

# **After-effects and Reminders of War— Identifying War as an “Evil Institution”**

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## Abstract

“After-effects and Reminders of War— Identifying War as an ‘Evil Institution’” is an application of Claudia Card's theory of evil in which evils are evaluated not by one’s actions, but in regard to the sufferings of the victims. Referencing Claudia Card's *Atrocity Paradigm*, this work examines war through harmful after-effects to argue war is an “evil institution” by Card's definition. It is often clear that acts during war can be considered unjust and perhaps evil, however, the focus of this work is not the actions of war, but rather the suffering which can occur following war. Archival records of Civil Rights activist Albert Peña (from UTSA's Special Collections) and Gloria Anzaldúa's *Borderlands/La Frontera* support the thesis that war and, as an example, conquest are evil and leave many people with emotional, psychological, and political struggles which can last for decades and even centuries. In this paper, the conquest of the Americas, namely the Spanish Conquest and the Mexican American War, are examined as examples to address the many possible forms of suffering as a result of war; and those who suffer from these specific wars are descendants of Maya, Aztec, and Native American Indians, to include Mexicans, Mexican Americans and Chicanos. However, these forms of suffering can affect anyone who has suffered from a division or loss of identity due to war. To encompass war, various forms are addressed, including ideological war, revolution, and intervention, aiming to show that each of these can “foreseeably lead to or facilitate intolerably harmful injustice in normal operation”— Card's definition of an “evil institution.” In examining the evils of war and conquest, this work uses applied ethics to view Card's ethical theory in important ways, bordering the limits of Just War Theory and reexamining the permissibility of war by recognizing those who suffer.

## Introduction

The institution of war is impermissible, as war cannot be waged without foreseeable atrocity or lasting effects and emotional remainders. Though the term *war* is defined as “a state of... declared armed hostile conflict between states or nations,”<sup>1</sup> war is not only a definitive term, but also a concept, and not simply a state but a political institution which operates using weapons in order to address a conflict or to meet some end. War is waged by means of violence and is therefore distinct from any peaceful or conservative approach to conflict; war is uniquely uncivilized. I aim to show the ways in which war can be categorized as an “evil institution,” using Claudia Card’s unique theory of evil. Card’s theory examines evil in accordance with the sufferings of victims, though Card does not identify war as an evil institution. Claudia Card’s *The Atrocity Paradigm* defines “evil institutions” as institutions in which “it is reasonably foreseeable... that their normal or correct operation will lead to or facilitate intolerably harmful injustice.”<sup>2</sup>

Throughout this paper, I will examine the long-term after-effects, including psychological dissonance, silencing, and other remainders war produces. “Remainders” is a term Card adapted from Bernard Williams’s “non rectified wrongs” and includes moral and emotional attitudes, such as guilt, shame, resentment, regret, etc.<sup>3</sup> Remainders can also come in the form of the personal and psychological struggles of being torn between ways, as described in Gloria Anzaldúa’s *Borderlands/ La Frontera*.<sup>4</sup> This separation is what I will refer to as psychological dissonance, a cognitive dissonance rooted so deeply that it affects one’s identity and connection

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<sup>1</sup> “War.” *Merriam-Webster.com*. Merriam-Webster, n.d.

<sup>2</sup> Card, Claudia. *The Atrocity Paradigm: A Theory of Evil*. Oxford University Press, 2006, 140.

<sup>3</sup> Card, *The Atrocity Paradigm*, 167-69

<sup>4</sup> Anzaldúa, Gloria. *Borderlands/ La Frontera: The New Mestiza*. Fourth Edition. Aunt Lute Books, 2012. [Page numbers do not match earlier editions due to the added Introduction to the Fourth Edition.]

with the world. My identification of war as an evil institution focuses on this psychological dissonance and urges this contradicting psychological state is produced by any type of war, though it is not the only intolerably harmful result. I will also examine the residual harms resulting from genocide, or ethnocide often by means of rape, which takes place during war, as well as the intolerably harmful injustices perpetuated by war-time, including racial hate, systemic injustice, and cultural silencing.

Through historical examination of the Spanish Conquest and Mexican American War, I will show the ways in which war perpetuates evil and injustice and can leave centuries of residual effects. Through these examinations, I will argue that war of any kind facilitates foreseeably intolerable harm in its normal operation. Though, to make this argument every form of war must be addressed— I will include revolution, intervention, ideological war, and conquest. I make the following claims:

- 1) Revolution leads to either intervention or ideological war;
- 2) Intervention leads to conquest or dissonance;
- 3) Ideological war leads to dissonance or unnecessary death, sometimes to the point of genocide or ethnocide; and
- 4) Conquest (similar to ideological war) leads to dissonance, genocide, or ethnocide.

These are not the only effects of war, though one of these will always result. I must reiterate that the psychological dissonance I refer to, and that Gloria Anzaldúa describes, is a category of harm. This dissonance is not a position— it is a psychological state, and sometimes a culture-wide mentality. To be clear, I could list the harms which result from war-time and are common to any war, many of which can be intolerable, but I do not intend to focus on the actions of war only the harms which result.

## **Identifying War as an “Evil Institution”**

There is a system in place which aims to identify just and unjust war or actions in war. This is not my aim. My view veers slightly from just war theory, in two main ways. First, I am not aiming to argue that war is unjust, as the conditions for justness are not always clear. I aim to argue that war is evil by Card’s well-defined definition: producing inexcusable, foreseeable, intolerable harm. Second, just war theories focus on intention and action, and while just war theory does include *just post bellum* which examines war after-the-fact, it is merely reflective and does not consider the harms which continue to occur after war has ended. Nonetheless, in order to examine Card’s qualification of evil acts as inexcusable, and because one should not address war without discussing the actions therein, I will first examine some views on moral action and the permissibility of war.

### **Just War Theory: Just Actions and Evil Effects**

Many great thinkers in history have contributed to creating just war theories which aim to provide ideas, values, and guidelines to identify what makes an ethically justified war. Medieval philosopher Thomas Aquinas offered long-standing views of just war including the Doctrine of Double Effect which suggests morally good actions may have morally bad effects, which are excusable, allowing the bad effect was not intended and does not outweigh the good; and his idea of right intention suggests war should only be performed with just cause— both of these principles are prominent in war theory today.<sup>5</sup> And philosopher Francisco de Vitoria aimed to defend the Incas and Mayas during the Spanish Conquest, urging the Indians had natural rights and should not be harmed, and even promoted humanitarian intervention, as did John Stuart Mill.<sup>6</sup> The combination of these views makes a strong claim against wars for conquest and

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<sup>5</sup> Hoag, Robert. “Armed Humanitarian Intervention.” Internet Encyclopedia of Philosophy.

<sup>6</sup> Ibid.

ideologies, as these forms of war do not have right intention, and the conquered peoples have (and had) natural rights not to be harmed. John Stuart Mill, in his essay “A Few Words on Non-Intervention,” argues, “To go to war for an idea, if the war is aggressive, not defensive, is as criminal as to go to war for territory of revenue; for it is as little justifiable to force our ideas on other people, as to compel them to submit to our will in any other respect.”<sup>7</sup> Modern philosopher John Locke also made lasting contributions in terms of human rights by defending revolution in response to a violation of human rights, and Mill and Vitoria seem to have defended the view that intervention is not wrong in itself as it is done to protect and defend.<sup>8</sup> However, Aquinas’ Doctrine of Double Effects adds limitations to revolution and intervention as these forms of war can be morally excusable by having right intention. I will return to the topic of revolution, but will address intervention because this form of war is typically considered to be at least not unjust and certainly not evil.

Whether intervention is unjust depends on the amount of harm inflicted. If there is minimal harm done and/or the harm does not outweigh the oppression of those people the intervention is meant to protect— nor the means by which they were protected— then the specific instance of intervention can be said to be just. Because, however, intervention is often performed with mixed motives or self-interest, this form of war may be within the scope of injustice. So, though intervention is not unjust in itself, that is when it is done with right intention and right action, I will show that intervention in practice can be foreseeably harmful, often leading to the appropriation of land and people.

### **Intervention and Revolution**

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<sup>7</sup> Mill, John Stuart. *A Few Words On Non-Intervention*, Libertarian Alliance, 4.

<sup>8</sup> Hoag, “Armed Humanitarian Intervention,” IEP.

First, I will acknowledge the possibility of intervention without arms and without violence, but if there is no violence and no arms there is no war. Secondly, I will also acknowledge that intervention can be done with right intention and right action, but I argue that it will result in psychological dissonance nonetheless. The dissonance resulting here is a separation of a society, a change in a system, a people with new meaning, caught between the old and the new, similar to the (favorable) outcome of ideological war. I understand this may not be harmful for the victors of an intervention, a newly freed people; but on the occasions of just intervention there will be a separation of ideas and psychological conflict within individuals. With that said, humanitarian intervention has, more often than not, resulted in more harm than good. When intervention by another government is used to aid in revolution, the intervening government will either: 1) try to help the oppressed, but then continue to push their own forms of government, religion, politics, etc., or 2) not provide adequate help to the oppressed, but rather harm them further— which was the case in Vietnam.

So, there are several outcomes which could be produced by humanitarian intervention. And in either of these cases, there will be harm. If the intervening government pushes its own beliefs and ideologies on the formerly-oppressed, it will create psychological dissonance regarding those beliefs and the debt of the people to the government which saved them from oppression. If they have no choice and these beliefs are forced through violence, it will become ideological war. If the government had ulterior motives and attempts to appropriate the land, it will become conquest. And if the oppressed are only harmed further, the intervention has done more harm than good, escalating an already intolerable harm.

With all of these outcomes, categorization of intervention as evil relies heavily on Card's meaning of "normal operation." If, by normal operation, Card means the ideal practice, or

intrinsic function, then intervention cannot be evil— but normal is not the same as ideal. If, however, she means typical or usual application, intervention would be categorized as an evil institution. Further, if we look at humanitarian intervention as a practice, over time, rather than as individual instances, normal operation would likely be considered to be an encompassing average and would, again, be considered an evil institution. But let us look at the most common cause of intervention: revolution.

Revolution is commonly considered to be a form of war, and I could make the same argument in terms of weighing outcomes that was made for intervention to determine the justness of revolution, but instead I will argue, firstly, that the same intention that deems revolution (at least) not unjust creates a technicality which saves revolution from being deemed as evil. Evil, for Card, is defined as inexcusable, foreseeable, intolerable harm.<sup>9</sup> But revolution is not necessarily inexcusable. The term *inexcusable* suggests there is no morally good reason for the action. However, there is a good moral reason for revolutions, namely the need to escape oppression and/or to gain freedom from an overly infringing government. Thus, if revolution is excusable, it is not necessarily evil. Though this inference seems to be concerning for the claim that war is an evil institution, I urge, secondly, that revolution also escapes, by technicality, the categorization as a form of war. Recall that war is defined as hostile conflict between states or nations— that is between two governments. Revolution is not conflict between governments, but between a government and its subjects, thus revolution is not a form of war if we are to gauge this by definition. But, additionally, if we consider war to be by means of violence and armed weapons, then revolution does not even fit this basic condition. Citizens or peoples revolting against their government need not be by means of hostility, nor need revolutionaries involve

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<sup>9</sup> Card's definitions for "evil" and "evil institution" are separate, but vary only slightly.

arms of any kind— but non-violent protest does not always lead to change within a system. Thus other governments may feel the need or opportunity to intervene, in which case the revolution becomes intervention, typically by means of armed forces, or the revolution can escalate to violence in which case it becomes a war for ideologies. Thus, revolution is not a form of war and not an evil institution, but it can lead to either intervention, creating a conflict between two governments, or ideological war when it becomes violent. I have previously shown that intervention is an evil institution, which results in intolerable harm in normal operation; and just war theory has shown ideological war to be unjust, but I am not arguing the unjust-ness of war, I am arguing for the intolerable harms which the institution of war will inevitably produce. And revolution, though not a form of war, can lead to similar residual harms as ideological war as revolution aims for nothing more than a radical change in ideas.

### **Ideological War**

In questioning the harm inflicted by ideological wars, one must only recall the Crusades, the Inquisition, or the Holocaust to see the extent of harm which can result from wars over ideologies. As these have been examined thoroughly many times before, I will not delve into the issue here, though it is clear the harm suffered from violent ideological wars is often life-ending, and death must be considered an intolerable harm as death prevents the ability to overcome the harm suffered. Apart from the actions of war, however, I urge that ideological wars facilitate foreseeable intolerable harm as after-effects and remainders. Ideological wars force ones beliefs on another culture (religion, politics, etc.) which (as I address through intervention) can lead to psychological dissonance. But these forms of war can also lead to excessive unnecessary death, sometimes to the point of genocide as we saw in World War II. And while this extent of violence is intolerably harmful in itself, genocide can lead to ethnocide and dissonance in terms on



genealogical and cultural history, as well as in terms of personal psychological conflicts. And we will examine all of these, but first I would like to address conquest as I believe many of the resulting harms of ideological war are replicated in conquest. And one could argue conquest is merely a war or expansion for ideas, for example Manifest Destiny was the driving force behind the westward expansion of the United States;<sup>10</sup> and generally conquest is executed due to nationalist ideologies.

### **Examining Conquest**

Conquest as a form of war can refer to any form of nationalist or imperialist conflict of expansion, whether openly or through manipulation or exploitation. Similar to ideological war, conquest inflicts unnecessary death, often to the extent of ethnocide or genocide further producing a variety of harmful remainders; it could also lead to the form of psychological dissonance I will discuss, or both may result. Through historical examination of the Mexican American lineage, I will show the ways in which conquest perpetuates evil and injustice and can leave centuries of residual effects. Although the examination of conquest is not unique, as I will argue the result is quite similar to that of ideological war. To illuminate these implications of war: ethnocide, psychological dissonance, and other remainders, as well as the root of systemic injustice in relation to racial prejudice, I will examine the Spanish Conquest and Mexican American War as an example. The work of Gloria Anzaldúa and Albert Peña will aid in recreating the history of these wars while adding a much needed Mexican American perspective.

During the familiar territorial expansions of the Spanish Conquest and the Mexican American War, the imperialist nations of the U.S. and Spain left many casualties as means to expand the borders of their empires. Though they committed many other unnecessary and

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<sup>10</sup> See Dov Levin and Benjamin Miller. “Why Great Powers Expand in Their Own Neighborhood: Explaining the Territorial Expansion of the United States 1819–1848.”

atrocious acts in the process, they were able to expand only by means of unjustified murder and ethnocide. In order to grasp the extent of injury belonging to the history of Mexican Americans, Gloria Anzaldúa depicts the present-day Southwest U.S. as having “survived possession and ill-use by five countries: Spain, Mexico, the Republic of Texas, the U.S., the Confederacy, and the U.S. again.”<sup>11</sup> The lands conquered by Spain centuries ago are deeply rooted to the Mexican and Mexican American identity and culture, as are the atrocities which occurred during and as a result of these expansions. I will show two ways in which these wars created a cultural disconnect from the Mexican American lineage: firstly, through the ethnocide which took place during the Spanish Conquest and was repeated to lesser extremes during and after the Mexican War and, secondly, through the appropriation of the land belonging to Mexican and Mexican American ancestors.

#### Spanish Conquest: Ethnocide

In 1168 A.D., Aztecs traveled from their Southwest homeland of Aztlán to what is now Mexico City where, in the sixteenth century, they were conquered by the Spaniards with a loss of more than 18 million Aztecs and other natives.<sup>12</sup> Over the next century, these indigenous cultures were nearly wiped out, not only by disease, but by genocide and ethnocide committed by the Spaniards producing the first *mestizos*. *Mestizos* are people of mixed race and culture, those whom Anzaldúa describes as “a product of the transfer of the cultural and spiritual values of one group to another.”<sup>13</sup> Though most of the Aztecs and other natives were killed, some few remained in several communal areas where they were largely prohibited from practicing their chosen religions and customs, as the Spaniards pushed Catholicism and Christianity. This is

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<sup>11</sup> Anzaldúa, *Borderlands/ La Frontera*, 112

<sup>12</sup> Anzaldúa, *Borderlands/ La Frontera*, 26-27

<sup>13</sup> *Ibid.* 100

one route to ethnocide and the creation of *mestizos*, through the altering of the belief systems and practices which make up a culture— this is a historically common and lesser extreme form of ethnocide, but one which produces intolerable harm nonetheless through a loss of one’s culture and cultural history. The greater extreme is genetic alteration by nonconsensual marital relations as well as rape.<sup>14</sup> This was the means by which the Spanish achieved the ethnocide of these native civilizations and the production of the first generation *mestizos*, created by the blending of Native American, Aztec, Maya, or other native blood with Spanish ancestry. This expedition was the first account of or ethnocide achieved through nonconsensual sexual relations; although, ethnocide was not the cause of the near genocide.

Card’s *The Atrocity Paradigm* explains that this practice of mass rape of civilians has been used as a “weapon of war,”<sup>15</sup> and explains this practice as “mass sexual assaults, by soldiers or militias on civilian females of an enemy population.... [The] purposes include intimidating and demoralizing the enemy, forced impregnation, [and] tampering with the identity of the next generation.”<sup>16</sup> Overwhelmingly, practices involving rape in war or during war-time have been overlooked, unpublicized, and unpunished as war rape was, for a long time, seen as one of the many permissible actions accompanying war-time, and the practice of rape as a “weapon of war” was not publicly denounced until the late twentieth century. Intimidating the enemy is expected in war, but mass rape is more than intimidation— there are many other ways in which soldiers can intimidate the enemy. Impregnation and tampering with future generations are a different form of harm altogether; these actions, as Card points out, are a form of genocide or ethnic

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<sup>14</sup> Some could argue nonconsensual sexual relations in nonconsensual marriage is not equivalent to rape. To be clear, I neither make nor accept this distinction though I use both terms here for clarity.

<sup>15</sup> Card, *Atrocity Paradigm*, 118.

<sup>16</sup> *Ibid.* 119

cleansing in an attempt to show dominance and demoralize men on the side of the enemy.<sup>17</sup> And this unnecessary, inhumane, and intolerable war practice of ethnocide would be repeated to eventually create Chicanos. Chicano has many meanings; Anzaldúa uses Chicano/a to mean, roughly, Mexican American, including descendants of *Aztecas del norte*.<sup>18</sup> To make clear this lineage, the blended Aztec and Spanish ancestry produced in the sixteenth century would later expand to mix with Mexicans and Native Americans during the time of the Mexican War, to eventually engender Mexican Americans and Chicanos.<sup>19</sup>

#### Mexican American War: Cultural Disconnect

The events leading to the U.S. appropriation of Texas and other Mexican states began with the gradual migration of settlers into Texas in the early to mid-nineteenth century which would initiate the Texas Revolution. The Texas Revolution began as an uprising against the Mexican government and ended with a Texan Victory, led by the settlers, and a Mexican loss at the Battle of San Jacinto. Following the battle, in 1836, Texas gained independence from Mexico as Mexicans north of the Rio Grande were robbed of their land. However, Mexico did not recognize Texas as independent from Mexico and continued to fight for their land for several years following the event. But in 1846, the United States began attempts to annex Texas and the Mexican American War officially began, resulting in another major loss for Mexico and tragedy for the Mexican people. For Chicanos, the U.S. appropriation of Northern Mexico was the most extensive deplorable and unjust larceny.

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<sup>17</sup> Ibid. See Card Chapter 6 “Rape in War” for further reference, p.118-38.

<sup>18</sup> Anzaldúa, *Borderlands/ La Frontera*, 23. To note, Chican@, Chicanos, *meztiz@s* and *mestizos* may be used to represent both male and female.

<sup>19</sup> Anzaldúa, *Borderlands/ La Frontera*, 27

Anzaldúa recounts the suffering of the Chican@s' divide from the homeland, in 1848, following the signing of the Treaty of Guadalupe-Hidalgo, which was never honored and much of the land was later taken leaving "100,000 Mexican citizens on this side annexed by conquest along with the land."<sup>20</sup> The State Department made excuses to portray the Treaty of Guadalupe as invalid; they claimed their rights to the land were "not by treaty but by right of conquest"—Mexicans and Chicanos know these claims amount to exploitation, or as Albert Peña describes, "rape of the land and [their] people," and the grand scale theft of the Mexican land.<sup>21</sup> Land grants belonging to Spanish and Mexican Texans totaled twenty million acres before the records were "mysteriously destroyed," explains Peña, "although Anglo land deeds remained intact."<sup>22</sup> The Anglo, says Anzaldúa, "seized complete political power, stripping Indians and Mexicans of their land while their feet were still rooted in it."<sup>23</sup> Peña adds, "He [the Mexican] lost lands which he had held for centuries... His language... became the mark of the 'foreigner.' Suddenly this was no longer his land or home."<sup>24</sup>

Accompanied with the loss of their land was a new uncertainty and fear for their lives as they had become trespassers on their own land. Race hatred spread during this time as a response to war, resulting in military intervention used to address the social protest in the South. Anzaldúa recounts the suffering and violence Chican@s faced near the border, warning, "trespassers [would] be raped, maimed, strangled, gassed, shot."<sup>25</sup> Following the wars, the lynching of Chicanos by Anglo vigilante groups began. Anzaldúa describes the culture-wide tragedy

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<sup>20</sup> Ibid. 29

<sup>21</sup> Peña (26:2, p. 2-4) "The El Paso Speech"

<sup>22</sup> Ibid.

<sup>23</sup> Anzaldúa, *Borderlands/ La Frontera*, 29

<sup>24</sup> Peña (26:3, p. 2) no title

<sup>25</sup> Anzaldúa, *Borderlands/ La Frontera*, 26

resulting in the deaths of one hundred Chicanos, including whole families, and the seven thousand Chicanos who escaped death by fleeing to Mexico.<sup>26</sup> The Mexico border, which Anzaldúa refers to as the “1,950 mile-long open wound,”<sup>27</sup> remains a source of deep-rooted pain for many Chican@s.

Though my focus is not on the actions of war, these actions leave lasting effects. One of these is the silencing or loss of history, and further disconnect produced from the invisibility or lack of testimony related to the extent of violence and murder during war,<sup>28</sup> which is often drastically understated and unaccounted for in terms of remorse or culpability. Within the Spanish Conquest, millions of natives were killed, and new cultures and mixed races were created—though these are rarely addressed directly. The Mexican American War should have left many more accounts of unnecessary killings as well, as the population had grown, the number of men involved in the War had increased, and racism had spread as a response to those whom Americans identified as the enemy— nonethless, we are left with few accounts of death, but the few accounts we do have are horrendous. It is likely that countless deaths, by many means, were covered up, unacknowledged, and overlooked as the populations grew. Following the Spanish Conquest, Spaniards poured into Central America, overshadowing the decreasing populations of Indian communities; today, the Aztec and Maya descendants who remain in Central America have become rarities and live in small communities often separated from the communities of Spanish descendants in areas such as the Yucatán. And, in the U.S. following the

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<sup>26</sup> *Ibid.* 30

<sup>27</sup> *Ibid.* 24

<sup>28</sup> Peña, Albert. Albert A. Peña, Jr. Papers, MS 37, University of Texas at San Antonio Libraries Special Collections, (26:3, p. 3) “Houston Chicano Moratorium” 1970; Peña provides a clear example of unnecessary violence as the “murder, robbery and rape of mothers and daughters in the presence of tied-up males of the families.”

annexation, the population in Texas continued to grow by over 100,000 between 1836 and 1848, again drawing attention away from the murders of Mexicans in the area.<sup>29</sup> And this is not the only form of remainder, nor even the only form of silencing. Silencing in this form is executed by concealment or distortion of the history of a culture: cultural silencing; but there is another form which we will address along with the various remainders and after-effects resulting from war.

### **After-effects and Reminders of War**

The Spanish Conquest and Mexican American War left lasting after-effects and remainders for future *Tejanos*, *Mejicanos*, Chicanos, and Mexican Americans. For more than a century following the Mexican American War, Mexican Americans suffered oppression and personal struggles as a result of racial tensions and stereotypes created during war-time. Gloria Anzaldúa's *Borderlands/ La Frontera* attests to the psychological struggles and silencing of *mestizos* in the twentieth century, and Chicano activist Albert Peña testified to the many injustices faced by Chicanos in America.

### **Injustice and the Enemy Mindset**

The aim of the country during war-time is, typically, to demoralize and dehumanize the enemy in order to gain support for the war and a reason to fight the enemy (especially when there is no real reason), and as a result racism and racist acts in war are common. The atrocious acts which result, like the various atrocities committed against *tejanos* by settlers are typically unpunished, overlooked, or excused because they took place during war-time and are

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<sup>29</sup> "Census and Census Records." *The Handbook of Texas Online*, Texas State Historical Association.

representations of nationalism, which is often accepted and supported by supporters of war.<sup>30</sup>

Because the military is widely respected, people tend to, illogically, transfer their endorsement of the military to the concept of war, apparently believing that in order to support the military, the current war should be supported. And in showing their support, people often form biases based on information portrayed and disseminated by the government, news, and media, which use tactics to gain support for the war, as a result racism and racist acts following war are also common, and often create long-term prejudice. Peña asserts that the racism faced by Mexican Americans in America stems from Americans' views of Mexicans during the past wars.<sup>31</sup> Americans, during the Mexican American War, developed an enemy mindset in order to separate themselves from their opponents, a tactic which has been used against many cultures.

Throughout the Civil Rights Movement, Albert Peña spoke out against the systemic injustices Chicano@s faced as a result of the Mexican War. 150 years after the war, Chicanos were dealing with overwhelming poverty, disparagement in voting, and unequal education.<sup>32</sup> A 1960 Census found that “35 percent of all Mexican American families in the 5 southwestern States had incomes of less than \$3,000. The median figure... was \$4,165,” and in terms of housing another 35% lived in overcrowded conditions;” of the 54 percent of families in this area who owned homes, 10% of their houses were in deplorable condition.<sup>33</sup> Peña often spoke on the education of the Chicano youth, which was inferior to that of white American youth— many Mexican Americans had few years of education and did not graduate high school, often due to

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<sup>30</sup> See: Wilcox, Sebron. Sebron Sneed Wilcox Papers, MS 25, University of Texas at San Antonio Libraries Special Collections. <http://www.lib.utexas.edu/taro/utsa/00065/utsa-00065.html>; (2:10, p.19).

Wilcox, a Laredo Historian, collected extensive materials on Texas/Mexico history between 1749–1972.

<sup>31</sup> Peña (26:3, p. 2, 4) “Houston Chicano Moratorium” 1970

<sup>32</sup> Peña (Box 39) Audiotape 1969 One Man's Opinion, Mexican American Participation in Vietnam

<sup>33</sup> José Angel Gutiérrez (8:8, p. 6-12) 1970 “We the Mexican Americans,” U.S. Dept. of Commerce; [*sic*], the 5 states being Arizona, California, Colorado, New Mexico, and Texas, 10-12.



financial limitations. Though Chicanos were forced out of their culture and into Anglo society, they were not able to be represented in their communities nor have an opinion on the decisions by which they were directly affected. This injustice was due to the differences between Chicano's standard of living and the norm of society; Chicanos typically resided within the lower class, spoke languages which were often devalued, and carried with them a debilitating stereotype. Peña describes the many ways in which historians, news, media, and advertising distort the Mexican American identity and image, explaining, "We are portrayed as lazy, servile peasants, or as dirty, aggressive bandits."<sup>34</sup> And he admits that this image is deeply ingrained within one's identity.

All of these factors made economic progress nearly impossible for Chicanos, though these circumstances were the direct result of systemic injustice which impeded economic progress. Because of these injustices faced by Mexican Americans as a result of the enemy mentality created during the Mexican War, Peña spoke out on many occasions about the evils of war and against Chicano support for another atrocious, inexcusable war, as one of the aims of the Chicano movement was basic human rights.<sup>35</sup> Peña urged Chicanos not to support intervention by recalling the tragic theft of land from Mexico and abuse of the Mexican people. At the Houston Chicano Moratorium in 1970, Peña protested the Vietnam War, relating it to the Mexican War,<sup>36</sup> Peña insisted, "I think we owe a debt . . . to history not to do to other countries what the United States did to Mexico a century ago. . . . It is a crime and the worst form of insanity to . . . help our oppressors . . . enslave other people."<sup>37</sup> For years Peña tried to gain a

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<sup>34</sup> Peña (26:2, p. 2) 1970 "The Year of the Chicano;" (26:2, p. 1) "Rough Draft"

<sup>35</sup> Peña (26:2, p.1-3) no title; Albert Peña defines Chican@ as anyone who is a part of a movement to "eliminate poverty and discrimination and injustice."

<sup>36</sup> Peña (26:3, p. 2, 4) "Houston Chicano Moratorium" 1970

<sup>37</sup> Ibid.

resistance of Chicanos across the country against the war in Vietnam due to the direct, personal, and cultural sufferings of past conquest like the Mexican American War. To exemplify the ways in which the systemic effects of war are prevalent in current and ongoing political issues, Anzaldúa further describes the racism, violence, and many injustices people of Mexican descent face(d) in the U.S., including poverty, prostitution, exploitation, inequality, etc. following the appropriation of Mexico's land and its people.

In protesting and raising awareness of the war in Vietnam, Peña also addressed the suffering of American soldiers who were drafted to participate in unnecessary military intervention. In his second Moratorium address in San Antonio, Peña scolded Americans for “failing to inform themselves thoroughly” regarding the war— he urged, “When our fellow countrymen are dying, there can be no excuse for not scrutinizing the government’s policies and actions.”<sup>38</sup> Not only were we not providing adequate assistance to the people of Vietnam, but we were making the situation worse, and our soldiers were suffering intolerably. Though the majority of the examination of harm in this paper has been that of the people of an attacked state or country, the soldiers fighting in these wars suffer as well. These soldier are not only suffering physically in battle, but also emotionally and psychologically and oftentimes these struggles can outlast the wars in which they are fighting. The suffering which we might be more familiar with in relation to harmed soldiers will allow us to better understand the psychological dissonance created by war; and there is no better example than the harms of the soldiers who fought in Vietnam.

Within war, the laws and ethics surrounding each circumstance is unfamiliar and often goes against how we have been taught to act ethically in civilized society. And during their time

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<sup>38</sup> Peña (Box 39) 1969 One Man's Opinion, Mexican American Participation in Vietnam (Audiotape)

served as soldiers, many people have to make strenuously difficult ethical decisions, or more commonly have to act against their best moral judgement without the authority to make the decision. In times such as these, the psychological dissonance which would arise, the moral and psychological struggles which result, and the regret or remorse for their actions can take a serious toll. On the other hand, these soldiers will likely feel pride, and honor, and many sorts of more positive emotions for being able to defend and honor their country or to help others, and also to annihilate the enemy. And having both of these mindsets present simultaneously is an example of what is meant by the harm of psychological dissonance. The emotions such as regret or remorse, when not contradicting other emotions, are examples of remainders which are suffered from war, the most common and well-known remainder being PTSD, or post-traumatic stress disorder, which can last decades and sometimes even a lifetime.

### **Psychological Dissonance and Internalized Contradictions**

Gloria Anzaldúa's Borderlands Theory explains the difficulties of living between two opposing ideologies and, though her theory is applicable to any sort of dislocation, it is applied here as the borderland or intersection of two races, cultures, classes, and/or physical locations. Anzaldúa describes the borderlands as "a vague and undetermined place created by the emotional residue of an unnatural boundary,"<sup>39</sup> or "a place of contradictions."<sup>40</sup> Within the physical borderlands of the U.S. and Mexico, there are many contradictions, including loyalties to the peoples or governments of either side, as well as racial and cultural contradictions. Among race and culture, the contradictions lie in one's origins, including ancestral ties, as well as traditions and values. Residing within a borderland forms various psychological contradictions and contradictory beliefs, which pull and attack one another, often resulting in "mental and

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<sup>39</sup> Anzaldúa, *Borderlands/ La Frontera*, 25

<sup>40</sup> Ibid. Preface to the First Edition (p. 19). May not be included in all editions.

emotional perplexities” and internal strife such as physical or ideological borders and separations, which, in turn, can cause insecurity, indecisiveness, and “psychic restlessness.”<sup>41</sup>

These borderlands need not be geographical— they can be political, cultural, ideological, religious, etc., and they can be caused by many difference influences. Typically loss of identity and silencing can lead to this psychological dissonance, and cultural silencing can be caused by ideological war in the same way as conquest: history is concealed or distorted. The distortions can also have many roots, as we will examine. Though I urge that the residual harms or remainders suffered in these examples of conquest and ethnocide result from ideological wars as well, as conquest is just ideological war— that is, the motivation for expansion is ideological and though the wars may be waged differently, they both strip people of their cultures and apply their own ideas and forms. And these ideas take hold by means of silencing and through negative internalizations, as in the psychological struggles of Chican@s.

### **Silencing and Loss of Identity**

Chicanos are an intersection of aspects of many cultures and races, and Anzaldúa attempts to explain the many ways in which *mestiz@s* identify, including Spanish, Hispanic, Latin American, and Mexican-American, as well as the many identities often left out. She explains that “when not copping out,” or giving in to well-known identifiers, *mestiz@s* identify as Chicano, *tejano*, *mestizo*, and Mexican.<sup>42</sup> These subcultures, or branches from the cultures of origin are important to identity, but many resort to those better-known identifiers in order to avoid further separating themselves from society or becoming a further minority. Additionally, because someone within a physical or ideological borderland cannot fully identify with either

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<sup>41</sup> Ibid. 100

<sup>42</sup> Ibid. 84-85

side, she cannot be fully accepted in any origin of her identity; thus she often has difficulty coping with perceptions of self and negative perceptions from others.<sup>43</sup> This confusion of self-perception is an example of the second form of silencing: internalized silencing. Internalized silencing hinders one's ability to form or retain a sense of personal identity due to confusion or detachment of aspects of oneself, one's ideas, or one's culture(s). For example, Anzaldúa describes the psychological struggle of the *mestizo* when encountering his original cultures:

In the Gringo world, the Chicano suffers from excessive humility and self-effacement, shame of self and self-deprecation. Around Latinos he suffers from a sense of language inadequacy...; with Native Americans he suffers from a racial amnesia which ignores our common blood, and from guilt because the Spanish parts of him took their land and oppressed them. He has an excessive compensatory [pride] when around Mexicans from the other side. It overlays a deep sense of racial shame.<sup>44</sup>

While internalized silencing is often a personal struggle, the harm can be felt among whole groups or cultures, through confusion or detachment regarding cultural aspects due to negative internalizations which are often caused by stereotypes or prejudices.

As minorities, Chicanos have been weighed down with fear, confusion, hate, and judgment regarding their culture and/or ethnicity, made to believe they were worth less than others. Many minority groups have had their cultures degraded, distorted, or erased, which was precisely the focus of the Civil Rights Movement in the U.S.— minorities protested in order to create unifying cultural or political identities. Minorities recognized that without protesting their treatment and circumstances they would continue to be forced into Anglo assimilation though, at the same time, degraded or declassified due to their ethnical minority and uniqueness, often to the

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<sup>43</sup> Ibid. 8

<sup>44</sup> Ibid. 105

point that they no longer retain a sense of identity. Peña laments media and advertising “have robbed us of our human dignity and psychologically crippled [us]... by creating and perpetuating stereotypes,”<sup>45</sup> which confuses any sense of identity.<sup>46</sup>

Throughout her work, Anzaldúa makes reference and gives tribute to the Chican@ homeland, with which she believes the Chicano identity is intertwined. Chican@ identity is so entangled with the homeland and with language that, it seems, every aspect of Chicano identity has been lost, stolen, or distorted, creating the cultural disconnect of the Mexican people. Anzaldúa describes how one’s geographical location is tightly wound with one’s language or dialect, as language is a vital source of one’s identity; for Anzaldúa, “[e]thnic identity is twin skin to linguistic identity.”<sup>47</sup> Because of the variety of cultures between American, Indian, Mexican, and many others shared by Chicanos, it is difficult to encompass all of the variations of the mestiz@ languages. While there is pressure to speak either standard Spanish or standard English, Chican@s do not identify fully with either; thus, new dialects and languages are created to represent the many identities between Mexican and American. Records from the collection of José Angél Gutiérrez affirm: “In the Southwest... Mexican-Americans, often classed as a minority, actually represent a numerical majority in many places. Yet often neither their Spanish nor their English are regarded... as acceptable forms of speech for admission to the advantages of elite status and the power structure.”<sup>48</sup> Unfortunately, many aspects of Chican@ identity, including culture, ideas, music, and language, have often been shamed and devalued. And because these internalized feelings of shame or discouragement can affect individuals so deeply,

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<sup>45</sup> Peña (26:2, p. 2) 1970 “The Year of the Chicano;” (26:2, p. 1) “Rough Draft”

<sup>46</sup> Peña (26:2, p. 2) no title, “Rough Draft”

<sup>47</sup> Anzaldúa, *Borderlands/ La Frontera*, 81

<sup>48</sup> Gutiérrez (8:9, p. 356) “Language Varieties Along the U.S.-Mexican Border” article by Jacob Ornstein

the extent of these internalizations can propagate—in this way, personal and cultural internalizations can become confused, as can the source or type of silencing. Peña further explains the loss of Chicano history produced a life-long inferiority complex;<sup>49</sup> he concedes, “I am three things and in this order: First of all, I am an American because I was born in the United States. Second, I am a Texan because I was born in Texas, and third, I am a Mexican because no one will let me forget it.”<sup>50</sup>

It seems clear through this examination of residual harms that there are intolerable harms which result from war; I believe I have also shown that these harms are not extraordinary or uncommon cases, but occur in normal operation, and that conquest and ideological war are inexcusable. But Card’s definition of evil institution had one more qualification: these harms produced by normal operation must be reasonably foreseeable. This qualification is easily met as the harms addressed in this paper are reasonably foreseeable today, considering there are many easily accessible accounts of said harm. As institutions, governments could easily find evidence of the harms of war; being aware that war causes harm and not changing the institution, or simply ignoring the fact, amounts to negligence, which, for Card, is also considered evil. In view of the conclusion that revolution leads to ideological war or intervention, and intervention either leads to conquest or produces intolerable harm, these forms (or pseudo-forms) of war have evil as part of their normal operation. And because ideological wars and conquest not only lack a morally good reason for war and perpetuate harm, both in practice and residually, but also result in extended intolerable harm, these wars have evil as part of their normal operation. As all of these forms of war harbor and facilitate foreseeably intolerable harm in normal operation, I argue war in all forms is an evil institution.

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<sup>49</sup> Peña (26:2, p. 1) 1970 “The Year of the Chicano”

<sup>50</sup> Peña (26:2, p.2) no title, “Rough Draft”

## Criticisms

I expect there will be pushback in regard to current regulations on war through the Geneva Conventions, so I will address this concern briefly. It is true that today we have protocols in place which limit the extent of evil actions during war. These international treaties prohibit certain actions in combat to protect civilians, wounded or sick soldiers, and prisoners of war.<sup>51</sup> The protocols prohibit harming those who are not part of the fight, and essentially regulate unnecessary killings and accountability in War. Though, unfortunately, there are many aspects of war which have not been addressed by these protocols, it is clear that actions perpetrated during the wars can be regulated from a certain point forward, as the Geneva Conventions have done, but effects of past war cannot be so easily changed. Even, today, without genocidal rape, and with fewer inexcusable killings and unnecessary deaths, the emotional and psychological remainders are left as a result of intolerably harmful injustices, which come with the taking of the land of a people, stripping them of their culture, and imposing a new identity.

Card does not label war as an evil institution because she does not believe war for self defense is evil. While I agree, only one side of the conflict can be in self defense. And because self defense is only defensive in warding off violence, there must be a violent aggressor. So, though one side may be in self defense, the opposing side takes part in the evil institution of war.

Although this paper does not aim to address the actions of war, a third criticism may be that if war is an evil institution, soldiers who act in war must be evil people. This implication is not necessarily true, and I am not claiming that soldiers are evil people who do evil things. I do not wish to condemn soldiers, though we must be willing to admit some soldiers may be culpable if the extent of harm they inflict lacks good moral reason or if the soldiers violate the protocols

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<sup>51</sup> "The Geneva Conventions of 1949 and their Additional Protocols." *ICRC*. 2010.



put in place by the Geneva Conventions. On Card's account, soldiers are not evil people, unless they deliberately, or negligently, intend or foresee the intolerable harms they commit.

Additionally, being a soldier does not give unlimited, excusable freedom of action, just as war-time should not harbor unnecessary and extreme evils.

## **Conclusion**

Despite the reasonably foreseeable residual harms of war which can span centuries, war remains a viable option as a conflict resolution or means to some (usually morally inexcusable) end. There are cases of excusability in war and many theories of just war which can provide boundaries for permissible actions, but I examine the intolerable harms outside of those boundaries which occur as a result of war. As an example, the imperialist nations of Spain and the U.S. have allowed war and conquest to be prominent in international affairs in order to expand the borders of their nations (and, in the case of the U.S., to embrace destiny). In doing so, these nations have disregarded the importance of culture and have stripped the lands, cultures, languages, and identities of peoples, including Native Americans, Aztecs, Maya, Mexicans, and Chicanos. These wars of conquest have left the identity of entire cultures distorted, erased, or otherwise intolerably harmed. I have shown that ideological war and conquest foundationally equivalent, and that intervention, in normal operation, produces oppressive harm as well. Though the harms inflicted in war and the effects still felt today cannot be eliminated or forgotten, war can be reformed or avoided. It may not be possible to abolish the institution of war as war has persisted for centuries despite attempts to abolish the institution, but we can adopt a view of other races, cultures, and individuals as equally valuable rather than inferior. As Anzaldúa preached, we must accept that we are all different, having different ideas, cultures, languages, religions, etc., but this dissimilarity does not make any one superior or inferior to another.

I have shown the institution of war to be unjust, as war cannot be waged without foreseeable atrocity or lasting effects and remainders. In examining revolution, intervention, conquest, and ideological wars, I have displayed the variety of evils suffered from war—including ethnocide, systemic injustice, racial hate, and silencing, as well as remainders, such as psychological dissonance, caused by loss of land, language, and identity—to condemn war as an evil institution. The intolerable harm of war spans generations, from evil actions of wartime to impressions as residual remainders. Therefore, despite the refinements, war remains an evil institution as moral remainders cannot be alleviated.

In closing I must express deep gratitude for Claudia Card and Gloria Anzaldúa for their recognition of evil and injustice in the world and their outreach to reform systemic areas in need. As Claudia Card urges and Anzaldúa exemplifies, there is gratuitous evil and inexcusable intolerable harm in the world—we must look directly at these evils, with eyes wide open. We must address the evils in the world, which can be abolished or reformed, and work to bring attention to and alleviate these evils.

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[Note: All material found in the UTSA Libraries Special Collections was accessed 10/2017—  
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### Annotated Bibliography

Anzaldúa, Gloria. *Borderlands/ La Frontera: the new mestiza*. 25th Anniversary, Fourth Edition. San Francisco, CA: Aunt Lute Books, 2012.

Gloria Anzaldúa was a Chicana activist who documented her personal and ethnic experiences as a mestiza (mixed race) and outcast through poetry, personal narrative and expository writing. Through *Borderlands/ La Frontera*, featured as a rare book in UTSA's Special Collections, Anzaldúa attests to the hate, degradation, and silencing of Chicanos, and *mestizos* following the loss of "the homeland." In this paper I will utilize Anzaldúa's testimony to show the social, personal and psychological struggles, including violence, racism, self-hate, psychological separation, and loss of identity, faced by many Chicanos during and after the Mexican American War and throughout the 20th century—stemming from the U.S. disruption and appropriation of the Chicano homeland.

Card, Claudia. *The Atrocity Paradigm: A Theory of Evil*. Oxford: Oxford University Press, 2006.

Claudia Card's *The Atrocity Paradigm* defines and explains evil from the viewpoint of those who suffer, rather than as an action or as the opposite of good (merely bad). Within her theory of evil,

she describes atrocities ranging from marriage to torture to genocidal rape. Card's definition of an evil act as an resulting in inexcusable intolerable harm will provide a blueprint for identifying war as an evil institution (though Card does not identify war as such). Additionally, Card's examination of rape, murder, and genocide as functions of war will urge such atrocities are prevalent in war.

Gutiérrez, José. José Angel Gutiérrez Papers, MS 24, University of Texas at San Antonio Libraries Special Collections. <http://www.lib.utexas.edu/taro/utsa/00002/00002-P.html>  
Box 8: Folders: 8, 9

José Angel Gutiérrez's collection of correspondence, publications, articles, audio tapes, posters, etc. focus on Chicano activism and urge recognition of the viewpoint of Chicanos, Mexicans, and Hispanics through civil rights groups in the 1960's--70's. As Gutiérrez co-founded the civil rights group La Raza Unida, his legacy in writing will help to examine the impact of the struggle between Americans, Texans, and Mexicans over the previous century. Racism is evidential in Gutiérrez's collection through examining stereotypes and responses to immigration, and silencing through examining self-images and variation in language. By implementing the work and focus of Dr. Gutiérrez, as a supplement to activists Gloria Anzaldúa and Albert Peña, I will confirm conflicts of the past have resulted in systemic injustice.

Hoag, Robert. "Armed Humanitarian Intervention." *Internet Encyclopedia of Philosophy*. Accessed Nov. 12, 2017. ISSN 2161-0002, <http://www.iep.utm.edu/hum-mili/>.

"Armed Humanitarian Intervention" highlights many Just War theories, including *just ad bellum*, *just in bellum*, and *just post bellum*, as well as many contributors to just war theories and the discussion of intervention from Saint Augustine and Aquinas to John Stuart Mill. The Internet Encyclopedia of Philosophy is an extensive source on many topics in philosophy, where each entry is authored by a philosopher with expertise in the subject matter. IEP's "Armed Humanitarian Intervention" is used in this paper to touch on just war theory and some of its contenders, as well as to approach the difficult topic of humanitarian intervention.

Peña, Albert. Albert A. Peña, Jr. Papers, MS 37, University of Texas at San Antonio Libraries Special Collections. <http://www.lib.utexas.edu/taro/utsa/00026/utsa-00026.html>  
Box 26: Folders: 2, 3  
Box 39: Audio Online

Albert Peña's collection consists of notes, correspondences, speeches, interviews, etc. as a judge and political Chicano activist. Among these are many radio and television speeches regarding stereotypes and political limitations of Mexican Americans (with a focus on poverty), opposition to war (previous and current [in Peña's time]), and "what it means to be a Chicano". Some aspects of this collection intersect with José Angel Gutiérrez, as Peña and Gutiérrez both participated in the Chicano civil rights movement, and Gutierrez helped to preserve the audiotapes in this collection. The speeches made by Peña in his career as an activist will exemplify the evils and injustices of war and racism of different cultures, especially Chicanos. In

conjunction with Gloria Anzaldúa and José Angel Gutiérrez, I will exemplify the extent of suffering of Chicanos in the 20th century.

[Note: All material found in the UTSA Libraries Special Collections was accessed 10/2017—  
Box:Folder locations subject to change.]