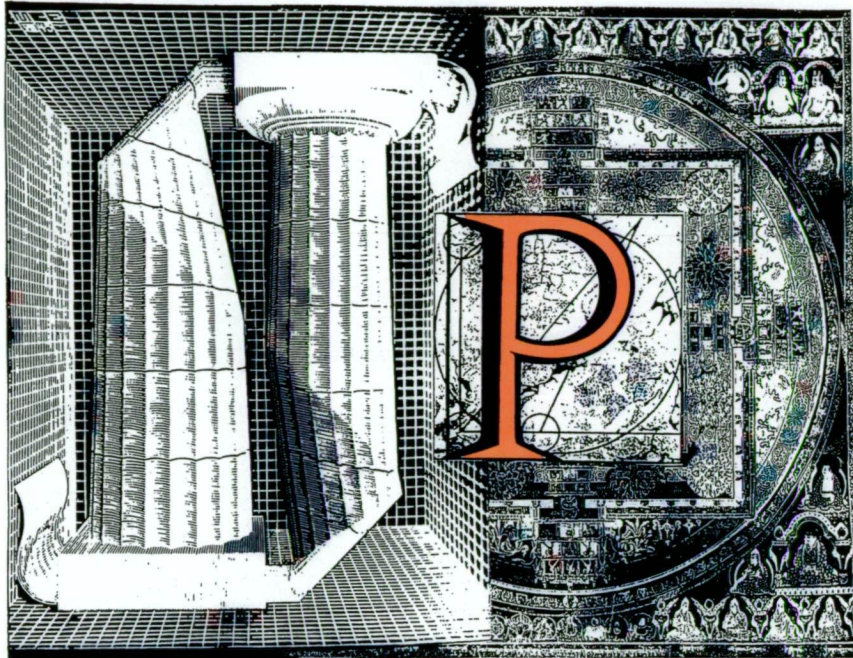


Power in Philosophy
- two arguments for *nonviolence* today -



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Submitted in fulfilment of the requirements for the degree of
Doctor of Philosophy

University of Tasmania
October, 1998

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The material contained in this Thesis is original except where due acknowledgment is given. This material has not been accepted for the award of any other degree or diploma.

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Thesis Abstract

Contemporary philosophy has a case to answer when it only offers a range of accounts on power which implicate violence. An analysis showing that violence cannot be legitimate fuels even deeper concern. It would appear that the moral agent is left facing two (rather unsatisfactory) choices: either pursue power through violent means, or renounce violence and remain powerless. For some, this situation will be deeply counter-intuitive requiring an alternative solution.

As an alternative candidate for power, Western nonviolent action contains some useful beginnings for a theoretical account, but its apparent limitations have led to a dismissal of the subject by mainstream philosophy. Two contemporary examples (the Tibetan community in exile and the Truth and Reconciliation Commission in South Africa) successfully demonstrate the exercise of power through nonviolence. By taking a Western and non-Western philosophical approach and bringing the theoretical foundations together we find compelling evidence for a new action theory of power based on nonviolence.

This approach through “fusion philosophy” brings to philosophical discourse new definitions of violence and nonviolence and a fresh perspective on the roots of violence and the pathway to the antidote. The contemporary application of MK Gandhi’s satyagraha, or “truth insistence” through the work of Professor Samdhong Rinpoche, highlights the important moral issue, that nonviolent action is not only descriptive, but also representative, and what it represents is the truth. Here we find the context for individual action and accountability, and a mechanism for effective social change.

Contemporary theorists writing on power who make necessary connections between power and violence, fail to notice that violence is also representative, and fail to ask what it represents. While the change from violent action to

nonviolent action may not suit some, progress should at least reflect a choice; and contemporary philosophy is faced with providing the conceptual scaffolding to support the increasing number of individuals, groups and nations moving through this important transition.

This thesis seeks to answer the question: "Is it reasonable for the epistemological foundations of power to reflect only violence?" concluding that it is not. I argue that violence is too narrowly defined and offer new definitions of violence and nonviolence. Further, that violent action represents falsity or error and is morally wrong. It also represents the supposed legitimate exercise of power when it is in fact illegitimate and unjustifiable. I conclude that nonviolence represents a more morally acceptable type of action because it represents the *truth* in two senses--about the way things are, and about the way things ought to be.

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Acknowledgments

This project is dedicated to my husband Greg whose encouragement, love and support provided the strength to sustain the project over an intense three year period. I particularly thank him for his astonishing capacity for knowing just who to meet anywhere in the world at just the right time.

To my sons Jonathan and Christopher for their encouragement, patience, curiosity and unrivalled sense of humour. To my parents and my brother for supporting everything I undertake.

Any useful insights contained in this project reflect the hard work and wisdom of a large team of people across several continents and have little to do with my own contribution.

I offer sincere thanks to my 'pit crew' at the University of Tasmania:

To Professor Jay Garfield, whose drive, enthusiasm and relentless pursuit of quality allowed ideas to flourish and whose boundless skill provided ongoing philosophical and editorial commentary. I sincerely thank him for making philosophy a fun thing to do with your life on the planet as well as his pivotal role in organising interviews with His Holiness the Dalai Lama and the Most Ven. Prof. Samdhong Rinpoche. To Jennifer Dunbabin for unfailing administrative and moral support, whose presence is as refreshing as all of the flowers in spring. I extend special thanks to my postgraduate colleagues for timely criticism and spectacular suggestions: particularly to Cynthia Townley for her unassailable support and her generous spirit, to Tim Sprod for his consistently good ideas and his capacity to endure interruptions, to Gwen Nettlefold for her smile-filled confidence boosters, and for sharing her skills in interview technique. Thanks must be extended to the Ven.

Sonam Thakchoe and Tenzin Buchung for their support and translation assistance. To other members of the School of Philosophy, sincere thanks for support during the project.

To my Tibetan team:

Sincere thanks to the Most Ven. Professor Samdhong Rinpoche for graciously giving time out of busy schedules in India and Tasmania; for the benefit of his wisdom and compassionate teachings and with the deepest respect for his unshakeable commitment to Satyagraha. I must also acknowledge with gratitude his seminal role in arranging an audience with His Holiness in Dharamsala. To Tenzin Geche for his hospitality and support in Dharamsala, and to His Holiness the Dalai Lama for graciously giving his time and boundless wisdom to strengthen my understanding of compassion. Heartfelt thanks to the Ven. Lobsang Norbu Shastri and Jampa Dhadak in Varanasi. Their facilitation of my arrangements and special attention to matters at the heart of my project became fundamental to the clarity of my early work. Thanks must be extended to the Ven. Sherab Gyatso for his hospitality and attention to my needs; and likewise to Nyima Penthog in Dharamsala. This is an appropriate opportunity to express gratitude to Anne Aschara Santikul for rescuing me from the challenges of air flight, passport control and obstacles in Bangkok.

To my South African team: Heartfelt thanks to Dr. Bhadra Ranchod for his commitment to the project, above and beyond the call of duty; his insight regarding what needed to be done and for the generosity of spirit that resulted in hospitality both in Canberra, Cape Town and Durban. To Andre Dormehl, Malusi Mahlulo, Sylvia Mackay and Louise Alberts for enthusiastic support and research backup. In Cape Town warmest thanks to Ina Wium who generously went the extra mile without being asked. Sincere thanks to Dr. Alex Boraine and Archbishop Desmond

Tutu, for generously giving up time that they did not have before and during TRC hearings, warmest personal regards to Paddy Clark and Terry February who take the award for professionalism as well as for being fabulous human beings. Thanks must also extend to Val and Anne Greenwell, Asaph Dikgale, Lionel Davis, Dr. Harilal G Dewa, Prof. R Sitaram, Ramesh Jethalal and David Kalideen for their special attention and insights on nonviolent practice.

Preface

People use the word “power” a great deal, so it is obviously thought to represent something important. (Morris 1987:3)

From the standpoint of a person living a life at the close of the Twentieth Century, there is something deeply puzzling about the body of knowledge on power which insists on necessary connections to violence. Some would say, that living at the close of possibly the most violent century there is nothing surprising or puzzling about this at all; and yet, our time has produced a number of examples which defy this picture of power and violence. Something extraordinary is going on in the lives of two particular groups of people at this point in time which provides compelling evidence for, even insists on the urgent need for a new metaphysics of power based on nonviolence.

WJM Mackenzie in *Power, Violence, Decision* (1975) offers an almost apologetic acceptance of the realities of everyday individual and group violence, setting up the distinction between “what is technically possible and what is politically possible”. To spell this out precisely, Mackenzie wants us to be practical. The assumption is that we can theorise all we like about power in other than violent terms; but it will

do nothing to move us forward in the area of practical application: Quite simply, power through violence appears to work in the all important realm of political practice. In response to this, I will offer two examples to illustrate the compatibility of power and nonviolence which provide a transition from the realm of the technically or theoretically possible to the realm of practical application: The Truth and Reconciliation Commission in post-apartheid South Africa represents a very new approach to managing political change. This example demonstrates nonviolent power with a convincing political result. Power is also exercised when individuals confront past atrocities (survivors and perpetrators of violence) and replace retributive justice with acknowledgment and reconciliation. To complement this, the philosophy and practice of the exiled Tibetan community not only reflects a desire and sense of duty to adhere to nonviolence in the face of violent oppression, but provides a contemporary example of satyagraha (truth insistence). I will argue that the struggle of this group (in total comprising about one hundred thousand Tibetan refugees) while lacking the firm political results of the post-apartheid South African example, can still be seen as an effective example of a quest for power through nonviolence for the following reason:

I will argue for the claim that both violent action and nonviolent action is *representational*, and in this sense, the nonviolent action of the Tibetans in exile represents something important. Moreover, when theorists argue for necessary connections between power and violence [and, as I will show, this is the view which

has informed the philosophical landscape] they are failing to notice this important feature of public action. In contrast, we are offered a package of accounts that is *descriptive*. By using examples like coercion, force, control and influence we are shown how power can be exercised through violence and told that any alternative viewpoint would move outside of a realistic conception of power and operate in the fantastic realm of an idealised standpoint where “nothing short of the City of God would suffice.” (Airaksinen 1988:13) My attack on this position (held totally, or in part) by, de Jouvenel (1945), Lukes (1974), Mackenzie (1975), Wrong (1979), Mann (1986), Morriss (1987) and Airaksinen (1988) will be motivated by three particular conclusions:

(1) An act of violence is more than just an action, it is also representational and what it represents is falsity or error. There are three senses, I will argue, in which this is true:

- (a) The agent *fails to recognise* what violence entails (in committing a violent act against another, s/he fails to recognise that this action denies personal agency to the other).
- (b) The agent denies the victim personal agency, and doesn’t care what the denial entails.
- (c) The agent acts violently (again, denying personal agency) and makes an attempt at *justification* and hence is involved in a *performative contradiction*.

In addition, I will argue that violent action is always morally wrong. It is in fact *illegitimate and unjustifiable*. I will argue that such actions re-inscribe illicit power structures and in addition involve the claim that implicit or explicit violent actions are *normal*. Many theorists writing on power have failed to recognise that violent actions are representational, and consequently, failed to ask what it is they represent. *The second consideration* which motivates my rejoinder to those who argue that power can only be exercised through violence, can be formulated in the following way: *nonviolence represents a more morally acceptable category of action because what it represents is true*. It does so in two senses: it represents the truth about “the way things are” (by confronting violence and asking for the oppressor to surrender his wrong views) and the truth of “how things ought to be” (nonviolent action demonstrates compassion, an understanding of interdependence, and how persons ought to be treated based on a number of inalienable rights).

Finally I will argue that nonviolence *is* effective as a means to exercise of power. Power is about effecting change (the least contentious definition of power introduced by Lukes and modified by Morriss), and some change is effected by other than violent means. Contemporary philosophy must reassess its dismissal of nonviolence praxis because recent history already records a number of instances where power is successfully achieved and exercised through nonviolence: The

recent South African transition to democracy demonstrates how nonviolent action creates moral and social pressure for people to change.

As a rejoinder to the preconceived notion that nonviolence is an idealistic view taken up by a minuscule proportion of the population who aspire to moral sainthood, I will argue that this form of action is a practical pathway to the exercise of power available to *any* agent regardless of her background.

Western philosophers in the past, have largely dismissed nonviolence as a merely religious commitment, in the proper domain of political science or media studies. As this project unfolds I will explore the reasons for this. I will argue that a philosophical analysis of nonviolence is possible only if we move beyond the boundaries of Western philosophy and pay serious attention to particular non-Western philosophical approaches. I refer to this approach as “fusion philosophy.” The requirement for “fusion” is straightforward: The Western discourse on power does not include nonviolence. The Western discourse on nonviolence does not address power in any satisfactory way¹.

¹ Professor Gene Sharp does talk about nonviolence as an exercise of power, but it appears different to violence only by degree rather than by kind. There is an assumption that violence represents strength, and Sharp certainly appears to appropriate the language of violence to add strength to his categories of nonviolence: he refers to nonviolent action or noncooperation as both a strategy and weapon to “paralyze and disintegrate” oppressive systems through “nonviolent coercion” (Sharp 1994 cover insert and p. vi).

Chapter One will consider how the philosophical landscape has been informed by the influential views of de Jouvenel (1945), Foucault (1972), Lukes (1974), Wrong (1979), Mann (1986), Morriss (1987), Airaksinen (1988), Wartenberg (1990) and Ball (1995). I will argue that competing accounts of the anatomy of power reflect interlocutors with vastly different views about what “power” means (hence the contested nature of the concept), but that the contest is about the wrong thing. While quibbling about whose definition is closer to the truth (something on which they may never agree) they have overlooked the most disturbing factor--that all of the interpretations link power to violence (either implicitly or explicitly). By presenting theories in this way, the exponents are failing to notice that violence is representational, and hence, fail to ask what it represents. This leaves them open to the charge that what we end up with is a *descriptive analysis of the violent exercise of power*. These theorists not only fail to see important counter examples, but also fail to recognise the important role played by a moral description, or how things ought to be. It would appear that the individual is left facing two rather unsatisfactory choices--either pursue power through violent means, or renounce violence and remain powerless.

In Chapter Two I will take a second look at the metaphysics of power from the standpoint of power relations operating within society and their method of control. For the moral or political philosopher power is legitimate when the rules governing it are justifiable according to rationally defensible normative principles. I will ask

under what conditions the exercise of power (particularly state power) can be legitimate in the first place and settle on conditions of legitimacy for government. I will focus on the difficult cases where violent action appears to be legitimate. I will argue that a detailed understanding of violence will show that some actions look violent but are not, and that other actions appear to be legitimate force when they are in fact violent and illegitimate. From this analysis I will show that legitimacy of government cannot be used to legitimate violence, and that violence cannot be a legitimator of power.

Chapter Three will consider how nonviolence (as an obvious alternative candidate to violence) came to be dismissed by Western philosophy. I will demonstrate a particular weakness in the literature when it only offers an account of nonviolent action over a 300 year period of North American history, and how it is difficult to comprehend a theoretical base for nonviolence when people confuse the “telling of a good story” with nonviolence theory.

Chapters Four and Five will offer the logic of nonviolence as the preferred foundation for power and demonstrate how change is possible by this means. I will build on the work of Gene Sharp (1973) to demonstrate how a new relationship between power and nonviolence can be struck. A developing global trend in the application of nonviolent direct action will be analysed offering as examples the Dalai Lama, Prof. Samdhong Rinpoche (Speaker of the Tibetan Parliament in Exile)

and his proposed satyagraha against the Chinese Government; President Nelson Mandela and the Truth and Reconciliation Commission hearings in post-apartheid South Africa; socially engaged Buddhists like Ven. Thich Nhat Hanh in France, Sulak Sivaraksa in Thailand and Aung San Suu Kyi in Burma.

The Final Chapter will offer a “view from the interior,” or what it means to be a person at a particular point in the power network in terms of nonviolence. I will argue that nonviolent action has better prescriptive claims on the agent. Finally, I will support the view of a world in which truth and compassion thrive because “revenge, hatred and exploitation have no place in a society which seeks advancement and progress through human dignity.” (Davis 1997)

Chapter One
- The Power to Give and to Take Away -

Those who review the work on power are likely to notice that the literature falls generally (but by no means neatly) into three categories: The first is a rather broad category--It comprises those analyses which in providing a general account of a meaningful life, discuss a range of issues like freedom, justice, social interaction, change, the role of the state, structures of control and legitimation to name only a few. Thinkers from Plato to Marx provide useful insights for those interested in power. The “top ten” on any social or political philosopher’s hit list of general or political philosophy would comprise the first category of works.

Work in the second category separates power out as a field of interest in its own right, with commentary growing at a rapid pace over the past fifty years. In this group I include de Jouvenel (1945), Foucault (1979, 1980a/b), Arendt (1958, 1963a/b), Lukes (1974), Mann (1986), Airaksinen (1988), Morriss (1988), Wrong (1979) and Wartenberg (1990) (this selection is by no means exhaustive in terms of influential contributions to the body of work on power, rather, a typical sample of views which have shaped the landscape). The final category comprises the “how to” motivational paperbacks targeted at middle/senior management and a general audience seeking personal development [tantalising titles

rapidly multiplying on bookshelves over the past 12 months include *Kinds of Power: A Guide To Its Intelligent Use* (Hillman 1995), *Thunder in the Sky: Secrets on the Acquisition and Exercise of Power* (Cleary 1994), *How to Gain Power and Lead Your Company in 12 days* (Benzin 1996), *The Little Blue Book on Power* (Wood, 1995)].

While this project will make passing reference to the work on power of those writers in the first category, it is beyond the scope of this project to do justice to their general contributions to philosophy. Likewise the third category will be left to those with a predilection for such works. There are interesting discussions of power which are also outside the scope of this paper, including authors like Judith Butler (1997) on *The Psychic Life of Power*, discussing the relation of power to subjectivity, language, class and gender.

This dissertation will concentrate primarily on the second category of work on power [in my estimation, the most influential over the past fifty years]. The analysis will show competing accounts of the anatomy of power, and while the interests of the chosen philosophers might appear on the surface to be vastly different (and hence the contested nature of the concept) I will demonstrate how they have all contributed to the problem which is my central concern--the implication of *violence* in all of the theories. I begin with Bertrand de Jouvenel, who, through his historical analysis, argues for a conclusion which sees power explicitly resting on violence; where, through acts of coup or revolution the only meaningful change in the expansion of power is that someone else seizes the reins. I will introduce Michel Foucault as a counter example, who argues that there *are no reins*, and that power rests on violence which is insidious and implicit. He insists on an historical

analysis for an entirely different reason: he goes digging (and the archaeological metaphor is deliberate) to unearth the various points of departure which, leading to mechanisms of control, produce and perpetuate “truths” which he claims we have readily come to accept without question. Timo Airaksinen also shares an interest in structures of control through coercion and the nature of power resting on implicit violence, but he focuses on the question of whether or not power can be legitimate. This diverse group will also include Lukes, Mann, Morriss, Wrong, Wartenberg, Mackenzie, Murvar and Beetham.

With this analysis in hand, I will argue that violence can never be legitimate, nor can it be a legitimator of power. This poses a significant problem for any view of power either explicitly or implicitly resting on violence.

The philosophical discourse on power is unsatisfactory when the moral agent is left with two unfortunate choices: Exercise power through violence, or reject violence and remain powerless. Because the current literature on power lacks an alternative contender, I will build on arguments from this chapter to show how an account of power based on nonviolence can fill this role.

In order to unpack the first part of my concern with the current literature on power implicating violence, I will begin with Bertrand de Jouvenel (1945:13) and his influential work *On Power: Its Nature and the History of its Growth*. Here, de Jouvenel “examines the reasons why, and the way in which, Power grows in society.” He focuses on the

“expansionism of Power at the hands of men of great place,” called throughout *les dirigeants*. At the root of power, he argues, is force. Force links with violence and the ultimate appeal is to the egoistical side of men¹. The first section of the work reviews four conceptions of power. Two of them, the theories of sovereignty, explain and justify power by a right deriving from acts of the sovereign--either God, or the people--and derive legitimation from this origin. The other two, to which he has attached the label of organic theories, explain and justify the exercise of power by its function or its end, which is to ensure the moral and material cohesion of society; “Different as they are, there is not one of them from which the justification for an absolute form of power cannot be, and at some time or other has not been, derived.” (de Jouvenel 1945:59) In the following pages, I will analyse these theories in turn.

De Jouvenel foreshadows Foucault in his analysis of command and the state apparatus. He announces that the “spectacle presented by modern society is that of an immense state apparatus--a veritable complex of moral and material controls by which individual actions are conditioned and around which private lives take shape. This apparatus grows with the growth of social needs, while its diseases infect both the life of society and the lives of individuals.” (1945:95) He counsels against the hasty judgement that therefore power is fused with the nation and represents the will of the people. But he shows the ease with which these may become confused: When we consider the sum of services it renders us, the bare idea of its disappearance throws us into such a fright that an apparatus in such

¹ 1945:21. References like this abound in de Jouvenel’s work, and whilst they make it quaintly of its time as a piece of writing, we need to remain mindful of the range of interesting insights provided.

close communion with society naturally seems to us to have been made *for* it [providing a normative function in the Foucaultian sense]. De Jouvenel argues that “it has a life of its own...it can live as it has shown, as command and nothing more.” (1945:96) Approaching the middle of his project, De Jouvenel takes power in what he terms this pure state--command that lives for its sake and its fruits--as the basic concept from which he sets out to explain the characteristics developed by power in the course of its historical existence.

De Jouvenel argues that power cannot claim legitimacy while masquerading as the “will of the people” because it pursues no just end; rather it pursues the profitable exploitation of conquered and submissive subjects (appropriating them for use in the army to serve power’s increasing expansion). He parades before us rapacious conquerors like Clovis and William of Normandy, moves on to display similarities with a national monarchy and concludes that every change of regime and, to a lesser extent, every change of government is, as it were, a reproduction (on a more or less reduced scale) of a barbarian invasion. (1945:99) The newcomers wander about the power house with feelings of curiosity, pride, and greed. The credit which they then, for the first time enjoy enables them to make full use of the formidable machinery, and even to add to it further controls of their own. In time, yet another faction will, by promising to make better use of it, force its way in turn, into the City of Command which it will find already embellished by its forerunners. So that the hope, always renewed, of stripping from power, all its traces of egoism results only in forging ever vaster means of compulsion for the next egoism.

De Jouvenel sees in power's make-up an egoistical urge of a few (men) to control and dominate the rest, all the while projecting a will to serve society. This strange duality he remarks is a fiction (1945:9,19) with the "will to serve society" as nothing more than a smokescreen in which power has wrapped itself. This ensures a growth of power to which there is no limit, a growth which is fostered by increasingly altruistic rhetoric--liberty, the will of the people, the good of society--though the motive-spring is always the wish to dominate. He observes that from the Twelfth to the Eighteenth Century, governmental authority grew continuously under sovereign rule; those who objected, were stirred, claims de Jouvenel, to "incessant protest and violent reaction." (1945:9)

We must pause at this point and notice a somewhat puzzling aspect of de Jouvenel's analysis: The discussion revolves around the exercise of power as acts of violence and oppression and this is presented as unproblematic as long as the way it is organised can be clearly recognised and opposed [the exercise of power through violence on this account appears to be legitimate as long as someone recognises what the oppressors are up to and has something to say about it--a moral perspective which is very unsettling.

The issue that de Jouvenel finds unacceptable frames the next section of his analysis: The operation of power has become increasingly diffuse, its growth has accelerated, and has brought with it a corresponding extension of war. Power goes by the name of liberty and the general will of the people, who no longer understand the process, no longer protest, and no longer react (*Ibid*). The smokescreen, he claims, has been successful. The

exercise of power is conducted behind a socially acceptable veil. Power encounters the resistance of all the particular social interests with which it must have social dealings. But let it call itself altruistic and give itself out for the executant of an ideal, and it will “acquire such an ascendancy over every concrete interest as will enable it to sacrifice them to the fulfilment of its mission and crush every obstruction to its triumphal march.” (1945:135)

The reader is left slightly puzzled: De Jouvenel, having uncovered something interesting about the contemporary workings of power, fails to advance the analysis. He observes that power is apparently insidious, controlling, cloaked in a smokescreen which somehow distances and confuses those under its control to the point where they fail to notice its effects or its mechanisms of control. This important aspect of power will be developed shortly in the work of Michel Foucault, while de Jouvenel’s analysis trails off at this point, never to develop further. Instead, he spends more time unpacking what will become his preferred focus in his project: an analysis of revolution.

Political revolutions, being violent crises in the careers of institutions, engage closely the attention of historians. The sudden blaze of lurking passions, the explosion and the incendiary propagation of principles which had been working underground, the rocket-like ascent into importance of new men, the play of characters in brutal and violent action, the monstrous outbreaks of the mob in which the serious faces of men about their business are soon no longer seen but only the terrifying visage of hate and animal cruelty--here indeed is matter to inflame the writer and to give the peaceable reader at his fireside the shudders! (de Jouvenel 1945:215)

De Jouvenel claims that though revolutions are the most examined periods of history they are the least understood. Reacting against oppressive powers he argues is reasonably futile: “He (the oppressed agent) takes the onrush of the wave, which is under his eyes,

for the movement of the sea, which demands the faculty of his thought. He holds to the cry of 'Liberty,' which goes up in the beginnings of every revolution; he does not perceive that there never was a revolution yet which did not result in an accretion of power's weight." (*Ibid.*) De Jouvenel implores us to turn our eyes away from the fascinating spectacle of the eruption, and notice how the stream looked before it reached these rapids and in how it appears again when events have returned to their even pace. Before the rapids there was the rule of a Charles I, a Louis XVI, a Nicholas II. After them, that of a Cromwell, a Napoleon, a Stalin. Such are the masters to whom the peoples that rose against a Stuart or Bourbon or Romanov "tyranny" next find themselves subject.

De Jouvenel views the phenomenon as startling; he argues that the usual interpretation of it is misconceived: Concluding that the Cromwells and the Stalins are no fortuitous consequence, no accidental happening of the revolutionary tempest. Rather they are its predestined goal, towards which the entire upheaval was inevitably directed. The cycle began with the downfall of an inadequate power only to close with the consolidation of a more absolute power...thus (1945:218) we see that the true historical function of revolutions is to renovate and strengthen power...Did the people rise against Louis XIV? No, but against the good natured Louis XVI, who had not even the nerve to let his Swiss Guards open fire. Against Peter the Great? No, but against the weakling Nicholas II, who did not even dare avenge his beloved Rasputin. Against that old Bluebeard Henry VIII? No, but against Charles I, who after a few fitful attempts at governing, had resigned himself to living in a small way and was no danger to anyone. These kings died not

because of their tyranny, de Jouvenel argues, but because of their weakness. De Jouvenel's point here, is that tyrants who exercise power through violence appear stronger, and appear to safeguard the trophy of power until it is handed to the next oppressor, while leaders who choose not to exercise power in this way invariably fail (and the measure of failure is usually an early death on de Jouvenel's account) and are judged by him to be weaker.

To this point, the work has been informative and insightful, but we cannot progress further without at least calling attention to the particular way in which he selects out historical examples for our consideration. His particular selection of paradigm examples fail to pay attention to counter examples (like the American Revolution and the Australian Federation of States, or as we will see in chapter 5, the more contemporary context of the overthrow of apartheid in the Republic of South Africa). These examples leave de Jouvenel looking less plausible and make his conclusions appear bizarre: "The peoples erect scaffolds not as moral punishments of despotism, but as the biological penalty for weakness...Peoples never rebel against a power which squeezes the life out of them and grinds them underfoot. The savagery of such power is feared, and it even happens that men find something admirable in its scourging of the great." (*Ibid.*) On de Jouvenel's account, weakness or softness is detested; strength and tyranny are elevated. This is why, on his view people *never* rebel against a power that squeezes the life out of them.

De Jouvenel concludes that a nation may get from a revolution a new strength, as the enfeebled France of Louis XVI got from the Revolution the energy to win her natural frontiers, and in Russia, which in 1917 met defeat, got from it the will to conquer in 1942; but “let a nation never expect liberty from a revolution. In the final analysis revolutions are made, not for man, but for Power.” (1945:235)

De Jouvenel observes that while the growth of power is uneven in pace and involves some retreats, on the whole, it is one of continuous advance...evidenced in the stupendous growth of its instruments, its revenues, its armed forces, its police forces, and its capacity to make laws. We sometimes see the old power cast out. But according to de Jouvenel, no revolution has been followed by power's dismemberment; far from it. What perishes in each upheaval are precisely the social authorities which obstructed its advance. He notes that the spiritual authority too, which once constrained political power and gave it rules of behaviour, has suffered a great decline. But the complex of rights and powers it comprised has not fallen apart--it has only passed into other hands. He notes that, what is called the coming of democracy, is really the conveyance of the established power to new owners; the conquest of the City of Command by new tenants and the new power, like the old, calls itself the “expression of society,” and so arouses less distrust than the old.

Violence, command, control, subterfuge are all here and all necessarily linked to power. De Jouvenel takes a massive step back and presents enthusiastically linked segments of history in order for us to observe the growth of power. He then allows the reader to be

sucked back into a receding swell of detail, first showing us one aspect of domination, then another of revolution, drawing together similarities of what, for him, are the weak and a portrait of the strong and how power provides an intoxicating pleasure.

These pictures reveal the boundaries of de Jouvenel's project. He motivates the metaphor of the "tendrils" of power reaching further and further, but these tendrils do not resemble the capillary action of Foucault's power (1979:143), existing in power relations on a daily basis between all people. Instead on de Jouvenel's account, these tendrils represent the extension and outreach of the few decision-makers in society, leaving the remainder of the citizens powerless. De Jouvenel's significant contribution to this discussion, includes his review of sovereignty; analysis of the origins of power; its expansion; the dialectic of command; the state as permanent revolution; belief, law and liberty. But his project presents a picture of power as the exercise of force and violence. He acknowledges that this entails the impossibility of the legitimation of the exercise of power. His solution to this problem is not at all clear but he suggests the requirement for an alternative to bleak, violent and illegitimate power. De Jouvenel wants to "return to the acknowledgment of a code which is not relative to some contemporary set of interests and pressures....to a process...which is different in kind," (1945:381) presumably different to the violence and domination he describes throughout his work. He leaves us on a note of horror, disbelief and disappointment with the society we have made, only to revert "after the firework display" (supposedly of violence through revolution) to the "darkness of a formless mass,

destined to despotism or anarchy.” (1945:378) Call me an optimist, but this seems a bit bleak.

De Jouvenel certainly provides historical examples to support his observation that all exercises of power implicate violence. Unfortunately because de Jouvenel fails to progress his analysis of how violence is exercised implicitly we are left with his analysis of explicit violence only where all change is for the worse, leading to more injustice and more coercive, articulated structures of control. Counterexamples like the American revolution or the Australian Federation serve to reduce the plausibility of his claim, indicating that progress *is* possible. De Jouvenel calls for a remedy but never articulates what it might include--falling prey to pessimism and apparent hopelessness he leaves the analysis of power as requiring violence, unchallenged. In chapter three I will begin to develop an alternative theory of power through nonviolence, providing counter-examples which demonstrate that progress *is* possible.

De Jouvenel's embryonic analysis of implicit violence and domination is taken up and becomes the major focus in the work of Michel Foucault (1979) *Power, Truth, Strategy* and (1980) *Power/Knowledge*. The analysis of Foucault's contribution to our understanding of power will be approached in a slightly different way because the boundaries of Foucault's work are not as narrow as de Jouvenel's. In order to understand Foucault's account of power, we must first understand the route he takes to the analysis, through his account of truth, knowledge and history. I will begin with an analysis of

Foucault's account of what constitutes "the truth" because on his account, the sciences perpetuate the idea that there are fundamental truths about the world to be *discovered* and to which rational humans are bound to assent. His work can be taken as a critique of this scientific culture, of its account of rationality, and of scientific self-understanding. Foucault's pathway to power then, will include a small but useful digression from truth to what constitutes knowledge. This is because, for Foucault, modern professionals wield considerable power by virtue of their knowledge. He argues that knowledge, on which power rests, is manufactured. For this reason my analysis will turn toward his findings on the conditions under which knowledge is produced. It is important to bear in mind that Foucault wants us to consider power and knowledge as an inseparable pair: Knowledge and power are not, for Foucault, different phenomena, but instead, are different ways of configuring and understanding the same underlying structure. So in order to look at one, on his account, we must also look at the other. Likewise in the *History of Sexuality* we see that each historically constructed self is a function of power/knowledge. As a result, a coherent understanding of power will only result if we introduce into the discussion his "historical" view (known as his genealogy).

We will see that from Foucault's perspective, in order to have any insight into power in the present we must attend to a sequence of ordered events which have occurred in the past. He asserts that by conducting an analytical process akin to an archaeological dig, we will discover the most minute, but the most crucial details, "the points of departure" which have led people to participate in social mechanisms which are repressive and dominating. Foucault looks for power everywhere and finds domination (not simply laws but the whole

complex system of apparatuses, institutions and regulations responsible for their application and it will be important to consider a sample of these). His project highlights the manifold forms of domination that can be exercised within society, the multiple forms of subjugation. Power is everywhere, and everywhere power rests on implicit violence.

One caveat is required before I begin. I have selected aspects of Foucault's writing on truth, knowledge and power, drawn out examples from *Discipline and Punish* and the *History of Sexuality* and reflected on his archaeology and genealogy in order to present a coherent package. This complex package of items, taken together, illuminate Foucault's original contributions on power. However, he did not ever produce his research in this way--nothing as neat and tidy as *p1* and *p2* with a conclusion regarding power. He despised "systematisers" and those who neatly packaged and handed down "the truth" and so it is unsurprising that his legacy includes in his own admission work which is at times "fragmentary, repetitive and discontinuous" (in *Two Lectures*, 1976) without a "continuous or coherent whole," zig zags from one topic to another resulting in a "disorganized muddle" (*Ibid.*). By way of an apology to Foucault then, the following compilation of his work, while assisting a coherent discussion for the purposes of my project, would not have been presented by him in this fashion.

I will now begin to unpack the concept of power proposed by Michel Foucault through his historical path to "the truth." By introducing the issue of power as a phenomenon to be differentiated *historically* (explained in his *Two Lectures*, January 1976) he sets himself

apart from all other contemporary social theorists. Rather than look at the relationship between a sovereign and subjects as many (including de Jouvenel) have done, Foucault insists that this analysis allows a system of right to be superimposed upon the mechanisms of discipline in such a way as to conceal its actual procedures and mask the elements of domination inherent in its techniques. Rather, he argues that he can explain contemporary society by mapping the network of power relations that have evolved historically, where power is connected to a history of ordered procedures which produce what we have come to know as the "truth."

"Truth is to be understood as a system of ordered procedures for the production, regulation, distribution, circulation and operation of statements." "Truth is linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extend it. This network of systems and assertions constitutes a 'regime' of truth." (Rabinow 1984:74) Foucault finds truth in the local, discontinuous, disqualified, illegitimate knowledge denied by a unitary body of theory which he claims would filter, hierarchize and order them in the name of some true knowledge and some arbitrary idea of what constitutes a science and its objects (Rabinow 1984:204). In a society such as ours, (perhaps in any society) according to Foucault, there are manifold relations of power which permeate, characterize and constitute the social body, and these relations of power cannot themselves be established, consolidated nor implemented without the production, accumulation, circulation and functioning of a discourse. There can be no possible exercise of power without a certain economy of

discourses of truth which operates through and on the basis of this association. Put another way, we are subjected to the production of truth through power and we cannot exercise power except through the production of truth (Rabinow 1984:210-211). It is important at this point to make a distinction between what constitutes *the* truth on Foucault's terms and *a* truth.

In many Western societies today, "truth" is seen as the product of science or scientific "methods." Knowledge is uncovered by way of empirical, objective methods, subjected to cool and calculating analysis and elevated to a platform of importance. During an interview with Alessandro Fontana and Pasquale Pasquino Foucault speaks directly to this point:

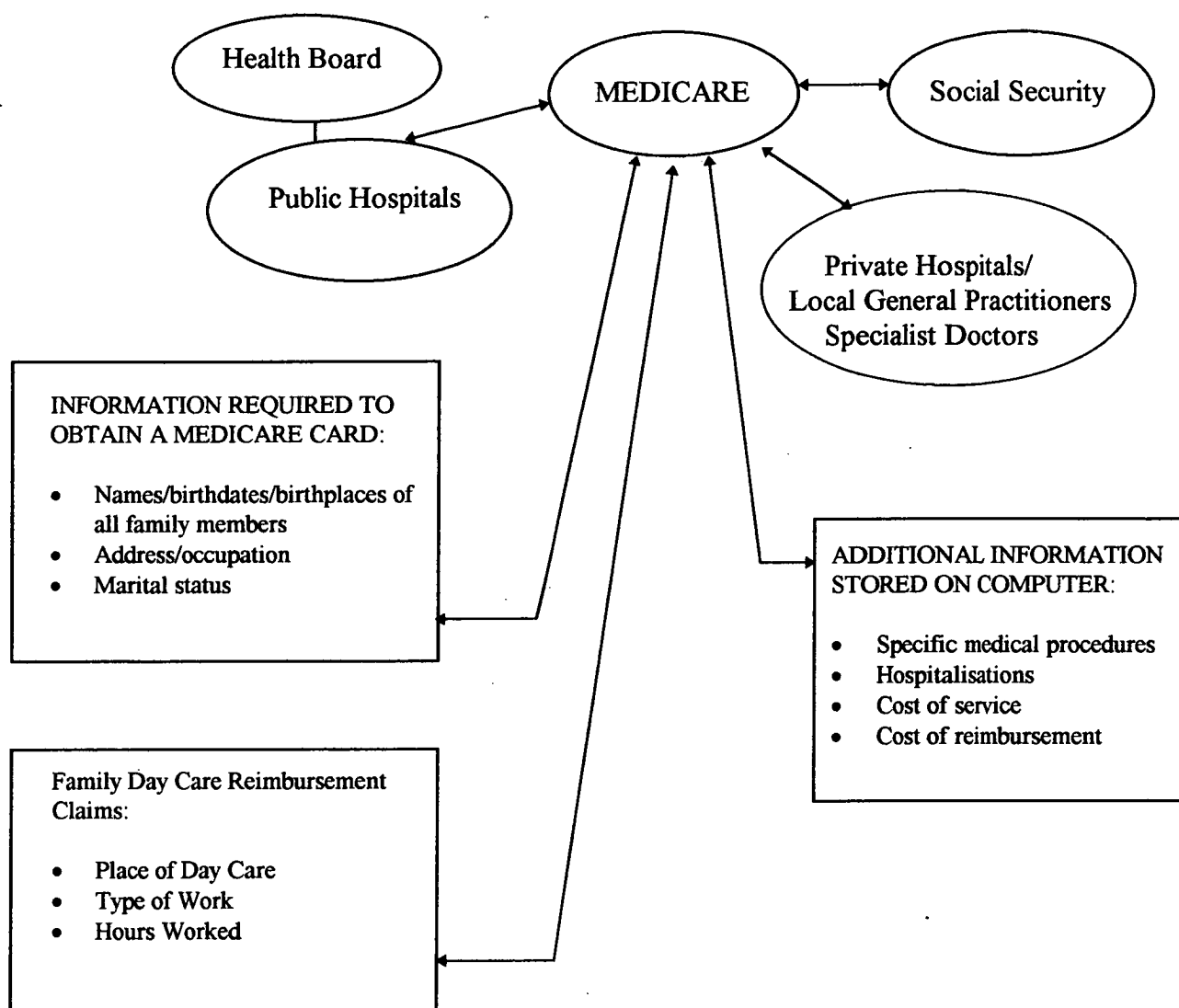
Truth isn't outside power, or lacking in power: contrary to a myth whose history and functions would repay further study, truth isn't the reward of the free spirits, the child of protracted solitude, nor the privilege of those who have succeeded in liberating themselves. Truth is a thing of this world: it is produced only by virtue of multiple forms of constraint...each society has its regime of truth, its "general politics" of truth: that is the types of discourse which it accepts and makes function as true. (in Rabinow 1986:51)

Following Nietzsche, Foucault's pursuit of genealogy led him to be concerned with the origin of specific claims to truth, especially the claims, concepts and truths of the human sciences. He has no quarrel with the "high sciences" like physics, but wants us to be concerned with the way that low sciences like psychiatry masquerade as applied branches of the high sciences and appropriate the same claims to truth, thereby gaining authority. Foucault wants us to see that they are different, autonomous; that the way they construct the truth is totally different. I will examine in detail at a later date, Foucault's attack on

the unity of science project, where all applied sciences under his analysis get their credentials from the “master sciences.” He insists that they be linked instead, to politics. Foucault disturbs what is considered immobile, fragments what is thought to be unified and in so doing examines the mechanisms and instances which enable one to distinguish true and false statements...what counts as “a truth”: “the ensemble of rules according to which the true and false are separated and specific effects of power are attached to the true.” (Rabinow 1986:51) The sort of thing that would qualify as a ready to hand example in contemporary Australian society is the State-run public health care system--a vast interlocked network: a system of “truths” we have come to accept without question and in whose prescribed practices we readily participate, not at gunpoint but in a totally voluntary way. Foucault seeks to alert us to the sinister nature of this seemingly harmless process. Stop, he implores...everybody look at what is going on. (Crosby, Stills & Nash 1968)

So we stop and look: on the surface, we see the following: that as citizens, we are financially reimbursed by the Federal Government to defray the substantial cost of maintaining good health. No problem; we should even say “thank you.” Consider the following diagrammatic representation of the structure under discussion:

Government Controlled Health Care System



Those involved in the medical profession possess expert knowledge about our bodies and as citizens, we can access this truth as long as we go about it in a certain way: as long as we participate in a system of twenty minute appointments, submit our most intimate details to a filing system and seek partial financial reimbursement for cost by submitting further

details to the Medicare administration (details like name, birthdate, address and marital status of family members). Getting marginally suspicious? Foucault suggests that when there are systems of this type, we should be. The system tracks the addition of children to the family and any change across the range of details. For reimbursement of family day care fees for working parents additional information, forms and procedures are orchestrated by the Medicare structure. This allows knowledge of the type of work undertaken, change of employment, hours worked and location of day carer. The computer file also stores details of all medical procedures, hospitalisations and allotted costs incurred by the individual, all of which are available to numerous Government officials, as well as to doctors clinics and so on, at call. The Medicare structure links into all public hospitals, private hospitals, social security, general practitioners and specialist doctors--in effect *allowing surveillance of day to day activities of individuals, family histories, financial profiles and life expectancies*. It links into individual taxation details with the mandatory 3% contribution automatically deducted to support the system. A recent development by the Australian Liberal Government sees an additional 1% added to the Medicare payroll deduction to fund the gun-control initiative (enabling the buy-back of illegal weapons from the public). Medicare has proven to be the paradigm structure in the Foucaultian sense, to exercise and to maintain power, and the collection and filing of information is at its heart.

While this system at a glance may look like an extract from George Orwell's *1984*, it is not maintained by explicit coercion, but by compliance and voluntary supply of information by

the individual for financial gain--power is exercised by government-run agencies and coercive systems in which we freely participate. (All individuals participate in a visible structure of control. Once locked into the system the actual exercise of power becomes unnecessary--the individuals themselves sustain it. But like Foucault's Panopticism this occlusion of the mechanisms of control do not make them any *less* coercive, only *hidden*). While such a structure was not remotely envisaged as recently as 20 years ago, it is now fully accepted; indeed it is an expected part of our day to day routine and a method for "normalising" individuals within society. In this example we see that all members of society have an allotted number corresponding to a plastic card that anchors them inside this well orchestrated Government-run grid. Different kinds of authority exist in this model and the exercise of power is evident on a number of levels, maintained by record keeping, surveillance, legislation and the requirement to supply private details.

Examples like Medicare demonstrate a much more sinister form of coercion than merely explicit coercion found in say, the example of a mugger and his victim. Here we find truth, power and domination at the most sophisticated level--disciplinary constraints exercised through mechanisms of domination, while at the same time *disguising* their effective exercise of power. Foucault cautions us against accepting "manufactured truth" and its insidious forms of power, and seeks to explain how such a thing could come to be manufactured in the first place. For such an insight we must turn to his discussion of knowledge.

Foucault's project, announced in the foreword to the English edition of *The Order of Things*, is to write the history of what Ian Hacking (1986) has called the "immature sciences": Those sciences that, in Foucault's words are "considered too tinged with empirical thought, too exposed to the vagaries of chance or imagery, to age-old traditions and external events, for it to be supposed that their history could be anything other than irregular." (Foucault 1970:ix) "From the standpoint of an archaeology of discursive practices." (Hoy 1986:27:). Foucault made the assumption, perhaps commonplace now, but bold and even radical when he first wrote, that this kind of empirical knowledge possesses a well-defined regularity, that the history of this knowledge exhibits a system of rules, and their transformations which make different kinds of statements possible.

Foucault suggests that his studies in the 1950's highlight the problem of the political status of science and the ideological functions which it could serve, provoking a number of interesting questions which can be summed up in two words: power and knowledge. He comments on writing *Madness and Civilization* to some extent within the horizon of these questions.

For me, it was a matter of saying this: if, concerning a science like theoretical physics or organic chemistry, one poses the problem of its relations with the political and economic structure of society isn't one posing an excessively complicated question? Doesn't this set the threshold of possible explanations impossibly high? But on the other hand, if one takes a form of knowledge like psychiatry, won't the question be much easier to resolve, since the epistemological profile of psychiatry is a low one and psychiatric practice is linked with a whole range of institutions, economic requirements, and political issues of social regulation? Couldn't the interweaving effects of power and knowledge be grasped with greater certainty in the case of a science as "dubious" as psychiatry? (Foucault 1980:97)

The systems of knowledge Foucault scrutinises imply immediate and solid connections to social relations: economics, medicine and the “human sciences.” Thus the conditions required for the production of truth within these knowledges are much less stable and far more difficult to control. “Yet, somewhat disturbingly, these are also the knowledges most quick to pronounce truths about human nature, human potential, human endeavour and the future of the human condition in general.” (McHoul & Grace 1993:58.)

Important realms of science like physics appear high on the approval list of established regimes of thought, boasting an empirically verifiable body of knowledge, in which we can all have the utmost confidence. But Foucault would have us believe, such sciences also mask subjugated knowledges (by ruling them out as “unscientific” or incapable of objective, rigorous analysis), by this term we are to understand a set of knowledges that have been disqualified as inadequate to their task, or insufficiently elaborated; naive knowledges located low down on the hierarchy, beneath the required level of cognition or scientificity. (Foucault 1976, in Dirks, 1994:203)

By digging through the archives, we reach some point of struggle, conflict or departure from the manufactured truth. We find a flurry of detail that has been masked or disqualified or simply forgotten. Through such an investigation, we would most likely arrive at a very ignoble beginning to medical discourse, for example procedures of writing and registration and mechanisms of examination. Ian Hacking (1986:28) suggests that Foucault’s genius is to go down to these little dramas, dress them in facts hardly anyone

else notices, and turn these stage settings into clues to a hitherto unthought series of confrontations out of which, Foucault contends, the orderly structure of society is composed.

But we must remember that he views the “orderly structure,” as a mask for the implicitly violent and dominating coercive apparatus to which we are all subjected. The orderly structure is the end point of selected truths and knowledges and the exclusion of others. Foucault argues that all disqualified knowledges are concerned with a “historical knowledge of struggle.” The archaeology of knowledge unearths *a painstaking rediscovery of struggles together with the rude memory of their conflicts*. Foucault urges us to take this knowledge of struggle and to use it tactically. He entertains the claims to attention of local, discontinuous, disqualified, illegitimate knowledge against “the claims of a unitary body of theory which would filter, hierarchize and order them in the name of some true knowledge and some arbitrary idea of what constitutes a science and its objects.” (Hacking 1986:204) He wants us to see that power is derived from the process of selecting out objects of knowledge. A hierarchy of power is established from which these erstwhile pretenders are excluded. The physical sciences have protected and legitimised themselves, and disqualified lower sciences on Foucault’s terms, sciences like psychiatry; but he insists that his genealogy should be seen as an attempt to emancipate historical knowledges from that subjection, to render them capable of opposition and struggle against what he sees as the coercion of a theoretical, unitary, formal and scientific discourse.

Foucault's enterprise is neither epistemological nor ontological, for he is not making claims about the ultimate nature of knowledge and power. Rather his project is historical, and his construction of the concept of power/knowledge is a device for studying the social and scientific practices that underlie and condition the formation of beliefs. He is offering an interpretation of how what we count as knowledge and power have historically come to be so counted. Foucault thinks he can explain contemporary society by mapping the network of power relations that have evolved in this way. His point is to stress that there are no necessary or universal forms for the exercise of power to take place: Our society bears witness to the production of quite specific practices which characterise the ways in which power relations function within it.

Foucault writes with a specific focus on power relations within a *present* context. At the same time, the historical base of Foucault's writing sets up an interesting tension--how can one remain focussed on individual action in the present when delving to a significant extent into past procedures? It will be shown how Foucault answers this; in his nominalist history, writing about the past *is* a way of criticising the present under the assumption that the past still informs the present in ways and with consequences we don't recognise. *Discipline and Punish* (1970)--a work by Foucault which will be examined in more depth at several stages throughout this chapter--calls itself a "history of the present." The formula assumes a wider application. The "present" refers to those things that are constituted in our current proceedings in ways we don't realise are rooted in the past, "and

writing a 'history' of it is to lay bare that constitution and its consequences." (Rajchman 1985:58)

He further suggests that power is positive and productive, not simply repressive; it is, he reminds us not always suffered but sometimes enjoyed. We cannot understand this revaluation, Hoy suggests, without recognising the other conceptual revisions he introduces. Foucault wants to describe how power is *exercised*, and he sees that there would be no power if it were not exercised by agents (Hoy 1986:33). Foucault denies that power is a mysterious substance with a nature, essence and origin. By his own admission, he is nominalistic about power--affirming that he is not offering a metaphysics of power--even willing to say that "power does not exist" (Foucault 1979:75) only local exercises of power are real). He is concerned to overcome metaphysical notions of power and freedom by seeing them as relations rather than properties. This implies that power is not a possession or privilege. Unlike de Jouvenel's analysis, power is not simply what the dominant class have and the oppressed lack. Power, Foucault prefers to say is a strategy, and the dominated are as much a part of the network of power relations and the particular social matrix as the dominating. "As a complex strategy spread throughout the social system in a capillary fashion, power is never manifested globally, but only at local points as "micro-powers." Power is not something located in and symbolised by (de Jouvenel's) sovereign, "but permeates society in such a way that taking over the state apparatus (through a political revolution or coup) does not in itself change the power network." (*Ibid.*)

Now this is the same conclusion presented by de Jouvenel, but for totally different reasons. For de Jouvenel the power network is not significantly changed when someone else takes over the state apparatus, because the nature of power and its exercise is independent of specific agents and actions (to the successful, coercion and violence come naturally). On his account, resistance is banished to the realm of hopelessness. Foucault reaches the conclusion that there would be no significant change in taking over the state apparatus because the subtle, yet complex network of intrinsic coercion is so entrenched in the system and maintained by the capillary-like network of power relations, that changing the person at the top of the hierarchy would do nothing to alter an infrastructure so constituted.

To sharpen the distinction, for de Jouvenel change is impossible precisely because all leaders in the past and those yet to come hold the same credentials and perform to the same position description revolving around self-interested (usually violent) domination. On Foucault's account change is difficult, not because of any special properties of those at the top, nor of power itself, but because the tightly knit grid of power relations which enmesh both oppressors and the oppressed is too complex and stable to be easily disturbed or changed. The coercion is implicit, subtle and vicious; the structures to maintain it are entrenched and produce mechanisms of control and discipline. Mechanisms and instances which enable one to distinguish true and false statements...what counts as "a truth." the ensemble of rules according to which the true and false are separated and specific effects of power are attached to the true. This further emphasises the distinction that for de

Jouvenel, power is autonomous, whereas for Foucault it is derived from patterns of actions.

A common criticism of Foucault's project at this point, and understandably so, is that such an analysis leaves us with no hope for a better, more humane future and no positive agenda for change. In fact, I will make a stronger claim later in the project: that a lack of any viable alternative for the moral agent to exercise power outside of the framework of violence, is a flaw in most of the current theories of power. By the conclusion of this project, I seek to demonstrate how power can be exercised by the individual through nonviolence, and how this alternative does leave hope for a more humane future, and a positive agenda for change. I return the reader to Foucault's project, and the point at which he considers the extent to which a "science of the individual is possible":

One is in no doubt right to pose the Aristotelian problem: is a science of the individual possible and legitimate? A great problem needs great solutions perhaps. But there is the small historical problem of the emergence, towards the end of the eighteenth century, of what might generally be termed the 'clinical sciences', the problem of the entry of the individual (and no longer the species) into the field of knowledge; the problem of the entry of the individual description, of the cross-examination, of anamnesis, of the 'file' into the general functioning of scientific discourse. (1984:202)

Foucault argues that to this simple question, one must no doubt give an answer lacking in "nobility": analysis must focus on these procedures of writing and registration, the mechanisms of examination, into the formation of the mechanisms of discipline, and of a new type of power over bodies. Is this the birth of the sciences of man? It is probably to

be found in these “ignoble” archives, where the modern play of coercion over bodies, gesture and behaviour has its beginning (Foucault in Rabinow 1984: 202-3).

This passage is an example of Foucault’s astonishing ability to take a standard philosophical problem--how is a science of the individual possible?--to look to its lowly, genealogical beginnings (procedures of writing and registration, mechanisms of examination, techniques of discipline applied to gestures and behaviour) and, as a result, totally transfigures how one might approach the problem in the first place. Davidson (1986:225) remarks that “It is the kind of ignobility Nietzsche would have loved”--cutting down the systematisers who proclaim the truth of the matter to reveal lowly elements like filing and registration at its heart.

Foucault’s preoccupation with genealogy forced him to articulate some general rules for the study of power, providing not so much a new theory of power as *a new approach to the problems of power in modern societies*. Some of the most significant of these rules, elaborated in *Discipline and Punish* and in two lectures given in 1976, are the following: First, do not study power merely as a form of repression or prohibition, but look at its positive effects, at what it produces; analyse power and its techniques in terms of their own specificity, and do not reduce it to a consequence of legislation and social structure. Second, Foucault advocates that one conduct an ascending analysis of power, “starting that is, from its infinitesimal mechanisms, which each have their own history, their own trajectory, their own techniques and tactics, and then see how these mechanisms of power

have been--and continue to be--invested, colonised, utilised, involuted, transformed, displaced, extended etc., by ever more general mechanisms.” (Foucault 1980:99) That is, write a micro physics of power; this will lead one to view power not as the homogenous domination of one group or class over another, but as a net-like, circulating organisation. Finally, do not analyse power at the level of “conscious intention or decision,” do not ask what certain people want and why they want to dominate others, but ask instead “how do things work at the level of ongoing subjugation, at the level of those continuous and uninterrupted processes, which subject our bodies, govern our gestures, dictate our behaviours.” (Foucault 1980:97) For it is those processes which constitute us as subjects.

I would like to conclude this review of Foucault’s contribution to the discussion on power by bringing together this concern with the individual as a disciplined subject; to look at how these implicitly violent and coercive exercises of power are maintained and regulated. Through his analysis of discipline and the ensuing discussion of Bentham’s panopticon Foucault delivers the surprising result *that we actually maintain these coercive structures ourselves*.

This is the area of Foucault’s strongest work. Foucault claims, that the discipline of a prison, say, represents a continuation and an intensification of what goes on in more ordinary places (like Medicare) - and wouldn’t be possible if it didn’t. As an extension of this, we all live to a time schedule, get up to an alarm, work to a rigid routine, live in the eye of authority, are periodically subject to examination and inspection. No one is entirely

free from these new forms of social control. The unique thing about modern society for Foucault is that it announces this type of new mechanism of power. "This 'mechanism' is a way of consolidating power into ensembles concerned with this management and administration of 'life'." (*Ibid.*)

The types of instruments and techniques used by the operation of disciplinary power can be taken over and used by *any* institution: penitentiaries, certainly, but also schools, hospitals, military centres, psychiatric institutions, administrative apparatuses, bureaucratic agencies, police forces and so on. "Modern criminology constitutes an 'apparatus' composed of power relations coordinated in relationships with systems of knowledge. When considered from any point of view other than the history of power relations, Bentham's invention of the Panopticon represents a minor episode in the history of technologies, or perhaps of architecture." (*Ibid.*)

Panopticism is the exemplary mechanism through which disciplinary power is able to function, for it relies on surveillance and the internal training this produces to incite states of docility; it need not rely on displays of physical force or violence. Direct force represents merely frustrated or failed forms of discipline. The subject of surveillance, by contrast, disciplines him or herself:

Hence the major effect of the Panopticon: to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power. So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its actions; that the perfection of power should tend to render its actual exercise unnecessary; that this architectural apparatus should be a machine for creating and sustaining a power relation independent of the person

who exercises it; in short, that the inmates should be caught up in a power situation of which they are themselves the bearers. (Foucault 1977a:201)

The Panopticon is a structure designed to carry out procedures for the alteration of behaviour and to train or “correct” individuals (our Medicare example aligns neatly with Panopticism--every individual participates in a visible structure of control. Once locked into the system, the actual exercise of power becomes unnecessary--the individuals themselves sustain it). The modern mode of punishment centres on an attempt to reform the criminals soul. This stands in stark contrast to the types of public executions routinely practised up to, and sometimes beyond, the Eighteenth Century. Foucault describes this earlier and deadly mode of punishment. It was performed directly on the criminal’s body, as a display of the awesome power of a sovereign authority, in retribution for a crime. The shift toward imprisonment as a method of punishment is usually attributed to a general “humanisation” which accompanied the transition to modernity. For Foucault, however, it represents a stage in the “normalisation” of individuals which is necessary for the government of the life processes.

I have already mentioned Foucault’s unearthing of the significant role played by Bentham’s Panopticon in the operations of disciplinary power. In a similar vein, the treatment Foucault provides of the history of another technology, the confessional, becomes important for his thesis concerning the relationship between sexuality and power. Outside of a consideration of power relations, the confessional would seem to occupy only marginal importance as a religious ritual--at least from the perspective of political

considerations. McHoul & Grace (1993:78) suggest that “the confessional now enjoys a position as the privileged means whereby individuals become imbricated in procedures of ‘truth-telling’ in those areas of the administration of life which are directed at sexual practices. Like the Panopticon, the confessional has become an essential technique in the functioning of bio-power.”

The confession has spread its effects far and wide. It plays a part in justice, medicine, education, family relationships and love relations, in the most ordinary affairs of everyday life, and in the most solemn rites; one confesses one's crimes, one's sins, one's thoughts and desires, one's illnesses and troubles; one goes about telling with the greatest precision, whatever is most difficult to tell. One confesses in public and in private, to one's parents, one's educators, one's doctor, to those one loves; one admits to oneself, in pleasure and in pain, things it would be impossible to tell to anyone else, the things people write books about...Western man has become a confessing animal. (Foucault 1979:59)

The final example of this truth-telling to which I would like to draw attention, has chilling implications for all of us. In practicality, Foucault's confessional is not a disciplinary measure unless one further step is taken. For this process to seriously become a threat, the confidential nature of the process must somehow be turned inside out so that one's innermost secrets and fears are turned under the glare of public scrutiny. The chilling aspect of this is that it is not some elaborate fiction, but an efficiently functioning mechanism alive and well in our contemporary society. Take for example a worker's compensation claim for a stress related disorder². In order to receive payment you are required to reveal all *in confidence* to a trusted member of the medical fraternity (perhaps a psychiatrist or a psychologist). During such a session, you may be asked to provide

² This example resulted from an energetic discussion with Professor Jay Garfield and I thank him for conceptual connections and insights.

answers to legitimate questions about your normal activities--your sex life included; you most certainly will be asked about your fears and frustrations, your view of your employer and so on. Having survived this, you await due process. Foucault's insights highlight the sinister, coercive and violent nature of the structures created for due process: structures which allow an objection to the claim by the employer, to call the psychiatrist to the public stand; structures which require her to give a full account under public glare of your most private revelations. Any prudent agent of course would not undertake this risky business in the first place. Successful control in the Orwellian sense, maintained only by the threat of the outcome. Very neat...very powerful and something about which Foucault correctly wants us to worry.

Our understanding of power has been extended by moving from de Jouvenel's analysis of explicit coercion to Foucault's insights into implicit coercion associated with power relations. But there is still a gap to be filled. Foucault is not concerned about how this power can possibly be legitimated; he is only concerned with its explanation. Any complete discussion of power will need to consider the importance of both. We have seen during this discussion that the way we come to think about power, and the problems which ensue, will depend on our explanation of its origin and how it is maintained in society. Foucault offers a meticulous analysis of this aspect, but legitimacy is equally important, and on this, he is silent. To concede the legitimacy of government is to accord to some number of persons a right that we otherwise reserve to ourselves, the right to conduct our own lives and affairs as each of us deems appropriate (Flathman in Goodin &

Pettit 1996:527). When a number of people transfer their natural authority to a government, the latter thereby acquires the legitimacy of the former, but as we shall see in the following account of Professor Timo Airaksinen's work, this action has consequences which are problematic and require justification.

Before moving on, it is important to consolidate and to take stock of the investigation thus far: We have seen where power comes from and the role it plays in society. Two particularly influential accounts present the themes of explicit coercion and domination and implicit coercion from the same vantage point of domination and control. Both attest to violence as an element of power. The former view locates power at the top of an imaginary societal pyramid while the latter locates countless sites within power relations. Neither view offers any chance of escape from an oppressive power structure. Now while these views provide a substantial body of work on the source of power and its role, they do not provide an account of the conditions of its legitimacy, and we must move beyond a description of how society does look, to the more interesting moral position of how society *ought* to be. This can only be accomplished by an examination of the justification of power, an examination provided in the work of Professor Timo Airaksinen.

Airaksinen (1988:112) uses the "practical roots of morality" to explain the existence of state-run coercive institutions; how authority is legitimised and maintained and why agents would participate in this scheme in the first place. In *The Ethics of Coercion and Authority*, he covers a vast amount of territory dealing with subjects like coercion,

deterrence, violence, manipulation, the legitimation of formal state run institutions; an analysis of authority and moral epistemology. An analysis of his account of coercion and the legitimation of state institutions will provide a deeper understanding of the exercise of power and the systems around us which operate to maintain it. Such interpersonal and structurally determined forces as threats, coercion, deterrence, violence, manipulation, authority and commands reflect some problematic features of social exchange, and appear as equally valid power relations.

The key claims which underpin Airaksinen's work (1988:105, 120) are (1) that: "the basic motivation behind power and its exercise is the protection of power bases" and (2) that "every citizen is tied to the authoritative demands of the state." His argument is presented within the framework of a heirarchic structure of society where those in control [usually found in state run institutions] at the top of the pyramid, exercise control over everyone else [situated at the bottom of the pyramid]. Within this structure, Airaksinen sets about answering the following questions:

- (a) Why does society need to coerce?
- (b) How can a coercive institution guarantee its own efficiency and at the same time grant rational status to its own agents?
- (c) What is the social motivation of the coercer?
- (d) What is the nature of authority of the superior coercive agent over the coercer, given the legitimate social order? and,
- (e) Why would a rational person stay in the business of legitimised coercion?

The answer to these questions will assist us to build a more comprehensive picture of power.

Airaksinen uses the definition of power by Dennis Wrong (1979:2) in *Power: It's Forms, Bases and Uses*: "Power is the capacity of some persons to produce intended and foreseen effects on others." He suggests that Wrong's idea is the prevailing one, and it incorporates tacitly Max Weber's (1968 v1:224) dictum "even against the opposition of others." "It seems true that if we speak about power in general, this is indeed what power is." (Airaksinen 1988:22) This definition supports the idea that human beings are agents with interests, and interests are the target of exercises of power.

While recognising significant efforts made by Wrong (1979), Lukes (1974) and Goldman (1972), Airaksinen objects to the global notion of power reflected in their work. He observes that if we view power as a broad umbrella concept covering all effects of any action, then "nothing but a conceptual mess is to be expected." (Airaksinen 1988:23) He explains that an analytical theory of the cluster of power-like phenomena, interactions, and structures should be provided instead. Structuring his work in this way, Airaksinen wants us to see that humans are vulnerable to the exercise of power, that power is often downward-flowing from the top of formal institutions to the general public through coercive agents, deliberately placed at the bottom of the hierarchy (by those at the top). Airaksinen examines in detail typical interactions within legitimate and illegitimate structures. Through the examples we will shortly consider, he begins from the simple

notion of coercion, introduces the subcategory of deterrence, explains them in terms of threats and offers, evaluates them in terms of rights and duties, and proceeds by contrasting them to authority. He is particularly interested in how this effects human action. We see the exercise of power in the form of one agent over another, where there is a cost to all involved in the interaction.

The topic of coercion, power and violence is not a pleasant one, although it is unavoidable in the present world. Airaksinen proposes that there is no excuse for not understanding street violence, organised crime, terrorism, guerilla warfare, sectarian vendettas, state fascism, war and the legitimate threats issued by “just” states. He sees power as an ever-present problem, which must not be neglected, but these more negative aspects of power catch his attention. He has no time for the more optimistic idealised view proposed by others: “If we assume an absolutely rigid and demanding ideal standpoint, nothing short of the City of God will emerge as a rationally acceptable place.” (Airaksinen 1988:13) His pragmatism is refreshing, and certainly reveals a number of insights relating to the way individuals conduct themselves in the world. But it is worth a reminder here, that in throwing light on power and violence (necessarily so), we are not merely concealing (in Heidegger’s terms) aspects of power which do not implicate violence, but must surely be eliminating them from the field of discussion.

The paradigm cases chosen by Airaksinen are the mugger and victim, the Mafia and protection, police and criminals. He proposes that the judgement of such coercion is easy:

The threats represent an inherently wicked form of social interaction, and the coercer, in order to gain compliance from the victim, threatens greater disutility to the victim if s/he does not comply with the coercer's demands. "A successful coercer manages to arrange a plausible threat of sufficient disutility and [one] which will be assigned a sufficiently high subjective probability by the victim that the victim maximises his/her expected utility by performing the action demanded. The mugging victim judges that he is better off handing over the wallet than risking being shot...; the fleeing robber judges that she will suffer less if she surrenders than if she resists arrest." (Garfield 1997:3) But what about authority? Why should anyone surrender her own judgement in prudently serious cases or follow another person's commands in dangerous situations? And if coercion is wrong, what about the right claimed by legitimate states to use force? The state is a power structure that may use drastic methods to assert its institutional rights. "Now the ultimate question is this: Who are the state agents who wield its power and how can they justify what they are doing? If one cannot understand these agents' 'rational motivation', the state itself cannot be just and justified." (Airaksinen, 1988:viii)

Airaksinen answers this question by saying that it is possible to accept some kind of collective authority and its "strong" demands on citizens. Analysis over the following pages will show why he believes this is possible. From a bird's-eye perspective, Foucault views power on a flat plane, spreading capillary-like through society; Airaksinen in complete contrast sees a pyramid of power with those who decide whatever is decided of major consequence in the minority, at the apex of the pyramid, with "the most intriguing

positions...to be found at the bottom of the pyramid of power.” (1988:7) We find both Foucault and Airaksinen looking for paradigm cases in the same place, but for vastly different reasons.

Airaksinen defends his patronage of “Imperfect Ethics”--his focus on the darker side of morality and the subsequent move away from the regular philosophical path:

Academic philosophy serves the “social life” by saying that theories are meaningful, that practical logic works and that human beings can solve normative and theoretical problems. “What I mean is this; moral philosophy is supposed to support the view that there are positive values, rights, duties and virtues, which are somewhat like commodities and available to anyone who earns them. We philosophers allegedly show why one should be moral, what our social duties and proper rights are, and how we decide on a just social order. The basic underlying theme is that the good life can prevail - and there is a definite social order presupposed by this philosophy of social optimism”...the prediction is obvious: badness won’t survive. All of this is myopic. We must admit that the negative side of human nature is still there and that it is as real as the good in us...perhaps what is bad will ultimately disappear, but while it is still with us, let us see how it works and how it influences human action. (Airaksinen 1988:9-14)

Dealing with this negative aspect of power--where the individual is the victim at the hands of a coercer--becomes the focus of Professor Airaksinen’s project; he argues further, that there is a cost incurred by all parties involved in coercion. To find the one exception to this rule in Airaksinen’s work, we must move away from the coercive agent and look to the superior agent at the apex of the pyramid of power. His/her duties certainly do not entail violent conflicts with anybody. It would appear that executors of this role have little or no direct responsibility for their decisions, and bear no cost for the orders s/he hands

down. However Airaksinen doesn't dwell on this point but refocusses on those who must fulfil the orders from above and come face to face with the opposition:

We should ask who could rationally accept the role of such a low-level professional executor of commands. It seems to me that in many cases, the lowest level positions in a power-wielding structure are personally, almost impossibly demanding, if they are described from the standpoint of prudence. One of my basic points therefore is that when we study power we can not focus only on the superior agents. The most intriguing positions are often to be found at the bottom of the pyramid of power. The state power structure cannot be efficient if some agents are not both willing and capable of actually realising the orders of the upper level authoritative agents. (Airaksinen 1988:14)

By this, Airaksinen means to introduce us to the central player in his project--the coercer. He characterises this role as the lowest level position in the power-wielding structure and as impossibly demanding. However, implicit in his work is the idea that the victim occupies the lowest level in the power structure. Perhaps it is possible to concede his previous point on a technicality; that is, that he appears to attribute no "wielding" capacity whatsoever to victims or regular citizens (the majority of the population) involved in power relations. This is certainly something to which I must object and further explore in subsequent chapters of this dissertation. I will argue in chapters 4-6 that even Airaksinen's victims do indeed have the capacity to "wield" power. I will return to Airaksinen's work in this area: the murky world of change; a world of muggers and mafiosi--the agents that bring about that change by coercive means, supported by both legitimate and illegitimate institutions.

Airaksinen questions the justification of those agents in the service of the state. Inevitably we are led into a detailed discussion of the role of those agents as coercers and the resulting power relations with subordinates and victims. I will return to his central suggestion: Coercion logically entails that whatever the victim does, he will suffer or lose something; but if he does as he is told, his losses will be smaller. The coercer is supposed to profit from this compliance. And so there are three main points concerning coercion: (1) the victim will lose, whatever he does; and (2) this is because of the coercer's threat; but (3) he can minimise his losses by obeying. (1988:31) Airaksinen provides an example in the form of an armed hold-up:

For example: Jack Dillinger threatens a cashier with his gun. She knows that Jack will shoot if he does not get money, but he will leave without shooting if he gets the money. As a prudent person, she will surrender the money. She has avoided the shooting, but all the money has been lost. She minimised her expected harm even if she could not avoid all harm. (*Ibid.*)

This is the essence of threats. The situation is threatening when one knows that it is impossible to leave the situation without suffering some personal harm. To complete this part of the investigation, Airaksinen suggests that only one natural candidate offers itself to the role of an ideal threat; violence. Most people have deep-seated, almost morbid fears whose evaluation is not in line with those ends that are measurable in dollars. Violence and cruelty are such things, and we can understand their role as ultimate threats on this very basis. He concludes that we cannot understand human motivation without taking into account our negative emotions, in the sense of aversions. By pursuing such a line of investigation, Airaksinen reinforces his claim that power relations are usually

unequal. The coercive agent wants something from the subordinate agent and s/he intends to get it at any cost. One of the most expedient techniques is to play on the fear of the victim, threatening violence and cruelty if required. George Orwell's *1984*, is cited as a paradigm case. Airaksinen argues for two claims within this framework: (1) the victim's decision to resist at any cost is indeed a decision; but (2) his yielding to the threat is not always a decision (highlighting the lack of choice involved in the interaction). He then argues that any victim finally yields as the result of his "powerless" position:

Orwell makes it quite plain that O'Brien's power was absolute; he needed to consider no aspects of law and legitimacy nor the traditional morality of his position. Neither was he dependent on any personal, management, cost or resource problems. He also had access to complete information. He was free from all restrictions. O'Brien knew that every victim has his weak point, something he fears extremely, and that this constitutes the supreme negative element embedded in his belief system. His problem was just to find what it was. After that, the victim was helpless. (Airaksinen 1988:42)

Coercion rests on violence, and Airaksinen clearly states that we have no reason to believe that a victim could emerge as a winner from a conflict in which his coercer is both powerful enough in the Orwellian sense, and has no contingent limitations working against his threats (a claim which looks to be supported by our earlier example of the psychiatrist for the prosecution).

Airaksinen argues that coercion usually involves a deliberate strategy and a successful resolution, suggesting that the precautionary nature of coercive social power should be clear. Power is not something a person grabs and uses every time he needs it. On the contrary, any social power base, or resource advantage, must be typically established well

ahead of its actual use, whether this aims at some new positive achievement or merely at basic survival; structures and procedures are in place, powers of authority are understood and utilised when required. Airaksinen not only claims that the demand for the coercive role of state institutions is real, but as we shall see toward the end of the chapter, predicts a long and healthy future for them.

How can we most usefully apply this research to the project at hand? Airaksinen provides an important piece of the puzzle when analysing the exercise of power. Our everyday observations reinforce the fact that coercive power relations are *real*, but Airaksinen interrogates their *legitimacy*. Because the issue of legitimacy is important for my project I will devote the following chapter to a detailed discussion of this topic. Here I wish only to explore Airaksinen's comments on accountability of the superior agents, who are charged with the task of justifying coercive action (and who do so from the comfortable position at the apex of coercive institutions):

Airaksinen points out that the superior agents are protected from any backlash that may be a direct result of their decision-making. He highlights the fact that making serious decisions involving human life (eg in a war command situation) from the somewhat comfortable, stable position of the superior agent, results in a decrease of responsibility and accountability and a distant attitude to human life: the higher the status, the thinner the responsibility (1988:124) (An ethical point, to which I will strongly object in chapter 4):

In war, it is a crime to murder children with whom you are face to face. Yet it is not a crime to drop a bomb on a hospital full of children, from thirty thousand feet above it. Suppose that a person drops napalm bombs on a city knowing that they will kill only civilians—but not how many and who they are. He explains that his purpose is to terrorise the survivors and their leaders, but not to kill. Killing is only a means (in executions it is the goal). It is ironic that the explanation of why this bombing is not a war crime is that the bombardier does not know who he kills, or that he does not intend to kill them, or that every individual has a random chance to survive. In direct shooting, this would not be the case; here, the agent directly intends to kill. The relevant fact is apparently that distal killing is different from face-to-face killing, because then the agent intends to shoot specific persons. The death of merely numerically identified stochastic human beings may be lamentable, but it is not unacceptable. The basic presupposition is that we tend to think of persons in terms of their perceived individuality and not in terms of their numerical identifiability as a member of the human species. Ultimately only such identified persons matter. (*Ibid.*)

If we really think in this way, it is easy to see why the superior agent's problems are different from the coercer's. Because she is not directly involved, it is not necessary for her to care either about the coercer or the victim. They are not real persons, merely statistics on paper. And the higher she is in the authoritative hierarchy, the less she is directly concerned with the sometimes difficult task of motivating the middle line coercer. Her motivational problems hardly exist. The moral responsibility for coercion and its violent threats tends to disappear into thin air when we seek for the roots of responsibility within the uppermost levels of the legitimate institutions. (1988:125)

The hierarchy of these institutions works in the following way: The superior agent or most senior agent, (found at the apex of the organisation) makes decisions or issues commands to the next level agent. For the purpose of our discussion, suppose that this is

the coercive agent. The coercive agent implements these decisions by means of threats, coercion or violence. It is important to see how the power relation works here. The superior agent is not directly responsible for the threats and their material consequences, which may be quite serious. Airaksinen claims that in being so removed, s/he is better able to exercise authority and control their area of influence. [Being so removed from the recipients of their decisions the superior agents are not bothered by messy emotional responses]. Airaksinen claims it is even required that he must not become directly involved in proximal threats, even if he so wanted. The judge is never a hangman. Abstract principles and general guidelines of control become more and more concrete as they (in the form of commands and authoritative obligations) flow toward the proximal agent (the coercer), who finally finds himself in a situation where backing out is the only prudent alternative. He is, nevertheless expected to stay there. (*Ibid.*)

At the beginning of his project, Airaksinen pre-empts this case and asks why an agent would stay in such an impossibly difficult position. Two reasons are offered: (1) s/he feels obligated and/or (2) s/he is forced to remain (themselves victims of coercive measures). In case (1), the coercer realises that the institution is part of a just social order and that the survival rights of both members and the institutions must be protected. These rights create obligations for her/him. In this way, it becomes increasingly obvious why these agents remain in their difficult positions--they are obligated and locked in to what Airaksinen terms the "blueprint" provided by coercive institutions. The crucial question concerns whether the coercer will be willing to realise his "personally intrinsically disadvantageous

threat.” (1988:93) In other words, the coercer must be taken to be rigid in his behaviour-- he must be supposed to follow a plan without modification. The coercer’s rigidity outside its rare personally motivating contexts can be understood only if the coercer is backed by a formal or informal coercive institution. “A social contract makes power exercise possible.” (*Ibid.*) Again the framework is set up in advance - in this case the backing of the institution will provide the means to realise the threat.

Airaksinen argues that the police and army are the paradigm coercers. Their practices show us what threats really mean. “Amateurs only imitate them.” As an empirical hypothesis, he suggests that private coercion emerges only after its formally institutionalised counterpart. Examples of such explicitly organised institutions that are neither formal nor legitimate are the Mafia and the more recent Italian Red Brigade. Their objectives are different; one coerces for private profit, the other for a utopian social order. Both examples illustrate institutions that are not formal but are still explicit and structured. “They are recognised as illegitimate, actually they are illegal.” (1988:94)

Why the shift to discuss legitimate and illegitimate institutions? Because, for effective operations the coercer must bind himself to an institution--after all he requires the structural and authoritative backing for the coercive measure he employs. Airaksinen argues that the reasons for such commitment form an empirical sociological problem, which is beyond the scope of a philosophical study. The coercer may think that the institution provides a social revenge; that it fulfils a historical and traditional purpose;

that it is a valuable element of popular justice; that it reflects a religious norm; that it is useful to all its members; or that it is profitable to him personally. The possible reasons are many and varied and seem to range from religious fanaticism and belief in destiny to petty self-interest and camouflaged egoism. (1988:96)

We have briefly addressed the key players in Airaksinen's drama: the superior agent [whose decisions are legitimated by the institution, and who maintains arms-length responsibility to the direct action resulting from his decisions and commands]; the coercer [who is committed and obligated to the institution], engaged directly in power relations with both the superior agent and his subordinates or victims; and then the victims or targets themselves who suffer losses whatever they do. Airaksinen presents a bleak picture of power in contrast to those of Foucault or Wartenberg, but it is not complete until we answer questions about the legitimacy of all this. Our world (and the world in Airaksinen's account), harbours coercive agents exercising power over regular citizens all the time. This forces two questions: How on earth they get away with it?/Why do we let them get away with it?

Quite simply, they get away with it in virtue of the fact that they are backed by coercive institutions. In a legitimate political state illegitimate institutions are secret "in the sense that implies restrictions even on their internal information flow." (*Ibid.*) He contrasts this with the idea of openness:

Legitimation need not imply moral acceptability in any objectivist sense but merely the simpler idea that the institution in question is open to all. It may also be arranged in a certain way within the system we call the state, that is, the institution may be part of the state. Let's take an example: the Mafia is an explicit but illegitimate institution (it is not and cannot be public and open); a private security agency is a legitimate institution (it is public and open); the police force is a state institution (its principles and purposes are specified in the law). (Airaksinen 1988:96.)

The main problem concerns institutions like state intelligence agencies. They are legitimised and secret at the same time. Perhaps we can say that they are legitimate, because (or if) their code of conduct is written down, their decisions are at least indirectly under the public control, and their vacancies are open to talent. Citizens are often afraid that this is not the case. It is indeed quite possible that an unjust state may have institutions that are illegitimate and live their own camouflaged life, like the South American death squads organised perhaps by the local militia (1988:96). Airaksinen moves away from the idea of subtlety and camouflage to give a minimalist account of coercive formal institutions in the strongest sense of the term. He gives a set of three necessary conditions for their existence, mentioning features which allow us to identify a formal coercive institution among a set of its merely explicit variants:

(1) it is an element of the state, when the state is understood in its normal political sense in an international comparative perspective; (2) it is constituted through rules and norms that are systemic, public, controlled, and enforced, and moreover, can be changed through some special, partly bureaucratic methods; and, finally (3) it has a positive normative status for its individual agents, so that they are under the typical obligations created by the very existence of the formal institution. (*Ibid.*)

These conditions give us a picture of what is meant by a legitimate institution: We participate in a society comprising such institutions which are arranged in such a way and

embedded in such a context that any individual agent will both know the institution and be under an obligation to act in full recognition of its existence and goals. Moreover, in so acting (and successfully applying coercive tactics) the institution backs up this coercive behaviour by raising the expectation that the coercive threats can and will be realised should the victim fail to comply.

Examples of formal coercive institutions are easy to give, and they can be classified immediately in terms of their relations to state power. First of all we have a court system, which is an overarching control mechanism with a double function: courts both utilise and control the actions of coercive agents. This is to say that some formal coercive agents realise the orders of law courts and are responsible before the law. (1988:98)

As a second group of examples, Airaksinen cites the police, the penal system, the intelligence service, and the army. These institutions have a primary right to present threats in the sense that no coercive institution of the state can exercise physical coercive power against them in return. All actual coercive power is located here, so that these institutions are responsible for presenting the ultimate threats against victims who might escape any situation that does not entail, say, police action. Their threats extend to killing.

Third, customs and internal revenue services are examples of formal coercive institutions that may not have their own resources to realise any serious threats. Still, they are at least partly genuine coercive institutions in so far as they present threats against the welfare of some individuals who act in unacceptable ways. For instance, a person may believe he is taxed unfairly. If he does not pay, he is threatened by the internal revenue service by extra taxation. He may take his case to the law court, but if he loses the case he will be faced

with police action against him. In this way, the threats of customs and the internal revenue service and the like are not immediately serious as to their consequences, mainly because those institutions cannot use violence. Yet ultimately, they are able to utilise the power of the institutions that do present violent threats. (*Ibid.*)

Through the discussion of these examples, Airaksinen reveals how and why legitimate coercion has a hierarchic structure. Many threats are indeed serious, and their use is restricted to some special agencies, even if other agencies can present threats which in the end presuppose violence. And there is no doubt that the police and army are able to maim and kill people more or less on a routine basis. (1988:99) It is worth reflecting at this point on the volatility of power relations. Power can be thought of as a double headed coin (equal value attributed to both sides) with the more enabling aspect of power on one side and the more coercive aspect of power on the other. Airaksinen presents a very clear picture here of the coercive flipside of the coin--“power-over” even to the extent of exercising the power over life itself in order to realise a coercive threat.

It is self-evident that coercion, while a recognisable aspect of power relations is not completely rampant and unchecked within society (although one could be forgiven for believing this is so, in the case of some war-torn Eastern European countries). Airaksinen investigates the limits of coercion and concludes that these arise in at least five ways. First, a rational coercer is supposed to present believable and convincing threats and, depending on his less than maximal degree of rigidity, his victim may negotiate a deal or

present a counter threat, so that the coercive grip relaxes. Second, a well informed victim is bound to realise that a merely prudent agent will not be able to stage a serious threat. All parties involved in the exchange must believe that the coercer has justified the idea that his social commitments overcome his personal good in such cases where he presents a threat. (*Ibid.*)

Third, an institutional coercive agent can justify his actions only as far as he sees the institution he is part of as morally justifiable, fully motivating and worth supporting (Airaksinen 1988: 105-6). According to Airaksinen, these two aspects--justification and motivation--are indeed mutually independent: a person may well see the reasons for, say, strong police action, but it does not follow that he should try to participate, or even admit that someone should participate. And it is not clear, why the coercer, as a police officer, should accept as just the requirements of his role in all relevant circumstances. He points out that the missing link in the argument is the premise that the coercer's personal position within the institution is such that he can ground his decision to present a threat on the alleged fact that his institution is embedded in an acceptable, good, and just social order. (*Ibid.*)

The fourth limit can now be identified: the coercive institution must check that its power does not depend only on each coercer's personally accepted moral ideas concerning his own actions and the justice of the institution. This last limit is drawn by the institution's ability to motivate the coercer to present threats even in those cases in which he himself

fails to see what his own positive reasons are. In other words, the coercive agent's power to convince depends on the power the institution exercises over him--presumably as the direct exercise of coercion and authority. (*Ibid.*)

We arrive at a position where the coercer is expected to exercise coercion even if she doesn't know why. Airaksinen explains this apparent puzzle within some rather narrow limits, namely, in those cases where the coercer has good reasons to accept the idea that it is part of her role to coerce even without seeing why she does it. She may recognise a global justification for her role, without being able to derive any local (moral or prudent) justification for her case-specific decisions. (1988:197)

In some crucial survival situations, it may well be necessary to "coerce the coercer to coerce." *This last functional limit which determines when the coercer will become a victim--is certainly problematic in a normative perspective, because we suppose now that, even if a rational coercer does not accept coercive policies, the other members of the institution might demand it from him.(Ibid.)* It seems that this fifth limit is usually built into our central coercive agencies, like armies in combat. Survival is one of the basic motives for the exercise of power, and in critical situations moral considerations tend to become irrelevant, distorted and reinterpreted. When faced with the issue of killing the enemy in combat, Airaksinen argues that moral considerations give way to our more elementary needs and goals [execute the order of the superior officer or face the same fate

yourself] as David Hume for instance was prepared to argue: The coercer himself faces something like coercive threats, should he fail to act. (Airaksinen 1988:108)

Accordingly, it is important to any coercive institution to construct its basic structure in such a manner that these five limits can be incorporated into it and their constitution explained in an intelligible way. *Otherwise social power collapses into naked violence, which cannot do the work we expect from power.* (Mackey 1980:84) Airaksinen argues that by building in what he refers to as “the five limits” coercive institutions reinforce their structure and operations with strategies, fall-back positions and maintenance measures to ensure that all involved act out predetermined roles, that the coercer carries out orders even against his better judgement if required. Without these limits in place, coercion would not only be a high-risk strategy, but in the worst case scenario, the possibility of anarchy and unchecked violence while undesirable and socially catastrophic, would not produce the effects and compliant behaviours expected of the exercise of power.

But every social structure needs protective institutions whose members will not fail to act in the all-important hard cases. It is time to question how far a social system can push the limits of efficiency of its coercive institutions and still retain their basic justification. Airaksinen’s conjecture is that this second-level normative argument is essentially related to the basic survival rights of society and its members. The whole structure of a formal coercive institution is typically based on the idea that any social order has the right to

protect its members and to guarantee its own continued existence as a necessary condition of the well being of citizens.

The last element in the complex structure he is sketching is the global justification, given in terms of ascriptions of justice, to the whole social order--and consequently to its elements. In general we presuppose that the whole society in question is just and its political order is legitimate. Then the coercive institution is also automatically acceptable. *The normative characteristics of society and the social order are the most necessary general elements of the argument a rational coercive agent needs.* (Airaksinen 1988: 108) We want to stipulate that the society is just and fair. What then is the most general ideology the coercer can find to support her decision to accept her role? Of course, it is the double thesis that her society is both legitimate and just. (*Ibid.*)

Taking Foucault and Airaksinen together results in a balanced tension: The former deliberately sets down as a "methodological precaution" (Foucault 1976) to concern himself not with the regulated and legitimate forms of power in their central locations, but rather, their ultimate destinations: power at the extremities where "power from the centre equips itself with...violent means of intervention." Foucault argues that his analysis locates power at the extreme points of its exercise, where it is always less legal in character; where we see its intended effects (this is of course the exact opposite of Hobbes' project in *Leviathan*). This analysis hence provides the counterweight to the focus of Airaksinen's project on the more centralised coercive institutions. But the

problem we are left with is this: Foucault asks questions about the structure and nature of power and the way violence is implicated, but is not at all interested in its legitimacy. Airaksinen sees violence in all power and asks questions about legitimacy, but doesn't pay attention to how it came to be so constituted. I am interested in the way both authors attempt to necessarily connect power and violence because I will argue in subsequent chapters that violence is not legitimate, and we had better be interested in the shortcomings of these theories if we are to lay plausible claim for new connections between power and nonviolence. (This point will be directly taken up in chapters 4 and 5, but discussed in detail in chapter 6 where I extract from Foucault's analysis that violence not only describes, but represents something important, and charge Airaksinen with failing to notice this aspect)

I will conclude with a brief discussion of the work of Thomas Wartenberg (1990), Michael Mann (1986), WJ Mackenzie (1975), David Beetham (1991) and Michael Ball (1995). Like many other detailed analyses the major problems and complexities relating to power have been raised and addressed during the early stages of this chapter. For the sake of brevity, I will only seek to highlight key points in the work of the authors mentioned above. In some cases, a few paragraphs while inadequate to do justice to their research, will act as examples of the problem concerning me in this project.

Thomas Wartenberg in writing *The Forms of Power* (1990), undertakes to develop an ontological understanding of power. He avoids the temptation to isolate one or other

view of power as *the most basic*. Instead he sees it as important to view power as a general social phenomenon whose more specific instances embody *a variety of forms*. By this he means that more than one type of power can be present in a single action (force and coercion as just one example) and criticises Max Weber's interpretation that there can be ideal types of power and that these types of power can be seen as ideal examples of power relations. Instead Wartenberg highlights the messiness of empirical reality as opposed to the clarity of theoretical analysis--a view supported by Mann (1986). Wartenberg suggests that actual power relations between social agents will not exhibit one type of power in separation from all others, but will at a minimum consist of an array of these types, consolidated into the field that is a concrete power relation. He argues that domination represents the most significant use of power within society, which leads him to a category of "uses" of power. He focuses on the *positive use of power* (essentially through transformative power) to counterbalance what he sees as a focus on the predominantly negative use of power (domination) in society.

Wartenberg's theory of power acknowledges the diverse forms that power can take in the social world, while also treating power as the result of the ongoing interactions of human social agents. It is for this reason that he calls it a "*field theory of social power*."

(Wartenberg 1990:3)

By the term social, I also refer to power in all its different forms as a social reality. All the more particular forms of social being such as the political, the economic, and the familial are encompassed by the idea of the social. A theory of social power conceptualises the forms that power takes in intersubjective human life, abstracting from the specific character of more particular forms of power such as political and economic power. (*Ibid.*)

He qualifies this by arguing that previous theorists of power, particularly political theorists, have failed to recognize that power can be exercised within all of the different domains that constitute human social life, and instead have tended to limit their theories of power to the sphere of politics. While a decision made by a political leader might certainly qualify as a paradigm case of the exercise of power, so too might the decision of a corporate executive. By focussing on social power in general, he wants his theory to correct the one-sidedness of such views of power and determine by analysis how power manifests itself socially.

Before undertaking the investigation, he distinguishes two different concepts of power based upon two phrases in which the term appears: the concept of *power-to* and the concept of *power-over*. He proposes that each of these concepts has a legitimate use within social theory, but that, despite the connection between them, they need to be kept distinct by an adequate theory of social power. He argues that a theory of social power has, as a first priority, the articulation of the meaning of the concept of power-over because social theory employs this concept as a primary means of conceptualising the nature of fundamental inequities in society (ie the power of one agent over another). (1990:5) His explanation of this, supports Airaksinen's work on coercion, and will not be repeated here. However, it will be of interest to the discussion to consider his argument for the "dynamic" aspect of power which has temporal as well as static aspects to its existence and therefore is always in motion. He claims that questions like "Who has power in society?" tend to treat power as something that does not simply exist as a static

social presence, but as something that is continually being “reconstituted and/or altered by means of the actions and understandings of social agents. A dynamic conception of power will acknowledge that power is a particular type of ongoing social process, not simply a static social distribution.” (*Ibid.*)

In criticising the views of power articulated by social theorists Wartenberg points out that such views tend to focus upon particular interventions as appropriate sorts of places within which to locate power as a social reality. Against Foucault, he claims that this is a mistake, for power is not simply *relational*--that is, something that relates human beings to one another in particular interventions; power, he argues, exists in *relationships*--it has a primary location in the ongoing, habitual ways in which human beings relate to one another.

I remain unconvinced that Wartenberg's analysis is the improvement on Foucault's that he claims it to be. He wants the reader to recognise a strength in his situated conception of power when it concludes that power exists primarily in social relationships and not in isolated exercises. It posits a particular ontological structure of human social relationships as constituting situated power relationships and, in so doing, explicitly posits ongoing social relationships as the primary locus of power in society. When relationships rather than events become the focus of a theory of power, it becomes clear that power is not a property that can simply be physically possessed by its owner, taken away, or conferred on someone else. In this way he want power to enable the agent to undertake constructive

action, rather than continue to be a victim of a coercive regime, as Foucault would have it. In chapter 6, I will build on these ideas, but I remain unconvinced that Wartenberg's theoretical account significantly shifts the dialogue of power to a more positive footing. Because *he acknowledges paradigm cases of power as domination*, fails to indicate what this violent actions represents, fails to show what is wrong with this, and why his analysis constitutes an improvement. I will argue later that by following a similar analytical pattern to those he accuses, he stands equally condemned of providing yet another descriptive account, when it is what power represents when exercised through violence or nonviolence that is the important point.

In attempting to consider a cluster of alternate views on power, inevitably many of the key issues will be raised and analysed early, enabling a more rapid overview of later works. Having completed the detailed exposition of coercion, authority, legitimacy, social relations and the role of the state through the works of de Jouvenel, Foucault, Airaksinen and Wartenberg, the remaining discussion in this chapter will confine itself to summary points in response to other authors and my remaining concerns which motivate the project on power and nonviolence.

Michael Mann has produced a two volume history and theory of power relations in human societies under the title: *The Sources of Social Power* (Mann 1986). In this work he identifies the four principal sources of power as: control over economic, ideological, military and political resources. He examines the interrelations between these in a

narrative history of power from Neolithic times, through ancient Near Eastern civilisations, the classical Mediterranean age, and medieval Europe to the period of time just before the industrial revolution in England. Rejecting the conventional monolithic concept of a society as unitary or a totality, Mann's model reflects aspects of Foucault's work viewing it instead, as a series of overlapping, intersecting power networks.

Human beings do not create unitary societies but a diversity of intersecting networks of social interaction. The most important of these networks form relatively stably around the four power sources in any given social space. But underneath human beings are tunnelling ahead to achieve their goals, forming new networks, extending old ones, and emerging most clearly into our view with rival configurations of one or more of the principal power networks. (Mann 1986:16)

What is the basis for this rejection of unitary societies? Mann argues that a theoretical assumption lies at the base of the unitary conception: Because people are social animals, they have a need to create a society, a bounded and patterned social totality. But, like Foucault, he sets out to demonstrate the error in this assumption. Human beings need to enter into social power relations, but they do not need social totalities. They are social, but not societal animals. This point will be expanded at a later stage in the discussion.

Mann pays tribute to the debt owed to Weber and his general vision of the relationship between society, history and social action and seeks to isolate the most important element in human societies--that which is ultimately prime or determinative. 'He proposes that conceiving of societies as multiple overlapping and intersecting power networks, as

seamless webs spun of endless multicausal interactions, gives us the best available entry into the issue of what is ultimately primary or determining in societies.” (Mann 1986: 2)

The emergence of social power relations has always been recognised in social theory. From Aristotle to Marx the claim has been made that “man” is a social animal, able to achieve goals, including mastery over nature, only by cooperation. As there are many human goals, there are many forms of social relations and large and small networks of interacting persons, involving the family, the economy and the state.

In its most general sense, Mann sees power as the ability to pursue and attain goals through mastery of one’s environment.” (*Ibid.*) Social power carries two more specific senses. Mann refers to these as collective and distributive power. The first is mastery exercised over other people. For example power in this sense is the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance (Weber 1968:1, 53). Such definitions restrict power to its *distributive* aspect, power by A over B. For B to gain power, A must lose some. Their relationship is a “zero-sum game” where a fixed amount of power can be distributed among participants. (Op. Cit., p.4) Airaksinen would agree.

Mann refers to a second *collective* aspect of power, whereby persons in cooperation can enhance their joint power over third parties or over nature. In most social relations he

concludes, both aspects of power, distributive and collective, exploitative and functional, operate simultaneously and are intertwined.

Like Foucault and Airaksinen, Mann extends his analysis to consider how distributive power is achieved, and concludes that the few at the top can keep the masses at the bottom compliant, provided their control is institutionalized in the laws and the norms of the social group in which both operate. Institutionalization is necessary, he says, to achieve routine collective goals; and thus distributive power, that is social stratification, also becomes an institutionalized feature of social life.

There is thus, a simple answer to the question of why the masses do not revolt—a perennial problem for social stratification - and it does not concern value consensus, or force, or exchange in the usual sense of those conventional sociological explanations. The masses comply because they lack the collective organisation to do otherwise, because they are embedded within collective and distributive power organisations controlled by others. They are organizationally outflanked. (Mann 1986:26)

This can be seen as an interesting footnote to findings of Foucault and Airaksinen, who are presenting similar views. Mann adds the twist that the masses are outflanked due to a lack of organisation, and it is this “organising” aspect of power in which he is most interested.

In relation to the exercise of power, Mann has introduced two terms, *extensive* and *intensive* power. Extensive is the ability to organise large numbers of people over far-flung territories in order to engage in minimally stable cooperation. Intensive power is the ability to organize tightly and command a high level of mobilization or commitment from

the participants, whether the area and numbers covered are great or small. He argues that the primary structures of society combine extensive and intensive power, and so aid human beings in extensive and intensive cooperation to fulfil their goals. Mann offers examples of each:

Military power offers examples of authoritative organization. The power of the high command over its own troops is concentrated, coercive, and highly mobilized. It is intensive rather than extensive—the opposite of a militaristic empire, which can cover a large territory with its commands but has difficulty mobilizing positive commitments from its population or penetrating their everyday lives. Intensity has been much studied by sociologists and political scientists, and I have nothing new to add. Power is intensive if much of the subjects life is controlled or if he or she can be pushed far without loss of compliance. (1986:27)

Unsurprisingly, as in any major historical study, investigation of the role of military power becomes a focal point and Mann's work is no exception. Where Airaksinen reflects a broad base of coercion throughout society, Mann explains how military power reorganises existing social life, through the effectiveness of a particular form of "concentrated coercion" on the battlefield. Military power enables a reorganizing spurt, a regrouping both of the myriad networks of society and of its dominant power configurations.

Military organization is essentially concentrated coercive organization. It mobilizes violence, the most concentrated, if bluntest, instrument of human power. This is obvious in wartime. Concentration of force forms the keystone of most classic discussions of military tactics. It may endure beyond the battlefield and the campaign. Militaristic forms of social control attempted in peacetime are also highly concentrated. For example,

directly coerced labor, whether slave or corvee, often built city fortifications, monumental buildings or main communication roads or channels. Coerced labor appears also in mines, on plantations and on other large estates, and in the households of the powerful. But it is less suited to normal dispersed agriculture, to industry where discretion and skill are required, or to the dispersed activities of commerce and trade. (Mann 1986:26)

Military power is sociospatially dual: a concentrated core in which positive coerced controls can be exercised, surrounded by an extensive outer layer in which terrorised populations will not normally step beyond certain niceties of compliance but whose behaviour cannot be positively controlled. For this more specific type of control, Mann introduces the role of political power.

Political power derives from the usefulness of centralized, institutionalized, territorialized regulation of many aspects of social relations. He doesn't define it in purely "functional" terms, in terms of judicial regulation backed by coercion. Such functions can be possessed by any power organization--ideological, economic, military, as well as state. Mann restricts it to centrally administered and territorially bounded regulation and coercion; that is, to state power. Mann suggests that by concentrating on the state, we can analyze its distinctive contribution to social life. Second, military, economic and ideological power can be involved in *any* social relationships, wherever located. Any superordinate or group of superordinates can exercise these forms of power against any subordinate or group of subordinates. By contrast political relations concern one particular area, the "centre."

Political power is located in that centre and exercised outward. It is necessarily centralized and territorial, and in these respects, differs from the other power sources. Those who control the state, the state elite, can obtain both collective and distributive power and trap others within their distinctive “organization chart.” (*Ibid.*) But states’ territorial boundaries--in a world never yet dominated by a single state--also give rise to an area of regulated interstate relations. “Geopolitical diplomacy is a second important form of political-power organization.” (Mann 1986:27)

Earlier, we considered Mann’s view that the following theoretical assumption lies at the base of the unitary conception: Because people are social animals, they have a need to create a society, a bounded and patterned social totality. But, as we have seen, he claims this to be false. “Human beings need to enter into social power relations, but they do not need social totalities. They are social, but not societal animals.” (1986:6)

Consider some of their needs. As they desire sexual fulfilment, they seek sexual relations, usually with only a few members of the opposite sex; as they desire to reproduce themselves, these sexual relations usually combine with relations between adults and children. For these (and other purposes) a family emerges, enjoying patterned interaction with other family units from which sexual partners might be found. As humans need material subsistence they develop economic relationships, cooperating in production and exchange with others. There is no necessity that these economic networks be identical to family or sexual networks, and in most cases they are not. As humans explore the ultimate

meaning of the universe, they discuss beliefs and perhaps participate with others similarly inclined in rituals and worship in a church. As humans defend whatever they have obtained, and as they pillage others, they form armed bands, probably of younger men, and they require relations with non-fighters who feed and equip them. As humans settle disputes without constant recourse to force, they set up judicial organisations with a specified area of competence. Where is the necessity for all these social requirements to generate identical sociospatial interaction networks and form a unitary society? (*Ibid.*)

While Mann's project adds to this discussion and complements the issues raised by Foucault, Airaksinen and Wartenberg, we move beyond his project of the quest for ultimate primacy to his more general conclusion--the implementation of change within society: "...the social world can certainly be changed in time, and its future is open. The question in its own context implicitly insists that we change the world in some better direction." (1986:79)

To do so he stresses the need to move outside the structures of domination which prohibit us from utilising the structures and processes for successful change. I will consider in Chapter Four, how this might be achieved utilising an alternative metaphysics of power, one not dependent on violence.

Now, the purpose of this chapter has been to provide an overview of important works on power which have influenced the philosophical landscape. My claim in the preface to this

dissertation is that the current body of work on power asserts that it inevitably either explicitly or implicitly rests on violence. Through all of the works so far this indeed seems to be the case. Even the most optimistic of the authors, Michael Mann, stresses the need to somehow move outside of the structures of organised coercion, but stops short of proposing how. Other contributions in this area over the last twenty year period appear to reflect the same problem. Let us take a few cases in point. Mackenzie (1975) in *Power, Violence, Decision* concludes that there is no choice, unless the individual has power to see his/her choice executed. In so far as we choose to make choice an *end*, we must seek power as a *means*. He presents power definitively as dependent on violence, social in character, with many guises. This view is supported by Murvar in the *Theory of Liberty, Legitimacy and Power* (1985). Here we see a misery and bleakness hanging over the body of work on power. He proposes that from Montesquieu to Weber, to the present, the most discerning observers of power structures with their respective legitimacies and absence of liberty (while they don't agree on labels, terms and conceptualisations) agree on a very general, but seminal notion of the misery and poverty of human experience with power and rulership (1985:4-5). This trend continues with Beetham--another of the most important theorists writing in this area--who again only picks up the pieces of power resting on violence and domination. In *The Legitimation of Power* (1991) he concentrates on the exercise of power by one person over others, or by one group over another. He sees this as the basic and recurrent feature of all societies. Those who are subordinate experience it as constraining, often humiliating and sometimes life-threatening. Those who hold power or seek to do so are frequently at odds with one another over the scope of

their power and the control over their subordinates. (Beetham 1991:3). Terence Ball (1995), reviews a range of influential contributions; and while recognising a focus on violence, flags the need for consideration of moral implications before concluding with his response against the essential contestability of power. I agree with Ball on at least one point: the consequences of power through violence and the resulting moral implications, have not been adequately addressed, a subject to which I will return in later chapters.

I believe the following argument can be distilled from the research outlined in this chapter:

1. Power is about effecting change (there seems to be the least amount of disagreement stemming from this influential claim provided by Lukes and modified by Morriss).
2. Violence is implicated in the majority of theories of power.
3. If the conception of power as it is presented in philosophical discourse is correct, there are two clear outcomes for the individual. Either:
 - (a) pursue power through violence
 - (b) reject this and remain powerless.
4. There is no connection made between power and nonviolence in the work on power.

So,

5. Either

(a) there is no connection between power and nonviolence because it simply has nothing to do with nonviolence.

or

(b) Documenting a number of instances where violence is implicated in power has led (in the same way that the *all swans are white* claim led) to the building blocks of philosophical discourse presenting the two as necessarily linked. Convincing evidence is gathered to support this claim across a range of different circumstances; theories are constructed making it increasingly difficult to think of power in any other way (violence here is not just one case, but represents a number of guises as coercion, force, influence, threats and so on).

6. If 5(a) is correct, then effecting change occurs through violent means. This makes sense in a broad perspective from physical change (volcanic eruption and so on) to human affairs (one agent controlling another by intimidation, threats, coercion, force, influence and so on; where there is always a cost to the subordinate agent)

Many of the theorists writing on power refer to power as the capacity to achieve change through violent means, but change is also effected through *other than violent means* (In chapter four and five I will provide a detailed analysis of change through nonviolence with particular reference to the exiled Tibetan community and the South African Truth and Reconciliation Commission). This implies that the current body of theories about power

must only be revealing part of the story and cannot be considered an adequate view [In Heidegger's terms every assertion both conceals and reveals: We judge philosophies on the merits of what is revealed against what is concealed. Our criteria for this judgement are the philosophical needs of our time and place]. (Kasulis 1981:24) There are clear examples from contemporary society that show how some change is effected through nonviolent means but the connection to violence is very different--it confronts rather than constitutes it (in post-apartheid South Africa, the Truth and Reconciliation Commission hearings showcase power and nonviolent solutions mandating that coercers confront the moral structure of their coercion along with the power structures they are exploiting. For further examples see MK Gandhi, ML King Jr. and the Tibetan Government in Exile). This places the individual, by choice, on a completely different moral path to that first discussed, requiring a different understanding of power.

In conclusion, the implications for a moral agent exercising power through nonviolence will be vastly different to those of the agent exercising power through violence. If we regard violence as the only way to access power and effect change, then as individuals we will be fixed in the past, for the present already presents examples of the acquisition and the exercise of power through nonviolent means, and offers the opportunity for a different path with a very different moral complexity. While this won't suit some individuals, at the very least, progress should reflect a choice. This choice, and an alternative metaphysics of power will be outlined in the following chapters.

Chapter Two
- Can Power Through Violence Ever Be Legitimate? -

For the moral or political philosopher, power is legitimate when the rules governing it are justifiable according to rationally defensible normative principles. I will ask under what conditions the exercise of power (particularly state power) can be legitimate in the first place and settle on conditions of legitimacy for government. I will focus on the difficult cases where violent action appears to be legitimate. I will argue that a detailed understanding of violence will show that some actions look violent but are not, and that other actions appear to be legitimate exercises of force when they are in fact violent and illegitimate.

From this analysis I will show that legitimacy of government cannot be used to legitimate violence, and that violence cannot be a legitimator of power. I will further argue that those attempting justification for violent action are involved in a performative contradiction. I will show why respect for persons is implicated in the discourse on legitimacy and why the recourse to violence undermines this action resulting in the performative contradiction. I will argue that the agent cannot at the same time, enter into a discourse on legitimacy and perpetrate violence. From this follows the conclusion that the agent must either give up the discourse on legitimacy--viz simply say "It is in my

interests to do this, and your interests just don't matter"--or give up violence. I will argue in the following chapter that this is precisely the choice forced by nonviolent action. The key element in this chapter will be the development of a representational theory of action. I will argue that what violence represents is error or falsity and is morally wrong.

I will begin the discussion by answering the question, "why does power require legitimation in the first place?"

Flathman (1995:527) warns that legitimacy is a notion which should arouse apprehension for the following reason: Governments that are legitimate have the "right to rule"--to demand obedience from their citizens or subjects. Flathman argues that it is at least partly correct to say that this authority is independent of the content of the laws or commands issued by those invested with it (Hart 1961)--that the authority of a law or command is a reason for obeying it regardless of its contents or their merits. He argues that the laws or commands leave those subject to authority with but two choices: Either obey the command, or disassociate from the political association of which authority is a constitutive feature. He notes that theories of passive and civil disobedience add the third option of disobedience to commands judged to be unjust but on condition of peaceful submission to the penalty assigned (King 1964).

The central plank of Flathman's discussion also appears at the heart of many other theories of legitimacy: Where power is acquired and exercised according to justifiable rules, and with evidence of consent, we call it rightful or legitimate. But to concede the legitimacy

of government is to accord to some number of persons a right that we otherwise reserve to ourselves, the right to conduct our own lives and affairs as each of us deems appropriate. Hence, power is not *prima facie* legitimate. Flathman claims that much past and present political philosophy either subordinates the question of legitimacy or implicitly treats its possibility and desirability as philosophically and politically unproblematic. David Beetham in *The Legitimation of Power* (1991) offers reasons for such treatment.

How far power is legitimate, what makes it so and why it matters are all contentious questions that have been the special focus of different groups of professionals--legal experts, moral and political philosophers and social scientists, to name only a few. Each group has approached the above concerns from a different standpoint, employing different definitions of "legitimacy" (Beetham 1991:3). Beetham elucidates the concern raised by Flathman when he argues that power relations and the issue of legitimacy have been treated as unproblematic because they have been thoroughly confused (1991:7). Through this confusion we can see the starting point for a failure to conceptualise adequately or to offer a coherent account of what makes power legitimate in particular societies. Beetham places this burden squarely on the shoulders of Max Weber:

The source of the confusion lies with the work of Max Weber. It is one of the most remarkable features about the study of legitimacy in politics departments, at least in the Anglo-Saxon world, that it is suspended between two separate bodies of literature that have absolutely no connection with one another. If you are studying legitimacy as a subject in political philosophy you will probably start with Thomas Hobbes, if not earlier, and proceed through the great tradition which includes Locke, Rousseau, Hegel and others. If you are studying it as a subject in political science or political sociology you will most likely begin with Max Weber, and may not discuss other thinkers at all, but proceed to a series of empirical case studies of power relations and theoretical explanations for obedience and disobedience. (Beetham 1995:7-8)

This is Beetham's starting point in an attempt to clear up the apparently messy subject of legitimacy. Following his concern through a number of stages will serve to highlight why we might be justified in considering aspects of apparently legitimate government as problematic, and why therefore the relative silence of fellow philosophers is deeply puzzling (It is not the case that contemporary philosophy fails to pay attention to ethics--after all we can call upon virtue ethics, the theory of war, the theory of justice and ethics of care to name only a few from an increasingly extended list; it is amazing though that while engaging itself in all of this ethical activity, on the foundational issue of the legitimacy and illegitimacy of violence, contemporary ethics is remarkably silent).

Acknowledging Weber's enormous influence across a range of disciplines, "On the subject of legitimacy," (Beetham correctly points out) "Weber's influence has been an unqualified disaster." (*Ibid.*) The problem stems from Weber's definition of legitimacy. To say that a given power relation is legitimate, Weber argues, is not to make a moral judgement about it, but to make a report (which may be empirically true or false) about other people's beliefs. Power is legitimate where those involved in it believe it to be so; legitimacy derives from people's belief in legitimacy. So, Weber writes, legitimacy is equivalent to "Legitimitätsglaube" (a belief in legitimacy); and legitimate power is power "als legitim angesehen" (that it is regarded as legitimate). [Weber 1956:23,157,659; 1958:493]. Taking Weber's idea and tracing it through the writing of his contemporaries, will allow us to see how legitimacy has come to be viewed as relatively "unproblematic."

S.M Lipset (1958:86), in typically Weberian vein, defines the legitimacy of a political system as its capacity “to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society.” And R. Merelman (1966:548) calls legitimacy “a quality attributed to a regime by a population. That quality is the outcome of the government’s capacity to engender legitimacy.” Beetham points out the obvious problem: taken to their logical conclusion, such definitions would imply that the reason for the collapse of the communist regimes in Eastern Europe in 1989 lay in a deficiency of public relations, rather than in anything actually wrong with the system of rule itself. This usage transforms legitimacy from a question about the actual characteristics of a system of power into one concerning the beliefs people hold about it.

Referring to this issue, and the definitions of legitimacy taken from Weber, J.H Schaar (1969:284) argues that “The new definitions...all dissolve legitimacy into belief or opinion; If people hold a belief that existing institutions are ‘appropriate’ or ‘morally proper’, then those institutions are legitimate. That’s all there is to it.” Hannah Pitkin (1972:283) in turn draws attention to the epistemological consequences of such a definition: “In seeking to insulate the sociologist from the context of judging and taking a position,” she writes, “Weber in effect made it incomprehensible that anyone might judge legitimacy and illegitimacy according to rational, objective standards.” And Robert Grafstein (1981:456) points to the abandonment of moral judgement entailed by the Weberian approach: “The concept should properly signify a normative evaluation of a political regime: the correctness of its procedures, the justification for its decisions, and the fairness with which

it treats its subjects. In Weber's hands however, legitimacy no longer represents an evaluation of a regime; indeed it no longer refers directly to the regime itself." These criticisms seem to me entirely justified in pointing to the reductionist conclusions that can be drawn from the Weberian definition of legitimacy. My intention is to move the discussion below from this internalist stance to an externalist viewpoint. Before doing so, two small but not insignificant side issues will require explication: first, the subtle shift in definitions employed by some governments attempting to legitimise the use of violent action; and second, what it is about violent action that withstands any attempt at legitimacy.

The first thing to raise is the cleverly subtle move by governments attempting to justify violent action: One specific technique employed, is to define "violence" in such a way that the illegitimate use of force is only attached to agents external to the state structure. Before exploring this issue a caveat is required:

The development of a new metaphysics of power through nonviolence will require a careful and extensive discussion of current definitions of "violence", the weakness of these and proposed alternative definitions of violence and nonviolence. The critical idea is that the term violence is used consistently to mean *physical force*. This detailed discussion sits appropriately in chapter four because it leads to a new expansive definition of "violence" and "nonviolence" introduced by Professor Samdhong Rinpoche. This set of definitions will represent an important part of the theoretical underpinnings for a new metaphysics of

power based on nonviolence which is developed in subsequent chapters. I raise the issue here as a promissory note that appropriate arguments will unfold, but for this side discussion I intend only to note that definitions of violence are simplified to the *effects of physical force* having nothing to say about the agent undertaking the action, or the germination of violence (its origination). Moreover, the new definitions will make the important distinction between “hurt” and “harm,” another issue I will bring forward in simplified form when considering police action below.

Definitions become important to the point in hand because in an attempt to legitimise violent actions, paradigm coercers (like state governments and police forces) move the goal-posts to a position where violence is still equated with force, but the state team are very careful to disassociate from *that* game. As I will show below, state agents apparently exercise *legitimate force* and people who are not agents of the state exercise *illegitimate-force-which-is-violence*. Before examining this point in detail, I will utilise the work of Grundy and Weinstein (1974) when they summarise the four major ideological justifications of violence: Legitimist, Expansionist, Pluralist and Intrinsic. (I will refer to them briefly for clarification and then build explanatory examples around what I consider to be the foundational [legitimist] account. I choose the simplest account to examine problems attached to legitimacy, because it makes no difference to my argument which is chosen--my claim is that *no act of violence can be justified*).

Legitimist

Legitimist ideologies justify political violence when it is aimed at protecting or restoring a single normative order which the ideologist deems legitimate, or at disrupting an order which he deems illegitimate. For example, many people claim that the state is justified in using protective violence

to quell disruptive violence, and others claim that the violence of revolutionary groups is justified when it aims at restoring a traditional normative order. Legitimist ideologies are related to narrow definitions of violence, because they are apt to define violence as an attack on the normative order which they are defending.

Expansionist

In expansionist ideologies political violence is justified as a means of imposing a normative order deemed superior on "alien groups." For example, an ideologist defending racial inequality may defend the imposition of a political order by force on a racial group s/he deems inferior. The imposition of the supposedly superior normative order may be carried out by a dominant power group occupying the same territory as the subordinate group.

Pluralist

Diametrically opposed to expansionist ideologies are pluralist ideologies of political violence. In pluralist ideologies political violence is justified as a means of winning the right of a group to have its own normative order. For example, an ideologist defending the rights of an ethnic group to political and national self-determination may defend rebellion against established authorities as a means to attain these rights. The aim of the ideologist here is not to show why one group should dominate another, but why a group should escape from domination. This ideology of violence is called "pluralist" because it usually explicitly or implicitly recognizes the rights of all national or ethnic groups to self-determination. This use of the term "pluralist" should be distinguished from other popular meanings such as philosophical pluralism (the rejection of a single principle for explaining the universe), pluralist democracy (the competition of diverse interest groups within the institutions of representative government), and social pluralism (the presence of two or more relatively autonomous ethnic or national groups within a single society). Both expansionist and pluralist ideologies of violence are related to operational and behavioral definitions of "violence" because they defend acts of violence beyond those merely involved with protecting a given normative order. However, this relation is not logically necessary and pluralists, especially, frequently use broad and ethical definitions of "violence."

Intrinsic

The fourth major justification of political violence is intrinsic. In intrinsic ideologies political violence is justified by its direct contributions to the development of personal character, commitment to cause, and quality of social structure. For example, a revolutionary ideologist may argue that if oppressed individuals undertake violent acts against the ruling classes, they will be purged of their feelings of inferiority and become new persons, opposed to the dominant social structure and firmly committed to the society of the future. Similarly, other ideologists of social change may argue that if oppressed individuals undertake nonviolent resistance, important and direct psychological benefits will ensue. The term "intrinsic" is used to describe such ideologies because they tend to justify violent acts in terms of the experiences which they evoke rather than in terms of ulterior aims. Intrinsic ideologies of political violence are related to expansive and ethical definitions of violence because they focus on attaining personal liberation from all forms of oppression. As was the case with the other ideologies, however, this relation is not logically necessary, and intrinsic ideologies will employ various definitions of violence depending upon the particular context. (Grundy & Weinstein 1974:14-17)

Of the justifications above, I will focus on the legitimist ideology to show how the process of defining “violence” is paramount for its attempted justification. As previously introduced, in an attempt to legitimise violent actions, paradigm coercers (like state governments and police forces) move the goal-posts to a position where violence is equated with force, but the game of legitimacy reflects a distinction between force exercised by the state and force exercised by people who are not agents of the state. The subtle and interesting shift results in the state by stipulation exercising actions labelled by the term “legitimate force” and the term “violence” attaches to the use of force by persons who are not agents of the state.

The orthodox or *narrow* definition of “violence” emphasises this point: Grundy & Weinstein (1974:11) argue that the discourse of legitimacy now begins to reflect definitions of violence which include “only acts of violation in which physical force is applied and which are *illegal*.” Sidney Hook (1974:12) argues in favour of defining “violence” this way. He states that violence is “the illegal employment of methods of physical coercion for personal or group ends.” (1974:12)

From this perspective, physical coercion employed by “duly constituted authorities” is legitimate and should be called “force”, while the term violence should be applied only to acts of illegal physical coercion. (*IBID*)

On this view, acts of violence are committed by agents operating outside of a legally constituted authority (say you or I), and *exactly the same action* undertaken by an agent operating within a legally constituted authority (the local police officer) is not, by

definition *violent*. While this appears contradictory, there must be some sense in which you or I would want to come under the protection of the law (law enforcement officer)--as victims of a street mugging for example (we may want the officer to decide how much force is required to capture and restrain the mugger, and we may indeed be completely happy with his decision if it means that the mugger is punished for his crime against us, and we are protected from a similar occurrence in the future).

To get to the bottom of this situation will require a detailed analysis: First we need to examine how violence is seen to interfere with “normal” events and the structure employed by legitimate government to control this aberration. Second, I will show how the concept of harm is sanitised to the point where it does not even enter the discourse of legitimacy engaged in by government (this strengthens the definition of “legitimate force.” After all, if there’s no harm done, then the action can’t be violent). After reaching this point, I will take stock before progressing the discussion to show how the focus on action (as force or violence) conveniently bypasses the important issue of the agent undertaking that action. If we can avoid talking about agents then it is not a complicated move to misplace the important issue of human rights in the process of legitimate government. Restoring this issue to prominence leads naturally to show how respect for persons is implicated in the discourse of legitimacy and how therefore the exercise of power through violence can never be legitimate.

I return the reader to the first step in this process: Alongside the *narrow* interpretation is the idea that violence is an aberration--an unexpected interruption in the normal course of events. Sheldon Wolin (1994:25) has advanced this point of view. He states that "violence denotes an intensification of what we 'normally' expect a particular power to be." He argues that we designate "acts as violent because the amount or degree of force does not seem commensurate with the circumstances or with what we have come to accept as the characteristic style." Wolin concludes: "violence implies that an unusual amount of destruction will accompany a designated act." Before further comment, I will highlight a similar view held by E.V. Walter. Walter (1964:354) remarks that violence is "generally understood as immeasurable or exaggerated harm to individuals, either *not socially prescribed* at all or else beyond the *limits established for its use*." He states that when violence is "socially prescribed and defined as a *legitimate* means of control or punishment, according to the practices familiar to us, the destructive harm is measured and the limits made clear (*IBID*). The basis of the narrow approach to defining "violence" is, according to Grundy & Weinstein (1974:12) therefore, neither the experience of violation nor the experience of harmful force, but "the experience of having one's expectations in interpersonal relations disrupted by acts of force."

We need to look more closely at what is happening here. The authors argue that the narrow definition is based on the grounds that the "official use of force" functions to support a system of stable expectations, while the use of violence by those who are not agents of the state functions to disrupt such expectations. Underlying this position is the

assertion that the use of force is inevitable in human affairs (we can add the further move that what is accepted as inevitable becomes seen as *normal* daily practice). Joseph Mayer has presented the narrow interpretation with clarity. Mayer (1926:123) states:

Organization, off hand, is of many forms--cultural, scientific, religious. But underneath them all there is just one type, namely, the organization of force. This is basic. It is the tap root from which all other forms of organization spring and upon which they rest for their ultimate sanction.

Grundy and Weinstein note that “the socialization of force allows the function of protection to take precedence over the function of defense in human affairs.” (Grundy & Weinstein 1974:12) Adopting a Hobbesian position, Mayer (1926:123) adds: “Protection is the string upon which the social beads are threaded. Take away community protection, and nothing but personal fighting and general anarchy can result.” Here we see some important implications of the narrow definition: legitimate government utilises *force* to protect society from bad people who use *violence*. On this reading, it is possible to arrive at completely different sets of consequences for the very *same* action--government agents can feasibly claim legitimacy by virtue of their title (“I am a police officer upholding the law”) and escape with little or no recriminations for action which may in fact be violent. And this is made acceptable because the agent using violence (illegitimate force) is violating the right to stable expectations of orderly interpersonal relations [action which may gain her rough handling followed by a penalty or incarceration (or as we will see in chapter 5 from Truth and Reconciliation Commission testimony, even torture or loss of life)]. For the same action, one agent escapes “Scott free” and the other is punished or may even forfeit life.

The definition of “violence” as illegal use of force and the idea advanced by Sidney Hook (in Ogle 1950:115), that power “which has legal sanction and which expresses itself in the imposition of physical constraint as well as in the use of less conspicuous but more effective social pressures, such as discriminatory economic, cultural and administrative measures, should not be considered violence” provides important supports for a basically conservative interpretation of a political morality. They allow the defender of established institutions to claim that the use of force by officials of the state is justified, while the use of force by others is illegitimate, and hence not justifiable. However this moral argument is made valid simply by *narrowing* the definition of the term “violence” and begs important questions about its *proper* definition. I will use the examples below to unpack the components of violent action, and to determine which actions look violent but are not, and which actions look legitimate, but are illegitimate. In order to do so, it will be useful to not only examine the particular actions, but the moral assumptions behind the actions. I will begin by constructing a picture of society in which a range of actions take place. In chapter one, de Jouvenel, Foucault, Airaksinen and Mann present a view of society where violence is an inevitable part of daily lives:

Recall how de Jouvenel (1945:95) foreshadows Foucault in his analysis of command and the state apparatus. He announces that the “spectacle presented by modern society is that of an immense state apparatus--a veritable complex of moral and material controls by which individual actions are conditioned and around which private lives take shape.” We

see (through the work of Foucault) how implicit violence is used as a tool, a means to the political end of maintaining structures to normalise and thereby control citizens. He views this orderly structure as a mask for the implicitly violent and dominating coercive apparatus to which we are all subjected. The former view locates power at the top of an imaginary societal pyramid, while the latter locates countless sites within power relations --neither view offers any chance of escape from an oppressive power structure. Airaksinen's analysis only serves to confirm this view. He argues that although the topic of coercion, power and violence is not a pleasant one, it is unavoidable in the present world and examines typical interactions within legitimate and illegitimate structures. He is particularly interested in how this effects human action, and examines street violence, organised crime, terrorism, guerilla warfare, sectarian vendettas, state fascism, war and "legitimate" threats issued by "just" states. On Airaksinen's analysis, coercion is unavoidable. The whole structure of a formal coercive institution is typically based on the idea that any social order has the right to protect its members and to guarantee its own continued existence as a necessary condition of the well being of citizens: "The normative characteristics of society and the social order are the most necessary general elements of the argument a rational coercive agent needs." (Airaksinen 1988:108) "Now the ultimate question is this: Who are the state agents who wield its power and how can they justify what they are doing? If one cannot understand these agents rational motivation, the state itself cannot be just and justified." (1988:viii)

We are left with the context for human action that is bleak, violent and unavoidable, but one that stands in need of justification. It becomes hardly surprising that while undertaking all of this violent activity, agents attempt to legitimate their actions. But are we correct in accepting the view of the three theorists? Is any of the legitimate action, *violence*?

We can usefully explore the idea this way: Theorists in chapter one, fleshed out a bleak landscape depicting power relations between a host of agents. If it were possible to arrive at a certain point and take a vertical slice through the landscape of social power relations depicted above we might plausibly find a range of actions which are *representative*. We might see political actors using ideologies of violence which are instrumental in accomplishing their general aims (take as an example the apartheid regime in South Africa). This helps to make sense of the ways in which definitions of violence are manipulated by political actors, where violence is not attributed to state agents who only act to maintain social order, but to those non-state agents (in this example, usually black South African citizens) who seek to disrupt that order. In exactly the same way, the Nazi persecution of Jewish citizens fits the same pattern--ideologists tend to manipulate these definitions in accordance with their broader political aims. Here, defenders of constitutional authority deliberately use restrictive definitions of violence so that their actions based on moral assumptions of racial supremacy can be justified. We have little trouble in seeing that the Nazi and Apartheid South African claim to supremacy is morally wrong, and the actions which follow (imprisonment, torture and death of large

numbers of black South Africans at the hands of the white apartheid regime) are violent and can never be justified. It is clear that at least causing harm and suffering is *prima facie* wrong and that *any* causing of suffering must require a heavy justification. This leaves government agents who argue for any alternative and theorists who support them, with the burden of proof.

An act of violence in the Nazi and South African case is more than just action, it is also *representational* and what it represents is *falsity and error*. In the previous South African example, (in an imposed division based on the colour line) those who are not white Aryans, are not persons. They are not persons, therefore they are not entitled to dignity and respect, they are not entitled to human rights [a point I will shortly clarify]. Treatment of them is not subject to moral scrutiny. Violence in this case objectifies the person creating the false status distinction between self and other and the very act of violating denies personal agency. When theorists argue for necessary connections between power and violence (and I have shown in chapter one, that this is a view which has informed the philosophical landscape) they are failing to notice the important representational character of violent action. This will require a detailed explanation below:

In the domain of action, if we are to interpret other agents, we must assign both content to their beliefs or intentions, and meaning to their actions (there is no explanation for what the actor is doing or what the effects of his actions are unless we represent them

with meaning). Remaining with the apartheid example, the white policeman is an *agent in relation* and in order to extract meaning from his actions we must consider the context of the action which includes the speaker, the hearer and also aspects of the speaker's intentions. Again, we are not considering the agent in glorious isolation, but the agent involved in discourse. His intentions are to produce certain effects in his hearers. In this respect, I am interested in the fact that the action is undertaken with an audience in mind and the audience is meant to extract a lesson from the actions (sometimes the audience is just the person to whom the action is directed, say in the case of child abuse or spouse abuse. In this case the action often occurs in a *private* context and carries the accompanying message: "you are worthless." In the apartheid example, the audience is located in the *public* domain). The important feature to note with respect to the apartheid policeman's violent action is the ideology of supremacy, and demonstrated in this subtle aspect of coercive action is the fact that what violence *represents* is erroneous: It's one thing to use explicit threats and say "See what I can do to you if you rebel," (with the intention of following the threat with violent action if required) but quite another to say "See what makes us different?" I will use another example of the colour line to spell this out. Consider *Example 1 - The Playground Parent*:

It is the North American deep south in the late 1950's. The new public playground looks inviting with it's colourful state-of-the-art play equipment set out on the lush green grass which has been groomed to define a beautifully geometric border. It's a hot day and the new water fountain receives constant attention from the children playing happily behind the large security gates. The sign on the gate displays the message: "White children only." A small African American boy hangs onto the gate and looks longingly at the water fountain and the children playing happily inside. A parent arrives to pick up his child. He pushes the boy aside: "Go home. You don't belong here. Can't you read? *White* children only." The boy, totally humiliated, picks himself up and returns home.

Across the street an upturned rubbish bin on a patch of dirt provides a target for a ball game which is underway involving a few of his friends.

What meaning can be extracted from the actions of the parent? If a speaker's meaning is explained in terms of certain propositional attitudes, namely the speaker's intentions to produce certain effects in the hearer, then the nonlinguistic action together with the words: "You don't belong here. Cant you read? White children only" (call this [a]) provide a litany of evidence for the claim that the action is violent and what it represents is (1.) *false* and (2.) *morally wrong* for the following reason: Interpreting the parent means making the best possible sense of the parent. This means assigning meaning so as to maximise the overall *coherence and rationality* of the parent's utterances, including nonverbal "utterances" or semiotic actions, as well as the implicatures of those utterances and actions. The parent wants the African American child to take away the following message from the encounter:

Black children and white children are different in more ways than external skin colour signifies. Black children are inferior to white children. They are not good enough; they are not entitled to play on the same nice playground equipment. If it is a hot day, they shouldn't expect to have cool water to drink like white children do. White children are persons and should be treated with respect. Black children are not persons. They do not have dignity and they do not have feelings.

The parent's claim can be evaluated as true or false. But, what the parent is saying is true if and only if black children *are* inferior to white children. This in turn presupposes the truth of the following: the white child is a person, and every person deserves to be treated in a way that reflects equality, protects dignity, natural rights and so on; but the black child is not entitled to such treatment...so the black child is not a person. The

ideology is very neat and the whole package with all of its lessons can be folded down into the following tidy sentence: “White agents are persons and black agents are not persons.” These beliefs drive intentions and these intentions result in actions in the public domain. We can now see both how the actions in question are representational and that the actions represent something totally *false*. The sentences the actors assert are false and the actions which result are violent (they result in suffering and harm, they deny personhood) and are morally wrong. I will offer below, two more examples in order to clearly identify the necessary and sufficient conditions for violent actions. They are both police scenarios. The first is a straightforward case and the second, a difficult, fuzzy case:

Example 2 - Police Case 1:

A policeman from ‘Vlaak Plas’¹ [‘the farm’] loads his weapons and sets off on a mission to murder as many dissidents as possible on that week’s political hit list. Lists like this are constructed based on information from informants, or comprise individuals known to police as leaders of “dangerous liberation groups.” Testimony by unit members at Amnesty Hearings of the Truth and Reconciliation Commission [to be examined in chapter five] paint a picture of motive for such action--the agent is filled with a sense of national duty and complete hatred for black Africans, whom they often called animals.

¹ Vlaak Plas, operating under the apartheid regime comprised a unit of mostly white Afrikaner policeman (mostly, because they also utilised the services of Askaris, black South Africans turned informants as a trade-off for their lives). Members of this unit were renowned for their specialisation in techniques of unspeakable cruelty inflicted on the black citizens.

With this motivation, the agent goes to the area where he knows that a number of “targets” may be found. He then, with the intention of murdering them, opens fire and guns them down where they stand. An analysis to determine whether this action constitutes violence will be fairly expedient: Borrowing a quote from Airaksinen (1988:62) “The key to action is always the will.”

Now in this first case of police action, the will (or put another way, the *intention*) of the *agent* is to inflict harm, indeed, to take delight in reducing the black population by a few more. There is an *object* of the action (members on the hit list) and *completion* of the action--this is in fact a real life case and three university students were murdered that night. These three conditions are going to be critical to an understanding of what constitutes violence. Before concluding the analysis of police case 1, I will compare it with police case 2 below:

The police agent is a member of the Australian Federal Police. She receives an urgent message to say that a gunman has laid siege to a Middle East Embassy nearby. The hostage-taker sends out an embassy official with a message to say that his “actions represent holy liberation against the oppressors,” and he subsequently begins to shoot hostages. The police agent speaks to the gunman by phone and attempts mediation. The gunman is clearly distraught and is not responding rationally. He puts down the phone and threatens another hostage. She scales the rear fence, secures an advantage point with the gunman in sight. She can see the two hostages motionless on the floor. The police

agent, now within audible range of the gunman shouts that he “must put the gun down and come out with [(his) hands up, or I will shoot.” This threat does nothing to deter the gunman. She shoots the gunman who falls (it makes no difference to this example whether the gunman is dead or merely superficially injured). Now this example is exactly the same as the one above in some respects, but in other critical respects it is completely different--and it is this critical difference that determines whether the act is violent, or not and in this important respect, whether or not it can be considered *legitimate*. I will argue below that this act is *not violent*, and therefore can be legitimated.

Police Case 2 is different from Police Case 1 in the following respect:

In this second case, the police agent did not set out with the primary motive of intention to cause *harm* but the hostage-taker was *hurt* in the police action which placed a high *value* on the lives of the hostages. An attempt at mediation demonstrates her intention to treat the hostage-taker as a person. The usual mediation line is to recognise that the agent at the centre of the conflict is upset, to try a calming intervention in order to exercise control, to insist that he stop his present course of action. All of this behaviour by the police agent treats the hostage-taker as a rational autonomous being, an equal participant in the discourse. The gunman refuses this approach and continues the unacceptable behaviour. In order to protect the lives of the hostages, the police agent takes the only step left--to immobilise the gunman.

However, the two cases are the same in the following way: in each case, there is an agent who undertakes the action, there is an object of the action, there is intention to act in a certain way and there is completion of the action. Note the danger in examining violence on the grounds of the act of physical force alone. Such a narrow analysis runs the risk of taking surface similarities to show that the acts are in all relevant senses the same. However my claim is that in the all important sense, they are entirely different. By way of previewing an extended argument in chapters four and five--if we view violence merely as an act of force, one of the most interesting (and crucial) aspects remains occluded. On this view it is possible to imagine acts of violence free-floating like strange satellites. Airaksinen offers a thought-provoking analysis of threats and coercion, but frames the activity in the form of utilities and disutilities--again the sense of separation or orbiting actions comes across. The separation I have in mind, is that of the *agent from the action*. When we speak about violence what we are referring to is the violent action of one agent against another agent--the *act of intentional harm of one person against another person*². And it is precisely in *this* respect that the two cases above are very different.

In the first case the intention of the agent is to cause harm. Motivated both by a sense of duty and a sense of racial hatred, the police agent objectifies the other--this is confirmed both by the referential language "targets to be taken out," "animals"--and the action itself which denies personhood, bypasses dignity and respect, seeks out and murders with a sense of satisfaction. There is no sense in which this situation can be seen as a conflict between fellow citizens with an aim at resolution. But in the second case there is. The

² The analysis in chapter 4 will show how this definition also broadens to include all sentient beings.

intention of the agent is to resolve the conflict situation. There is a concern to protect fellow citizens, whose lives are valued, and an attempt at mediation. Persons are treated as rational agents capable of conflict resolution through discourse. When the attempt at resolution fails and the agent continues to display irrational behaviour by an attempt to further harm hostages, he forfeits his right to be treated in this way. The officer shoots. The hostages are taken to hospital, trauma counselling begins. The gunman dies on the way to hospital.

Both cases involve police agents causing critical injury to victims, but the all important aspect to note about the scenarios is that in the first, the agent set out to commit intentional harm against another person; in the second the agent did not. The gunman was hurt--in fact died--but this was not the aim of the action. The officer may later talk about "doing her duty," but that duty, captured in her intention was remediation, protection and valuing persons. The aspect of intentional harm, as I will argue in chapter four is a necessary and sufficient condition for an act to qualify as violent. This reading will expand the domain of violence to include not only physical action, but the additional two aspects of action--the mental and speech. I will return to the representational aspect of violent action below recalling Airaksinen's key points on coercion:

It is useful to analyse the examples from another perspective: the difference between coercion and authority. Airaksinen correctly points out that there is a difference between coercion and authority, and that both represent power relations. Building on the work of

Raz (1979), he reveals several important facets of coercion and authority and several junctures where the distinction become confused:

It seems to me to be a rather shady proposition to suggest that a mere distinction between the desirable and the undesirable uses of power could constitute the definitive difference between coercion and authority. For example, the abuse of authority is not desirable, but it is not coercion just because of that. Undesirable pseudoauthority is not coercion; it is authoritarianism, blind obedience, or the manifestation of some kind of personality disorder. Coercion, on the contrary, is an understandable form of social interaction. (Airaksinen 1988:144)

The Playground Parent example does constitute coercion in the following important way:

In Example 1, we can search all day long and we won't find anyone with a whip or a gun [unlike Examples 2 & 3]; nobody is hitting anybody but very clearly there is harm and injury going on. Great suffering is inflicted on the African American child by the white parent. In the Foucaultian sense, from this one [un]truth (white agents are persons and black agents are not persons) flows enormous systems of [un]truths and the coercive apparatus required to sustain them. The actions of the agent and the systems within which he operates are coercive, violent and unjustifiable. I have also shown that by virtue of being untruths they are erroneous or false and in addition, their complete disregard for personhood and focus on injustice makes them morally wrong.

I am interested in examining Examples 2 and 3 against Airaksinen's findings on coercion and authority, but prior to that analysis it will be useful to pause and take stock:

Many theorists writing on power conclude that as individuals, we live in a violent society. We are trapped within a coercive structure, where a few who have clawed their way to a superior position in society dominate the rest. Social order is maintained by paradigm coercers like the police force and the army, who practice the legitimate use of violence to maintain order against others who seek to destabilise society through illegitimate violent action. The philosophical landscape becomes informed by a range of descriptive accounts of power through violence. For the moral or political philosopher, power is legitimate when the rules governing it are justifiable according to rationally defensive normative principles. There is an attempt at justification of violent action by employing a narrow definition of the term. Defenders of established institutions claim that the use of force by officials of the state is justified, while the use of force by others is illegitimate and unjustifiable...but surely the interpretations of violent action can never be this simple. I proposed a litmus test using three realistic examples:

At first glance example 1 does not look violent at all, but deeper analysis reveals a number of *hidden issues* which relate to violent action. The action of the white playground parent looks rational when in fact, it is a mask for coercion of the subtlest and cruelest kind: In order to interpret actions we must represent them with meaning. The agent acting intends to leave the hearer with a particular message or lesson to be taken from the exchange. The intended lesson here is that white agents are persons and black agents are not persons. This example demonstrates two important points: (1) That the ideology of violence is not only the property of irrational dictators heading up military juntas (2) That violent action

is *representative* and in this case what it represents (an agent can only qualify to run in the human race if s/he is white) is clearly *false*.

If Example 1 represents the ideology of violence *masked*, then in Example 2 it is unmasked and explicit: We all agree that the action of the white apartheid policeman is violent and unjustified when he takes delight in shooting as many black civilians as possible. This example illustrates the danger of adopting an unquestioning approach to stipulating as legitimate the actions of state authorities and narrowing the definition of “violence” until it applies only to non-state agents. This begs important questions about its proper definition. If Example 2 warns against the narrowing of definitions, Example 3 points to the danger in adopting a definition of violence which only refers to physical action. Why? Because if we do this then the physical action of the agent in police scenario 2 appears the same in every important respect to the physical action in police scenario 1: the agent wears a state uniform; carries a weapon; points the weapon at a citizen; and the citizen dies. We need an account of violence that respects this moral distinction.

Perhaps a closer look at Airaksinen’s account of coercion and authority will point to the missing links. Recall that Airaksinen correctly points to the difference between coercion and authority, and that both represent power relations. He reveals several important facets of coercion and authority and several junctures where the distinction becomes confused:

It seems to me to be a rather shady proposition to suggest that a mere distinction between the desirable and the undesirable uses of power could constitute the definitive difference between coercion and authority. For example, the abuse of authority is not desirable, but it is not coercion just because of that. Undesirable pseudoauthority is not coercion; it is authoritarianism, blind obedience, or the manifestation of some kind of personality disorder. Coercion, on the contrary, is an understandable form of social interaction. (Airaksinen 1988:144)

I have shown how Example 1 (the playground parent) is masked implicit coercion. On Airaksinen's reading this is undesirable and reasonably straightforward. Consider the remaining two examples: If we overlay a straightforward interpretation of Airaksinen's findings about coercion and authority onto Examples 2 (white apartheid officer) and 3 (officer with hostage-taker), it is tempting to conclude that example 3 demonstrates authority because "Authority does not entail subjective harm, like coercion does." On Airaksinen's terms (1988:144) "authority is the same as other-regarding." It looks plausible to argue that the agent in example 3, demonstrates a number of desirable attributes. She is correctly performing her role as an agent in authority, her intention to act is other-regarding *but* when acting from a position of authority on Airaksinen's view it is reasonable to expect that power is exercised because commands are obeyed. The gunman in this example does not obey the command to cease his destructive behaviour. The police agent withdraws to a fall-back position of threats, and when the behaviour still does not change, she realises those threats through force (in turn authorised as legitimate action by the formal coercive institution of which she is a member).

There seems to be some reasonable grounds on which to argue that in some circumstances, a distinction between the two states is not clear. The police agent in example 3 does seem to move freely from the position at one end of the spectrum where commands are issued as an authority (this is desirable) to a central coercive position with the issue of threats (which is still desirable) to the realisation of those threats through the action of force (which still appears to be desirable and fair in the given context--the police agent after all remains "other regarding" but has simply exhausted all available options). Perhaps to be more precise, she has exhausted all available options except one--she could refrain from action, let the gunman kill all of the hostages and make another attempt at mediation, this time from a different position as the gunman has expended all of his bargaining chips. Not only is the desirability of this option deeply counter-intuitive, but if we look to Airaksinen-inspired counterfactuals we run the risk of completely bypassing what appear to be basic *moral* explanations of why the police agent would not act in this last respect. Airaksinen asks why an agent (from a formal coercive institution like the police force or army) would stay in a position that is impossibly demanding. The alternative is to abandon responsibilities (that is, to desert the army, or fail to undertake required police duties). What happens as a result? Airaksinen argues that as an agent in this position we no longer have a frame of reference, the crushing burden of having failed to undertake our duty would have disastrous consequences (after all reports would be required, superiors would demand to know why I failed to act and allowed the death of hostages to result, and so on). "From a formal institution there is no escape route after a person has broken the rules central to its functioning." (1998:166) Airaksinen adds:

I do not think that social philosophy has always seen clearly enough the restricted nature of our institutionalized lives and the purposes served by our specialist positions. Our commitments, if broken, may leave us without a place to go; at least this is true of a number of the most important and demanding cases. (1988:167)

Against this position, it seems reasonable to expect that the police agent in example 3, (minus the motive of intentional harm) would have acted for reasons other than institutionally induced fear of failure to do so. And this is where it is important to bring the discussion back to acknowledgment of real issues. To understand violence we need to bring the satellites of violent action down to earth and to remember that we are talking about the action of one person in relation to another person. The police agent in the third example did not shoot from a motive to cause harm; she did not shoot from fear of reprisal from superiors in the organisation for failing to act; but it is plausible to think she knows that shooting innocent victims is *prima facie* wrong, and *ought* to be stopped. When ought means can she acts from *that* moral consideration--the value of human life, of dignity, the protection of rights. In this case, I would urge a return to Grafstein's (1981:456) approach to legitimacy (which I endorse): "Legitimacy should represent the evaluation of a regime, the correctness of its procedures, the justification for its decisions and the fairness with which it treats its subjects." With consideration of this moral framework, the actions of the police agent in example 3 are legitimate, and in example 2, they are not.

One further point before we leave the police examples: In a puzzling twist, Airaksinen states on the one hand that "coercion rests on violence" (1988:43), and in the same

discussion “coercion and violence are not one and the same thing. Sometimes they have nothing to do with each other.” (1988: 62) What seems to be a contradiction, might turn out to be plausibly correct. If we allow that the categories of coercion and authority may be fluid rather than rigidly fixed (there might be a sliding scale like the one demonstrated by example 3), then this leaves an escape hatch for Airaksinen. The type of coercion based on intention to harm demonstrated by the police agent in example 2 definitely rests on violence. But the type of slide-from-authority-to-coercive-action demonstrated in example 3 indeed appears to have nothing to do with violence. But paramount to this disentanglement is the intention of the agent undertaking the action--an issue on which Airaksinen is silent.

I will return the reader to my original concern with the narrow definition of violence used in an attempt to legitimate the actions of some state agents. From the comparison of these examples it can be seen that by distinguishing legitimate force (the action of state agents) from illegitimate force (the action of non-state agents), and attaching the term “violence” only to illegitimate force so defined, it becomes possible to act within the law, and still cause harm to an agent. On this view (and on Weber’s view outlined at the beginning of the chapter) it is indeed possible for the police agent in example 2 to exercise power through violence legitimately, merely because the police force is considered part of a legitimate government (and enough people believe it to be so).

I began this chapter by suggesting that Beetham is right to be concerned by the treatment of legitimacy as relatively unproblematic. I do not question the legitimacy of government as such, but I am deeply concerned by techniques like the selective use of definitions (in the sense used above) employed to render opaque morally important issues. To conclude this section of the discussion, if we judge legitimacy from rational, objective standards the exercise of power through violence can never be legitimate.

Earlier in the discussion, I referred to the implications stemming from the *narrow* definition which presents a context whereby violence is neither experience of violation nor the experience of harmful force, but the experience of “expectations in interpersonal relations disrupted by acts of force. Official use of force functions to support a system of stable expectations, while the use of violence by those who are not agents of the state functions to disrupt such expectations.”³ The discourse of legitimacy based on the narrow definition of violence deliberately employs the rather vague terms about systems of stable expectations. It is a discourse in which persons and the urgent requirements for human rights are absent. But in an analytical move that gives a nod of acknowledgment to Foucault (and shortly, to Habermas) what we really should be examining is the critical factor beneath the smokescreen--that violence is about the *action of agents*. It is about *intentional harm toward others*.

³ Underlying this position is the assertion that the use of force is inevitable in human affairs - inevitable becomes normal. In this way, agents exercising power through implicit or explicit violence attempt to pass these actions off as normal. Power connected to violence becomes the description of a vast majority of cases, which leads to a kind of universality. This in turn, takes on a prescriptive life of its own. In response to this clearly ethical dilemma, contemporary philosophy is remarkably silent.

The accuracy of this position, Habermas (1970) would point out, can be verified through the expository device of the ideal speech situation. Following a more detailed look at the issue of human rights (below) I support this argument with reference to Habermas' discourse model of practical reason by showing that power exercised through violence "could not be justified in a general and unrestricted discussion of what, in the light of present and possible circumstances, is in the best interests of all affected by them." (McCarthy 1978:358) I will support this important philosophical point by reference to Hannah Arendt's insights on the relationship between violence, speech, action and personal agency.

The analysis of examples 1 and 2 (playground parent and white South African police agent) demonstrates that violence is representational, and I argued that based on the truth claims raised, what it represents is falsity and error; it also represents action which is morally wrong. (a reminder before proceeding further, that I will bring forward elements for use in this discussion that will be argued for at length in chapter 4). I will extend this analysis by examining below how respect for persons comes to be excluded from the discourse of legitimacy based on the narrow definition of violence, and how a more accurate understanding of violence and legitimacy implicates respect for persons. At the conclusion of this section, I will return to move the discussion away from Weber's deeply internalist stance to the externalist position of what *ought* to be the case independent of possible false beliefs.

One way that the claim for the representational status of violence might be reinforced is to examine the subject of human rights . But this becomes problematic, as Jay Garfield (1996) points out:

The general duty to respect the rights of others requires justification. Or to look at the other side of the coin, the claim that persons have natural rights at all must be justified, antecedent to the task which often occupies most of a liberal's attention, that of specifying exactly what our duties are. (Garfield 1996:183)

Garfield in his paper ‘Human Rights and Compassion: Towards a Unified Moral Framework’ (1996:183) correctly points out that we cannot simply appeal to a right to have one’s rights respected, or a duty to do one’s duty, on pain of infinite regress. He recognises on the one hand that the demand for the recognition of human rights is universal in scope; that the culture depriving its citizenry of fundamental human rights is morally deficient; and that to demand of a society that it respect some fundamental set of rights, is an instance of mandatory moral criticism. On the other hand he acknowledges the fundamental importance of a the view that moral life should be grounded in the cultivation and exercise of compassion. (1996:172)

He cites influential moral theorists⁴ who argue that these two persuasive views appear to be fundamentally incompatible with one another: Either the focus on rights and duties impoverishes our moral discourse and distorts our moral vision where rather, a morality grounded exclusively in compassion and attention to interpersonal relations should prevail;

⁴ Baier (1994, 1992), Tronto (1993), Noddings (1984) and Garner (1994), Care (1987), Kohlberg (1981, 1984) as well as Flanagan and Jackson (1987).

or, liberal theories are adequate to a full range of moral questions, and the compassion theories to the extent that they are correct are no more than restatements of liberal theories (1996:172-173). The deep and seemingly incompatible divide is given concrete form by returning to our police agent in example 2:

The problem can be restated as the incapacity to scrutinise something important about action in the public sphere (recall that in example 2, the behaviour of the police agent in the public sphere succumbs to the slippery slope effect--the separation of self from other; the other as a dangerous enemy set to destabilise society; requiring only a short step to eliminate the enemy and an attempt to justify abhorrent acts of violence [explicit examples are provided in chapter 5]). Now in an attempt to show police agent 2 the error of his ways, we need to identify the problem with the *moral* dimension of his actions. This points to the following difficulty : Pursued from the perspective of liberal theory, this part of the moral landscape lies in the private domain, while the actions under examination take place in the public domain.

Garfield correctly highlights the most important limitation of liberal moral discourse: "It is in an important sense silent about character." (1996:182) Implied in his work is the fact that a discourse grounded in compassion allows moral scrutiny of the intentions and actions of the agent as a person operating in the world (incorporating both the public and the private spheres). The critical issue raised by Garfield and important to this chapter on legitimacy is that our moral sensibilities, even though they are often *played out* on a more public stage, are *cultivated* in the private domain (1996:184)--and recall my foundational

claim: it is the *intention* of the agent that determines whether an act is violent and illegitimate, or whether it is not,⁵ and can be legitimised. Garfield argues that regarding our moral life in this way allows us to talk about a broad range of choices we make regarding morally significant behaviour about which liberalism is silent simply because of its focus on rights and duties: “My choice to give or not to give to a beggar or to a temple, or my choice to treat my fellows with patience or courtesy, becomes matters--as they ought to be--of moral evaluation.”(1996:184) The relevance of this can be directly seen when we remember that for Grafstein, legitimacy entails action which reflects fair treatment of other agents. Whether an agent’s action reflects fair treatment of others seems to have a great deal to do with the type of person they are and whether they choose to undertake violent action or not. From this standpoint Garfield’s argument for the platform of moral development based on compassion makes a good deal of sense: “Children brought up compassionately learn to be compassionate. And it is these children who grow to moral maturity by any standards. They are precisely the individuals who respect the rights of others and who discharge their duties. Grounding that moral maturity in their compassion makes moral development comprehensible.” (1996:185)

On this view, “the same questions can be asked about my behaviour in the home, that can be asked about my behaviour in the street” (*IBID*) and the same questions can be asked about my actions undertaken when I have a police uniform on, as are asked when I am out of uniform and dealing with my children. *So here at last is the crux of the matter about*

⁵ By this remark, I definitely do not mean that the action because it can be legitimate is therefore nonviolent. This will be clearly explored in chapters 3 & 4.

violence and legitimacy. My affiliation with a legitimate state institution does not legitimate all of my actions. The narrow definition of violence seeks to make the actions of state uniform-wearing agents fall outside of the domain of violence by virtue of that affiliation *regardless of what those actions represent*. But this is clearly irrational. Garfield's unified theory places the emphasis correctly on reviewing each action of each agent on its own merits, and the scope now encompasses actions within the public sphere and the private sphere. I will argue in chapter 4 that the moral evaluation of an action will justifiably focus on the intention of the agent, and the agent as a person in relation with others.

Here again, Garfield reminds us of the limits of rights in moral discourse:

Liberal theory, in sum, gets us ... security of thought and conscience, security in planning our lives, access to the good ideas and beautiful works of others, and a platform for moral criticism – simply by restricting the zone of such criticism to the public, and establishing the sanctity of the private. (Garfield 1996:180).⁶

But there is an important respect in which we want the discussion of violence to point to the actions and intentions of the agent, and it would not be as meaningful for this example to restrict such a discussion to the public domain only.⁷ Attempting to construct a unified moral framework, Garfield undertakes a new approach--he seeks to strengthen liberal

⁶ I am selectively quoting to emphasise a point, but Garfield's extended discussion is fairer to liberalism than this implies.

⁷ I must be careful here, that I don't open the flood gates. I have stated that this project remains within the confines of the public sphere with chosen examples, because to incorporate the issue of power within the private sphere would take the discussion much too far afield and well beyond the scope of the project. But this is an important single point, so I will pursue it nevertheless. I extend this point on the last page of this chapter.

theory by pouring a new foundation of compassion at its base level;. Now recall that we become decidedly entrenched in moral discourse with the police agent in example 3--her actions *represent* respect for persons and the value of life, she attempts mediation and adopts a respectful or compassionate attitude even toward the hostage-taker. There is certainly some sense in which we need to discuss compassion and respect in order to extract meaning from her actions. But by restricting the discussion to, for example, rights and duties (contained in the liberal theoretical discourse) too much becomes morally permissible:

Since, for instance, nobody to whom I have no particular contractual arrangement has any right to my generosity, I am in no way obligated to be generous. Since no one has a claim on my concern, I need not be concerned for anyone else. Compassion is hence, on this view, strictly optional--one of the many permissible ways to address the world. (1996:181)

An important factor to be developed in this project will be a shift away from the *moral agent in isolation* and toward a *moral agent in relation with others*. Garfield's argument is compatible with this view and does not endorse a shift to acknowledge others at our own expense, or at the expense of our privacy. He argues that privacy is indeed a good which is essential to many kinds of flourishing and that much of what we do in life requires the kinds of protection comprised by the general right to privacy "including freedom of speech, association, religious practice and so forth." (1996:195) He continues--the security that allows us to order our lives, to develop our talents and to express our views, deserves protection "and its protection is a matter of primary concern to morality as it is articulated in public policy." (*IBID*) but they are not goods that we should jealously guard in isolation. They are goods that a compassionate society grants to its citizens, and that

compassion leads us to grant to one another. He notes that the failure to do so is a kind of cruelty.

There is a subtle, but important difference in the privacy supported by compassion, and that promoted by a liberal democracy. The latter is a freedom *from* constraints while the former is freedom *to* pursue ends, *to* express views and *to* develop talents--on this view our *mutual responsibility* is fundamental, not our *personal* rights. Personal rights emerge only as goods we extend to one another as a consequence of our concern. (1996:193-195) He concludes that "the very rights that liberals properly advance and protect so vigorously are reconstructed and protected with equal vigor on a new basis when they are grounded not in individual autonomy but rather in collective responsibility." (1996:196)

This brings me to the point in the discussion where the isolation of the self and the objectification of the other become relevant not only to highlight the failed legitimacy of violent action in examples 1 and 2, but to relegate the attempts to legitimise the violent actions of "just wars" to the same fate.

In a sense, it would be relatively easy to muster community support for the view that the actions of the police agent in example 2 are violent and illegitimate. Perhaps it is a more difficult (but nevertheless necessary task) to appeal to rational consensus for the legitimacy of the action in example 3. But some would think it impossible to argue against the intuitively plausible view of the liberation of oppressed peoples through "just wars" or

“organised liberation action.” But the illegitimacy and violent nature of this action is in fact what will need to be shown for the claim “violent action is neither legitimate, nor a legitimator of power” to be established. The requirement for brevity does not allow a detailed discussion of a wide range of interesting problem cases, but the principles examined in the three chosen examples should suffice for a broad application. I will argue below that with regard to “just wars,” “freedom fighters” and “liberationists,” the problem is not with the *cause*. Releasing the suffering from oppression is indeed a noble sentiment and should rightly be pursued, but the problem is and always will be with the *methodology*. The methodology refers to the *action* of the agent whether s/he is a uniformed police officer or a heroic liberation fighter. The agent is still, and always will be, a person acting in relation with other person/s.

Consider example 4:

Dictator Fred heads up a cruel military junta. Dictator Fred and his cronies enjoy life to the full by virtue of the fact that through a reign of terror the citizens are made to slave night and day to produce all of the commodities to satisfy the needs of the junta. The needs of the citizens are entirely neglected. Many die of starvation; others are beaten cruelly to maintain the work output. The Oatlands Liberation Army comes to hear about this situation. They determine that the actions of Dictator Fred and his cronies, are abhorrent, immoral and intolerable and must be stopped immediately. It would be fairly safe to say that most readers would agree with this verdict. The heroes decide to do what

they do best, and undertake to liberate the citizens from unthinkable oppression. With no further ado, the Oatlands Liberation Army acting on sound military intelligence arrive under the cover of dark at the hall where a banquet (in honour of the wedding of Dictator Fred's daughter) is underway. Dictator Fred and his cronies are inside. Utilising the best in modern warfare technology the Oatlands Liberation Army within only a matter of minutes, successfully achieves its goal. Not one member of the cruel regime remains alive. Many readers may urge that this action is both just and justified. But there are two particular issues about which I would like the reader to become concerned:

First, an agent who uses violence to redress grievances or to further a moral cause will necessarily end up copying the enemy, and sanctioning as *right* those aspects which only moments before were considered morally *wrong*, intolerable and abhorrent [call this conclusion (a)]. What we see here, is a different spin placed on the same result from example 2--"I am using violence legally, and you are using violence illegally"--in order to gain a different ruling from exactly the same action of violence and cruelty (this is what Hocking 1958, calls "double-morality"). In the same way that the uniform of the police officer from a legitimate institution did not entitle him to extend the claim for legitimacy to his actions; neither does the banner of a "just or legitimate cause" entitle the Oatlands Liberation Army (OLA) to extend the claim for legitimacy to *its* actions. The OLA might argue that any action pursuant of a just end will itself be just. This turns out to be false.

The second issue of importance to this example is again, the (false) moral distinction between self and other--where the other is the enemy. Opposed to Garfield's idea above with regard to a sense of "mutual responsibility," and respect for persons (and *all persons*, required in virtue of the attributes that make each of us a person) the Oatlands Liberation Army demonises Fred and his cronies and views them as the enemy. The fundamental problem with this view is that the OLA is required to distinguish morally between the violent acts of friends and the violent acts of enemies. The aim then becomes not to determine in the abstract which acts are morally praiseworthy and which ones are blameworthy, but to justify acts of violence committed by friends and condemn acts of violence committed by enemies. Further, if this is to be effective, it must be accomplished while appearing to use universal moral standards. It is hard to see how the requisite distinctions can be drawn in a principled manner.

Before concluding this chapter, it is important to take stock. Chapter one reveals that the contemporary philosophical landscape has been informed by a descriptive analysis of the violent exercise of power. The agent is faced with two unsatisfactory choices--either exercise power through violence (and participate in the moral landscape that this entails) or reject violence and remain powerless. This chapter argues that violent action is also representational, and what it represents is false or erroneous and morally wrong. On these terms, violence can never be legitimate, nor a legitimator of power. But some action, while *appearing to be violent*, is not in fact violent and *can* be legitimised.

There are many attempts to justify and legitimate violent action: by narrowing the definition of violence to confer legitimacy to actions of state agents, ruling as violent, illegal and illegitimate actions of non-state agents; by conflating means and ends and seeking to legitimise violent actions by virtue of pursuing just ends; by constructing a barrier between self and other which effectively objectifies and demonises the other and rules the other outside of moral consideration. Many of these views present a picture of the agent in glorious isolation staunchly defending or protecting her rights. But this view is skewed, which leads to the final point: If we are interested in the actions of the agent, it doesn't make sense to talk about actions in glorious isolation; in a vacuum so to speak. This point is emphasised with great clarity by the Xhosa proverb: "People are people through other people." It is this important aspect of human plurality, or *moral agents in relation* that motivates Garfield's paper and calls for mutual responsibility and actions driven by compassion. The views of Hannah Arendt (1958) lend weight to this position and her insights on discourse along with those of Habermas (1970) will provide the final move required to complete this chapter. Weber's view (legitimacy is "belief in legitimacy") becomes problematic (just because a group of Nazis believed in the genocide of Jews doesn't make it legitimate or morally right)--and is deeply internalist. The work left to this chapter is to briefly examine the way in which discourse ethics can provide a view of how we *ought* to act; this will allow us to reach an externalist framework.

Hannah Arendt in *The Human Condition* (1958) argues that speech and action are the modes in which human beings appear to each other, not as physical objects, but *qua*

persons. (1958:176) Speech corresponds to the “actualisation of the human condition of plurality, that is, of living as a distinct and unique being among equals.” (1958:178)

This insight lends important weight to Grafstein’s work on legitimacy and Garfield’s work on morality as mutual responsibility. Taken together, and mindful of our three examples it is possible to show why the discourse of legitimacy implicates respect for persons as members of a community of subjects in dialogue. Consider Habermas below:

What Habermas (1970) calls “communicative ethics” is grounded in the “fundamental norms of rational speech.” (McCarthy 1978:325) Communication that is oriented toward reaching understanding inevitably involves the reciprocal raising and recognition of validity claims. The important aspect of Habermas’ work for this project is that claims to truth and rightness, if radically challenged, can be redeemed only through argumentative discourse leading to rationally motivated consensus:

Universal pragmatic analysis of the conditions of discourse and rational consensus show these to rest on the supposition of an “ideal speech situation” characterized by an effective equality of chances to assume dialogue roles. (McCarthy 1978:326)

In Habermas’ discourse model we see the shift in frames of reference from the solitary reflecting moral consciousness (found in Kantian ethics) to the community of subjects in dialogue. Against Kantian ethics, Habermas argues that the rationality and universality of maxims of action cannot be decided monologically--within the horizon of the solitary, reflecting moral consciousness. Whether a norm is universalizable, capable of rational

consensus (ie legitimated), can be ascertained only dialogically in unrestricted and unrestrained discourse. McCarthy argues that from this point of view, Habermas' discourse model represents a procedural reinterpretation of Kant's categorical imperative: Rather than ascribing as valid to all others any maxim that I can will to be a universal law, I must submit my maxim to all others for purposes of discursively testing its claim to universality (we can see how problematic this idea will be for the playground parent and the white Afrikaner police agent in examples 1 and 2--we can reasonably expect that in the ideal speech situation, not only black Africans (and African Americans) but many others would have something to say about his claims to the truth and his attempt to legitimise his actions). The emphasis shifts from what each can will without contradiction to be a general law, to what all can will in agreement to be a universal norm.

The ideal speech situation defines how we *ought* to act, as *partners in dialogue*. And this is why respect for persons is implicated in the discourse of legitimacy: the way we ought to act with partners in dialogue is to respect their points of view and their equal status. My actions, to be legitimate need to "treat the other fairly" (Grafstein), where "speech and action are the modes in which human beings appear to each other, not as physical objects, but *qua* persons... equals" (Arendt, 1958:176) where we recognise and put into practice compassion and mutual responsibility entailing respect (Garfield); where the principle is open to all participants when problems of understanding arise (Habermas).

And this composite picture of legitimacy shows how the agent acting violently is involved in a performative contradiction when she attempts to legitimate that action: On the one hand she says “As a fellow human being your interests are important to me” and at the same time, her violent action represents the complete opposite: “Your interests are not important to me. In fact, I don’t believe you are entitled to interests because you are not a person. I can treat you in any way I wish and my actions do not warrant moral scrutiny. Because you are an object, I feel no compulsion to treat you with dignity and respect. You are merely instrumental in assisting me to achieve my ends, and in the same way that I can smash a cup when it is no longer of use, I can smash you.” In objectifying the person and seeing him/her as a fit target for violent action the agent *denies personhood*, while at the *same time* entering into a dialogue which *necessarily demands* personhood.

If, from the preceding arguments, it is plausible to conclude that violence is not legitimate; and further, that illegitimacy will not do the work required of a good general theory of power, where does this leave the agent in the moral landscape? I will argue in following chapters that it *is* possible to exercise power in other than violent ways, and that this nonviolent action is both representative and legitimate. The building blocks for this new metaphysics will be contained in the next chapter. Before making a fresh start, I would like to conclude this chapter with a response to two further anticipated objections:

1. *I am only dealing with aspects of political or state power. You can't extrapolate out and make conclusions which are relevant for all aspects of power relations in the private as well as the public domain.*

The scope of this dissertation cannot possibly hope to include all of the important issues across both the public and private domains. In order to argue to a satisfactory conclusion, I have set the parameters of the problem to focus on the individual as a citizen in the public domain.⁸ Recall the questions I have raised so far: *Do the majority of theories of power which inform the philosophical landscape implicate violence? Can power in this sense be legitimate? Does this tell the whole story about power? Which aspect is missing? Given this consideration what should an alternative metaphysics of power look like?* All of these can in principle be answered from evidence in the public domain. I recognise the limitations incurred by drawing such a boundary, and particularly that many feminist philosophers argue that important areas of morality fall outside the boundary. The distinction recognised between the concept of justice (in the public domain) and care (in the private domain) will be partly addressed in Chapter Four with the discussion on nonviolent action as compassionate and “other-directed”. In one sense this chapter has touched on some of the important areas of morality: Habermas through the ideal speech situation defines how we ought to act as partners in dialogue and this is why respect for persons is implicated in the discourse of legitimacy. Arendt reinforces this point: “Speech

⁸ But at the same time, I have incorporated a side discussion on Garfield's (1996) work to show how compassion crosses the boundary between the public and private spheres. This will play an important role in the development of a new metaphysics of nonviolence which leans heavily on the work of S. Rinpoche, and the core of Buddhist action theory built around the principle of compassion.

and action are the modes in which human beings appear to each other not as physical objects, but *qua* persons...equals.” (1958:176) And I have also referred to Garfield’s (1996) work on compassionate action entailing mutual respect. These concepts will be further developed in Chapter Four. Here, the concept of fusion philosophy will provide a blend of Western philosophical thought (including nonviolence, justice and reconciliation proposed by King, Mandela, Tutu and Boraine) with philosophical insights (interdependence, tolerance, compassion and truth insistence) from Gandhi and socially engaged Buddhists like the Dalai Lama, S. Rinpoche, Naht Hanh, Sivaraksa and Suu Kyi.

Moreover, while “power” is often a word that political analysts use, I am not simply writing about government. Modern theorists like Lukes (1974), and Isaac (1987), claim that we use ascriptions of power to fix the responsibility of actions and their outcomes. Ascriptions of power are ascriptions of responsibility. As Isaac puts it, “to locate the sources of power in society is to locate the enablements and constraints that operate on all of us...to locate power is to fix moral responsibility.” (Isaac 1987:5). But why is this so? Simply because power is an ability or capacity concept (Emmett, 1954:19-20; Morriss, 1987:48f). That is, to impute power to someone (or even to some thing) is tantamount to saying that that person (or thing) has the ability or capacity to cause results or outcomes or effects that affect the existence and/or interests of those things or persons. A powerful storm or earthquake, for example, is one that has the capacity for causing widespread destruction. But storms and earthquakes, unlike political agents, cannot form intentions or act according to some purpose or design. And while natural disasters can certainly

affect the interests of human beings, we do not hold them morally responsible or culpable for their actions since, strictly speaking, they do not act at all; they just happen. They are causally effective but not morally responsible. It is of course, quite a different matter with moral and political agents or agencies. They, unlike storms or earthquakes, have a repertoire of peculiarly human powers or capacities: the power to reason, to reflect, to communicate, to foresee (some) results of their actions and practices, to understand and assess the consequences, and to alter their actions or practices in light of those understandings or assessments. (Ball, 1995:549) While I have chosen paradigm cases from the political or public arena, I am less interested in governments as such, and more interested in the individual as a moral citizen in the public domain.

2. *All power is not about violence and domination. Consider persuasion and the "power to" as opposed to "power over"*

The short answer to this objection is that the body of work on power does implicate violence. It may not all be explicit, but implicit violence also counts. In fact it is an aspect which should concern us even more, because it is quietly working away in the background (see chapter one for a full discussion of this point, with specific reference to Airaksinen and Foucault). In Chapter Six I will show that some theorists do provide an analysis of the exercise of power which does move beyond coercion. Thomas Wartenberg (1990) in *Forms of Power*, considers the "dynamic" conception of power but concludes that even the "power to" is built on systems of domination. (Wartenberg 1990:221) For

the sake of brevity, I will respond to this charge by considering the positive framework for the exercise of power provided by Terence Ball.

The optimism offered by Ball (1995:551) in his analysis of power is refreshing. He wants us to realise that power is not just about domination, coercion force and violence (power over) but is equally about the enabling aspect of “power to.” He frowns on Lukes for his reluctance to include locutions like “the power to persuade” or the “power to benefit another” and accuses him of failing to recognise the good that power can do through the exercise of influence and the like. All of this seems fine until he cites his surprising Presidential example to illustrate one of his key points:

...political analysts are more apt to speak about political actors’ power to *do* things than their power *over* someone. Few can doubt, for example that the American President is a powerful political actor. And yet, as Richard Neustadt observes ‘presidential power’ is pre-eminently the ‘power to persuade’, adding that ‘persuasion is a two-way street’ and that the ‘power to persuade is the power to bargain.’ (Neustadt, 1964:41, 44-5) (Ball, 1995:551)

Ball appears to completely miss the point that in his Presidential example such persuasions are the smiling theatrical front which rests solely on the backstage crew of violence, force, sanctions, threats and coercion. I will show in the following chapters how the action theoretic framework for the exercise of power through nonviolence does demonstrate the enabling and legitimate exercise of power. In order to reach this stage of the discussion, it will be necessary to consider how nonviolence as a topic for philosophical discussion has been excluded from philosophical discourse. I will show in the following chapters how

one may take the inherited categories of exclusion (Western nonviolence and the insights of non-Western philosophers) and turn them into critical categories of inclusion.

Chapter Three

- *Changing the Campaign Strategy -*
(or why nonviolence as a candidate for power needs a new theoretical base)

In the previous chapters, I have argued that the current body of work on power should be viewed as inadequate when it only offers a range of accounts implicating violence (coercion, threats, force and so on). An analysis which shows that violence cannot be legitimate fuels even deeper concern. It would appear that the individual is left facing two rather unsatisfactory choices: either pursue power through violent means, or don't, and remain powerless. For some, this situation will be deeply counter-intuitive requiring an alternative solution. The nature of this dilemma and the problems it poses, warrants a more detailed explanation before moving on. So what makes the two alternative choices unsatisfactory to the individual in the above account?

This chapter will point to a number of moral principles which are either specifically stated or implied within the current body of work on nonviolence. At the centre of pacifist thought lies the moral principle that violence is wrong. On A.J. Muste's terms (in Ryan 1996:8): "Violence itself is an evil, a poison which corrupts whatever it touches." On this view, to pursue power which necessarily implicates violence, would be out of the question. We could reasonably expect that any individual who participates in daily power relations, who intends to fulfil his/her potential, to pursue happiness, to instigate change and to live a meaningful life would at the very least be dissatisfied with the option of

remaining powerless. We could imagine the situation in which some individuals might genuinely fail to see a problem (moral or otherwise) with pursuing power through violence (I will refer to these as the “gun-slinging, bandit-slaying” types). On the other hand, it is reasonable to expect that many will (a) sympathise with Muste’s view (b) may in addition view violence (and therefore power pursued in this way) as illegitimate but (c) observe the very real connections between power and material well-being or power and safety and pursue action based on the following reasoning: Were there any other alternative, I would not participate in a way that implicates violence, coercion or control. But my safety and material wellbeing and that of my family come first, and even though my position is compromised I will knowingly take the lesser of two evils. The dilemma is that this response does appear to be rational, even reasonable, but if we accept an analysis of power based on violence, it is still the morally wrong choice. Any alternative metaphysics of power will need to provide a satisfactory response to this more difficult position. I’ll call those who adopt this position the “sensible” group.

It will become clear that the current body of work on nonviolence does not satisfactorily answer the sensible group. In proposing an alternative metaphysics of power based on nonviolence, I am not proposing that we simply abandon the theories of power based on violence and change boats mid stream, adopting the current body of work on nonviolence. To do so, would be leaping out of a boat full of holes, so to speak, merely into another in a similar condition; these limitations will be examined below. The previous chapters have demonstrated the need for nonviolence to share the domain of power. The purpose of this

chapter is to draw a range of insights from the current body of work on nonviolence; to identify the problematic or puzzling areas, before developing a metaphysics with a different theoretical base. We will see that the current body of work on nonviolence contains three principal elements: protoarguments that look incomplete (but are capable of being built upon); bad arguments that are an inadequate basis for a theory of nonviolence; and important challenges to nonviolence that should be considered before progressing further. The challengers will begin to ask questions relevant to the sensible group, but will fail to provide answers.

A literature search on nonviolence will also produce the following concerns: the current literature predominantly relates to Western nonviolence, reflecting a theistic foundation and thereby excluding a large group of people who do not share this perspective. More specifically, it is often presented in the form of a chronological series of nonviolent actions from a 300 year period of North American history. This demonstrates a particular weakness in the literature comprising the body of knowledge on nonviolence to date: It is difficult, if not impossible to comprehend a theoretical base for nonviolence when people confuse the “telling of a good story” with nonviolence theory. And it is implausible that a viable theory of nonviolence might stem from a foundation reflecting only a 300 year North American perspective. Discussions structured in this way often fall into the trap of providing an entertaining and captivating view of nonviolence activists from the Quakers through to the contemporary anti-nuclear movement at the expense of a theoretical

account¹; but entertainment is not a substitute for an answer to serious challengers of nonviolence theory.

Of the eight to ten major works that appear to comprise such a history of nonviolence, each brings with it a set of accounts to support underlying conclusions. Some (while they are great stories) are of no theoretical interest, but others are. My aim in the first section of this chapter is to focus on those which generate enough controversy for there to have been an attempt at justification. I intend to review the ideas of the Quaker movement and individuals like Henry D. Thoreau, William James, Elihu Burritt, Reinhold Niebuhr and A.J. Muste in this regard. From this assessment I will highlight protoarguments that while incomplete, are capable of being built upon. Before beginning, it is important to restate that while I will use a documentary style narrative to highlight important events and contexts relating to the emergence of nonviolence ideals, and from these, explore the beginnings of good theoretical arguments. I do not endorse the mere compilation of historical accounts as a substitute for a good theoretical foundation.

Quaker Ideals

Before the Revolution of 1776, nonviolence was peculiarly identified with members of the Society of Friends, also known as 'Quakers'². It is noted that there were other pacifist

¹ Examples might include S & A Lynd, *Nonviolence in America* 1995, and J. Fahey & R. Armstrong *A Peace Reader: Essential Readings on War, Justice, Non-Violence and World Order*, 1992. I am particularly indebted to the insights of Prof. J.L. Garfield and grateful for lively discussion regarding the distinction between good stories and good theory.

² This paper cannot possibly hope to do justice to the history of the Society of Friends. The best that can be hoped for is to make observations from research and draw inference to theory. It should be noted that

sects (John Woolman recorded in his *Journal* the case of a Mennonite who slept in the woods rather than receive hospitality from a slaveholder), but the Quakers were more numerous, and being English, they were more in touch with the English majority in the colonies than Continental pietists could hope to be. The Quakers, moreover, insisted stubbornly on defying what Roger Williams called “that body-killing, soule-killing, and State-killing doctrine of not permitting, but persecuting all other consciences and wayes of worship...” (Williams 1866:328) (an underlying belief which characterises the Quaker movement, is to seek the divine manifestation in everyone, leading inevitably to the conclusion that persecution of others cannot be tolerated).

When Quakerism began in the middle of the Seventeenth Century, England was in a state of political and religious turmoil that left many feeling that they no longer knew where they might find the truth by which to live. They had come to trust the outward authority of neither state nor church. Ritual had lost its meaning and creeds their relevance. A gap had opened up between profession and practice.

The appearance of George Fox had a catalytic effect upon those who were called “Seekers.” Under this name were grouped those who were dissatisfied with the religious sects of their day and who were awaiting expectantly new light and guidance. George Fox crystallised for them what many had felt but could not formulate. Seekers became

the underlying beliefs of the Quakers went through a process of Reformation and development which began in 1748 and that this has been taken into consideration prior to comment.

finders³. For Fox himself the revelation came when he discovered that the answer to his searching lay, not in priests or professors, but in the discovery of an inward voice which said, "There is one, even Christ Jesus, that can speak to thy condition." For Fox this was a rediscovery of what he felt had happened to the first Christians, who went out filled with the Holy Spirit. He used metaphors of "seed" and "light" to communicate his experience. The light of Christ was within the heart of every human being: it was universal (we must be constantly mindful that Quakers, for all intents and purposes carrying the legacy of nonviolence, do so within this strongly theological framework).

This theological framework will present as a limitation to a theory of nonviolence with global application.⁴ On Pendle Hill in Yorkshire Fox had a vision of "a great people to be gathered." "He saw people," said William Penn, "as thick as motes in the sun, that should in time be brought to the Lord, that there might be but one shepherd and one sheepfold in all the earth." (Oats 1985:4) The vision, it has been said, caught on like a brushfire; Indeed, fired by Fox's assurance, the early Quakers made a profound

³ The original name by which the followers of George Fox were known as early as 1652 was "Friends in the Truth". They did not look upon themselves as a separate sect. The term "Quaker" was a nickname, coined as the result of a courtroom rejoinder by Fox to the judge, Gervase Bennett, who was examining him on a charge of blasphemy. Fox said that justice Bennett "first called us Quakers because we bid them tremble at the word of God, and this was in the year 1650". The term 'Society of Friends' began to be used towards the end of the Eighteenth Century. Until the end of the Eighteenth Century the term 'People called Quakers' was in general use. The full descriptive term used now is 'The Religious Society of Friends (Quakers)'. [J. Nickalls, (ed.) *The Journal of George Fox* p.58.

⁴ It will also become apparent that this framework is maintained by heavily coercive tactics. Again, while this may be perfectly reasonable to the group in question, it is possible to imagine objections to a global theory of nonviolence where individuals undertake nonviolent actions as a result of punishment for failing to do so.

impression on many thousands of people as they spread their message through the villages and towns of England with something of a revolutionary ecstasy.

Puritan and Anglican alike, seeing their authority threatened, reacted with persecution and imprisonment. Thousands of Quakers, men and women, were imprisoned and many died in dungeons. The violence of the reaction of church and civil authorities was largely the result of the Quakers' determination to translate their vision into practice in their daily lives. They were nothing if not thorough in their attempt to make practice cohere with principle. The core of that vision was that God was present in every human being, that thereby, direct communion between God and man was possible without the intervention of a priest, that the knowledge of this presence and a turning to this light of Christ in the heart could transform one's life and indeed could so transform a community. In the context of the religious outlook of the seventeenth century, George Fox's proclamation that "Christ has come to teach his people himself" was seen as blasphemy. To the onlooker the Quaker presented a negative and therefore a threatening image--no priest, no liturgy, no sacrament (and therefore no baptism), no creed.

To the Quaker each of these negatives was the result of a positive affirmation: no priest, because all believers were priests and could commune direct in the heart with the Holy Spirit; no liturgy, because to worship was to listen in silence to the voice of God within--a spontaneous, not a predetermined, prepared, other-person-directed activity; no sacrament, because the whole of life was sacramental, and therefore no day, nor act, nor

moment should be separated from its potential for revealing the presence of God; no baptism with water but baptism with the Holy Spirit, for all were birthright children of God; no creed, because truth cannot be confined within the limits of any fixed man-made form of words [Here we begin to see the foundations of a belief in “truth” which was to drive their nonviolent actions. The meaning of truth for Quakers however will require detailed explication and will be dealt with further in the chapter.

John Wilhelm Rowntree summed up the positive basis of the Quaker reliance on the reality of the inward experience and not on the outward form or symbol:

To the soul that feeds upon the bread of life the outward conventions of religion are no longer needful. Hid with Christ in God, there is for him small place for outward rites for all experience is a holy baptism, a perpetual supper with the Lord, and all life a sacrifice, holy and acceptable unto God. This hidden life, this inward vision, this immediate and intimate union between the soul and God, this, as revealed in Jesus Christ, is the basis of the Quaker faith. (Oats 1985:3-18)

These beliefs began to provoke hostile reactions: a 1660 act of Virginia referred to the Friends as an:

...unreasonable and turbulent sort of people...teaching and publishing lies, miracles, false visions, prophecies and doctrines, which have influence upon the communities of men both ecclesiastical and civil endeavouring and attempting thereby to destroy religion, lawes, communities and all bonds of civil societies, leaveing it arbitrarie to everie vaine and vitious person whether men shall be safe, lawes established, offenders punished, and Governours rule, hereby disturbing the publique peace and interest. (Henning 1823:532-533)

This disturbing of the public peace, from the Quaker perspective was intended to stimulate rather than work against the public interest at the time. Another key plank in their

theoretical base is expressed in the form of the "Peace Testimony" which stems from the belief that any form of violence is violence against "that of God within." They therefore became actively involved in peace-making, whether in actual conflict situations, or in attempting to address the underlying social, economic and political causes of those conflicts, spurring them on to even greater action:

While this 1660 act delivered a damning indictment in Virginia, Quakers were mounting a nonviolent invasion of Massachusetts Bay.⁵ In July 1656, Mary Fisher and Ann Austin arrived in Boston. They were deported, but two days after their ship sailed out eight more Friends sailed in. As described by George Lakey:

These formidable zealots carried the battle to the Puritans, avoiding devious means of spreading their message. They attempted to speak after the sermon in church, made speeches during trials and from jail windows during imprisonments, issued pamphlets and tracts, held illegal public meetings, refused to pay fines, and refused to work in prison even though it meant going without food. (Lynd 1995:xiii)

Again and again Quakers returned to the Bay Colony, despite whippings and executions. While William Leddra was being considered for the death penalty, Wenlock Christison, who had already been banished on pain of death, calmly walked into the courtroom. And while Christison was being tried, Edward Wharton, who also had been ordered to leave the colony or lose his life, wrote to the authorities from his home that he was still there.

⁵ This description of the Quaker encounter with Massachusetts Bay quoted by Lynd is drawn from George Lakey, *Nonviolent Action: How It Works*, Pendle Hill Pamphlet No. 129 (Wallingford, Pa.: Pendle Hill, 1963), pp. 11-12. Lakey cites Harvey Joseph Daniel Seifert, "The Use by American Quakers of Nonviolent Resistance as a Method of Social Change" (unpublished Ph.D dissertation, Boston University, 1940).

This sort of action is a direct reflection of “Speaking Truth to Power”--“A living Concern for the Good of all, and the prosperity of Truth upon the Earth.” (Marietta 1984:65) It is somewhat difficult to come to a precise understanding of what this truth represented for Quakers, as it is not directly spelled out, but appears to call on the commandments appearing in the Old Testament (this aspect will be investigated in more detail later in the chapter because an insistence on “the truth” we will see, is a common factor among those groups proposing the practice of nonviolence).

The public attitude toward Quakers began to change, enlisting more support: the jailer’s fees were often paid by sympathetic citizens and food was brought to the prisoners through the jail window at night. A number of colonists were converted to Quakerism by witnessing this suffering. Edward Wanton, an officer of the guard at the execution of Robinson and Stephenson was so impressed that he came home saying “Alas, mother! we have been murdering the Lord’s people.” When Hored Gardener prayed for her persecutors after her whipping, a woman spectator was so affected that she said, “Surely if she had not the support of the Lord she could not do this thing.”⁶

It was argued that through suffering, and the practice of love and compassion toward others, Quakers demonstrated their belief in the worth of every person, and the faith in the power of love to overcome violence and injustice. Governor Endicott, however, was not so easily moved. When Catherine Scott indicated her willingness to die for her faith, the

⁶ While examples like this are plentiful in our Judaic-Christian history, it is important to note that examples of profound change brought about by witness to suffering also abound in a non-theistic setting - I find such examples noticeable by their absence and will seek to redress this shortfall in chapter 4.

Governor replied, “And we shall be as ready to take away your lives, as ye shall be to lay them down.” (Lynd 1995:xvi)

The available literature on nonviolence provides a great array of historical anecdotes in order to bring to life the relationship between these nonviolence activists and their oppressors before recording what can be viewed as a significant shift in public reaction: After William Brend had been so cruelly beaten that he seemed about to die, even Governor Endicott became so alarmed at the attitude of the people that he announced that the jailer would be prosecuted. (*Ibid*) The later execution of a woman, Mary Dyer, added to the discontent, and even the General Court began to weaken. Virtual abolition of the death penalty followed and there were problems in getting the constables to enforce the law which became even milder (a theme we will see later repeated in the Bus Boycotts in Alabama and street protests in South Africa). “By 1675,” Lakey’s account concludes, Quakers were regularly meeting undisturbed in Boston.”

I have somewhat swiftly led the reader from the beginnings of Quakerism to the present point, where we see evidence of meetings becoming commonplace, because it is within the framework of the “Meeting” that we see both the underpinning theory of Quaker nonviolence and the measures used to maintain it. It is here that we gain an insight into precisely what it means to be a Quaker, and how easily this privilege can be lost. Quaker discipline governed a Friend’s life from birth to death: The Society registered his birth, oversaw his religious and secular education, approved his choice of spouse, and buried

him “decently, orderly and publickly.” To assure that the Society could effectively oversee the lives of its members, the Quaker discipline required that Friends live within the physical confines of a monthly meeting... “they showed...that within their monthly meetings they could very effectively inspect the lives of the members.” “A Friend did have to live within the confines of a meeting; living beyond them exposed him to possible disownment.” (Marietta 1984:5)

Meetings focussed on the "Inward Light of Christ in the heart" and led Quakers to affirm in their personal living the need for speaking the truth in their relations with others, for honesty in business dealings, for recognition of the equality of all in the sight of God, and for simplicity in personal and family life. Speaking the truth in all circumstances led to the refusal to swear an oath. By Act of Parliament in 1749 Quakers were granted the concession of affirmation except in criminal cases, or service on juries, or for bearing any office or place of profit in government. Quakers quoted scriptural justification for this testimony, for, they said, did not Jesus command, "I say unto you: swear not at all." (Oats 1985:6, quoting Matthew 5:34)

The application of honesty to business dealings gained for Quakers not only a reputation for trustworthiness and a recognition that a Quaker's "fair price" did not admit of bargaining, but also notable success in trading. As they prospered and as honesty proved to make very good business sense, they jealously guarded this reputation for straight and honourable dealing. For this reason they maintained in their Meetings a watchful eye

over the financial health of their members and reacted very sternly to any evidence of malpractice or failure to pay just debts. But research shows that this watchful eye turned itself to more than just financial affairs. Initially however, if any member was said to be in financial difficulties, visitors were appointed to enquire into the state of his affairs. If it could be shown that the reasons for failure might have been beyond his control, and if he showed unmistakable intention of repaying creditors to the limit of his ability, no disownment would be pursued by the Meeting. If, however, the Meeting was not satisfied on these two points, the minute of disownment made it clear that the offender had damaged not only his own reputation but also that of the Society in the eyes of the community.

It is an interesting interpretation of freedom and autonomy which appears to be espoused for all members of society, including those outside of the Friends group, while those within are seemingly crushed by constraints imposed on the group in relation to its own behaviour. The following table (in Marietta 1984:6-8) places the watchful eye in more of an Orwellian light, highlighting the level of intolerance of any activity (viewed as disciplinary violations) or occasion when the individual showed contempt for the Society's authority of his/her conduct:

Table I*Varieties of Quaker Delinquency*

(N = 12,998)

<u>Offense</u>	<u>Number</u>	<u>Percentage of Total</u>	<u>Percentage Disowned</u>
Marriage delinquency	4925	37.4	45.8
<i>Sectarian delinquency</i>			
Drunkenness	1034	7.8	60.9
Military activity	504	3.8	71.0
inattendance	497	3.8	70.8
Disciplinary'	408	3.2	77.1
Loose conduct	359	2.7	54.3
Profanity	231	1.8	68.9
Attending irregular marriage	217	1.6	27.4
Quarrelling	214	1.6	41.1
Entertainments	178	1.4	39.9
Neglecting family responsibilities	142	1.1	49.6
Use of law'	129	1.0	31.7
Gambling	107	0.8	48.1
Disapproved company	81	0.6	75.0
Business ethics	64	0.5	70.3
Schism	54	0.4	28.8
"Gospel Order"	38	0.3	56.8
Oaths	35	0.3	60.0
Voluntary withdrawal	35	0.3	94.3
Courting and fraternizing	23	0.2	54.5
Public activity'	22	0.2	50.0
Lying	21	0.2	76.2
Disobeying parents	21	0.2	81.0
Dispensing liquor	21	0.2	23.8
Theology,	15	0.1	20.0
Dress and speech	11	10.	68.8
Printing	7	10.	71.4
Sabbath breaking	5	0.0	60.0
Miscellaneous	42	0.4	31.7

<u>Offense</u>	<u>Number</u>	<u>Percentage of Total</u>	<u>Percentage Disowned</u>
Sexual delinquency			
Fornication with fiance(e)	1311	9.9	39.6
Fornication	727	5.5	70.6
Incest	174	1.3	75.7
Adultery	46	0.3	87.0
Delinquency with victims			
Debt	613	4.6	51.4
Assault	391	3.0	41.3
Slander	124	0.9	35.2
Slaveholding	123	0.9	22.0
Fraud	118	0.9	58.1
Theft	61	0.5	60.0
Violating laws	17	0.1	17.6
Destroying property	11	0.0	36.4
Fleeing master	9	0.0	76.2
Counterfeiting	7	0.0	57.1
Smuggling	6	0.0	50.0
*figures are three year moving averages, 1682-1776.			
(While unconventional to include tables in a philosophical work, I believe that doing so in this case demonstrates a more accurate picture of what it meant to be a Quaker at that time, and leads to some understanding of the framework within which the members operated. Research of this detail is required if we are to gain an accurate picture of the motivation behind individual and collective nonviolent actions).			

When a delinquent Friend was reported to a monthly meeting the meeting appointed several Friends to visit the delinquent to inform him of the allegation against him and to ascertain his disposition. In most cases it appears that the meeting was already certain of the guilt of the accused before visitors were appointed, and their primary task was usually to learn whether the delinquent was disposed to admit and condemn his breach of discipline or would refuse to condemn it and be disowned. To condemn his breach, he

had to prepare a written statement for the meeting confessing his guilt and attesting to his contrition. He had to attend the monthly meeting with this paper, have it checked for its adequacy, and later attend his own meeting for worship when the paper was read to his brethren. If he chose disownment, the monthly meeting prepared a statement of his transgressions and a declaration of its disunity with him. A copy was given to him for his inspection. If he did not object, the statement would be published among Friends. The procedures were strictly observed. (Marietta 1984: 6-8)

An examination of discipline reveals the historic importance of correct conduct to Friends--by, among other things, their use of evidence to prove a member's deviance, their anxiety that deviants be publicised, their willingness to diminish their membership and create tensions within families and meetings, all to uphold their standards of ethics. With a sense of their concern for their corporate record or character, we may better understand their extraordinary refusal to assimilate the "world's ways" or to go along pragmatically with the prevailing social and political customs of their day. The secular world, including Christianity outside the Society, was described as alien, dangerous, and sinful, whereas discipline or the life of Quakerism was sanctioned by God. To obey the discipline was to refuse to act like others, and acting like others was to sin, degenerate, and resign oneself to spiritual death...Straightforwardly as well as metaphorically the reformers insisted upon sectarianism or tribalism, the separation of Friends from others. (Marietta 1984:85) We can see here quite clearly, the extent of the problem facing a researcher with the task of constructing a new metaphysics of power based on

nonviolence, when the foundations of the present body of work on nonviolence stems from a view which excludes a large percentage of society who do not have membership to that group. A particular theory of nonviolence which is so jealously guarded as belonging only to the chosen few, cannot hope to do the work we would expect from a general theory.

Ignatieff's comments (1978:150) on the disownment of Friends for dishonesty in business and in certain cases for insolvency are relevant here. "By expelling any Friend found guilty of dishonest business practice," he said, "they gained a reputation of probity that served them well as bankers." (It was no accident, therefore, that some of the pioneers of banking such as the Barclays and Lloyds were Quakers). The more successful Quakers became in business, the more jealously they guarded this reputation for honesty, it became part of the image of the Nineteenth-Century Quaker. Failure to live up to this image had a stigmatic effect on the defaulter, even if he had failed through the operation of market forces beyond his immediate control. It is understandable therefore that not a few Quakers, faced with the social effect of disownment by their Meetings, sought escape from alienation by migration. When a structure is maintained by such self-regulating vigilance and reprisal, it is not unreasonable to question the motives for individuals behaving the way they do. At the very least, it would be awkward to rely on a theory of nonviolence, where individual members might be perceived as acting nonviolently through fear of doing otherwise. This notwithstanding, some members of the Quaker community did successfully demonstrate nonviolence theory into action, evidenced by the peace treaty with the Delaware Indians,

the partial abolition of slavery and changes resulting from the refusal to pay war taxes. I will deal with each of these in turn:

William Penn (who came into contact with, and joined the Quakers while he was a student at Oxford University) was arrested and jailed several times under Restoration laws that restricted nonconformity (one of these cases, in 1670, settled the legal precedent that a jury's verdict of "not guilty" shall prevail despite a contrary instruction from the judge). His radicalism notwithstanding, in 1681 Penn was given Pennsylvania as a proprietary province. Penn wrote a letter on October 18 1671, which he gave to the commissioners who preceded him to Pennsylvania to read to the Indians on their arrival. The letter outlined his theistic beliefs and a desire to live a just and peaceable life with a focus on dialogue and friendship. The result was the famous peace treaty between Penn and the Delaware Indians.

No reliable account of the treaty exists; apparently there may have been several accounts remembered as one event. According to the Indian tradition which carefully preserved the memory of the treaty, the principal points of the agreement included an open and free exchange between Indians and Christians, making each other welcome as friends; that neither side should believe false rumours about the other, but should use the process of inquiry to determine the truth. Penn's nonviolence approach (which had prudential as well as idealistic motives) was a resounding success. Not only did it keep the peace in Pennsylvania for two generations; it seems to be true that when in the mid Eighteenth

Century, warfare between the colony and the Indians began, Quaker families were spared. The influential Quaker of the early Nineteenth-Century Jonathan Dymond, passed on to abolitionist readers the tradition that Friends who refused to arm themselves or to retire to garrisons were left unharmed by the Indians.⁷

Pennsylvania's decision to arm against the Indians prompted another form of nonviolent action: the refusal to pay taxes for military purposes. The issue pitted John Woolman and Anthony Benezet, arguably the best remembered Quakers in the British colonies, against Benjamin Franklin, who led the non-Quakers of Pennsylvania in insisting on military preparations. Woolman's best known work, his *Journal* (first published in 1774), illustrates the development of his thought in response to encounters in daily life: his objection to slavery sprang from occasions on which neighbours asked him to write legal documents relating to their human chattels. The French and Indian War led Woolman as well as Anthony Benezet and other Quakers to refuse to pay taxes in support of war. Woolman's account of his tax refusal reveals how new a practice it was, even among Friends. Believing that "conduct is more convincing than language," Woolman also refused free hospitality from slaveholders and gave up the use of commodities, such as cotton cloth and sugar, which were made with slave labor. Friends argued that that the dominion of master over slave was no model for Quaker children to imitate. Households

⁷ Jonathan Dymond, *Essays on the Principles of Morality and on the Private and Political Rights and Obligations of Mankind* (New York: Collins, Brother & Co., 1845) pp.558-559. In 1849 Charles Sumner cited Dymond as the exemplar of absolute pacifism in the "War systems of the Commonwealth of Nations", Charles Sumner; his complete works, (Boston: Lee and Shepard, 1900), p. 335.

with slaves contradicted the lessons on humility, modesty, temperance, and reserve; these Quaker virtues were impaired by the mastery of slaves... “a practice so evidently contrary to our Christian profession, and principles and common rights of mankind.” The Yearly Meeting resolved in 1774 to completely disown any Friend who bought, sold or transferred slaves.” (*Ibid*)

“A Plea for the Poor,” first published in 1793, expresses the full scope of Woolman's social philosophy: If only human beings would regard their daily bread as a gift from God, and be content with necessities, then wars caused by the strife for luxuries would end, and exploitation would give way to universal love. In Woolman's work, like that of other Quakers, we see nonviolence theory inseparable from its theistic base, but we can also extract the principle that violence is renounced absolutely (and by-products of violence like slavery and war) because it denies the value of its victims' life.⁸

“Woolman died on the eve of the Revolution, but Franklin and Benezet, antagonists over the French and Indian War, differed once more about the War for Independence...Franklin spoke for the majority...[with the] motto “Rebellion to tyrants is obedience to God”..[in contrast] Benezet expressed the feelings of the pacifist minority. (Lynd 1995:xvi)

Symbolised by the confrontation of these leaders was the conflict between Quaker nonviolence and the dominant philosophy of Locke. Locke argued persuasively against

⁸ This principle is espoused more recently by the feminist pacifist Janey Meyerding who supports this absolutist position: “Pacifism is opposed to violence in all forms, including physical, emotional, intellectual, and economic coercion, because violence denies the value of its victims' lives.”

“those whose scruples over violence permitted tyranny to reign unchecked.” In his *Second Treatise of Government* Locke declared:

If the innocent honest Man must quietly quit all he has for Peace sake, to him who will lay violent hands upon it, I desire it may be considered, what a kind of Peace there will be in the World, which consists only in Violence and Rapine; and which is to be maintained only for the benefit of Robbers and Oppressors. Who would not think it an admirable Peace betwixt the Mighty and the Mean, when the Lamb, without resistance, yielded his Throat to be torn by the imperious Wolf.⁹

Probably at no time in United States history was nonviolence so alien to the mainstream of the country's social thought as in this revolutionary generation. Many of those who challenged nonviolence would do so on these Lockean grounds: Any action which allows tyranny and oppression to continue unchecked, cannot be justified under the name of peace. The only beneficiaries of such a peace would be the violent, who continue to take that which is not due to them. Two individuals who stand out in support of this view are Frederick Douglass and Henry David Thoreau.

A more dramatic case of conversion to violence was that of Frederick Douglass. As late as September 1849 Douglass could say: “I am willing at all times to be known as a

⁹ John Locke, *Two Treatises of Government*, (ed.) Peter Laslett (Cambridge University Press, 1960), p.435. The attitude of radical Whigs toward nonviolence in the era of the American Revolution is suggested by the following examples: John Adams called it “the most mischievous of all doctrines”; John Cartwright spoke of “the dark regions of passive-obedience and non-resistance”; while Richard Price referred to “the odious doctrines of passive obedience, non- resistance, and the divine right of kings” (“A Dissertation On The Canon And Feudal Law,” *The Political Writings of John Adams: Representative Selections*, ed. George A. Peek, Jr. [New York: The Bobbs-Merrill Company Inc., The Liberal Arts Press, 1954], p.10; John Cartwright, *The Legislative Right Of The Commonalty Vindicated,- Or Take Your Choice!* [London, 1777], p. xxvi; Richard Price, *A Discourse On The Love Of Our Country* [London, 1790], p. 35). For nonviolence as a favourite theme of American Tories, see Leonard Labaree, *Conservatism In Early American History* (New York University Press, 1948), pp. 74-75, 126-130.

Garrisonian abolitionist.” But earlier that same year Douglass had thrown Faneuil Hall into an uproar by declaring that he would welcome the news of a slave insurrection in the South. In 1854, his attitude hardened by the Fugitive Slave Law, Douglass posed the question, “Is It Right and Wise to Kill a Kidnapper?,” and answered, “Yes.” In 1856 Douglass said of the slave system, “its peaceful annihilation is almost hopeless.” In June 1860 the former slave came full circle, stating:

I have little hope of the freedom of the slave by peaceful means. A long course of peaceful slaveholding has placed the slaveholders beyond the reach of moral and humane considerations The only penetrable point of a tyrant is the fear of death.” (Lynd 1995:284-289)

In the work of Henry Thoreau we see the synthesis of the two previously divergent traditions: the Christian concept of civil disobedience, and John Locke’s justification of revolution. Thoreau asked, in effect, “if violence was justified against a tax on tea, how much more would it be justified to emancipate the slaves?” Thoreau, like Roger Williams or William Penn, affirms the peril of coercion in spiritual matters: he refused to pay a tax for the support of the established church several years before this, his more celebrated refusal to pay the Massachusetts poll tax which earned him a night in jail. He argued that the war with Mexico, then going on, was intended to spread slavery; and that those who wished to do more than wish godspeed to the right as it went by them (as he put it) would have to put their bodies in the way. Thoreau’s essay (“Civil Disobedience” written after he spent his night in jail) owed much to the Christian anarchism of Garrison and Ballou. But while Garrison and Ballou disavowed “Jacobinism” (violent revolution), Thoreau deliberately proclaimed the need for revolution, albeit a revolution of one.

In "Civil Disobedience" Thoreau (1886:123-151) concludes: "I cannot for an instant recognize that political organization as *my* government which is the *slave's* government also," and proposed individual noncooperation with the state as "the definition of a peaceable revolution, if any such is possible." By 1854, under the hammer of the Fugitive Slave Law, Thoreau was prepared to say: "Show me a free state, and a court truly of justice, and I will fight for them, if need be." In 1859, speaking on the death of John Brown, Thoreau said: "I do not wish to kill nor to be killed, but I can foresee circumstances in which both these things would be by me unavoidable." He squarely supported Brown's violent raid:

It was his [Brown's] peculiar doctrine that a man has a perfect right to interfere by force with the slaveholder, in order to rescue the slave. I agree with him.... I shall not be forward to think him mistaken in his method who quickest succeeds to liberate the slave. I speak for the slave, when I say, I prefer the philanthropy of Captain Brown to that philanthropy which neither shoots me nor liberates me. (*Ibid*)

The collapse of Garrisonian nonviolence is the most striking failure of nonviolence in United States history to date. One can argue endlessly whether it might have been otherwise. Should Garrison have gone into the South, like Woolman, and tried to reason with slaveholders face-to-face rather than condemn them at a distance? The great and unavoidable fact is that the abolitionist movement, virtually unanimous in adhering to nonviolence in the 1830s, was almost equally united in supporting Lincoln when the war came. Violence became justified in the quest for freedom.

Objectors to nonviolence came not only from those converted to violence, but surprisingly from within pacifist ranks; the most notable was William James. Next to

Thoreau's essay on civil disobedience, "The Moral Equivalent of War" by William James (1842-1910) is probably the most influential statement in the history of American nonviolence. The American Friends Service Committee, the Civilian Conservation Corps, and the Peace Corps all derive from the central thought of James' argument. According to James, the pacifist will never succeed merely by preaching against war. Her task must be to find another mode whereby the energies can be elicited, involving risk, voluntary poverty, and service to the state. James suggested that young people be conscripted for a period of years in a war against nature rather than against each other. Such labor would redirect warlike impulses toward more constructive ends: "Great indeed is Fear; but it is not...the only stimulus known for awakening the higher ranges of men's spiritual energy." James saw "how desperately hard it is to bring the peace-party and the war-party together, and I believe the difficulty is due to certain deficiencies in the program of pacifism which set the militarist imagination strongly, and to a certain extent justifiably against it." (Lynd 1995:68) He seems to suggest that the way pacifists argue against war is on the wrong track, and will never move the hearts of the military party. An argument which provides "only a counter-insistency on war's expensiveness and horror" won't do, for it is the horror which makes the thrill "and when the question is of getting the extremist and supremist out of human nature, talk of expense sounds ignominious." (1995:71)

The military party denies neither the bestiality, nor the horror, nor the expense. It only says that war is *worth* them; that taking human nature as a whole, its wars are its best

protection against its weaker and more cowardly self, and that mankind cannot *afford* to adopt a peace-economy. James wants pacifists to “enter more deeply the...ethical point of view of their opponents...do that first, he insists...and *then move the point*, and your opponent will follow.” James sees the primary problem as the lack of proposing a substitute for war. Pacifists should propose a *moral equivalent of war* analogous “to the mechanical equivalent of heat.” He sees the “whole atmosphere of present-day utopian literature” as “dishwatery” and “suggests in truth ubiquitous inferiority.” (*Ibid*) [James at this point comes closest to reflecting my own sentiments outlined at the start of this chapter, and the weakness in the literature which fails to offer any coherent theoretical underpinning for the nonviolence sentiment].

For all this criticism, James sees his own position “aspiring to the reign of peace” as utopian, placing him squarely in the anti-militarist party. By way of explanation, he finds it simply preposterous that the only force that could work ideals of honour and standards of efficiency into English or American natures should be the “fear of being killed by the Germans or the Japanese” (and hence exist in the military pursuit). It is not the only stimulus known for awakening the higher range of the individual’s spiritual energy. James endorses the conception of order and discipline, the tradition of service and devotion, of universal responsibility and poverty, but he wants to inflame the civic rather than the military temper in order to achieve it. It is not difficult to see similarities here between James and Thoreau, where James advocates a revolution of the human spirit, Thoreau had defined individual civil disobedience as the method of peaceable revolution,

if such a revolution were possible. The Civil War came, seeming to disprove this possibility; but a generation later Gandhi discovered in South Africa how masses of people--without which no genuine revolution can occur--could use nonviolent action to achieve success.

Before examining the theoretical foundation of Gandhian nonviolence, it will benefit the discussion to pause momentarily to take stock. I have argued that a metaphysics of power based on violence is problematic and unsatisfactory. I have looked to the most obvious contender for a solution. The most obvious contender is the body of work on nonviolence. A literature review of this domain offers a handful of major works, each containing its own set of accounts to support underlying conclusions. While they are for the most part, great stories, only some are of theoretical interest. In beginning to analyse this smaller group, we cannot go past the enormous influence of the Quaker movement. For this group, nonviolence stems directly from a *theological base* and an *insistence on truth*. We have seen that this insistence appears to be taken in the most coercive and literal sense of the term, and barriers are immediately fixed in place in order to exclude those who do not belong and discipline those who do when they are delinquent. This aspect begins to make the theory problematic and restrictive and consequently it will not do the work we expect from a good theory of nonviolence¹⁰.

¹⁰ A good general theory should be explanatorily successful across all relevant domains. By drawing barriers, and excluding those outside of a particular group, the theory becomes closed and unavailable to a large number of people.

To this point, those who argue for nonviolence have done so from a theistic base. Standard readings of Gandhi would not open discussion to a wider (non-theistic) audience, but insightful readings of Gandhi by Bondurant (1965) provide a secular interpretation. She argues that Gandhi, aware of the exclusion entailed by a theistic doctrine, places Truth at the top of the pedestal of importance. For Christians, this truth is God. For others, truth can be represented by something outside of this framework.¹¹ I will examine these issues below.

Early in his public comments, Gandhi identifies God with Truth. Later (in 1925), Gandhi claims that for him “God and Truth are convertible terms.”¹² The following year in an address at Wardha he declares: “...to me Truth is God and there is no way to find Truth except the way of non-violence.” (Gandhi 1948:172) When he was later (in 1931) asked by a group of conscientious objectors in Switzerland why he regarded God as Truth, Gandhi explained how he had come to believe the phrase “God is Love” was inadequate and how he had further concluded that God is Truth. He then added that he had found it necessary to go a step further and to say that Truth is God.

The fine distinction between the two statements has been taken by some commentators to be of substantial significance, and if they are right the satyagrahi is relieved from the

¹¹ Some, for example, may prefer the preeminent position given to the interdependence of humanity rather than a godhead. Professor Fatima Meer, renowned Indian Gandhi expert, may not support this view; claiming rather that, for Gandhi “power is the manifestation of the supreme power. There is no other power than the divine, from God” [interview conducted by the author, with Prof. Meer in Durban South Africa, Nov. 1997].

¹² *Indian Opinion* (Phoenix, Natal); *Young India* (Ahmedabad); *Harijan* (Ahmedabad).

necessity of any theological belief. With his changed creed, Gandhi could easily accommodate as fellow-seekers those who looked on Humanity or any other object as their god, and for which they were prepared to sacrifice their all (N K Bose 1935).

By enthroning Truth, Gandhi leaves the way open for an inclusive secular account of nonviolence. Unlike the Quakers, Gandhi holds that Truth is not something at which we can arrive in isolation, waiting for a moment of revelation. Truth is discovered by persons in relation with others. The individual agent can only use objective truth as an unattainable guiding principle--what is achievable is truth in relative terms; and in this respect, the individual searches for truth in terms of the community of which s/he is part. Through power relations with others, guided by the operation of reason, the agent comes to an understanding or "a measure of reality" which may be true at that time, but is open to modification and refinement. This allows the agent to participate in a creative or dynamic process in which s/he can move increasingly closer to the truth over a lifetime. It is this progressive sense of truth that best describes Gandhi's life as an ongoing "experiment."

When conflict results, he resorts to the dynamics of human interrelationships for criteria to judge the truth, or its approximation in a given situation. This leads him, necessarily, back to the realm of ethics: "To an understanding of the ethical implications of his basic metaphysic, and to action based upon them, Gandhi dedicated his life." (Bondurant 1965:23) But if truth is God, and God is understood in one way by some and other ways

by others, how can one “hold onto the truth?” The short answer is that satyagraha is not a dogma. It is neither static nor substantial. We discover that holding onto the truth is a dynamic concept and satyagraha a technique of action. How then can one proceed to know and hold onto the truth? How can confusion be avoided if striving after truth differs in every case? The answer Gandhi gives is that truth is inseparable from *ahimsa*. The word *ahimsa* expresses an ancient Hindu, Jain, and Buddhist ethical precept. The full force of *ahimsa*, explicitly stated, means “action based on the refusal to do harm.” (*Ibid*)

Gandhi refines the meaning further:

Ahimsa is not the crude thing it has been made to appear. Not to hurt any living thing is no doubt a part of *ahimsa*. But is its least expression. The principle of *himsa* is hurt by every evil thought, by undue haste, by lying, by hatred, by wishing ill to anybody. (*Ibid*)

I accept Gandhi’s interpretation of *Ahimsa*¹³, namely that it is not merely a negative state of harmlessness but it is a positive state of love, of doing good even to the evil-doer. But what it does not mean, is helping the evil-doer to continue the wrong or tolerating it by passive acquiescence. On the contrary, love, the active state of *ahimsa*, requires the agent to resist the wrongdoer by dissociating from him, even though it may offend him or injure him physically.¹⁴ I will show in the analysis below that this element in satyagraha has

¹³ But unlike Bondurant, I have had further benefit of analysis from the Buddhist perspective examined in teachings by Prof. S. Rinpoche, given as ‘Buddhism Satyagraha and Nonviolence’ at the University of Tasmania 1998.

¹⁴ This aspect, while apparently paradoxical, is spelled out in detail in ch.4.

social implications expressed in service, requiring for every satyagraha movement a “constructive program.”

The inseparable combination of truth and love in the Gandhian position forms the nucleus of the Gandhian solution to the problem of means:

...without *ahimsa* it is not possible to seek and find Truth. *Ahimsa* and truth are so intertwined that it is practically impossible to disentangle and separate them. They are like two sides of a coin, or rather a smooth unstamped metallic disc. Who can say which is the obverse and which is the reverse? Nevertheless *ahimsa* is the means; Truth is the end. (Bondurant 1965:84)

It is in the area of relative truth, where we can see a clear interpretation of how truth and *ahimsa* work together. To proceed towards the goal of Truth--truth in the absolute sense --the way must lead through the testing of relative truths as they appear to the individual agent. The testing of truth can only be performed by strict adherence to *ahimsa*--action based upon the refusal to do harm, or more accurately, upon love¹⁵ (which I will use interchangeably with compassion: “compassion” is a term linked to a Mahayana Buddhist reading of satyagraha and is fully detailed in chapter 4):

For truth, judged in terms of human needs, would be destroyed, on whichever side it lay, by the use of violence. Non-violence or *ahimsa* becomes the supreme value, the one cognizable standard by which true action can be determined. If there is dogma in Gandhian philosophy, it centres here: that the only test of truth is action based on the refusal to do harm. (Bondurant 1965:25)

¹⁵ Gandhi uses the term “love” frequently. I will progressively use “compassion” to express the same meaning, in order to give the discussion a more secular turn. “Love” has a tendency to be trivialised at times, attracting either romance novel connotations or an impression of ‘over-zealous’ Christianity.

Gandhi makes preeminent the aspect of the *truth of how things ought to be* for clearly in this example reference is made directly to the ethical domain, and not merely to matters of fact about the world. At this ethical level it is straightforward to argue for common ground--agents are not heroes or enemies, but members of the human race who share common rights and depend upon one another in social relations. This point will become significant in the following two chapters, where I will examine the requirement of nonviolent action to dissolve the (false) moral distinction between self and other. This also provides a convincing rejoinder to John Brown, whose argument can only gain coherence by separating agents into heroes and enemies, where it becomes logical to remove the barriers to freedom by obliterating the enemies. But in doing so, Brown fails to note the common denominator of humanity--it is not rational to attain freedom as an end, by destroying the very freedom of others in order to achieve it.

Gandhi accepted as his fellow "seekers after truth" persons who espoused various or no religions, and those who held vastly differing views as to the proper social structure or constructive programming in a nonviolent society. He admitted of error and indecision at many stages of his applied experiment, but the one principle to which he adhered to the end was this theme of ahimsa--the supreme and only means to the discovery of social Truths. "Those who join the Ashram have literally to accept that meaning," he insisted. And that meaning of *ahimsa* took him into the realm much higher than simply non-killing:

Ahimsa really means that you may not offend anybody, you may not harbor an uncharitable thought even in connection with one who may consider himself to be your enemy...that does not mean that we practice the doctrine in its entirety. Far

from it. It is an ideal which we have to reach, and it is an ideal to be reached even at this very moment, if we are capable of doing so. (Gandhi 1920)

Statements like this make it easy to see why some critics argue that this type of lifestyle is relevant to only a few exceptional individuals. But perhaps there is another way to think about *ahimsa*. Think about the North Star. Using the North Star as an accurate guide for those wishing to travel in that direction, does not entail a belief by the travellers that they will literally reach the star. Likewise the pursuit of *ahimsa* can (as I will show in the following two chapters) provide a very useful guideline for action based on an understanding of incremental improvement in the direction of tolerance, compassion and nonviolence.

For Gandhi, the pursuit of truth will inevitably require the agent to endure suffering. Self-suffering in *satyagraha* is directed first of all towards the moral persuasion of one because of whom it is undertaken. It is not a substitute for inability to use violent means to achieve victory over an opponent; it is not, that is, a “weapon of the weak.” Bondurant notes that self-suffering in the Gandhian sense, “is clearly a different character from cowardice; nor is it to be exercised indiscriminately...[it] differs from violence in that violence consists of doing injury to another.” (Bondurant 1965:27) I will discuss below how this is not as clear cut as it seems, but first in Gandhi’s words:

Suffering injury in one’s own person is...of the essence of non-violence and is the chosen substitute for violence to others. It is not because I value life low that I can countenance with joy thousands voluntarily losing their lives for *Satyagraha*, but because I know that it results in the long run in the least loss of life, and, what is more, it ennoble those who lose their lives and morally enriches the world for their sacrifice. (Gandhi 1944:49)

It is clear from Gandhi's words and the standard interpretation of them, by Bondurant and others, that it is within the defining characteristics of satyagraha action taken to its extreme, that if required one will take on suffering to the extinguishment of life itself. We have learned that there can be no compromise in truth insistence, and if the issue warrants it, this insistence is taken to the last breath. This would, arguably, be the most difficult aspect of satyagraha for the Western reader to come to terms with--but not impossible to conceive within our community (we shall see below that Martin Luther King Jr. and his fellow African Americans in their struggle for civil rights in North America, utilised this technique in isolated cases).¹⁶

Self-suffering, if necessary, unto death is a key technique for Gandhi and his fellow satyagrahis in overcoming fear. If the individual is not afraid of dying, then she can "defy the whole might of an unjust empire."¹⁷

Just as one must learn the art of killing in the training for violence, so one must learn the art of dying in the training for non-violence...the votary of non-violence has to cultivate the capacity for sacrifice of the highest type in order to be free from fear...He who has not overcome all fear cannot practise ahimsa to perfection.

¹⁶ But it is not clear cut for the following reason: In chapter four, I will introduce the only contemporary exponents of Gandhian satyagraha, individuals within the Tibetan community in exile. The two key figures whose philosophical approach will be analysed are Professor Samdhong Rinpoche and the Dalai Lama. Now the Dalai Lama, as recently as May 1998 issued a press statement relating to the Tibetan hunger strikers unto death, suggesting that while he supported their stand, and could not insist that they cease the hunger strike because he could offer no viable alternative. However, what they were doing could not be sanctioned because the action constituted violence to the self. While this response appears to move away from one of the Gandhian foundational issues, analysis will show that it is based on a new and more precise definition of violence which includes intentional harm from the perspective of both thought and action.

¹⁷ Gandhi *Young India* August 11, 1920. We shall see that the motivation (for overcoming the fear of death) works just as well in the Tibetan case, but stems from a different ontology (the commitment is to the doctrine of emptiness or 'no self').

To sum up the key points so far, Gandhi's contribution to a contemporary metaphysics of power through nonviolence requires a recognition of the equality and inherent rights of all humankind; and an insistence on the truth of equality, justice and compassion. The means/ends dichotomy must undergo a conceptual turn--the agent must realise that means and ends are one and the same, "there is no way to peace, peace is the way; there is no way to truth, truth is the way." (Naht Hanh 1993:5) This understanding requires a necessary commitment to nonviolence in thought and application during every minute of every day. Rather than operate as a useful technique to be used once or twice a year for the purpose of protest, it becomes the desirable way of life for a moral agent. As a framework for action, it is useful to note that Gandhi does not suggest that this approach is only relevant to a few exceptional individuals, but should be attempted by anybody seeking the truth. Every agent is fallible and anyone may be mistaken in what s/he holds to be the truth. As long as one adheres to nonviolence, then realisation of the truth can and should be adjusted in incremental steps throughout life. This important aspect, along with the more secular reading of truth outside of a theistic requirement, allows Gandhi's philosophy to be accessible to the sensible agent.

With the foundational beliefs in the dignity and worth of all humankind, and an insistence on the truth of this, Gandhi shows how the moral agent can use nonviolent action, not only as a defence against violence, but as a positive and constructive force to bring about social change. By not only believing this, but demonstrating this belief through action, the agent can influence others seeking truth, and influence the oppressor in order that he may

correct his wrong views in a way that both may move to a new position of understanding as a result of the power relation. Power exercised in this way can be enormously successful but does not involve injury or harm. Neither does it involve cowardice or compromise. The moral agent acts from a position of strength, while always aware and empathetic to the needs of the interlocutor. From Gandhi's position, it is the power of the agent's will together with her reason which effects change in society. I will rehearse below an aspect of Bondurant's analysis of one particular satyagraha campaign; doing so will enable the reader to clearly see the difference between satyagraha as nonviolence in practice and how it differs from the account of say, Quaker nonviolence in practice, discussed above:

¹⁸*The Vykam Temple Road Satyagraha*

Dates, duration, and locale

- (1) Spring 1924 to autumn 1925
- (2) Pursued over sixteen months
- (3) The village Vykam, State of Travancore, at the southern tip of India

Objectives

- (1) *Immediate*: To remove the prohibition upon the use by untouchables of roadways passing the temple. This was a serious disability inasmuch as it required untouchables to take a long, circuitous route to reach their dwellings.
- (2) *Long Range*: A step towards ridding Hinduism of the 'blot' of untouchability

Satyagraha participants and leadership

- (1) *Character of leadership*: Among the initiators of the movement was a Syrian Christian. However, opinion favoured Hindu leaders because of the reform objective. Local Hindus took up the prominent leadership roles. Gandhi, who kept in touch with the campaign from the beginning, was not its leader and was not in Travancore until late in the movement, when he was instrumental in securing a concession from the State government.
- (2) *Character of participants*: Hindus, both untouchables and caste (including orthodox) Hindus provided the majority of participants. Sikhs from the Punjab offered direct support by opening a kitchen to feed satyagrahis, but upon Gandhi's recommendation they were replaced by local Hindus so that orthodox Hindu opponents might not be offended.
- (3) *Number of participants*: Active satyagrahis residing in the camp established for volunteers was about 50. many others cooperated, with estimates of total participants varying from 600 to 'thousands'.

¹⁸ For ease of reading, I will retain Bondurant's reporting structure - Bondurant extracted the data in this example from the following sources: CF Andrews, *Mahatma Gandhi's Ideas* (New York: Macmillan, 1930). Andrews was present during the struggle and therefore writes as an eye witness. RR Diwakar, *Satyagraha: Its Technique and History* (Bombay: Hind Kitabs, 1946), p. 115; Richard B Gregg, *The Power of Nonviolence* (rev. ed., London: George Routledge 1938); Files of *Young India* during the period of the movement; Correspondence exchanged between Bondurant and the following: The Hon. RR Diwakar, Richard R. Keithahn, and Pyarelal (Nayyar).

Participants and leadership of the opposition

- (1) *Orthodox Hindus.* An occasional untouchable was numbered among the opposition, but the majority were high caste Hindus, especially Brahmans. An orthodox Hindu society, the Savarna Mahajana Sabha, supported the Brahman position throughout the struggle.
- (2) *Police of the State of Travancore*
- (3) *Members of the Travancore Legislative Council.* The majority of the Council supported the orthodox position.

Organization and constructive program

- (1) *Camp headquarters:* A satyagraha ashram (camp) was established early in the campaign.
- (2) *Constructive activity:* Daily maintenance and camp routine were made an integral part of the movement, with satyagrahis assigned either maintenance duties or direct action duties. A high degree of self sufficiency was attained. Hand-spinning, building of a school, and other constructive efforts were continued during the movement.

Preparation for action

- (1) *Prayer:* A religious tone was given to the movement, with prayer meetings an important part of ashram life.
- (2) *Instruction in satyagraha:* Participants in the campaign engaged in discussion of the principles underlying satyagraha. Emphasis was laid upon understanding the viewpoint of their orthodox opponents, and upon winning them over through persuasion.

Preliminary action

- (1) *Negotiation:* Among the efforts made to negotiate a settlement was a deputation to State authorities.
- (2) *Agitation:* Efforts were made to attract public attention to the disabilities of the Vykam untouchables.

Action

First phase:

- (1) Procession of untouchables and caste Hindus taken along the forbidden road. Refusal to retaliate when attacked and beaten by Brahmans.
- (2) Submission to arrest. A second procession along the road led to the arrest of satyagrahi leaders.
- (3) Replacement of leaders. Upon the arrest of satyagrahis, others came forward to fill their Places.
- (4) Submission of secondary leadership to arrest.

Second phase.

- (1) *Opposition to police barricade.* Upon the erection by police of a barricade on the road, caste Hindus alongside untouchables took up positions opposite the police and held them day after day.
- (2) *Action during monsoon.* When the monsoon flooded the road and the police occupied their positions in boats, satyagrahis continued to stand three-hour shifts, in some instances even up to shoulders in water.

Third phase:

- (1) *Persuasion of State authorities.* Gandhi, visiting Travancore for the first time during the movement in April 1925, persuaded the authorities to remove the barricade.
- (2) *Announcement of intention not to take advantage of removal of barricade.* Satyagrahis refrained from entering the road even though the barricade and police cordon had been removed. They announced they would not enter upon the road until the Brahmans were fully persuaded, and the government declared acceptance of untouchable use of the road.
- (3) *Persuasion of Brahman opponents.* Through persistent reasoning supported by prayer, the opposition was won over.

Reaction of opponents

- (1) *Violence* against satyagrahis by personal physical attack.
- (2) *Imprisonment* of satyagrahis following arrest.
- (3) *Cessation of arrests* when prisons became over-crowded.
- (4) *Erection of barricade.* Police built and manned barricade on the roadway upon an order to prevent entry.
- (5) *Support by State Legislative Council.* Majority of the State Council upheld police action.

- (6) *Social ostracism* of satyagraha organisers. Ostracism, accompanied by threats of depriving participants of family property and barring them from other family privileges, was especially serious.
- (7) *Removal of barricades*. Following Gandhi's talks (in April 1925) with State authorities, police were ordered to remove the barricades which they had manned daily.
- (8) *Confusion over satyagraha reaction*. Brahmans, who had expected them to re-enter the roadway as soon as police cordon and barricade were removed, were thrown- off balance when satyagrahis refrained from entering the road.
- (9) *Capitulation*. In the autumn of 1925, the Brahmans declared: "We cannot any longer resist the prayers that have been made to us, and we are ready to receive the untouchables."

Results

- (1) *Roads opened to all comers*. The immediate objective of the satyagraha had been fully achieved.
- (2) *Brahman areas elsewhere opened*. In other parts of India this campaign had repercussions, with the opening to untouchables of areas and temples formerly closed to them.
- (3) *Conditions of untouchables improved*. Through an extension of the constructive program, the general condition of untouchables was improved.
- (4) *Long-range results*: The campaign constituted a major turning point in the fight against untouchability.

Summary analysis of the Vykom Temple Road Satyagraha

The Vykom satyagraha measures up to the greater part of the satyagraha ideal. The position of truth to which the participants clung was the right of every human individual to pass along a public road without discrimination on the basis of caste. The method employed in asserting this truth was that of nonviolent demonstration and contravention of the custom which they took to be unjust. The action appears to have been scrupulously

nonviolent although there were times when questionable action such as scaling the police barricades was urged on the part of supporters.

Self-suffering was characteristic of the attitude of the satyagrahis. They persisted in courageous offering of satyagraha throughout the sixteen months, suffering physically both from attacks of their orthodox opponents and from the inclemency of the weather which, during the monsoon, forced them to stand waist and shoulder-deep in water. After the police cordon had been withdrawn, they persisted in peaceful satyagraha to bring about the persuasion of their opponents before entering upon the road in dispute.

The constructive character of the effort and the exemplary conduct of the participants were at all times in evidence. Members of the satyagraha camp not only maintained their own services, but by daily spinning contributed to the Congress *khadi* fund and to the All-India Desbabandhu Memorial Fund. In this way they identified the Vykom movement with the independence struggle. They retained a flexible leadership and adapted their program to accord with the opinion of those who criticised the acceptance of support from non-Hindu communities, conceding the desirability of preserving the campaign's character of 'reform from within.'

The emphasis on persuasion was never out of sight. Religious sensitivity of the opposition was scrupulously considered. It was this consideration which Gandhi expressed in *Young India*, May 1, 1924:

Satyagraha is a process of conversion. The reformers, I am sure, do not seek to force their views upon the community; they strive to touch its heart. Outside pecuniary help must interfere with the love process if I may so describe the method of Satyagraha. Thus viewed the proposed Sikh free kitchen, I can only regard as a menace to the frightened Hindus of Vykom. There is no doubt in my mind about it that the orthodox Hindus who still think that worship of God is inconsistent with touching a portion of their own co-religionists and that a religious life is summed up in ablutions and avoidance of physical pollutions merely are alarmed at the developments of the movement at Vykom. They believe that their religion is in danger. It behoves the organisers therefore, to set even the most orthodox and the most bigoted at ease and to assure them that they do not seek to bring about the reform by compulsion.

Bondurant's analysis of the Gandhian satyagraha campaigns,¹⁹ examine the reasons for success as well as reasons for failure (failure only in one case where violence breaks out and causes the campaign to be abandoned. Bondurant blames lack of preparation on the part of the satyagrahis). All of the campaigns however reflect the following themes: (1) The pursuit of the Truth or God was, for Gandhi, the search for realising the truth of human unity. (2) Satyagraha is a means for achieving this realisation. (3) Power is in the hands of the individual, and *any* individual can learn to have access to it. (4) The holding of a moral truth, insisted on by nonviolent action and supported by self-suffering, supplies a force which any individual can learn to wield against an opponent of any proportions with expectation of success in the struggle. (5) While apparent differences remain (each individual will have a different visual appearance; different hopes fears and desires), when the agent accepts nonviolence s/he ceases to be different to others (nonviolence calls on the feature common to all persons - humanity - and insists on the removal of the (false) distinction between self and others).

¹⁹ One of the five is the famous Salt Satyagraha. I have focussed on the Vykom Satyagraha because the information may be 'fresher' to the reader if it is less well-known.

Nonviolence is inclusive; it can break down political and religious barriers, it provides a position of strength and optimism.²⁰ Perhaps the most persistent element in Gandhi's work is the recurring theme that nonviolence is truth-creating:

Means and ends in Gandhian satyagraha are distinguishable only temporally. Satyagraha is not a means to an end--that is, it is not purely instrumental--rather, it is constitutive of a set of processes some of which may be means, some ends, some both; but all of which constitute the truth, by recognising and valuing the dignity of each person as the motivator for action. Truth-insistence is not thereby something which is given up at the end of a campaign. The action is truth-creating and continues as a way of life. Truth is inseparable from nonviolence, and the method of achieving and insisting on truth is nonviolence. Nonviolence becomes both the means and the end. Moreover, Gandhian satyagraha assumes the rationality of the agent. It requires simply, the assumption that an agent is endowed with reason, that s/he can utilise reason to direct actions, and that a technique for conducting conflict can appeal to the rational in all human beings.

²⁰ The challenge of Gandhian satyagraha centres upon the necessity of reconciling ends and means through a philosophy of action; therefore an integral part of Gandhian satyagraha is necessarily a philosophy of conflict. There have been few efforts to systematise that philosophy, though it lies implicit in Gandhi's experiments. Bondurant attempts the beginnings of what might constitute a theory of conflict, but is satisfied to flag the option for the future work of other academics. In this Gandhian development, (taken up on the contemporary scene by some South Africans, and members of the Tibetan community in exile) lies a contribution of great significance. The contribution centres upon the role of satyagraha as a technique of action, together with the philosophy of conflict which lies behind it. It is totally feasible that a new theory of conflict (and conflict resolution through nonviolence) which builds on the foundations set by Gandhi and includes understandings from contemporary cases mentioned above, can provide invaluable support to governments administering the change process from violent to nonviolent action. I can immediately think of the pursuit of peace by a unified Ireland, still rocked by terrorist bombings; the transition to democracy by African and Asian countries.

Gandhi argues that the technique for conducting conflict cannot admit of compromise, and it is important for the work which follows in chapter 4, to note the difference: The satyagrahi's effort is to allow for the emergence of the best restructuring of the situation. A victory is sought, not over the opponent but over the situation in the best (in the sense of the total human needs of the situation) synthesis possible. As I shall show below this differs acutely from the notion of compromise.

The satyagrahi is never prepared to yield any position which s/he holds to be the truth. S/he is however prepared--and this is essential--to be persuaded by the opponent that the opponent's position is the true, or the more nearly true, position. There is no sacrificing of position, no concession to the opponent with the idea of buying him over. Nonviolent resistance must continue until persuasion has carried the conflict into mutually agreeable adjustment. There is no victory in the sense of triumph of one side over the other. Yet there is no compromise, in the sense in which each side would concede parts of its previous position solely to effect a settlement. There is no "*lowering* of demands, but an aiming at *higher* level of adjustment, which creates a new, mutually satisfactory resolution." (my italics) (Bondurant 1965:197).

In summary, it is perhaps the element of suffering in satyagraha which remains most obscure to the Western mind. Self-suffering in satyagraha is effective to the extent to which it demonstrates sincerity and cuts through the rationalised defenses of the opponent. Willingness to make the sacrifice of life is the ultimate in non-cooperation, just as it is the

ultimate price to be paid in violent conflict. The considered willingness to suffer--or to endure--in the satyagraha approach is the step beyond the appeal to reason which, though reason persists throughout, dominates the earlier steps of satyagraha. When the appeal to reason through the persistent efforts of rational argument have failed to persuade the opponent, where the conflict challenges the basic truth-concepts of the satyagraha position, the further course of satyagraha, including suffering, acts as a shock treatment--a dramatisation of the satyagrahi position.

Inevitably conflict and the threat of uncontrolled violence are conditions of the human circumstance. It is not enough that the agent should take unreasoned flight from violence. "The Gandhian experiments suggest that if man is to free himself from fear and threat alike, he pause in his flight from violence to set himself the task of its conquest." (Bondurant 1965:233)

The principal difference between Gandhian nonviolent action theory and that of Quakers can be drawn out in the following way: (1) Gandhi insists on sensitivity and respect for all alternate (including religious) views. In this respect, the Quaker discussion above, refers to a doctrine of peace and interdependence but becomes deeply puzzling when the attitude toward agents outside of the group is one of distrust, even dismissal as sinners, degenerates and those destined for spiritual death. (2) Gandhi insists on truth which turns out to be inexorably linked to a doctrine of compassion and non-harm in both mental and physical acts. Truth in the Quaker view appears to be linked with the value of honesty,

and to the “God within” (presumably within all people); highlighting as problematic the coercive treatment of delinquent members and dismissal of non-group agents. (3) Gandhian nonviolence highlights means and ends as an inseparable process, while the Quaker discussion above reveals love, peace and the absolute renunciation of violence as an end, with the apparent legitimacy of coercive structures framing the daily lives of members, and the apparently justified rule of fear, as a means. I will argue at the end of the chapter for the inclusion of Quaker insights, but the requirement to move beyond these limitations if we are to arrive at a global theory of nonviolence.

Those who undertake a review of nonviolence, will discover the works examined above, noticing that primary attention is given to Penn, Woolman, James and so on, with Gandhi sitting awkwardly to the side--more of a separate category if you like. Non-Western philosophers are, quite simply, treated differently. Reasons for this will be explored in the following chapters, but to conclude this snapshot of Western nonviolence, I will undertake a brief examination of the well-known figure influenced by Gandhi--and indeed many of the authors mentioned above--the Rev. Dr. Martin Luther King Jr. Focussing on King’s famous “Letter from Birmingham Jail,” I will show how, with tireless persistence, he attempts to confront the myths used to justify violence, and one by one, attempts to demolish them.

Like Gandhi, *reason* for King, is the measure of humanity. He argues that affirmative action is a reasonable policy to compensate against ongoing historical discrimination;

further, that American habits are stubbornly racist, even after the victories of the civil rights campaigns. He argues that racism is one mechanism of systematic oppression, bolstered by class conflict and violence. King seeks to purge violence from social relations in order to alleviate oppressive mechanisms and conditions.

King draws distinctions between justice and injustice as he provides a philosophical justification for his militant involvement in the affairs of Birmingham: "I am in Birmingham because injustice is here." (King 1964: 77) In Birmingham, King finds three reasons to judge segregation laws as unjust: (1) They degrade personality; (2) they are inflicted upon a minority while the majority is unaffected and (3) they are enacted by a majority while the minority is prevented from participating in deliberations. Thus, King argues that he is obliged to present his body in protest. When Thoreau was asked why he was in jail, King replied by asking Thoreau why he was not. In the same manner, King defends the probity of his protest against the structure of Southern segregation.

King routinely defends his philosophy of nonviolence for its unique ability to meet the demands of contemporary liberation [detailed below in his "six point plan"]. As the tide of optimism grew in the wake of successful campaigns in Montgomery and Birmingham, confidence in nonviolence also grew. During the "revolution of 1963," nonviolence attracted legions of followers. The Nobel Peace Prize was awarded to King in 1964. Then, again in Selma, in 1965, a Bloody Sunday of oppression was transformed nonviolently into a triumphant crusade for voting rights legislation. Reflecting upon the

glory days of the civil rights era, King once wrote that nonviolent resistance had become “the logical force in the greatest mass action crusade for freedom that ever occurred in American history.” (King 1964: 25)

King and his philosophy rose upon a tide of optimism. However, the fortunes of North American history did not rise accordingly, and King was left to withstand the groundswell of disappointment. In the summer of 1966, advocates for Black Power doctrines, reflecting their frustration with both King himself and the omnipresence of white power, staged an extended open protest against King’s nonviolent theory of social change. In Chicago, King was booed by Black Power advocates. “They were now hostile because they were watching the dream that they had so readily accepted turn into a frustrating nightmare.” (King 1967: 45)

Although Martin Luther King Jr., lived a century after Frederick Douglass, the two reasoned in similar ways about the problems of America. Both confronted large white audiences, arguing that the Constitution challenged America to a higher destiny. Key clauses of the American creed affirmed self-evident truths such as equal rights, freedom and justice for all; yet these pronouncements in practice were applied with systematic double standards. Both asserted that human affairs should be guided by universal moral principles. Moreover, the difference between right and wrong could not be evaded because each bore different consequences:

In his recent work *Revolution of Conscience: Martin Luther King Jr and the Philosophy of Nonviolence* (1995), Greg Moses reminds us of further similarities between Douglass and King: In 1852, Douglass, stepped up to the podium on the occasion of the Fourth of July. On that day, in Rochester, New York, with slavery still the established way of life in the South, Douglass delivered a classic speech. “What have I to do with your independence? How dare you celebrate your freedoms in front of me!” This intellectual had escaped the worst, but he refused to join in celebrating freedoms his people could not share. It would be his chosen duty to mark the American distance between creeds and deeds. In the same way, King’s classic “Letter from Birmingham Jail” also speaks to a white audience. Imprisoned for leading a civil rights demonstration without a permit in April 1963, he sent a reply to eight Alabama clergymen who found his tactics too extreme. “In a reply abounding in references to the Jewish and Christian Scriptures and to philosophers ancient and modern, Dr. King met his critics head on, and left a written legacy of his nonviolent approach to oppression.” (Fahey & Armstrong 1992:113)

The letter begins with the praise for the good will of his detractors and a patient rebuttal of the charge that the writer is an “outside agitator.” Not only was he invited by the local chapter of the Southern Christian Leadership Conference, he says, but as a minister of the Gospel he declares his obligation to carry the Christian message wherever injustice still exists.

Dr King reminds the ministers that the demonstration he led may be unfortunate, but that "the white power structure of this city left the Negro community with no other alternative." Reviewing the long record of police brutality and unsolved bombings of churches in Birmingham, the author instructs his critics in the "four steps of any nonviolent campaign": (1) collection of the facts; (2) negotiation; (3) self-purification; (4) direct action. Focussing on these points, he denies that he acted irresponsibly. In the crisis created by direct action, King sees hope for "creative tension"--through the tolerance of beatings and other suffering--which as we have seen in Gandhi's project, can change an enemy into an ally [in this King echoes Gandhi's appeal to self-suffering]. He replies to the charge of being in too much of a hurry by recounting the long centuries of slavery and segregation and their effects on African Americans, especially the children. "I hope, sirs...you can understand our legitimate and unavoidable impatience."

Quoting Thomas Aquinas, King distinguishes between just laws and unjust ones, insisting all the while, that his followers accept the penalties of even unjust legislation. He expresses his impatience with the "white moderate" who is "more devoted to order than to justice." As to the charge of extremism, King places his movement midway between black nationalist groups which have lost faith in America and segregationists who play into their hands "If his (the African American's) repressed emotions do not come out in these non-violent ways...they will come out in ominous expressions of violence," [a prediction made true after his own assassination in 1968].

King turned to the issue of equality: “if white Americans would not accept equality for black Americans, then what might be their excuse?” King’s answer was direct: white America had calculated the cost of equality and had decided it would not pay. Even though the country had been founded upon the principle that “all men are created equal,” white America still reserved the right to interpret the principle in its own interest. As he explained elsewhere²¹ “Jefferson’s majestic words, ‘all men are created equal’ meant for him, as for many others, that all *white* men are created equal.”

This concept of equality outlined by King was foundational to his later writings on nonviolence. Here again, King echoes Gandhi:

When compared to other philosophies of power - white or black - nonviolence alone insisted upon a single meaning for equality. Under the terms of the logic of nonviolence, opponents also were considered equal. (Moses 1997:29)

But in the work of King, we not only see the success, but also the failure of nonviolent campaigns. During the final years of his life, King’s quest for equality was neither winning friends nor influencing enemies. Both sides found King dismaying. Everyone agreed that the nation was in crisis, but white America could blame trouble on the “troublemakers” who led protest marches. White neighbourhoods of Chicago flung their hatred directly at King; meanwhile black voices questioned whether nonviolence alone could be expected to achieve their goals. After Chicago it seemed that nonviolence had reached its limits - Whites were no longer responsible with moderate compromises, and African Americans

²¹ in his 1967 book *Where Do We Go From Here: Chaos or Community?*

were no longer volunteering to be punched. “At the same time, black aspirations for change remained undiminished, and so the impulse to confront white America at this particular time, jumped the track of nonviolence, literally took up arms, and openly called for revolution as a kind of colonial liberation.” (*Ibid*)

This reaction from both sides, represented division in place of the hoped-for unity. Evident in King’s writing we see the call to dissolve barriers and realise a *common* structure. He refers to a type of occlusion whereby a privileged (white) version of reality obstructs the value of marginalised (black) persons “as if there were no ethical considerations it [is] bound to respect.” (King in Moses 1997:57). By resisting this view, individuals assert their value and point to a common structure, in order to “reassert the regulatory value of ethical imperatives that favour the development of each and every personality.” (*Ibid.*) (In Chapter Five, I will show how King’s philosophy - to confront racial inequality with nonviolent resistance--has come full circle in the contemporary example of the South African Truth and Reconciliation Commission) King states:

Soon the doctrine of white supremacy was embedded in every textbook and preached in practically every pulpit. It became a structural part of the culture. And men then embraced this philosophy not as the rationalisation of a lie, but as the expression of a final truth. (King 1967: 75)

Given the dream of equality and the reality of inequality, some kind of confrontation is inevitable. With respect to the beginnings of the African American civil rights campaign confrontation was not launched with fireworks and gusto, but came in the form of Rosa Parks, a quietly spoken seamstress.

The Montgomery Bus Boycott

Of all the facets of the segregation in Montgomery, the most degrading were the rules of the Montgomery City Bus Line. Although seventy percent of its passengers were black, it treated them like cattle - worse than that for nobody insults a cow. The first seats on all buses were reserved for whites. Even if they were unoccupied and the rear seats crowded, Negroes would have to stand at the back in case some whites might get aboard; and if the front seats happened to be occupied and more white people boarded the bus, black people seated in the rear were forced to get up and give them their seats. Furthermore...Negroes had to pay their fares at the front of the bus, get off, and walk to the rear door to board again. Sometimes the bus would drive off without them after they had paid their fare. This would happen to elderly people or pregnant women, in bad weather or in good, and was considered a great joke by the drivers. Frequently the white bus drivers abused their passengers, called them niggers, black cows or black apes. Imagine what it was like for example, for a black man to get on a bus with his son and be subjected to such treatment.

On December the first 1955, Mrs Rosa Parks, a forty-two year old seamstress boarded a bus to go home after a long day...the driver ordered Mrs Parkes to give her seat to a white man who boarded; this meant that she would have to stand all the way home. Rosa Parkes was not in a revolutionary frame of mind. She had not planned to do what she did...('I was just plain tired and my feet hurt'). so she sat there, refusing to get up. The driver called a policeman who arrested her and took her to the courthouse...it seemed almost every Negro in Montgomery had had enough....it was time to boycott the buses (King 1969:125)

Coretta Scott King in *My Life With Martin Luther King Jr.* (1969) provides a moving rendition of this period of nonviolent action:

...He [Dr King] recalled Thoreau's words "We can no longer lend our cooperation to an evil system". From this moment on, I conceived of our movement as an act of massive noncooperation. From then on, I rarely used the word 'boycott'...We stood together waiting for the next bus. It was empty too...we were so excited we could hardly speak [thousands were walking, riding mules, taking any means that they could]...As I watched them, I knew that there is nothing more majestic than the determined courage of individuals willing to suffer and sacrifice for their freedom and dignity...Our methods must be persuasion, not coercion...future historians will say "There lived a great people - a black people - who injected new meaning and dignity into the veins of civilization"...On December 9, city officials informed the Negro taxi companies that mass rides were illegal and that they would be put out of business [this led to a car pool and 'Freedom Rides']...the names of the sponsoring churches were painted on the car doors, and as they drove along filled to capacity, the people sang hymns. But with all we could do, thousands of people still had to walk. They walked magnificently and proudly...by now he [MLK] was consciously emulating the Gandhian technique, and many

people outside of the South were beginning to realise that something new was taking place in Montgomery. (King 1969:128-9, 134-5)

It is apparent from the example discussed above, that King deliberately drew on Gandhian theory and practice. He began to closely align his Christian theory and the pursuit of civil rights with the Gandhian concept of struggle and self-suffering:

Moses usefully draws out of King's collected works six aspects of nonviolent theory which provide a means for organising power along a broad front of struggle. This can be seen as a practical guide for conduct and the motivator for critical reflection. In summary, King argues that nonviolent campaigns are but one important act of struggle, and other aspects are equally important. King outlines the following six facets of a complete struggle: (1) "somebodyness;" (2) "group identity;" (3) "full and constructive use of the freedom we already have;" (4) "powerful action programs;" (5) "a continuing job of organization;" and (6) "giving society a new sense of values (King 1967: 122, 123, 126, 128, 132). His analysis proposes a context for nonviolent direct action, which, as part of a dialectic of liberation, includes moments of self realisation, group solidarity, personal achievement, mass confrontation, mass organisation and a revaluation of values. I will briefly refer to each of these points below to show how, from King's perspective, nonviolent direct action is an organic element in a complex vision of social change, not an ultimate goal or panacea.

In the first moment of struggle--the aspect of "somebodyness," the demoralised agent overcomes "a disastrous sense of his own worthlessness"--"a terrible feeling of being less

than human.” (King 1967:122) King refers to the need to discard the “thingification” of the past, before the second important step: “to work passionately for group identity.” (King 1967:123) This is the social realisation of “somebodyness.” The African American not only affirms her worth, but the “worth of her own kind.” She recognises that African Americans can unite around common goals. King is not forgetting that many problems of black life are structurally imposed, nor that solutions will require the common energies of black and white; but insists “We have been oppressed as a group and we must overcome that oppression as a group.” (King 1967: 125)

Building upon the needs of “somebodyness” and “group identity,” there is a third aspect to King’s program for nonviolent reconstruction, making constructive use of the freedom agents already possess. As they are inwardly free, so must they act outwardly free, regardless of the menial tasks they may be forced to undertake. He argues that this is true for stars as well as laborers. “All labor that uplifts humanity has dignity and worth and should be pursued with respect for excellence.” (King 1967: 127-128) What does it mean to sweep streets with pride? King at this stage does not know that he will be called to assist Memphis garbage collectors, but he fights against the common notion that there are some places for excellence, and some places excellence never visits. He wants to affirm the dignity of every useful act. The Memphis garbage collectors will come to wear signs that declare “I am a man.” Having been relegated to the category of non-person, they were given the jobs that no person would want to do. Nevertheless, when King speaks of making the most of the opportunity, he is not saying that everyone should be happy

collecting garbage. On his view, the economic pressure to keep black America at the level of menial labor is a pressure worth fighting.

Having worked his way from individual dignity, to group unity, then to individual opportunities already available, only now does King call upon nonviolent campaigns to confront the collective structure of injustice in the larger oppressive society:

We will be greatly misled if we feel that the problem will work itself out. Structures of evil do not crumble by passive waiting... Evil must be attacked by a counteracting persistence, by the day to day assault of the battering rams of justice. (King 1967:128)²²

In this fourth moment of King's nonviolence project--the moment of direct action--a "structure of evil" is assaulted, "and a system is coerced into change." Now here we run into a few problems. This is King's moral equivalent of war. Up to this point it has been indeed possible to maintain a secular analysis of his work, but here we cannot avoid the hellfire and brimstone approach where those who are good are the winners and the sinners are definitely the losers. This stands in stark contrast to the works of Gandhi in the analysis above, where we see that nonviolence is not about winners at the expense of losers, nor about systems coerced into change. While there is no doubt about the enormous legacy left by King with respect to Western nonviolence, it is worth noting here two areas of concern:

²² I will discuss shortly, the limitations of such an approach.

There is no escaping the fact that King is a minister of religion. His doctrine of love is informed by his theistic base--he has a profound faith in the reality of God and the cosmic imperative of justice; there is indeed an alternative to violence and oppression for him, and that alternative can be found through Jesus Christ. Now this will be enormously helpful to the Christian readers seeking power through nonviolence, but limiting to those who do not share this view. Many of his influential words are delivered from the pulpit, and the message is love and forgiveness "for they know not what they do." There is a danger here for any theoretical account of power through nonviolence, where individual accountability is dismissed through this ignorance. One critical aspect of an action theory of power through nonviolence [developed further in the following two chapters] is the central role of the moral agent. An agent with choices, performing actions in the world, for which s/he must stand fully accountable. We will see for example in chapter 5 that it is acknowledgment of this accountability which becomes truth-creating and assists in the healing process at the Truth and Reconciliation Commission in South Africa. It is useful to see the link here to later arguments in this project, but for now, I return the reader to the final categories of King's nonviolent program, organisation and the larger society:

Recognition of the need to be organised in order to successfully accomplish nonviolent action is not startlingly original, but King sees the role of organisation cast within a systematic logic of struggle. "More and more the civil rights movement will have to engage in the task of organizing people into permanent groups to protect their interests and produce change in their behalf. This task is tedious, and lacks the drama of

demonstrations, but it is necessary for meaningful results.” (King 1967:131) At this level King is insistent on middle class responsibility. He calls for the “haves” to join hands with the “have nots,” to move away from a position of indifference and bring their “full resources (heart, mind and chequebook) to the aid of the less fortunate brother.” (King 1967:132) This aspect relates directly to King’s “final challenge” of nonviolent social change, the revaluation of values.

To be mindful of enlarging the whole society, and giving it a new sense of values as we seek to solve our particular problem (King 1967:132)...As we work to get rid of the economic strangulation that we face as a result of poverty, we must not overlook the fact that millions of Puerto Ricans, Mexican Americans, Indians and Appalachian whites are also poverty-stricken. Any serious war against poverty must of necessity include them. As we work to end the educational stagnation that we face as a result of inadequate segregated schools, we must not be unmindful of the fact, as Dr James Conant has said, the whole public school system is using nineteenth-century educational methods in conditions of twentieth century urbanization. (King 1967:132-133)

For King then, if the evils of racism, poverty and militarism are to be defeated, a new set of values must emerge. The economy must become more person-centred than property-and-profit-centred; and the government must depend more on its moral power than its military power. Within the six aspects of social empowerment, King has provided significant grounds for thought and action.

“More white people learned about the shame of America, and finally faced some aspects of it, during the years of nonviolent protest than during the century before. Nonviolent direct action will continue to be a significant source of power until it is made irrelevant by the presence of justice.” (King 1967: 139) Insistently, King recasts oppressive power in

terms of a common corruption that diminishes *everyone's* humanity. Injustice concerns every person imaginable [a sentiment to be echoed in chapters 4 and 5 by Professors Unger and Rinpoche].

After so much discussion, it is important to stop once again and take stock: I have argued that the current theoretical foundations of power through violence only represent part of the story about power, with the more interesting or constructive aspect of power [through nonviolence] hidden from view. Moreover, in order to reveal this hidden layer, I have claimed that simply adopting the present work on nonviolence will not be satisfactory either because: Western nonviolence theory comprises an anthology of stories from a 300 year period of North American history. This collection contains three principal elements: protoarguments that look incomplete, (but are capable of being built upon); bad arguments that are an inadequate basis for a theory of nonviolence; and important challenges to nonviolence that should be considered before progressing further. I suggested that these challengers will begin to ask questions relevant to the sensible group, but will fail to provide answers. In this category we can call to mind Locke's compelling argument that nonviolence at that time offered only the capacity for the "throat of the lamb" to be "torn by the imperious wolf;" and what sort of sensible agent would prefer to live in a society where the practice of nonviolence merely allowed open-slaughter for the benefit of robbers and oppressors? If this is all nonviolence has to offer, then he has a point--but it turns into a quarrel solved by more violence, and, I will argue in the following chapter that this is no solution at all.

We are faced at this point with making a choice. Work from the current foundations of nonviolence, limitations and all, or look elsewhere. Consider the current foundations: Some aspects of Quaker theory are not useful for a general theory of nonviolence, but other aspects are. So, if we are to use any of them, we must also take the necessary condition for Quakerism--its theological connection to nonviolence. But a review of the entire corpus of nonviolence seems to suggest that this is not just something we should take from Quakerism, but that:

- (1) If all significant practitioners of nonviolence work from a theological base [I can readily call to mind William Penn, John Woolman, William James, Henry David Thoreau, Martin Luther King Jr, Mahatma Gandhi, Nelson Mandela, Archbishop Desmond Tutu and a number of Popes].
- (2) Perhaps nonviolence naturally falls out of theology, and any contemporary theory of nonviolence should incorporate this.
- (3) This is supported by the body of work on nonviolence. Research in this area will repeatedly reveal the above names and the thing they have in common is a theological view.

- (4) The current body of work on nonviolence is not limited to a Western view because it includes figures like MK Gandhi and terms like Satyagraha; this would allow for a widespread application and perhaps a global theory.

and,

- (5) Philosophical interest in this area is relatively new, so you wouldn't expect to find an elegant, cohesive theoretical foundation already in place.

But,

- (6) By searching out false starts and challengers and beginnings of theories, it is possible to build on them and articulate a strong theoretical base for nonviolence, which can contribute to the philosophical landscape.
- (7) If this conclusion is reasonable, then those individuals who are not prepared to take the whole theological package, may have no valid claims to interest in its component parts (like nonviolence) (After all, wouldn't it be the same as a person wanting to cool off by dipping their feet into a river but not wanting to get wet feet?). If you want the benefits of nonviolence, then surely on this view, you must take the theological ethical foundations which accompany it.

So far, so good. In constructing a new global theory of nonviolence, then, a contemporary philosopher should already have access to all the relevant conceptual

foundations required for a good theory (on the standard terms, one that is explanatorily successful).

There is only one small problem with proceeding from this perspective: Two contemporary examples of nonviolence fall outside of this explanatory domain, and one of them offers a discourse which completely defies the “Rivers are Always Wet” argument--an entire metaphysics grounded in nonviolence with no theistic base whatsoever.

In the following chapter I will argue that a contemporary theory of nonviolence with global application must take account of this compelling metaphysics. This will call for a completely different process, and I will discuss the need for “fusion philosophy” or the joining of Western and non-Western ideas. This broadening of the discourse will enable the theory to provide answers to the sensible agent unavailable in the present Western framework. It will also allow a consideration of new definitions for foundational terms like violence, nonviolence and power.

Chapter Four

*- A Non-Western Solution: stepping out of the river of violence -
(a serious look at fusion philosophy)*

We are going through a period of transition in many parts of the world. By definition a period of transition generates much anxiety and uncertainty because familiar landmarks have shifted or have been removed, leading to a sense of disorientation, possible lack of direction and apparent lack of purpose.

Archbishop Desmond Tutu (1995)

When power implicates violence, and violence cannot be legitimate the result is disorientation and a problematic framework for philosophy, with no clear solution. When the rate of change in society is so swift and the conceptual scaffolding to support that change is inadequate, disorientation is a natural consequence. Take as an example a recent seven day period on the global scene. During a single week we have been witness to a change of government after 32 years and the freeing of political prisoners in Indonesia, a National Day of Regret focussing on reconciliation with indigenous Australians, and a vote for lasting peace in Ireland. All of these examples define the point of reconciliation where theory meets practise. My claim is that as a discipline, philosophy is underprepared to provide an adequate conceptual scaffolding to support individuals or larger groups in society to make the change from actions of violence to actions of nonviolence.

At the beginning of this dissertation, I referred to the utility of selecting individuals from an imaginary “top 10 philosophers” chart, and extracting insights relating to power in a general sense. Though ethical insights from Western Greats like Luther, Spinoza and Russell will be useful to any research on nonviolence this does not in any satisfactory sense, constitute a separate theoretical framework for nonviolence. On offer are useful fragments to strengthen a case for right action, but when we turn to nonviolence as a concept within the domain of philosophy (as the obvious candidate to provide a solution to the problem of power and violence) the result is disappointing. Dissatisfaction with the core body of work on nonviolence is not only my concern. But it is evident that nonviolence is not treated seriously as a subject worthy of philosophical investigation. This becomes the first and most obvious problem for anyone interested in the area. How nonviolence came to be so constituted becomes the second problem.

It can be concluded from the analysis below that from a Western perspective nonviolence is (a) accorded the strange status of an absence of something;¹ further, it is identified as (b) an aspect of religious belief, and therefore does not belong in the separate (and important) realm of philosophical inquiry. Moreover, nonviolence is viewed as (c) a political tactic and again, not a philosophical issue, but rather belonging under the auspices of media theory, political science, or something of that nature. There is an explanation for these conclusions:

¹ In this case an absence of violence--see definitions p.199.

Nonviolence is (historically) a commitment of particular religious communities [Western anthologies of nonviolence cite Christian theology,² Quakerism and Hinduism³ as the place where nonviolence has been theorised]. Investigation proves this to be correct:

The derivation of “violence” stems from the Aristotelian notion of violating the natural order. On this view violence entails desecrating, defiling or showing disrespect for (ie doing violence to) something valued, sacred or cherished. For philosophers of ancient Greece, it was human nature, usually conceived teleologically that fixed the content of this flourishing. Medieval Christian writers interpreted this as entailing that human flourishing is not merely the fulfilment of capacities and tendencies inherent in human nature, but is the realisation of the Divine plan. From a theistic perspective, then, the natural order refers to the work of God the creator, set into motion, by the Divine will. Violating this order can be seen as contrary to fundamental beliefs, and to be avoided at all costs. This standpoint leads to a foundational concern for nonviolence (in chapter 3 this idea can be seen in the foundations of Quaker theory).

Within this legacy of nonviolence lies another problem: if nonviolence is in effect the property of theistic communities, this immediately excludes a vast number of people who do not share this view (we can think of Buddhists, agnostics and secular atheists). Continuing analysis points to the conclusion that nonviolence falls prey to an even more

² Particularly with reference to the Rev. Dr. Martin Luther King Jr.

³ Usually a narrow reference to Hinduism as a legacy from MK Gandhi.

entangling set of problems: As an aspect of religion, nonviolence is dismissed from the corpus of philosophy, but this exclusive access to the “truth of nonviolence” through religions like Quakerism buries it even deeper for the following reason: Such groups have insisted on segregation,⁴ deliberately withdrawing themselves from the wider community, with the result that mainstream society [and mainstream philosophy] have not treated the legacy from such groups [in this case nonviolence] as a serious subject for philosophical analysis. In effect, to access nonviolence we must open not one, but two locked doors.

Combine this religious association with (c) (nonviolent action as a political tactic or strategy) and it is not difficult to see why the subject is largely dismissed by contemporary Western philosophers: Even if we bracket for a moment, the view that nonviolence as a tactic looks like it should belong to political science or media studies, it begins to founder upon the rocks of logical analysis, leading to its dismissal (for an altogether different reason) from serious philosophical concern: As a means to an end, something is gained at the expense of another; there are winners and losers (befitting the context where strategy is often applied to a situation of war); and in many cases the appearance of intentional harm is the result (Sharp discusses nonviolent action or noncooperation as both a strategy and weapon to “paralyze and disintegrate” oppressive systems through “nonviolent coercion”). In this way, nonviolent action can be readily shown to cause harm, and appears to reflect the language of violence when it engages in paralyzing and disintegrating oppressive systems. When it even more

⁴ see p.142 Chapter 3, for a detailed explanation of why Quakers insist on segregation.

surprisingly adds the term “coercion” to its description it is not difficult to see why no staunch opponents are required when a view is so apparently self-defeating. Hence its dismissal becomes hardly surprising. And so we find the lack of any cohesive theoretical foundation for nonviolence in available literature.

However, it is not the case that contemporary philosophy fails to pay attention to ethics: After all we can call upon virtue ethics, the theory of war, the theory of justice and ethics of care to name only a few from an increasingly extended list. It is amazing though despite all of this ethical activity, on the foundational issue of the legitimacy and illegitimacy of violence, contemporary ethics is remarkably silent. If we begin to undertake an analysis of nonviolence from a starting point within philosophy, we encounter the strange tensions introduced earlier, made even stranger by this relative silence about something which seems so important. I propose that we step for a moment outside of the profession, and take an ordinary, common sense, pre-reflective view. From this standpoint, a possible list of important concerns for living a meaningful life on the planet would give a reasonably significant position to how violence could possibly be justified. From this simple vantage point, violence and nonviolence rate as important issues, and it is from this common sense position, that I will continue piecing together an argument for an alternative metaphysics of power based on nonviolence. For an alternative metaphysics to be successful, I will need to provide a convincing rejoinder to the current grounds for dismissal of the subject by mainstream philosophy. In so doing, I will propose a solution through fusion philosophy (or the joining together

of a Western and non-Western philosophical perspective to produce a result which is more informative than the sum of its parts).

This solution will provide an alternative to what I see as the fourth significant problem: the nepotism of Western philosophy, where it looks only to its own ranks for the *truth*; where the interlocutors remain silent on the illegitimacy of violence and appear even conceptually impaired when it comes to recognising solutions proposed by their non-Western counterparts (it is, after all philosophy in precisely the same sense when the same Tibetan philosophers are interested in the same ontological and epistemological distinctions that occupy their Australian, British or North American colleagues). While some objectors might take exception to the tone of this introductory section and dismiss its content as an overly harsh criticism of Western philosophy, this is not the case. I have mentioned ethical insights of a general nature which can be drawn from philosophers like Russell, Spinoza and Luther; I have focussed on the enormous legacy of nonviolence left by early Quakers and Christians, with views of prominent members like William Penn and the Rev. Dr. Martin Luther King Jr. I do however, hold firm on what I consider justified criticism of Western philosophy when it looks to its own ranks for the truth, where the interlocutors remain silent on the illegitimacy of violence and appear conceptually impaired when it comes to solutions proposed by members of the non-Western philosophical community.

I return our discussion to the first issue raised by the introduction, and a reasonable starting point for a new metaphysics of nonviolence--its definition:

The definition of nonviolence found in *The Concise Oxford Dictionary* [hence common Western usage] stipulates “the avoidance of violence” (*The Concise Oxford Dictionary* 1990:808). If we refer to “violence” to find out what it is that we are avoiding in the same source, it is “involving or using great physical force.” (1990:1370) This apparently is the end of the story and the only interesting thing to say on the matter. If we defer to the discipline of philosophy to take another look at the definitions of “violence” and “nonviolence,” the story is not so different: nonviolence is the “renunciation of violence” (*The Cambridge Dictionary of Philosophy*, 1995:538); and what we are renouncing is “the use of force to cause harm, death or destruction.” (1995:839)

In either case, the agent is undertaking (the renunciation or application of) a physical act. This particular source makes passing reference to the fact that violence may also be considered as “emotional,” and institutionalised, and that it can be an act against persons, animals or property. This broadening of the understanding of the meaning of violence is a definite improvement on the lack of depth given by the common sense definition of the term, but it does nothing to assist our analysis, for this reason: these definitions of violence and nonviolence, from a common sense (every day use) and philosophical understanding, are conceptually weaker than definitions required to

construct a new metaphysics of power incorporating the terms. They refer only to the *action* and have nothing to say about the *agent* undertaking the action, nor the *germination* of violence and can consequently have nothing to say about the antidote to violence. I offer a new and more comprehensive definition of “violence” and “nonviolence” for consideration, definitions which reflect the root of the problem and the pathway to the antidote.

Violence is like a disease. It is crucial to know as much about the disease as possible in order to identify it, to contain it, and eventually to provide an antidote against it. It is at this point, that the concept of fusion philosophy referred to earlier will now be taken seriously and begin to emerge in a new action theory for power and nonviolence. The new definitions of violence and nonviolence taken from non-Western philosophy sit within the context of this broader domain and will be introduced below, following a brief review of our position:

My concern to this point has grown out of an analysis which describes power in a way that implicates violence. Decision-makers in positions of power at a global level, or individuals wielding power in their own lives encounter problems when we invoke the argument that violence cannot be legitimate. This tightens the screw a little further, and further still when we turn to nonviolence as the obvious candidate to provide a solution to this dilemma. We find that nonviolence has limited credibility within the framework of philosophy--rather, it is simply “religion” or one small aspect of media studies or

political science. This view is supported by definitions of the terms where nonviolence is merely a “lack” of violence, and violence is force. As a lack of force the subtext reads “nonviolence is a weakness”; as a weakness and something to do with religion, it is certainly not a candidate for serious philosophical analysis. Any remaining doubt is put to rest by reference to nonviolence strategy which--when characterised by terms like “coercion,” “obliterate” and “paralyse”--can be readily shown to cause harm. But before we rush to accept this as the truth of the matter, we should be mindful of the fact that Western philosophy looks only to its own ranks for truth. Yet while engaging itself in all of this ethical activity, when it comes to the foundational issue of the legitimacy and illegitimacy of violence, contemporary philosophy is remarkably silent. Based on this observation, we are justified in calling contemporary philosophy to account for its silence, for where it seeks truth, for what it chooses to treat seriously and for the grounds upon which it is prepared to dismiss hopeful candidates.

I previously stressed the need for more considered definitions of “violence” and “nonviolence” on the basis of which to build a new metaphysics of power. These have been imported from a non-Western perspective and the exponent of the view and practitioner of nonviolence is Professor Samdhong Rinpoche. I will also consider supporting views proposed by the Dalai Lama.

In order to gain a comprehensive understanding of S. Rinpoche’s view on nonviolence, it will be necessary from time to time to expand upon foundations of that view which

arise out of Mahayana Buddhism. I will detail in an abridged way, concepts like interdependent origination, conventional and ultimate truth (Satyagraha, as an insistence on this truth), and the combination of means and ends as they relate to the principles and practice of nonviolence. I will confine discussion to those areas that relate in a crucial way to nonviolence or those which highlight particularly important philosophical points. This criterion (as it relates to my limited dissertation discussion) should not lead the reader to understand that these few points are the only interesting aspects of Mahayana Buddhism in relation to nonviolence.⁵ Having made reference to this non-theistic doctrine, it is crucial to note that the following definitions of “violence” and “nonviolence” withstand scrutiny from a secular perspective, and I endorse Rinpoche’s view, that the definitions and resulting philosophical implications can be accessed by all, regardless of their religious commitments. This point will become increasingly important as a rejoinder to those who recognise nonviolence in the West as a purely theistic legacy, and correctly view the exclusion which entails, as problematic.

In order to present a detailed analysis of nonviolence from the perspective of S. Rinpoche and the Dalai Lama, we must first understand what is entailed by violence and nonviolence on their terms⁶:

⁵ Further analysis in this area can be made by reference to Elizabeth Napper, *Dependent-Arising and Emptiness*; Guy Newland, *The Two Truths*; the Oxford translation of Santideva’s *Bodhicaryavatara*; Jay L. Garfield, *Fundamental Wisdom of the Middle Way*; Thich Nhat Hanh, *Fourteen Guidelines for Engaged Buddhism*; and by the same author, *Love in Action: Writings on Nonviolent Social Change*.

⁶ The English translation is at times unsatisfactory due to the separation of an action, from the agent performing that action. Where this occurs, the Sanskrit definition (which is much richer, encompassing the inner emotional state of the agent), is given in addition to the English.

(Definition 1):

Violence

Any action, cause of action or intention of action which is born out of *hatred* (Sanskrit: *dvish* - a term with connotations of malice and hostility) or *greed* (*raga* - term with visceral connotations of possessiveness, selfishness, lust, grasping) by a will to harm others or an indifferent attitude; or lack of caring for others, is *violence*.

(Definition 2):

Nonviolence

Wilfully refraining from any action, cause of action or intention of action which is born out of *hatred* (Sanskrit: *dvish*) or *greed* (*raga*) accompanied by a *will to refrain* from harming others or from an indifferent attitude; or lack of caring for others, is *nonviolence*.

From the Western perspective, nonviolence is understood to be a lack of violence (read into “lack” a position of “weakness”). The Mahayana perspective outlined above on the other hand, frames nonviolence, not as a lack but a “strength”; a positive action accompanied by compassion. Appropriate accompanying terms would include *araga* & *advish* (meaning the *opposite* of those things, not a *lack* of those negative attributes, but a full replacement with positive attributes⁷ with a focus on action in every aspect of

⁷ This particular idea of positive attributes is encapsulated in the term *kushala mula* (Sanskrit term for the root of that which is beneficial, virtuous or proper; the foundation of goodness, where goodness in this sense relates on the one hand to beneficial things, and to the moral perspective, on the other.) From this term we can see that it is not intended that nonviolence merely be a lack of something.

daily life, rather than no action or merely refraining from causing harm). Of special note is the important focus on action in each definition. For an act to be nonviolent, the agent must “wilfully refrain from” violence. Such an act must be a deliberate exertion on the part of the agent, in thought, in speech and in physical action to refrain from violence. On this criterion an action is not nonviolent if one merely refrains from violence because one thinks it strategically superior to act in a way that harms nobody. In such a case because the *intention* is not nonviolent even if the subsequent action has all of the obvious hallmarks of nonviolence--the *action* is not nonviolent. For the same reason, if an agent, recognising overwhelming odds against her, refrained from acting, this would not be nonviolence but cowardice. Again because the intention is not nonviolent, simply *doing nothing* doesn't count. The action, both in mind and body needs to be wilful and to be completed.⁸

In arriving at the new definitions, we have bridged a considerable gap by increasing the scope and naming the more subtle extensions of violence. To this we have added the intention of the agent undertaking the act, but it is important to note the following technical point: the definition still refers to nonviolence as “refraining from” something. Objectors might challenge the extent to which this represents any progress on the original definition of nonviolence (where my criticism is directed at the urgent need to replace “a lack of” with an affirmative statement). S. Rinpoche's new definition does

⁸ Consider another example: If the agent is witness to violence (she is across the street when a mugger approaches the victim and carries out an act of violence) from the Western viewpoint, the agent is merely an observer who has nothing to do with the violent act taking place, and therefore is in no way culpable; but from this Mahayana viewpoint, since that agent saw the violence taking place, and in no way denounced that violence or attempted to intervene she is party to that act of violence.

move beyond the original criticism. The 'a' particle (*advish* or *araga*) does not represent a word which is *negative* (an *absence* or *lack* of something) but represents a full replacement with *positive qualities* and *strengths*. For clarity of meaning, I have recast S. Rinpoche's definition of nonviolence in the affirmative context (this is an aide to analysis only, and is not be seen as a replacement of the new definition which is stronger left in its original form). A Mahayana Buddhist analysing these terms takes away an immediate understanding of S. Rinpoche's definition of nonviolence in the following context:

Nonviolence demonstrates (in every action from intention to completion of action) genuine concern and compassion for the self and all things outside the self (other agents, the environment and so on). Nonviolence typically demonstrates compassion, tolerance and an understanding of the principle of interdependence, an insistence on the truth of human dignity, equality and justice.

The components of this definition--the intention of the agent, completing an action, interdependence, compassion for others and an analysis of the truth of nonviolence--will form the basis of discussion for the remainder of this chapter. I return the reader to a focus on the intention of the action. There is another important respect in which we should consider the current common sense definition of "violence" to be deficient when it fails to refer to intention:

Mackenzie (1897:133-135) correctly points out that the Mill's Utilitarianism legacy of insisting that "the motive of an action has nothing to do with the morality of the action"

is wrong. Mackenzie argues that Mill's position is erroneous to suppose that moral judgement must be passed on things done:

The moral judgement is not properly passed on things done, but upon a person doing. If it were not so, we should pass moral judgements on the instinctive acts of animals, and even on the movements of rocks, clouds and avalanches. What we judge instead is conduct; and this means not merely an overt act, but the attitude of a person in acting; and his attitude must include his motive." (Mackenzie 1897:135)

If when making moral judgements, what we judge is conduct (not merely an overt act, but the attitude including motive or intention of the person acting) then intention *should* be part of the analysis of violence and nonviolence. But, it isn't found in any Western analysis. As we have seen, current definitions of "violence" focus on the action, and often limit that action to physical force (and nonviolence by default to absence of force). The strength of S. Rinpoche's new definitions of "violence" and "nonviolence" is the distinguishing feature of *intention*.

Before analysing the implications of S. Rinpoche's new work⁹ on nonviolence, it is important to acknowledge and respond to, what would almost certainly be a challenge to the practicality of considering nonviolence in the first place. It is in response to this charge of impracticality, that S. Rinpoche's work is directed:

Surely, violence is everywhere. Modern society not only comprises institutionalised violence, but sanctions and seeks to legitimise the use of force and coercion. Individuals emerge from this society apparently determined to wreak destruction and

⁹ S. Rinpoche, work in progress May 1998.

harm. We are faced with such an overwhelmingly powerful tidal wave of violence that it is pointless to try and resist--attempting to swim against the current is futile. This seems to be a rational observation, and becomes a common lament in contemporary society with no apparent solution. S. Rinpoche offers the following rejoinder:

“The choice need not be, to be swept along with the current of violence or to try in vain to swim against the tide. The individual who recognises this violence for what it is¹⁰ should oppose it and step out of the river, choosing instead, actively and compassionately to pursue a life of nonviolence. One will step out, and then another, and then another and then perhaps, many...with the result that by this action, the tide of violence is reduced and the one or many may return with the strength of nonviolence, realistically to oppose it.”¹¹

This view, grounded in Buddhist action theory is different from that of many Western practitioners (included below) who offer nonviolence as a way of resolving conflict purely on the argument that the means influence the ends. We find this sentiment in the historic Quaker community, and would also find its reflection in the Christian Commandments. It encompasses the adage that “violence begets violence” and therefore an end to the violence between individuals, groups and states is only possible through change instigated by nonviolent means. However, from this religious perspective alone, the *truth of nonviolence* is conditional on the truth of religious

¹⁰ See definition p.203.

¹¹ Prof. S. Rinpoche Teachings on ‘Buddhism, Satyagraha and Nonviolence’, April 22, 1998.

claims about the will, and the nature of God the Creator, and violence as the violation of this God-given order. While Mahayana Buddhism will certainly also consider means and ends, nonviolence is not purely instrumental (in the sense that it is a means to attain some goal, a practice which can then cease upon attainment). Rather, from the Mahayana perspective nonviolence is both the way to the goal, and the goal itself. It is in this sense a means and end combined.¹²

From this Buddhist perspective violence is the cause of and the perpetuation of suffering, and therefore nonviolence must be considered from the viewpoint of freeing both oneself and others from the causes of suffering, and by implication, from the roots out of which violence arises. In this respect, the Buddhist concept of nonviolence includes refraining from that which is born out of hatred, malice, hostility, greed, possessiveness, selfishness, lust and so on; as well as the wilful refraining from harming, having an indifferent attitude to, or lacking in care for others. In this way, it not only eliminates the rational cause of violence, but also the irrational causes, both from within oneself and from within power relations with others.

It is reasonable for objectors to ask whether it is possible for anyone to actualise this and yet still participate in the everyday world. S. Rinpoche answers in the affirmative, and offers an account of individual nonviolent action as a means to social nonviolent action, and as a rational way to live in its own right. This account begins as an individual progression along a path toward an ideal, during which one recognises the

¹² Well summarised by Thich Nhat Hanh's "there is not 'a way to peace', peace is the way." (1993:5)

truth about the self, and the truth about external reality [detailed below]. If the individual can achieve this for one hour, then why not one day? if one day, then with effort, why not one week? if one week, then with commitment, hard work and mindfulness, why not a lifetime? The interesting thing about the notion of “think globally, act locally” on this view is that when one individual can achieve this, it changes from a hypothetical ideal, to a real possibility for others to do the same; to exercise power through nonviolent means and to make a positive change by stepping out of the river of violence.¹³

Before addressing the theoretical foundations which make this action possible, it will be necessary to gain an understanding of the Mahayana Buddhist metaphysical and ethical framework. I will explore below why ignorance is perceived to be the seed from which violence and suffering grow, and the Buddhist conception of reality, involving conventional and ultimate truth.¹⁴

According to Mahayana Buddhist philosophy, ignorance lies at the root of our difficulties and suffering. This ignorance is not merely a lack of understanding, but a

¹³ Rather than take the view that it would require a “moral saint” to achieve this, ordinary actions that we may view on the surface as violent, under this description become permissible depending on intention. Later in the chapter this will be made clear through the discussion on the difference between hurt and harm and the all important intention behind the action.

¹⁴ This is not a dissertation on Buddhist philosophy. If it were so, the four principal schools of Buddhist philosophy would need to be discussed along with a detailed analysis of technical terms and closely connected philosophical points, the tantric system, the path to enlightenment, and a detailed exposition of emptiness would all be expected and required. I restate here, for the sake of clarity, that I will call upon a small number of key premises from Mahayana Buddhist philosophy which have something to say about nonviolence; aspects which also have useful application in a secular sense.

misconception of how things exist and, most importantly, how the self exists. “Although the self is merely attributed to the combination of body and mind, our misconception fabricates a self which is an exaggeration of what actually exists. We cling to this and seek the kind of friends, possessions and surroundings that we imagine will ensure happiness of this fabricated self.” (Powers 1995:8) This ignorance drives our actions, and Powers (1995) reminds us of the detailed analytical treatment action receives in Buddhist theory: When one speaks with a good motivation, a friendly atmosphere is created as an immediate result; in turn, the action makes an imprint on the mind, inducing pleasure in the future. With a bad motivation, a hostile atmosphere is created immediately, and pain is induced for the speaker in the future. Buddhist philosophy points to the fact that the individual is fully accountable for his/her own actions. This means that pleasure and pain arise from virtuous and non-virtuous actions which come not from outside but from within the agent. “We are buffeted by desire and anger and experience the effects of the actions we perform under the influence of these turbulent emotions.” (*Ibid.*) This places the accountability for violence and nonviolence squarely on the shoulders of the individual.

Since Buddhism holds that the problem of violence is a cognitive one (as harmful negative emotions drive intention and subsequent action), the solution requires the agent to work from within; to reduce the level of violence and increase the level of tolerance, compassion and mindfulness of others [the Dalai Lama refers to this as “internal disarmament”]¹⁵ and insists that it is just as useful as the more commonly known term of

¹⁵ See full context of discussion in Appendix 2, extract of interview p. 350.

“external disarmament”]. This is not an activity in which one should just indulge in on Sundays. Nor should the individual wait until such a time that violence presents itself before calling upon the principle of nonviolence--it should rather be seen as a way of life and the focus of effort every minute of every day. Recognition however, is given to the fact that this is not an easy task:

“One of the greatest obstacles to this (practise of nonviolence) lies in the fact that worldly existence is full of traps that beguile the unwary and blind them to the harsh realities of the world. The world is full of suffering, aging, and death, but most of us overlook these and focus on momentary pleasures. Those who view cyclic existence in accordance with reality, however, understand that all who are caught up in it must inevitably suffer over and over again. This truth was recognised with full existential clarity by the Buddha on the night of his enlightenment, and he expressed it in a set of propositions that are referred to by Buddhists as the four noble truths.” (Powers 1995:56)

Before expanding this discussion to examine the Four Noble Truths and the requirement for nonviolence, it will be worthwhile to consider an example of the typical agent acting in the world. For the purpose of this example, I will recall an individual from our sensible group introduced in chapter three, and to whom, any alternate metaphysics of power through nonviolence, would be answerable (you will recall that this person is not one we might label extreme in any sense; not a member of the gun-slinging, bandit-slaying brigade, nor over religiously zealous, but rather just a typical citizen, who could be you or me). This person recognises that violence is not a preferred choice, but cannot see any viable alternative and therefore accepts the lesser of two evils--allowing violence in self-defence, protection of family, livelihood and so on:

The world is a vicious and often cutthroat place. If, as a permanent fixture in it, I must defend my 'lot', fighting off the enemy, shouting down detractors...I am just acting rationally. The biblical adage "an eye for an eye" looks perfectly reasonable. Anyway, it's not my fault, I didn't create the problems of poverty, sickness and unemployment; I am a pawn in a society of systematised, state-run violence and coercion, and therefore will do what little I can to retain the small gains I have made.

Such an example needn't be seen as an exaggerated fiction; it could be any one of a dozen people we know.

From the Mahayana perspective, this person has an incorrect view. With respect to the first point, that the world is a vicious and often cutthroat place, there may be little disagreement (after all everything is suffering. This is the first of the Four Noble Truths), but this the extent of the similarity of outlook. That the individual (mistakenly) sees herself as a permanent fixture defending her lot in life, is simply an incorrect view stemming from ignorance--wrong belief about the way the world is, and about the self in particular.

On the *sensible* view the agent is a permanent entity and can justify clinging and grasping attachment to hard-earned material goods, justifying violence required to protect him/herself against known or unknown enemies. On this view, each individual agent can be understood as an independent island. At the micro level, interaction with, and subsequent action toward others could be motivated by suspicion or paranoia, with efforts to protect one's investments (whether family or property) leading to "justified violence," or falling prey as victim to the violence of others. At the macro level of institutionalised violence, the commands given to subordinates, by generals to

“neutralise targets” often appear clean and simple and justified in the national interest with little or no accountability. The subtext reads: “Human life is cheap when there is a choice between someone else’s life and protecting our interests.” Violence is made easier still by abstracting or dehumanising our victims or treating them as statistical phenomena. Fighter pilots by following a scenario more reminiscent of a computer game can, by pressing buttons, and only in a matter of seconds discharge a missile and murder thousands of people; returning in due course for dinner with the family.

But from the Mahayana Buddhist perspective, a strong belief in the truth of interbeing or interdependence (The Dalai Lama once said that if he had to sum up his Buddhist perspective in one word it would be “interbeing”) deposes the inclusive-exclusive dichotomy of the self and other; resulting in a radically different world view to that of Western culture, which holds independence and a strong sense of identity in high regard. Mahayana Buddhist philosophy insists that a more accurate awareness of self recognises the dependence on everything around it, and in this way values interaction with others and with the environment:

Life is one. We do not need to slice it into pieces and call this or that piece a “self”. What we call a self is made only of non-self elements. When we look at a flower, for example, we may think that it is different from “non-flower” things. But when we look more deeply, we see that everything in the cosmos is in that flower. Without all of the non-flower elements—sunshine, clouds, earth, minerals, heat rivers and consciousness—a flower cannot be. That is why the Buddha teaches that the self does not exist. We have to discard all distinctions between self and non-self.” (Naht Hanh 1993:33)

Suddenly the agent becomes much more accountable. Following instructions to dispatch bombs becomes irrational on a view which places equal value on all life; a view which insists that the agent is totally accountable for all intentions and actions; a view which promotes the practice of compassion and altruism. In order to practice altruistic nonviolence, we are asked to love our enemies. To do this, one is required to subvert the label "enemy" and to understand that "enemy" is a situation-dependent convention, not an absolute; that the enemy is responding to a situation from the backdrop of his experience; that at different times, the labels "friend," "enemy" and "stranger", may all denote the same person. Our attitude and response are altered by this different perspective. One is more inclined to respond with understanding and deference¹⁶ (Archbishop Desmond Tutu, as we shall see in the next chapter, picks up this point and refers to an enemy as a "friend one has not yet made").

The sensible agent in this example is indeed leading a difficult life. But clinging, grasping attachment will only lead to negative emotions like fear, hatred and greed, perpetuating the cycle of violence. Mahayana Buddhists argue that there is a way out of this suffering. It is impossible to remove obstacles and difficulties; they will always be present in life. But through a changed world view, through practise and effort, the agent can become mindful and compassionate; actions will then generate peace and

¹⁶ The Dalai Lama in *The Spirit of Tibet: Vision for Human Liberation* (1996:190-191) emphasises that merely thinking that compassion and patience are good, will not be enough to develop them. We must wait for difficulties to arise and then attempt to practice them "and who creates such opportunities? Not our friends of course, but our enemies. They are the ones who truly give us the most trouble. So if we truly wish to learn, we should consider our enemies our best teachers!"

happiness for the self and others, and the individual will be equipped with mental strength to tackle injustice and oppression.

The Dalai Lama urges a clear stand against oppression and injustice and argues that this should be carried out with confidence based on the Principles of the Four Noble Truths: The truth concerning the unjust situation should be fully exposed (the first truth: suffering). The various causes of injustice should be enumerated (the second truth: the cause of suffering). The purpose and desire for removing the injustices should be made obvious (the third truth: the removal of suffering). The measure for removing the injustice should be proposed (the fourth truth: the way to end suffering). The way to end suffering is by pursuing the eightfold path and leading a compassionate and nonviolent life.

For the Mahayana Buddhist, the truth of suffering is that all of conventional existence is inevitably connected with suffering. It is important to note that the term “suffering” has a wide range of connotations. Powers refers to *Duhkha*, or suffering, as not only physical pain, but also to emotional turmoil, discomfort, dissatisfaction, and sorrow. The truth of suffering is a recognition that these things are found in the lives of ordinary beings and that they generally view them as being unpleasant.

We have to understand our circumstances and know that, given the nature of cause and effect ... we can look forward to nothing but suffering; we are enmeshed in the various

factors of cause and effect which lead first to one state of suffering and on that basis to another, and so on. When we have seen the inherent limitations of this situation, we can begin to consider getting out of it.

It is at this point, that the previously introduced sensible individual runs out of options on the Western view. S/He is enmeshed; the tidal wave of violence is too strong. S/He cannot begin to imagine how to change the unsatisfactory circumstances--s/he feels, and will testify to being powerless [this problem is analysed in the final chapter of the dissertation]. From the Mahayana Buddhist perspective, while this sensible individual maintains an incorrect view and a lack of understanding about the causes of violence and displeasure, s/he cannot be released from the destructive social web of desire, attachment and violence.

Before examining one course of action available to the sensible agent it will be helpful to pause and take stock: There is no escaping the fact that at the close of the Twentieth Century suffering and violence are aspects of life encountered by all of us on a daily basis. Many describe an “overwhelming tidal wave of violence” the effects of which appear to be inescapable. But such pessimism may seem premature when we consider the rapid pace of change in a global community.

The Western philosophical tradition sees violence as physical force, adds a definition to this effect and with little or no further comment turns to more important issues. In so

doing, it misses the following important features of violence: Violence is inseparable from all three components of action: intention, speech and physical action. When violence is understood in this action-theoretic framework the mind of the agent becomes central to any understanding of violence. Violence is similar to a disease in that it is insidious and complex and requires careful analysis in order to identify, contain and finally improve the agent by way of a specific antidote. It appears that there is, after all, enormous scope for philosophical interest. As it happens [outlined below] individual action can either perpetuate the cycle of violence, or actively reduce it, and on this view it is possible to exercise power and achieve change through nonviolence in order to increase one's own sense of happiness and well-being and that of others. By examining an account of action based on the Buddhist moral framework, it is possible to offer a realistic alternative to the sensible agent who feels trapped in the cycle of violence. This will require a careful analysis drawing on examples of action that look rational, but are in fact violent (illustrating by reference to the new definitions, why they are violent) and considering the same examples, but this time from the perspective of nonviolence.

I will provide an account of action below based on the Buddhist moral framework. I will begin by examining the nature of action on its own (this account will reflect a rich texture--incorporating the mind of the agent with regard to intention, and action as speech in addition to the more conventionally understood physical action); this theoretical foundation will be put to work to give an analysis of violence. I will then

show how it can give an account of nonviolent action and will examine the ways in which this account is an improvement (by way of being more useful and more illuminating) than any theory that attends only to the physical component.

Mahayana Buddhist Action Theory offers a foundation for the ethics of nonviolence:

A Mahayana perspective of course outlines a Buddhist philosophy: a philosophy of individual action, parts of which however, have particularly useful secular application. While it is nowhere described and packaged as Buddhist action theory,¹⁷ this will be a useful description for the theoretical construct below:

On the Mahayana Buddhist view, all action results from causes and conditions. At the micro level these arise in the individual and can be analysed on three interrelated but distinct levels--thought, speech and physical action. With respect to these “three doors of action,” the mind is primary because every action stems from an intention prior to its manifestation as speech, or physical action. For this reason, the most coherent way to tackle social violence on the Buddhist account, is to tackle the roots or inception of the problem--the *mind* of the individual. In one way, this can be seen as an inversion of the familiar Western view of social violence and requires further explanation below:

Many commentaries on violence (consider any of the accounts offered in chapter one as an adequate example) focus on the “sea of violence” as a metaphor for a range of

¹⁷ I thank Professor Jay Garfield for creating this term.

disturbing social trends. On any of these views, widespread violence in society may be caused by economic disparity, coercive institutions or political parties. Such a view (outlined in Chapter Two) puts violence very much at arms length from the individual (remember the fighter pilot who follows a political order, pushing a button to neutralise targets in a just war. He arguably faces no accountability for individual deaths of real persons; nor does the person at the top issuing those political orders). In a further move, if we consider this to be legitimate force we do not even enter the discourse of violence.

The Buddhist view appears inverted for the following reason: Violent action is defined (on page 199) and widely understood to be the intention to harm others born out of negative emotions. Now intentions cannot float around by themselves, but are necessarily attached to the agents having those intentions. Against the commonly held Western view above, violence cannot simply exist as an external social phenomenon, but exists in the agent through his/her intentions. On this Buddhist view, the bomber scenario (which can be imagined as a standard Airaksinian pyramid of power: the superior agent at the top of the pyramid issues orders to the fighter pilot at the mid point in the pyramid whose actions have something to do with a broad range of targets at the base of the pyramid) is completely turned upside down. The targets at the base of the pyramid are identified as persons--moral agents who are the recipients of violent action. What is the cause of the violence? The actions of the fighter pilot and the intentions of the General issuing the orders. Here we see that by inverting the pyramid,

the effects of violence cannot remain at a comfortable distance, but point directly toward individual actions and intentions.

On the Buddhist view, right action reflects compassion and a sense of mutual responsibility toward sentient beings and towards the environment. The moral agent strives to develop a calm mind leading to intentions and action in the form of spoken and physical demonstrations which produce benefits of peace and happiness for oneself and others. I will extract from this understanding a more detailed analysis of violent action below:

Recall that on the Buddhist account, violence begins in the mind with thoughts of greed, anger or hatred and is realised through actions of killing, stealing and so on. Hence the most obvious place to begin the reduction of social violence is in the individual mind.

The roots of violence are embedded in ignorance [ignorance *ma rig pa*, *avidya*, from the Buddhist perspective “literally means ‘non-knowing’ ...not just lack of knowledge in general, but the opposite of knowledge; and not just any knowledge, but knowledge of reality.” (Napper 1989:79)] Feelings of anger, hatred or greed arise out of an incorrect view or ignorance about the way the world is and in particular the way the self is. The view of the self as a being that can be conceived in and by itself independently of others is to be refuted on the Buddhist view.

If something (that exists) is empty of inherent existence, it must be dependently arisen. If something is dependently arisen, it must be empty of inherent existence. The wisdom understanding emptiness does not remove the consciousness that knows dependent arisings; it removes the ignorance that misconceives dependent arisings to inherently exist." (Klein 1994:57)

When the individual (erroneously) believes him/herself to be a substantial self, independent of others a number of events naturally follow: egoism leads her to consider her own needs more important than the needs of others; hatred and greed easily set in, plausibly leading to self-satisfaction as a primary goal driving individual thoughts and actions. This can easily lead to the (false) moral distinction between self and other. The other is seen as the "enemy," and the agent is led to an attempt to legitimise the actions toward others that cause harm and are in fact violent (outlined in detail in chapter 2).

From the Buddhist point of view these attitudes are mental defilements and their propositional content is false. They lead to injustice and to the denial of human dignity. In the same way that the earlier example pointed to the fact that a flower appears to be substantially existent when in fact it comprises non-flower things like sunshine and water and so on, we cannot make sense of the self without alluding to non-self elements like blood and water and relations with others. It makes sense to talk about a conventionally existent self: I am a self who writes these words; but if we take the self apart and take away the components, there is no inherently existing thing which I can hold up for the world to see. In the same way that we can understand what a wooden

chair is--a useful item on which to sit--when we take away the arms, and the legs and the wood, there is nothing left that expresses chairness as such. In this way, in an ultimate sense the chair, like the self is empty of inherent existence.

Ignorance is the failure to notice this. If one does notice, one sees that one is not an agent in glorious isolation but a person in relation with others. A person is an intentional agent and acts in the world through speech and physical engagement with other intentional agents. I am reliant upon others for my well-being in the same way that others are reliant upon me. This view entails mutual responsibility: The individual will only be peaceful and happy when those with whom s/he interacts feel likewise. On this view, all agents are entitled to dignity and respect.

Those who act from ignorance erect and maintain barriers between themselves and others leading to an endless cycle of injustice where poverty, hatred and greed thrive. The antidote to ignorance is to confront erroneous views with the truth; to confront violent action with nonviolence. In the same way that violence can be seen as false or erroneous, and violent action represents falsity or error and is morally wrong (explained in detail in chapter 2), nonviolence represents the truth: Nonviolent action insists on the truth in a compassionate but uncompromising manner and represents how one ought to think and act. I will provide a detailed explanation of nonviolent action from the Mahayana Buddhist perspective below:

I will begin with the re-telling of a story where nonviolent action produced the most unexpected results: a story is told of a high ranking military officer's encounter with a senior monk, during the Younghusband campaign in Tibet. The British invaded Tibet with the intention of quelling all resistance and occupying the country. Many accounts describe the rivers running red with the blood of slain monks and villagers who fell before the superior weaponry of the British soldiers. A senior officer approached a large monastery; those who were not killed ran away. Upon entering the building, he found the Abbott seated on a chair not far from the entrance. Infuriated by this insolence, the officer demanded that the monk kneel: "Don't you know that I can run you through with a sword without blinking an eye?" The monk completely disarmed the officer by calmly replying "Don't you know that I can be run through with a sword, without blinking an eye?" After thinking about this extraordinary response for a few minutes, the officer turned and left.

Embodied in this story are the central features of the Buddhist account of nonviolent action. The monk did not feel fear before the officer. In undertaking violent action, the officer is acting from a position of ignorance. The monk is prepared to confront him and demonstrate the strength of his nonviolent position, and insist that violence has no strength:

The aim of any nonviolent endeavour is the establishment of truth and the removal of injustice. It does not aim to eliminate or defeat someone. For a true nonviolent activist there is no enemy. It aims to end injustice by making the perpetrator of injustice see reason and undo the wrong done by him. In the end, the nonviolent activist and the wrong doer should have no bitterness left between them...uprooting or weakening violence is the ultimate aim of

nonviolent action. It does not aim to eliminate the wrong doer. (S. Rinpoche 1997)

The practitioner of nonviolence is not aiming to win at the expense of another. For this reason, it is inappropriate to refer to terms like “nonviolent strategy” (a term commonly found in the West) because:

...nonviolence is neither a matter of strategy nor does it contain any strategic dimension, because it has no battles to wage or no wars to win. The word “strategy” belongs to the vocabulary of generals, armed forces and defence establishments. In it’s classical sense “strategy” means the art of the general or generalship. Strategy aims at winning a war, and hence it implies defeat of the enemy and victory for one’s own side. It also implies the use of all possible means to gain victory without any consideration for right or wrong...Sometimes I wonder how the word “strategy” came to be associated with nonviolent praxis. (*Ibid.*)

Rather than talk about nonviolence as a strategy, S. Rinpoche prefers to work on finding means through which the principle of nonviolence can be put to practice in different situations: “Practice is the test of the efficacy of the principle. It is also the test of the steadfastness and skill of those who claim to uphold the ideal of nonviolence.” (*Ibid.*)

In this context it is important to keep two general principles in mind. These principles are not only first and foremost, but are not to be forsaken in any event: First, the *unity and purity of means and ends*--the means employed for the application of nonviolence in concrete situations should be chosen very carefully. If the end to be achieved is truthful and just, then without exception, the means should be pure and unassailable. S. Rinpoche sees this as an imperative. Second is *skilfulness in the choice of means*

and methods: the practitioner of nonviolence must use his/her skills to determine the best and most effective way or ways of action. Skilfulness in choosing and using the right means is a rare quality, and the reason for a highly principled as well as a highly skilled cadre or leadership.

Returning to the sensible agent, I will show how an account of Buddhist action theory, correctly places emphasis on the relationship between means and ends.

Our sensible agent (introduced in chapter three) Megan, finds herself at the crossroads, deliberating a course of action. She is a member of the Senior School Class. Another class member is a real bully who intimidates the rest in a variety of ways - all unpleasant. The specialist technique of the bully is to tear up the homework of anyone refusing to cooperate with his request. Megan is frustrated with the injustice of a world that contains such awful people and a system that lets him get away with his actions. She is on her way to class, walking behind him. Today is the final day of term and the last chance to hand in a take-home exam paper. The bully sees a victim he has been after for days and darts into the corridor to exact a degree of suffering. He doesn't notice that his take home exam paper falls to the floor. Megan sees her chance. Finally she is in a position to teach the bully a lesson. She picks up the paper from the floor and darts into the bathroom where she tears it into tiny pieces. No one will know. She returns to class to find the bully searching everywhere for his paper. He shouts at the teacher angrily that he *did* spend a week on the paper, and it must be here somewhere. His discomfort grows. The sensible agent along with the rest of the class enjoy the spectacle. He receives a failure grade for not handing in the paper.

How does this example stand up to Buddhist action theory in relation to means and ends? The sensible agent wanted to put an end to injustice. She felt great sympathy for classmates who received unfair treatment by the bully. These may be noble sentiments, but the means she chooses to achieve the end reflects ignorance or mental defilement. She empathises with the victims of intimidation, they are her equals but the bully is the enemy entitled to different treatment. Her intention is to harm the bully in

retaliation for his behaviour toward others. On the one hand she abhors the action of the bully and decides that it is wrong, but chooses *exactly the same behaviour* as a means to fix the problem. Her intention to harm produces exactly the same type of violent action undertaken by the bully. In order to act nonviolently, Megan will be required to overcome her ignorant view and change the actions which follow. I will return to this analysis following a more detailed discussion of the elements that constitute nonviolent action:

Nonviolent action on S. Rinpoche's view must be transparent, and it must represent the truth. Professor Gene Sharp (1973) the most well known authority in the field of studies relating to nonviolent action has in his two volume series *The Politics of Nonviolent Action and The Methods of Nonviolent Action* identified almost two hundred methods of action. While appreciating the importance of Gene Sharp's work, S. Rinpoche accepts only a small number of these categories as truly nonviolent (based on the new definitions discussed previously).

Which methods are to be employed, when and where can only be decided by practitioners on the basis of the nature and needs of the actual situation, which differs from case to case. In many cases the well tried methods like noncooperation or civil disobedience can be easily adopted but there may also be situations where it is difficult to use these methods. Existing or old methods may have to be suitably revised or new methods evolved. Therefore, the choice of methods depends upon the nature of the specific situation. (S. Rinpoche 1997)

Included below are important factors and issues that should be considered before deciding about the adoption of a particular method of nonviolent action. It will be

relevant to examine these factors important to Buddhist nonviolent theory and then to examine how Satyagraha differs in important respects from Duragraha (before returning to an analysis of how Megan ought to have behaved with the bully).

1. Time & Duration One has to carefully choose the appropriate time for starting, withdrawing or resuming the nonviolent action. In addition to this it is also necessary to decide about the duration of the action. It could be a short-duration action or it may continue for a longer period.
2. Place: One has thoughtfully to take a decision about the suitable place or site for starting, carrying or continuing the action.
3. Level & Scale of Action: One has to carefully find out whether it will be fruitful to start the action at the individual level or at the group level or at both levels simultaneously or even alternately. At the same time it will also be necessary to determine the scale of action ie. whether the action is to be started on a wide and mass scale or is to be carried on a limited scale.
4. Tempo of Action: One will also have to determine whether the action has to be escalated gradually until it reaches its limits or has to be undertaken as a quick action at a high pitched tempo.
5. Tackling Violence: One has to find out ways by which the sources as well as the props of violence are either eliminated or weakened.
6. Facing Suppression: In face of possible or actual suppression of nonviolent action one has to strike proper balance between (a) degree of toleration of physical and psychological suffering or torture and (b) degree of avoidance of such suffering.
7. Degree of Assertiveness: One should also give thought to the degree or amount of assertiveness of the action. Either the pressure can be continuously mounted to the maximum point or it

can be undertaken in a moderate and phased manner.
(*Ibid.*)

These seven factors demonstrate the extent of vigilance and analysis required for nonviolent action and provide a convincing refutation to objectors who view nonviolence in the shallow sense as merely another way of protesting against a position with which one disagrees [the latter is known as *Duragraha* or stubborn resistance for a cause. It will assist with clarification of the meaning of *satyagraha* to contrast it with *Duragraha*. This distinction can be put to work when the discussion returns to consider how Megan ought to have acted in the bully case].

This investigation (but now from a Hindu perspective) is taken up by Mahatma Gandhi.

For Gandhi “*satyagraha*” (literally “truth insistence”):

...is gentle, it never wounds. It must not be the result of anger or malice. It is never fussy, never impatient, never vociferous. It is the direct opposite of compulsion. It was conceived as a complete substitute for violence (1995:6)

Joan Bondurant (1994:95) highlights the theoretical aspects of *Satyagraha*’s truth insistence by contrasting them to the concepts of passive resistance defined by the Indian term *Duragraha*. *Duragraha* may be said to be stubborn resistance for a cause. While this term also designates the concept of direct social action it is usually a process of applying pressure with skill and sufficient strength to make the opponent stand down. *Duragraha* approaches the conflict (usually unjust policies) with a set of prejudgments: The opponent is wrong. The objective is to overcome the opponent and

destroy his opposition. Pressure is understood in Duragraha as a steady pushing or thrusting to create a burden, and usually results in distress. Strike action might be used as straightforward application of economic pressure, intended to hurt businesses or to strain relationships so that normal functions are brought to a halt. Normal functioning cannot be resumed until policy changes are instituted; Duragraha in its most common forms amounts to the intensification of pressure or the shifting of points of attack until a settlement is reached through capitulation or compromise. There is no intention to discover solutions which will satisfy the opponent. In complete contrast, Satyagraha sets out to develop alternatives which will satisfy antagonists on all sides:

Creativity is essential in Satyagraha - not only in division techniques adapted to given instances of conflict, but also an inherent part of the philosophy which underlies Satyagraha. Satyagraha may be likened to the thought process objectified. One can draw upon Dewey's analysis of purposive action to suggest the process in operation. (Bondurant 1994:98)

Against the harassment commonly effected in Duragraha is set the fundamentally supportive nature of Satyagraha. As the Satyagrahi moves to bring about change in the situation through persuading her opponent to modify or alter the position under attack, she seeks to strengthen the interpersonal relationships through acts of support and, where appropriate, through service to the opponent. This approach goes well beyond the nebulous and often platitudinous insistence that all men are brothers and that love for the opponent dominates the feeling and dictates the action. It is based upon a psychologically sound understanding of suffering and the capacity of the individual to change. The discovery that fundamental change is accompanied by suffering can be

understood by introspection. The more rigid or fixed the attitude, or the more habitual the behaviour, the more painful is the process of change. Gandhi's Hindu doctrine and that of the Mahayana Buddhists reveal that persisting obstinate attitudes are not without their cause. They perform a function which has its origin in personal history and they are part of an intrapersonal economy, any disruption of which will be experienced as distress or even a major personal threat. Gandhi argues that it follows from this that change can best be effected in the context of reassurance and through efforts to delimit the area of attack. Some form of destruction is involved in all change. In Satyagraha the more serious the expected change (and therefore, the more radical the destruction of established patterns), the more essential it is to undertake counter and parallel constructive efforts of a high order.

It is incumbent upon the Satyagrahi actively to concern himself/herself with the problems s/he is presenting to his opponent. His/her recognition of the burden the demands place upon his opponent is prerequisite to action. He is expecting his opponent to renounce or reject patterns of behaviour to which he has long been accustomed. When conscious decision is forced upon others, it becomes all the more important that guilt be dispelled, fear abated and passions controlled. The forcing of new choices is a tactic for effecting change in a static situation. At the critical juncture when choice is forced, the Satyagrahi must shoulder his greatest burdens. S/He will be confronted by persons seized with doubts and uncertainties and it is his/her obligation to tolerate their abuse, should it be offered, and to find ways in which to strengthen and

reassure his opponents. His own strength at such times is put to the greatest test, and his own capacity for creative thought and imaginative act is taxed to the fullest. But the foundation from which he works is the truth of suffering, the truth of the interdependence of all things, the truth of human worth and dignity and the truth of justice to uphold human rights. This must be insisted upon even in the face of violence and oppression; even at the time of the greatest suffering for the Satyagrahi, who must stay fast to his/her resolve for compassion. He insists on the higher moral standards which *ought* to be upheld regardless of the current ignorance or wrong view of the oppressor.

The open-ended nature of the satyagrahi's objectives and the transforming function of the process require that he extend to his opponent not only the respect implied by these humanistic values, but also a measure of trust which goes well beyond that tolerated by proponents of Duragraha. S/He not only *claims* that power can be effected through nonviolence, but more importantly, he *demonstrates* the fact, by exercising the very power that in some cases, the oppressor attempts to deny him. But in a practical sense, how can an understanding of nonviolence frame appropriate action against the bully in our previous example?

From the vantage point of Buddhist action theory the behaviour of the bully is wrong, and is motivated by ignorance. He sees himself as separate from (and superior to) others in his class. For the purpose of personal gain, he intends to commit harm toward

other agents and sees this action through to completion with tactics of intimidation. Coercion and threats constitute emotional harm, and he has no hesitation in resorting to the destruction of an agent's work and causing physical injury. For this agent, all "three doors of action"--the mental, the spoken and the physical--reflect violence.

Recall that Megan saw her opportunity and destroyed the bully's term paper. The outcome of this action of intentional harm saw the bully distressed; he received a failing grade for the non-appearance of his paper. After class he took his temper out on all of the class suspects. Martin ended up with a black eye; Phillip who defended him, with a bleeding nose, the bully's rage increased and Megan racked with guilt, could only watch as her friends were made to endure more suffering and humiliation. The bully had learned nothing as a result of Megan's retaliation. The whole point was to show the bully that his behaviour was morally wrong, unacceptable and to convince him that he should stop immediately. Megan's action was cowardly. She did not intervene when she saw the bully intimidating her friends. She did not confront him with the truth: that his actions are wrong and violent. She did not ask him to stop. We have learned from S. Rinpoche and M.K. Gandhi that nonviolence is an insistence on the truth, it takes courage and firm commitment: "It is easy to be nonviolent when the sun is shining and things are going well...it is much more difficult to maintain this view in the face of anger, oppression, injustice or torture." (S. Rinpoche 1997) But that is exactly what we expect her to do.

Given another chance, Megan can respond in the following way:

(a 1) She can intervene, opposing the bully's intimidation. She can confront him by describing the violent behaviour and the consequences entailed. She can insist that he stop, or face the consequences (now she would hope that he sees reason as a result of being directly confronted, because following through with the consequences means following due process. She would have to inform the School Principal and insist that action be taken to stop the bully; victims would be called to testify as witnesses. If they are terrified enough, it is unlikely that they would voluntarily come forward to point the finger at the bully, and even if they did, she would have to wear the label of "tell-tale" probably earning her ostracism from her collegial group).

(a 2) The bully could see reason and stop, or (a 3) He could utilise the same tactics of violence against Megan. We will assume that he is a slow learner. He pins Megan to the corridor wall.

(b 1) Megan sticks to her resolve. Even pinned against the wall she yells that violence is wrong, that this action makes him look ridiculous and is embarrassing. She insists that the bully must recognise what he is doing and stop. It is clear that Megan will not back off from her moral position. It is likely by this stage that she is bruised and shaken; but she is not powerless, in fact she is acting from a position of strength (outlined below). Consider the remaining responses left open to the bully:

(b 2) His power is totally reliant on his capacity to instil fear in his victims. He may pursue intimidation and physical violence as a wish to feel important, to feel in control. But he is not controlling this. In order to exercise control, his victims must quietly fold to his demands. Megan is not folding to his demands and she is not being quiet. In fact she is being embarrassingly loud about it, and her volume is attracting unwanted attention to the bully and risks undermining his position totally on discovery by the School Principal. There are two important conclusions to be drawn from this example:

The bully may find it prudent to give in, in order to fight another day. But if he does he will now need to consider how he will react to this response when undoubtedly it occurs again. On the other hand, the bully may be so unbalanced by the unexpected response of Megan's willingness, indeed *insistence on suffering* instead of backing down, that he does seriously contemplate his behaviour (and perhaps he will seriously think about Megan's previously offered [but undocumented] response to assist him with school work. Either way, nobody can *make him* change his views; in accordance with the best behaviour management guidelines, it is only the agent can choose to change his/her behaviour. We can speculate at length about possible outcomes, but regardless of whether either of these responses by the bully obtain there is something interesting to be said about Megan as a moral agent.

In the first scenario, Megan is frustrated. She has no theoretical scaffolding to support any appropriate responses to bullying behaviour. She responds with violent behaviour

toward the bully. This doesn't stop the bully; in fact it makes things much worse. She feels powerless. In the second scenario, Megan acts from a position of strength even though she realises that at its worst, this could involve suffering on her part. Nobody else suffers, but she is prepared to suffer to make her point. She does not lose the respect of (nor is she ostracised by) her peers. Her actions demonstrate the strength of her moral position. It is unnecessary to make the claim that she "has *power to act*": her actions demonstrate that she does. She may feel bruised, but she does feel powerful. In fact there is nothing the bully can do to change that. He may be able to kill her, but it is likely that she has resolved herself to the fact that the one certain thing in life is death, and that she would prefer to end hers fully espousing her moral principles.

It will be useful to pause for a moment and consolidate the discussion. By treating fusion philosophy seriously, it is possible to join together Western and non-Western philosophical insights to realise an informed position on violence, nonviolence and implications for the moral agent. Continuing endeavour from religious communities to promote the doctrine of nonviolence and reconciliation, and to raise global awareness through inter-faith forums, is to be acknowledged and highly commended. However, dismissal of the praxis of nonviolence by the Western philosophical community is short-sighted and unacceptable when we consider issues of importance raised by Mahayana Buddhist action theory. This theory seeks to define violence in terms of three aspects of action: the physical, the spoken and the mental, with the last of these holding the seed of all violent action.

Far from falling prey to charges of impracticality, a theory of nonviolence grounded in Mahayana Buddhist action theory directs itself to the everyday common sense world of suffering and violence, provides a multi-layered definition of key terms and an analysis resulting in an account of action and ethics that can guide political action. Rather than being seen as a doctrine of pessimism (for all its talk of suffering), it seeks to offer hope and encouragement on a practical level, moving beyond the entrapment illustrated by members of the sensible group to an understanding of the causes and effects of violence and the pathway to compassion, peace and well-being through nonviolence.

Moreover, nonviolent action does not merely reflect passive withdrawal, cowardice or weakness. Rather it requires a full replacement with positive attributes, and operates from a position of inner strength, power and accountability. Interdependence demands that the agent include in her domain of nonviolent action all with whom she comes in contact on a daily basis, even those misconstrued to be enemies; and through purity of ends and means and skilful choice of means and methods she should adhere to nonviolent action even in the face of harm. In so doing, such a person can never claim to be powerless at the hands of the coercer (a point to which we will return in the final chapter).

Such an account offers a distinct improvement on any theory that attends only to the physical component of an agent's behaviour. A nonviolent action theory based on the

fusion of Western and non-Western views takes us beyond a mere description of the overwhelming tide of violence. A rich and complex analysis provides an account that moves beyond an explanation of what *is* going on to how we *ought* to behave. In so doing, such an account has a lot more to offer ethics than one which merely describes the physical acts, or the way things are. On the new view, the individual is offered a detailed framework to assist in self-reflection. I can adopt a critical attitude to my own moral judgements and decisions, and by understanding the seeds of violence and how they grow into violent actions, I can choose to act nonviolently toward others. In addition to a focus on myself, the new action theory allows me to better understand others and to separate issues of injustice from the agents undertaking the action. It allows me to take control of my actions in relation with others and demonstrate a position of power. Utilising such a framework, I do not feel powerless. I can choose to confront violence with nonviolence, even unto death. I can always act from a morally strong position refuting the weaker wrong action, and attempting conflict resolution from a position of strength.

Before moving to a discussion of truth and its relation to nonviolence, I will conclude this section on nonviolent action with a fitting contemporary example of theory into practice. It is important to demonstrate that nonviolent action theory is not just a conceptual tool to apply to elaborate fictions, but that it is relevant, and in fact has been documented as a foundation for contemporary practice. Because Western philosophy at times fails to consider non-Western examples, it is likely that S. Rinpoche's book

Satyagraha: (Truth Insistence) on the Tibetan Satyagraha action is relatively unknown in Western philosophical circles. Information utilised in this chapter stems from this source in addition to the following interview material obtained in Varanassi, India, July 1997:

S. Rinpoche argues that violence can never be legitimate because it:

- harms both the mind and body of the victim and the perpetrator
- denies personal dignity and worth
- perpetuates a negative and destructive cycle of suffering
- denies truth and perpetuates oppression and injustice [to be expanded below]

For this reason he proposes to undertake a satyagraha campaign against the Chinese Government (we will recall from discussion in chapter three that MK Gandhi coined the term Satyagraha in South Africa to literally mean, “truth insistence”--the satyagrahi or practitioner of nonviolence must adhere to nonviolence in thought, speech and physical action; and even at the hands of violence and oppression should attempt to reduce the level of suffering and demerit to the perpetrator). Such an action has not been proposed since Gandhi’s time; this can therefore be seen as a unique contemporary example of how Satyagraha can be used to confront ideological and physical violence:

China is showing the wrong conduct inside Tibet particularly in relation to the spiritual and cultural heritage. It is improper and unjust. This is violence and it is not based on truth, and we are witness to it. Therefore we must express our disagreement, our opposition. We must do so with love and compassion. Unless and until we do so in the face of China, in a very close contact manner, it is not sufficient for us to sit idly in India in our facilities, our air-conditioned rooms and to simply say that China is doing wrong. It is not sufficient. We should go to the Chinese people inside Tibet and tell them what they are doing is wrong, we do not agree and we will insist that they stop. That is our duty.

Unless we do this, we just sit as witnesses. This amounts to approval. If that message reflects approval, then we are part of that wrongdoing, and history will judge later that we have played a part in that. Therefore we cannot, or I at least should not be a party to that. The Satyagraha action then, is also necessary in this regard, and therefore I began the thought to commence the Satyagraha - at least individual Satyagraha. It is not collective but individual Satyagraha and this in no way clashes with the dialogue.

One of my demands in my Satyagraha is that I would not only welcome meaningful dialogue with China, but I will insist that China resumes meaningful dialogue with His Holiness. Therefore it is not a diversion or a shift away from dialogue, one is not against the other, merely different.

Q. Do you have thoughts about what you may encounter when you return to Tibet?

A. Yes, of course. I think it is 99% certain that as soon as I enter the land of Tibet, the Chinese will arrest and imprison me. There is no doubt - unless the Chinese adopt some other violent strategy. In the context of our discussion, theirs is only strategy.

I heard that the peace march which was proposed last year from Delhi to Lhasa and denied by the Chinese officials was the source of much discussion between the Chinese authorities and the Tibetan Autonomous Region authorities on how best to react to this action. Many people suggested that all marchers should be shot at the border, further, that this was the most effective method to be adopted. As soon as these people cross the Tibetan border, machine guns should be used, and they should all be shot. A small moderate faction spoke against this, saying that this would reflect negatively on the Chinese Government and enlist support for the separatists, allowing them an international focus. Instead it was proposed that they should be imprisoned or sent back to India. A few people even disagreed and proposed that the best strategy would be to control the local people, instruct them very strictly not to receive the marchers with any enthusiasm or welcome, maintaining absolute indifference and let them come. They should be allowed freedom to go where they want to go, and demonstrate to the world that there is no response for them inside Tibet. The Tibetan people would be seen to be happy with no atrocities or torture going on, and these would be viewed as just a few separatists who were not suppressed, but were unsupported, and they returned of their own accord. This would be good for propaganda. In this way it would discourage people from coming from the outside. They would be broken-hearted when they are rejected by their local people. This would then be the end of the matter and the best strategy. Others involved in the discussion group suggest, that while this sounds feasible, it would fail because the local Tibetans could never be controlled to that extent. Regardless of the amount of pressure applied, there could be no guarantee that a reception would not take place. In light of this, there is a very small chance that the Chinese might try to ignore the Satyagraha, because I don't think a large group of people would accompany me.

Otherwise we must consider the 99% chance of being killed or imprisoned. The third possibility of course is that the Chinese may intercept us before reaching Tibet, and prevent the arrival by influencing the Indian Government. These are the possibilities and whatever may come, we must accept it. We must face the consequences as much as possible with love and compassion.

Q. This preparation bears a similarity to the campaign conducted by the Rev. Dr. Martin Luther King Jr. One difference would appear to be the judgement he made

to rally vast numbers of supporters across large geographic areas in part, to gain an international media exposure. Your response in contrast appears to focus on a more gentle, personal Satyagraha moment without deliberately attracting attention to the action. Would this interpretation be correct?

- A. Yes, this is right. My basic thinking is that Satyagraha is not aimed at giving the opportunity for international attention. This may, or may not result. That is not the focus of my Satyagraha. Second, in my Satyagraha. I do not care about the end results. Of course we wish for the freedom of people inside Tibet. This will either occur or not, as a result. But that is a different issue.

The actions of Martin Luther King and Gandhi involved an entirely different situation. There was a rule of law, both of them participated in a democratic society, an environment wherein that particular Satyagraha can become effective. China, in contrast is completely totalitarian. There is no concern for moral rules, and what they have done in Tiananmen Square, is very fresh in our memory. Knowing all this, some feel that our Satyagraha is nothing more than suicide. This view may be correct, but suicide would be preferable to remaining silent in the active. If I do not undertake a Satyagraha, that death may be only two or three years early which won't make much difference to my life...So from this angle we have judged the execution of the Satyagraha, not on its effectiveness and what will result, nor on whether the Chinese will yield or not yield. These are different questions¹⁸.

Satyagraha as a concept used both by Gandhi and S. Rinpoche is an insistence on the truth of nonviolence. We return below to an analysis of the relevant conception of truth.

When nonviolence insists on truth, it exercises a power which confronts violence rather than constitutes it. In the following discussion I will pay attention to the epistemological underpinning of the theory of nonviolence and make the distinction between *truth as a matter of fact* about what is (and in this sense where violence represents an error); and the truth of higher moral principles, the *truth of what ought to be the case*. I will call on a number of examples which draw attention to the problem of an unquestioning acceptance of the truth as a matter of fact about what is. First I will

¹⁸ The full interview appears as Appendix 1, at the end of the dissertation.

do this by reminding the reader of Foucault's revealing analysis: As a member of society the agent operates within a coercive framework where "truths" are "manufactured." This framework looks rational. I will point to a timely reminder by William James that *serious differences among candidates for belief must entail serious differences for practice*. Why? Because agents from coercive social structures who make an attempt to legitimise their actions and purport to maintain rational operating principles can and do in fact engage in actions which are morally wrong. I will recall the South African apartheid example and show how this regime legislated a truth. But regardless of the extent to which this regime upholds its view as *true*, the violent actions which followed represents falsity or error when seen from a more acceptable perspective. (recall the discussion from chapter 2)

Objectors might argue that this is an extreme case and a well-informed sensible agent would see through the charade of rationality manufactured by such a group. I will respond to this reasonable objection by calling on the work of Peter Unger who provides by way of contrast, a compellingly simple example. He investigates the relations among morality, truth and rationality, and wants us to see that much of the behaviour we commonly regard as rational and morally acceptable, is in fact neither. Taken together, this group of theorists will provide the machinery required to complete the final stage of analysis for this chapter. I will conclude the chapter by extending the examination of nonviolent action through truth insistence from a Gandhian perspective to show how a theory of nonviolence has better prescriptive claims on the agent.

I return the reader to Foucault's work on truth (analysed in chapter one) which continues to be relevant to the discussion. Recall that in chapter one Foucault distinguishes between "Truth" and "truths." The latter on his view come into being, are constructed by, regimes of power that perpetuate truths by means of a coercive state apparatus. Each society has a regime of truth or a general politics of truth. This is the type of discourse which it accepts and *makes function as true*. By the word "Truth" Foucault says "I do not mean the ensemble of truths which are to be discovered and accepted, but rather the ensemble of rules according to which the true and false are separated and specific effects of power attached to the true." (Foucault 1980:131-132) It is here that we glimpse what is indispensable to the production of truth on his account: "the mechanisms and instances which enable one to distinguish true from false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true." (*Ibid.*) Now the point to note is that in nonviolence, we want truth to be accorded a different status than merely that of something which is manufactured and maintained by coercive institutions--something which is *made to look rational*. Foucault's insights here serve to highlight the falsity involved in the following example:

In the South African and North American examples outlined below, the statement that "blacks are non-persons" was assigned the value of *truth*, and perpetuated by those who seem to have the authority to say what counts as true when it is in fact, simply

false (recall the arguments in Chapter Two pp. 97-108 highlighting the failure to raise valid truth claims by the playground parent and the apartheid police officer). I call upon two immediate examples in recent history to highlight how the discourse which is made to function as true has nothing at all to do with what is morally right:

Legislation and processes of government are regimes of Truth in Foucault's sense. Both in South Africa during the apartheid era, and the North American deep south, segregation was a rule of law. It was legally deemed to be true that people of colour are inferior to those who are white. This belief became the catalyst for murder, torture, rape and other forms of endless suffering which denied African Americans, and Black South Africans (as well as the racial divide referred to as Indians and Coloureds) the basic right to be treated as persons. Consequently they were treated as non-persons with the ensuing behaviour deemed by some, to be perfectly acceptable. This is a matter of undisputed fact about *what is*, but in every conceivable sense violence, here, as in the chapter 2 playground parent and the white apartheid police officer represents an error. Recall how the violent actions of the playground parent are representational: He is an *agent in relation* and in order to extract meaning from his actions we must examine his intentions to produce an effect in the hearer. Interpreting the parent means making the best possible sense of the parent, and this means assigning meaning so as to maximise the overall truth of the parent's utterances. The parent wanted the African American child to take the following message away from the encounter: Black children and white children are different in more ways than external skin colour signifies. Black

children are inferior to white children...white children are persons and should be treated with respect. Black children are not persons. They do not have dignity and they do not have feelings. But recall that what the parent is saying is true if and only if black children are inferior to white children. On this reading an agent is only entitled to enter the human race if (in the same way as the legislation example above) s/he is white. In both [the North American and South African legislation] cases, the Rev. Dr. Martin Luther King Jr, and (the now President) Nelson Mandela presented in elegant exposition¹⁹ a rational argument against *what is*, and for a replacement with *what ought to be*.

But objectors might correctly point out that these are extreme examples, and the contemporary (well-informed) sensible agent would not be so easily misled. It is surely better to examine the realm of action and analyse rational (morally appropriate) behaviour there. By calling upon the work of a diverse range of theorists like S. Rinpoche, MK Gandhi and Foucault; and by introducing examples like the bully and recalling examples like the playground parent and the police agent the discussion takes on a richer analysis. I have shown how some actions looks violent when in fact they are not and how some actions looks rational when they are in fact violent. But there still remains one further problem to tackle. There is another subtle yet important layer relating to moral behaviour to be examined. We often refer to our moral intuitions, or general moral common sense to guide our actions and the discussion to this point has

¹⁹ Among the most famous pieces of writing MLK's "Letter from Birmingham Jail" and Mandela's speech at the Rivonia Trial.

proceeded as if this area is unproblematic. The work of Peter Unger (1996) outlined below will serve as a warning that there are some cases in which our intuition cannot be trusted. In the same way that the actions of the playground parent may have appeared to be rational when in fact they were acts of masked coercion and morally wrong, Unger raises an interesting point about the inconsistency of the moral agent. He argues that there is an important sense in which we fail to demonstrate appropriate moral behaviour based entirely on the fact that we respond differently to cases which are “conspicuous” than to those which are “unobvious” when we *ought* to respond in the same way to both. The discussion below will present the following puzzle: for many of us who hold to the idea that causing harm and suffering is *prima facie* wrong--the central position of this thesis--several alarming Unger cases show how our actions do not accord with our values. I return the reader to a discussion of his work.

In his recent metaethical study: *Living High and letting Die*, Unger (1996) reveals a number of problems with what might be considered by the sensible agent to be rational behaviour. In addition to the philosophical importance of investigating the relations among morality, truth and rationality, Unger insists that the moral agent investigate his/her moral behaviour by an analysis of individual values. By more accurately reflecting one's values, and the true nature of morality, Unger argues that one's responses to problematic cases can liberate (hence his Liberationist theory) the individual from misleading appearances flowing from distortional work and allow

engagement in “more decent behaviour.” (Unger 1996:23) He wants us to see that what we regard as rational and morally acceptable is in fact neither.

Unger begins his discussion by noticing that the motivation behind arguments for a metaethical position range from intellectual impulses to religious convictions. But what, he asks, would happen if the agent believed there weren’t any substantial moral truths? He considers a scenario if this were true: Perhaps all hell would break loose if feelings weren’t constrained by one’s deepest moral commitments, and agents would be free to do just as they pleased or whatever suited their advantage. “If Values don’t point to some reality beyond themselves, then there’s nothing to have us comport with them rather than even our most self-centred desires. And then there won’t be much point to learning about our values than, say, our most refined preferences in food.” (1996:22) He outlines a scenario involving a young child who becomes a rival for an enormous family inheritance, and argues that an outcome which would be personally rationally advantageous would be to simply walk by if he were drowning in a shallow pool, and do nothing. He argues that to say that to not intervene and save the child from drowning is morally unacceptable, preposterous and totally counter-intuitive. So even *against* what is personally advantageous there is a certain way that the agent *ought* to act. This is not the world of lofty ideals or Airaksinen’s “City of God,” but what is normally expected of rational agents in the sensible world.

I will highlight Unger's two principal examples which elicit vastly different intuitive responses. I will use these to draw on his main points:

The Vintage Sedan: Not truly rich, your one luxury in life is a vintage Mercedes sedan that, with much time, attention and money, you've restored to mint condition. In particular you are pleased by the auto's fine leather seating. One day you stop at the intersection of two small country roads, both lightly travelled. Hearing a voice screaming for help, you get out and see a man who is wounded and covered in blood. Assuring you that his wound is confined to one of his legs, the man also informs you that he was a medical student for two full years. And, despite his expulsion for cheating on his second year final exams, which explains his indigent status since, he has knowledgeably tied his shirt near the wound so as to stop the flow. So there is no urgent danger of losing his life you are informed, but there is great danger of him losing his limb. This can be prevented however, if you drive him to a rural hospital fifty miles away. "How did the wound occur?" you ask. An avid bird-watcher, he admits that he trespassed on a nearby field and, in carelessly leaving, cut himself on rusty barbed wire. Now if you would aid this trespasser, you must lay him across your fine back seat. But then your fine upholstery will be soaked through with blood, and restoring the car will cost over five thousand dollars. So you drive away. Picked up the next day by another driver, he survives but loses the wounded leg.

Except for the behaviour of the individual the example is as realistic as it is simple (so too, the next example).

The Envelope: In your mailbox there is something from (the US Committee for) UNICEF. After reading it through, you correctly believe that, unless you soon send in a cheque for \$100, then, instead of each living many more years, over thirty more children will die soon. But, you throw the material in your trash basket, including the convenient return envelope provided, you send nothing, and instead of living many years, over thirty more children soon die than would have had you sent in the requested \$100.

The point Unger makes is that the motivation and behaviour in both cases is very similar: The envelope moves the agent to donate nothing and the sedan moves the agent to offer no aid; in both the individual protects a convenient asset position. He then asks for an intuitive moral assessment of the behaviour in each case, and concludes

that an agent most likely would find that the Sedan behaviour was seriously morally wrong, and that the envelope wasn't even mildly wrong. (1996:22-28)

Unger spends the rest of his project reeling the reader deeper into the analysis of this and other cases until he persuades fairly convincingly, that the *envelope* is at least as morally damning as the *sedan*. In fact, he argues, it's worse. In consideration of both examples [the Sedan and the Envelope], we refer to our *moral intuitions on particular cases* and also the deliverance of what he calls *general moral common sense* (the second sensibility is directed at matters at least somewhat more general than the first's proper objects). He concludes that because the dire needs of a group are not conspicuous, the intuitive response is that there is not a worthwhile moral case requiring action. In contrast, Unger outlines at least five obvious factors which favour the proposition that the *Envelope's* conduct was worse than the *Sedan*:

First, even just financially, in the Vintage Sedan, the cost to the agent is *over fifty times* that in the Envelope; and with non-financial cost also considered, the difference is greater still. In the Sedan, both the reasonably expected consequences of the agent's conduct, and the actual consequences were that only *one person* suffered a serious loss; but in the Envelope, *over thirty people* suffered seriously. In the Sedan, the *greatest loss suffered* by anybody was the loss of a *leg*; but in the Envelope the *least loss* suffered was *far greater* than that. Because he was a mature and well-educated individual, the Sedan's serious loser was *largely responsible* for his own serious

situation; but being little children, none of the Envelope's serious losers was *at all responsible* for her bad situation. Last, the Sedan's man suffered his loss owing to his objectionable trespassing behaviour, but there was nothing like this in the Envelope. Unger concludes that "Even while the imperilled folks peopling certain cases have absolutely vital needs to be met, since their dire needs aren't conspicuous the intuitive response views the conduct as quite all right." (Unger 1996:28) He goes on to argue that rather than anything with much moral weight, it is this factor that largely promotes the lenient response the Envelope's behaviour.

Expanding this point, we can begin to make connections with the moral requirement of nonviolent actions: At times, people's great needs may be highly conspicuous, and partly for that reason, it becomes obvious that people can be saved from suffering serious loss. At that point, it may be very obvious that letting them suffer conflicts very sharply with basic moral values (and so with the very heart of morality). This provides, on Unger's terms an obvious sharp conflict, and (because we are generally decent people) it will be *difficult* psychologically, *not* to help meet people's great needs, even if there is a considerable cost incurred. Usually, this would not prompt a response in the manner indicated in the Sedan, but rather, would prompt helpful action. In sharp contrast, when the agent allows there to be more people who suffer serious loss, by failing to contribute to the likes of UNICEF, then, even to the individual, it is far from obvious that the conduct sharply conflicts with values, and with much of morality.

Indeed, it usually appears that there isn't such a conflict, and generally it will be all too easy to behave in the unhelpful way stipulated by the Envelope.

Unger's work turns out to be very useful to this project. Whereas the analysis I presented earlier looked like it was posing a completely unreasonable moral standard for people and appeared counter-intuitive, we learn from Unger that our moral intuitions can't always be trusted. Often we fail to live up to our own moral standards. This is the place in the work of Unger where the analysis shows that sensible agents in the everyday world are prone to this type of failure.

We have arrived at a point where we can consider two final examples. The first example involves Hamish and the final analysis from a Mahayana Buddhist perspective to highlight how acts of omission are just as important as acts of commission. This is a small but important point for to be considered in a comprehensive action theory. I have argued that Western definitions of violence only attend to physical action (at their peril) but as we shall see, acts of omission are still actions and have important ethical consequences. After this brief discussion I will put to work the theoretical machinery contained in this chapter by considering the final baseball bat example. Here the central actor will feel the full effects of fusion philosophy at work: I will call upon the representational thesis alongside the practical and theoretical aspects of Satyagraha; Unger, S. Rinpoche, Airaksinen, Foucault, and the South Africans.

But first, consider how it is possible to see an act of omission involving *no physical force* as an act of *violence* on the Mahayana Buddhist view--Consider Hamish:

He is a public servant who wants a promotion. He is desperately unhappy in his present 'paper shuffling' position. The grapevine warns that his department is soon to fall prey to the sharp knife of the economic rationalists. Hamish wants out, and waits desperately to hear if he has been successful in his application to a more promising department. His stress levels are not helped by the fact that the only other applicant from his department, George, is more experienced in the required skill level and presents an outgoing and confident persona. Hamish's resentment grows, when with only one week to go before the decision is to be made, (while seeing his aunt off at the weekend, on her trip to Hawaii) he sees George in the airport lounge carefree and presenting his first class boarding pass to take a week's vacation while he waits for the promotion decision. The following Monday is made all the more miserable by looking at George's vacant chair. On Tuesday an emergency staff meeting is called. Several thousand dollars left in the petty cash drawer on Sunday has been stolen. The General Manager puts it to the assembled staff that it could only have been one of them. Frantically searching their minds, many of the assembled do not have strong alibis. One of the staff members says he thinks he saw George's car in the carpark on that day and intimates that several thousand dollars would come in handy on any holiday. Margaret says that she was playing Golf with Hamish all day Sunday and that this can be verified by the Club. Now Hamish knows that it wasn't George but says nothing. Hamish also knows that the GM will enter this into the report and it will not be able to be verified until after George's return. He also thinks it is fairly likely that the GM will mention this to his friends on the interview panel. Hamish gets the promotion.

Assessing Hamish's action on the Mahayana Buddhist criterion we find the following:

(1) There is an object as the target of the action (George); (2) also present is the intention of harm (Hamish knew that by not speaking up and saying that he saw George leaving on Saturday, it was likely that George's reputation would be tarnished and he would look less of a strong candidate for the promotion); (3) mental defilements of jealousy and hatred are present to motivate the action; (4) the action is completed

(aspersions are cast and reports made which influences the decision of the selection panel--George is overlooked).

Now this is not a life and death situation, but it does qualify as an *act* of violence because of the intention to cause harm. On the same analysis, Unger's Envelope example becomes an act of violence. This aspect is as relevant for acts of omission as it is for acts of commission, a point completely missed in the "old" definitions of violence where violence equates to a physical act of illegitimate force. This theoretical support was the final piece required to allow the fusion philosophy machinery to move into action. Consider the final Baseball Bat example:

Helen enjoys a cup of tea and reads the local newspaper before leaving for baseball practice. The lead article refers to the shocking increase in suburban crime and makes particular note of the brutal crime committed by a gang of teenagers. The reporter suspects they are affiliated with the highly fashionable Nazi Youth. They wear black leather jackets emblazoned with swazstickers and if the report is to be believed they have taken to killing pets in the neighbourhood. The article includes a plea for help from Neighbourhood Watch and underlines the contact telephone number. Helen moves on to read another article and then leaves for baseball practice.

As usual, she is walking home after another gruelling session of over 30's baseball practice. She takes a shortcut through an abandoned rail yard and hears yelping coming from the other side of the empty station. Quietly rounding the corner she sees a small puppy being held down by a strong male teenager with his back to her. He has a knife held above his head [now this youth is wearing a jacket emblazoned with a swazsticker.

Helen in an instant takes a decision (but like all reported moments of crisis, time seems to stretch endlessly--she feels compassionately for the tiny puppy who looks set to join the newspaper victims, she feels appalled with the boy who could even contemplate let alone do such a thing, and then feels sorry for him, for his ignorance, for the amount of hate he must have stored up--and then she acts) in one swift movement she wacks the boy across the head with the baseball bat knocking him unconscious. She takes her mobile phone out of her

pocket and calls the police. The dog is taken to the RSPCA and boy is taken away with concussion.

If we were to refer to the *readily available* definitions of *violence as physical force* to conduct an analysis of this final example the following conclusions might be drawn: The boy hadn't actually killed the puppy due to Helen's intervention, so he becomes a minor player in this scenario. We want to look at violence, so let's look at Helen's behaviour. She had the bat, she knocked the boy unconscious. It seems to be clear cut. Helen's actions are violent. But enlisting the services of a good lawyer she could probably justify her behaviour and escape without too much of a penalty. Not the most dazzling philosophical case.

Analysis by the machinery of fusion philosophy makes all the difference:

Unger points out that Helen is misguided right from the start. Her response to the newspaper article is all too common--no response at all. A plea for help is issued by Neighbourhood Watch. She could ring to offer assistance, but why should she? The issue is about some Nazis somewhere and something to do with pets. Unger reminds us that Helen's lack of appropriate moral response--she *does* have the phone number and she *can* ring to offer help in order to reduce the suffering of pets and pet owners in her neighbourhood--results from the fact that the dire needs of the group are not conspicuous. Helen's intuitive response is that there is not a worthwhile moral case requiring action. This is an act of violence.

The next stage of the scenario finds Helen arriving at the scene. Now at this point, Helen is faced with a number of choices. She could attempt to maintain her “it’s nothing to do with me” stance from above, pretend not to see the event taking place and walk on. It’s lucky for Helen that she made another choice because S. Rinpoche reminds us that even acts of *omission* count as proper objects of moral analysis, and we can remember the verdict on Hamish. Had she chosen to walk on, Helen would have continued to be implicated in the violence. Helen could have pursued another path--she could have decided to join in with the violence underway. While this choice is reasonably implausible and counter-intuitive, it is worthwhile pausing and considering the implications in the last part of the sentence. Violence was indeed underway. The teenager was a member of the newly formed Nazi Youth gang, and he had clear intentions to kill the puppy. Mahayana Buddhist action theory reveals that violence begins in the mind of the individual. Intention and speech constitute violence in addition to the physical action.

On this analysis we already have a clear case for violence before Helen intervenes. Now if Helen had intervened because she made the association between the youth and the newspaper article, and acting from the fact that she hates Nazis, knocked him unconscious with the baseball bat--this would have been an act of violence. In such a situation, she acts from ignorance (she makes the false moral distinction between the self and other, the other as the enemy and as such a justified object of hate). But instead, she assesses the situation. She acts from the motivation of protecting and

valuing life. She feels great compassion for the helpless puppy. She even feels compassion and pity for a boy who is so full of hate and anger that he could consider such violence. She hits the boy with the baseball bat and certainly injures him. But, borrowing from Airaksinen, she is “other-regarding” every step of the way. Her intentions are not to cause harm but to protect and value life. Her actions are *nonviolent*. But note that the physical action is the same here as it is in the Nazi-hating option above which is *violent*. A physical account of violence will not do the work required for accurate assessment.

Finally it will be revealing to consider the representational status of the actions of the Nazi youth and of Helen. Recall that to extract meaning, we need to consider the message to be understood by each agent. The Nazi youth demonstrates that he devalues life. This is a puppy and not a person, but the puppy is fully capable of feeling pain and the Nazi youth fully intends to inflict as much as possible. His message is that “it doesn’t matter if I inflict pain and suffering on you, your needs are unimportant. I have no moral obligations toward you. You are not entitled to respect, nor to life.” These are the truth claims being raised. But causing pain and suffering is *prima facie* wrong. His actions represent falsity and are morally wrong. Helen acts to protect life. Her actions of intervention demonstrate the value she places on all living things. She refuses to compromise her principles. The truth claims raised by her actions involve the right to respect of all living things. The claims to truth (or falsity) appeal to the normative principles held by other members of society who uphold that causing pain

and suffering is morally reprehensible while extending respect, care and compassion to sentient beings is morally praiseworthy behaviour.

From this chapter it is apparent that a richly textured ethical account can be provided by fusion philosophy which moves well beyond the present account of violence and nonviolence informing the contemporary philosophical discourse. For Gandhi, as for S. Rinpoche and the Dalai Lama the action theoretic framework of nonviolence contains the components required by a moral agent to live a life of compassion; a life better aligned with how we *ought* to behave. It highlights how examples like Hamish and the Envelope while they don't appear on the surface to be violent (after all it just looks like Hamish is not doing anything wrong, he's only keeping quiet; and in Envelope the agent only appears to be unresponsive) are in fact as violent as the Sedan example and they are morally wrong. The framework is also practical in that it has the capacity to successfully effect change in the world. The subtle layers of intention, speech and physical action frame the definitions of violence and nonviolence, insisting that the agent be fully accountable for his or her actions. Framing action in this way demonstrates the requirement for compassion and mutual responsibility because it dissolves the barrier between self and other, highlights the seeds of violence and provides for a more morally acceptable course of action which has better prescriptive claims on the agent. This account of violent and nonviolent action as representation can be coherently framed within a secular context, making it more inclusive than accounts which rely solely on power through violence, where violence attends only to

the physical action; or accounts of nonviolence which rely heavily on commitment to a theistic doctrine.

In light of the exemplary example and adherence to the belief of power through nonviolence, I have chosen the Tibetan government in exile as my *first argument for nonviolence*. The *second argument* [developed in the following chapter] will focus on the philosophy of President Nelson Mandela, the insistence on truth in the face of the crippling oppression of apartheid and the adherence to the process of reconciliation offered by the Truth and Reconciliation Commission. Both arguments have something unique to offer a metaphysics of power based on nonviolence.

Chapter Five

- Truth & Reconciliation in the South African Context -
(or adding scaffolding to the revisionary metaphysics of nonviolence)

The nonviolent approach does not immediately change the heart of the oppressor. It first does something to the heart and souls of those committed to it. It gives them new self-respect; it calls up resources of strength and courage that they did not know they had. Finally it reaches the opponent and so stirs his conscience that reconciliation becomes a reality.

Rev. Dr. Martin Luther King Jr (King 1991)

Our philosophically sensible agent puzzles over how the pursuit of nonviolence can possibly be realistic and practical in a modern (manifestly violent) world. The intention of this chapter is to offer two more necessary pieces to solve the puzzle. This is not an idealised utopian view, rather a secular approach which, by taking everyday aspects of violence and suffering and examining them in a slightly different light will bring to the surface important elements which may have been previously hidden to the sensible agent, and apparently, to a large percentage of the philosophical community.

In reviewing the story so far, the individual sensible agent who is interested in living a life with access to power is confronted by a limited range of choices - pursue power through violence, or refrain from violence and remain powerless. If he pursues the first choice, it looks on the current understanding of power like it is possible to operate in a hard-edged world of violence with relative impunity. But in reality, the situation is becoming more problematic. Contemporary philosophy is required to become increasingly accountable.

“Violence” is shown to be too narrowly defined. The yardstick of permissibility is desperately in need of an overhaul. Violence (whether obvious and bloody or subtle and insidious) cannot be justified; the individual agent needs to have the sanctuary of ignorance replaced with the mirror of accountability.

Moreover, contemporary philosophy as a discipline cannot on the one hand claim to address important ethical issues and, on the other, ignore an increasing number of success stories reflecting the change from violent to nonviolent action. This is the practical philosophy of Mandela’s South Africa and the pursuit of peace for a unified Ireland where the discourse focuses on truth, violence as error, and how we *ought* to act. Several high profile agents demonstrate power by doing things differently. These individuals have learned from the promising beginnings of like-minded members of a global audience and have fine-tuned the arguments for truth, action and accountability through a nonviolent approach. An understanding of this new approach to action is gained by detailed new definitions of “violence,” “nonviolence,” an understanding of harm and (as we will see shortly) the need to dissolve the barriers between self and other. The outlook is positive. If we are indeed responsible, intentional agents acting in the world, by recognising the root causes of violence, it is possible to change. This chapter will take our sensible agent armed with the benefit of these understandings, to see how (through the South African Truth and Reconciliation Commission) the effects of nonviolent insistence on truth eradicate untruth. By taking our sensible agent to the Truth and Reconciliation Commission in post-apartheid South Africa, she will examine the following two pieces of

the puzzle: the disequilibrium which follows from the social carve-up of self and other, and how “truth-telling” and restorative justice can facilitate unity and social cohesion--a job that 50 years of violence failed to do. She will witness the horrific testimony to violence; the anger of victims; denial by those who refuse to participate in the spirit of the process; the power of nonviolence; and testimony to the powerlessness of oppression--through human suffering and indignities of the worst kind--to pathways of healing and reconciliation.

Chapter four demonstrates how Professor Rinpoche and Mahayana Buddhists stress that “violence begins with discrimination between self and others.” (1998:15) This chapter will extend the insight and investigate what happens to truth when the sensible agent accepting this distinction, actively maintains it, leading to a world view which sees the other as less than human. Violent intentions and actions which follow, attempt to gain legitimacy by labelling the other “the enemy.” During the apartheid years in South Africa, for many white South Africans, this other wore a black mask; for many black South Africans, this other usually, but not always wore a white mask (Askaris--or black South Africans turned undercover police informants--also meant that the enemy could now be black).

I will argue that part of the success of nonviolence is the process of deconstructing this (false) distinction between the self and other and by utilising Susan Kapeller’s recent work *The Will to Violence* (1995) will highlight what is most destructive in this distinction. It will be useful to observe a process which lays bare the damage resulting from the day to

day application, and the deep division which becomes entrenched over the years when we see the world through the fundamental dichotomy of “self” and “other.” A clear example is provided by the South African Truth and Reconciliation Commission. I will now briefly sketch the background to the TRC and proceed to unpack its theoretical foundations.

Dr Alex Boraine (Deputy Chair of the TRC) suggests that in order to understand the nature and implications of the TRC it is important to see the Commission both in the national and international context (1997). He points out that South Africa has experienced racism and oppression in one form or another ever since the earliest days of colonialism, and that some are of the opinion that the period under review should have started as far back as the arrival of the white settlers in 1652. Others are of the view that at the very least one should look at the period which began with South Africa’s first constitution in 1910. There are also many who maintain that the starting point should be 1948 when the National Party came to power. The Standing Committee on Justice in South Africa’s Parliament decided to recommend that the period to be covered would be march 1960 to December 1993:

The first date coincides with the banning of political organisations, severe oppression of any resistance to apartheid and the Sharpville massacre. The end date was arbitrarily chosen as the date when the negotiation teams decided on an amnesty provision in the Interim Constitution (this date was later changed to May 10 1994, largely to include a number of rightwing Afrikaners who engaged in violent acts immediately prior to the election in April 1994). (1997:1)

Boraine reminds us that In 1910 when the first South African constitution was promulgated, it characterised white hegemony and was fundamentally undemocratic,

excluding as it did the vast majority of the population. It was also structurally racist, because the exclusion of the majority was in terms of skin colour. This undemocratic and racist constitution was further entrenched when the National Party came into power in 1948. Under the National Party, through its policy of apartheid, a policy of domination was enforced which was not only a denial of basic political rights but a systematic piece of social engineering which embraced every area of life from birth to death:

In other words, apartheid was a system of minority domination of statutorily defined colour groups on a territorial, residential, political, social and economic basis. It was a system which was entrenched for almost 50 years. (1997:2)

This system produced arguably the world's most famous political prisoner. With the following statement, Nelson Mandela then human rights activist and leader of the banned ANC movement was sentenced to incarceration on Robben Island for 28 years.

My ideal is a democratic and free society in which all persons live together in harmony and with equal opportunity. It is an ideal which I hope to live for and achieve, but, if needs be, an ideal for which I am prepared to die.¹

In his autobiography *Long Walk to Freedom* (1995) Mandela talks about apartheid as a new term, but an old idea:

It literally means "apartness" and it represents the codification in one oppressive system of all the laws and regulations that had kept Africans in an inferior position to whites for centuries. What had been more or less *de facto* was to become relentlessly *de jour*. The often haphazard segregation of the past three hundred years was to be consolidated into a monolithic system that was diabolical in its detail, inescapable in its reach and overwhelming in its power.

¹ Statement by Mandela at the Rivonia trial 12th of June 1964.

The premise of apartheid is that whites are superior to Africans, Coloureds and Indians, and the function of it was to entrench white supremacy forever. The policy was supported by the Dutch Reform Church, which furnished apartheid with its religious underpinnings by suggesting that "Afrikaners were God's chosen people and that blacks were a subservient species."

Lionel Davis indicates an alternative way of viewing apartheid:

For me, having been on Robben Island was a most positive experience. You see we come from a society which is very divided. It has been divided for centuries, this is how apartheid kept its power base, by the factions and division of our people. Each faction learned to be suspicious of the other, through education they inculcated the message that each is better and different from the other. Whites were elevated, then coloureds and then black peoples (further divided by Xhosa and Zulu and so on) until it became a kind of chess game for the rulers over the centuries; perfected by apartheid rule.

Here on the island, we had all of these classifications (without women or white people) which included Xhosa, Zulu, people classified as Asiatic and the like; and for the first time we are thrown together in this cauldron. But here, they discriminated on the basis of coloureds and Asiatics getting better food than Black people, hoping that this would again perpetuate this wedge, this chasm. But what they forgot is that we are political beings with a vision for change. We believe in equality, in the humanity of people - that is what we were fighting for. So here in jail, you have these very different ideologies, very different cultures, different language groups, different personalities; but all united against the immediate injustices. The atrocities that are committed in the name of justice, in the name of Christianity; all of these on the island, wanting to dehumanise us, wanting to destroy our dignity, to deface us. It was against these injustices that we were fighting. But in the face of this, we learned about each others' cultures it was a unique experience. (Davis 1997)

In South Africa after the 1994 elections there was a compelling need to restore moral order which was jeopardised by the abdication of this rule of law, and gross violations of fundamental human rights. As a result, we see the birth of the Truth and Reconciliation Commission (TRC).

Because of its recency very little at this time has been published outside of South Africa relating to the TRC. The Commission itself, and its many officers are extremely generous about free access and circulation of information with a view to making the process as transparent and accessible as possible. I choose specific examples relating to power and nonviolence; and in doing so, will canvass the views of Archbishop Desmond Tutu (TRC Chair), Dr Alex Boraine (Deputy Chair), and President Nelson Mandela. Through an examination of nonviolent responses to extraordinary acts of violence and gross human rights abuse in a contemporary context, it will be possible to see how the new theoretical framework for power through nonviolence can be put to work. This is not a biography of Mandela or Tutu, nor is it an analysis of the political transition from colonialism to democracy--a task better served by other sources²--it is an exposition of the contemporary confrontation between violence and nonviolence. A large proportion of the information to be found in this chapter is derived from interviews conducted in South Africa in November 1997, and attendance at two TRC hearings (Amnesty hearing for those involved in the murder of the Guguletu 7 [Cape Town], and a special hearing for Winnie Mandikhezela-Mandela and the Mandela United Football team in relation to the murder of Stompi Sepei and the imprisonment of Katiza Cebakulu [Johannesburg]).

² See Mandela, N. *Long Walk to Freedom*, Abacus 1994;
 Tutu, D *The Rainbow People of God: South Africa's victory over apartheid*, Bantam 1995;
 Waldmeir, P *Anatomy of a Miracle: the end of apartheid and the birth of a new South Africa*, Viking 1997;
 Sparkes, A *Tomorrow is another Country: the inside story of South Africa's negotiated revolution*, Heinemann 1995;
 Bridgland, F *Katiza's Journey: beneath the surface of South Africa's shame*, Sidgewick and Jackson 1997.

I will start to unpack the theoretical foundations of the TRC, by an examination of truth-telling and the role of truth in reconstruction and reconciliation. But before doing so, I would like the reader to be mindful of the way I intend to go about this. The task of philosophy in part, is to “get at the truth” through clean-cut, hopefully elegant and certainly rational analysis. Professor Airaksinen’s work on coercion referred to in the first chapter of this dissertation satisfies this criterion, but also serves as a timely reminder here, of the potential risk of detachment by academic analysis to the subject area of violence which is the container of raw nerves and the package of human suffering.

Violence against the person (particularly in the form of gross human rights violations) can never be adequately treated as a sanitised academic exercise. Such an exercise can render opaque, or even invisible the critical elements of pain and suffering at the human level. In such an exercise it would be reasonably simple to propose a few appropriate thought experiments and to craft an argument dismissing nonviolence as an idealistic and ineffective solution to a somewhat hygienically presented moral dilemma. What I intend to do throughout this chapter, is to stay in touch with the driving principles of this project, even if doing so is painful. I will recount below the recollections of two Commissioners from the TRC in South Africa and the testimony of a Tibetan nun. The stories bring to life intense suffering, the capacity of human beings to commit abhorrent acts of violence, the many levels of pain, the reality of living with that pain on a daily basis. In the face of all of this it is a process of nonviolence, reconciliation, compassion, forgiveness that has been the chosen response by South Africans and Tibetans alike. Philosophy is about important

real life issues, and the close of the Twentieth Century provides ample opportunity for contemporary philosophers to be exposed to the testimonies of victims of human rights abuse, and the process of nonviolence as part of a solution. In order to bring the issues to life, I will recount below two testimonies by Commissioners from the TRC³.

Richard Lyster, Durban: A story we heard in Port Shepstone last year involved a woman and her children who were attacked in their house by a group of men. They locked her in a room next door to her four children and then murdered her children, one by one. She described in the most tragic and pitiful way how she heard her children screaming, how she heard shots, and as each one died the screaming diminished until there was only one person left screaming, a final shot and then silence. Her story epitomised the brutality of the war in KwaZulu-Natal in stark terms as well as the deep personal tragedy of this conflict. The six young men convicted of these murders were members of the ANC.

Wendy Orr, Cape Town: I remember Mr Mkhabile, a man in his late 70's a member of POQO who was imprisoned and abused on Robben Island. Now almost deaf, incredibly 'high' about being invited to a public TRC hearing, when he was asked what he wanted from the TRC he took a crumpled piece of paper out of his pocket and read us the names of his comrades who had been sentenced to death and hanged. All he wanted was that we remember them.

We should be mindful of the extent to which nonviolence as a massive effort is being applied at this moment, by so many people in the Republic of South Africa, when dealing with the more theoretical underpinnings which follow in this chapter. Likewise, the efforts of the Tibetans in exile are not thought experiments, but the daily real life application of nonviolent theory and practise as a powerful and serious response to acts of violence. Consider the following extract from a testimony by a Tibetan nun who adheres to nonviolence in the face of unthinkable brutality:

³ Members of the Truth and Reconciliation Commission were asked in a "Truth Talk" survey (magazine published by TRC for general circulation to the community) to give details of the most memorable stories that came before them during the public hearings of the Commission.

We slept with our robes on in case we were taken away in the night. When we went to demonstrate we expected nothing but death. We are fighting for truth, and for this we must be ready to die...They (the Chinese) started shooting. They were firing from all sides. All the streets were blocked and we were trapped in the middle. This way many people were killed. So many people were killed; a small child was shot in the stomach, his intestines were falling out. He was watching from a crack in the wall. The guns didn't make any noise, we just saw red flashes and people fell down around us. They threw us into trucks and took us to Gutsa prison. For a month and ten days, they did not let me see the sky; I did not know night from day.

When the guards had passed, I listened for a whisper - any sign that I am not alone. They wanted to know who was behind us, but no one was behind us. Then they stripped me completely naked, they stood me up and kicked me in the groin. They made me stick out my tongue and pushed an electric cattle prod in my mouth. They hit me again and again...They wrapped wires around my fingers then they turned on the electric current. The shock was unbearable. My whole body contracted and sharp pains shot up through my feet. It was more painful than the cattle prod. I was shaking and screaming. They tortured me every day, and then they set my sentence. They gave me only two years because I was just sixteen.

The one who tortures me is made to believe that what he is doing is right. He must stay blind to my pain in order to carry on. With arms that beat me, he embraces his woman; wraps loving arms around his child, protecting her with his strength. No-one can escape the consequences of their actions.

Our enemy is our greatest teacher, teacher of patience and compassion...Through the force of our prayers, I ask that those who imprison us be freed from the darkness of ignorance; that the clouds which obscure the truth give way to clarity...After our release they sent us back to our villages. They made our home a prison; we were forbidden from wearing our robes

After my release, I returned to the nunnery...there were many Chinese policemen there. They told me I couldn't stay; they didn't let me stay in my room or even stay with my friends. So I had to leave that night. I was a long way from my home. The Chinese office was down the road, and there were some drunken men there. I didn't expect anything. They grabbed me by the chest and carried me off. I shouted and screamed but no one heard me. They carried me to a hidden place. They held me down by my arms and legs and stuffed cloth in my mouth so I couldn't scream. Then they raped me.

...The teachings of Buddha are deep like an ocean. As anger and hatred arise, I pray that the Chinese become gentle and calm; that through love and compassion those who are drunk with delusions, lost in the darkness of ignorance, acquire the wisdom eye to see what is right and what is wrong. May all living beings be free from suffering.⁴

⁴ The full transcription appears as Appendix 6. Because the film footage was smuggled out of Tibet and shows explicit detail of Chinese brutality, the identity of the Tibetan nun giving the testimony has been concealed. The 1993 documentary film by Ellen Bruno is called 'Satya: a prayer for the enemy' and is distributed by the Australia-Tibet Council.

Testimonies like this, and the opportunity to attend truth commission hearings, make it far more difficult for contemporary philosophers to sit back comfortably and conduct a sanitised analysis of violence that dodges the important difficult issues like legitimacy and dismiss nonviolence as a solution to gross human rights abuse. It is in such a world as this, that an increasing number of people seriously choose to face violence with nonviolence, and insist on the importance of truth, forgiveness and healing rather than retribution.:

No government can forgive. No commission can forgive. They don't know my pain. Only I can forgive and I must *know* before I can forgive." (widow testifying to a TRC amnesty hearing in 1997). (Boraine 1997:9)

The South African example underlines the role of truth in reconstruction and healing. Within the SA context the need for truth should be seen against the background of the secrecy and distortion that the public have been subjected to for decades:

Families need to know what exactly happened to their loved ones, and the public needs to know what happened to the trust it granted its leaders. It is inconceivable that reconciliation can take place if this need for truth has not been met sufficiently. Reconciliation cannot be built on a lie or a cover-up of truth. (Odendaal 1997:2)

Boraine extends this point and recalls that South Africa's experience is very similar to many other countries in the following way: witness after witness at the Human Rights Violations Committee hearings have emphasised their deep fundamental need to know the truth surrounding the loss of a loved one. It is significant that almost exactly the same set of words is used by witnesses whether they are in South America, Northern Ireland or South Africa: "I want to forgive but I must know who to forgive and for what."

Boraine includes in the title of his paper a reference to “the Third Way.” The context of discussion involves a choice between blanket amnesty for all perpetrators of violence (proposed by the former de Klerk government), trial and punishment of all perpetrators “catch the bastards and hang them,”⁵ or the establishment of a truth commission (later modified as the Truth and Reconciliation Commission). These sentiments reflect three different approaches to violence (1) To ignore it and hope that it goes away, or at least that it doesn’t affect you. (2) To adopt a retributive “Nuremberg” approach where punishment is the focus of justice being seen to be done; or (3) To confront perpetrators and victims with matters of fact about what occurred for what reason and to whom, allowing the victims access to knowledge formerly suppressed, to grieve, to begin a process of healing; and to confront the perpetrators with the accountability for their actions, a platform for potential forgiveness and sometimes a second chance.

In the past, the first two options of denial and retribution have been the predominant methods of dealing with gross human rights abuse, but the claim to ignorance while common, is, according to President Patricio Aylwin of Chile the response with the greatest potential for destruction:

To close our eyes and pretend none of this ever happened would be to maintain at the core of our society a source of pain, division, hatred and violence. Only the disclosure of truth and the search for justice can create the moral climate in which reconciliation and peace will flourish.. (Boraine 1997:14)

⁵ Thabo Mbeki, Deputy President of South expressing the sentiment of the ANC prior to 1994.

This third way is increasingly informing the framework for conflict resolution on a global scale regarding matters in the present, and providing a more desirable method for the future. The important thing to notice here, is that ignorance or amnesia only maintains the pain and division. Simply to do nothing, on Unger's terms, and on Aylwin's (above) is actively to perpetuate violence (it is becoming increasingly difficult for sensible agents to wriggle out of accountability and responsibility for violent actions). Boraine reflects this sentiment regarding amnesia and the TRC:

It is impossible for white South Africans in particular to hold onto their view that "they didn't know." I think we have shattered that illusion; because if they didn't know, they do know now. They may not like the Commission, but they have joined the debate, it is public.⁶

Increasingly, evidence like this highlights the fact that action other than denial or retributive treatment of violence is required to create a desirable moral climate for human flourishing. But where are the answers to come from? Where are the contemporary philosophers who will provide the analysis and importantly, elevate the discourse of nonviolence to the mainstream arena to ensure access for an increasing number of countries moving through transition? Where silence on violence and dismissal of nonviolence posed at the start of this project ran the risk of looking somewhat insignificant, the repercussions for the domain of philosophy are now 'coming home to roost.' Philosophy is underprepared to provide an adequate conceptual scaffolding to

⁶ Interview conducted in Cape Town, November 1997 - full extract appears as Appendix 3. The issue of truth made public is an echo of Gandhi's *satya + graha*. The truth must be made visible, and then insisted upon, confronting the perpetrators of violence and forcing a choice. The relative comfort of 'amnesia' is made impossible. For a full discussion see chapter 3, p. 134.

support individuals or larger groups in society to make the change from actions of violence to actions of nonviolence and this must be seen as a disciplinary failure.

South Africa as a strong contemporary candidate for unprecedented transition, flags a number of ethical issues of interest to philosophy. It realised a relatively peaceful transition--described as "miraculous" by many--from oppression, exclusivity and resistance to a new, negotiated democratic order. After the election in April 1994, Minister for Justice, Dullah Omar, articulated some of the ethical issues in the following way:

I have the privilege and responsibility to introduce today a Bill which provides a pathway, a stepping stone, towards the historic bridge of which the Constitution speaks whereby our society can leave behind the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and commence the journey towards a future founded on the recognition of human rights, democracy and peaceful co-existence, and development opportunities for all South Africans irrespective of colour, race, class, belief or sex.

Its substance is the very essence of the constitutional commitment to reconciliation and the reconstruction of society, Its purpose is to provide that secure foundation which the Constitution enjoins:

"...for the people of South Africa to transcend the divisions and strife of the past, which generated gross human rights violations...and a legacy of hatred, fear, guilt and revenge" (Hansard 1995:1339-40).

Wilhelm Verwoerd (1997) reminds us that with these words the Minister of Justice, introduced the Promotion of National Unity and Reconciliation Act (no. 34 of 1995) in the South African National Assembly. He reflects that Omar's introductory remarks, based largely on the Postamble to the Interim Constitution (Act 200, 1993), articulate a widespread recognition that this "miracle" can only be sustained if Apartheid's unfinished business is tackled, that the future of democracy and development in South Africa requires

the past to be dealt with, ie the legacies of a deeply entrenched system of white minority domination of statutorily defined "Africans," "Coloureds" and "Indians" on a territorial, residential, political, social and economic basis (cf. Boraine 1996:1-2).

The Minister of Justice's introduction also makes it clear that the Promotion of National Unity and Reconciliation Act, which provides specifically for the establishment of a Truth and Reconciliation Commission (TRC), is but "a pathway," "a stepping stone." The main pathway towards the "historic bridge" away from Apartheid injustices and towards a democratic South Africa "with development opportunities for all" is the comprehensive (and according to Verwoerd, rather ambitious) Reconstruction and Development Programme (RDP). Other stepping stones are provided by the Land Claims Court and a number of institutions supporting constitutional democracy, such as the Public Protector, the Human Rights, Gender, Youth and Electoral Commissions, and the Independent Broadcasting Authority (Verwoerd for some reason omits NGO's who have in the past, and continue to play an enormous role supporting constitutional democracy at a street level⁷.

⁷ A few with whom I have had direct contact are the Black Sash movement (with sincere gratitude to Val, & Anne Greenwell) - working on dissemination of information, clothing and projects for autonomy within the townships; the Quaker Peace Centre with youth support schemes, garden project - vegetable growing, the Centre for Conflict Resolution (with thanks to Prof. Ampie Muller), the Centre for the Study of Violence and Reconciliation (with thanks to Tlhoki & Hugo) - trauma crisis centre, youth projects in coloured high schools, educational multi media Truth and Reconciliation Unit, justice projects (community policing) and research on transitional issues; UMAC Urban Monitoring Awareness Commission (provide training for police sensitivity in statement taking and handling of trauma victims; and Philani (similar to Red Cross) - all participate in this supportive structure aimed at redevelopment.

Within this package of responses to the injustices of the past, the TRC has been given the specific tasks of getting as "complete a picture as possible" of the "nature, causes and extent" of gross human rights violations⁸ during the period 1960-1993; restoring the human and civil dignity of victims by granting them an opportunity to relate their own accounts of the violations of which they are victims; facilitating the granting of amnesty to those giving full disclosure of politically motivated crimes during this period of resistance to/defence of Apartheid; and making recommendations to Parliament on reparation and rehabilitation measures to be taken, including measures in order to prevent the future commission of human rights violations. These tasks were to have been completed in two years, by the end of 1997, with a comprehensive report to be handed to the President after a further three months. The period for hearing backlogged cases has been extended into 1998.

Verwoerd and others see this as a huge, almost impossible undertaking, but argues that the TRC in action has also confirmed its potential to make a uniquely important contribution to democratisation and development in South Africa, ie helping to strengthen the (moral) basis of an emerging democracy and deepening the foundations of the RDP.

Michelle Parlevliet (1996) outlines the background issues to official commissions of inquiry set up to investigate gross human rights violations and considers that the moral

⁸ This is defined as the violation of human rights through (i) the killing abduction, torture or severe ill-treatment of any person; or (ii) any attempt, conspiracy, incitement, instigation, command or procurement to commit an act referred to in para (i), which emanated from the conflicts of the past...by any person acting with a political motive (Act no 34 of 1995, section 1).

base of an emerging democracy is strengthened by the fact that “truth” in the context of Truth Commissions is an absolute value that cannot be compromised:

They are generally labelled truth commissions because of their mandate to prepare a comprehensive report about past violations. They are... “to tell the truth” about the period of violence and repression...over and over again it is emphasised that, while the pursuit of justice may be negotiable depending on the political circumstances⁹, the truth is not. Truth is regarded to be an absolute value, one that cannot be renounced under any circumstances.

Alex Boraine insists that truth is not just about knowledge, but *acknowledgment*. We will see in the discussion below that truth is not only about hearing facts, but requires an act by the agent of recognising violence and owning up to the responsibility for violent action.¹⁰ With acts of violence, come victims/or survivors, and the Act that brought the commission into being, charges the TRC with particular responsibility towards the care of these survivors. The commission appointed briefers and debriefers to assist survivors at public hearings¹¹ and to refer deponents for additional support. Trudy de Ridder (1997) raises concern about the public discourse surrounding the TRC in this respect - in particular, the

⁹ Boraine recounts that in a private interview with President Mandela, Mr Mandela made it quite clear that senior generals of the apartheid security forces had personally warned him of the bloody and dire consequences which would ensue, if members of the security forces faced compulsory trials and prosecutions following the election. According to Mandela, they threatened to make a peaceful election totally impossible. Some compromise had to be made and in the postamble of the Interim Constitution, provision was made for the granting of amnesty to advance reconciliation. Amnesty was the price paid for a free and fair election and a relatively peaceful transition (some continue to question whether the price was too high). Boraine leaves us with the question: are the needs and objectives of the state synonymous with those of the violated individual?

¹⁰ See Cape Town interview Appendix 3.

¹¹ The first thing that I noticed as an observer at the hearings was the incredibly supportive presence of these TRC staff. Through each testimony to unspeakable horrors, they were, as it seemed everywhere at once comforting all needy parties--a caring hand, an arm around the shoulder, assistance with interpretation and helping victims/survivors out of the room when it all became too much, to bring them in again later when they were ready.

use of pejorative terms such as “victim” and “perpetrator”--which she sees as complicating the process for participants. “Very few people enjoy being labelled ‘victims’ of gross human rights violations - for the word ‘victim’ implies passivity, lack of personal agency, and lack of control. The term ‘survivor’, however, connotes a sense of recovery, control and empowerment.” The additional danger in utilising these labels is a very real one of creating, rather than a proud nation of survivors who are breaking new ground and moving forward, a nation of victims, which is at best unhelpful, and at worst profoundly disempowering.

Regardless of the extraordinary success I would attribute to the TRC based on my own observations over the past year, it would be unbalanced to present only one view of the “truth at work.” Some public criticism of both the process and the TRC itself, appears to focus on a perceived “lack of justice.” For many people the main ethical issue is justice, not truth and reconciliation. At the time the Promotion of National Unity and Reconciliation Act was debated and in particular since the TRC started with the uniquely public process of human rights violations and amnesty hearings, tensions between “justice” and the TRC have been highlighted in various ways:

Verwoerd recounts that the vivid portrayal in the mass media of witnesses' painfilled accounts of death, torture and various forms of severe ill-treatment during the hearings of the Human Rights Violations Committee, combined with court challenges by prominent victims (such as the Biko, Mxenge and Robeiro families) to the removal of their right to

seek civil redress as a result of amnesty being granted, are highlighting with renewed intensity the thorny questions: Why only a Truth Commission? Why amnesty? What about justice? Why are the perpetrators not being (severely) punished? Verwoerd claims that it is "difficult not to feel like a sell-out when one is faced with this demand for justice by victims/survivors/victors of human rights violations under Apartheid," (IBID) and the primary purpose of his paper is an attempt to answer these justice-driven criticisms.

He argues that many victims are not only using "justice" in the relatively narrow sense of prosecution and punishment of individual perpetrators through the formal justice system. When someone says: "How can I forgive, because my life has not changed... I am still poor, I live in shack, I don't have money to send my children to school," or "real reconciliation is only possible after (socioeconomic) transformation," (Track Two 1997:V16 3&4) or when representatives of communities who have been impoverished through forced removals are asking the TRC "why are you excluding us, we are also victims of Apartheid?", or when the allocation of very scarce resources to the TRC are challenged--"just think how many houses could have been built with the R150 million (about \$70 million) the state is spending on the TRC!," we are also faced with demands for "social justice"¹²

¹² Generally speaking 'justice' can be taken to refer to the principles used to guide the adjudication of conflicting claims to more of the benefit and less of the of the burdens that result from the life that a group of individuals share together in a specific society (Rawls 1973, Lotter 1993). legal justice mainly involves the fair allotment of the burdens of penalties and punishment, while 'social justice' is typically more concerned with the equitable distribution of socio-economic opportunities and goods (Goodwin 1987, Raphael, 1976).

Supporting this point, Boraine argues that the process of the TRC alone and policy change alone will not produce the required result in South Africa, but that: "Economic justice and the restoration of the moral order should be seen as two sides of a single coin...any serious attempt at dealing with the legacy of the past will include at least a strong commitment to transformation in the economic and social life of the majority of South Africa's citizens." (Boraine 1997:2)

We need to take a closer look at the kind of criticism which demands: "No amnesty, no amnesia, just justice" (Verwoerd 1997:3) some people continue to think that the knowledge of what went on in the past, if paid for with pardons, is bought at too high a price.

Odendaal (1997) reminds us that an alternative to the TRC process which has been propagated with some vigour is that of general amnesty. For example, the Afrikaans daily *Die Burger* has from the start of the process argued in favour of a general amnesty and has been scathing in its criticism of the TRC. General amnesty, however, means an exclusive emphasis on mercy, with a disregard for both truth and justice. The argument that this will best serve peace and thus ensure reconciliation is unconvincing. It is based either on the assumption that amnesia and a cover-up are the most effective cure for trauma and deep-seated anger, or on a denial of the extent of that trauma and anger. The only way to build a positive future that all groups can be part of is to know what happened and fully to understand why it happened. As Professor Ampie Muller succinctly puts it:

This predicates a need for Afrikaners (and others) to fully understand the flaws in their political philosophy, in their theology, in their ideas on race and ethnicity and in the myths surrounding their own group and its destiny - which enabled the excesses of the last 40 years. This is difficult material because it means confronting our shadow side. If this is not done, however, there is no guarantee of 'nunca mas!' (never again!). (Muller 1997)

But what conclusions can be drawn from all this truth-telling? Choosing a *Truth and Reconciliation* Commission process in South Africa, indicates a politics that presupposes peoples' ability to change and *aims* at changing attitudes and behaviour. This is not an *acceptance* of violence but rather an *examination* of violence with the intention of progressing the moral order--confronting violence with nonviolence and moving forward. This is important for the following reason: I am interested in action, the intention of the agent to act and the choices an agent makes in acting. The previous chapter highlights the determining role of *intention* in acts of violence and nonviolence--part of the focus of the TRC is to get at the intention behind the acts of violence in order to reveal the truth in the same way that nonviolence in the Gandhian sense aims to confront and change the heart of the oppressor. For this to become a reality, there is a requirement for victims and perpetrators alike to acknowledge the violent action--and by definition, the violent intention--and to understand the matters of fact. Only this prepares the way for forgiveness and reconciliation.¹³ Here we see the importance both of knowledge and acknowledgment.

¹³ Objectors might point to the potential for sentimentality in a process awash with 'forgiveness', 'love' 'nonviolence' and other terms which might have had their heyday in the 60's'. However, spending almost 10 full days at TRC hearings, I feel well-equipped to confirm the tangible results and genuine sense of healing which can (but not always does) take place between victims and oppressors. It is not sentimentality at this level of human engagement, it is rather, a very moving serious moment when the oppressor, confronted with the requirement to recount every small detail of the horrific act he has committed, and to take responsibility for those actions in front of the openly suffering victims (usually family members) who recount their moments (sometimes years) of unending trauma, up to the present moment of speaking. The oppressor is confronted by the harm he has caused, and through this process of

So far, we have uncovered four significant factors required to change violent action. I will recall them together before putting them to work in the final TRC example: First, there must be a presupposition *that people have the capacity to change* (that life in general, power relations in particular and agents as conductors of those power relations are *not* confined to a predetermined and rigidly fixed social grid of hatred, violence and suffering from which there is no escape). Second, *that violence is about the action of the agent*, not a set of circumstances. Third, *that each individual is accountable for his or her actions* (including intentions). And fourth, *that we must recognise the false moral distinction between self and other* (which so frequently leads to regarding the other as the enemy, the enemy as inhuman, and on that basis, to an attempted justification for the most abhorrent acts of violence).

For Archbishop Tutu, as for the Dalai Lama, this last aspect is one of the most fundamental insights an individual can grasp in pursuing a happy and meaningful life:

The power of nonviolence is the belief in the worth of “the other,” in the worth of “your enemy,” you don’t demonise your enemy—rather you say that “my enemy is just a friend I am still to make.” (Tutu 1997)

This also becomes the principle task of the TRC: In acknowledging acts of violence and applying for amnesty, the perpetrator must accept responsibility for her actions; with the benefit of a level playing field and equal power relations (a context provided by the TRC),

“truth telling” on an “even playing field” the previously unequal power relations are balanced, proper grieving is (sometimes for the first time in decades) made possible and forgiveness with a view to moving forward can take place.

the perpetrator faces the victim/survivor of the violence. There is no longer the convenient category of "enemy" or "other"--only one person facing another person. For reconciliation to take place, it requires acknowledgment and forgiveness at this, the most basic of levels. When this dissolving of barriers fails to emerge, reconciliation is not possible--the most public example of this occurred in Johannesburg during the Winnie Mandikizela-Mandela hearing. Granted, the image of people opening their emotional wounds in front of literally hundreds of international television cameras is not a comforting one. The coverage of this case was more like a media feeding frenzy. The temperature inside the hearing room (devoid of air conditioning for the first few days) was almost unbearable. But still, in the midst of all of this one of the key witnesses Bishop Paul Verryn managed to calmly give evidence and express his need for reconciliation with Winnie Mandikizela-Mandela. This may be surprising as it was she who had almost completely destroyed his life by false accusations. He asked through his counsel, permission to speak freely which Archbishop Tutu willingly accepted. Verryn expressed profound remorse that he had been unable to take better care of the child who was eventually murdered. (He was in charge of a Methodist manse, and of sheltered homeless youth). At the time of the murder, Stompie Sepei (14) was in Mrs Mandela's care, not his own. He expressed his anguish to the boy's family who were at the hearing, and asked their forgiveness for failing to be more vigilant. He then turned to WM-M, and restated that although he could not understand why she had given false testimony and attempted to destroy his life for so many years, he genuinely wished to move ahead by building bridges through love and forgiveness. He said that he forgave her for her past actions and asked

that she also forgive him. There was no reply. Archbishop Tutu, like every other person of the eight or nine hundred strong crowd was visibly moved and gently encouraged Winnie to respond. She just laughed. In the end Tutu recognising the enormous personal effort by Bishop Verryn, and wanting to see some good come out of the horrific accounts of violence which had been heard over the week, implored her to respond. She said she had nothing to say, and wouldn't be party to "this circus." Clearly, one willing party is not enough for reconciliation. To her, Verryn was still "the other," "the enemy." She still operated from ignorance, maintaining the false moral distinction. This operated as a barrier to the healing process. Truth insistence and the desire for healing in this case is the same as the satyagraha action pursued by the Mahayana Buddhists and by Gandhi in the previous chapter. In this example, the process satisfies the criteria of transparency, but demonstrates the critical role of both parties in the transaction--even if the hearts of everyone in the room were moved to compassion--if the oppressor fails to acknowledge the truth, then healing cannot take place.

The TRC as a transparent process to analyse and understand the true facts about the violent act of another, is only one side of the coin - in the very act of revealing the truth, the coin is turned by an almost imperceptible sleight-of-hand, revealing the truth of equality and the right to dignity, of compassion and forgiveness; one agent is given the opportunity to acknowledge the wrongness of action and express remorse, and the other, having heard the truth is given the opportunity to forgive and to begin reconstructing a life. The power of nonviolence to achieve what decades of violence could not achieve is clearly demonstrated in this way:

I don't think power can unlock the possibility of a peaceful and reconciled society by force or coercion. I think you're actually empowering people by not using power. It seems a fairly obvious thing to say, but I think it's terribly important and these people don't seem to understand that. People say "this is a demonstration of weakness, that you're not actually punishing people" but I actually think it is a sign of power. It is a different kind of power, it is a *moral* kind but it is a power that I have seen working in the Commission - I've actually seen people freed...to say to someone that actually killed their daughter "I forgive you" and went so far as to say to the very one that killed their loved one "And I would like you to forgive me because I was part of a system that created you" this is publicly! publicly!...that is devastating...it is so powerful...that is what can change the equation, and *is* changing it. I don't think people are aware yet of that force within the Commission that empowers people to stop seeing themselves as victims, and to live as survivors...or even those who are victorious. And not only did they pay a very heavy price for a new South Africa, but this has now been acknowledged, and they can really say that "the burden rolls from their shoulder down the hill, and is seen no more."¹⁴

As an observer at the end of the Truth and Reconciliation Commission hearings, one is left with the sense of healing, the potential for moral growth and an optimistic vision. Part of this is captured in the words of Lionel Davis:

My vision of nonviolence is of a society where we are all equals. A society where no person would ever have to go hungry. There would be food and education; there would be a home we could all call home, and enjoy the comforts of a decent living...three meals every day, a place for our children to do their schooling. To see them grow up into fruitful young people in society, part of a democratic order. Those are the things we wished for, we worked for. Because by improving yourself, by keeping your spirit alive you kept your vision alive...this is how ultimately we became the conquerors, instead of the vanquished...the vision.

It is this positive vision for achieving human potential and constructing a framework for a powerful, meaningful life through nonviolence which will fall to the task of the final chapter.

¹⁴ Taken from an interview on power and nonviolence, Cape Town Nov. 1997 - appearing in full in Appendix 3.

Chapter Six

- A Contemporary View of Power -

(the exercise of power through nonviolence)

Humanity is waiting for something other than blind imitation of the past. If we want truly to advance a step further...we must begin to turn mankind away from the long and desolate night of violence. May it not be that the new man the world needs is the nonviolent man? Longfellow said, "In this world a man must either be an anvil or a hammer.: We must be hammers shaping a new society rather than the anvils molded by the old. This not only will make us new men, but will give us a new kind of power. It will not be Lord Acton's image of power that tends to corrupt or absolute power that tends to corrupt absolutely. It will be power infused with love and justice, that will change dark yesterdays into bright tomorrows, and lift us from the fatigue of despair to the buoyancy of hope.

Rev. Dr. Martin Luther King Jr (King 1967:66)

I began this project with a concern about the position of power within contemporary philosophical discourse, and with the view that the following question, though attracting widespread interest is simply the wrong question: "Which definition is the most accurate description of power?" While this question fuels discussion which is interesting enough, it ignores and submerges more important questions relating to power. When the only philosophically interesting thing to say about power is that it is a constitutive element of relations based on force, coercion, influence and control, the result is competing accounts of the anatomy of power, where power either:

- belongs to a few, usually operating at the peak of hierarchical state-run structures, leaving the majority as powerless victims (Airaksinen); or,

- explicitly rests on violence (through coup or revolution) with the only meaningful change in the expansion of power is that someone else seizes the reins (de Jouvenel) or,
 - has no reins, rather, power rests on violence which is insidious and implicit where coercive exercises of power are regulated and maintained by social control, or at its most efficient, even by the agent him/herself (Foucault) or,
 - domination of one agent over another agent's "action environment."
- (Wartenberg)

Such an analysis sidetracks the reader into examining the many exercises of power but acts as an ideological cloaking device obscuring the more ethically interesting and important question: "Is it reasonable for the epistemological foundations of power to reflect only *violence*?" It becomes apparent that contemporary philosophers, educators, lawyers, psychologists and other interested parties offer analyses of power relations that take for granted the probity of what they are describing. By failing to question the legitimacy of violence on the one hand, and bypassing the accountability of the oppressor for her actions, on the other, they deliver a set of weakened accounts about power which postpone engagement with philosophically important issues.

The task of this final chapter is to show how the action theoretic framework for the exercise of power through nonviolence can (1) be useful to the contemporary moral agent

and (2) assist in the provision of conceptual scaffolding to support individuals or larger groups in society with the transition from actions of violence to actions of nonviolence.

Previous chapters examined influential views of power and the problems of legitimacy and argued for nonviolence as an appropriate topic for the domain of philosophical discussion. I have highlighted the requirement for fusion philosophy--an approach which combines both Western and non-Western philosophical views--to create a new theoretical structure. This new framework draws on the ideas of Foucault, Airaksinen, Habermas and Arendt as well as socially engaged Buddhists like the Dalai Lama, S. Rinpoche, Naht Hanh and nonviolence activists like King and Gandhi. The result is a theoretical framework which:

- (1) reveals *action as multi-layered* (intentions, speech and physical action)--an improvement on the current single layered approach to violent action as physical force.
- (2) demonstrates that some actions are *representative* and reinscribe beliefs about the world. The analysis shows that with *violent* action (the Playground Parent, the Oatlands Liberation Army, Hamish, the bully and the Apartheid Police Agent) the beliefs are *false* and actions which follow are morally wrong. But these actions are not merely representative--they have a role in legitimising power structures based on violence.

- (3) provides a morally acceptable account of the exercise of *power* by effecting change through nonviolent action. This account describes an entirely different moral framework from one focussing on the exercise of power through violent action.

The task of this final chapter is to consider the practical application of this action theoretic framework for analysis of the exercise of power through nonviolence. This framework provides a rich, deeply textured analysis grounding application in the everyday world of the sensible agent--an agent not in glorious isolation, but the self in relation with other selves. I will bring forward our sensible agent for the last time to demonstrate the usefulness of the new action theoretic framework. Consider Joe:

Joe is generally thought of as a “nice guy” he helps out at the Home for the Aged along the street, he always does what he can to help his friends. He recently gave an address on nonviolence to the local Neighbourhood Watch meeting. But life is difficult for Joe at the moment. The rental property next door has new tenants--he’s stuck with a “bad lot” and feels totally powerless to do anything about it. The younger children just last week were hiding behind bushes and throwing stones at an elderly neighbour walking past. He saw the older children a few days later throwing matches into the Red Cross clothing donation bin in the supermarket carpark. Joe is woken in the middle of the night to the sound of rocks hitting his roof. He races outside but fails to see the culprit. He is a patient person but enough is enough. Luckily Joe has a friend who is friends with the Director of Public Housing. He calls in a favour. “I don’t care where they are moved to, just get them out of my neighbourhood.” The friend persuades the Director. The only available house is on the outskirts of town where there is no bus service and no medical centre. The family are moved the following week. The mother who is expecting her seventh child goes into labour. There are complications. By the time the ambulance finally arrives and she reaches the nearest hospital the child has died.

If we put to work the analytical tools presently available (I’ll call these the “old tools”) it is possible to draw the following conclusions from this story: Joe is a nice guy in a bad situation. He is stuck in a neighbourhood with violent kids. But that’s what society is

like; you only need to listen to the news broadcast to confirm this. He is totally powerless to do anything until he remembers his friend-who-knows-a-friend. The fate of the family? Well they probably got their “just desserts.” Anyway if the Department of Public Housing is under-resourced that’s not Joe’s fault. Society needs more people like him who believe in nonviolence. This appears to be a plausible story with a rational response until we call into play the new theoretical framework. This new framework will offer Joe a wider range of options and better equip him to deal with situations of conflict:

Recall that this framework (complete with detailed definitions of violence and nonviolence) allows the moral agent to utilise the principles of nonviolence as an evaluative tool as well as a guide for practice. Consider the following evaluation of the above scenario:

Joe apparently talks about nonviolence, and is thoughtful toward his friends, and even to those who are not his friends but are still agents in need (the elderly people in the residential care home along the road). But his application of nonviolent principles appears to be very selective. Even when he (1) *refrains from violent reaction* (he does not get angry when the violent children are throwing stones at the neighbour and setting fire to the clothing bin) his actions are *not* nonviolent. Passive nonresistance (merely abstaining from violence) does nothing constructive. In fact, it is actively unhelpful. By doing nothing, Joe allows the violence to continue (the elderly neighbour is hurt by the stones and the needy people do not receive the clothing burnt inside the Red Cross donation bin). He is

implicated in this violent action. He was aware that the violence was going on, and chose to do nothing. Had he chosen to pursue nonviolence, he could have confronted the children with the fact that their actions were wrong and asked them to stop. By utilising nonviolent action there is a chance that he will stop the violence. By doing nothing there is no chance at all. This positive action presupposes the capacity for agents to change for the better and separates the violent action from the agent.

(2) In seeking to act nonviolently, Joe should not have made a distinction between action towards friends and action toward those causing him trouble. Joe runs into exactly the same problem encountered by the Oatlands Liberation Army. Other agents are treated as means to an end: The way to create a peaceful neighbourhood is to get rid of the problem people “any way you can.”

(3) *Joe is not powerless* to act in this situation. There is in fact a great deal he can do prior to contacting his friend. But he chooses the Airaksinian view: Give in or join the coercers. Joe joins the coercers and instigates forcible removal of the family. Now this action is harmful. He might claim to be undertaking action which is “other-directed”--after all he just wants a peaceful neighbourhood for all to enjoy; but he is instead creating the false moral distinction between self and other. The rental family as “the other” becomes a viable target to receive different treatment. Real harm is done--the pregnant mother is placed in a position with no medical support and the child dies. Joe’s actions at every stage are violent.

With respect to Joe as a moral agent, there is a great deal of room for improvement. An understanding of the exercise of power through nonviolence provided by the new theoretical framework can be utilised by Joe (and any agent) to guide his practice to a beneficial end--both for himself (he has a wider range of choices, and does not feel powerless) and for the benefit of others. Rather than the familiar action of removing the problem through coercion and violence, nonviolence provides the practical tools for other-directed conflict resolution. The plan for peace in Ireland reflects moral progress in this way. Conflict resolution through nonviolence has proved successful where seeking to remove the problem¹ through acts of violence failed.

Engaging in power relations every day presents us with the opportunity for choice. It is entirely up to the individual whether s/he will respond to other agents with violent action or nonviolent action. The purpose of this project has been to highlight the fact that a choice does exist, and that power can be exercised in both ways. King, S. Rinpoche and Gandhi see nonviolence as the pathway to power, not because one refrains from violence, but because *one rejects the entire outlook that assumes the legitimacy of violence and its necessary implication for power*. Through truth insistence they demonstrate the very power which is often apparently being withheld.

There are benefits for the agent who exercises power through nonviolence both for him/herself and those with whom he/she interacts. But there will be costs as well.

¹ Removing the problem known as the "Troubles" has been attempted in the past by "obliterating the problem." As the Catholics and the Protestants saw each other in this light pursuing this method to its inevitable conclusion would mean that the problem wasn't resolved until both parties had been obliterated.

Nonviolence may bring suffering to the agent. The potential for suffering is greatly reduced in a liberal democracy, where freedom of speech and confrontation of opposing views are protected. Here, suffering may take the form of having to endure violent speech. But we must remain mindful that the very aspect which makes nonviolent action successful is an uncompromising insistence on the truth. The agent *confronts* violence, and the full effect of the violent action. Within more coercive regimes, the cost of truth insistence incurred by say, prisoners of conscience, may be physical assault or even death.

It is evident then, that power through nonviolence is not about avoiding harm and disengaging from the social framework, but applying compassion and engaging with the other agents in an effective way: "Compassionate dialogue is the essence of nonviolent action (ahimsa). Ahimsa begins with tolerance and loving kindness which will be expressed in gentle, compassionate, intelligent speech." (Naht Hanh, 1993:25) It then moves into the field of action to create moral and social pressure for people to change.

It is important to notice the costs incurred by pursuing violent action: Violence renders the agent's own environment more dangerous and hostile for him/herself. An additional cost is incurred in relation to the agent's mental states: a happy life cannot supervene on negative states like fear, greed, hate, depression and anxiety. Rather, these conditions usually lead to physical and psychological illness. S. Rinpoche reminds us that violence harms the body and mind of victim *and* the perpetrator--violence thus becomes a two-way

rather than just a one-way action of harm. Nonviolence seeks to change this by recognising and restoring the balance in self and others:

This approach goes well beyond the nebulous and often platitudinous insistence that all men are brothers and that love for the opponent dominates the feeling and dictates the action. It is based upon the psychologically sound understanding about suffering and the capacity of man to change.” (Bondurant 1994:98)

This represents an optimistic view of the intrinsic worth and goodness in all agents irrespective of the mistakes they may make motivated by ignorance and anger. The activity is other-directed because the agent is not the target. Rather the wrong view or injustice is the target of nonviolence action. Joe misunderstood this fundamental point. Instead of seeing the rental tenants as other agents like himself, differing from himself with respect to their holding wrong views (it’s fun to throw rocks at people; it’s entertaining to set charity bins on fire) and seeking to change those views, he decided they were bad people and set about removing them. I discussed earlier his selective use of nonviolence (acting one way toward friends and another way toward those perceived as enemies). This contradiction also highlights the fact that nonviolence has an epistemological as well as a moral and ethical role. Truth insistence does more than satisfy the condition of “telling the truth”—the truth in satyagraha in this respect is not just the opposite of falsehood. The action seeks to end violence through the agent as embodiment of truth confronting violence. In this sense the truth is not passive, not only causal, but constitutive or active. Joe might well have been talking about nonviolence to the Neighbourhood Watch group, but his actions (intentions, speech and physical action)

toward the rental family had nothing to do with “truth insistence,” rather, they represented the false moral distinction and were morally wrong.

It will be useful to pause here and take stock. The present theories of power through violence leave the moral agent with two unsatisfactory choices: to pursue power through violence, or to renounce violence and remain powerless. More than unsatisfactory, this view is also deeply puzzling because there are several contemporary examples of the successful exercise of power through nonviolence. We can call to mind (1) The Truth and Reconciliation Commission in post-apartheid South Africa, and the process of nonviolent transition to democracy (2) the Tibetan community in exile and (3) an agreement for peace in violence-torn Ireland. These examples leave the present theories of power (to the extent that they necessitate violence) looking explanatorily unsuccessful (If Airaksinen’s view of the exercise of power is correct Nelson Mandela [who might be any sensible agent suffering under a coercive regime] should surely still be a victim of oppression on Robben Island, having no possible way to exercise power or play the role of anything but victim or oppressor).

Not only are the present theories explanatorily unsuccessful, but they also come equipped with an ideological cloaking device which masks two important aspects of action. By focussing on the definition of violence as physical action, two important additional layers of action (intentions and speech) are occluded. This conveniently lifts the burden of accountability from agents choosing to exercise power through violence (the white

apartheid policeman was merely doing his duty) and seeks to confer legitimacy on the “appropriate use of force” when the action is in fact violent and illegitimate. This view does nothing to promote moral progress but rather, denies personal dignity and worth; perpetuates a negative and destructive cycle; and denies truth, perpetuating oppression and injustice.

The new action theoretic framework for the exercise of power through nonviolence offers the moral agent an informed basis for decision-making. It makes clear the distinctions between hurt and harm and places value on all agents—even agents holding wrong views. It offers a comprehensive plan to guide action based on choice. Even within the context of constraint and limited choice (imprisonment for example) the option to exercise power through nonviolence can never be removed from the individual. So the individual cannot be powerless. The new framework provides a more comprehensive way to determine the legitimacy of an action and this theoretical structure provides an optimistic foundation from which to engage in daily power relations with others. It is explanatorily successful with respect to recent global trends toward reconciliation.

Fusion philosophy sits within the context of a broader domain--joining together the theoretical underpinnings of a Western and non-Western approach to nonviolence-- and offers insights on power available to the individual (as an intentional agent with actions). It does so in the following way:

- (i) By *amending the definitions* of “violence” and “nonviolence”—a move away from “physical force” or its “absence” to a focus on harm, placing accountability for violence within the domain of the agent and his/her actions (from intention to completion). It becomes apparent that violent action and nonviolent action are representational, and that present theorists of power (a) fail to notice what violence represents and (b) by excluding nonviolence altogether fail to notice what *it* represents.
- (ii) Through new definitions it is possible to gain an *understanding on the origination of violence and the pathway to the antidote*.
- (iii) This uncovers five significant factors required to change violent action:
 - (a) the presupposition that people have the *capacity to change* (that life in general, power relations in particular and agents as conductors of those power relations are not confined to a predetermined and rigidly fixed social grid of hatred, violence and suffering from which there is no escape);
 - (b) that violence is about the *action* of the agent, not a set of circumstances;
 - (c) that every individual is *accountable* for his/her actions (including intentions);
 - (d) that we must recognise the *false moral distinction* between self and other (which so frequently leads to the slippery slope of the other

as enemy, the enemy as inhuman, and on that basis, attempted justification for acts of violence);

(e) by disengaging from the false distinction and adhering to nonviolence, value is attributed to the other as a person, while still allowing opposition to injustice

(iv) the agent not only claims power from an ethically sound position

but,

(v) Having power becomes not about domination or coercion, but the way one leads one's everyday life (insisting on the truth and skilfully dealing with the complexities of social interaction).

We have seen throughout this project that nonviolence is not--as the common misconception would have it--a demonstration of weakness or ineffective passivity. A commitment to nonviolence demands a tough mind, constantly vigilant toward both intention and action; possessing compassion and strength and insisting on truth even at the risk of personal suffering. Where there was one pathway to power, through violence, there is now a choice.

However, embracing an ethical commitment to nonviolence through this framework does not offer an illusion that we will be exempt from pain and suffering. Nor does it imbue us with the idea that life is a drama of comfort and untroubled ease; rather it equips the agent to face strains, burdens and fears that *inevitably* arise.

It is possible for the agent to make the transition from violence to nonviolence by changing his/her mental attitude. The analysis provided by fusion philosophy demonstrates how the mind of the individual is the starting point for violent or nonviolent action. Through concerted effort the agent can attempt to reduce feelings of anger, hatred and greed. A calmer mind will be a more fertile ground for recognising the presence of false beliefs (the false moral distinction between self and other) and slowly, by recognising him/herself not as an agent in isolation, but as an agent in relation, will come to understand the requirement for a sense of mutual responsibility. This is what Sulak Sivaraksa calls "self-awareness and social awareness in equal measure." (Savaraksa 1992:47) Martin Luther King Jr places importance on this view of interdependence; the view of "Life as a mirror in which we see only ourselves or as a window through which we see other selves." (King 1963:14) It is becoming increasingly difficult to evade the mirror King forces us to look into, and through, to see ourselves as agents in the moral community. Increasing awareness of this fact is now provided almost on a daily basis by public forums like the South African Truth and Reconciliation Commission and contemporary applications of nonviolence like S. Rinpoche's satyagraha.

It is important to note here, that I do not feel that I am the only person who can arrive at an analysis of power that is not coercive. Thomas Wartenberg (1990) in *The Forms of Power* provides an analysis that seeks to move beyond coercion but he doesn't go far enough. He gives us an account of power as a social phenomenon that exists in different

forms with different uses. It is the exercise of power that is “dynamic” and “reciprocal” but it is still based on domination:

I have shown that the transformative use of power is both a crucial use of power in society and a difficult and problematic one. Although it may potentially benefit the agent over whom it is exercised it also has the potential to dominate him. As a result, the transformative use of power can take its place alongside the dominating use of power as a fundamental phenomenon that social theory needs to acknowledge. (Wartenberg 1990:221)

Domination is violence. The defining difference for this project is the way in which it provides a choice for the moral agent to access and exercise power outside of the violence spectrum. The logic of nonviolence seeks power within a disciplined framework that views violence as harmful and inevitably short-sighted. “True nonviolence is more than the absence of violence. It is the persistent and determined application of peaceable power to offences against the community--in this case the world community.” (King 1967:184) The aim of this project has been to show that access to this power is available to any individual.

This project hopes to describe the limits of the present understanding of power through violence and shift the focus to the view beyond. Here we find a context for individual action, for effective change and a meaningful life; as philosophy compels us to know ourselves, nonviolence confronts others to know themselves as our fellow citizens. Fusion philosophy deserves to be taken seriously. This project seeks to provide an engagement with contemporary conditions and their melioration, more of a sense of philosophy as a lived human experience rather than a saintly faith or mere intellectual assent. It also seeks to demonstrate by example how one may take inherited categories of exclusion (insights of

non-Western philosophers) and turn them into critical categories of inclusion. And doing *just that* more often might ultimately begin to affect our conception of global philosophy--we cannot on the one hand applaud integration in the arenas of justice and equality while on the other, we deny it in our philosophical practice.

<h2 style="text-align: center;"><i>Appendix</i></h2>
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APPENDIX I

Interview with His Holiness, the Dalai Lama
 Spiritual Leader of Tibet
 July 24 1997
 Dharamsala, India

Question preparation conducted with Tenzin Geche, Private Secretary and interpreter to His Holiness

Introduction:

Your Holiness, the aim of my work is to join together the aspect of nonviolence from Satyagraha, the Tibetan Buddhist aspects of compassion, nonviolence and correct motivation and the issue of power.

Often, the non-Buddhist side are not interested in Satyagraha and nonviolence, but those from the West *are* interested in the concept of power. It appears that any means are allowable to achieve their ends, including violence, suffering and incorrect motivation, and not one person writing about power in this context will offer an argument for compassionate and nonviolent aspects, focussing only on violence, coercion and control over individuals or groups.

I intend to take these aspects of nonviolence and Satyagraha and frame them within the context of power to offer an alternative case for decision makers to consider. Your response along with that of the Most Ven. Professor S. Rinpoche, Archbishop Desmond Tutu and others from the Truth and Reconciliation Commission alongside President Nelson Mandela, will allow me to build a strong case for the power of truth, nonviolence and compassion.

Q. With all of the violence in the world, what are your reasons for believing that human beings are basically altruistic and compassionate?

I believe that one reason is that the more compassionate mind will bring us inner peace because the compassionate mind will strengthen our inner confidence. The more confidence, the less fear and increased peace of mind which is very good for health. Anger and hatred are very bad for health. The physical condition itself has

good relations with a compassionate or altruistic mind and a very bad relationship with anger and hatred. According to medical science, during and just after birth, the next few weeks, the physical touch (and of course by this I do not mean hitting!) is important for the development of the child's brain. During childhood it is extremely important to provide affection. Without this the physical development suffers and the mental development or education in every field (development of character) suffers. These children lacking the mother's affection, eventually find it very difficult to show their affection toward others. Therefore on the basis of the physical condition, peace of mind is more suitable. According to his physical condition, man should be more peaceful. If the physical body has the power to control the mind, this would make the mind peaceful because it is more suitable to the physical constitution. The agitated mind is very bad for health.

Basically we know that bloodshed is something undesirable. When we see a drop of blood and a drop of milk. Our natural reaction will be different. Blood usually brings fear. Milk of course will not (unless somebody suffers from milk allergy or intolerance!). Why has violence become a dominant part of our life if it goes against our basic principles? I believe this is due to shortsightedness and lack of far sightedness. When emotion, anger and too much greed for power (war often results from greed for possession, wealth, acquisition of land and so on) become very strong or out of control, then other particular parts of human nature become overwhelmed. That is our fault. Education and training play a vital role. Without the potential for learning, you can't educate, without the potential for compassion you cannot train to increase compassion. All teaching and training should focus on this potential which can be developed. There are many different potentials. If one becomes prominent, others remain weak. This is the problem. In human nature, there are both good and bad things. What is the demarcation between good and bad? Those emotions, or motivations and actions which bring more long lasting happiness are positive. Those actions which bring pain and suffering are negative. The short-term consequences can sometimes bring satisfaction, but they are temporary. Take as an example, killing your enemy. This could bring short-term satisfaction, but in the long term you create more enemies. The person you killed naturally has friends and relatives, and these then become potential enemies. Therefore the act of killing while it may bring some sense of satisfaction, relief and happiness leads in the long run to more trouble. Therefore those emotions which bring short term relief reflect only lack of awareness of long-term consequences. The impatience or desire to realise things immediately are often the causes of violence. The negative emotions take over and dominate the basic altruistic, compassionate nature.

Besides this compassionate and gentle nature, human nature has a social side. No matter how powerful or intelligent you are, by yourself you cannot survive. As part of human nature, companionship is very important. Altruism or a sense of caring for others is vital. Your interest, your happiness, your satisfaction, your

security very much depends on others who become the source of your happiness. Caring for others is one very important source for your own good future.

Q. How is it possible to have an ideal nonviolent society? Could this contain a police force or army?

For almost three thousand years, India for example, has been built around a tradition of nonviolence or *ahimsa*. At the same time there has been a lot of war between kingdoms and religious sects; even after independence there has been a lot of killing and violence. In the past, the idea of nonviolence was a good idea and practical, but in today's world circumstances have changed. Through violence you cannot solve problems today. The economy knows no national boundaries, there is just one economy zone. Others might seem physically far away, but the economic field of other continents in today's world are also part of your own field. The modern weaponry is so powerful. If you start firing, the results are unpredictable. Your original intention might be for limited violence, but it easily becomes a situation out of control. These weapons of destruction produce no winners in today's world. Our future entirely depends on coexistence and nonviolence. The concept of 'us and them' is gone. The destruction of your neighbour, is the destruction of yourself. Disagreement, contradiction, differing opinions will always remain. Even in the mind of one single person there is contradiction, without this there is no progress. If the brain of a person remains dull, there is no contradiction. If you are intelligent, then you see and compare ideas, see the contradiction and change ideas resulting in progress. Heated discussion with differing opinion often produce progress. This is unlike Communism with total agreement and no differing opinion; there is no progress. A nonviolent society then is not one without contradiction or disagreement.

In the case of war, you simply do not want to tolerate an opposing force or you seek to eliminate them. In ancient times, they used force to achieve this. But in today's world you cannot utilise the same method. Force means physical elimination, not the elimination of mind or ideas. The power of force is physical, but the real power of nonviolence is the strength of mind. Take as an example the elephant and the human being. Regardless of its physical power, the large sized head of the elephant is useless. The smaller size of the human brain is infinitely more powerful. The power of mind is much greater than physical power.

Q. How can we convince those in power that this nonviolent aspect is more productive, representing a greater strength?

A. One argument alone cannot convince them. Reality has changed a great deal, but their thinking has remained static, unchanged. Those making decisions still maintain that the concept of power based on force, is everything. The failure of the Vietnam War was based on the concept of the Pentagon that force will win, but the reality was that these people in the jungle area were very tough. The

reality is different, but the entrenched concepts remain. This degree of change in attitude will take time.

During the First World War and the Second World War, the government of many countries mobilised the whole nation; there was great enthusiasm to join the war effort, and no one questioned this. Today if America tried to mobilise the nation, there would be a great deal of opposition, and the government would be defeated. I feel that the people's attitude towards violence is changing and there is a better awareness of reality. In addition to basic human nature, today's reality is very different therefore the only option for resolving conflict is dialogue. The concept of war is based on obtaining 100% victory on our side leading to 100% defeat for the opposing side. This attitude is no longer there, as I mentioned before, the destruction of your neighbour is the destruction of yourself, so the concept of 100% victory or defeat is no longer relevant. Therefore compromise is more readily accepted through dialogue. This may not result in either side gaining 100% satisfaction, but at least both sides realise some degree of satisfaction. The use of force to defeat others of course would physically destroy but would increase the sense of revenge.

This leads to an analysis of internal and external disarmament. External disarmament already exists by way of the reduction of nuclear weapons. This is the first step. The Chinese proposal of complete destruction of all nuclear weapons should be our target. Then elimination of offensive weapons should follow. There are already discussions underway worldwide for the restrictions on selling armaments to undemocratic countries. Take as example Iran. The Shah negotiated for many weapons to be sent there, and we later find that these weapons under the hand of the Ayatollah Khomeini were used against the democratic nations. Therefore it is better for there to be no arms exchange. This is the method of step by step external disarmament. Internal disarmament begins through education. Alongside any documentation of victory brought about by war, should also come the additional information that such and such number of people were killed. When the Western Allies bombed the factories in Germany bringing about the downfall of the Nazi regime, there was much celebrating. But the reality was that there was immense suffering on both sides. How would you feel if your mother was killed painfully? So you see acts of war and violence should not be glorified, and this is part of the education process.

I heard recently that even in children's classes, school councils are elected reflecting democratic practice. At the same time they should be taught about conflict resolution through nonviolent means, dialogue replaces the need for physical action. Television and newspaper has the capacity to change the attitude of the population. This is the method for internal disarmament; explaining that basic human nature is good; a concept that can be understood by children. Even if a stranger smiles and acts kindly toward a child, they respond with trust and happiness, they have no discrimination as long as there is a smile they will

appreciate the good heart. General society today, I believe is fed up with violence. But even with this attitude, there remain some mischievous people. Even with many of the leaders becoming more peacefully minded, unfortunately some of the leaders or decision makers remain in this mischievous category. Some kind of police force is certainly necessary. Even collective multi-nation armed forces may be necessary, but should be on an equal representative basis, even with a rotational leadership (perhaps like UN forces). If this were to occur involving the region of Australia, New Zealand and Indonesia for example, there would be no conflict between these countries, operating in much the same way as the Franco-German Unified Forces. This provides one of the best guarantees against mobilised conflict between France and Germany.

Q. Nonviolent action of course involves no guns, no use of force or weapons, so why is nonviolent action (of the kind proposed by Martin Luther King, Mahatma Gandhi, Nelson Mandela, and the exiled Tibetan Government's response to China) seen as such a threat?

A. I don't think the Chinese fear nonviolence. In today's world some fields of progress are very well developed. The concept of nonviolence, the value of self-determination, importance of human rights, protection of the environment, negative attitudes toward the development of totalitarian regimes (for example, the reaction to China and Iran). But on the other hand, there exists a new nationalism (reflected at a government level in America and China). The Chinese Government views the Tibetan movement as the instrument of Western anti-Chinese forces (meaning the fear of mainly American nuclear weapons). In Gandhi's time, the British concern about Mahatma Gandhi was based on sheer population numbers. No matter how powerful the British empire was, India was a huge country; having all of the Indian population involved in an uprising, that is what they feared, not nonviolence. In the Nelson Mandela case, the South African white regime was not only concerned with the influence of Nelson Mandela, but the backing of the Western powers imposing economic sanctions. One aspect of power involved in our (Tibetan) nonviolent struggle is sympathy and the feeling of solidarity among the ordinary people. This is the power of truth (power of compassion, power of justice), which in the long run has great effect; but in the short term of course weapons are more forceful.

Q. Your Holiness this next question is of a very sensitive nature. The use of weapons is not only contained to the west, but also occurred here as recently as February this year, with the murder of Gen. Lobsang Gyatso and two of his disciples. How is it possible to respond to such an atrocity with only nonviolence?

A. The culprits who were responsible for the murder had already escaped so there was nothing else to do (laughs). Of course at the time one side of me felt that I wished these people could be caught, but another side felt that if they were caught, under Indian law they would be subject to the death sentence, and it is better

therefore that they were not caught. When I heard of this incident, I lost my temper and felt fear, but in another side of my mind, I wondered how these people who claim to be Buddhists can carry out such work. Their emotions of anger, of such a one-sided view brought such a disaster, so then I felt pity and compassion for these poor people, it is very sad. So you see there is more reason to feel concern for these perpetrators than those who were killed. This view immediately brings peace of mind, dispelling fear and anger. This is the practical power of compassion. If we react calmly and continue to react in this way, those who committed such a violent act, do not have an excuse for what they have done, and become more uncomfortable. But if you do it with that intention of course it would be wrong (laughs)...it is of course wrong to create more difficulties for them.

Q. From this incident it seems that your people need protection, but how can this come about without the use of conventional protective weapons involving force and violence?

A. Just to be more vigilant (laughs) and then try to look for some shelter where you can take protection.

Q. In your book 'Beyond Dogma: the challenge of the modern world', you say: "I think we have come to a very propitious and important moment in the history of our world. We now have the opportunity to work together for the good of humanity. What is it about this particular moment which allows this altruism to be possible?"

A. I believe that the Twentieth Century is the most important of all our history. As a result of all the wars and natural disasters, the greatest number of human beings were killed with the maximum suffering. In the medical or technological field, on the other hand we have achieved immense progress. As a result of science and human mind research we are brought closer to the correct philosophy. Even with developed and prosperous nations there is crime and so on. During my recent visit to America there were many conferences about peacemaking and all speakers unanimously agreed that society needs more compassion to solve the many problems created by lack of compassion, environment and population problems. When humanity faces a really critical period, there are two possibilities; First, demoralisation and lack of hope resulting in war. The second possibility allows us to question what is wrong. Today we have reached the edge and so we must find a better solution if we want to survive, a solution based on compassion and nonviolence.

APPENDIX 2

Interview with The Most Ven. Prof. Samdhong Rinpoche
 Speaker of the Tibetan People's Deputies
 July 17 & 18 1997
 Sarnath, India

Q. Rinpoche, I am interested in your view regarding the perceived shift from Dialogue with the Chinese Government to nonviolent direct action in the form of your proposed Satyagraha campaign.

A. My perception about my thinking of Satyagraha is not a shift from the dialogue, but two totally different things. At the moment, I have postponed the implementation of the Satyagraha action because of the announcement by His Holiness of the referendum regarding the future course of actionⁱ. I do not mean that the outcome of the referendum would relate to my Satyagraha. That is not the case. Rather, if the Satyagraha moment is launched in between, then the course of the referendum might be slightly altered. Therefore I have postponed the action relating to the Satyagraha until the referendum is completed.

A large proportion of people oppose the idea of conducting a referendum, and there are logical reasons for this. The parliament will give consideration to the views and make a decision at its next sitting in September. If the decision is to conduct a referendum, three or four months will be required to prepare. If the decision is to postpone the referendum, then I will begin three or four months of training to begin a small scale Satyagraha.

Q. You spoke earlier of the need to include a range of alternatives. Is it your intention to include those alternatives in the referendum?

A. Yes. Either, to claim complete independence or to approach the United Nations for the peoples' right to self-determination or to begin a Satyagraha moment as policy. These are only tentative suggestions. It is left to the people as to what kind of choice will be offered in the final referendum. As this has been going on for quite a long time, we should now finalise the last stage. So whether the dialogue is going on or not, the Satyagraha moment is considered necessary for two reasons. First, the Chinese occupation and the suffering experienced by the

Tibetan people and second, the destruction of a considerable section of the environment. For all of this, we are responsible, not the Chinese.

Q. Can you explain this responsibility further?

A. The Tibetans as a nation, a people, have certain unique responsibilities. We are carrying a unique spiritual heritage and a unique culture which is beneficial not only for the people of Tibet, but for all of mankind. Tibet is considered to be the particular spiritual field for the Bodhisattva Avalokitesvara (the Deity of Compassion). Choosing Tibet as his own field of work, therefore the Tibetans are supposed to be compassionate, tolerant and nonviolent. But this, we could not keep up. Tibetans have become violent, inconsiderate of each other, almost irreligious, and even the monks do not always observe the conducts, nor are the lay people observing the moral conducts.

Q. Has this happened over a long period of time?

A. Yes. Almost two hundred years. The general decay started around the end of the 16th Century and beginning of the 17th Century. That time signals a period of gradual decline. The last hundred years was the worst period. After the seventh Dalai Lama, the eighth Dalai lama was not very powerful in governing the state. then the ninth, tenth, eleventh and twelfth - none of them could rule, and passed at a very early age. Only the thirteenth Dalai Lama was able to rule Tibet for a number of years, but he was always involved in struggle. Soon after he took over the temporal powers, he has to face the Younghusband led British military invasion of 1904, and he had to spend a number of years in China. When he returned back to Tibet, he had to deal with the British government. It was only in 1913-1935, that he was able to rule. But at that time, he could not do things the way he wished, and then arrived the problems we face today. So therefore it is our mistake and we shall have to repent. This will continue unless and until the Tibetan people repent that mistake made on our part.

The second issue is that China is showing the wrong conduct inside Tibet particularly in relation to the spiritual and cultural heritage. It is improper and unjust. This is violence and this is not based on truth, and we are witness to it. Therefore we must express our disagreement, our opposition. We must do so with love and compassion. Unless and until we do so in the face of China, in a very close contact manner, it is not sufficient for us to sit idly in India in our facilities, our air-conditioned rooms and to simply say that China is doing wrong. It is not sufficient. We should go to the Chinese people inside Tibet and tell them what they are doing is wrong, we do not agree and we will insist that they stop. That is our duty.

Unless we do this, we just sit as witnesses. This amounts to approval. If that message reflects approval, then we are part of that wrongdoing, and history will

judge later that we have played a part in that. Therefore we cannot, or I at least should not be a party to that. The Satyagraha action then, is also necessary in this regard, and therefore I began the thought to commence the Satyagraha - at least individual Satyagraha. It is not collective but individual Satyagraha and this in no way clashes with the dialogue.

One of my demands in my Satyagraha is that I would not only welcome meaningful dialogue with China, but I will insist that China resumes meaningful dialogue with His Holiness. Therefore it is not a diversion or a shift away from dialogue, one is not against the other, merely different.

Q. You discussed the pattern of decline commencing around the seventeenth century. Is it possible to identify any one reason or set of reasons which initiated this decline?

A. The reason, I think is that the religious minded people became increasingly indifferent to state power or state management which had responsibility for most of the organisations including the monasteries. This was left in the hands of the lesser evolved people who were not fully spiritually inclined, instead they were politically minded or power hungry. These people were looking for self-glorification, self power and the accumulation of wealth. In our times, all of the monasteries are managed by uneducated people who manage financial affairs and estates while the religious minded people hide themselves away in the monasteries. They have nothing to say in the management, and as a result, the management becomes very corrupt. The government is no longer interested in the needs of the people and in return, the people have lost faith in the government. When China entered Tibet, many Tibetan citizens asked "what is the difference for us?" we were suffering under the hand of the Tibetan authorities, and now we are suffering at the hands of the Chinese - we are the sufferers regardless. There is no better or worse, they are all still people who rule over us.

The basic essence of the combination of religious and state power - we call it *chosid sun drel* is unique for the Tibetans. It was lost and religion remained only in the individuals with the state and the organisations becoming irreligious. This was the basic weakness.

Q. Rinpoche, what strategies have you considered for your campaign?

A. The selection of the term 'strategy' is inappropriate. It originates from 'generalship'. These strategists have nothing to do with nonviolence. Nonviolence is neither a matter of strategy, nor does it count in any strategic direction, because it has no battle to wage and no wars to win. Strategy is used to win a war, and hence, it implies defeat of the enemy and victory for one's own side. It also implies the use of all possible means to gain victory without any consideration for right or wrong.

To replace this, the term that is required is 'skillful means'. This Buddhist concept mandates that when you are planning the nonviolent action you must consider how best the skillful means can be adopted. In order to achieve this, I recommend two things which are indispensable. First, the unity or purity of ends and means. Many people propose that if the end is a good one, you can adopt any kind of means to get there. In this respect, I do not agree. For a Satyagrahi, it is essential that care must be taken to retain the purity of ends and means. The other essential requirement, is the skillfulness in the choice of means and methods. If you wish to call this strategy then I have no objection. In summary, time and duration are important points to be considered. Place is also important as is the level and skill of action. The tempo of action is yet another and it is important to consider the 'taking of violence'. The choice involves the judgement of tolerating the suffering, or avoiding the suffering. By this, I mean, how to minimise the volume of violence while facing up to the violent reaction. Sometimes this requires more assertiveness and sometimes less. Rather than strategy it is much more an issue of judgement.

Q. Do you have thoughts about what you may encounter when you return to Tibet?

A. Yes, of course. I think it is 99% certain that as soon as I enter the land of Tibet, the Chinese will arrest and imprison me. There is no doubt - unless the Chinese adopt some other violent strategy. In the context of our discussion, theirs is only 'strategy'.

I heard that the peace march which was proposed last year from Delhi to Lhasa and denied by the Chinese officials was the source of much discussion between the Chinese authorities and the Tibetan Autonomous Region authorities on how best to react to this action. Many people suggested that all marchers should be shot at the boarder, further, that this was the most effective method to be adopted. As soon as these people cross the Tibetan boarder, machine guns should be used, and they should all be shot. A small moderate faction spoke against this, saying that this would reflect negatively on the Chinese Government and enlist support for the separatists, allowing them an international focus. Instead it was proposed that they should be imprisoned or sent back to India. A few people even disagreed and proposed that the best strategy would be to control the local people, instruct them very strictly not to receive the marchers with any enthusiasm or welcome, maintaining absolute indifference and let them come. They should be allowed freedom to go where they want to go, and demonstrate to the world that there is no response for them inside Tibet. The Tibetan people would be seen to be happy with no atrocities or torture going on, and these would be viewed as just a few separatists who were not suppressed, but were unsupported, and they returned of their own accord. This would be good for propaganda. In this way it would discourage people from coming from the outside. They would be broken-hearted when they are rejected by their local people. This would then be the end of the matter and the best strategy. Others involved in the discussion group suggest, that

while this sounds feasible, it would fail because the local Tibetans could never be controlled to that extent. Regardless of the amount of pressure applied, there could be no guarantee that a reception would not take place. In light of this, there is a very small chance that the Chinese might try to ignore the Satyagraha, because I don't think a large group of people would accompany me.

Otherwise we must consider the 99% chance of being killed or imprisoned. The third possibility of course is that the Chinese may intercept us before reaching Tibet, and prevent the arrival by influencing the Indian Government. These are the possibilities and whatever may come, we must accept it. We must face the consequences as much as possible with love and compassion.

Q. Do you consider that the best judgement would be to inform the Chinese Government of your arrival in advance, or to begin the nonviolent action unannounced and at a time of your choosing.

A. I have not considered these details. I have yet to work out at which point I shall enter, the timing of that entry and whether this shall be conducted in secret or made by announcement. Before these details can be put in place, we need at least three or four months of self training and preparation. It is not easy for us.

Q. This preparation bears a similarity to the campaign conducted by the Rev. Dr. Martin Luther King Jr. One difference would appear to be the judgement he made to rally vast numbers of supports across large geographic areas in part, to gain an international media exposure. Your response in contrast appears to focus on a more gentle, personal Satyagraha moment without deliberately attracting attention to the action. Would this interpretation be correct?

A. Yes, this is right. My basic thinking is that Satyagraha is not aimed at giving the opportunity for international attention. This may, or may not result. That is not the focus of my Satyagraha. Second, in my Satyagraha, I do not care about the end results. Of course we wish for the freedom of people inside Tibet. This will either occur or not, as a result. But that is a different issue. I must perform my duty, and if, in the performance of that duty there is a result for the people inside Tibet that would be very good. Even if I cannot give any results to them, or to us - still I must perform the duty. Duty is simply duty, and the result is entirely different. If you perform duty in the hope or desire for the result, then your duty cannot be a pure one, it becomes means to an end. Therefore our concern is the extent to which our Satyagraha is pure and perfect. This is of the utmost importance. We have no concern for the end result. If positive results are achieved, this is very good. If not, then we have no regrets. If our action goes wrong, then that would be a disaster. This must be taken care of.

The actions of Martin Luther King and Gandhi involved an entirely different situation. There was a rule of law, both of them participated in a democratic

society, an environment in where that particular Satyagraha can become effective. China, in contrast is completely totalitarian. There is no concern for moral rules, and what they have done in Tiananmen Square, is very fresh in our memory. Knowing all this, some feel that our Satyagraha is nothing more than suicide. This view may be correct, but suicide would be preferable to remaining silent in the active. If I do not undertake a Satyagraha, that death may be only two or three years early which won't make much difference to my life. But to live one's life with a basic duty given from birth - and my existence carries that duty - and then failing to perform that duty, means my existence will have no meaning. So from this angle we have judged the execution of the Satyagraha, not on its effectiveness and what will result, nor on whether the Chinese will yield or not yield. These are different questions.

Q. What of the Tibetan Government in Exile?

A. The Government in Exile in my opinion should continue. On that I'm quite clear; and my participation in the Government in Exile is a very small proportion. I commenced responsibilities in 1991, only seven years ago, and before that the Government in Exile existed for more than 30 years. Even if my participation is absent, the Government in Exile will still exist. So therefore I do not want to dismantle the Government. My presence or absence will not make much difference.

I have already mentioned in my writingⁱⁱ that if I am alone it will be an individual Satyagraha, if there are a few of us it will be a group Satyagraha. I will never go to the media; that is our side, but if the media comes to us, we will not hide. If they ask what we are doing then I must be transparent. We will speak the truth. This will be our approach. If any international support comes, I will accept and welcome it; but if there is no response from the international community, I have no regret and no claim over them to support us. Therefore my action will not seek publicity.

Q. Your presentation of the power of truth through nonviolence is certainly a contrast to the variety of ways that the concept of power is understood from the non-Buddhist side. I am interested in finding those elements that can be utilised to create a better social structure of power relations. This involves analysis of whether armies, police forces and so on are legitimate.

A. I have never considered armies to be legitimate or justified. Armies exist to fight wars, and for this reason armies can never be justified. In future if Tibet becomes free, His Holiness has proposed that it be a military free country (like Costa Rica, for example) and even then we need some kind of police force. This is necessary and I don't think it represents violence. Even in the Buddhist monk community, Sangha, by rotation, someone has to act in an administrative or disciplinary

capacity. If a monk breeches the rules of conduct, a number of punishments must be enforced and these are not considered to be violent.

We have the presence to keep criminals away from the society. In that case the imprisonment would not be a violent one for they would be given good food, a small amount of personal freedom inside the prison, a great deal of teaching, persuasion and education to allow them to realise that they have committed some criminal act. After this, if you are certain that the prisoner has evolved his heart within say 10 days, then he can be released. The purpose of punishment or sanction must be to improve the individual and not to take revenge.

I do not believe in revenge or compensatory justice. If something has been done, then you cannot be compensated. If someone has killed another, then the one who has died cannot be compensated. If you have tortured somebody, then torturing this person in return will never lead to compensation. Taking revenge will never lessen the amount of crime he has committed; instead, another crime is perpetrated. But, if an individual has committed a crime, then in his or her eyes as well as from the perspective of the larger society, there must be some imposition of punishment or sanction. The aim should be directed toward the improvement of the individual and in this case it is considered to be nonviolent. This is in accord with the Buddhist teachings.

In relation to the teacher's imposition of sanctions toward students, my opinion is that if the teacher is angry or annoyed at the student, and out of that annoyance results action, then that is wrong and would not help the student. In contrast, out of compassion, if there are a number of students who can only be corrected by punishment or sanctions, then from the motivation of love and compassion for the improvement of the student a certain amount of sanction is justifiable. In this respect, the sacrifice of the teacher is most important.

To illustrate this I often repeat the story of the robber and the Bodhisattva, where the Bodhisattva kills the robber, accumulating a great amount of merit for the Bodhisattva. This is a point of debate in the Canon. When the Bodhisattva sacrifices himself by taking on this amount of sin, he is going to commit by killing the robber, through this act, he could save the 500 people who are sure to perish at the hands of the robber. He also prevents the demerit which would be acquired as a result of the robber committing this act, then the Bodhisattva sacrifices himself by killing that man. It is still a point of debate whether the act of killing was violent or nonviolent. Many argue that the act of killing was violent, but the enormous compassion for that person was responsible for accumulating some merit but the act of killing did accumulate some demerit. From this symbolic story we can understand that even an act of killing can be nonviolent if the intention is very pure.

Q. How can you ensure that individuals within legitimate structures will act for the right reasons and not abuse that power?

A. This is very difficult. We have to take that risk. For example in our police force we shall have to conduct extensive training courses to ensure that they carry out their work to the highest possible standard. Even so, this will not ensure that individuals will always do the right thing. Even the monks whose lives are spent training in the monasteries, do a number of things which are wrong, but the philosophy behind the system and the general approach must be laid down in the policy. With regards the implementation of this in daily life, there are bound to be a number of errors and these will need correcting. These wrongdoings would be judged the illegitimate use of force.

Most of the people who talk about nonviolence believe that it is possible for an individual life, but not possible to run a state or society to operate with complete nonviolence. I try to oppose that idea; only our conditioned thought leads us to accept that this is impossible. We have never experimented anywhere to determine whether it is possible. If such experiments were conducted I think would be possible. Every country maintains a huge military force often at the expense of expenditure on health and education, in the name of defence. Even if, over time, there has been no threat to warrant it, they still maintain this defence force. Consideration is never given to abolishing the defence force, particularly in relation to smaller countries. Take as an example the small country of Bhutan; they can never defend themselves from attack against the force of India on the one side and China on the other. This is a reality, but still they maintain a military force in the name of defence and teach the training of violence from generation to generation. This is quite stupid; if India abolished defence today, do you think that Pakistan, Bangladesh and China would immediately threaten? I feel that this would become morally more difficult if China, fully equipped with weaponry were to attack a weaponless India; the entire world would react claiming no sense to such an action. But no one is prepared to try, instead, taking it for granted that such a system would be impossible.

In contrast, His Holiness wishes to make Tibet a zone of *ahimsa* or a zone of nonviolence, which of course means no military force or weapons.

Q. How would you maintain control and order, if not in this way, by the use of coercion and force?

A. The term force is a vague term. If for example there is a quarrel among the people, then the police should attend and pacify or even arrest them; this is perhaps unavoidable and will happen unless the entire population is highly educated. There should be an agency tasked with maintaining harmony among the people. Therefore we do not rule out the necessity of a police force. Now that we propose complete nonviolence and as a consequence, a completely military-free zone, some

propose that the enforcement agency should be closed down. Two questions arise from this: the immediate question as to how we employ these people, and the long-range question: if Tibet becomes free, at the very least we must require a group of people to be vigilant regarding custom, maintenance of peace and the safeguarding of law and order, and so it is apparent that we require this type of agency for which Buddhist nonviolent force is necessary. We should initiate a long-range program to educate the people in order to reduce the need for such a requirement, but without trying, we cannot determine whether such a thing is possible. Perhaps after one or two thousand years, society will have evolved to the point where such an agency is no longer required but at the moment a certain use of force is necessary.

Q. In an autonomous Tibet, for example, how could the gap between the ideals of a monastic order and the structure required to run a society (and protect the rights of citizens) be overcome?

A. According to the Buddhist Canon, there should be a gap between the monastic order and civil society. The monk community is considered to have renounced that society; the focus is on salvation. Within this life, they have no interest in day to day affairs and are therefore dependent on the civil society for their food, clothes and medicine in return for which, they contribute some small social work like painting, teaching or medicine. The gap therefore is quite obvious. In the past history of Tibet during the later stage, the monastic orders became very much entangled in state business and big monasteries became very powerful in running the government. There was an Assembly of Peoples' Representatives which was dominated by those who represented the three large monasteries. If they chose to combine on any issue, they carried the weight in the decision-making process. This has a two-way effect of corrupting both the monastery and the government.

In a future free Tibet, the monasteries should be completely separate to the running of the state, that is they should not be represented in any government business; therefore I recommend that the government at that stage should be separate. This will keep the monastery pure. The rest of civil society should comprise the following: civil court; civil rule of law; police force; representative measures; and sanctions or punishment, and these must be based on the philosophy of nonviolence. At the same time, the monastic order should be a source of inspiration and an example for the civic society.

Q. How do you view the concept of power?

A. Power is a very vague term, and been interpreted and misinterpreted in many ways. I see only the sovereignty of the people. People have inbuilt rights and powers, and upon adopting the system of democracy, the sovereignty equally lies within each citizen, and each citizen is a shareholder of the sovereignty of the country. In the exercise of this, each person has a right to vote or not vote, to be chosen as a

representative or to choose a representative. These are the channels through which he or she exercises their sovereignty or power.

There is also a different perception worth noting. In the Buddhist monastic order, the minority has the most powerful opinion, and the majority doesn't have the power in decision-making, whatever the Sangha decision. Suppose there are 100 monks and 99 agree to one point, and one monk dissents; then that decision can never be carried out. Unless and until that one dissenting monk is persuaded, then if the Sangha decision is so important, after being exposed to all prevailing methods of persuasion if the monk maintains dissent, he must be expelled from that community. Unless and until he is made a non-member of that community, the 99 people cannot override the one person's opinion. This can be seen as one extreme.

At the other extreme, in today's democratic society, if there are 100, then the opinion of 51 can easily overrule the opinion of 49. The effective opinion then only belongs to two people. If two from the 51 side decide to change, then the 49 side will win. This is a bit difficult to justify. So, in order to run a state or a country, the imposition of ideas is not the correct way but educating or promoting ideas is acceptable. This amounts to the explanation of an idea which everyone shares the right to do, but no one has the right to oppose it by any means. Promoting an idea doesn't involve power. It involves only wisdom and the use of argument to give reasons as to why you think this idea should prevail.

Following on from teachings by Ven. Lobsang Norbu - la it has become apparent that the distinction should be made between

- *the exercise of power for political gain and power relations using force, coercion and violence, and*
- *the power of truth which harnesses enormous energy for individual growth and societal change. This latter power of truth can be easily distinguished from the former by the pure motivation and the immense importance to aspire to apply this compassion, love and wisdom in a practical day to day way observing the interdependence of all things. From this, the truth will flow. The former exercise of power, if occurring within an environment which is not conducive to truth where the motivation of the individual or group is focussed on personal gain or some form of violence toward others can never lead to the truth.*
- *In order to make a clear analysis one should first ask: What is the truth? and Why is nonviolence the truth?*

Q. Rinpoche, your writings on Satyagraha list very specifically aspects of the truth to which Tibetans can lay claim. These are not hypothetical, but can be confirmed either through the senses or through indisputable evidence. Gandhi writes that through 'Satya combined with Ahimsa you can bring the world to your feet' and

appears to discuss the power of truth in a more general sense. Is there a more fundamental truth which must be understood before claims can be laid to specific self evident truths?

- A. This is a bit complicated because religious traditions claim that that religious tradition is to help the people to realise the truth. Truth as a word is very commonly used by almost every tradition. There are many traditions which do not differentiate the two sides of truth. They always talk about the truth that means 'the ultimate truth' and if the truth is only the ultimate truth there cannot be any experiment with the truth. From this viewpoint the only two positions possible are whether you see the truth or don't see the truth. We, as Buddhists perceive truth in from two different angles: absolute truth and convention or relative truth. The second is not an absolute truth, rather it is truth according to your understanding or perception or social or political... or you can do an experiment with the truth and you will have your understanding at a number of levels.

Initially I did not understand what Gandhi meant by giving the title of *My Experiment with the Truth* for his autobiography. But now I understand that he was always trying to discover or understand truth through his work. The understanding of truth is always either changing or progressing, mostly it is progressing higher and higher. According to that understanding, the effectiveness of work is also progressing, and so when I say that my insistence of truth is a relative truth or conventional truth, it is one which is verifiable in day to day life. For example when I say that I claim the independence of Tibet, I do not claim that there was no independent good for Tibet rather claiming it afresh. It was independent that is true. I can't say it is the truth, but I can say that it is true, that truth is the basis for my insistence. So, I realise this is true, but then if someone convinces me through logic that Tibet has never been independent, upon that point of realisation I will no longer insist on the previous belief because now I understand that it was not true.

Similarly, the way in which the Chines are governing the Tibetans politically, socially, culturally educationally - in all spheres what they are treating the Tibetan is not the right way. It is not the right way as a statement is true according to my perception and therefore I insist that this treatment should be stopped. And if my understanding of that truth is not true, but falsehood and I can discover this through reason, then I will give up my insistence. So whatever I insist must be true according to my understanding but this truth is not the level of absolute truth that is a part of conventional truth which is true according to common sense logic.

This conventional truth can change at two levels: if my understanding is correct, the change would only take place when the situation changes. If my understanding is not correct then when I get the correct understanding my understanding changes this is subjective change and objective change.

Endnotes:

¹ His Holiness raised the issue of the referendum on several occasions, but outlined his proposal in his statement of March 10 1995. His pursuit of a meaningful dialogue with Chinese authorities for the past 13 or 14 years has not led to a result. Meanwhile the situation inside Tibet is deteriorating day by day, and time is running out. It is time now for people to consider whether we should continue this Middle Path approach for dialogue with them, or we should choose some other course of action. On that matter, I would like to ask the people.

¹ Satyagraha: Truth Insistence Samdhong Losang Tenzin, Satyagrahi Community Publ. Saranath Varanassi 1995

APPENDIX 3

Interview with Dr Alex Boraine
Deputy Chair of the Truth and Reconciliation Commission
Cape Town
South Africa

November 18 1997

Q. Dr Boraine, the Truth and Reconciliation Commission will soon complete its work. I am interested in your view of what has been achieved

A. I must preface my remarks by saying that the 'jury is still out', we haven't finished our work and it is only when we reflect on the work that has been completed that one can make some honest assessment. Having said that, I think that there are a couple of points that I can make:

First, the TRC has made it impossible for white South Africans in particular to hold onto their view that "they didn't know". I think we have shattered that illusion; because if they didn't know, they do know now. They may not like the Commission, but they have joined the debate, it is public. To consciously avoid the TRC you have to switch off your radio, you have to stop watching the television and stop reading the newspapers - most people don't do that. Even though many would argue still, that they don't know what the TRC are up to or they're not interested, when they get to a dinner party or BBQ or similar occasion, I'm told that the Commission is one of the major subjects discussed. I think that's important, very important. It is my view, and I think the view of my colleagues and many others that you can't really build a future without taking care of the past and coming to terms with it; I think the TRC has made a major contribution in helping South Africans to come face to face with that, something that a lot of other countries have declined to do - Switzerland is a brilliant contemporary example fifty years later they haven't come to terms with the fact that they turned a whole lot of Jews away from their borders, who then landed in concentration camps and gas chambers and the like. Second that they took a lot of the deposits (money jewellery and the like) and housed them in Swiss banks. Suddenly the whole nation is torn apart. I was there recently, and they just don't know how to come to terms with this. They didn't know it was true. South Africa won't have that problem. It won't have the problem that Germany has, to an extent I think it's a problem that Australia is battling with in terms of the stolen children. That is one major point.

Second it has publicised private grief. This is very important for victims and survivors who feel oppressed, who lost loved ones, whose whole human rights were violated; now suddenly its not something in a hole in the corner, it's there publicly for people to at least know about, acknowledge and admit and it seems to be very important for people who only knew a hostile state that even when they lost loved ones and went to prisons, hospitals and finally to morgues they were treated like dirt. Now the Commission treats them as human beings, with dignity and with compassion and we are there on behalf of President Mandela - so they feel that at last they have received acknowledgment. I think that is very important - not only intrinsically but also important to enable us to try and build a new life in South Africa.

Third, we have made known a great deal of material that was shrouded in silence; and that is largely through the amnesty process. Our Investigative Unit has done a lot of good work but I think it is generally acknowledged that, were it not for the confessions of people who come pleading for amnesty, many many victims would never have known what really had happened to their loved ones who disappeared. I have found in my research in South America, Eastern Central Europe and Northern Ireland, (and certainly here in South Africa) - that people have a desperate need to know. It is not merely a question of limited justice taking place through truth, it is a very person thing: "I want to forgive" they say "but I must know who to forgive, and for what". And that, funnily enough is a phrase I have heard in different languages, in Spanish, in Eastern European languages in an Irish brogue and in Xhosa, Utu and English and Afrikaans here.

I think finally there has been a catharsis for a lot of people who have been carrying this burden of guilt on the one hand, perpetrators in other words, giving them a second chance which I think is important; and also for victims who in the telling of the story, however painful it has been, experience a kind of catharsis. Let me give you a graphic example: A man comes to the Commission, he is in his thirties, he's been blind since he was a teenager when he was shot by the police in the face, *that* he tells us politicised him. He wasn't political before that, he was just caught in the crossfire. Although it blinded him, it actually politicised him. He tells the story of his suffering and the loss of sight, his hardships, no chance of getting a job, the prospects are grim, he is poor... and then I thought he had finished. I was in the Chair at the time, and I thanked him warmly for being with us and offered him whatever comfort I could. I talked about reparation and rehabilitation and thanked him again, but he still didn't leave the platform; I thought that was because he couldn't see. There were people with him obviously, so I thanked him once again and said "you may go". He said "I can't go, I have to say one more thing" so I said "of course, what is it" he said "you know when I came to this hearing, I was blind and now I can see". He couldn't see physically, but something had happened for him which gave him a new insight. That was a very moving moment, and I can tell you of hundreds like that, of people who had some kind of catharsis; and if

you are interested in healing the country as we are, not merely going through a process, then I think it's a contribution that the TRC may have made in a small way to try and build for the future.

Q Dr Boraine, you are obviously a very strong person, but listening to this kind of testimony, must have some cumulative effect. How do you deal with that?

A. It is very difficult. I have never known anything like it in my life and I've had some pretty tough jobs in the past. The problem of course is not only physical; long hours, lots of travel and dislocation - that sort of thing. That can happen to most of us; it's not being able to show your emotions. You can watch a film in the darkness of the cinema and weep a little bit, laugh a bit, or at your home with your radio or television in private. But when you're there and it is in public, you really have no right to detract from the victim. The focus must be on that person; so you have to bite the inside of your lip and you have to blink away the tears and it's very difficult. Some have found it impossible and broken down. I think you've just got to find ways of dealing with it, but it comes back to you at three o'clock in the morning - that's the dilemma, and that I must say I have not been able to handle very well. Sleep patterns are the hardest; you are away when you are with your own family because you are not there, you are thinking about what you'd heard during the day, or last week, or are about to hear. What do you do? Well you try and walk, something physical, perhaps play a hell of a hard game of tennis - which you don't have a lot of time for, but you try; occasionally a stiff whisky and soda I suppose helps! Even the journalists get hammered, we've often helped them; I think a lot of my colleagues go to counselling, I have done a lot of counselling myself in my past life, so I don't find it very easy to do that - that probably sounds very arrogant...perhaps it says something about me I suppose...but I don't find it very easy.

Q. I think there is a big difference between arrogance and transparent honesty, and I thank you for your frankness because your comments paint a vivid picture that gives both a public and personal perspective - something not everyone is prepared to give. From the public perspective, what has been the reaction to a process which deals with such intense suffering through nonviolent rather than retributive means? One would expect that at least some of the victim's families would have an inclination towards retribution.

A. Let me say very directly that the reaction of course has been very mixed. There are those who are enormously grateful and tell you that when they see you in public or in airports or by phone calls or letters, faxes and so on; but you also get very strong reactions from the Left if you like, who say "we demand trials, prosecutions, it's not good enough, it is not right that they should get amnesty and just walk away". I understand that view, and I would be surprised if there weren't people who felt that way. If you had lost your father - eight years ago he just walked out of your life and you never saw him again; now you hear that he had

been abducted, tortured and put to death and people are now telling that story publicly and will probably get amnesty for it and just walk away. There is a natural inclination to say I want my day in court - even if it is not in a spirit of revenge, I must say, the overwhelming majority of people (and I'm sure there are exceptions) are not looking for revenge, they are just looking for justice. There is a difference; and one finds it difficult to explain that amnesty is the price you pay for peaceful resolution to the problem. I think if we hadn't gone that route we might not have been able to hold a peaceful election and many, many people more would have died in the process than did. But to say that, it is not easy to bind their wounds. The other reaction has been that we shouldn't have this Commission at all. That all we are doing is stirring up trouble, opening up wounds. But of course what we have discovered is that the wounds have never closed; it's a lancing of a boil if you want to use a medical metaphor, rather than taking out the stitches in a wound. Noone has really given attention, noone has been present for these people who have been so badly damaged. And I think we all have been damaged you see, not just the obvious victims, and some people say "I just switch off the radio, it's enough now, and we must stop now" so the reaction has been very, very mixed from those who say there ought to have been retribution rather than restorative justice and others who say there should have been amnesia, we should have just forgotten, turned the page. The reaction has been very mixed, and some people have been very violent, for example, threatening calls from people who don't like the process; and it's interesting that the ANC who supports the process very strongly has its reservations, the National Party has been very critical, the IFP has been very critical - as soon as you touch them; so long as you touch other people you get comments like "quite right too, right on" but as soon as it comes closer to home, which is understandable, many people say "well hold on a minute, not me, not us"

Q. Does that have something to do with accountability and acknowledgment?

A. Absolutely. We have tried to say that accountability is the absolute key to our work, it's not just knowledge, it's *acknowledgment* and that is very hard for proud people and particularly institutions or political parties; individuals may even find it a little easier although nobody finds it terribly easy. But when it becomes *your* institution, *your* Church, *your* political party, *your* group they say "We hate the Afrikaaner" You see almost every single one of the security police that has come before us has been a White Afrikaans, and there has been a lot of them and I keep saying to Mr de Klerk and others that we have not compelled them to come, it is voluntary, and the victims that have come, we haven't told them you've got to come. The only time we use compulsion is subpoena, where people we invite to come (and where we need the information), refuse to and we have to use the powers that are in the Act that all the parties agreed to.

Q. Is that the case with Winnie Mandikezela-Mandela?

A. Yes, we've subpoenaed her. This is going to be a very difficult one. I think the Commission largely stands or falls on how we deal with that one because the international community is going to be here, almost every major television company and lots of people demanding tickets and so. Many people in the White community are saying "Well let's see how you deal with her, you were pretty tough with others". A lot of people in the Black community say "Are you going to persecute her like she's been persecuted in the past?" and she certainly has been, she has suffered a great deal, to be the wife of a prominent man is always difficult, how much worse when he is the most celebrated political prisoner in the world? I think a lot of the mantle fell upon her shoulders and she was ill-equipped to deal with that. He chose that course of action, she didn't, it was forced upon her, and I feel great sympathy towards her. But we have to do our job, and our job is to get to the truth; victims have come to us, and said "This is what we think happened to our children, please help us find out the truth" We'll go through it but it's going to be very tough. I have great faith in the integrity of the Commission. Both Archbishop Tutu and I will be there for the full time.

Q. Are there any different strategies required that wouldn't ordinarily be used? We are talking about someone who is well known, and on centre stage with the eyes of the world watching, which is probably the last thing you need.

A. The Act doesn't allow for in-camera hearings of this kind, it has to be transparent. We tried; there is a section of the act that does allow in-camera hearings (Section 29) but she insisted from day one that this should be public, and I think she's going to use the occasion; she has very strong political ambitions. Others would like us to cut her down so to speak, but we are neither going to assist her political ambition nor denigrate her; our job is to say what occurred, to test it, to find out what people are saying, to find out what actually happened. It is going to be hard work. Pik Botha funny enough is the opposite - former President, Prime Minister, Minister of Defence, who says "I'm not going to perform for the circus". First he said he wasn't well enough, strong enough...now he's announcing his engagement which indicates he's pretty fit. So we're just going to go ahead, and we've subpoenaed him today and if he doesn't appear then he will face charges in a court of law - opposite extremes Pik Botha and Winnie Mandela. We have to be consistent.

Q. That kind of consistency brings us to the role of the TRC in the overall Government strategy; obviously there are documented guidelines and the position for the TRC in Mr Mandela's vision for the transition.

A. I think it is very important to reinforce the point that he (Nelson Mandela) makes, and that is that the TRC is utterly independent of Government and he constantly tells us "You must maintain your independence; if it means that you have to criticise me, then you must do it". And we have valued that, we don't need him to tell us that in a sense, but it's nice to know that he sees it in that way, and we have

crossed swords occasionally, publicly and privately...but we just quote his own words back to him. He would never for example intervene in the hearing of Winnie Mandikezela-Mandela, and no Minister has tried to tell us what to do - they may be critical of us, that's fine. The vision was set up in the act, which was not an ANC Act, but a Parliamentary Act; that is a vision of building not on the basis of retribution or revenge, but on the basis of reconciliation, healing - that's actually stated in the act, this is what we must aspire to... and we've tried, but sometimes reconciliation gets confused with something quite cheap, a formula of religious words. Of course reconciliation is much more costly, much, much deeper than that. This is probably why we are so controversial - people would like to take the quick fix option. While I'm on that let me say that one of the things that we are well aware of is that no Commission on it's own will bring about reconciliation - the damage is too great, the wounds are too great, so we can make a contribution, but it's going to take a generation, and reconciliation doesn't only mean having public hearings, it also means economic justice, redistribution. It means that every time a woman or man reaches out and turns on a tap, they get clean water for the very first time in their lives, that is reconciliation as well; every time they switch on the light which they have never had before, enter a classroom with a child where they had no chance before; go to a clinic when they have never had it before, those are the concrete areas of reconciliation that I think this country has to deliver. I like to talk about the Commission as the restoration of the moral order and economic justice is the other side of the same coin - relax that tension and you're in trouble. And if the Government fails to deliver along the lines that I'm suggesting, then it will make the work of the Commission that much harder, because they will say don't give us words about reconciliation, forgiveness and so on...what about my life, what about my child, my water?

Q. We are really talking directly to the last question about power based on nonviolence. What I'm trying to do in a very direct and practical way is to forge links between power and nonviolence, where research in the past reflects power based on coercion, control and violence. While there is certainly a core body of knowledge to the side, on nonviolence, it doesn't make this link. While violence will always continue in one form or another, at least we should have a choice. I am interested in your reflection on power in this process.

A. I think in a funny way, what the Commission is trying to do through a process which is not a court of law, where there is not punishment is to avoid that overt power.(and I understand and respect War Crimes Tribunals) The Hague, the Former Yugoslavia, Rwanda - there the last word is punishment. I don't think it can unlock the possibility of a peaceful and reconciled society by force or coercion. I think you're actually empowering people by not using power. It seems a fairly obvious thing to say, but I think it's terribly important and these people don't seem to understand that. People say "this is a demonstration of weakness, that you're not actually punishing people" but I actually think it is a sign of power. It is a different kind of power, it is a moral kind but it is a power that I have seen

working in the Commission - I've actually seen people freed...to say to someone that actually killed their daughter "I forgive you" and went so far as to say to the very one that killed their loved one "And I would like you to forgive me because I was part of a system that created you" this is publicly! publicly!...that is devastating...it is so powerful...that is what can change the equation, and *is* changing. I don't think people are aware yet of that force within the Commission that empowers people to stop seeing themselves as victims, and to live as survivors...or even those who are victorious. And not only did they pay a very heavy price for a new South Africa, but this has now been acknowledged, and they can really say that 'the burden rolls from their shoulder down the hill, and is seen no more'. Their pilgrimage now is a much easier one, I don't mean to cheapen it, I don't want to underplay people's deep, deep held feelings of loss, but I've seen it happen over and over again. In public submissions. Recently, two or three weeks ago we had three men who had gone to jail facing life sentences. Three Black men, who very callously attacked a pub where people were celebrating New Year. One of them was a young woman. They shot and killed her and wounded others. The father of the daughter has phoned me many times and is an extremely harsh critic, demanding justice. I really understand. I have a daughter. His wife feels equally as much love and is devastated. But she publicly looks at these three guys where they describe what they tried to do, and why they did it and so on, and she looks at the youngest and says "I'm sorry that I'm part of the system that created the animosity and hatred which drove you to feel that you've got to strike at this White power in some way. I loved her and I miss her terribly" and so on. She sat there next to her husband who was distraught, but it is very empowering and the whole of South Africa is benefiting when people are able to do that.

In the Act there is no demand for contrition. Many people have said we should have demanded that. But the fact that the vast majority of people have come seeking amnesty, knowing that they don't have to say sorry, *have* said sorry. They say "I know you can't forgive me, but please try...I thought what I was doing was the right thing, I was under orders, I was told this is where a lot of terrorists were, and I went there and tortured people because I thought these were Communists or terrorists and so on, but I was very young and I am sorry and I hope you will find it in your heart to forgive me, even though I know you can't". Some of them then are empowered to say "It's OK". It is a very powerful thing. At the Business hearing last week for the Chamber of Mines, they had done quite a lot of things which were wrong and so on, and they expressed very coldly some sort of regret, they had a chequered history over the last century of appalling conditions, labor relations, denial of basic rights, abysmal wages, construction of single sex hostels so families couldn't be with them; this of course led to all the social evils - alcoholism, prostitution, separation...all sorts of things...six grown men living in one tiny room, like a prison cell...so I said to them, you know, don't you feel when you look back and see ...and the guy said well we can apologise, we can apologise six times if that makes you feel better. I tried to say, look you really are

treading on holy ground in a sense, it can change lives, change communities when you don't take the way of the powerful (business as well as police power etc)

Q. What is the role of the Commission at the end of the hearings?

A. We have a report to write, which we will submit to Mr Mandela, and through him on to Parliament. It will be very extensive, about four volumes; and we also are enjoined to make recommendations as to what should happen as a consequence of our work, what we have discovered, uncovered and so on. That's one huge job that will have to be done. The amnesty hearings will have to continue because even though they should be finished, there are so many people that have applied...and when you get into court with lawyers, if they can delay things they will do so, instead of just taking a day or two days, it takes a week. We have thousands to hear, and we've got to hear them in terms of the Act, so they will go on, which means that we will have to have support services for them and so on. At the end of July, the Commission is disbanded formally, will hand over the report; and in our recommendations, particularly in terms of reparation and rehabilitation we will be making a number of proposals, which then Government makes a decision on. Parliament decides whether to accept the recommendations of the Commission, to accept some of them, or reject all of them. I will be writing a book...It's not just the life of the Commission, but all of the major questions comes through, about life, about death about guilt, forgiveness, about power about weakness...all of these raise bigger questions with a reference that is much wider than the Commission itself. And how do you talk about other people who say that even a limited amnesty in South Africa is wrong, impunity can only encourage crime and violence; some jurists, judges and academics say that there can be no place for amnesty because people have committed serious crimes, and not to punish is to encourage. I understand that, but I think one needs to tease that out. In the book I am writing I want to look at all those issues.

APPENDIX 4

Interview with Lionel Davis
Ex political Prisoner with Mandela
Robben Island
Cape Town, South Africa
November 19 1997

Q. After spending so long imprisoned on Robben Island, I would be interested to know your reasons for staying on as a tour guide

A. For me, having been on Robben Island was a most positive experience. You see we come from a society which is very divided. It has been divided for centuries, this is how apartheid kept its power base, by the factions and division of our people. Each faction learned to be suspicious of the other, through education they inculcated the message that each is better and different from the other. Whites were elevated, then coloureds and then black peoples (further divided by Xhosa and Zulu and so on) until it became a kind of chess game for the rulers over the centuries; perfected by apartheid rule.

Here on the island, we had all of these classifications (without women or white people) which included Xhosa, Zulu, people classified as Asiatic and the like; and for the first time we are thrown together in this cauldron. But here, they discriminated on the basis of coloureds and Asiatics getting better food than Black people, hoping that this would again perpetuate this wedge, this chasm. But what they forgot is that we are political beings with a vision for change. We believe in equality, in the humanity of people - that is what we were fighting for. So here in jail, you have these very different ideologies, very different cultures, different language groups, different personalities; but all united against the immediate injustices. The atrocities that are committed in the name of justice, in the name of Christianity; all of these on the island, wanting to dehumanise us, wanting to destroy our dignity, to deface us. It was against these injustices that we were fighting. But in the face of this, we learned about each others' cultures it was a unique experience. Different ideologies began to be debated. It was healthy, and you learned to fine-tune your arguments, you learned about political debate. We discussed issues like sexism and different cultures of people. In jail we also had to face up to different personalities. Outside, you can walk away from people if you don't agree with them, but in jail, you have to see that person every day, so you learn to compromise, you learn to agree to disagree with the person. You learn to

be patient, you learn to be analytical, you give unselfishly of yourself. This is how people were actually brought nearer to each other.

Q. Obviously there were only white guards here?

A. Yes. That's right.

Q. Did they see the benefits of engaged conversation in the way that you have described, and try to stop this?

A. Initially, they tried to stop us. When I came here in 1964, we were not allowed to talk to one another. but unjust laws are meant to be broken, and we started breaking these laws right from the beginning. But with that kind of 'jack-boot' mentality, they tried to suppress us. Particularly when we were working in the lime quarry, we were singing and picking, shovelling and singing to rhythm. But to their liking, we were enjoying this so they stopped all singing. They forced us to sit in rows...rows upon rows upon rows...squatting and eating at lunchtime and in the evening...rows upon rows of people coming from work, standing naked in the heart of winter, waiting to be strip-searched...all forms of humiliating punishment was imposed on you. This is how they tried to cripple our spirit.

Q. How were you able to tolerate this at all, let alone for as long as you did?

A. When we speak about nonviolence meeting violence, there is no way that you can react violently; it is counter-productive. Our strategy was... "well, fine...our time will come to fight". And the way we fought back was to scheme and strategise. Usually there would be a system to deal with complaints and requests and so on. You would have half an hour for your section. I spent most of my time in B section with Mandela, and they would expect that each one of us would make a complaint - this way they would erode half an hour, and our scheme was that nobody talks...no questions, no complaints...until they got to Mandela, or to one of our chosen spokespersons, and then that person would spend half an hour; this is how we would strategise. When lawyers came, when Amnesty International came, when the National Red Cross came, we did the same. Then in 1966 we went on our first hunger strike for 6 days, refused to eat any food. 1971, another hunger strike because conditions had once again become appalling. We were all studying. The person who came into the jail, they shared the same cell, studied the same course but were refused permission to share our textbooks; so although we were sitting next to each other and your textbook cost R300, I had to buy the same textbook for R300, this is how they tried to cripple you. Again they took away all the privileges; we were not allowed to play sport any more...again, another hunger strike.

Q. How did you feel after 6 days on hunger strike?

- A. You are weak but you are forced to go and work, some collapsed, some were hospitalised but we were determined; this was the only way that we could fight back. Of course there was also pressure from outside, from sympathetic governments. We used to smuggle out information from time to time...this kept our spirit alive and led to a resounding victory against injustices.

One guy was a Nazi, he had a swastika tattooed on his arm, and he came to look after us (as a jailer) and we had the opportunity to report him. He hated us, and we eventually got rid of him. We had to fight back without using physical violence, because they would kill you. They would destroy us.

- Q. *It sounds from what you have said, that although you did not have the chance to use physical violence, you are rather, valuing a different set of principles by saying that nonviolence leads to resounding victory, and this is the correct way to go about it. If you actually had the choice, would you still adhere to this set of values in the same way for example that Mahatma Gandhi did?*

- A. The ideal situation would be to have a nonviolent situation, but we have come from a country in which every form of suppression was used against you and nonviolence was used by Gandhi. In the early days you look at the kind of struggle that was waged in South Africa...it was a nonviolent struggle, 1960 for example, when they (the apartheid regime) shot down sixty nine people - that was a nonviolent campaign so it was the ultimate resource (violence). You start off with a nonviolent campaign there had been commissions, partitions you know and it didn't work or help and this is why ultimately people resorted to violence, it was our last resort, not our first. In jail also it was good that you could not resort to violence, because it also taught us that you can resolve problems without violence. You don't have to resort to taking up a gun.

- Q. *You spent a lot of your time in B Section?*

- A. Most of my time

- Q. *How long were you here altogether? (the question relates to sitting within close proximity of that section during the interview)*

- A. Seven years.

- Q. *I hear from the tour (tours conducted for visitors to Robben Island) that you were in isolated cells. Were you allowed to talk to each other? Were you able to communicate in B Section with Nelson Mandela?*

- A. Initially, it was only clandestine, whispering to each other because they had this 'jackboot' on us. But unjust laws were meant to be broken so we started whispering and every gain we made through our hunger strikes, through partitions,

gave us greater strength. Our first real victory was in 1967 after our '66 hunger strike, when we were allowed to buy games for the first time, we were allowed to buy musical instruments for the first time. That in itself changed and uplifted us, changed the mood of prison...those are the things that are significant. Right from the start there was this campaign by us...they ordered us to walk fast, we walked slow deliberately. They force us to work, we would work slowly, this is how you start fighting back.

Q. And that produced change over time?

A. Sure. It was not an instantaneous thing, but a progressive thing and in B Section you know, once you had music and games there was a hell of a lot of laughter. I remember sitting in my cell in the middle of the night...everyone was sleeping and I was reading *Pygmalion*. I just burst out laughing in the scene where Eliza Doolittle saw the mouse running...she was at a very fancy do with her family, and the gutter snipe comes out in her...I just burst out laughing in the middle of the night. This testifies to the change in mood that had already taken place; laughter, music, taking the mickey out of each other, competing against each other in sport. In 1967 you could see this manifested...they couldn't suppress that. Every time there was a victory, this gave us a greater sense of spirit. By the time the guys came here in the '80's this prison was transformed. In these later years, the guys even played tennis, they had TV in B Section.

Q. What is the criteria for being in B Section?

A. B Section was the last to be completed in 1964. It was raw cement, very cold; they rushed to complete it to get the Rivonia people in there. Comprising Mandela, Sisulu, Kathrada; thereafter everybody else who was seen as a security risk to this prison, or seen as a political leader or a political troublemaker, they all went into that section. Only five of us landed up in that section simply because we were giving the authorities too many problems. We were considered to be 'hard nuts', they assaulted one of our guys and we said "we are all witnesses to this crime" and we all went off to report him as one group to report this assault, and about half an hour later when we were in our cells, we just heard "Lionel Davis, so and so....." they rounded us all up and were told to take our blankets. We didn't know where the hell we were going. They brought us by force and brought us to B Section. Because we were defiant, and we were now influencing the rest of the prison population and they didn't like that.

Q. Would it be a correct view to say that the rest of the prison population were looking to the leaders for leadership even though they were isolated off in different sections?

A. Yes. Definitely. There had always been this respect for Mandela, and this group in here. But don't forget that this group was cut off from the rest of the prison population. What they regarded as leadership was kept in here.

Q. Did it therefore become more symbolic rather than actual leadership?

A. Yes. More symbolic than anything else because the actual leadership in jail was in the general section; there was the leadership; where they were confronted day by day by very troublesome situations. They had committees to deal with the problems. There was a committee for discipline, a committee for culture, a committee for education, a committee for whatever you could think of...and there would be consultation and decision-making; and this grouping in B Section had nothing to do with that. In fact the first hunger strike took place in the stone quarry, and we only got to know of it by the grapevine in our section later. And so in solidarity we went on a hunger strike too. It was not initiated by Mandela.

Q. But you mixed together in the stone quarry?

A. No. Mandela's section was never allowed to mix with the rest. Right from the time that they were sentenced in the Supreme Court in the Transvaal, to the old jail just over there and then into the newly completed B Section, they were never allowed to mix with the group. Initially we were only allowed out for half an hour in the morning for exercise and then later we were cutting stones, sitting down with our knees bent, using big hammers. We did this in the B Section yard, not with the general prisoners. After some time, they took us to the lime quarry, and that's where I worked for most of my seven years; that's where Nelson Mandela worked for thirteen years. So that group was always kept apart from the rest of the prison population. I had only a month's experience working in the stone quarry before we were forcefully brought over. We had come from the stone quarry where we saw this assault happen; we were going to testify against this warder from the stone quarry, that's how we landed up in this section.

Q. Would you say B Section was worse than the general section? How do they compare?

A. B Section had its pluses and minuses. The pluses - you were not as harassed to the same extent as the general prison population. This grouping had an international focus. They (the apartheid regime) were wary about treating us too abjectly. The minus was the fact that we did not have access to all of those other prisoners; here we had to live day in, day out with this small grouping. In the general prison grouping you at least had the opportunity to work and talk to different ones about old times. Tomorrow you could plan to go and talk to that one there. The next day to work over there, and talk to someone else, you could also play sports, competing in soccer and rugby against each other; whereas we were kept together, no more than 30 people for years.

Q. How would you describe Madiba?

A. Mainly what you see, and what you hear about him is true. He is charismatic. He is an exceptionally warm person; a person that would welcome you to the island regardless of your political persuasions. A father figure, very dignified, very dry sense of humour, but humorous nevertheless, even now he is still fond of making jokes. He never raised his voice in anger; you could see the tone of his voice was angry. He never shouted. He could become very exceptionally stubborn, but never lost his sense of dignity. He is a very dignified person.

Q. I come from the privileged position of never having had to endure the type of indignities, suffering and gross human rights violations I hear about, read about, and the things you tell me about, and so I can't reconcile in my own mind how the perpetrators of such things - just as one human being to another - could possibly treated people in this way. The things I hear at the Amnesty Hearings, are impossible to come to terms with. What are your thoughts on this?

A. Those atrocities hurt many of our people. Sometimes guys that were on the island were taken off the island to face further charges. Those guys, some of them were hung. You see a guy here today, and the next thing you hear is that he has been sent to the gallows.

Q. No doubt you were treated badly yourself while you were here. How do you withstand that?

A. I think the difference between political prisoners and criminals is that criminals resort to violence, even among themselves, to take out their frustrations. We channelled our energies through debate, through sport, through education. Even those people who were not allowed to study smuggled in paper, pencils books; anything in order to help them study. It was that determination...you see we had a vision, and it was that vision that kept you alive. Whether you exercised in the morning in your cell, played games, studied, it was part of the building of the self.

Q. Can you describe that vision to me?

A. The vision is of a society where we are all equals. A society where no person would ever have to go hungry. There would be food and education; there would be a home we could all call home, and enjoy the comforts of a decent living...three meals every day, a place for our children to do their schooling. To see them grow up into fruitful young people in society, part of a democratic order. Those are the things we wished for, we worked for. Because by improving yourself, by keeping

your spirit alive you kept your vision alive...this is how ultimately we became the conquerors, instead of the vanquished...the vision.

Q. What did you do with that vision when you were finally released from here?

A. You are talking to me personally now? For me, I did not join a political organisation again because I do believe that any political organisation is sectarian. Unfortunately it is sectarian; they do have this talk about this egalitarian society; equality and all of that, but ultimately there is a difference. Jail was different...outside there you have these people squaring up to each other with different agendas. Each one thinking that his ideology is the Alpha and the Omega. For me that was not on. I preferred to work in a place, in a space where I could be of benefit to everybody, I became an artist; a cultural activist. Somebody loves me up there. I worked in a place called the community arts project, a screen-printing project. We did not have the communication or propaganda tools that the (white) government had - no TV, no radio, no access to the press. But we went on this campaign of t-shirt printing, poster printing and banner painting on a big scale.

Q. How many people worked with you on that?

A. There were about four people in our department that worked on this project. Our focus was to teach people the skills, and that was wonderful. Whether it was the ANC aligned organisations, where it was Pan Africanist Congress aligned people, where it was the Black Consciousness Movement, where it was the Muslim Youth groupings or church progressive groupings or an organisation called the Unity Movement - whatever was progressive we were there to help and assist them. People used to go into the townships. You see there were curfews in the townships, so they would have relays of men and women, young people working throughout the night and the day, producing t-shirts and posters. All of this had to be smuggled into the townships. At every township entrance there were cops waiting. Women would wrap these posters around their bodies, everyone wearing ten t-shirts; this is how they smuggled them in.

Q. How were these resources (the inks, paints, fabrics, paper) provided to make possible this project on a continuous basis?

A. We were fortunate that by the eighties we had great support from the international communities. In the seventies you didn't see this support, but in the eighties as the campaign against oppression hotted up we then had the Scandinavians, the Germans, people in England sending money into the country. My organisation was sustained by the Dutch, by the Germans, by the Americans...this is how we kept going. Non-Government Organisations were the oil that kept the struggle wheels turning.

Q. For how long were you working in the cultural area, or do you continue today?

A. I am a trained artist. I started my education at the Community Arts Project at the end of 1977. At the end of '76, my house arrest, my banning order (five years of a banning order) was a very traumatic experience, and I needed healing.

Q. Can you tell me about this banning order. Did it result from you being identified as a political activist?

A. Once I left jail, you had to sign a form saying that you understood the conditions of your order. If you are a banned person, first of all you are confined to an area (geographical areas). If you go outside these areas, they can arrest you and put you back in prison. If you wanted to leave an area, for example to go and look for a job, you had to ask permission from a magistrate and only with that letter could you leave that area and go and look for a job. You are confined in your home from seven in the evening until six in the morning. During that time you are not allowed any visitors. Visitors can come to your relatives, but you are not supposed to be in their company. From seven in the morning till six in the evening, you are allowed out in your area, but not allowed to talk to more than two people. If you are there and another person is there, and you talk to another, this constitutes a gathering, and is illegal. You are not allowed to go near a school, near a publishing house, near a printing works, near an airport or a shipping lane; You have to report once a week to the magistrate in your area. The same magistrate, to the police station, between seven in the morning and six in the evening once a week. Weekends, unless you have a job on Saturday, you are confined to your home until Monday morning.

Q. And this went on for five years?

A. For five years...and it's nearly enough to make you go off. Most people can't stand it. They take a one way ticket out of the country into exile. I withstood it, but it had its consequences. This is where art helped me out of trauma...at the end of '77 I founded this place, at the end of '78 I started my arts training. In '91 I quit my job finally and I went to Varsity. I did a degree in Fine Arts, so I'm an Arts teacher.

Q. What is your favoured medium?

A. Painting and printmaking...those are the two areas that I love working in, but I'm open to all sorts of art. That is why I'm living on the island (Robben Island) now. Next week my family is coming, we're moving our car, furniture everything. I

have a studio here and I will start to produce my work in earnest. If you go to the District Six Museum or the Harbour, you'll see some of my work, lino cuts. I'm not a professional artist, but a practising artist.

Q. Same thing in my book! What themes do you work through?

A. I look at political issues, cultural historical issues, at the moment one of my concerns is the indigenous people. How to use their language in a glorified way. Their cultural identities have almost been destroyed, but there are some pockets of people in Africa who still speak the language. I try to recapture some of that glorious past of theirs. Language has an expressive way of making art. I work figuratively and abstractly. I also talk about things that bother me - culturally and politically. So you will see some of my work in the District Six Museum; I was born in that area. If you go there you will understand about forced removals.

APPENDIX 5

Interview with His Holiness, Archbishop Desmond Tutu
Chair of the Truth and Reconciliation Commission,
November 15 1997
Johannesburg, South Africa

Q. Your Holiness, like the Dalai Lama your life has been dedicated to nonviolence. What for you constitutes the power of nonviolence?

A. The power of nonviolence is the belief in the worth of “the other,” in the worth of “your enemy;” you don’t demonise your enemy-- rather you say that “my enemy is just a friend I am still to make.”

I pray that we can help to cultivate an atmosphere and culture of tolerance where people can hold and propagate any and every point of view as long as it is not injurious to the most vulnerable, the young, the elderly and the disabled and that we will all campaign for freedom of worship for all South Africans regardless of race, sex, culture or creed and that those who feel strongly about these things will be ready to stand up against the state when it becomes immoral and unjust and unChristian.

APPENDIX 6

Transcription of Testimony by Tibetan Nun
 appearing in the 1993 documentary film by Ellen Bruno
 'Satya: a prayer for the enemy'
 (Distributed by the Australia-Tibet Council)

We slept with our robes on in case we were taken away in the night. When we went to demonstrate we expected nothing but death. We are fighting for truth, and for this we must be ready to die. The truth will find its way - we never doubt this. I felt no fear; I got strength from all the people who were killed before me...we shouted "Freedom for Tibet!" "Human Rights for All Tibetans!" We called for all Tibetans to unite. By our second time around the temple many lay people had joined us.

They (the Chinese) started shooting. They were firing from all sides. All the streets were blocked and we were trapped in the middle. This way many people were killed. So many people were killed; a small child was shot in the stomach, his intestines were falling out. He was watching from a crack in the wall. The guns didn't make any noise, we just saw red flashes and people fell down around us. They threw us into trucks and took us to Gutsa prison. For a month and ten days, they did not let me see the sky; I did not know night from day.

When the guards had passed, I listened for a whisper - any sign that I am not alone. They wanted to know who was behind us, but no one was behind us. Then they stripped me completely naked, they stood me up and kicked me in the groin. They made me stick out my tongue and pushed an electric cattle prod in my mouth. They hit me again and again...it is as though I am every Tibetan, the full wrath of China upon me. They tried to break us. It is our will against their might.

Sometimes they give a drug which makes us dream and we can no longer hold our thoughts. They wrapped wires around my fingers then they turned on the electric current. The shock was unbearable. My whole body contracted and sharp pains shot up through my feet. It was more painful than the cattle prod. I was shaking and screaming. They tortured me every day, and then they set my sentence. They gave me only two years because I was just sixteen.

The one who tortures me is made to believe that what he is doing is right. He must stay blind to my pain in order to carry on. With arms that beat me, he embraces his woman;

wraps loving arms around his child, protecting her with his strength. Noone can escape the consequences of their actions.

This darkness will not last. Like all things, it too will change. In the solitude of our cell we imagine ourselves in meditation caves, high on the roof of the world - our enemy is our greatest teacher, teacher of patience and compassion; our imprisonment our greatest test of faith. Through the force of our prayers, I ask that those who imprison us be freed from the darkness of ignorance; that the clouds which obscure the truth give way to clarity. After such darkness it was painful to open my eyes to the sun. I was dizzy, for many days I was surrounded by fear. After our release they sent us back to our villages. They made our home a prison; we were forbidden from wearing our robes. They said only those who truly loved the country would remain as nuns.

After my release, I returned to the nunnery...there were many Chinese policemen there. They told me I couldn't stay; they didn't let me stay in my room or even stay with my friends. So I had to leave that night. I was a long way from my home. The Chinese office was down the road, and there were some drunken men there. I didn't expect anything. They grabbed me by the chest and carried me off. I shouted and screamed but noone heard me. They carried me to a hidden place. They held me down by my arms and legs and stuffed cloth in my mouth so I couldn't scream. Then they raped me.

After that, I decided to grow my hair and give up my robes. My vows were broken and I felt I couldn't remain a nun. At first, I was angry at all the plants and birds, all the animals; then my anger spread to all living beings in the six realms of existence. I tried to imagine what might happen if we fought a war with the Chinese - thinking something good might come of it. Such thoughts entered my mind. But in war, it is not only the humans that die; all living beings, all the animals and insects suffer along with the humans. The path of nonviolence may seem long and tiresome, but what is a single lifetime in this endless cycle of birth and death?

The teachings of Buddha are deep like an ocean. As anger and hatred arise, I pray that the Chinese become gentle and calm; that through love and compassion those who are drunk with delusions, lost in the darkness of ignorance, acquire the wisdom eye to see what is right and what is wrong. May all living beings be free from suffering.

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