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Civil Resistance, Transformative Nonviolence and the State

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Nonviolent political action has played a significant role in achieving social and political change in the last century, and continues to be a vital feature of many campaigns for democracy, human rights and social justice. Mahatma Gandhi and Martin Luther King were prominent proponents of nonviolence in the twentieth century, but nonviolent political action has also been central to toppling communist regimes in Eastern Europe, and more recently in pro-democracy popular movements in Serbia, Georgia and Ukraine. The so-called 'Arab Spring' (especially in Tunisia and Egypt) and popular responses to the current global financial crisis, in the form of the 'Occupy Wall Street' movement, demonstrate once again the widespread appeal and continuing relevance of this type of political action.

The role of the state is a central issue for any theory of nonviolent political action. In conventional Western political theory, a defining feature of the state is its monopoly over the legitimate use of violence. On the one hand, a central function of the state is to limit, control and contain the use of violence within (and between) societies. On the other hand, a central characteristic of the state as a form of political organisation is that it retains violence as its ultimate sanction or method of enforcement and security.

Thus, nonviolent political action maintains an ambivalent relationship with the state. Many examples of nonviolent political action operate within the constraints of the state as a form of political organisation, seeking to make it more democratic, or more respectful and protective of human rights. However some proponents of nonviolence, especially those with a structural analysis of the role of violence in maintaining social order, or those with ethical objections to the use of violence, recognise a critical tension between nonviolence and the state as a form of political organisation. Due to its fundamental dependence upon violence as a mechanism for maintaining social order and ensuring security against internal and external threats.

Leo Tolstoy's Christian pacifism, for example, led him to reject the centralised, hierarchical state as a form of political organisation. Mahatma Gandhi's attitude towards the state was more ambivalent, perhaps since he recognised its importance in maintaining the rule of law, while exploring smaller-scale, more direct forms of political organisation relevant to the lives of rural Indians. Gene Sharp promotes nonviolent political action as an effective way of mobilising popular resistance to the centralised power of the state, dominated by self-serving elites. Many of the examples of civil resistance documented by Adam Roberts and Timothy Garton Ash in their edited volume *Civil Resistance and Power Politics* aim at establishing or restoring democratic governments within conventional state structures, however. As Roberts points out: 'When leaders of even the most determinedly non-violent movements have come to power in their countries, they have generally accepted the continued existence of armed forces and other more or less conventional security arrangements' (Roberts, 'Introduction' to Roberts and Ash, 2009, p. 20).

We can distinguish between two types of nonviolent political action, civil resistance and transformative nonviolence, based upon their attitude towards conventional state structures, and their view of nonviolence as having either instrumental or ethical and structural significance as a form of political action. If we look at nonviolent political action not only as a method for achieving specific political objectives or even undermining and replacing a ruling regime, but also as a mechanism for releasing or liberating popular power, then perhaps we can see its transformative potential more clearly. In other words, rather than aiming only at regime change or regime improvement, perhaps it can aim at

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a more profound structural transformation of society, in which we create alternatives to conventional social and political structures (such as the state) that depend ultimately upon the suppression of popular power and the use of armed force or organised violence to maintain themselves. This transformative vision allows us to move beyond an instrumental assessment of nonviolent political action to an examination of its ultimate political and social objectives.

The purpose of civil resistance is essentially to defend the principles and institutions associated with liberal democracy, such as regular democratic elections and human rights or civil liberties. This can be done through protecting or promoting conventional state structures. Transformative nonviolence, on the other hand, seeks both to liberate popular power and to eliminate violence as a method of social control and political change. Rather than defending the liberal democratic state, this often involves challenging and even seeking to replace the state as a form of social and political organisation.

Civil Resistance

Civil resistance is often identified as a third or separate category of political action, distinct from both conventional parliamentary or constitutional political activity and various forms of violent or armed resistance against unjust, oppressive and authoritarian states or an aggressive, occupying power. Thus, civil resistance can be defined as collective action outside the formal institutions or procedures of the state that avoids the systematic or deliberate use of violence or armed force to achieve its political or social objectives.

Civil resistance does not employ violence, not out of any pacifist or moral conviction, but because violence is not necessary for its effectiveness. In fact the use of violence can undermine its effectiveness, which depends upon the capacity for mass or popular political mobilisation. 'Injecting violence into a struggle destroys the potential for involving an entire people in self-reliant civil resistance' (King, 2008, p. 24). The significance of nonviolent popular mobilisation for the political effectiveness of civil resistance is often explained by means of the consent theory of power, according to which 'political power rests ultimately on the cooperation of the ruled' (King, 2008, p. 23). The withdrawal of such cooperation, obedience or compliance is central to the methods of civil resistance or nonviolent political action.

Civil resistance groups (non-governmental organisations or social movements) must restrict themselves to exclusively nonviolent forms of political action because only states retain the right to the legitimate use of violence, both domestically (for law enforcement) and internationally (for self-defence), in accordance with conventional Western political theory. Civil resistance groups (as non-state actors) have an obligation to limit themselves to nonviolent forms of political action in accordance with this view of state legitimacy (connected to social contract theory). They do not choose nonviolence out of a sense of morality that somehow makes them ethically superior to the state. Instead, they are morally obliged to pursue exclusively nonviolent forms of political activity because the definition of state legitimacy includes its monopoly over the use of violence.

Transformative Nonviolence

Transformative nonviolence, on the other hand, challenges not only oppressive or authoritarian regimes, but also conventional state structures and forms of state power, whether they appear in the form of the liberal democratic state or not. It does so on the basis of forms of popular political power that do not revolve around hierarchical structures such as the state, and also through its opposition to the systematic concentration of violence, legitimate or otherwise, in the institutions of the state. The critique of the state associated with transformative nonviolence is derived from both an alternative view of the nature of political power as well as its opposition to the institutionalised or systematic violence associated with the state as a form of political organisation.

Thus, some proponents of nonviolent political action suggest that one of the central tasks of nonviolence is to provide an alternative to the violence of the state. In his chapter on 'Nonviolence and the State', Richard Gregg claims that 'compulsion, intimidation and violence have been and still are a very large and perhaps predominating element in the state'. This is true both internationally, in the form of government expenditures on war and preparations for war, and domestically, through the criminal justice system and mechanisms of law enforcement such as prisons. He points to

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'state expenditures for prisons' and 'the administration of criminal law' as further evidence of the centrality of violence to the state (Gregg, 1960, p. 103).

Even though the concentration of the mechanisms of violence in the institutions of the state is justified or legitimated as a means to limit violence and maintain social order, as Douglas Lummis and others have pointed out the greatest perpetrator of mass violence during the 20th century, the century in which the state became the predominant form of political organisation worldwide, has been the state. 'In the twentieth century the state killed more than 200 million people', and 'most of the wars going on in the world are between states and some section of their own people' (Lummis, 2006, p. 320), certainly at the close of the century and the beginning of the current one.

This, according to Lummis, 'is the dark secret behind the state's claim to protect its citizens. The primal war of the state is the war the state fights against its people to found and to maintain itself (Lummis, 2006, p. 320). Western political theory may claim that the state is necessary to minimise violence within and between societies, but the historical evidence of the last century demonstrates the exact opposite. State power depends upon the threat and use of systematic, institutionalised and widespread violence, not only against the citizens of other countries but against its own citizens.

In conclusion, we can distinguish between two forms of nonviolent political action, civil resistance and transformative nonviolence, at least partly on the basis of their attitudes towards the state. Civil resistance aims to defend the principles and institutions associated with the liberal democratic state, such as regular democratic elections and human rights or civil liberties. Transformative nonviolence identifies specific limits to civil resistance as a form of nonviolent political action because of its acceptance of or allegiance to the state. Such allegiance involves both accepting the state's monopoly over the use of violence, and the curtailment or suppression of the public freedom or popular power derived from nonviolent political action. Transformative nonviolence on the other hand suggests that the ultimate aim of nonviolent political action needs to be new forms of social and political organisation that do not depend upon institutionalised violence as a method of domination, control and security, and that liberation rather than suppression of popular power is central to its effectiveness as a mechanism of political change.

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Iain Attack is Assistant Professor in the International Peace Studies programme at the Irish School of Ecumenics, Trinity College Dublin. He is the author of *The Ethics of Peace and War*, Edinburgh University Press, 2005.

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About the author:

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