2011

Decolonisation as Peacemaking: Applying Just War Theory to the Canadian Context

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Abstract

For decades now, Canada has been seen as a global exemplar of peacemaking and peacekeeping, yet the troubled relationship between its state and the Indigenous peoples within its borders does little to support this image. There is, in fact, a strong case to be made that the ongoing crisis of Indigenous–settler state relations in Canada is best understood as a protracted war; or more succinctly, as a failure to achieve peace following the initial violence of conquest and colonisation. Accordingly, it makes sense to apply just war theory — a doctrine of military ethics — to the issue. Grounded in familiar moral and legal principles, the just war tradition is fully legible to the state, yet its principles also resonate with the Indigenous philosophy of 'decolonisation'. Because it articulates powerful theories of justice while mapping a theoretical common ground between Indigenous peoples and the settler state, just war theory emerges as a promising, and thus far neglected, framework for evolving a just peace in the wake of colonial conquest in Canada.

> *To ravage, to slaughter, to usurp under false titles, they call empire;*
>
> *and where they make a desert, they call it peace.*
>
> —Tacitus

John Peters Humphrey, a Canadian law professor, wrote the original draft of the *Universal Declaration of Human Rights*, a document that has been called 'the international Magna Carta of all men everywhere' (Ishay 2008, 218). Canadian Prime Minister, Lester B. Pearson, won the Nobel Peace Prize for envisioning the United Nations Emergency Force, more commonly known as the UN peacekeepers. Pearson's successor, Pierre Trudeau, was described as 'waging peace' internationally (Campbell 1983, A33). Current Prime Minister, Stephen Harper, recently declared that Canada has enjoyed a century and a half of peaceful parliamentary democracy, exhibiting 'all of the things that many people admire about the great powers but none of the things that threaten or bother them' (Ljunggren 2009, para.10). For decades now, Canada has been seen as a global exemplar of peacemaking and peacekeeping, yet the troubled relationship between its state and the Indigenous peoples within its borders does little to support this image. There is, in fact, a strong case to be made that the ongoing crisis of Indigenous–settler state relations in Canada is best understood as a protracted war; or more succinctly, as a failure to achieve peace following the initial violence of conquest and colonisation. Accordingly, it makes sense to investigate the application of just war theory — a doctrine of military ethics — to the issue.

For centuries, the just war tradition has concerned itself with generating moral assessments of the cause, intent, means and ends of warfare, and recently, just war theorists have begun to pay particular attention to the issue of peacemaking. Grounded in familiar moral and legal principles, the just war tradition is fully legible to the state, yet harmonies between the sub-field of *jus post bellum* ('justice after war') and Indigenous visions of a postcolonial polity show a reasonable resonance with the Indigenous philosophy of 'decolonisation'.

Therefore, because it articulates powerful theories of justice while mapping a theoretical common ground between Indigenous peoples and the settler state, just war theory emerges as a promising, and thus far neglected, framework for evolving a just peace in the wake of colonial conquest in Canada.

Dehistoricising conquest

'War' is an imprecise, even plastic term. Jack Levy and William Thompson (2010, 5) define it broadly, as 'sustained, coordinated violence between political organizations', while Patrick Hayden (2005, 170) describes it as 'a socially defined form of mass killing'. The violence entailed by warfare is not necessarily constrained by time, so that 'mass killings' may be measured over decades or even centuries, provided that the identities and relationships that underpin the conflict show reasonable continuity. Such continuity holds in the case of Canada. The logistical demands of warfare include recruiting and training combat personnel; arming agents of the state; strategising; cultivating tactical and command structures; and naming objectives and targets. All of these activities are routinely undertaken by the Canadian state as part of its policy of 'overseeing' Indigenous peoples. The fact that it is Indigenous peoples alone who prompt this posture speaks to the cogency of labelling the situation a 'war', since warfare is 'precisely the kind [of premeditated violence] that is most illegitimate in non-war social relations' (Shaw 2003, 21).
More formal, statistically-oriented definitions of warfare began to lose both their descriptive power and their relevance in the latter half of the twentieth century, as conventional combat came to be supplanted globally by genocide, ecocide, ethnocide, terrorism (including state terrorism), racism, criminalisation, slavery, political repression, economic marginalisation (underdevelopment) and small arms proliferation. While these phenomena are generally thought to be characteristic of unstable regimes in the 'developing world', many of them can be witnessed in Canada today. Here, a constant conflictual underburn periodically blazes bright, such as in Oka, Gustafsen Lake, Caledonia, Ipperwash, Burnt Church, and countless other battles and skirmishes mischaracterised as 'incidents', 'crises' and 'disputes' instead of what they are — which is, points along a timeline of state imposition and Indigenous resistance, stretching back to the initial acts of colonial aggression centuries ago. In this context, the monopoly on the legitimate use of violence exercised by the state in wartime, enacted by soldiers, easily blurs into its monopoly on the legitimate use of violence in peacetime, enacted by policemen and reservists. In fact, a 2007 Department of National Defence draft counter-insurgency manual identified the Mohawk Warrior Society and the Ojibway in Ipperwash as 'insurgents', and compared confrontation with Indigenous groups to military operations in Haiti and Afghanistan (Elmer 2007, para. 9-11).

In all of its manifestations, this longstanding conflict is fed by popular misconceptions about the historical relationship between the state and Indigenous peoples. Further to his claims that Canada has no history of colonialism, in the summer of 2006, Prime Minister, Stephen Harper (2006, para 2), declared that:

> much of what Canada is today we can trace to our origins as a colony of the British Empire. Now I know it's unfashionable to refer to colonialism in anything other than negative terms. And certainly, no part of the world is unscarred by the excesses of empires. But in the Canadian context, the actions of the British Empire were largely benign and occasionally brilliant. [T]he treaties negotiated with the Aboriginal inhabitants of our country, while far from perfect, were some of the fairest and most generous of the period. This genius for governance shown by the mother country at the time no doubt explains in part why Canada's path to independence was so long, patient and peaceful.

The mythologising of colonial conquest as a peaceful enterprise carried out by pioneering newcomers prior to the formation of Canada carries with it a concomitant need to recast colonial harms as social pathologies endemic to, if not somehow naturally occurring in, Indigenous populations. Over time, these narratives have characterised Indigenous peoples as doomed at best, subhuman at worst, and obstacles to progress in any case. Accordingly, political justification for unarmed intervention is claimed in the name of socio-economic development, while armed intervention falls under the twin rubrics of domestic law and order, and national security.

Underpinning periodic direct violence is a pervasive structural violence, buttressed by a centuries-long project of absorption into the Canadian citizenry through divesting Indigenous peoples of essential aspects of tradition (including, or especially, land), or literally defining them out of existence (through controlling membership criteria, among other means). Such practices qualify as 'ethnocide', the intentional destruction of culture; though in the Canadian setting they are posited as 'assimilation', a priority of countless federal administrations.

Yet even if the assumption that mainstream culture was superior amounted to more than narcissism, the intention of Indigenous peoples to survive *as Indigenous peoples* means that the logical distinction between ethnocide and genocide collapses. Acknowledgement of the genocidal implications of past policies may help to explain why certain mechanisms of 'transitional justice'— which typically engage only when a country is coming to terms with war crimes — are now underway in Canada, in particular, the national Truth and Reconciliation Commission (TRC). Yet regardless of actual motivation or potential efficacy, TRCs, sub-national treaty-making, land claims, self-government negotiations and other measures now enjoying political currency do not speak to the illegitimacy of ongoing colonialism. If anything, these concessional discourses obscure the issue, and they do so without undertaking the material/structural changes or acts of recognition that are critical to any *other* conceptualisation of justice. Ultimately, the question of whether or not the conflict under discussion can fairly be described as a war comes down to a simple definitional truth: Indigenous nations are not conquered entities, since if they had been conquered they would no longer exist as Indigenous nations. If they are not conquered peoples, and policies that seek their eradication or pacification are still underway, the reasonable conclusion is that Canada is a country engaged in (or a country that has failed to find the just terminus of) a war of colonial conquest against the Indigenous nations whose traditional lands lie north of the 49th parallel.

Indigenous decolonisation in principle and practice

Having fought against colonial conquest for centuries, many Indigenous people today theorise and act from a position that asserts 'decolonisation' as the means by which to bring that conflict to a fair and final close. Much more than formal transfer of the structures of government from coloniser to colonised (as seen in the surface, largely performative, and ultimately unhealthy 'decolonisation' that the European powers enacted elsewhere), Indigenous decolonisation is a lengthy, complex process of disentangling ideas, individuals and institutions from colonial influence (Miller 2008, 98). Understood as a historical process that drives toward the reconfiguration of the social order, decolonisation entails the revitalisation of Indigenous ways of knowing and being, keys to which are drawn from both pre- and post-contact realities. Theorising and acting in a decolonising vein, therefore, means using both traditional knowledge and methods of resistance, as well as those non-Indigenous ideas and practices that can be pressed into the service of Indigenous values, ideas and goals (Waziyatawin 2008, 14). Decolonisation is not a call for retrogression, though, nor does the project ground itself in a romantic affirmation of the past. Instead, theorists and activists describe it as a critical movement between expansive visions of tradition and the constraints of contemporary political and economic realities.

Politically, decolonisation involves rejecting the sovereign-subordinate relationship between Indigenous peoples and the colonial government; inculcating a 'self-consciously traditional' political culture within Indigenous communities; and carving out the space in which to pursue a nation-to-nation relationship with the state, based on mutually reinforcing principles of peace and justice (Alfred 1999, 145; Alfred 2005, 156; Alfred and Corntassel 2005, 611). The ultimate vision is one of autonomous polities in respectful coexistence, each exercising its own vision of sovereignty while affirming that of the other. For Indigenous nations, such sovereignty involves being 'stateless self-governing and autonomous … equal in status, but not in form, to the Canadian state, with a willingness to negotiate shared jurisdiction of land and resources' (Tully 2000, 53–4). This vision creates the early North American 'peace and friendship' treaties as a normative model of relationship-building between Indigenous peoples and the settler state, and locates the project of peacemaking as parallel to that of decolonisation.

The value of value theory

One powerful theoretical ally of decolonisation may be found in the philosophical tradition known as *bellum justum* ('just war'). Up until the end of the nineteenth century, a differentiation between 'states of war' and 'states of peace' was a key support in the conceptual scaffolding of the international legal system; this system owed its existence, in turn, to a centuries-long tradition in moral philosophy known as just war theory. A part of the broader field of value theory (axiology), just war theory asserts that armed conflict can be conducted in a way that safeguards ethical and legal norms while responding to pragmatic imperatives. Accordingly, it offers clear ethical criteria for judging actions undertaken in initiating, fighting or ending war. The three 'pillars' of just war theory consist of two elder fields, *jus ad bellum* (providing justification for entering into armed conflict) and *jus in bello* (providing moral limits on conduct during war), and the nascent field of *jus post bellum* (providing criteria for the just termination of war).

Since Plato first recognised the necessity of connecting justice as a moral ideal and war as a practical necessity (2008, 173; 2000, 291-2), international legislation and legal practice have closely followed philosophical thought on *bellum justum*, so that the morality of war often translates into the legality of war.[i] There is a practical/theoretical feedback loop at work, where the facts of war, the drafting and revision of legislation, and moral theorising affect one another, with the overall goal being 'the real-world realization of morality through law' (Orend 2007, 572). Therefore, insofar as Indigenous peoples or their allies opt to take up the tools of international law in pursuit of decolonisation now or in the future, a first stop in value theory would serve to prime their efforts. Not only does similar reasoning apply in both legislative and philosophical realms, recent history testifies to the fact that arguments assembled under the rubric of just war theory can have significant moral weight in the institutions of global governance.[ii] Should Indigenous peoples and their allies choose not to pursue decolonisation through international law, value theory still shows potential. In fact, since law alone is incapable of constructing a just peace (being principally concerned with negative rights and defining limits on what actions may be undertaken), just war theory emerges as a more promising tool. Further, there exists a wide range of actions that may be legally sanctioned but morally impermissible, and this legality/legitimacy distinction — which is best articulated through normative philosophical argumentation — can provide powerful support in mounting a challenge to existing law. Additionally, the micro-level social function of value theory has at least two significant dimensions. First, positive obligations rest more easily on moral justifications that are strong enough to produce clear duties, the abandonment of which warrants a condemnation that can be put to productive work in the world. Second, properly deployed moral reasoning spurs critical reflection, allowing 'self' and 'other' to better identify the ground on which a stand will be made.

Arguments from value theory are also surprisingly resilient. Objections to *bellum justum* claims based on definition (that 'war' is a misnomer) are rendered null by the fact that just war theory is easily translatable to a more general justificatory theory of physical confrontation. War or not, all confrontation that hopes to earn the label 'just' should be proportionate, discriminate and undertaken for a morally defensible cause. Similarly, arguments against 'decolonisation as peacemaking' coming from political realism (*realpolitik*) or power politics (*machtpolitik*) assertions that 'might makes right', falter on the is/ought distinction. Even if war had always been a purely pragmatic undertaking, it would not follow that value judgments about it are necessarily illogical or invariably powerless. Relatedly — though its goals may be difficult to attain, have no established precedent, or seem alien to some — no such accusation establishes that a 'just peace' should not be worked toward or that the project is flawed in principle. Further, even if the articulation of a duty to peacemaking amounted to a mere gesture, symbolic appeals certainly have political utility. Finally, just war theory is not discredited through deployment by those who would hold up the semblance of morality in lieu of having a legitimate claim to it (for example, the various justifications given for recent military action in the Middle East). While it is true that the rhetoric of *jus ad bellum* has served as false ethical leverage, particularly in the past quarter-century, the abuse of a set of principles is not sufficient reason to discard them. On the contrary, its recurrence in international discourse actually provides proof of the contemporary vitality of the just war tradition — in fact, an argument for decolonisation made through the tradition of *bellum justum* is especially relevant in the case of Canada, a country that regularly employs the language of just war theory in promoting and legitimising its military operations overseas. In the end, though, what may be most appealing about recourse to *bellum justum* is the basic idea that, even where actions are significantly constrained, where the 'fog of war' blankets reason (Clausewitz 1968, 76) or we are profoundly morally unlucky (Nagel 1979, 26), human beings still ought to prefer the moral to the immoral course of action.

The general principles of a just peace

One lesson history teaches is that when wars do not end fairly and completely the resulting peace fails, and the fallout harms aggressor, defender and bystander alike, without distinguishing between the just and the unjust. The recent past offers up countless examples, from Bosnia to Rwanda to the Persian Gulf, in which premature declarations of peace resulted in renewed, even intensified conflict. History also demonstrates that an unqualified termination of warfare allows the victor to unilaterally shape the post-conflict order. Ultimately, morally unregulated (i.e. non-normatively framed) 'de-warring' leads to *ad hoc* strategies that do little, if anything, to secure justice. These facts spur the realisation that in every war there must be an 'ethical exit strategy', just as there must be a 'military exit strategy', and the former deserves at least as much consideration as the latter (Orend 2007, 581).

According to just war theory, a 'just peace' relies on the justice achieved in initiating conflict (*jus ad bellum*) and waging war (*jus in bello*). *Jus ad bellum* is determined through adherence to six key principles: a just cause, namely resistance of aggression; an actual intention that matches this cause;[iii] public declaration by a legitimate authority; engagement in conflict only as a last resort; some probability of success; and potential benefits that outweigh potential harms. In *jus in bello*, two additional criteria further the same moral concerns: a principle of discrimination dictates that civilians are not targeted, no means *mala in se* (evil in themselves) are used, and prisoners of war are fairly treated; while a principle of proportionality demands that the force employed not overshadow the ends sought. These 'rules of war' present criteria that are individually necessary and jointly sufficient conditions for securing justice in times of conflict, or in judging the justness of actions already undertaken in initiating or fighting a war.

The relationship between the three pillars of *bellum justum* is one of interdependence, yet 'justice after war' may, and sometimes must be considered independently. If a war is not entered into and fought justly, then just peacemaking cannot confer justice on the conflict as a whole — this determination dates back to Saint Augustine's insistence that war be undertaken only as the lesser of two evils (2005, 15–20). The requirements of proportionality and just cause rule out total war and total conquest, since a just war is one that prioritises the safety and dignity of persons. Wars of expansion and aggrandisement are irretrievably unethical, a fact that has led Brian Orend (2006, 162) to observe that, '[o]nce you're an aggressor, everything is lost to you morally'. Colonialism, in all its forms, arguably falls under this mantle, as does the violence of imperial conquest, which would appear to foreclose any possibility of finding a just peace at the terminus of colonial conflict. Rather than negating the larger argument, though, such shortcomings actually compel uncompromisingly moral action in the Canadian case. Whether or not colonial conquest satisfies conditions of just recourse to or just engagement in warfare, satisfying as many of the criteria of *jus post bellum* as possible can still produce a peacemaking discourse that drives toward justice.

While classical just war theory asserts that a just peace must restore the *status quo ante bellum*, some contemporary theorists call for 'restoration plus', or the attainment of a more secure and just situation than that which existed prior to the outbreak of conflict (Walzer 2006, xx). Of principal concern in such a restoration is the reinstatement of political sovereignty and territorial integrity. This is so widely accepted a criterion of just war that it has been enshrined in international law: Article 52 of the *Vienna Convention on the Law of Treaties* prohibits both annexation and trusteeship in the wake of war. It has been suggested that the respect shown these two conditions is reflective of deeper political values that the entire world has shown itself to value, chief among them autonomy (Walzer 2006, 113). Such a common ground of values is not an ideal but a necessity for the functioning of the international system, as it determines the stable patterns of proscription and prohibition through which international relations operate — 'stable patterns' that cannot simply be arbitrary (in which case they would not be patterns) or egoistic (in which case they would not be stable).

In the actual articles of *jus post bellum*, consistency with the rest of the just war canon is stressed. As with *jus ad bellum* and *jus in bello*, the parameters of 'justice after war' are drawn through right intention, legitimate authority, discrimination and proportionality, so that the underlying principles of a just peace are that the settlement be (Orend 2002, 55–6):

- *Proportional* (reasonable and measured)
- *Public*
- *Vindicating* of basic rights (specifically, life, liberty, territory and sovereignty)
- *Discriminate* (targeting only culpable individuals for blame)
- *Punitive* (where crimes have been committed)
- *Compensatory* (providing restitution)
- *Rehabilitative* (where necessary, reforming the aggressor's institutions in order to secure future peace).

These criteria are not a checklist for drafting peace treaties, but substantive ethical considerations critical to all phases of conflict termination. The signing of declarations (or an assertion that such declarations are unnecessary) does not create peace, nor can peace be defined as simply 'the period after conflict'. Peace as stability, predictability and order is a similarly skewed abstraction of a profoundly meaningful state of being. So, too, is peace as a merely contingent outcome of well-defended borders — yet the idea of 'peace as national security' has consistently overridden attempts to broaden the definition to include specific, positive duties to political communities.

A comprehensive conception of peace must incorporate negative definitions (the absence of direct violence) and positive conceptualisations (the absence of structural violence, to the highest degree possible, coupled with the cultivation of eudemonic institutions) (Hayden 2005, 170). A 'just peace', then, may be described as one that forecloses violence and cultivates flourishing. Such a conceptualisation is not identical to, but is certainly resonant with, Indigenous aspirations for decolonisation.

Decolonisation as peacemaking

Any peacemaking process that hopes to secure justice must proceed through the defenders' agenda. Consequently, if *jus post bellum* is to fulfil its promise in the contemporary Canadian context, it must be refocused through the lens of Indigenous decolonisation — a paradigm with which it shows strong harmonies. *Jus post bellum*, like decolonisation, articulates a moral imperative for specific kinds of change; both theories orient themselves around political self-determination, group identity and affiliation, and freedom of collective choice; and the interlocking aims of decolonisation — justice and peace — map well onto the 'just peace' of *jus post bellum*. Reconfiguring the precepts for 'justice after war', using Indigenous decolonisation praxis as a guide, the following principles emerge:

> **Principle 1**: Where logistics permit, and according to the principle of proportionality, unjust gains must be eliminated. This entails reinstatement of the defender as a self-determining polity; reestablishment of territorial affiliation and integrity; restructuring of the relationship with the state; and provision of protection against existential threats. This is justice as rectification and reconstruction.

> **Principle 2**: Where crimes have occurred, and employing the principle of discrimination, the mechanisms of transitional justice (including prosecutions, compensation schema and institutional reform strategies) must be engaged. In addition, space and support must be created for Indigenous justice mechanisms and healing protocols. This is justice as retribution, reparation and rehabilitation.

> **Principle 3**: The terms of settlement must be public and justified through appeals to moral principles and historical truths, in particular history as experienced and articulated by the defender. The defenders deserve to see their stories added to the 'official' account, while people on both sides of the conflict (and beyond) deserve to learn the details of the war and the terms of its settlement. This is justice as recognition and realisation.

In terms of wrongs perpetrated, causality creates culpability. When considering accountability for the tremendous harms of colonial conquest, the concept of 'collectivity' is important — not as 'collective responsibility', but 'responsibility of the collective'. In other words: there is a distinction to be made between the guilt borne by members of a collective, and guilt properly assigned to the collective as an entity itself, each of which can be assessed separately (Cooper 2005, 440). In the case of Canada, given the age of the conflict, the collectivity is the only actor left to hold accountable for the original wrongs. In addition, the idea of a collectivity as a blameworthy entity may help to assuage indignation over claims that colonial-era wrongs are still candidates for redress, thereby removing a significant obstacle to settler investment in decolonisation. Using the concept of collectivity, Canada would itself be responsible for waging a war of colonial conquest, as would 'systematic patterns of accountability' in its institutions (Kiss 2005, 452). To the extent that Canadian citizens are today the beneficiaries of bad acts, they would be accountable for delaying or derailing the process of peacemaking, while the assignment of individual guilt for individual wrongdoing is self-evidently fair. The Canadian public would obviously bear some of the socio-economic weight of rectification and reconstruction, since for both good and ill, 'citizenship is a common destiny' (Walzer 2006, 297).

Peacemaking is the process of creating new memories. Hope remains that Indigenous peoples and settlers may together create a new historical consciousness, so that all may engage in a collective act of remembering — yet the project of decolonisation, because it entails seeking continuity with the past, places certain limits on hopes for reconciliation. In the context of colonial conquest, the same force of memory that sustains Indigenous peoples culturally contributes to the inability of past wrongs to simply fade. As John Borrows (2002, 103) notes, but the Canadian state still overlooks, '[i]t is easy to ask others to forget the past when it is to your benefit'. Moreover, because the state's assimilationist policies counted on the fragility of memory, remembering becomes an act of Indigenous resistance rather than one of Indigenous–settler reconciliation.

Conflictual memory, in fact, is precisely what summons forth the call for justice and the push for peace from within Indigenous decolonisation theory and practice. This is not to denigrate the legitimate function of admission and remorse, or the (at least potential) vitality and validity of truth-telling more generally. Apologies are critical to the process of peacemaking, but official ones have thus far rung false or seemed perfunctory, expedient or merely politically useful. An apology robust enough to stand as an act of peacemaking would need to address far more than Canada's history of residential schooling. It would need to be positioned as a starting point for further action, rather than a *pro forma* statement of closure which, in effect, severs the idea of justice from the notion of accountability. Such an apology would also need to validate the ethical principles originally abrogated, in order to mend tears in the moral fabric of Canadian society, and to create hope in settlers' minds that a future state of grace is actually attainable. Such hope is worth cultivating as it could prove to be a powerful motivator of right action.

Conclusion: gifts and duties in the 'postcolony'

In 1957, Albert Memmi (76) observed that benefits that flow from the coloniser to the colonised are invariably framed as 'gifts and never duties'. Just shy of 50 years later, Taiaiake Alfred (2005, 113), working in a colonial setting half a world away from Memmi's Africa, asserted that if decolonisation is to succeed, 'justice must become a *duty* of, not a *gift* from, the Settler'. The shift from gifts to duties begins with the realisation that the Canadian state — despite mythologising and revisionism — is currently caught on the horns of a 'trilemma'. Colonial conquest is an undeniable part of the history of the land north of the 49th parallel. If that conquest was never completed, then the war is yet underway, and achieving *jus post bellum* becomes an ethical imperative. If that conquest was completed, then it produced an unjust peace and achieving *jus post bellum* becomes an ethical imperative. If that conquest predated the formation of Canada, then the Canadian state inherited an unjust peace and achieving *jus post bellum* becomes an ethical imperative. Thus to invoke *jus post bellum* in Canada today is to assert the existence of a duty to engage in substantive peacemaking; to end colonial conquest completely and justly; and to decolonise the political, social, ecological, cultural and economic features of the Canadian nationscape.

There are myriad ways of conceptualising justice as an attainable goal. Just war theory stands as one such path or method, overlooked thus far, and yet rendered noteworthy by several inherent features. Its origin in Western philosophy make the just war tradition a most 'legible' discourse, relatively familiar to state and citizen alike; and accordingly, a strong ground for normative critiques of current practices and policies mounted from within. Moreover, because its principles resonate with those of Indigenous decolonisation, *jus post bellum* has the potential to bridge divergent paradigms, rendering 'decolonisation' more comprehensible to settlers.

In order for peace at the terminus of colonial conquest to be enduring and just, Indigenous peoples must see the peacemaking process as appropriate and sufficient. In order for negotiations to begin at all, the case for peacemaking must have moral weight sufficient to compel action, and settlers must see the process as one in which they have a legitimate stake, and into which they may invest hope. Because it provides one means by which to delegitimise colonial conquest and persuasively advocate for a just peace in the wake of centuries of conflict, just war theory presents a meta-theoretical point of origin for settler investment in such a negotiated process of peacemaking. Further, given the symmetries between the Indigenous philosophy of decolonisation and the non-Indigenous philosophy of *jus post bellum*, the just war tradition emerges as a normative asset in the struggle for decolonisation — in short, it facilitates the articulation of a shared theory of 'decolonisation as peacemaking'.

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[i] The influence of just war theory can be found in the very existence and actual text of the Hague and Geneva Conventions, in various international weapons treaties, and in military doctrine and the actual rules of engagement.
[ii] Prime examples here are appeals for armed humanitarian intervention.
[iii] For obvious reasons, international law omits this criterion.