if the future has become transparent and controllable, or even controlled. And this is what peace is about: the control of our future time, the time where the life should be realized, where our legitimate ends have a real chance of being finalized without being

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[1] "What, then, is time? If no one ask of me, I know; if I wish to explain to him who asks, I know not" (Augustine of Hippo, *Confessiones* lib xi, cap xiv, sec 17).

hindered by those obstacles that can be removed. By giving us control of (future) time, peace is a central issue of social power, and an expression of its articulation and structure.

Can this control be materialized without trust? In the short run perhaps it can, either through force or through manipulation. Can we conceive some other way of obtaining predictability without this invisible medium of trust? For example, can trust be replaced by the enforceability of laws, absolutely open and completely transparent, where control would be given to a special agency officially in charge of enforcing the law(s)? This would be the case of totalitarianism, where trust plays a very small role if any. However, in the long run, suspiciousness would destroy the fabric of the society, kill the motivation, ambition and the sense of responsibility, and eventually lead to unrest and change, or otherwise to anarchy and lawlessness – quite the opposite of the primary goal.

The invisibility of the medium of trust can sometimes be replaced by some emotion, like the increased intensity of loyalty and devotion to the leader, and this is really the most common feature of dictatorships: the "love of the people" for the "beloved leader" functions almost everywhere as the crucial role in dictatorships – they have to be loved to substitute the absence and lack of legitimacy. However, such a scheme is unstable, indicating temporariness: if the dictator does not die in time there is a high probability that the "love" would be replaced by hatred at the very first opportunity.

On the other hand, the *invisibility* of the medium in which trust could be established does not mean anything secretive, on the contrary, the lack of trust requires secret agencies with a kind of very strong commitment accompanied usually with extreme threats of penalties. And even then the system, if we can call it that, is unstable and short-lived.

The invisibility of the medium of trust requires (sincere) acceptance and loyalty to a set of social schemes containing common shared values and corresponding institutions. This acceptance makes superfluous and even precludes full visibility of those scheme if they were to be functional in a direct and spontaneous way. Basic social institutions have, in a way, to protrude from the base of the society, not to be "visible" in an open and official way. This obviousness of what precedes to any further questioning covers not only collective beliefs, such as the belief in existing identities, but also many tenets which have to be taken for granted, all those which are necessary for the efficient functioning of trust and confidence. This is why it is not possible to replace customs (e. g. rules of decency) with accepted written rules through any kind of deliberative decision-making. The invisibility of the medium of trust cannot be caught in a scheme of transparency and an officially documented process. There is a factual residuum irreducible to formal determination; if this is so, it might be a symptom showing a kind of primacy of factuality which transcends any formal process producing obligations. If this is so, it might be the reason why attempts to "legalize" customs and social beliefs destroy the very basis on which those social schemes are built on. It seems that some of the most subtle aspects of life and parts of the articulation of its value will be lost if we do this. For example, it could be that contemporary instruments of legal regulation of human sexuality, such as sexual harassment laws, do not enrich the value of sex or life (but only make them easier and more direct but ultimately less valuable). Brought to a higher level this could be rephrased as the question of whether registering and documenting everything we say and do really improves our life and in what sense?

The bottom line is that it could be rephrased as the question of whether the invisibility aspect shown in the way trust functions should be removed? And if it should, there is another question even more basic: could it? Could trust function without taking it for

granted, as something that is obvious, that the medium of trust would be endangered or even destroyed by introducing schemes of open control and absolute transparency? Life would be, for sure, much easier that way. But would it be better? If suspicion were to be legitimized to the point that it would not be indecent to raise any issue at any point, *if it, suspiciousness, becomes normal and the opposite of it not normal* – would it be a great advance and a huge step in progress in the process of the cultivation of the world in its goal of acquiring universal and ultimate happiness? I would like to conclude this excursus, which is a digression of a kind, by throwing in the ring a provocative idea that the world-view based in the concept of rights – and this is what matters here – is based precisely in this culture of *suspiciousness*, accompanied by *possessiveness* and a positive attitude toward *control* beyond the point after which some privacy would be protected from any control. This culture of universal suspiciousness is not necessarily connected with democracy. As far back as Thucydides, we can find that one of the most important aspects of Athenian democracy was that ... "far from exercising a jealous surveillance over each other, we do not feel called upon to be angry with our neighbour for doing what he likes, or even to indulge in those injurious looks which cannot fail to be offensive" (Thucydides (2), p. p. 89.).

On the other hand, suspiciousness is a necessary part of our fallibility. It is necessary to check not only the facts but also to be certain in a minimal way that the "normalcy" of the trust functioning in the world cannot be used for any purpose opposite to its nature: the purpose of trust is not to be deceived but the contrary, to make the security of our present prospects in some near or further future possible.

3. PREDICTABILITY

Our epistemological position in the world is *fallibility*. Fallibility is the most striking sign not only of the epistemological limits in our access to knowledge of what there is, but also is a constraint in our making decisions. What characterizes this process of making decisions is *uncertainty*, indeterminate prospects in the realization of all goals. This is so because the future is open and what reality will be in the future depends in part on what we do now. We live in a world in which we can make decisions that we predict will have a high chance of realization, but this is in great part because we live in a state of peace.

Some predictability is also present in the state of war, the part which depends on making decisions based on the laws of nature and the remnants of the still valid social institutions and rules (after their presumably temporary *suspension* – which is a part of the definition of war), reflecting thus the *double nature of war* in this respect: war is, soon upon its beginning, at the same time a set of acts and practices and a phenomenon taking on the features of a natural event. But still a great part of those expectations which make life worthwhile are of very meagre prospects in a state of war. *Uncertainty prevails.* In war, the fallibility takes a new normative stand: although we can expect that natural laws work in the same sense as ever, other parts of the viability of our expectations cannot be established with the normativity, creating any normal level of expectancy.

How come that we have – in the first place - such a (high) level of expectancy for the normativity upon which our *normal expectations* are based, i. e. how is such a high level of expectancy actually realized? How is it possible that we can predict the future behavior of others, and for that matter of ourselves, so accurately? The simplest answer to this is that we have customs, laws, and all kinds of rules which are the result of the accumulation of

previous experience. We will not delve deeper in the issue of how laws are created. To the question of how they function, it should suffice here to say that there are some *established instruments of their enforcement*, notably *the state*, the nature of which is to secure the good functioning of the scheme of expectations. Expectations should not be *mere hope* "without other resources", as Thucydides would say (Thucydides (1). V:103). Also, it goes without saying that the most important among those instruments is the state. The role of the state is to provide conditions for the validity of laws – an important part of this validity being their viability, which amounts to their enforceability. It seems that nothing can substitute the state in this regard (*cf.* C. H. Wellman, "Samaritanism and the Duty to Obey the Law"). The very essence of the state is contained in this function to enforce laws, and the power to do so is a precondition and prerequisite for this function. We may now develop the well known story of how this power and its legitimacy are not only a scheme of proclaimed rules but also include the determination to do what has been proclaimed, and that this is a matter of (political) power.

We can further distinguish all the interests we want to protect by law into three parts, or spheres, in an attempt to find what the source of legitimacy to employ force in enforcing the proclaimed or valid-to-be rules is (*cf.* J. Babic, "On State, Identity and Rights: Putting Identity First"). One part are regular ordinary interests, all of which are legitimate despite overlapping with the aspirations and interests of others, the sphere where we have to come to some agreement, with others, what to do and what can freely be done (Millian "other-regarding acts", cf. Mill, p. 136). The second is the sphere of interests that are of no legitimate concern of others, the sphere of privacy (Millian "self-regarding acts"). However, it is of special interest for our topic of peace that there is a third sphere of interests, those the freezing of which makes peace what it is, and these are usually invested in constitutions of states capable of issuing laws for the first sphere of interests (the political interests in the broadest sense, all those interests that have to be legitimized by not being forbidden by the law, Millian "other regarding acts"), and also capable of protecting the interests from the second sphere of interests (the sphere of private interests, making privacy the most important part of freedom). I think that for the efficient control of the future this is very important precisely because our regular "other-regarding" interests, as well as our "self-regarding" interests cannot give the impetus to homogenize social energy to secure the predictability necessary for the lawful civil way of life.

For this we need more, and this is, according to my opinion, a separate third sphere of interests, which are not *taken to be, and not to be taken, as a matter of on-going decision-making – they have to be taken as constant and unchangeable.* "Taken as" here means that they function in that way – as unchangeable and sacrosanct, as the basis of the possible articulation of the legitimate interests in the first sphere, as well as providing the point at which we have to put the demarcation line between "other-regarding" and "self-regarding" acts.[2] In my opinion, there are two main interests belonging to this third sphere of interests, and they determine and define what a possible law in a state is or could be. Those are, first, a description of an underlying *collective identity* as the bearer of the constitutionality of the laws in that state, and, second, *a shared sense of justice,* or the common view of what justice is. These two are the ingredients of "peace". They define the

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[2] For some fine tuning of this demarcation line *cf.* J. Babic, „Self-Regarding/Other-Regarding Acts: Some Remarks. Available at: jovanbabic.com.

articulation of what can be a "law" and the scope of the legitimate distribution of power in that state.

It should be noted that the first, the underlying collective identity, is directly necessary for the creation of any law as it is a condition for the possibility of what makes the law valid, namely *consent*, i. e. that the law applied is *"our law"* and not something imposed from outside in which case it would be a form of violation of autonomy. In this sense, it precedes even the shared sense of justice: even if a law cannot be proclaimed to be unjust and remain valid, still the description of what "justice" relies on is the shared *sense of* justice, i. e. what "everybody" there feel, or "sense", it to be such. This opens room for a state to have unjust laws and still to be able to maintain the peace, if the control of future time is secured by the consent of those whom the laws are imposed upon. There is no necessity about what consent will or should be: it is a kind of arrogance to presume that the decisions of all peoples regarding this issue will be the same (that their interests and their hierarchy will be the same in all humans). There is a normative necessity to make a civil condition (Kant, 6:312)[3], but the concrete articulation of this condition is not determined by this necessity.

In this sense *the state* is the source of predictability. The state has a normatively established authority to enforce all laws. However, it has also an unconditional authorization to enforce two basic sets of laws which are necessary conditions for social life: laws defining the collective "self" of those to whom they apply (collective *identity*), and laws reflecting the community's shared sense of *justice*. It is in order to add a few comments here. This is "unconditional" because the state obtains its authority to enforce all other laws from respecting these two tenets, collective identity and justice accepted in that collective (*cf.* J, Babic, "On State, Identity and Rights") – if it stops respecting these two requirements it loses its authorization to enforce any law. This is important for the issue of peace, obviously. It is a matter of course that the state is determined, sincerely and responsibly, in order to defend its constitution, defined in the first place by these two items (a particular collective identity and a particular shared sense of justice); otherwise, it loses its purpose, along with the peace and stability. Therefore, the state guarantees predictability, which is a condition for peace. [Without the state there is no peace.]

4. PEACE

If Peace is a specific articulation of the distribution of the social power – the laws being the most direct and explicit part of this normative structure, although not the whole of it. Other parts of this structure are social customs and established expectations (of a longer or shorter lifespan, like fashion for example). How stable is this structure and how stable could it be? All human power comes from freedom. Freedom, as the power to decide otherwise, and act in accordance with the decision, produces differences, in addition and on top to all other changes brought by the flow of time. The accumulation of these differences makes the prospect of the stability and longevity of peace uncertain and tenuous, and in the long run, impossible. So the prospect of peace as a lasting state of affairs is rather dim and uncertain.

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[3] *Cf.* also J. Babic, "Introduction", p. 11: "Although universalist in morality, Kant is not a universalist in matters of happiness and wellbeing. .... Political diversity and plurality seem to be morally demanded by Kant... [In] the terrain of freedom [there is] ample room for all kinds of differences in pursuing happiness. Universal respect for moral autonomy requires of me to allow others to have different goals." Also available at: jovanbabic.com.

A possible viable solution we may find in Kant. The interpretation offered here is different from the standard one, but I think it is well corroborated in Kant's writings, especially in *The Metaphysics of Morals* (*cf.* J, Babic, "Structure of Peace"). I would interpret the relevant parts of his doctrine as ones of compromise: peace is actually a form of *truce*, with a certain scope and intensity of predictability, not a state analogous to the legal state of individuals within states. Eternal peace is impossible. Peace is, or has been, created with the aim to last (as it would last forever, *sub specie aeternitatis*), but the fragility and instability are actually a kind of necessity. This makes an interesting dialectics regarding a fascinating opposition in what makes a "primacy" between war and peace from the ontological and from the epistemological point of view.

War is *per definitionem* a temporary state of affairs which should end, peace is a state of affairs that should last – this is *on the normative level,* within a specific epistemology of what makes the value of peace (and war). *On the ontological level,* however, the positions are reverse: peace is a temporary articulation of power – its structure and the distribution of power coming from this structure (articulated through laws and a set of socially accepted beliefs, as schemes of long-term "frozen" collective will) vary and will become, sooner or later, unjust and unbearable, or otherwise endangered through the accumulation of differences and changes within or outside that structure. *Peace* is necessarily fragile, and *has to be actively defended.* It requires effort to be preserved. However, *the prospects of defense are uncertain and vary.* The effort to preserve peace is not natural, inertial or spontaneous, it is arbitrary, for two reasons which are contrary: first, because of the choice ingrained in laws (the fact that the laws could have been different) and, second, because the laws are to be taken as "eternal", or "frozen" and normatively constant, not a matter of any current decision-making (the laws have to aspire to be valid indefinitely in time, otherwise they could not have been enforced). So, preserving the peace, and all the efforts necessary to achieve it, necessarily become unconvincing and implausible at some point. Therefore, *peace is, ontologically, from inside, temporary. Changes will produce enough differences to make a new and different peace,* which has to be realized through conflicts, so the only question is whether these conflicts will be resolved (or even resolvable) in a more or less peaceful manner.

War on the other hand, despite being normatively defined as a temporary state of affairs (as the state of affairs that should end), is latently always there: as a kind of energy to resolve conflicts in whichever way needed to reach a resolution. In this sense war is always an indicator of incompleteness and weakness: there is not enough strength to avoid conflict in the first place, and, in the second place, to resolve it quickly and efficiently in a peaceful way. *War can be seen as a failure in the effort to maintain peace.* However, it is also possible that some conflicts cannot be resolved in accordance with the principles forming a particular peace, or, even more importantly, that those very principles are at stake or produce conflicts, and so cannot help. In such a situation it is possible that a new perception (or just a perception within that particular situation) of what is just and fair will produce the idea of affordable means of resolving the conflict. We can suppose that many conflicts in fact are resolved in this way, not on the basis of reasons but on basis of strength, physical strength or the plausibility of a threat of some kind. Prejudice and ideologies work that way too, and work very efficiently – by silencing, suppressing, absorbing or amortizing the conflicts.

But it is also possible that there are no such means, or that they are not efficient enough to resolve the conflict. The conflict, being irresolvable and at the same time not removable, cannot be either solved or superseded. If at the same time there is a decision that the conflict still has not to remain unsolved, it will continue to work by producing

war as the way of solving it. As all regular means of conflict resolution had been exhausted, we will have a process with reduced regularity (exhaustion of all regular means entails suspension of regular laws and other norms).[4] This is the point of starting a war, as a process in which there is no regular control of future time. Instead, the uncertainty and prospects of violence, cunning, luck and accidental combinations of circumstances would create a network, or context, within which the normal regularity necessary to any viable predictability is, as a matter of fact, absent.

The characteristic feature of such a situation is the presence of *an irreversible point* after which conflict supersedes any or adequate control of the instruments for resolving conflicts, instruments which make the most important part of peace (laws, customs, established expectations, everything taken for granted like the sense of decency, fashion, even prejudice). After this irreversible point, it is not possible to localize and limit the conflict, or even confine it in a definite period of time. This is crucial point: *after such an irreversible point, in war, there are no deadlines.* The presence of this "irreversible point", a point of no return, is what defines the war: after that point we have no peace anymore, and war, or some such conflict, is a means to either restore the old peace or create a new one, but within an indefinite time-frame and without a definite result regarding who will be the victor. In this sense war is clearly a temporary state of affairs, and it has to end at some point. Even in the period of the utmost uncertainty of its duration and outcome, it is not, presumed to last forever. However, there are no deadlines.

So, the truce which characterizes the anarchical international society is *not* a state of nature. A truce of this kind is the true nature of the world: wars are always possible, and peace, which actually is a truce, is the state of affairs in which that possibility has been successfully avoided. War is a latent but real possibility – a very expensive and often also unnecessary, immoral, even absurd possibility, like so many similar ones we all always have within our reach and in the domain of our freedom, ones we usually do not consider the objects of prospective decisions.

My thesis is that "peace" is a name for a state of affairs which has its meaning only in relation to its opposite, the absence of peace which, according to Kant, is a state of nature defined as a state of war (Kant, 6:344). What really is "eternal" here are only the possibilities of both peace and war. Peace and war are a pair of notions connected to each other and each of them is defined in relation to the other. Peace is, *prima facie,* positive, war negative in this oppositional pair, *polarity* being the characteristic of values.

However, this is only *prima facie* so, because peace can be unjust, contain slavery, humiliation, discrimination, inequality, exploitation, disrespect, etc. We may object that all these are features of peace as truce, not of the real, true peace, which would be the total opposite of anything contained in the war. But – what is contained in the war? What is the purpose and meaning of war, the purpose and meaning which may lead to some justification of it as a practice? Putting aside the notions of the (frequent) eschatological purpose of war, according to which its purpose is *to lead to the final peace,* as a necessary

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[4] A part of the definition of war is that in war we have a *suspension* of a significant part of laws and other social norms and rules. This is what makes war so evil and ugly. Although there are remnants of social structure surviving even in war, the uncertainty of what can be done without impunity makes the quality of those remnants humiliatingly low.

or even appropriate means (Kant, 8:365)[5], appropriate descriptions of peace, and war, should, I think, be connected with the specification of the role of laws in both of these schemes. In this sense both of them, war and peace, have to be articulated in the context of time, in two ways: first, in time as the frame of possibilities in the specific point of time defined through previous time and thus determining what is possible and feasible at that point, and, *second,* in the context of time as the passing flow, producing *changes and differences.*

Laws are susceptible to all these influences of time, they are results of previous traditions and they change and become different. They can become utterly unappealing and unconvincing, losing all their strength. This fact of changes and differences makes the *content* of what peace is and why it has to be *temporary.* Temporariness is a feature of peace, and this is a very important component of its structure. War is a borderline point of some of those changes as it is a potential implication of some of those differences. It, war, can be seen either as a form of attack of the change which aims to produce something else instead of what is actual at the moment, something new, or, otherwise, as a defense of the *status quo.*

From the point of established justifications – those justifications based in accepted reasons and the justificatory force of those reasons – there is a certain *asymmetry* which gives a principled primacy to the *status quo* in comparison to a change: the existing state of affairs as *already* established presumably has some justificatory reasons at its base and the force of those reasons (the way how reasons function when they direct us to decide and do what we do) has already functioned as a motivational force for this state to be formed and accepted. This process is in a way accomplished in the past and what we have now, at the present moment, has its reason for existing, it has its *raison d'être.* This is why *defense* seems to be more justifiable than *attack.* Change, however, is not real at this moment, it is only beginning, even something before beginning, its reality is in the future (and its realization is uncertain). The force of some reasons to direct action to its production is not in the same position as the force or reasons to defend the previous state of affairs, reasons which justify the existence of what already (for a significantly long time) has previously existed. The reasons for a change are necessarily *underprivileged*, and their rational force has to be proportionately *stronger, strong enough* to facilitate the change. Opening a process of change implies opening a conflict with the *status quo.* And it is possible that this conflict may come to a point at which it cannot proceed in a purely rational way and without recourse to violence, cannot longer rely only on the rational strength of the current reasons at some point in time.

Also, it is possible that the conflict is such that it is not easy, or even possible, to end it and return to the starting point (or rather to the point before the starting point of the conflict). This is why it may be much easier to start an action like a war than to stop it. In such cases we may resort to violence as a path open to continue the conflict until its resolution. The justificatory scheme in the case of an attack is not clear in advance. In the case of a *status quo* it is rather obvious: the constitution, the laws, have to be defended, or at least an attempt has to be made to defend them. The justificatory scheme is already determined. If you are under attack, the defense is not just one of many options standing at your disposal, equal to all other options. We may give up the defense, of course; however,

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[5] "Even if a people were not forced by internal discord to submit to the constraint of public laws, *war would still force them from without to do so…* [italics J. B.]. Cf. Berndt Ludwig, "Condemned to Peace? What Does Nature "Guarantee in Kant's Treatise of Eternal Peace?", p. 74ff.

not in advance, but only after an irreversible point of the necessity of making a decision. The default mode is defense, not the reverse.

This means that the *status quo*, which is always a particular peace, with a certain specific structure of distribution of power making a definite demarcation line between legitimate and illegitimate ends and legitimate and illegitimate means to those ends, is the subject of defense by default. But this implies that recourse to force is an option at all times. War, not peace, has a kind of priority here in the sense in which it means not only determining which ends are possible but also producing the realizability, indeed availability, of the possible ends. A part of the definition of peace is that it is the state of affairs *in which war has been avoided*. Avoided, which means that it could have been not avoided – but successfully has been. We cannot say that war is avoided peace; peace is the goal, war is not, war is only a means, a means to create a new peace or defend the old one. Normally, there is no success in "avoiding peace", as it is in avoiding war. In a way this dialectical aspect of their relation is their dynamics, but the dynamic is strong: peace presupposes war, as a shield, as a refuge, as a defense.

Peace is a thick and heavy net or a web of constraints created through mutual agreements, established expectations, threats of sanctions, laws, etc., and all these constraints are making many of our less than good goals much harder to realize – but they, the constraints, do not make those goals really impossible. The power of restricting freedom contained in laws is not perfectly efficient – freedom always will be a reservoir of both of autonomy and violence. That is so because civil condition is the state of the *repressed* state of nature, repressed but not an "abolished" and "overcome" state (state of nature). If exposed to too many strenuous conditions, this repressed state of affairs might *erupt* as either total resignation, indifference, and apathy (implying the lack of any possible consent in a very passive way), or as pure violence as the expression of despair and anger, and again indicating a lack of consent in an even stronger way. And these would be signs that peace has lost its formative power. The implication would be the loss of the possibility of creating and establishing trust, or, more probable, that the invisible medium of trust has been destroyed.

It would be a sign that control has become normatively unbearable, as slavery is. The point of being free is to be what you are, not to be something else, or to be under the control of something you do not identify with, something that is not you. And to be *ruled* is even more than to be controlled, so if you are ruled by others without your consent (or should I say "sincere consent"?) – regardless of the fact whether "you" are an "I" or a "we", an individual human being or a people (and for that matter a state) – then you are not free.

The remedy here is simple, it is *tolerance*: there is no necessity, real *or normative*, that my constitution must be everyone's constitution. There is pluralism of our appetites and desires (to survive, to be safe, to prosper – quite Hobbesian - *cf.* for instance, Hobbes, *Leviathan*, Part I, Ch. VI, par.[6]) and what is necessary is not universal obedience but universal tolerance.

The limits of possible identification make tolerance necessary: I, as an autonomous individual, can delegate, or transfer, *my freedom* through *my laws* (confirmed through *my consent*) to my state, and in doing so I identify myself with a "we" for whom these laws are "*our*" *laws*. Universal identification does not seem to be possible. Universal identification would make impossible any difference and, what is more important, would *preclude dissent*. This preclusion of dissent would render *any consent redundant and irrelevant.* The

difference between my *voluntary* (free) participation in a collective legislative "we" and my involuntary participation in it would be on a par, and my *contribution* in making collective decisions would become as absolutely negligible as redundant, so the difference between freedom and slavery would be lost.

This is not because it is empirically hard or difficult for humankind to be that legislative "we" we all identify with, but because of a stronger logical matter: because there is *a need for others* in the process of making an identity (which must be what a holder of autonomy has). It is easy to conceive that *humans* on Earth would unite in a defense from some danger coming from outer space. But the nature of this unification seems to be rather different depending on the nature of this danger: in case of a natural danger some form of *cooperation* and joint action would suffice, and we should expect the old system to be re-established after the looming danger passes (or at least some state of affairs similar to the old one). Only if the danger was an *attack*, meaning an attack done by some other rational beings, only then we may conceive unification which would create *one nation* on Earth, forcing all of us to unite not only in cooperation but also politically in a stronger sense. And it is equally easy to conceive that this *union,* the result of this unification, would survive if the attacking party also survives. But, if we succeed in destroying the attackers entirely, it is very questionable if the memory of what happened would suffice to make a newly created union, a new nation, to last for a long period of time.

5. CONCLUSION

So, we have a full circle in the end: peace, as a specific articulation of a particular distribution of social power is unstable and fragile, and relies heavily on trust. Trust produces a high level of predictability necessary for the functioning of all our social institutions, laws and the like. Without trust, predictability cannot be a lasting and long-term scheme necessary for the efficient control of our future time. On the other hand, the longevity of peace is still limited because the freedom and flow of time will produce changes and differences the accumulation of which will make any peace unconvincing at some point. But the structure of peace consists of what we are, what our life is: which goals we set and attempt to realize. Those goals have to be rational (based on reasons) to be realizable, even if, as Kant would say, we were a society of devils (Kant, 8:366). They have to be arranged and ordered in a web of achievements and holdings, and all this is *a specific structure and articulation of power.* But all of this is possible because the laws make predictability work. So, speaking in Kantian terms again, this structure is actually our heteronomy, which is a very important part of us. It also includes the real possibility of war. Peace is what we are, but war is a part of that. If we define *life* as *the activity* of setting goals and attempting to realize them, then *freedom* will be what makes life possible: *the capacity* to set goals and attempt to realize them. The scope of those goals cannot be determined in advance – it would kill the freedom.

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POVERENJE, PREDVIDIVOST I VEČNI MIR

Fokus članka je na vezi između poverenja i mira. Ova veza čini mogućom predvidivost, koja je nužna pretpostavka normalnog, posebno zajedničkog, života. Mir se definiše kao određena i specifična artikulacija distribucije (političke) moći u nekom društvu. Tako definisan, mir zahteva skup pravila (normi, odnosno zakona) koji su potrebni za stabilnost uspostavljenog društvenog stanja, a glavna svrha ovih normi, zakona, je da omogući predvidivost bez koje stabilnost tog stanja nije moguća. Uloga poverenja u ovoj shemi je od ključne važnosti. Međutim, poverenje prethodi miru (definisanom kao skup prihvaćenih zakona), i može da se obezbedi primenom samih tih zakona. Poverenje je sastojak slobode, iste one slobode koja kao svoj sastojak sadrži moguće nepoverenje. U tom smislu mir treba shvatiti kao moć kontrole, pre svega kontrole nad samim sobom, koja će učiniti da status i postojanje poverenja uopšte bude moguće i da poverenje stvarno funkcioniše.

Ključne reči: *poverenje, mir, predvidivost, zakoni, sloboda.*