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Forecasting Peace or War:

A Layperson's Guide

by

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Summary

The shock of the nerve agent attack in Salisbury on 4 March 2018 is compared to the author's shock at the Western response to the Gorbachev 'peace offensive' at the end of the Cold War. Powerless as he was, he set out to demonstrate that this must lead back to conflict and, barring conversion, a regional or global war. The process he established to predict peace or war in the short and long term is likened to weather forecasting. The reasons why a three-stage legal process was used are explained, which established and trialled the 'Peace Games' in the period 1992 to 2019. These are competitive evaluations of a conflict area that test the conclusions reached against the 'Court of history', i.e. the subsequent course of events towards peace or war. The reasons for relying on this Court are illustrated by the nerve agent attack in Salisbury which the Western powers were unable to prevent while the powerless author had warned of a climate for war through his Briefings in the early 1990s. The judgments of the Court of history, rather than political opinion, must be the ultimate arbiter of whose analysis is right in foreseeing a climate for peace or war. The implications for Armed Forces Day 2019 are listed, and the dangers of ignoring this further warning of the drift to another Great Power war highlighted, on the anniversary of the Paris Peace Conference 1919.

A Shock to the System

It is not everyday that householders wake up to discover that a weapon of mass destruction has been used against a neighbour of theirs in their own city. The attempted assassination of a former Russian intelligence officer in Salisbury on 4 March 2018, using a rare nerve agent, sent shock waves across the Western world.

I experienced a shock no less severe at the end of the Cold War in 1990 when the 'peace offensive' of the Soviet President Gorbachev was met by Western triumphalism and a ruthless exploitation of Russian weakness and their will-to-peace.

Powerless and virtually alone, I set out to demonstrate that what we in the West did to Soviet Russia must surely lead us straight back to conflict and, barring conversion, to a regional or global war. If democratic political institutions could not create a lasting peace out of such favourable circumstances as existed in the early 1990s, then they could not in any conditions.

A. My Motivation

Not one person in a million on that March day in Salisbury, or in the whole country, would have realised that this 'bolt from the blue' had been foreseen decades before by a process akin to weather forecasting. The underlying principle had been fought and won in an English civil court in 1998 and then emphatically endorsed by the Court of Appeal on 28 June 2000.

To understand what this means take an historical example. On 28 June 1914 Archduke Ferdinand and his wife were assassinated on the streets of Sarajevo by a Serbian nationalist. Few would have expected this to lead to a world war and it ought not to have done so. That it did was, as one expert put it, 'the fruit of a shared political culture', or as I would put it, a 'climate of opinion' that did not emphasise peaceful means of resolving international disputes. Predict the 'climate' that is being created and you can foresee peace or war. It is as simple as that in principle and so complex in practice that only education can rightly apply it,

Take a second example. On 28 June 1919, the victorious Allied Powers at the Paris Peace Conference imposed the Treaty of Versailles on a defeated Germany. This, in turn, contributed to a climate of opinion that led to the Second World War.

Take a third example. The peace settlement at the end of the Cold War in 1990 must have a similar consequence if a climate for war was being created, barring a change of perspective. That change to a climate for peace I came to call 'an irenical perspective', judicially defined on 9 October 1998, and affirmed by the Court of Appeal on 28 June 2000. My motivation was educational and religious in the sense of believing that how we treat others must affect how they treat us. I believed this to be true not simply for families and communities but for States and nations across the world. It is now possible to stop provocations, like the nerve agent attack in Salisbury, escalating to the level of another Great Power war but only if the principle of an irenical perspective is upheld by politically impartial and objective educational bodies.

Read my Article no. 1 'Death of a Peace Settlement – Birth of a Principle' (18 January 2019) if you wish to learn more about the background to the Great War and the significance today of the Paris Peace Conference's failure to apply an irenical perspective even-handedly in 1919. On the government's rejection of the central conclusion of the Iraq Inquiry, see pages 5-7.

B. Why a Legal Case?

Most people would run a mile from a law court if they lacked the legal training and experience, unless they had no alternative to obtain justice and the issue was important enough. In my own case, though, an opportunity arose that seemed heaven-sent because, win or lose the case, the principle could be upheld, that the promotion of peace is an educational rather than a political purpose. Entirely contrary to what most people believe, as they judge on appearances: like seeing the sun cross the sky by day and the moon and the stars by night and deducing that the earth must be stationary and all else revolve about it. Few believe that now.

If the reader will be patient it will become clear, as it did to the judges, that promoting peace cannot be a political object, as almost everyone believes, because it is logically inescapable that it must emphasise peaceful over military means of conflict resolution but cannot be achieved by imposing a particular political policy. It is not pacifism. It must be fair evaluation.

The poor track record of political institutions, in making a peace that lasts, has arisen from their belief in having a monopoly of wisdom, marginalising or ignoring the role of genuine education in favour of those academics who say what their political masters want to hear. That was a role I refused to play; no competent weather forecaster would take public opinion into account for if they did their false predictions would become obvious to their discredit.

The result of this process was the trial 'Peace Games' in 2004 focused on the most intractable of modern disputes: the Israeli-Palestinian conflict. That neither competitors nor spectators flocked to these Games is a testament to human perversity and political corruption. As will become obvious the price has been paid in blood and tears. Yet these competitive evaluations of international conflicts, which seek to predict peace or war in the short and long term, now have the potential to prevent a drift to another Great Power war, *if the principle is upheld*.

The process by which this position has been arrived at in 2019 is three-fold:

<u>Stage 1 – The 'Prodem' Briefings, 1992-95</u>

My interest in the study and promotion of peace had begun in the !970s with the Northern Ireland conflict and led me to undertake an undergraduate degree in peace studies at Bradford University in 1977-81. I graduated with first class honours before moving to the University of Warwick where I obtained a master's degree in business administration in 1982. Returning to the Department of Peace Studies in 1984, the year before Gorbachev became leader of the Soviet Union, I commenced a doctoral programme on 'Arms Conversion and the United Kingdom Defence Industry'. I submitted my thesis in December 1987. My doctorate was awarded in 1988 and a book out of the thesis was published as the Cold War ended.

I was, therefore, well placed to write a series of four out of six 'Briefings' of the Project on Demilitarisation (Prodem), in the period 1992 to 1995, made possible with a grant from the Joseph Rowntree Charitable Trust. These four Briefings, which I alone edited, contained predictions on future peace or war that were testable against the actual course of events in areas of conflict, especially between the West and Russia and after the first Gulf War (1991). My colleague, Dr Steve Schofield, edited the other two Prodem Briefings on policy proposals to achieve disarmament and a conversion of resources from military to civilian purposes.

It is my contention, to be judged against work which any other academic researcher or policy maker can produce, that Prodem Briefing no. 1 and the three 'Series A' Briefings on 'Military Security or Common Security?' foresaw more accurately than any other in the English language the return to global and regional conflict after the Cold War, i.e. post 9/11, the worldwide war on terrorism followed by a second Gulf War (2003). The method of analysis applied involved comparing the power of cooperation with the power of coercion across each dimension of security – military, economic and institutional – of the parties in dispute. No reliance was placed on political assertions except in so far as they conformed to proven facts.

Stage 2 – The Prodem Legal Case, 1995-2000

The legal case concerning the charitable status of Prodem began with an appeal by two Trustees against the decision of the Charity Commissioners sitting as a Board who had refused registration on the grounds that Prodem's objects were not exclusively charitable. My purpose in appealing, with the support of my co-trustee, to the Chancery Division of the High Court and subsequently to the Court of Appeal, whatever the result, was two-fold:

(i) To uphold the principle of peace, which became known as 'an irenical perspective';
(ii) To ensure that my warnings of future war were written into the Court judgments to provide testimony against which the judgments of the Court of history could be compared, i.e. how circumstances worked out in the conflict areas on irenical criteria.

The test that I constructed for assessing whether a tribunal decision was itself objective and lawful was stated (in the amended originating summons) as follows:

> … if all the relevant legal cases and material facts presented had been fully and correctly taken into account then PRODEM would have been found to be for the public benefit in a manner which the law would regard as charitable.

The results of the legal process can be briefly summarised in relation to that test:

High Court

The Chancery judge, drawing on a United States legal case in 1917 from the Supreme Court of Massachusetts, which I had put forward, upheld and defined 'an irenical perspective' thus:

> The importance of Parkhurst -v- Burrill, for Dr Southwood's purposes, is that it accepts that a purpose may be educational, even though it is based on the premise that people should be educated as to the 'evil effects' of war, and has therefore what the Commissioners referred to in the present case as an 'irenical perspective'. Although it is not direct authority for the purposes of English law, I do not see any reason to take a different view. I see nothing controversial in the proposition that a purpose may be educational, even though it starts from the premise that peace is preferable to war, and puts consequent emphasis on peaceful, rather than military, techniques for resolving international disputes; and even though one purpose of the education is to 'create a public sentiment' in favour of peace. The important distinction, from the 'political' cases mentioned above, is that the merits or otherwise of the Labour Party's views on education, or (in the early 1940s) of a state health service, were matters of political controversy. The desirability of peace as a general objective is not.

In his judgment of 9 October 1998, he also affirmed in principle the basis for what were later called the 'Peace Games', as proposed in my Prodem Briefing A/3. In Appendix E I described a means of ensuring that the prima facie basis I had established to date, for believing that the direction of a conflict to peace or war could be predicted, might be tested against other expert (or laypersons') analyses in any strategic areas of conflict around the world.

While I acknowledged in the Appeal Court that this judge had 'fully and correctly' set out the law he, unfortunately, made several material errors in applying it to the facts of the case.

Court of Appeal

This judgment of 28 June 2000 could be read at three levels.

At the factual level, the errors of the High Court were corrected except one. This one was deliberately falsified because the Court of Appeal refused to accept, despite the documentary evidence and my correction at the draft judgment stage, that I alone edited Prodem Briefing no. 1. (The separation of my views and that of my colleague had been clear from the beginning and deliberate because I knew his views and mine did not concur on certain matters.)

At one legal level, the Court of Appeal appeared to endorse the Charity Commission's position emphatically but not that of the Commissioners. The Attorney General's view was ignored entirely. The Court also omitted without explanation a legal principle, which the High Court had endorsed, that permitted the Court to take account of evidence (Briefing A/3) arising after the Commissioners' decision (on Prodem's charitable status), which had 'probative value' in deciding the real purpose for which the (Prodem) Trust had been established.

At a deeper legal level, beyond appearances to the contrary, the Court of Appeal asked me for forgiveness but said realism required them to reach a negative judgment on Prodem's charitable status. However, they provided the precise wording of the objects of a charitable trust which could continue the major part of Prodem's activity in the 'Peace Games'.

This elaborate but creative charade could not hide the fact that the government lawyers and judges had been beaten at their own game by two laypersons, but they could not face it nor the consequences of admitting it. Undoubtedly, the Attorney General and the Charity Commission took the primary responsibility, as they piled the political pressure on the three judges at the appeal hearing on 10 March 2000. Thousands of people have since died as an indirect consequence of this failure of legal integrity, as the Court of history was to show.

<u>Stage 3 – The International Peace Project, 2000-2019</u>

All that remained for me to do was to set up the International Peace Project^{2000} (IPP) – my original name for Prodem had been 'Project 2000' – and to advertise internationally for Trustees in August/September 2001, which coincided with the 9/11 attacks on the USA.

The objects clause of the IPP Declaration of Trust executed on 2 November 2002 contained the words in italics below taken from the Court of Appeal judgment:

> … the advancement by all charitable means of the education *of the public in the differing means of securing a state of peace and avoiding a state of war*.

Tailor-made for the trial Peace Games, which were launched by the Trustees in 2004; founded on the Prodem legal framework, to ensure its political impartiality and objectivity; and applied to the Israeli-Palestinian conflict at the time of the Israeli withdrawal from Gaza in mid-2005. An Israeli, Palestinian and Irenical perspective were set down, side-by-side, in an easily comparable format with common headings but differing criteria for judging outcomes against the subsequent course of events in that area of conflict. The resulting IPP Briefing no. 1 was published in January 2006 on the IPP website where it remains freely available to this day.

The summary of the chapter written from an 'irenical perspective', which I contributed, had this Conclusion:

> **The prediction is for periodic war between Israel and the Palestinian movement:**
> - **until the greater jihad assumes priority in practice over the lesser jihad; and**
> - **peaceful initiatives, like the unilateral Israeli withdrawal from Gaza, can assume priority in practice over political and military strength.**
>
> [Emphasis as in the original Briefing]

The 'Criteria for Evaluating Outcomes' were given as:

> If 'a' applies despite the lack of progress on 'b' or 'c', the conclusions will be refuted:
> a. Armed conflict is contained rather than resulting in a wider Middle Eastern war;
> b. The Islamic practice of jihad moves from a culture of war to a culture of peace;
> c. Israel gives greater emphasis to peaceful means of conflict resolution.

The Court of history was not slow in delivering its verdict, despite Western political opinion, in the months before the unilateral Israeli withdrawal from Gaza, speaking of 'a moment of **promise and opportunity** for Palestinians and Israelis.' [Emphasis in the original.] Wars between Israel and Hamas in Gaza occurred in: June to November 2006 (overshadowed by the larger but shorter war between Israel and Hezbollah in Lebanon); in December 2008 to January 2009; November 2012; and July to August 2014. Only the first was linked to a wider Middle Eastern war but the threat remains ever-present.

Certainly, there has been no rational basis for ignoring this Briefing, as the BBC did, when highlighting the report on 1 July 2016, over a decade later, of the Middle East Quartet consisting of the United Nations, European Union, Russia and the United States. It spoke, with the benefit of hindsight, in terms of the urgent need to prevent entrenchment of a one-state reality of 'perpetual occupation and conflict' between Israelis and Palestinians.

Read my Article no. 2 'A Bleak House Today: How English Charity Regulators Missed the Mark in 2000 and Beyond' (6 March 2019) if you wish to learn more of the 'fraud' in the dictionary sense of that term perpetrated by English Attorneys General, together with the independent charity regulators, in three legal cases I prosecuted. Collectively, they demonstrate that rule by government lawyers has replaced the rule of law in the English and Welsh charity sector.

Similarly, read my Article no. 3 'The Last Press Release: Why the Political Media Contribute Little to Securing a State of Peace' (14 April 2019) to understand how their focus is mostly short-term and backward looking while public benefit is long term and forward looking.

Additional reading of 'A New Charity Regulator in 2019: At the Cutting Edge of Peace-Building?', Article no. 5 (30 May 2019) and 'The Theological Basis for a State of Peace on Earth: Why a Genuine "Peace Movement" Can Never Be Political', Article no. 6 (9 June 2019) covers the regulatory and secular/sacred application of an irenical perspective, respectively.

C. Why Rely on the Court of History?

At the beginning of this article, I noted that I was 'powerless' whereas Western governments claimed to have 'won' the Cold War against Soviet Russia. Yet here we are facing what Western powers state is the '… first offensive use of a nerve agent in Europe since the Second World War.' This attack is blamed on the Russian government by our own. Yet can it truly be held solely responsible, if we created a climate for war in the first place? There can be no factual dispute that the UK Government was warned through the Prodem judgments.

If that conclusion seems politically unacceptable to the reader, consider a different example. Soldier F is to be prosecuted for two murders and four attempted murders which he is alleged to have committed on 30 January 1972 (Bloody Sunday) by the Public Prosecution Service in Northern Ireland. As my Communique No. 1 of 19 April 2019 (Good Friday) concluded, Soldier F is not a sacrificial lamb nor worthy, on the facts contained in the Saville Report, to be considered as such. Can one veteran be justly made to bear the whole weight of responsibility for that tragedy? There can be no factual dispute that the United Kingdom and Northern Ireland Governments at that time, and other parties including paramilitaries, were not applying an irenical perspective (although the term had not then been judicially defined).

Members of the public have to decide if they want their 'weather forecasters' of peace or war to reflect the political views or prejudices of their governments on where responsibility lies or to speak the factual truth, the whole factual truth and nothing but the factual truth from an irenical perspective. If the latter, then the judgments of the Court of history must be the ultimate arbiter of whose analysis is right in terms of creating a climate for peace or war.

If, and only if, the supreme authority of the Court of history is accepted can the following propositions be advanced on Armed Forces Day in Salisbury on 29 June 2019:

(i) The Prodem legal framework is the politically impartial and objective basis for holding the Peace Games 2020, which can be held, given enough support and funding.

(ii) Promoting national security by military and peaceful means requires the right balance between the two which depends on the method and skill of the competing analysts.

(iii) A *de facto* Law Officer for Public Benefit is needed to uphold the foundational principle of the Peace Games, an irenical perspective, because the *de jure* Law Officers and charity regulator have refused for two decades to take this role on. (See Case Three in 2018, as explained in my Article no. 2 of 6 March 2019.) I have taken this on in the absence of any other person to do so.

Conclusion

I have placed the facts and the relevant law before the public as fully and carefully as I could. Previous warnings of the drift towards another Great Power war have been ignored or rejected. If this further warning on the anniversary of the Paris Peace Conference 1919 is also not acted upon, then I have fully discharged my responsibility. Their blood is not on my head.

Peter M. Southwood (Dr) is a part-time financial assistant to a parish in London. He is also a consultant on the direction of conflicts towards peace or war in the short and long term. In the latter role, much of his work is currently done on a voluntary basis for the International Peace Project, the educational charity (reg. no. 1101966) which he helped to establish. However, there is no formal link between his consultancy role and IPP. He is solely responsible for this article and the website at www.directionofconflict.org

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Peter M. Southwood, Sponsor of 'The Paris Peace Conference 1919 Remembered… 100 Years on: 18 January to 28 June 2019' series of Letters and Articles nos 1 to 7; and Law Officer for Public Benefit in England and Wales (*de facto* but not yet *de jure*) 'Communique no. 1'.

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