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Application of the Just War Theory to Prevent Youth in Armed Conflict in Sub–Saharan Africa: Article review

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ABSTRACT

Introduction: Conflict is deliberately and meticulously verbally justified and securitized in order to make it acceptable to people who are not convinced by it. The consequences of youth involve in armed conflict especially in sub Saharan Africa are the loss of millions of people lives, mass displacement of people and the destruction of state assets. Peace has also been the ideal way to ensure co-existence among humanity on earth. This study critically examines how the Just War Theory constructs could be used to prevent youth in armed conflict in sub Saharan Africa.

Method: The study employed various strategies to obtain relevant studies about the constructs of the theory. Review of studies was carried out through electronic databases searches. Search strategy with key terms related to the Just War Theory and youth in armed conflict were employed to retrieve relevant documents.

Results: The study found that, limited studies were conducted with the theory especially in the context of armed conflict among the youth and how to prevent it. The study found that, youth in armed conflict in sub Saharan Africa was socially constructed and could be prevented if the just component of the theory was better explain for them to appreciate the need for peace. The involve of the youth in armed conflict is their limited understanding of the *jus ad bellum* and the *jus in bello* which is anchored on religious antecedents.

Conclusion: Human existence has always been marked by conflicts, killing, and wars throughout recorded history. The youth were involved in armed conflict because of the notion of fighting for a just cause in the society. Thus, youth could better serve as advocate of change agents in their communities when things are not right through proper lobbying and advocacy.

Keyword: Wars, just, bello, jus, jihad, theory, artifacts

Introduction

For quite some time now, conflicts on the African continent have brought a major source of economic and social destruction resulting in excessive human suffering (1) with these consequences often linked to armed conflicts. Africa ranks second in terms of the total number of armed conflicts per region, with over 35 non-international armed conflicts ongoing in Burkina Faso, Cameroon, the Central African Republic (CAR), the Democratic Republic of the Congo, Ethiopia, Mali, Mozambique, Nigeria, Senegal,



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Somalia, South Sudan, and Sudan. In all these countries, the youth play critical roles in these armed conflicts (2).

According to (3) armed conflicts are armed confrontations that take place within the territory of a State between the government on the one hand and armed insurgent groups on the other hand. Armed conflicts have also been viewed as the crumbling of all government authority in the country, as a result of which various groups fight each other in the struggle for power (3). Within the context of this paper, armed conflict is considered when armed conflict take place in a country in Africa between the country armed forces and dissident armed forces involving the youth or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted operations (4).

This means that this restrictive definition is relevant for context of the paper only, but does not extend to the law of non-international armed conflicts. This could be based on the Statute of the International Criminal Court, in its article 8, para. 2 (f), which confirms the existence of a definition of a non-international armed conflict not fulfilling the criteria of Protocol II (5)

The essence of the context definition of armed conflict in this paper is to enable a proper interpretation of a theory in conflict dynamics and peace building efforts in sub Saharan Africa involving the youth. The application a theory to conflict dynamics is critical to understanding the basic, root and underlying causes of armed conflicts in sub Saharan Africa. Theory therefore, is important in conflict analysis because it provides a logical explanation for concepts necessary for peace building efforts. Understanding armed conflict especially among the youth can be achieved by an examination of the roles played by power, ideology, and identity within the context of international relations which could provide possible ways to promote peace.

In the context of this review, the Just War Theory is utilized to offer a rationale for reducing armed conflict in sub Saharan Africa among the youth so peace can prevail. It has been very difficult to trace the exact date of the JWT. Records, however, showed that early scholars in the 4th Century employed the constructs of the JWT to advance their interests. The origin of the earliest idea of the JWT based on Cox assertion is that, there exist a complex relationship between war, ethics and justice. And these concepts were based on three ancient Near Eastern cultures, Egyptian, Hittite and Israelite. Cox showed how the emergence of just war thought was grounded in a desire to rationalise, sacralise and ultimately to legitimise the violence of war. Rather than restraining or condemning warfare, the earliest ethical thought about war reflected an urge to justify state violence (3).

However, holistically, the concept that warfare ought to be reserved for extreme circumstances and that measure had to be implemented to facilitate the return of peace was first introduced to the Hellenic community by Aristotle. The fundamental principle of Aristotle's assertion of just war was based on necessary and good for the purpose of self-defense, not for conquering as seen among the youth in armed conflict. Aristotle was the one who first popularized the phrase "war as a last resort"

In a related development, the JWT has been traced to classical Greek and Roman thinkers such as Cicero, Plato, theologians St. Augustine and Thomas Aquinas. It has been hypothesized that JWT originated in the West based on the writings and teachings of theologian St. Augustine (354–430) and Thomas Aquinas (1225–1275). Records revealed that the history of the theory based on Cicero's assertion of war was on moral grounds. His views were influenced by his political experiences as a senator, governor, and consul during the Roman cursus honorum (4). He outlines the following



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standards for just wars in his Book III of On the Commonwealth: (1) a valid reason (2) proper notification and proclamation and (3) a demand for reparations.

Since it discovery, the Just War Theory (JWT) has been applied historically to examine and avert a number of hostilities, including world wars and other conflicts, that have broken out from antiquity to the Middle Ages. The just war tradition has grown throughout centuries around the world in an effort to address the growing demand for a set of beliefs, concepts, and even an altered version of the rules of engagement for waging wars. The fundamental principles of the JWT for evaluating the justness of warfare is based on three concepts; *jus ad bellum*, which lays out the prerequisites for a just war to start; *jus in bello*, which restricts the actions of aggressors during the war; and *jus post bellum*, which describes the obligations placed on aggressors after the war has ended.

According to (6), JWT nearly vanished from the global system in the late 17th century and made no major contributions. However, in the 1960s and 1970s, Ramsey and Waltz restored JWT's academic reputation by writing from both theological and secular viewpoints (7). Since then, the resurgence of JWT literature has been mostly fueled by these two masterpieces (9). This has led to the discourse motivated by religious, driven by abstract thoughts (8), and the other philosophical paradigms (10). Because of this, a substantial portion of JWT is shaped by a single religion and Western philosophy, leaving it open to criticism for its bias and devotion to specific religions or geographical limitations. However, JWT has become relevant especially with the rising cases of armed groups with subjective inclinations of ideas best known to the motive of the group. The paper is used to examine the JWT constructs within the theoretical reasoning of young people action during armed conflict rather than concentrating on the question of whether war is morally justified in sub Saharan Africa or not.

The primary conclusion is that there does not appear to be any published JWT work that specifically addresses youth in armed conflict prevention in sub Saharan Africa and how to promote peace. Even though there is still a gap in knowledge, within the context of JWT, the component, *jus ad bellum* fits into youth and "armed conflict". The theory has caused controversy in the literature on whether or not JWT can handle youth in armed conflict. Few authors revealed that JWT constructs cannot be applied in all conflicts (11) while others believed that, it could be used. The conflicting arguments relative to the discussion of JWT constructs created a gap and this review seeks to fill this in empirical literature.

Antecedent and positioning of the Just War Theory in armed conflict

Armed conflict within the context of this paper refers to non-international armed conflicts, between governmental forces and non-governmental armed groups or between such groups only in sub Saharan African (12). Armed conflicts lead to devastating loss of civilian life, massive displacement and violations of human rights and international humanitarian law. Peace is what war is all about. The intersection of war and peace has always been a contentious issue in philosophical history. Peace following a conflict characterized by the loss of life, property and culture may begin to appear unachievable.

The youth has the ability to choose between peace and conflict. It is important to state that the youth must be convinced of the validity of a cause in their country and the importance of defending core values against looming threats before they approve the use of force against authority. The narrative framework of the just war tradition is based on the *jus ad bellum* and *jus in bello* principles, which specify when conflict is justified and place limitations on its application (13). Because *jus ad bellum* and *jus in bello* are equally important, a balance between "considerations of whether to use conflict and of how to use it



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is very critical" (14) and must be established (15). The simple idea behind the theory's application in armed conflict is that it should, by showing that conflict is always terrible except in certain, restricted circumstances. This incentivizes the youth to find new ways to resolve what they see as unjust.

Holmes' account of St. Augustine's just war beliefs in the context of armed conflict indicates that the latter still considers armed conflict to be a justifiable means of achieving peace. He adds, "St. Augustine felt that in a world that had "fallen" full of violence, fighting was not an option but rather a necessity to bring order back, and that in the event of a surrender, adversaries and prisoners had to be treated with charity" The teachings so uphold the spirit of the peacemaker.

Constructs of the Just War Theory in explaining armed conflict

The JWT has three distinct components which are very relevant to the study of armed conflict among the youth in sub Saharan Africa. These constructs of the JWT derived their names from the Latin origins. These constructs are; *Jus Ad Bellum, Jus in Bello* and *Jus Post Bellum*. In the context of *Jus Ad Bellum,* the theory specifies conditions for judging if it is just for people to engage in conflict and conditions for how the conflict should be fought. In this case, it specifies the reason for the youth to engage in armed conflict in SSA. This construct identifies seven critical conditions under which the youth could involve in armed conflict. This means that, the youth would involve in armed conflict in SSA if they have a good reason to believe that what they are about to fight for has a just cause (cf. 16). Majority of the youth would fight against the established system if they all have right intention which is align with the just cause.

The construct also sees that a leader emerges from the youth who has the power and the support of the youth to fight against injustice in their states, also that the only way to ensure fairness and justice is to use armed conflict as the last resort (cf.17). When the youth see that those engage in armed conflict has the probability to succeed, it would motivate them to join the movement for the just cause. The construct also looks at the youth assertion of the proportionality of the armed conflict. The youth would often do the cost-benefit analysis of joining the armed conflict before taking part. The benefit that comes from conflict must be weighed against the harm that it creates (cf.18).

Similarly, the second construct of the theory looks at the *Jus in bello*. This construct explains how the youth involved in armed conflict operate. Under this concept, the youth only target people in authority who are the cause of the injustice (cf. 19). The concepts allow the youth in armed conflict to see only persons who may be direct and intentional as targets who are actively participating in the conflict. And this explanation is placed in the origin of the theory when the Greeks felt that places, events, and things that were sacred to the gods and nobility should be protected from conflict. In the contemporary meaning, these are the innocent people, hospitals, and places where the people think justice prevails (20).

The last construct of the JWT is the *Jus post bellum*. This concept explains the process that the youth could employ to make peace prevail in SSA. This construct of the JWT is universally accepted by some cultures. The youth engaged in armed conflict because, the concept advocates for the use of conflict to let people in authority stop the factors that promote both positive and negative peace. Christianity believes that war should only be used for the defense and restoration of peace (21). Aristotle thought the same way and limited the use of war to what is necessary for peace.



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Assumptions of the Just War Theory in the context of armed conflict

The study used the JWT because it has certain assumptions relevant to the study of armed conflict among the youth in sub Saharan African. The JWT assumes that, there is injustice in the region and the youth are fighting to restore justice. The JWT assumes that, there is poor governance practice in SSA which provides grounds for real and perceived corruptions involving government officials (22). These are just causes for the youth to organize and fight against the state. The JWT assumes that, the availability of weapons in the region provides fertile grounds for the youth to organize and wage conflict against the state. The JWT assumes that, the availability of drugs which falls under the *Jus ad Bellum* makes it that the youth think they would always succeed in waging conflict against the state.

The JWT also under *Jus in bello* assumes that there is discrimination against the youth in the state where employment is based on political affiliation, ethnic, religious and the culture of which "big man" in power knows you. Analyzing the factors that explain youth in armed conflict in Africa requires a lot more than an examination of triggers (such as elections, price hikes and extremist ideologies) and underlying causes (such as poverty, marginalization, inequality, bad governance and ethnic grievances). As a result, the components of the theory provided a basis to suggest ways to prevent armed conflicts in sub Saharan Africa.

Additionally, the JWT assumes that, everyone has the right to self defense in SSA. This stemmed from Cicero's hypothesis that what is just and what is natural are closely related. The JWT also assumes that, people have the right to exact retribution on wrongdoers in society (23). The JWT also assumes that, conflict arise because of people desire for dominance to achieve glory. The JWT also assumes that war is waged for the sake of peace. As population continue to expand and societies develop, security would improve and that conflicts of this nature may be justified as defensive (24)

In the context of youth involved in armed conflict, youth is commonly used to describe the age group between 15-25 years. African youth are caught in the chasm between childhood and the unattainable social, political and economic status that would define them as adults. Deprived of educational opportunities and livelihoods, youth are actively mobilized by politicians and armed groups alike, who recognize that their alliance is valuable and their enmity dangerous to the state. The militarization of disaffected young people, of which the problem of armed conflict is only a small part, originates with the idea that youth constitute "potential" source of leaders for the state. The JWT is also assumed to be based on religious antecedents of which majority of the youth would want to fight for the created of the universe God.

Meta-Theoretical assumptions of the Just War Theory in the context of armed conflict

There are certain meta-theoretical assumptions of JWT that are very relevant to the study of armed conflicts in sub Saharan Africa. The key meta-theoretical assumptions of the JWT is that is has the humanistic philosophy in the constructs. The JWT is also based on the epistemology approach. This philosophical concept contains multiple truths which are applied to different people and situations across the sub Saharan Africa. As a result, the knowledge of the youth based on the just cause of conflict is interpretive in nature.

Additionally, the JWT is based on ontology. This is the concept that allows the youth to determine whether to be associated with a particular group for a just cause of action or not. This approach provides the opportunity for the youth to make their decision. The JWT is also based on the axiology approach. This assertion is based on the fact that beliefs and values (25) of the youth have significant impact on



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choices on the just cause of conflict in SSA. The JWT, which was created to explain people's behavior in uncertain situations, is essentially a value expectancy theory derived from the constructivist paradigm of science (26). Since just cause of conflict must always be opposed by morality, JWT encourages rather than restrict conflict.

Weaknesses of the JWT in the context of armed conflict

The constructs of the JWT has certain weaknesses that could affect how it would fit to explain youth in armed conflict among the youth in SSA. These weaknesses of the theory are; the constructs of the JWT are subjected to manipulation and abuse by power individuals in countries whose sees armed conflict as a mean to control the weaker ones in SSA. And this explains why armed groups in SSA often abuse innocent and weak individuals. The JWT is also subjective in nature making it widely abuse by its applications in the context of states attacking armed groups and vice versa. For example, experts revealed that, JWT is subjective and that "Just War can justify anything" (27) including armed conflicts in SSA. The constructs of the JWT is also wrongly applied by individuals with political ambitions in Africa using armed groups to fight against the regime (28).

Similarly, it has been found that, the JWT allows conflict to be exploited as a moral front for immoral or self-serving activities by some individuals, undermining JWT's logical integrity in explaining or defending armed conflict. Many people JWT as intrinsically subjective possibly even historically subjective because principal authors recognized and exhibited this great interpretive flexibility (29). Johnson also notes that the "advent of positive international law" significantly reduced the "just war concept" (30). Despite the weaknesses associated with the theory, certain strengths are found in the concepts of the theory relevant to the study of armed conflict in sub Saharan Africa (SSA).

Strengths of the JWT in the context of armed conflict

There are certain strengths of the JWT that makes it applicable to the study of armed conflict in SSA. The JWT constructs are applicable in explaining how the youth join armed conflict in SSA. The theory suggests that there may be instances when conflict is ethically justified among the youth in SSA. For instance, when the youth in SSA sees that, their leaders are not working for their interest, but to enrich themselves they would join armed groups to fight against the authorities of the state. The authors of the JWT justified why even after conflict there is the need to ensure peaceful co-existence among people. Among the youth engaged in armed conflicts, no conflict is worth fighting because it was calculated or justified. And this explains why peace negotiations are often participated by these armed groups in some countries. The JWT provides moral justification for the use of mass violence for the sake of peace and justice among people. This explains why in SSA, the youth may join an armed group to fight against injustice first before knowing the core principles behind the formation of the group.

Similarly, the JWT is not geographic specific and hence the constructs of the theory are relevant in armed conflicts where the youth join these groups to advocate for better condition of their live in SSA. The JWT could be applicable to all concepts by examining its application in international law. The Kosovo example from 1998 demonstrated the minor but significant difference between JWT and international law.

Scope of the JWT in complex and multi-dimensional armed conflict in SSA

It is important to state that, the concept of youth involvement in armed conflict in sub Saharan Africa



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(SSA) is not a relatively new concept. But what is important to drum home is the nature and mushrooming of armed groups mostly dominated by youth in SSA. These armed groups in SSA have expanded exponentially in recent years with their impact felt mostly in their inhabited countries in Africa.

The failure to establish viable post-independence social contracts in most African countries encouraged leaders to focus on resource control, rather than the establishment of credible fiscal regimes that would have advanced stability and human security (31). The changing nature of conflict reflects a combination of cultural, economic, governance, regional and transnational factors. The key drivers of armed conflicts were the intensification of activity by internationally influenced extremist groups such as Al-Qaeda in the Maghreb and Al Shabaab the Arab Spring and its aftermath, the Malian crisis and the recurrence of unrest in countries such as South Sudan and Sudan. These conflicts have thrived on societal and governance failures that have provided havens and recruiting grounds for armed groups. Societal challenges worsened disaffection among the youth and political weaknesses resulted in governance vacuums that these groups eventually fill.

The group popularly called Boko Haram rose to global prominence in April 2014. The group originally was called Jamā'at Ahl as-Sunnah lid-Da'wah wa'l-Jihād' (Arabic for "Group of the People of Sunnah for Preaching and Jihad"). They decried corruption, inequality, unemployment and failed governance in northern Nigeria, particularly among the religious elite. The evolution of Boko Haram has followed three phases. From 2002 to 2009, its demands for social justices, economic opportunity and good governance which they viewed in religious terms put them in constant conflict with the religious and political leaders in northern Nigeria. There are also several armed groups in SSA with known reason linked to suffering of people in their countries.

The paper only examines the JWT three concepts in the context of how the youth are able to be motivated to join armed groups, carry out their activities and what practical ways could be suggested to reduce youth involvement in armed conflict so peace could prevail in the Africa soil.

Over the past years, authors that have used the JWT have expressed divergent opinions in terms of the scope of the application of the theory. For example, Lucas and Whetham dispute the Walzerian legal-positivist paradigm by arguing that JWT is dynamic and may be legally applied to the constantly evolving nature of armed conflict (32). Rodin claimed it cannot be applied in all concepts in the world (11) including armed conflict. This division, which is an enduring theme of JWT's approach to contemporary warfare (33) is one which has yet to be resolved, requiring this paper to address both schools of thought. The youth by combining religious theology with Ciceronian philosophy see the constructs of the JWT as viable option to engage in armed conflict in SSA (34).

This paper explores the intricacies of how the concepts of the JWT from the original conceptualization could be used to promote peace by reducing armed conflicts in SSA. Human development, both individually and socially, depends on God's gift of peace. This peace is not merely the absence of conflict or an unstable distribution of power between enemies. Rather, the achievement of a fair social structure that upholds and promotes each person's fundamental human rights is what makes peace a positive reality. The paper examines how the JWT could be used to ensure a fair system where there will be justice and generosity which fruit is peace.

Contextual analysis of the JWT constructs in relation to promoting peace in SSA

Fundamentally, since time in memorial, the human existence has been characterized by conflict, violen-



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ce, and war across all races. The antecedents of these fruits of anger stem largely from human beings request to satisfy their basic needs and greed. While the human person, created in the image of the Truine God, is naturally social, the power of armed conflict distorts this sense of community and makes people into competitors and adversaries for social goods often determined by only elected or selected few in imaginary sections in states. The emergence of violence by the youth by virtue of their involvement in armed conflicts defy God's desire and mankind belonging for peace, and have often dramatically shaped the destinies of individuals and whole nations. Therefore, the justification of any conflict absolutely requires that its sole aim be to re-establish peace and defend the rights of the innocent people on earth.

It is true that the tradition of just wars existed before actual warfare in time past. Communal desires used to be employed to prevent conflict from spreading to neighbouring communities. And this laid the foundation for conflicts fought for honour and not honour. Throughout history, traditions have often placed a strong emphasis on conflict for honor. Moreover, throughout the medieval period (35), the development of the ideas of *jus ad bellum* and *jus in bello* by theologians and jurists in the Islamic world beginning in the ninth century contributed to the development of a complex and dynamic doctrine of Jihad (35).

Across Africa, conflict emerged particularly between the period of 1975-1992 often referred to as the cold war violence. This period was characterized by fragile governance structures, flooding of the African continent with small arms and light weapons (36). The JWT provides guidelines that enable people to work towards peace. The authors of the theory revealed that, conflict should be the last choice to resolve matters. This therefore advocates for peaceful settlements of all disputes. There are only two acceptable reasons for going to conflict: safety and honor. Therefore, the sanctity of life requires that all killing, even that which occurs during a conflict be prohibited. Therefore, among the youth relying on secular religion to provide a justification for just conflict need to be told that, the JWT does not blindly rely on faith because it is founded on a unique logic (37, 38). The most persuasive counterargument is to deny that religion is the cause of JWT in the first place. Therefore, some religious believers hold an absolute pacifist stance which does not allow them to fight in any war, even if it is allegedly 'just'. It says that violence is permitted, but the principle of sanctity of life demands that all deliberate acts of killing- including those in war are forbidden.

Furthermore, JWT is universally applicable because of its abstract nature. Evans argues that because it is an abstract framework, it may be applied anywhere and ignore its historical background (39, 16). According to Rawls, there are "considerable differences in citizens' conceptions of justice," yet there is a universal morality that comes through in all cultures (40, 41). Therefore, the JWT could be used to advocate for efforts among the youth that would provide a just cause to promote peace rather than conflict. These could include among leaders in SSA providing a very good environment for the youth to expression their opinions and the authorities pay listening ear to them. Perhaps what is termed just may be unjust cause for joining any armed group. There is the need for the youth in SSA to be provided with seminars and workshops on peace-building efforts. These strategies would one day definitely convince majority of the youth to advocate for peace.

There is the need for trust to be built among the youth and those in authorities in SSA. Governments in SSA should strengthen their monitoring and evaluation strategies especially in the area of security to promote slogans that are catchy and could be used to flash out criminals who may want to convince the youth to join armed groups. For example in Ghana, the *see something*, *say something*... phrase is gaining



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grounds among Ghanaians which is used to provide a link between residents and security agencies in the country. This strategy is used to identify suspicious characters in the locality. If these concepts are programmed and executed continuously among the youth, the concept of the JWT philosophy which is subjective would be defeated (42) in armed conflict.

Since Augustine based the state's justice on divine justice, any transgression of the state's justice could be interpreted as a violation of divine justice and thus be subject to punishment (45, 46). When the youth are made to be aware about the potential dangers of joining armed groups which fights against the state, they would be made to resist these groups and by so doing promoting an cordial relationship among stakeholders in the countries. This would also mean that, the elected person in SSA is using the resources of the country for the benefit of the people. Therefore in the context of St. Augustine countries without justice were nothing more than vast thefts and any youth who wants to fight should bring about peace and justice (18, 47).

Implications of the findings to peace and security in SSA

The restoration of peace and the defense of the rights of innocent people must be the exclusive objectives of any conflict. All people still have a fundamental obligation to seek and pursue peace in SSA. While the human race still strives for peace, history makes clear that injustice, aggression and violence frequently affect people. The use of weapons must not cause worse disorders and evils than the one it is intended to eradicate. The papers emphasizes that conflict arises due to underlying structural factors in SSA, with the youth just executing those actions. Therefore, the need to exploit the resources of Africa for the African people would see the end to armed conflict. This provides the justification that, peace is not merely the absence of war.

Limitations and strengths of the paper

Since not all countries practice democracy in SSA, this affected the contextual analysis comprehensively to be able to generalize the findings to SSA. The article did not examine informal armed groups in SSA whose aim and objectives are beyond grievances. There was also limited data in terms of the application of the JWT in the Africa context. Nonetheless, the paper would serve as baseline data in SSA. The paper examines how JWT could be used to provide a roadmap for peace in SSA.

Conclusion and recommendations

The paper presents the constructs of the JWT in the context of youth in armed conflict. The JWT provides an opportunity for policy makers in sub Saharan Africa to strive for peace among people by reducing inequalities and key obstacles to peace. The context analysis provides a basis to conclude that, direct and indirect violence constitute peace. The need to discard the notion that justice can only be gotten from conflict is outdated. Peace ought to be what people should keep.

Non-Governmental Organizations should encouraged the youth to promote peace through sacrifice, and way of life. Therefore, if a cause is just for peace, there ought to be no restrictions on achieving its goals. The need for government in Africa to exploit the resources for their people is critical in building a just system where everyone would be happy. The need for security sector reforms is critical to involve peace building efforts in SSA. Youth should be empowered through entrepreneurial training to provide ready work to prevent them from being recruited into armed groups.



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