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Can Revolutionary Violence Be Justified?

Introduction

The paradox of revolutionary violence is simply this. Scholars and analysts can understand and appreciate why people opt for revolutionary violence. Yet the costs that this form of politics carries in its wake are too heavy and cause unease. If we seek to justify revolutionary violence, we will have to make a stronger case than just triple disadvantage, or the ultimate objective of violence or even the prevention of greater harm. I argue in this chapter that the only circumstance in which revolutionary violence can be justified is overlapping injustice that betrays the basic presuppositions of a democratic state.

Contextual justification

Invoking images of brutality, of predators and of hapless victims, of savage violations of the body and damage to the mind, of crime, of dismemberment, of decapitation, of assault, of rape, of mutilation, of murder, of genocide, of ethnic cleansing and of other acts designed to maim and harm, violence, not surprisingly, is burdened by a great deal of moral overload. The question whether violence can ever be justified is one that is likely to evoke some astonishment, even a great degree of disparagement. It may well appear outrageous to some, and plainly irrelevant to others. Our interlocutors can protest with

considerable outrage but perfect propriety that violence is a moral wrong; it can never ever be justified.

There is cause for unease with these absolutist moral stands. Do we really have to buy into the creed of political violence to acknowledge that in certain, and in very specific, circumstances violence can be justified? The justification of violence, to put the point across starkly, is context-dependent. One ready example that comes to mind is the infliction of some degree of harm to avert a larger harm. Picture someone who tries to forcibly prevent a child from rushing into a busy street and, in the process, inflicts injury upon the child. It will hardly be fair to the person, who has saved the child from serious harm, if we condemn her for exerting force when she pulled back the child and bruised the latter's forearm. A surgeon dexterously wields a knife to remove a malignant tumour and the patient suffers pain. This sort of harm can hardly be seen as a wrong because it is essential for the health of and the reasonable certainty of a longer life for the patient. Violence in such cases is certainly unavoidable.

Other circumstances come to mind. The police may be forced to fire on a gunman who holds a busload of children hostage. Axiomatically persons who perpetrate violence on others have to forfeit their own rights. If the state participates in, or sanctions or is inactive when a minority group is subjected to ethnic cleansing, surely the group under attack is justified in using violence to save the lives of members. Matters are different when it comes to, say, gang wars. There is nothing to justify violence here, not the context, not the objective and not lack of intention. In other cases cited above, violence is justified simply because there is no other way of preventing harm.

Violence, it follows, is not a mode of politics that lends itself to a general defence. It can be defended only with reference to the context, even as we acknowledge the high costs attached to violence. And that violence carries high costs is undeniable. The poet Amreeta Syam scripts an imaginary conversation between Subhadra married to the hero of the epic *Mahabharata* Arjun and Lord Krishna in the poem 'Kurukshetra'. The Great War of the *Mahabharata* has generally been

understood as a war of the just against the unjust, a war of the righteous against the unrighteous. The human costs of the war were nevertheless beyond compare. It is precisely these costs that Subhadhra asks the God to account for. Because her young son Abhimanyu was brutally killed in the Great War, she in despair introduces a subversive note into the dialogue: 'This is a fight for a kingdom/-Of what use is a crown/ all your heirs are dead/When all the young men have gone/ ... And who will rule this kingdom/So dearly won with blood/A handful of old men/A cluster of torn hopes and thrown away dreams.'¹ The passage forces us to think: with what is society left after a civil war? Considering the sort of damage that is caused by violence, the issue of justification of this mode of politics has to be negotiated with some care and caution. We have to tread warily on great many eggshells to address the issue.

By reason of objectives

We could try to justify revolutionary violence in terms of its objectives. That is we could waive judgement on the costs of political violence because we endorse the purpose of the project: the creation of a social order based on equality and dignity for all. Faithful to the tradition of revolutionary war, we can argue that in a supremely unjust society violence has to be the midwife of history. There is simply no alternative. But this is a transitory phase. What will follow certain destruction is the equally certain birth of a new society tilted towards those who are poor and exploited and far removed from exploiters and potential exploiters. We can easily buy into the teleology of revolutionary guerrillas and support long-term interests against immediate costs such as harm.

The problem is that we just do not know. We have no way of knowing whether route V (violence) will lead to a preferred goal U (Utopia). Political predictions are hazardous at the best of time, and history teaches us that too many factors will, undoubtedly, intervene

between the outbreak of political violence and the realization of the objectives of this form of violence. History after all brims over with best laid plans wrecked by contingency. Fortune, wrote Machiavelli, is the arbiter of one half of our actions. We can take precautions to protect ourselves against misfortune. But fortune 'shows her force where there is no organized strength to resist her; and she directs her impact there where she knows that dikes and embankments are not constructed to hold her'.² We also know of stories of political violence that lead nowhere except to the reproduction of violence. To justify violence in terms of its consequences might pave the way to political hell at worst and political imprudence at best. So, we will have to look elsewhere and appeal to other sorts of arguments to see whether they provide better sorts of justification of revolutionary violence. Can theories of political obligation and civil disobedience help us to justify revolutionary violence?

By reason of civil disobedience

In 399 BC, an Athenian jury found Socrates guilty of impiety and of corrupting the morals of the youth and ruled that he should be put to death by drinking hemlock. Thus was the death of a man widely regarded as the veritable fountainhead of philosophical reflection and wisdom scripted. On the eve of the execution, Crito and other friends visited Socrates and urged him to escape and take refuge somewhere else in order to avoid execution. The Socratic response to this plea in Plato's work *Crito* lucidly outlines why we ought to obey the laws of the state, or why we are bound by ties of political obligation.

What should I say, demands Socrates, if the community of the city-state of Athens comes before me and asks in some perplexity why I propose to run away on the eve of my execution? They have the right to ask this question, suggested the philosopher. For after all my stay in the city-state was proof enough that I was satisfied with

my surroundings. They will remind me, Socrates tells Crito, that more than any other Athenian I stayed at home and hardly ventured out, apart from the one time I went to the Isthmus, to see the sights, or when I served in the army. They will hark back, he said, to the days when I showed absolutely no interest in knowing another city or other laws. 'We and our city' were sufficient for you. 'So vehemently were you choosing us and agreeing to be governed in accordance with us that among other things you also had children in it, as though the city was satisfactory to you'. Above all, they will tell me, Socrates admonishes his friend, that at the trial I could have chosen exile but I chose death. 'And you are doing' they will allege, 'what the paltriest slave would do: attempting to run away contrary to the contracts and agreements according to which you contracted with us to be governed. So first, answer us this very thing: whether what we say is true or not true when we claim that you have agreed in deed, but not in speech, to be governed in accordance with us'.³

A complex argument on why we obey the laws of the state is embedded in the heart of the Socratic response. Continued residence in a country and obedience to laws indicates that we tacitly accept the state as legitimate and as worthy of being obeyed. If we are unhappy, we can always opt for another country, another society and another set of laws. In the subsequent part of the response, Socrates noted that the state had begotten, nurtured and educated him just like a parent. For this, its citizens owed it gratitude and fidelity in the same way as one owes fidelity to parents.

The Socratic notion of political obligation anticipated contemporary explanations of why we obey the state by several centuries. Political theorists tell us that we are bound to obey the laws of the state simply because we accept benefits offered by the institution. We participate in a number of transactions within the framework set by the state. Above all, the freedom to choose one's representatives indicates tacit consent to obey the laws.⁴ It follows that for Socrates, and for scholars who track his theoretical footprints, the question of disobeying the state does not arise, not really.

It is true that for the most part we obey the laws of the state we are born into, or the state we choose to live in, without greatly thinking or agonizing about it. But, there comes a time when many of us wonder why we should obey the laws of a state that has been found wanting. Why should we pay taxes when we know that massive thefts of public money line, nay pad the pockets of the representatives we elected to stand-in for us, and our interests, in legislative assemblies? Why should we obey laws of a government that watches in silence while thousands of its citizens are massacred and rendered homeless in communal and caste riots? Why should we obey a state that subjects its own citizens to triple disadvantage? And, why should we obey a state that enacts laws not worthy of being obeyed?

The dilemma to obey or not to obey a palpably immoral and unjust law was powerfully posed by Sophocles (495–406 BC) in his formidable play *Antigone*. Antigone daughter of Oedipus, who we have met earlier in this essay, defies the edict of King Creon of Thebes that her brother's corpse should not be entombed, and that it should be left for the birds and vultures to feast on. This act of disobedience has a history, as most acts of disobedience do. After the death of Oedipus, his two sons Eteocles and Polynices battled for the throne, and both died during the course of the war. Their uncle Creon, brother of their mother Jocasta, ascended the throne of Thebes. He ordered that the defender of the city state, Eteocles, should be buried with honour. But no funeral rites should be performed for the aggressor Polynices. Disregarding this palpably unfair law, Antigone performs the rituals of death and buries her brother's body with reverence and honour. Not surprisingly, Antigone is hauled up before a furious Creon: 'thou didst indeed dare to transgress that law'. Unfazed Antigone replies thus: 'Yes; for it was not Zeus that had published me that edict: not such are the laws set among me by the Justice who dwells with the gods below; nor deemed I that the decrees were of such force, that a mortal could override the unwritten and unfailing statutes of heaven. For their life is not of to-day or yesterday, but from all time, and no man knows

when they were first put forth.⁵ Her justification for disobeying the laws of the state is simply this: when laws offend the rules and norms laid down by justice who dwells with the Gods, they are not worthy of being obeyed. Morality and the laws of God override man-made laws in every instance.

In Sophocles' power-packed play, Antigone anticipated an argument that a great man Gandhi was to make in the context of colonialism in the twentieth century. If laws violate the precept of natural justice, and if our conscience tells us that they are amoral or immoral, we have the natural right to follow the dictates of morality and disobey these laws.

Gandhi's philosophy, it well known, was heavily influenced by David Thoreau's reputed work on *Civil Disobedience*, which he seems to have read in 1907; that is a year after he had launched a protest against South African pass laws. Interestingly, civil disobedience does not imply that citizens should renege on political obligation or refuse to obey the state. On the contrary, for Gandhi, we must respect the legal system in the country. Nevertheless, we have the right to protest against a specific law that we are convinced is unjust in some way, or because it violates our considered moral convictions. What we do not do is to challenge the system of law. Therefore, we must readily accept punishment with good grace.

For Gandhi, moral judgement is infinitely higher than any law made by human beings. So we are perfectly right in disobeying a law that contravenes natural justice. The philosophy of satyagraha in Gandhian thought provides the foundation for civil disobedience against specific laws enacted by the state and against undesirable practices within the community. The satyagrahi's are moral exemplars. They have to prepare themselves for the task with dedication and humility. More significantly, the aim of satyagraha is not to humiliate or defeat the opponent but to convert him or her.

Can civil disobedience help us justify revolutionary violence? Perhaps not, because the theory presumes that the state is legitimate.

The argument can hardly help us justify revolutionary violence, which rejects the state. We will have to turn to other quarters to understand the political significance of rejecting the state.

By reason of self-defence

Most political theorists concur that the only time violence can be justified is in cases of self-defence or defence of others. We possess the fundamental and inalienable right not to be harmed, injured or killed. The corresponding proposition is as follows: if we injure or kill the person who intends to do us harm, we cannot be held culpable. Our right to life is of such overwhelming significance that it overrides the right to life of those who threaten us. Their right to life and to bodily integrity has simply lapsed. But while defending ourselves, we should take care that we do not use violence in excess of the violence used against us. Just that much, no more, measure for measure, not a penny less, nor a penny more. These arguments, which come mainly from the literature on just war, focus on the proportionality of violence used in primarily self-defence.

The right to defend oneself against attack has been reiterated by the Indian Supreme Court. In a recent case, the Court reminded Indian citizens that Parliament in enacting sections 96 to 106 of the Indian Penal Code 'clearly intended to arouse and encourage the manly [sic] spirit of self-defence amongst the citizens when faced with grave danger. The law does not require a law abiding citizen to behave like a coward when confronted with an imminent unlawful aggression ... there is nothing more degrading to the human spirit than to run away in face of danger'. The right of private defence, ruled the court, is designed to serve a social purpose and deserves to be fostered within prescribed limits.

The court went further than upholding the right to self-defence. Whereas the right to protect one's own person and property against unlawful aggression is an inherent right, we also have a duty to

protect the person and property of others against such aggression. This duty, the court stated, is owed by man to society of which he is a member, and the preservation of which is both his interest and his duty.⁶ In pursuance of this logic, the Supreme Court ruled that the accused had to satisfy the court that he was faced with an assault that caused a reasonable apprehension of death or grievous hurt, in order to be declared not guilty. The basic presumption of the ruling is that individuals can use violence to defend themselves and others against murderous attacks, only and only if no functionary of the state is around to protect them at that point of time and space. The right to self-defence is an individual right that can be used only in limited circumstances.

It follows that individual right to self-defence can be extended to a collective right of self-defence in, for example, cases of ethnic cleansing only and only if state structures have collapsed. Whether self-defence is a collective right in cases of genocide or ethnic cleansing, when the state has *not* collapsed but is merely inactive, is debatable. Whether this right can be used to register protest or in pursuance of a project to transform the state is even more debatable. The right to self-defence is not a right that a collective, an ethnic group or a revolutionary party can exercise against a state.

By reason of mandates

Arguably, revolutionary violence can be justified only and only if the state, which shapes the political context in which we live and work, has betrayed its mandate or violated the principles that grant it legitimacy in the first place. States are authorized to rule for specific purposes, notably the well-being of the people and protection of their interests. When states fail to discharge the mandate that has given them authority, arguably people have reason to revolt against the state.

This reasoning goes back to antiquity. In *Santi parva*, the twelfth episode of the epic *Mahabharata*, after the Great War the patriarch

Bhishma tutors the new monarch of Hastinapur, Yudhishtar, on the responsibilities of the ruler. Yudhishtar, convulsed with grief at the massive loss of lives, including that of his brother Karna, his sons and his nephews during the war, agonizes whether it is worthwhile to take up the reins of kingship. What he wonders is the point of power, if the path to this goal is drenched with the blood of his own people? 'Indeed' he ruminates, 'the whole Earth hath been subjugated by me ... This heavy grief, however, is always sitting in my heart, viz., that through covetousness I have caused this dreadful carnage of kinsmen.'⁷

He is advised to seek the advice of the patriarch Bhishma, master of the art of kingship who since the Great War has lain on a bed of vertically planted arrows, waiting for an appropriate time to order his own death. Yudhishtar approaching the great hero utters these words with some trepidation; 'persons conversant with duty and morality say that kingly duties constitute the highest science of duties ... Do thou, therefore, O king, discourse on those duties.'⁸ Bhishma's discourse on kingly duties, or on *Raj-Dharma*, is known as the *Santi Parva*, a text that belongs to the genre of tutelage literature. Bhishma wends a leisurely way through advice on statecraft, and knowledge of geography, metaphysics, the cosmos, mythology, genealogy, history and Sankya and Yoga philosophy, to finally arrive at the question of what the ruler owes his people.

In section LIX of the *Santi Parva*, Yudhishtar asks Bhishma about the origins of kingship and of the symbol of power the *danda* or the sceptre. The reply to this question is familiar to all students of political theory, the deterioration of the original habitat of human beings that is the state of nature, and the social contract that rescues them from an increasingly insecure state, though the terminology is different. The commencement of sovereignty, according to Bhishma, begins with the degeneration of human beings, and their inability and their unwillingness to abide by the laws of *dharma*. 'At first there was no sovereignty, no king, no chastisement, and no chastiser. All men used to protect each other righteously.' But after some time, they began to

find this task painful because perceptions of men came to be clouded by lust, by avarice and by covetousness. Virtue began to decline. 'And because men sought to obtain objects, which they did not possess, another passion called lust (of acquisition) got hold of them. When they became subject to lust, another passion, named anger, soon soiled them. Once subject to wrath, they lost all consideration of what should be done and what should not.' Righteousness was lost.⁹

The pre-political state of nature was not asocial, what it lacked was a ruler who could mediate and rule in conflict situations according to righteous laws. In another space, and at a time much later in history, John Locke was to similarly speak of the need for a state that could interpret and implement the law of nature. The *Santi Parva* not only anticipated John Locke but also Thomas Hobbes. Beset by greed, men in the pre-political state began to devour each other, a classic case of the big fish devouring small fishes – *matsyanyaya*. Overcome by fear, and wracked by uncertainty, a few inhabitants of the state of nature assembled and via divine intervention made certain compacts to regulate relationships with each other. Very soon, they realized that without a king who wielded the symbol of sovereignty and chastisement, the sceptre, they would be destroyed. Covenants without swords, as Hobbes was to write later, are mere words.

The Gods, says Bhishma to Yudhishtar, then created the institution of kingship for one main objective, the protection of the people. 'If there were no king on earth for wielding the rod of chastisement, the strong would then have preyed on the weak after the manner of fishes in the water.'¹⁰ In return, the inhabitants of our pre-political state promise to give the ruler a fiftieth part of their animals and precious metals, and a tenth part of their grain, committed to offer him beautiful maidens who reach the age of marriage and also render to him a procession of accomplished men skilled in the use of weapons.¹¹ This commitment holds *as long* as the ruler, Bhishma tells Yudhishtar, rules in accordance with dharma.

At first glance, the concept of dharma is not very helpful, since dharma – understood basically as righteous conduct – applies as

much to the individual as it does to society, and as much to inter-social relations as to the foundations of law and governance. In the *Mahabharata*, suggests philosopher Chaturvedi Badrinath, who has translated and interpreted the epic, concepts are not defined, because definitions are by their nature arbitrary. A concept is elaborated, understood and manifested in terms of its attributes or Lakshanas.¹² If we extrapolate from the generic concept of dharma, the attributes of kingly dharma are as follows.

The first property of *Raj-dharma*, *prabhavaya*, is that of nurturing, cherishing, providing more amply, endowing more richly, prospering, increasing and enhancing, in short providing for well-being and flourishing of the subjects. The second property of *Raj-dharma* is *dharna*, or holding-together, supporting, sustaining and bringing together all human beings. This particular aspect of *Raj-dharma* emanates from the philosophy of non-dualism or *Advaita*. According to this branch of Indian philosophy, human beings are neither separate from the divine, nor from each other. The other is a part of me as much as I am a part of her. It follows that if I hurt someone, I hurt myself; I violate my own integrity. In contrast to individualism, the Indian political philosophy tradition endorses a social and relational concept of the self. Not only is the construction of divisions between human beings or the forging of notions of 'us' and 'them' highly arbitrary, it is completely unnecessary. In order to complete ourselves as human beings, we have to recognize our connectedness with each other. This *Raj-dharma* must ensure. In political terms, the concept of *dharna* implies that a righteous king cannot sunder non-dualism by making artificial divisions between those who belong and those who do not.

The third property of *Raj-dharma* is that of non-violence or *ahimsa*.¹³ The monarch has to protect the people from violence. In Indian philosophy, the notion of violence is closely connected to ignorance about our own nature and of our relationship to others and to the world. Enlightenment dissipates violence and enables us to choose between our propensity to violence and non-violence. Non-violence, therefore, cannot be seen as cowardice. Human beings make

ethical choices when they chose non-violence over violence. In the aftermath of the Great War that caused suffering on an unprecedented scale, the *Santi Parva* places great importance on non-violence as the highest dharma and as the highest truth.

These three injunctions of *Raj-dharma* are part of a larger mission of the ruler. The king has to protect all creatures, even if he finds them odious. That is his rule has to be impartial. He is not expected to make any distinction whatsoever between his subjects. He protects them from external impediments such as threats of violence, but he also provides the preconditions of material flourishing. 'As the mother, disregarding those objects that are most cherished by her, seeks the good of her child alone, even so, without doubt, should kings conduct themselves (towards their subjects). The king that is righteous ... should always behave in such a manner as to avoid what is dear to him, for the sake of doing that which would benefit his people'.¹⁴

More significantly, if the purpose of the state is to protect the small fish from the big fish, the ruler must certainly not turn into the big fish himself. On the contrary, power is meant to protect the weak. The king who follows the path of dharma is the creator; the king who is sinful is the destroyer. The ruler should beware of exploiting the weak, for their eyes can scorch the earth. 'In a race scorched by the eyes of the weak, no children take birth. Such eyes burn the race to its very roots ... Weakness is more powerful than even the greatest Power, for that Power which is scorched by Weakness becomes totally exterminated.' 'If a person, who has been humiliated or struck, fails, while shrieking for assistance, to obtain a protector, divine chastisement overtakes the king and brings about his destruction.' The divine rod of chastisement falls upon the king. In injustice, a great destruction comes upon the king.¹⁵

The chief concern of dharmic political thought is the source of power, the objective for which power is exercised and the limits to power. It follows that if these limits are breached, revolt is justified. When dharma becomes adharmā or that which is not dharma, or when oppression and violence follow abuse of power, then people who have

entered into a contract with the ruler via divine intervention have the right to emancipate themselves from a rule that has not lived up to its own mandate. The rules of dharma are also rules on the limits of power. The rules of dharma are also the rights of the ruled to expect that the state will protect them without fear or favour.

The notion of protection in return for obedience looms large in theories of the social contract authored in seventeenth century England as well. Thomas Hobbes (1588–1679) and John Locke (1632–1704) argued that free men establish the state for certain purposes and objectives. Aristotle had told us that the state is the natural habitat of man. The social contract theorists performed a spectacular U-turn in political theory and suggested that the natural habitat of man is the state of nature. The state is an artificial creation, established to perform certain duties. Conversely, men are obliged to obey the state up to the point it abides by its mandate. Once the state lapses on its responsibilities, political obligation dissolves.

Locke grants to full members of the political community the power to remove the government if it does not abide by the terms of the original contract. Governments are dissolved when the legislature, or the prince, act contrary to the trust that the people have vested in them. Revolutions do not happen because of little mismanagement in public affairs. What people will not tolerate is abuse of power.

Great Mistakes in the ruling part, many wrong and inconvenient Laws and all the *slips* of human frailty will be *born by the People*, without mutiny or murmur. But, if a long train of Abuses, Prevarications and Artifices, all tending the same way, make the design visible to the People, and they cannot but feel, what they lie under, and see, whither they are going; 'tis not to be wonder'd, that they should then rouse themselves, and endeavour to put the rule into such hands, which may secure to them the ends for which Government was at first erected.¹⁶

Thomas Hobbes is considered to be a theorist of the absolutist state rather than a theorist of democracy. And yet even he grants to his individual the right to disobey the state if it violates its mandate. According to Hobbes, self-preservation, the basic instinct of human

beings, is the chief reason for the establishment of the state in the first place. Accordingly, men retain the right to resist certain acts that will indisputably harm them. If the sovereign commands a man to kill, wound or maim himself, resist assaults or refrain from the use of food, air, medicine or any other item without which he cannot live, he has the liberty to disobey these commands. A subject has also the right *not* to go to war even if the sovereign commands him to do so, provided he can send someone else in his place, and provided the commonwealth is not under grave threat.

We see that there is more to self-preservation in the Hobbesian vision than the negative right not to be harmed. The sovereign cannot withhold any good that might harm the individual. The two sets of obligations, which serve to limit the power of the Hobbesian sovereign, correspond to what later came to be called negative and positive obligations of the state. There are certain things a sovereign must *not do* to his subjects, for example torture or imprison them. And there are certain things that he *must do* for them: ensure that they do not die of thirst or malnutrition, lack of fresh air or uncured disease. Both these obligations are built into the contract that sets up the institution of sovereignty and endows it with legitimacy, and the ability to command obedience.

Hobbes goes further than this and writes the end of sovereign power is the safety of the people. By safety is not meant bare preservation but also access to all the 'contentments' of life, which every man by lawful industry, without danger, or hurt to the commonwealth, shall acquire to himself. That is the sovereign is obliged to protect the gains that men obtain through their own industry, on condition that these gains have been acquired lawfully, and as long as economic activity does not harm the commonwealth. The Leviathan, in other words, must respect the property of his subjects.

What of men who are unable to acquire the 'contentments' of life for some reason or the other? Here Hobbes adds another twist to the tale of sovereign power. The monarch is obliged to protect people

who cannot maintain themselves or their families and ensure that the poor do not have to depend on the charity of private persons. Hobbes, in sum, grants to his individual not only the right to resist any threat to bodily integrity, and the right to expect that the state will provide for him, but also that the state will respect the outcome of lawful labour. When certain classes of people cannot participate in economic transactions for some reason or the other, it is the duty of the state to take care of them. Expectedly, the obligation of the subjects to obey the sovereign lasts only as long as the power that protects them, and that ensures security, lasts. If it ceases, individuals have the right to take any action that is necessary for their self-preservation. This is one right, recollect, that has not been transferred to the state.¹⁷ Though the jury is still out on the question of whether Hobbes grants to subjects the right to revolution, clearly he lays down limits on the rule of the Leviathan.

Democracy, justice and resistance

We get a glimpse of the mandate of the ruler, the principles upon which the state has been established, his obligations towards the people, the limits on power and the limits of political obligation. These obligations and limits are particularly strong in democracies for the simple reason that the body of citizens authorize the state to rule through express consent, notably *vide* the route of elections, and because fundamental rights, which are independent of a particular dispensation prescribe limits on state power.

The most significant fundamental right in a democracy is that of equality. The principle that forms the very presupposition of democracy – universal adult franchise – codifies the norm of equality, indeed it stands as a metaphor for equality. Equality as a palpably moral norm codifies a powerful presumption: the equal moral worth of persons. Persons are equal because each human being has certain capacities in common with other human beings, for instance the

capacity to make their own histories in concert with other similarly endowed human beings. Of course, the histories that persons make might not be the histories they chose to make, but this is not the issue at hand. What is important is that each person possesses this ability.

The principle of equal moral worth generates at least two robust principles of political morality. First, equality is, morally speaking, a default principle. Any deviations from the norm have to be justified by the state. Therefore, and this is the second postulate, persons should not be discriminated against on grounds such as race, caste, gender, ethnicity, disability or class. These features of the human condition are morally irrelevant.

If someone were to ask 'equality *for* what', we can answer that equality assures equal moral worth and hence equal standing of persons, and that equal standing is an essential precondition for participation in the multiple transactions of society. For example when we line up to exercise our franchise in the neighbourhood polling station, our vote is as equal as that of the 'man' next door, even if he is far wealthier and far more privileged than we are. The precept of political equality logically implies that we should be able to participate in economic, cultural, social and political transactions on the same basis as we cast our vote. In, for instance, public deliberations, my voice has to be given as much weight as my neighbour who is so much more wealthy and powerful than I am. If he is given more importance simply because he is richer, my standing is diminished.

The significant point is that different forms of equality, political, economic and social are not distant cousins; they are constitutive of democracy itself. Yet, most democracies easily live with basic contradictions in society; political equality and social and economic inequality. We hardly require a colourful or an overripe imagination to comprehend that social and economic disparities spill over into the political domain and hamper political equality. The poor are not only likely to be socially marginalized, humiliated, dismissed and subjected to intense disrespect in and through the practices of everyday life, but

also rendered politically insignificant in terms of the politics of 'voice' as distinct from the 'vote'. And now consider the power of wealth; politicians use money to buy votes, the owners of capital buy politicians and the media owned by powerful houses of capital shapes public opinion in 'this' or 'that' image.

No conception of democracy can ignore the fact that social disparities greatly inhibit the realization of the basic principle of democracy – political equality. Therefore, if the democratic state wishes to ensure that political equality is not compromised by social and economic inequality, it has to provide basic social goods, such as education, health, shelter and remunerative employment to its citizens. Though all citizens have a right to these goods, the state has a special responsibility to those people who are unable to participate in the transactions of the market.

For many policy planners, the market is the answer to all our problems. They overlook that the institution of the market is supremely amoral inasmuch as it is completely indifferent to those cannot buy, and those who find no buyers for what they sell, for example their labour. It is precisely at this point that the democratic state is expected to step in and provide social goods to people on non-market principles. The failure of the state to do so results in the production of new inequalities and the reproduction of old ones.

A rider needs to be inserted here. The objective of redistributing resources is not only that people should get just so many resources, precisely so much cash, exactly so much education and specifically so much health care. Access to resources is important because these resources allow people to participate as equals in the various transactions of society from the household to the state. If they are subjected to extreme deprivation and discrimination, and if they do not have voice, their ability to do so peters out. This diminishes human beings. Equality is a relational concept, and if people cannot participate in transactions from a position of equality, we have the spectre of lessened, devalued and demoralized human beings on our hands.

By reasons of democratic justice

Redistribution of resources to provide basic needs to every person is also crucial for the realization of justice. Justice is not exclusive to democracy, for every tyrant seeks to legitimize unacceptable acts by reference to some or the other notion of justice. Logically, in democratic societies, justice codifies and reflects the basic precept of democracy and the reason why this form of government is seen as legitimate: equality. The principle of democratic justice, condensing as it does the norm of equality, holds that each person has an equal right to share in the benefits of society. By the same logic, no one can be compelled to bear more than her fair share of the burdens of that society. The benefits and the burdens of society, in short, have to be distributed as equally as possible.

If this principle is violated in any way, by deep-rooted inequalities for instance, citizens have the right (vide freedom of expression and the right to form associations) to prise open political norms for debate and re-negotiation in civil society. In most societies, secularism and religion in the public sphere, equality and egalitarianism, freedom and license, constitutional and moral rights, gender rights, the rights of sexual minorities and notions of remedial and retributive justice are the subject matter of intense debate and often-fraught confrontations. Some of these debates fall within accepted parameters of democracy and justice. Others do not, become a matter of controversy and have to be thrashed out in the domain of civil society and/or the judiciary. Such debates, howsoever unresolved or disjointed they may be, are politically momentous in so far as (a) they validate the equal right citizens have to participate in the making of decisions and (b) reiterate the right of citizens to debate on the norms of justice.

In other words, in democracies, citizens have the basic right to 'voice'. We can vote out a particular regime through careful and strategic use of the franchise. We can participate in collective action in civil society, build up informed public opinion and compel the government to heed us. We can tap the energies of civil liberty activists to help safeguard

lives and liberties. We can approach the judiciary and appeal to constitutional provisions to defend cases of violations of civil liberties. We can agitate, take out processions, demonstrate, undertake fasts and use the media to protest against undemocratic and unjust laws. And we can pillory the state at the bar of international opinion. But this is possible only if we have voice or a presence in civil society.

If identifiable groups are unable to participate in these transactions simply because their members are trapped in double disadvantage and injustice, they have been treated unjustly. Double injustice acquires an added dimension of injustice when members of these groups are deprived of voice in the public domain of politics, and thereby denied the opportunity of bringing influence to bear upon the state through collective action. If they had voice, their plight might not have been quite as acute as it is today. But it is precisely this right of participation in public debate as equals, or the right to voice beyond elections, that is denied to the poor who are already deprived and discriminated against. The denial bears grim implications, for if people are denied voice, they are deprived of the opportunity to protest against violations of social and civil rights.

Let us now confront the question that lies at the heart of this argument. If in a democracy, for example India, sections of people are locked into triple injustice, are they still bound to obey the state? If extreme deprivation persists, if social discrimination is continuously reproduced and if groups lack voice as distinct from the vote, do people not have the right to pick up arms against a state that has lapsed on its own mandate and betrayed democracy? Perhaps they have no other option. These options are either not available or have been exhausted.

Note that it is not only extreme deprivation and/or social discrimination, which justifies revolutionary violence; the crucial factor that justifies this form of politics is *lack of voice*. If people cannot participate in public discussions and claim that they bear a disproportionate share of the burdens of a society, and that they have not been given access to a fair share in the benefits of a society, this constitutes serious betrayal of the basic concept of democratic justice.

Is this reason enough to justify revolt against the state? *Prima facie*, we are compelled to agree that in circumstances stamped by triple injustice revolutionary violence can be justified.

Conclusion

Revolutionary violence can be defended on three grounds. First, we can justify Maoist violence in terms of long-term goals. The problem is that we simply do not know whether these goals will ever be achieved. Second, we can see what the limits of political obligation and reasons for civil disobedience against the state are. But civil disobedience does not involve rejection of the state. And it is precisely this rejection that constitutes the central plank of the revolutionary agenda. The third ground for justification is self-defence. However, whether this right can be used against the state as a mark of protest, or in pursuance of a project to transform the state, is debatable.

The political context that allows us to see revolutionary violence as *prima facie* justified is the production and reproduction of triple disadvantage and injustice. This infringes the basic principles of democratic justice three times over. In India, the inability of the triply disadvantaged to participate in public debates on re-negotiating justice is a damning comment on the failure of the democratic states to institutionalize justice, that is, ensure a fair share of the benefits and burdens of society to each citizen. It is an equally damning comment on the ability of the democratic state to live with the fact that millions of people in poverty-stricken areas have been compelled to shoulder a disproportionate share of the burdens of society. They do not share in the benefits of this society, and they do not have voice in the public deliberations of civil society or in collective action. In addition, they have become targets of state violence that ranges from torture, to encounter deaths, to mass graves, to killings of innocent people.

Social injustice deprives citizens of their due right to participate in the multiple transactions of their society with a sense of self-worth,

and state violence deprives them of their basic civil liberties, notably the right to life. Above all, people lack voice. This is a serious infringement of the basic precepts of democracy, because all roads to justice are, thereby, blocked. If they pick up the gun and aim it against the state and its officials, or if they support a group that struggles for a just society, is this *prima facie* justified? A *prima facie* 'yes' might be in order here. But this is not the end of the story. Even if we justify revolutionary violence with reference to the context of triple injustice, an exploration and evaluation of this form of politics remains on our agenda.