

Part Three: Anti-Militarism and Related Struggles

bility of the research establishment.

Exactly. The thing about the film, *Unnecessary Fuss* that was so good wasn't just that it showed what they were doing to the animals, it was revealing the character and the attitudes of these people who were doing it. It was absolutely damning.

What about liberators who vandalize, destroy research equipment, etc?

I'm against vandalizing for lots of reasons, not the least of which is that it's bad strategy. What happens when you vandalize a lab is that it becomes the story. The story is not what was in that lab or what the animals were, it becomes "these vandals went in and stole animals." So it plays right into the hands of the research establishment. When we left NIH, we ran the sweepers, we washed the windows, we cleaned up, we polished. We made it as clean as it could be. All the signs were taken down, no spray paint, none of that stuff. It would just be detrimental. We were what I called Norman Rockwell radicals. We were middle America in a sit-in, and that's very important to appear that way and to be that way.

However, what I think is right strategy and right psychology is for the people who liberate animals to come forth and identify themselves as the people who did it. And this is what is really hard to do and a lot of people are going to turn off on me right there.

But the reason it's right strategically and right psychologically is because what it says is that they are confident enough when they broke in, that what they were going to reveal was going to be so powerful in terms of turning public opinion that the public is going to sympathize with them. When they come forward and say, "We're the ones who did this," now it's real civil disobedience. They've come back and are saying, "Punish us." Here's this devastatingly horrible stuff that the system

denies, covers up, and here they are, risking arrest, trial and imprisonment, but that's the price I think those kind of activists have to face.

If they're really going to perform the most important function for the movement, that is, to continue to sustain the story, that's why it's right strategy. As it is now, there's a break in, some stuff comes out, it gets dispersed, it gets forgotten. Now what sustains the story? What sustains the story is someone is getting punished. The story stays alive. It's right strategy. And what it says to the public is, "You cannot trust the government. You cannot trust the researchers. Here we are, up against the system. What the research establishment is doing to animals is so wrong, we're willing to go to jail over it." And the public will be more sympathetic. But I don't know anybody else who believes this.

Any advice for April 24th?

Yes. Because of the media's interest, we have to be mindful of why we are there and what we hope to accomplish. We'll be watched as much as we'll be listened to. Perhaps more so. The last thing animals need is another reason to ignore what's in their best interest. We must be absolutely certain we do not provide one.

Shall we be peaceful, civil, non-violent? Yes. That is the order of the day. But obedient? Not on this occasion. The spirit of April 24th demands that we go that one step further in our activism. We must be ready to violate the law, risk arrest, go to jail — not alone. Together. Throughout the entire nation. For the animals. On that day we join hands across America and disrupt the daily business of vivisection.

Be there.

What is Restorative Justice?

Restorative justice is a victim-centered response to crime that provides opportunities for those most directly affected by crime - the victim, the offender, their families, and representatives of the community - to be directly involved in responding to the harm caused by the crime. Restorative justice is based upon values which emphasize the importance of providing opportunities for more active involvement in the process of: offering support and assistance to crime victims; holding offenders directly accountable to the people and communities they have violated; restoring the emotional and material losses of victims (to the degree possible); providing a range of opportunities for dialogue and problem solving among interested crime victims, offenders, families, and other support persons; offering offenders opportunities for competency development and reintegration into productive community life; and strengthening public safety through community building.

Restorative justice policies and programs are known to be developing in more than 45 states, including a growing number of state and county justice systems that are undergoing major systemic change. Restorative justice is also developing in many other parts of the world, including numerous European countries, Australia, New Zealand, and South Africa. The principles of restorative justice draw upon the wisdom of many indigenous cultures from throughout the world, most notably Native American culture within the United States and Aboriginal/First Nation culture in Canada.

Specific examples of restorative justice include: crime repair crews, victim intervention programs, family group conferencing, victim offender mediation and dialogue, peacemaking circles, victim panels that speak to offenders, sentencing circles, community reparative boards before which offenders appear, offender competency development programs, victim empathy classes for offenders, victim directed and citizen involved community service by the offender, community-based support groups for crime victims, and, community-based support groups for offenders. As the oldest and most widely developed expression of restorative justice, with more than 25 years of experience and numerous studies in North America and Europe, victim offender mediation and dialogue programs currently work with thousands of cases annually through more than 300 programs throughout the United States and more than 900 in Europe.

Research has found restorative justice programs to have high levels of victim and offender satisfaction with the process and outcome, greater likelihood of successful restitution completion by the offender, reduced fear among victims, and reduced frequency and severity of further criminal behavior.

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Restorative Justice Signposts

We are working toward restorative justice when we

- I. ...focus on the harms of wrongdoing more than the rules that have been broken,
- II. ...show equal concern and commitment to victims and offenders, involving both in the process of justice,
- III. ...work toward the restoration of victims, empowering them and responding to their needs as they see them,
- IV. ...support offenders while encouraging them to understand, accept and carry out their obligations,
- V. ...recognize that while obligations may be difficult for offenders, they should not be intended as harms and they must be achievable,
- VI. ...provide opportunities for dialogue, direct Or indirect, between victims and offenders as appropriate,
- VII. ...involve and empower the affected community through the justice process, and increase their capacity to recognize and respond to community bases of crime.
- VIII. ...encourage collaboration and reintegration rather than coercion and isolation
- IX. ...give attention to the unintended consequences of our actions and programs,
- X. ...show respect to all parties including victims, offenders, justice colleagues.

Crime wounds...Justice heals

Harry Mika and Howard Zehr 5/8/97

Restorative Justice

Healing the Effects
of Crime

Jim Consedine

*To Kathy & DDCW,
Blessings & peace,
- Jim Consedine
10/11/5/99.*



particular, the approval and support from such distinguished international scholars as Dr John Braithwaite and Professor D. L. Nathanson, as well as constructive discussion from such New Zealand scholars as Dr Gabrielle Maxwell and Dr Allison Morris, have provided an exciting stimulus to this work.

In New Zealand the research work done by my brother judge F. W. M. McElrea after study leave at Cambridge University has added a further intellectual rigidity to the concept of a restorative model. Similarly, a recent visit by Dr Howard Zehr enabled us to compare notes on work being done independently in the United States.

Now we have this significant contribution from Father Jim Consedine. In his first section on retributive justice he articulates those flaws that I and others had sensed in our present system and, in taking a comparative view from other jurisdictions, exposes the pointlessness and waste, both in fiscal terms and, more importantly, in terms of human destruction and degradation, serving only to compound the problem rather than find the solution.

This is aptly captured in the book's introduction, where he says:

The millions of dollars we waste on building new prisons and maintaining our old ones is, generally speaking, money wasted. In no other area of public tax funds expenditure do public monies get less scrutiny in terms of positive effectiveness than in the area of penal policy.

This book is not just another diatribe against penal policy. Rather I see it as a powerful polemic, carefully sourced and widely researched, which offers a closely argued possible, alternative solution.

By drawing together the universality of the restorative process with its biblical roots and even wider derivation with other cultures, the book and its message could be a blueprint for a vision that is so badly needed in contemporary Western society.

Jim Consedine's unique experience and contact with prisoners over a long period must lend to this volume a special credibility.

Apart from those marvellous insights, after so long an exposure to the raw side of humanity, it is the essential essence of Christian humanity pervading the book that makes the reader so conscious of the potential of the human spirit.

*Michael J. A. Brown
Principal Youth Court Judge
Auckland, New Zealand
6 October 1994*

Preface by Archbishop Desmond Tutu

Problems relating to crime and law and order are endemic throughout the world. The traditional methods of dealing with them are by focusing on retribution and punishment, with imprisonment the crown in 20th-century penal policy.

That this policy has been a proven failure stares out from every statistic from every country and jurisdiction. Crime rates continue to rise, imprisonment numbers mount endlessly, costs become astronomical.

Crime is everyone's problem. It reflects an inability of people to be just and fair in their dealings with one another. It panders to the shadow side of human nature where greed, violence and injustice lurk in each of us. Crime is a complex issue involving family background, employment opportunities, education levels, economic and social positions, as well as individual personal choice. How much crime is committed by people who themselves are the victims of fundamental injustice? Or by people whose basic human rights have never been respected?

In South Africa, street crime has escalated with the advent of liberation. While the structural crime of apartheid is now dead, its legacy lives on in the social injustice it spawned.

The solutions are complex. Imprisonment is not an answer. It should be restricted and used only for the small minority too dangerous to live in the community. New and constructive non-violent options must be pursued to enable law-breakers to take responsibility for what they have done and encourage their attempts to repair the damage. Victims too need a better deal.

The Truth Commission is a radical effort to find new non-violent ways of confronting the enormity and brutality of injustice by seeking acceptance of personal responsibility, healing, forgiveness and reconciliation as primary objects.

So too do restorative justice processes. Rooted as they are in all indigenous cultures, including those of Africa, they offer to provide a better form of criminal justice than that which currently exists. They focus on repairing the damage done through crime, on victims' needs, and on the part God's great gifts of healing, mercy and reconciliation can also play. Restorative justice is a challenge to all caring people to create a more positive, fruitful criminal justice process to carry us into and through the next millennium.

Jim Consedine's book requires us to be creative, and to see things through God's eyes as brothers and sisters of one another. Each of us has the capacity to grow through the pain and distress crime creates. Broken though many may be by horrendous offences against themselves or their loved ones, all are capable through God's healing grace of forgiveness and mercy. This is the only road that leads to reconciliation and peace.

This very ancient yet desperately needed truth lies at the heart of this book and presents a challenge to us all. It is one we ignore at our peril.

Desmond Tutu

President – Truth and Reconciliation Commission

Cape Town

South Africa

Introduction

The families of two South Auckland boys killed by a car welcomed the accused driver yesterday with open arms and forgiveness. The young man, who gave himself up to the police yesterday morning, apologised to the families and was ceremonially reunited with the Tongan and Samoan communities at a special church service last night.

The 20-year-old Samoan visited the Tongan families after his court appearance yesterday to apologise for the deaths of the two children in Mangere last Tuesday. The Tongan and Samoan communities of Mangere later gathered at the Tongan Methodist Church in a service of reconciliation. The young man sat at the feast table flanked by the mothers of the dead boys.

NZPA, 21 December 1993

One of the most lasting television images of 1993 had to be that of the families of two South Auckland boys killed by a car welcoming, with open arms and forgiveness, the accused driver and his family.

Both Tongan and Samoan communities have a tradition of restorative justice when it comes to offending in the community. This means that the wellbeing of the community and its restoration to peace and harmony are the primary values sought in the justice process.

So restoring the young man to his family and restoring the good bonds between the two communities were the primary objects. The offer of a sincere apology and its acceptance through forgiveness and mercy form the natural flow-on from such a tradition. Sanction forms a less important part of the proceedings.

The alternative response happens in mainstream society every day. We rely too often on the law, by itself a soulless set of rules, to attempt to see justice achieved. In effect, there are no mechanisms in mainstream society for reconciliation to be achieved from such a tragedy. Within the confines of the social structures of mainstream law, apology and sorrow cannot meet mercy, forgiveness and reconciliation. Instead the victims and their families are shut out of the processes from day one, and the offender awaits his or her just desserts, often in isolation, always in fear and trepidation. This usually happens in a prison cell, cut off from grieving families on both sides of the tragedy.

The consequence of this situation is an almost total lack of healing for the offender and the victim, resulting in a residue of deep bitterness and anger that can last for years.

Would that our wider society could learn from the wisdom and traditions of Polynesian New Zealanders and other indigenous peoples. Maori have a tradition of restorative justice, still in effect in many rural areas, whereby the restoration of all concerned – the victims, the offenders, the whanau, the iwi – is the principal objective.

Such a process allows a human face to be put on offending, and allows healing to occur in place of bitterness, mercy to be effected in place of retribution, and constructive sanctions to be put in place instead of useless ones such as imprisonment.

The millions of dollars we spend on building new prisons and maintaining our old ones, generally speaking, is money wasted. In no other area of state expenditure do public monies get less scrutiny in terms of positive effectiveness than in the area of penal policy.

Restorative Justice

We need to discover a philosophy that moves from punishment to reconciliation, from vengeance against offenders to healing for victims, from alienation and harshness to community and wholeness, from negativity and destructiveness to healing, forgiveness and mercy. That philosophical base is restorative justice.

A positive philosophy that embraces a wide range of human emotions, including healing, forgiveness, mercy and reconciliation, as well as sanction where appropriate, has much to offer. In New Zealand the Children, Young Persons and Their Families Act 1989 has shown that a restorative rather than a retributive philosophy bears far better fruit, but such a process is a relatively new development for modern times. Howard Zehr, an international expert in the field of criminal justice, writes:

Throughout most of Western history, crime has been understood as an offence of one person against another person, much like other conflicts and wrongs which are treated as 'civil'. Throughout most of this history, people have assumed that the central response must be to somehow make things right; restitution and compensation were very common, perhaps normative. Crime created obligations, liabilities, that needed to be taken care of, usually through a process of negotiation. Acts of vengeance could occur, but not, it appears, as frequently as is usually assumed and the functions of vengeance may have been different to what we expect. Both victim and offender had a responsibility in this process, as did the community. The state had a role as well, but it was limited and was by necessity responsive to the wishes of victims.

This is a gross simplification, of course, but to some extent our history has been a dialectic between two modes of justice: state justice and community justice. State justice was imposed justice, punitive justice, hierarchical justice. Community justice was negotiated justice, restorative justice.

State justice has operated in some form during most of Western history. However, community justice predominated until fairly recently. Only in the past few centuries did state justice win out. The state won a monopoly on justice, but only with a great fight. The victory of state justice constituted a legal revolution of tremendous import, but a revolution which has been recognised and studied too infrequently. It is no accident that the birth of prisons – a new technology for delivering doses of pain – coincided with this legal revolution.¹

Restorative justice is really not new. Biblical justice was restorative. So too was justice in most indigenous cultures. In pre-colonial New Zealand, Maori had a fully integrated system of restorative justice that used Maori legal processes. Many argue that the Treaty of Waitangi guaranteed its continuance. It was the traditional philosophy of Pacific nations such as Tonga, Fiji and Samoa: restorative justice was 'the Pacific way'.

Corporate Crime

We also need to reassess our understanding of crime and ask why it is that corporate crime advances virtually unhindered, while localised 'street crime' has become such an obsession for so many. The answer lies somewhere in the mixed realm of our own hidden fears and our sense of powerlessness in the face of crime, and the immense power of vested interests who gain so much from the current situation.

The *Oxford English Dictionary* gives a three-part definition for the word 'crime'. It is an act (1) punishable by law, (2) as being forbidden by statute, or (3) injurious to the public welfare.

As a society we focus almost exclusively on the first and second definitions, neglecting the third. Crimes are written into law at any given point in time by governments through parliaments, assemblies, decrees or proclamations. Certain actions (for example traffic offences) are made unlawful in order to protect what politicians perceive to be the interests of the common good, or else to protect and advance their own interests and those of their supporters. Thus, what may be a crime in one country, for example prostitution or cannabis smoking, may not be a crime in another.

The first two definitions do not demand a moral underpinning, though many laws and statutes obviously have a moral dimension. It is the third definition of crime as being 'an act injurious to the public welfare' that implies a moral basis. The words demand a moral evaluation as to what constitutes public welfare or common good. This is precisely the point at issue in many areas involving corporate crime.

Corporate crime is endemic the world over. Very few are ever held responsible for its devastating effects. It reaches into virtually every aspect of our lives, yet so widespread is its influence, we are often unaware of its presence. It hits us in so many ways: from the added-on costs in our supermarkets to the pollutants in the air we breathe, from the hidden costs of our banking and financial systems to the costs of medicines we take for our illnesses. The tentacles of corporate crime touch all these areas and many more.

Yet we rarely speak of it, read of it, or hear of it for any sustained period. We have become totally preoccupied with individual 'street crime', although corporate violence and crime inflict far more damage on society than all the street crime combined. Just one major tobacco company, for example, arguably kills and injures more people than all the street thugs put together. Public corruption, pollution, procurement fraud, financial fraud and occupational homicide inflict incredibly serious damage on workers, consumers, citizens and the environment.² Ruth Morris, a world authority on corporate crime, asks the question: 'Why on earth is a criminal justice system geared to sifting the poor and minor offenders, pretending it is dealing with crime and social harm, when all the major harm is being done by the hidden rulers of our world, the multinational corporations?'³

A major reason for this is the consistent presentation by the media of crime as being primarily personal. Through newspapers, radio and especially talkbacks, and in news and entertainment on television, crime is deliberately portrayed in manageable portions of murder, muggings, burglaries and theft, allowing the age-old notion of scapegoat full rein. We all sit back in our chairs and like to see the 'baddies' caught.

The public perception of crime is largely shaped by corporate media and tabloid television, which focus overwhelmingly on street crime, illegal drug use, robberies and theft. If these media devoted proportionate time to the corporate muggings and homicides that are carried out through fraud, unsafe products, usurious lending policies, pollution, occupational accidents and starvation wages, public perceptions would shift to reflect reality more accurately. This will never happen. The same big business people who perpetrate corporate crime control the media through colossal advertising budgets, cross-directorships and ownership.

Yet all over the world the politicians and this same media have foisted upon the public the notion that major welfare payments to the unemployed, the sick, the hungry and the homeless are unaffordable because they cost too much. Beneficiaries are often presented as parasites preying off the common purse. Benefit fraud is almost a *cause celebre*. People everywhere are being made to work for their dole money as if they were responsible for their own plight. Yet, for example, in the United States, tax breaks and handouts for the rich (\$448 billion) consume four times the amount that is spent on the poor through benefits (\$130

billion).⁴ Legal it may well be, but morally, this is big crime.

We are left with the question: what is real crime and who are the biggest criminals? Until we start to focus on crime in its global corporate context and not restrict ourselves merely to the localised street version, we will never learn to identify and grapple with some of the biggest criminals in our society. And we will never create a society where the common good is achieved, where people are truly respected for who they are, where true justice prevails.

The early chapters in this book will look specifically at the abysmal failure of the retributive system to administer justice fairly. The latter chapters provide insights as to how other cultures and traditions have fared under a restorative system.

The law imposed by the English, wherever they colonised, was the law always of a conquering empire. The English did to others what the Roman Empire had attempted with them – imposed their own form of imperial law. In essence it was hierarchical and centralised. In criminal matters it was retributive in nature, vengeful and punishing in effect. The restorative indigenous law of Ireland, Africa, Asia, the Pacific and the Caribbean was crushed and replaced by the imperial law of empire.

This book poses a question to nations seeking freedom and independence from former colonial masters: should not the philosophy underpinning criminal law also be reviewed? If, as this book alleges, the retributive system of criminal justice imported with colonisation is proving to be as disastrous as the statistics demonstrate, should not a free and independent nation shrug off the worst of its features, particularly if a local indigenous model promised to work better?

This book argues that the very ancient but very modern system of restorative justice would produce much more benefit for victims, offenders and society generally. Our resources and energies would be much better spent following such a philosophy. Do we really want to live in fear of criminals and violence? Many do already. Insecurity and fear are the dominant factors in their lives.

But that need not be. There are other ways: better ways, more positive and constructive ways, ways that will heal the hurt and pain of victims of crime using holistic and creative means. Why carry all that pain for a lifetime when, if the opportunity were provided, it could be dealt to and integrated into our lives? The results would lead to healing and peace of mind and a resumption of normal life.

It cannot happen under the present retributive criminal justice system. It could happen for many under a restorative one.

Footnotes

1. Howard Zehr, *Justice: the Restorative Vision*, Mennonite Central Committee, US Office of Criminal Justice, 1989
2. Russel Mokhiber, *Multinational Monitor*, December 1993
3. Ruth Morris, *From Misery Justice to Transformative Justice*, paper delivered at ICOPA Conference, Auckland, March 1997
4. Mark Zepezauer and Arthur Neiman, *Take the Rich Off Welfare*, Odionian Press, Tucson, Arizona, 1996

SECTION ONE

Retributive Justice

Each year jails take large numbers of hopeless people
and turn them into bitter hopeless people.

Time, 28 June 1993

CHAPTER ONE

Retribution: A Dead-End Street

Wayne, one of four children, was only five years old when he first got into trouble. He ran away from home and hid in a vacant house from which he stole some food. His drug-addicted mother had already had a child die at birth and another from a preventable disease at three years of age. His father, also an alcoholic drug addict, had recently returned from yet another term of imprisonment for violent assault, burglary and assorted drug offences.

When I was called to the house, Wayne was in his bedroom crying from the hiding his father had given him. His parents were anxious about how to keep him at home in the future. His thrashing wasn't an issue with them – that was the way they usually dealt with the children when they were naughty. In their own way they really did care for him and realised that their own dysfunctional behaviour was largely responsible for his plight. They didn't really know where to turn for lasting help.

The family was caught in a vicious cycle of deprivation, violence and hardship, alleviated by drugs and alcohol when money allowed. The parents' solution to their own relationship problems was usually violent, either verbally or physically. Social Welfare's options were limited. They were, on occasion, appalled at the standard of lifestyle of the family, but rightly recognised the love, tenderness and bonding that was present when things were 'going right'.

At four years of age, Wayne's chances of a drug-free or jail-free life were already minimal. His models of adult behaviour all involved violence, drugs, alcohol, unemployment and struggle. While there were brief periods of real stability and joy in his childhood, they were few and far between.

There was no possibility of his mother becoming and remaining drug-free because there was no programme within 800 kilometres that could provide the means of her coming to terms with her addiction while remaining bonded to her children. The resources were simply not there. There were no social or community workers equipped to help her learn good parenting or support her on her 'bad days'. The only option she felt she had was to call social workers at the centralised

Social Welfare office where, because of their stress-filled caseloads and her frustrations, there was often conflict. There were no jobs for her husband, who could be an excellent and willing worker but was always perceived as an ex-convict – obvious from the tattoos – and a drug addict as well. Rarely can such people find employment.

Wayne drifted through school, became bored by the age of 10, was caught stealing at the age of 11, and ended up in Social Welfare custody at 13 years of age. Now in his early twenties, he is a drug addict, has become an expert burglar, and is currently serving six years' imprisonment for the aggravated robbery of a service station. He went to jail on this sentence at the age of 17.

In order to survive he has grown devious and cunning. He is liable to emerge from prison a skilled safe-cracker, car thief and drug dealer, with a network of contacts that equals that of the 'old school tie' brigade. The taxpayers have already spent \$400,000 on his tertiary 'education'. If he doesn't die violently by the time he is 30 years old – and there is a good chance he will – the government will probably have spent another \$500,000 on incarceration fees. By that stage imprisonment will have harmed him almost beyond repair.

Because of stories like this, the New Zealand Catholic Bishops' Conference in 1987 described imprisonment as 'a poison in the bloodstream of the nation'. They called it an affront to human dignity, responsible for destroying, partially or totally, temporarily or permanently, those confined. They found it hard to imagine a more destructive or wasteful method of spending public funds.

The bishops were being cautious in their assessment. It is more than that. It is a deadly virus that contaminates all those associated with it. Despite the best efforts of some good staff and the positiveness of a percentage of inmates, the boredom, tedium, violence, waste, oppressive structures – the sheer inhumanity of the prison system – leaves its mark on all.

The system creates, and then exists within, a sub-culture all of its own. Few who spend any time in it ever fully recover from its negative effects on their lives. It changes people forever, and usually for the worse. Despite being well primed for it by his home life, Wayne is yet another victim of its voracious appetite.

The slim hope that he has is that the grace of God will yet intervene in his life and help him turn it around. That intervention could come in the form of a suitable habilitation programme with components that will help him face life drug- and alcohol-free, and help provide work-skill attributes that can lead him to paid employment as well.

Maybe the love of a good sensible partner will aid him in the process. It would certainly mean a tough transformation for him from the almost total self-centredness that survival and addiction have demanded to an appreciation of others. To love appropriately will be a learning process for Wayne and will not

come easily, but it is still clearly possible. He will have to learn that love involves a lot more than sex.

For all that, Wayne's future appears bleak. It has been bleak right from the time he was a baby. He didn't seek drug-addicted, alcoholic, violent, unemployed parents. But to these he was born, and it is from that starting point that he must advance in life. However, the unevenness of this playing field makes it extremely difficult for him to ever catch up. He has a bigger handicap than a horse trying to win a Melbourne Cup carrying 100kg, or a New Zealand Cup starting off with a handicap of 150m. Even Cardigan Bay would not have been able to do it. The very best that Wayne can hope for is to keep touch with the pace and not get too far behind. The glittering prizes our culture holds before us as the rewards of success will never fall his way.

Any debate on social justice, law and order, crime and punishment, prisons and their effects, must always be placed in the wider social context of the society in which the debate occurs. There are cultural, economic and social influences abroad that markedly influence the type of crime committed, the levels of order and social control, the type of criminal justice system a nation has, and the role of imprisonment within that society.

For example, for widespread fraud you could be executed, or receive a heavy fine or a community-based sentence. The penalty handed down would depend on whether you lived in China or a modern capitalist Western nation. The difference in treatment flows from the culture of the people, and the ideology and rule of law imposed by its governing powers.

Most law is determined by culture and ideology. The ideology of the governing powers in Aotearoa/New Zealand is that of corporate capitalism, dominated by a particular type of monetarist capitalist ethic called the New Right. This ideology flows from a narrow consumer model of economics that allows 'market forces' to determine the various levels at which people may participate in society, contribute to it, and benefit from it.

In 1987 the Ministerial Committee of Inquiry into Violence in New Zealand produced a frightening indictment of our consumer culture. The report concluded that:

We have the sort of society we deserve. For the past two or three decades permissiveness has gone unchecked, domestic violence is rampant, the macho image has been encouraged by advertising for commercial gain to the detriment of women, and aggressive behaviour and violence in sport have become accepted.¹

The same violence that was analysed and condemned in 1987 is still found every day in our homes, on our streets, in our communities. It flows from a culture dedicated to the acquisition of material goods and money at the expense of practically everything else. Wayne, and a majority of imprisoned people like him,

never receive the rewards that society offers achievers because too often they are handicapped out of the race by the social structures in which they live.

Penal Policy

Where does crime fit into this scenario? Sarah Van Gelder, an American sociologist, suggests root causes that lead to much criminal offending:

Crime comes about when the underpinnings of our culture fail, when the ties that hold us together, socialise our children, and satisfy our needs are broken. Just as the environmental crisis reflects our failure to act in mindfulness of the interdependence of the human species and the other living creatures of the Earth, crime reflects our blindness to the fundamental interconnectedness of people.

The result of this uprooting and neglect is that the solid core of contributing adult members crumbles, and the institutions that provide the foundations of community fall apart. The community safety net is left tattered. Parents, exhausted by long hours required to make ends meet or demoralised by their inability to cope with the hardships of poverty, may turn to drugs and alcohol. Kids are left on their own in what Elliot Currie calls 'adultless communities'.²

The end result of breeding generations of socially dysfunctional children is the breakdown of acceptable social mores and patterns of behaviour. Crime and violence result. At the heart of our means of control of such violence we have a philosophy of retribution, vengeance and punishment. These people will all be punished more. We are a punitive people and we are now being forced to live with the fruits of our desire for revenge. At the centre of our punitive obsession is the prison system upon which we spend hundreds of millions in a single year.

In the current system all power is given over to the state – judges, police, prison wardens. Victims and offenders are left feeling powerless; victims because they are shut out of the 'justice process' right from the beginning, and offenders because they are not offered the opportunity to take any real responsibility for their behaviour and actions. Instead, the orientation is merely to punish and the twin notions of taking responsibility and making things right again are ignored. Victims and offenders are denied power and accountability.

Punishment

The aim of good law is to build a strong, safe, healthy and just society. In dealing with crime, punishment or 'just desserts' must be in proportion, must contain a message of denunciation or moral censure, and must provide protection to the community and reparation to the victims.

This book argues that, for two reasons, none of these ideals is being achieved in the current retributive system. One reason is that our social structures are so inherently unjust that achieving such ideals is impossible without social

transformation. The other is that the current criminal justice system focuses primarily on punishment.

The basic assumption about the relationship between criminal justice and punishment needs to be re-examined. Punishment is the deliberate infliction of suffering: it is legal violence. This book claims that punishment is counter-productive and needs fresh examination, as does the system that perpetuates it. This system is revealed as an emperor with no clothes. The idea that it can be reformed is a myth. That it is the only or best way of dealing with offenders is not true.

Let's take an illustration. Most big white-collar fraudsters are on bail until sentencing date, are given almost automatic minimum-security status within the prison system, and are released at the earliest possible date – usually after one-third of their sentence. On the other hand, blue-collar drug-addicted burglars, who usually have done much less social harm, are often remanded in custody until sentence, remain in medium-secure conditions while in jail (fewer privileges, worse prison conditions), and serve two-thirds of the sentence imposed.

In both cases, the punishment inflicted not only fails to achieve positive change in the offenders but guarantees a high chance of re-offending. It does not treat people fairly, gives a muddled message of moral censure (gross white-collar crime can be very profitable), provides no reparation to the victims, and only partially protects the community. Repeat offending upon release will be inevitable and will encompass fresh victims.

Punishment has become something the dominant group in society imposes on those of little status and power who are not in a position to challenge its fairness or its usefulness. The political authorities are seen to be doing something about crime, but because what they are doing is counter-productive and actually a cause of more offending, crime rates continue to climb and more and more disempowered people get caught in its net.

The adversarial legal system spawned by the logic of punishment, as Canadian criminal justice consultant Lorraine Berzins says:

...is actually destructive of some of justice's most cherished objectives: the shared sense of what is right and wrong, the holding to account for wrongdoing, the affirming of the importance of the rights of the person injured, the sense of proportionality to the gravity of the misconduct, and the prevention of further harm.

Today, the legal industry turns the search for justice into a game of technicalities played between lawyers in court. The central focus is that a law has been broken. This message overrides the victim's priorities and considerations, as well as any other rational concern for protection, rehabilitation and ultimate healing of the relationship with the victim or the community. The entire symbolic message of

lenunciation must be carried by the length of prison sentence that is broadcast in headlines to the rest of the community.³

Imprisonment breaks down social personality and disempowers people. The vast majority of prison inmates become more self-centred and dependent on others during their time in prison. When one's world is reduced to a 3m by 2m cell and survival becomes the driving instinct, self-interest and self-centredness become major preoccupations.

Food becomes a primary concern and mealtimes become the focal point of waking hours. Life is trivialised. Mortgages, the kids, employment, your relationship with your spouse or partner, the depleting ozone layer and the nuclear threat are replaced as the major issues by the quality of the food, the amount of television viewing allowed, and the body odour of your cell-mate.

Imprisonment distorts and twists the psyche and the spirit of the imprisoned. For those already disturbed when they arrive, it aggravates their condition. Imagine a rapist sent to prison for 10 years lying day after day, night after night in a cell, dwelling on sexual fantasy and distorted visions. Imprisonment simply reinforces twisted thinking and unreal expectations of life. For many it guarantees more serious re-offending, which means more victims, more hurt, more pain and, for some, more terror.

It also has a destructive impact on innocent family members. Can anyone who has not experienced it have any idea of the horrific effect imprisonment has on family life? The impact is often horrendous when a principal adult figure is removed from the family. Children may lose a father or mother, parents a son or daughter. They are often then farmed out to relatives or the state for the duration of the sentence.

Alternatively, a spouse is left to survive as a single parent. Whatever strains existed in the relationship before the sentence are exacerbated by it, often to breaking point. The family is thrown onto a state benefit, which these days is often not enough to survive upon adequately. The model of adulthood placed before growing impressionable children is that of dad or mum who is a prisoner, a bad person, a jailbird, a convict.

Even visiting your loved one in prison is impossible for some. Most prisons in New Zealand are situated in the country and transport services are infrequent, if they exist at all. It's not hard to imagine the struggle some spouses must go through to bring themselves and their children out to see mum or dad between certain limited hours on a Saturday. This occurs week after week, often with little or no spare money or wider family support. Then there are the children at school – who is there to help the young people cope with the ignominy of having a parent in jail?

Former prison inmate Mike Martin writes:

Prison may change people, it may cause some to be more crafty, but because of its punitive nature it is incapable of turning them into anything other than a lifetime liability to society.

It is the very structure of penal policy that reinforces the inadequacies that lead to a criminal lifestyle in the first place. The more we elect to hide our small social problems behind high walls, the more deeply entrenched will be the problems that led people there. Worse than that is the fact that the offspring of our current jail population will soon follow in their parents' footsteps.

Prisons cater to a public need: a need based on fear and ignorance; a desire to punish through retribution. It doesn't have to be that way, in fact such an attitude is little more than a mass cop-out. What we have developed after 100 years of penal policy is a vast and costly delaying mechanism. Imprisonment is used to delay confronting the real problems facing the community: it stops (for a while) an offender indulging in more crime; it delays social progress. It offers a breather and gives us a chance not to think about how to deal with the additional problems that will face the inmate on release.

For 'justice' to mean anything, it must extend beyond a punitive reaction to an unacceptable action. Justice must mean much more than simply transferring a criminal from general society to a hidden society. The present method of justice is compounding the alienation of each individual. It is bonding people together within the source of their alienation.⁴

The great majority of prisoners are not murderers, rapists or desperate villains. They are ignorant young men under 30 who have failed at school or have been failed by school, and have no strong family or community links with anybody of sense. Their offences relate mainly to drink, drugs and cars. They are limited in their understanding of the difference between right and wrong and are in urgent need of education in every way. We, for our own future protection, are in urgent need that they should be educated.⁵

Many would argue that we have lost sight of the moral base underpinning both the law and our criminal justice system. As a result the aims of both are no longer clear to all. It is appropriate then to reflect on both law and morality if we are to ever recover or develop a social system that is clear in its objectives and fair to all.

Law and Morality

We are a nation with Western Judaeo-Christian traditions. This has had enormous impact on our social institutions, none more so than the law. Interpretations of scripture and the teachings of the Church from the 13th century on have helped shape the body of law we have inherited and our understanding of it.

Law has two dimensions, moral and legal. It is built on morality and is never neutral, always reflecting a system of values. Justice, truth, honesty, compassion and respect for people are the basic tenets of an acceptable morality that should

to protect and enhance the common good.

Law and justice then are, regrettably, not synonymous terms. The law is not sacrosanct and never should be. What is sacrosanct is true justice, the dignity and equality of people, and respect for the human person over and above every other consideration.

In a secular society, good law and justice have to have the protection and enhancement of the common good as their starting point. Problems arise when the law is written by powerful interest groups with little feeling for the common good. This is the basis for unjust law, and the laws of apartheid were a stark illustration of this. It is worth noting that in countries such as the United States, Australia, Britain and New Zealand strong sectional interests have also had a major input into legislation; sometimes, it would seem, with scant regard for the common good. Good government should define, defend and protect the common good, particularly when there is a conflict of interest. This is precisely what Parliament in a true democracy should be about.

The promotion of the common good – that is, the good of the many as it is appreciated and understood by the majority – is at the heart of a fair and just moral order and central to the creation of good law. If the common good is to be achieved, our Judeo-Christian heritage still has a special contribution to make. This religious tradition demands that the poor, the sick, the dispossessed and vulnerable minorities be especially protected. International covenants such as the United Nations Declaration of Human Rights and, in Aotearoa, the Treaty of Waitangi, seek to provide the same protection.

In our society this provision has clearly been eroded and massive injustice has resulted. The fruits of that injustice are everywhere. Poverty, racism and street kids are just three of many symptoms. The very fabric of our society is being strained and nowhere are its effects being felt more than in the criminal justice system.

I no longer believe that the retributive philosophy underpinning our criminal justice system can always offer a fair and just way of practising law. It no longer gives people justice in anything like the sense outlined above. Too often it fails to protect the common good. Certainly the poor more than anyone else get hampered by it. An adversarial court system that seeks to win regardless of the costs is just one blind spot in it. Its enormous costs in both human and financial terms are others. The elimination of victims from its central equation is another.

A philosophy primarily based on negative features such as punishment and vengeance is creating throughout the world a monster the likes of which will make the next century a living hell of fear of crime for a large portion of the world's people. It already is for many people in large cities.

As Howard Zehr says:

Retributive justice defines justice the Roman way, as right rules, measuring justice by the intention and the process... All action is hierarchical, from the top down. The state acts on the offender, with the victim on the sidelines. Retributive justice as we know it views everything in purely legal terms. As Nils Christie has said, legal training is trained tunnel vision. In law school you are taught that only legally defined issues are relevant.⁶

We have failed to address the shortcomings of the retributive system and accept why it has proved to be such an abject failure in terms of addressing rising crime rates, the rights of victims, and the health and wellbeing of the community. A philosophy built on negativity can only produce negative results.

We should have learnt from the German experience. Professor Christian Pfeiffer, speaking at a conference in Perth, reported that 20 years ago West Germany had a sharp 50 percent increase in the use of imprisonment, with the inmate level rising to nearly 50,000 in 1983. From then on there was a sharp decline. Why did this happen?

The nation at the time was indulging in prison reform. The Social Democratic government, which came to power in 1972, had as one of its goals the reform of the prison system. They sought to make the system rehabilitative – really useful to society – and to educate young offenders in the institutions so as to make them better people afterwards. They passed legislation, built more prisons and invested a lot of effort in employing more social workers and psychologists.

This approach completely failed. Despite all the effort there was no change in the re-offending rate. Research on young offenders found 44 percent were unemployed when they entered prison and 66 percent were unemployed half a year after release, despite a lot of job training and meaningful activities while they were in prison.

Why did it happen? Because society does not accept ex-prisoners, and the inmates were insecure knowing that. They were theoretically prepared for the job market, but ill-prepared for the negative response they received from society. The recidivism rate remained at around 90 percent both before and after the new approach.

So the Germans changed tack: mediation within the community became the new approach. They used the insights of modern criminology to create varying non-custodial sentencing options. A wide range of community justice programmes were introduced, which, rather than seeking to punish offenders, sought to develop their life skills, self-esteem and sense of responsibility. Judges were urged to use fewer remands in custody and sentences of imprisonment. Research into judges' sentencing patterns revealed that 20 percent of judges were responsible for 50 percent of the jail sentences, so these judges were encouraged to change.

Prosecutors were urged to use their discretion and dismiss more cases where diversion was applicable or prosecution less warranted. New prison construction was halted, and widespread reparation was introduced.

Within a few years imprisonment numbers had been reduced by 20 percent throughout Germany, and in some cities, such as Berlin, by more than 50 percent. In the same period crime rates dropped significantly and the re-offending rate was reduced substantially.⁷

It is interesting to note that in Japan police, prosecutors and judges share an overriding mission to correct rather than punish, incapacitate or rehabilitate. American law professor John Haley, whose special expertise is Japanese law, reports that from the initial police interrogation to the final judicial hearing or sentencing, the vast majority of those accused of criminal offences confess, display repentance, negotiate for their victim's forgiveness and submit to the mercy of the authorities.

In return they are treated with extraordinary leniency, gaining at the very least the prospect of having their case dropped from the formal process altogether. To justify such leniency, law-enforcement officials must be satisfied the offender and the community are working together to compensate the victim and restore peace. Offenders' families become involved and, with the community, accept responsibility to ensure that steps will be taken to prevent further misconduct and provide some means of control. In addition, the victim must express forgiveness.⁸

The Japanese statistics are compelling. It is estimated the police do not report up to 40 percent of all apprehended offenders. Of those reported, prosecutors suspend up to one-third of all cases. For those who get to court, judges suspend sentences in nearly 60 percent of adjudicated cases. Only a fraction of offenders go to prison. Japan's imprisonment rate is 37 per 100,000 population, or about one-quarter the New Zealand rate. The most recent studies of recidivism indicate that the more lenient the treatment of offenders, the less likely the offender is to commit another offence within three years.

Perception versus Reality

If this is the case, then there is obviously a massive gap between public perception of how to deal with crime and the reality. There is also a huge gap between what people perceive to be the level of crime in the community and the real level. Here the media play a crucial role.

In October 1994 a young woman in South Carolina named Susan Smith spoke fearfully of the anguish she was enduring as a result of her two children being abducted. On nationwide television she begged for their return, claiming that a masked black man had been responsible. In South Carolina, a former slave state, that claim touched a deep nerve among white residents. The nation was stunned at

the callousness of the act. Yellow ribbons, signs of hope and a safe return, were wrapped around trees. Candle-lit prayer vigils were held throughout the land. Mass media carried her story around the world, and President Clinton made a special statement. Dozens interviewed on television spoke of their insecurity regarding their children, and wondered out loud what was happening to America. It was no longer a safe place to bring up kids. Who would be next?

Then the facts emerged. The children were dead and their mother had killed them. After nine days, Susan Smith was arrested and charged with double murder. But the perception portrayed by the media of an unsafe, insecure environment for children will long remain etched into the scarred emotional tissue of the nation.

People in the United States should feel the safest in the world. In 25 years, since 1968, in order to make themselves safer and feel more secure, they have increased their prison population by a whopping 700 percent. Yet do Americans feel any more secure as a result? No way, it seems. In 1994 they voted to double that rate again within the next decade. Will they feel safer and more secure then? I fear the answer will still be no.

The same policy has been followed in New South Wales. There, the upping of the hype by politicians calling for harsher penalties in the early part of this decade resulted in a massive 60 percent increase in imprisonment and the construction of five new prisons. Next door in the state of Victoria, where the crime rate is virtually the same but where there was no political hype, the imprisonment rate remained constant at about half the NSW rate.

This trend is all about public perception and has little, if anything, to do with reality. To tackle the causes of crime and deal with the causes of criminal offending requires a much more mature, informed response. But public fear sells newspapers, raises TV ratings and gets politicians elected. It leaves the rest of us with a legacy of a continued high crime rate, insecurity and financial indebtedness.

The media, especially television, must take some responsibility for the distorted perception they present of crime in the community. It fuels public fear and insecurity, which in turn tend to influence politicians in their legislative role and judges in their sentencing. How often does the television news start its presentation with two or three crime stories, one after the other? An armed hold-up here, a sex offender sentenced there, and a shoot-out in Miami or Rome to bring an international dimension. This type of 'news' has become part of the daily television diet, beamed into family home across the country.

Who gains from such coverage? Only the television companies, the advertisers and the titillated. Often the police have had to remind us, after saturation coverage of a particularly nasty crime, that this is still a safe country to live in.

It's not that the stories are necessarily inaccurate, (though it is difficult to see how much balance one can get in a 15-second 'bite'). It's the portrayal of society

that is the most distorted. Listening to talkback radio shows how distorted the public perception of crime is. Seeing crime stories every day leads people to feel that the community is full of criminals waiting to attack. That is simply not true.

Conclusion

Retributive justice is a philosophy that is bankrupt. Just how bankrupt it is will be clearly seen in the following four chapters, which look at its effect in New Zealand, Britain, Australia and the United States. It no longer offers any positive contribution to the wellbeing of communities or the development of a just social fabric for society. As Christchurch lawyer Wolfgang Rosenberg says, '... The public cry for retribution shows that we are still close to barbarism. Civilisation begins when vendetta ends.'

Its deformed stepchild, the prison system, is an even bigger evil. Prison is a dead-end street. Socially, morally, financially and spiritually, it is a cancer eating away at the heart of the human community. It is as evil and obsolete as slavery. While most acknowledge the need for a few dangerous offenders to be kept locked away from society, such offenders need to be kept in a positive, constructive, secure environment where they are still treated with respect.

For the rest there are creative, community-based alternatives, including a wide range of city, urban and marae-based habilitation centres. The 1989 Prison Systems Review headed by a former High Court judge, the late Sir Clinton Roper, recommended more community work options and employment schemes. These, the review said, should be coupled with genuine preventative programmes such as parenting groups, co-operative neighbourhood work schemes, more free adult education courses, and the development of good local health-care programmes.

The millions of dollars wasted so sinfully on the prison system could be freed up to provide the resources necessary to attack crime at its very roots, thus preventing its development and escalation.

Footnotes

1. Report, Ministerial Committee of Inquiry into Violence, Government Print, Wellington, 1987
2. Sarah Van Gelder, 'The Ecology of Justice', *In Context* No 38
3. Lorraine Berzins, article in the *National Prison Project Journal*, Spring 1993
4. Mike Martin, *NZ Listener*, 22 June 1985
5. *Sunday Times* (UK), 1 May 1994
6. Howard Zehr, *IARCA Journal*, International Association of Residential and Community Alternatives, March 1991
7. Professor Christian Pfeiffer, paper, 'Criminal Justice: An Alternative View', from the conference 'Prison, the Last Option', 18-19 October 1991, published by the Anglican, Catholic, and Uniting Church of Australia
8. John Haley, *Crime and Justice Network Newsletter*, Mennonite Central Committee, Pennsylvania, September 1991

CHAPTER TWO

New Zealand Criminal Justice: A Punitive Obsession

The evil of our prison system is that not only are our prisons generating more criminal activity, but they are promoting crime.

Peter Williams Q.C.

In May 1993 an 80-year-old Auckland man was sentenced in the Auckland District Court to six months' imprisonment for benefit fraud. The sentence for this World War II veteran was confirmed by a High Court judge on appeal.

The sentence came in a week that saw the Minister of Justice, Doug Graham, and the head of the Justice Department's criminal justice section, Mel Smith, calling for imprisonment to be used only as last resort.¹ It was a sentence that highlighted the punitive nature of New Zealand society and the inability of the judiciary and courts to look beyond their tunnel vision to see what is appropriate and what is not in sentencing options.

That New Zealand is a punitive society can become very clear to anyone listening to a radio talkback session any day of the week. Mel Smith says that as a society we are more puritanical than, for example, Australians, and we prosecute people for a wide range of behaviour ignored overseas. He says there is more reporting of crime in New Zealand and our police force is better at catching offenders. Criminals who a few years ago attracted fines are now being sent to periodic detention, often because they cannot pay. The next time they offend, they end up in prison. They can, and should be, dealt with outside the prison system.²

Doug Graham agrees. He says our imprisonment rates are higher because we live in a society that exacts revenge. People are more interested in revenge than in some other elements of criminal justice.³

We should have recognised the opportunities offered by the 1989 Prison System Review of Sir Clinton Roper and his team and created a parallel system of

26. Brogden and Shearing, op cit
27. Van Eden, op cit
28. Sipho Citabatwa interviewed by Karen Van Eden in Guguletu, 14 July 1995
29. D. Nina, 'Popular Justice in a New South Africa: from People's Courts to Community Courts in Alexandra', occasional paper, Centre for Applied Legal Studies, Johannesburg, 1992
30. Citabatwa, op cit
31. Van Eden, op cit

CHAPTER FOURTEEN

Restorative Justice: A Parallel System

There are many cases involving crime where justice could be much better served if only the mindsets of the parties involved were more open. Court hearings are just one way of seeking justice. Other ways include more use of diversion, victim-offender facilitation and restorative justice conferencing.

Recently in the District Court in Christchurch, a case was called involving a defended hearing in which a taxi driver had been charged with assault. The case took two hours to complete. In essence the charge related to queue-hopping at the airport and whether the defendant had pushed or hit the complainant. At the end of the hearing the judge found the case proven. He decided that because the man had already been suspended for nearly five months from work (at a cost to him and his family of five months' income) and would lose his taxi licence if convicted, he would discharge him under Section 19 of the Criminal Justice Act, and order \$200 court costs. The complainant and his two witnesses left the court grumbling at the perceived 'light' penalty, while the defendant appeared upset that his story wasn't believed.

Was this process the best way to seek justice in this instance? I believe not. It was good practice under the present parameters. But let's briefly examine what happened. No fewer than 11 people were tied up for a morning – the judge, the stenographer, the registrar, the complainant, the defendant, four witnesses and two police. It cost the taxpayer several thousand dollars, including Income Support payments for five months. None of the key players went away happy. There was no reconciliation, no acceptance of the result, no peace.

A much more productive and cheaper way could have been found using restorative justice processes. Following a model similar to that now used universally in youth justice cases, the various interested parties including the victim and the offender could have met with a facilitator. Provided both agreed and the offender acknowledged responsibility for the incident, a round-table meeting could have been held in conducive surroundings. It might have been held on the airport site, resulted in apology, forgiveness, reconciliation, some compensation

and a continuation of work for all. The case could have been resolved within days, instead of taking five months. Which system makes greater sense? The answer is clear, I suggest, to anyone with an open mind.

Recently the police charged a University of Canterbury cleaner with the theft of 22 envelopes valued at \$2. Since the cleaner pleaded not guilty, there was a defended hearing. This lasted the best part of two days and cost taxpayers more than \$3000. All this so that 'justice' might be done. When it's all over, each envelope was worth more than \$150!

And was justice done? Of course not. Whatever other component parts justice has, common sense should be one. There was no common sense here. This was retributive justice in its most ridiculous form.

In this case, university authorities had already effected justice by meeting with the cleaner and dealing with the matter internally. They adopted a restorative approach and the result was a satisfactory outcome to all. Justice was actually achieved. But not for the long arm of the state.

It is time to take seriously the appalling results of nearly 200 years of a failed criminal justice system which is fixated on vengeance and punishment and employs an ever-expanding system of imprisonment. It is time too to set aside the mindset of the colonial master and look to the sound elements within most indigenous traditions which, with adaptation, could supply a much better form of criminal justice. Quite simply, there are better ways of doing things.

There is a dingy, run-down housing estate in Walstall in England where community organisations are working with the West Midlands Police in setting up a motor project. Young people in the area are given old cars to repair and when they are fixed the youngsters can race them against each other. The whole estate is involved and it costs practically nothing.

In England it costs approximately £20,000 a year to keep a person in prison. Spending some of that money on projects such as the motor project protects cars and people. It gives the young people some direction and fulfilment, and most no longer end up in prison.¹

There is a tremendous amount of emotional baggage to any discussions on issues of law and order, crime, prisons, harsher penalties, habilitation centres and safer communities. Many of us have been victims of crime. The law, the police and the government often seem to be impotent in dealing with rising amounts of criminal behaviour in the community. Fear begets more fear.

Many claim that the law is unjust anyway, that it is tilted to favour the rich and powerful while prosecuting the poor unfairly. It is generally accepted that imprisonment makes people worse rather than better. All the various policies tried over the years within the retributive penal system have failed dismally. The straight, hard-labour, bread-and-water routine so popular in the early part of this

century brutalised inmates, turning many into incorrigible recidivists. The medical model of corrections, prevalent in the 1960s and 1970s, whereby everything was seen in terms of therapeutic needs, also failed.

The unit-management style currently in vogue will ultimately be seen as a failure too. Programmes are useful in prisons, but the negative framework of punishment in which they are conducted nearly always negates the possibility of substantial positive change. Just as you cannot cure an alcoholic in a brewery, so you cannot reform inmates in a prison.

You cannot punish and reconcile at the same time. Contradictory objectives can only lead to stalemate or total paralysis. This is not a problem of opinion or ideology. It is simply a question of logic.

The case-management system, which the Justice Department in New Zealand applied as its major response to the 1989 Prison Systems Review (Roper Report), seeks to reconcile the contradictory objectives of reform within a punishing environment. Justice Roper said you couldn't have both together. It would not work. He was right. While a reforming approach does have some positive effects within the prison system, it does not succeed in its aim of changing the basic orientation of the vast majority of inmates. Case management has simply become a better system of control of inmates. It has also allowed the Department of Corrections to continue to expand its empire and its burgeoning budget, and maintain its power base.

A Parallel System

Restorative justice is a philosophy that embraces a wide range of human emotions, including healing, mediation, compassion, forgiveness, mercy, reconciliation as well as sanction when appropriate. It also recognises a world view that says we are all interconnected and that what we do, be it for good or evil, has an impact on others. Restorative justice offers a process whereby those affected by criminal behaviour, be they victims, offenders, the families involved or the wider community, all have a part in resolving the issues that flow from the offending.

Under restorative justice, victims and offenders assume central roles and the state takes a back seat. The process does not focus on vengeance and punishment but seeks to heal both the community and the individuals involved. This is done by a process that puts the notion of reparation, not punishment, at the centre.

In simple terms, while retributive justice asks first 'how do we punish this offender?', restorative justice asks 'how do we repair the damage of this offending?' They provide two distinctly different starting points, embracing two different philosophies.

Under a philosophy of restorative justice, crime is no longer defined as an attack on the state but rather as an offence by one person against another. It is based on a

recognition of the humanity of both offender and victim. The goal of the restorative process is to heal the wounds of every person affected by the offence, including the victim and the offender. Options are explored that focus on repairing the damage.

The main process takes place at a community group conference (CGC), chaired by a facilitator, to which victims and offenders and appropriate support people are invited. The three key components of the restorative justice equation are the offender, the victim and the community. Obviously a willingness to co-operate is central to the concept. To be involved in any useful way, the offender must acknowledge responsibility for the crime committed and express honest regret. The full implications of the offence need to be spelt out and confronted. The offender needs also to face the causes of the offending and, where possible, make restitution. Concrete evidence of more appropriate behaviour in the future is also required.

Victims need to examine their feelings and take full advantage of any support network that will facilitate healing. Victims are helped to see that their own victimisation is only intensified by feelings of retributive action against the offender. Where appropriate they become involved in the process of restorative justice with the offender and the community.

The community's role is to create the conditions most favourable to the restoration of both offender and victim. It aids the healing process by providing mediators, judges and the like. Provided there is co-operation, the parties reach agreement about repairing the damage where possible. Obviously in some cases like murder or rape it is not, although healing, forgiveness and reconciliation are still possible after a period. Besides whatever reparation is possible, the offenders may be required to work in the local community for a set period, perform periodic detention or even go to prison. The important thing is that no-one gets shut out of the process. Everyone gets heard.

All those involved get a chance to put a human face on the crime. They have a chance to begin a process of healing. They become empowered again. The offenders get to take responsibility for their criminal behaviour. Each of these processes produces an added dividend for family life and the wider community. There will be less alienation, stronger bonding among family members, a greater degree of personal and social empowerment.

It is important to note that not all victims are going to necessarily welcome a community group conference. Many will be very wary. This will especially be true for many child and female victims of violence and/or sexual attacks. Such conferences must at all costs seek to prevent victims from becoming doubly victimised. A major issue here is that of power imbalance between the victim and the offender. This should not be underestimated. Such cases underline the need for skilful, well-trained facilitators. It should be noted also that secondary victims – family and friends – may fruitfully participate in such a conference without the

primary victim's presence. Given the effect of such crimes and the amount of grief and pain they cause, it can be argued that community group conferences are more needed in these instances than for many other crimes.

In a controlled facilitated process the offenders meet the victims at a CGC and have to face up to what they have done. They hear of the victims' anger and anxiety, and the victims hear the offenders' explanation. There may be mitigating circumstances; there may not. The offender may apologise, may express a genuine wish to change. Provided there is co-operation, the parties reach agreement about repairing the damage. *very not*

It would be silly to claim that all the damage can be repaired immediately – sometimes it never can be. Certainly in murder and rape cases it can't. But at least those involved get the chance to put a human face on the crime and begin the process of healing. They become empowered again. The offenders get to take some responsibility for their criminal behaviour.

The idea of incorporating compensation, reconciliation, healing and forgiveness into criminal law is more than merely corrective. Such elements reflect a whole fresh way of approaching criminal offending in the community. They present a vision of improving life right throughout the community, and of making justice more accessible, effective and fair.

Restorative justice involves a shift from state power to community power. It should be remembered that it is only in recent centuries that the state has come to play such a prominent role in citizens' lives. Prior to that the community retained most power within its local confines.

Ranjini Rebera, a Sri Lankan-born Christian feminist, identifies three images of power: *power over*, *power to* and *power with*. *Power over* reflects the typical authoritarian model of the traditional court: the judge in an all-powerful position, everyone else in varying positions determined by relationship to that position. *Power to* can be seen as a source of energy or the ability to create.

Power with reflects the new relationship found with restorative justice. Here members of families work collectively to create a momentum that leads to positive change and growth for them all. This type of power transforms and is available even to the most vulnerable members of the family. No longer are people purely recipients of authoritative directives from on high. Within the restorative structures they become responsible for what will happen or not happen.²

Advantages of Restorative Justice

The restorative process offers tremendous advantages over the retributive system. Five stand out:

1. Restorative Justice is Indigenous

In countries such as Australia, South Africa, New Zealand, Canada and Ireland,

which are all seeking to shape new independent identities and discard the worst effects of either oppression or colonial history, the reshaping of the processes of law is an essential dimension and sign of a developing maturity and sense of identity. There is certainly no logical reason – except vested interest – why the best elements of the indigenous traditions of many lands could not be applied to criminal offending. They have much to teach Western countries. Such wisdom and practices would leave us all the richer.

Sentencing Circles, the tradition of the First Nation peoples, having successfully in recent years completed a period of trial under modern conditions, could be adopted more extensively in Canada. The same restorative philosophy could be applied much more widely south of the border among the various nations of Native Americans.

Right throughout Africa, Central and Latin America and in Asia, indigenous cultures survive and offer ways forward for criminal justice processes. In Australia, where Aboriginal peoples are the subject of widespread attention by the police – an Aborigine is 27 times more likely to be imprisoned than a white Australian – traditional justice practices could be expanded among Aboriginal communities, and given full recognition and status by the government and state authorities.

Maori traditionally operate a system of justice based on the overall good of the community and the desire to restore its wellbeing. A restorative model of justice could be a bridge to partially meeting demands from some quarters for a separate Maori system of criminal justice. Such a process would not fulfil the guarantee of te tino rangatiratanga (absolute authority) contained in article 2 of the Treaty of Waitangi. Nor would it provide the protection of te ritenga Maori guaranteed in article 4, which is part of the oral tradition of the treaty. This tradition allows for the protection of religious freedom and customary law and formed part of the discussion held before the treaty was signed. The power to make law and exercise authority through Maori legal institutions would still not rest with Maori.

But if the current retributive system could adopt the philosophy and praxis of restorative justice, then there would be no essential difference between the philosophy and aims of the system operating and those of traditional Maori justice, be the setting in a courtroom, a marae or a church hall. Different systems, different procedures and different styles would reflect different cultures. But there would be one philosophy, one aim, one praxis.

1. Restorative Justice Places Victims at the Centre of the Justice Equation

Under the current retributive system victims are shoved either right outside or tuck on the periphery. How much of the punitive wave of anger that sweeps the country after a particularly nasty crime flows from the unresolved anger, grief,

hurt and pain of the victims of crime? We all initially feel like stringing up a thief who has taken our car or burgled our home. But our emotions settle with time and we all know that such a lashing-out would probably do as much damage as the original crime and would not solve anything.

The experience of our youth justice system offers us some positive insights. Given the opportunity, it is amazing how contrite and shamed so many young people become after meeting their victims at a family group conference called under the Children, Young Persons and Their Families Act. It is also noticeable how forgiving, gracious and helpful so many of the victims are towards the offenders once they have been able to put a human face and history on the crime.

Anne Hayden, network co-ordinator for the Te Oritenga Restorative Justice group, says that victims need validation of their experience. They need recognition of their trauma and the opportunity to express it.

While on the one hand I do not tell them what to ask for at a community group conference, I do raise the possibility with them that it is often helpful to think about what they would consider satisfactory outcomes. They might have questions they would like to ask directly of the offender. Similarly, emotions they have experienced and may still experience are more healthily dealt with if they are directed at the source of the original injury or trauma, the offender. I emphasise that it is okay to cry, or to verbally express anger. It is important to appreciate that each person harmed by crime has temporarily lost power or control over themselves or their loved ones, possessions, or property for at least the duration of the crime. More often than not this powerlessness remains with them in varying degrees for an undefined length of time ranging from one hour to many decades. The powerlessness can manifest itself in lost autonomy, confidence or safely participating in previously habitual activities.

Howard Zehr also writes of the needs of victims to speak their feelings, to receive restitution, to experience justice. They need answers to questions that plague them such as who was at fault; so often victims blame themselves. But above all else, victims need the experience of forgiveness.

I am not suggesting that forgiveness comes easily, but it is a process of letting go. Victims need to be able to let go of the crime experience so that while it will always – must always – be part of them, it will no longer dominate their lives. Without that, closure is difficult and the wound may fester for years.³

In the current retributive system victims so often find themselves mere footnotes in the process of justice. The offender has taken power from them and the criminal law system also denies them power. Re-empowering victims enables them to be healed.

Many years of prison ministry have shown me how little remorse there is among inmates simply because they never have to meet their victims and see the devastation they have caused. This hardening of the arteries of emotion and

repression of shame and grief are the principal causes of recidivism and in so many committing even greater crimes upon release. Prison guarantees re-offending and offers victims nothing.

3. Restorative Justice Offers Healing To All Involved

I often draw people's attention to the case of Father Michael Lapsley, the New Zealand-born Anglican priest who was a victim of a South African state security letter-bomb. It blew off both of his hands, he lost an eye and had horrendous internal injuries, which still plague him today. If anyone had reason to feel embittered he did. But he is a brilliant model for those who seek to deal with the effects of crime in their lives and the need for victims to work towards forgiveness.

After the bombing, I was as helpless as a newborn baby for three months. There was literally nothing I could do for myself. But I also said to myself that my struggle now is a struggle to get well, a struggle to return, a struggle to live my life fully, as joyfully, as completely as possible, and that would be my victory. I also realised that if I was filled with hatred, bitterness, self-pity, desire for revenge, that they would have failed to kill my body but would have killed my soul, and I would be a permanent victim. Today I would say that I see myself not simply as a survivor, but I am a victor over evil and hatred and death that apartheid represented, a sign of the triumph of good.

When it comes to forgiveness, I would say this. Forgiveness does not come cheaply. In South Africa, we sometimes try to make it something glib, cheap and easy. Forgiveness is about confession, about remorse, about amendment of life, about reparation. That is why I believe in restorative justice, not retributive justice. If someone says to me, 'I am sorry I did that and I want to make some sort of amends,' I would say, "Of course, I forgive you".⁴

Archbishop Desmond Tutu, who chaired the Truth and Reconciliation Commission and heard literally thousands of testimonies from victims and offenders, speaks eloquently about forgiveness as an essential component of healing.

I have been bowled over by the incredible humility one has experienced from the victims, both black and white, who have suffered as much as they have. By rights they should have been hate-ridden by lust for revenge. They have exhilarated me by how ready they are to forgive. I have come to see that yes, of course, you have to have an acknowledgment by the wrongdoer that they have done something that was very wrong, that they owe to us confession so that the victim, the survivor, be enabled, be willing to forgive.

But I have come to believe fervently that forgiveness is not just a spiritual and ethereal thing unrelated to the real world, the harsh world out there. I have come to believe very fervently that without forgiveness, there is no future.⁵

The dictionary defines forgiveness as a process of ceasing to feel resentment against another. It would appear to include the idea of giving up one's natural impulse to strike back and exact revenge. It is often a very difficult thing to

accomplish, particularly in a culture that is staunch and macho in its philosophy. 'Don't get mad, get even' is symptomatic of the philosophy of our modern consumer culture. It reflects the philosophy of revenge.

For victims of crime, forgiveness is letting go of the power that the offence and the offender have over them, while not condoning or excusing that person. It means no longer letting the offence and the offender dominate. Without this experience of forgiveness, without this closure, the wound festers and takes over our lives. It, and the offender, are in control. Real forgiveness allows one to move from victim to survivor.⁶

Offenders are not only punished by the criminal justice system, but severely damaged as well. They don't have to face up to their offending, so they don't grow in responsibility. Offenders are not really held accountable, despite rhetoric to the contrary. Judges often talk about accountability, but what they usually mean is that when you do something wrong, you must take your punishment. Genuine accountability means, first, that when you offend, you need to understand and take responsibility for what you did. Offenders need to be encouraged to understand the real human consequences of their actions.

But accountability has a second component as well: offenders need to be encouraged to take responsibility for making things right, for righting the wrong.⁷

Just as victims need an experience of forgiveness, so do offenders. How else can they put the past behind them and positively confront the future? The retributive criminal philosophy provides little encouragement and virtually no room for an offender to confess, repent, change direction, turn life around, admit responsibility and make things right. The justice system simply encourages anger, rationalisation, denial of guilt and responsibility, feelings of powerlessness and dehumanisation. As with victims, the wounds just fester and grow.⁸

It is interesting to note that in Japan, which has a very low imprisonment rate of 37 per 100,000, forgiveness is a central part of the criminal justice philosophy. Letters of apology from the offenders to their victims are frequently followed by letters from the victim to the police asking that criminal proceedings be dismissed.⁹

Forgiveness is not something that the victim does for the benefit of the offender. It is the process of the victim letting go of the rage and pain of the injustice so that he or she can resume living freed from the power of the criminal violation. We encounter injustice daily in our homes, our places of work and in the affairs of nations. We can ill afford to respond to the grievances, large or small, in ways that are likely to escalate conflict and perpetuate cycles of violence. In many situations it is precisely the quest for justice as retribution that prevents many grievances from ever being channelled into forums that can bring resolution and redress. Limiting justice to retribution turns interpersonal disputes into tit-for-tat feuds, and border skirmishes into fully fledged wars.¹⁰

4. *Restorative Justice Places Responsibility for Crime in the Hands of Those Who Commit It*

Restorative justice brings a dimension of community responsibility into being. It recognises that we all form part of the one human family and that we have responsibilities towards one another. To focus always on the individual as if we always exist outside a grouping at work, at home, in the community, in a sports club – wherever – is to focus too narrowly. It is one of the great weaknesses of the Western judicial system.

Sheeting home responsibility for criminal behaviour to the individual in the context of family and friends usually brings massive shame and regret to offenders. How often have I sat in jail and talked to burglars who had done 20, or 30 or 80 burglaries, and still have no comprehension of the damage done in people's lives? To them it is simply property stolen to feed their families, their drug habits, or their greed. It is the same with most other offenders. Only a tiny percentage ever face the reality of what they have done.

Their general approach towards a system that treats them like schoolchildren is that once their punishment is done, there is no more need to worry. 'I've done my time' becomes their catchcry. They have had their 'just deserts', says the state. They have paid their debt to society. There is clearly no room for either victims or positive change in such a scenario.

5. *Restorative Results Are Better For All*

Victims consistently report their appreciation of having had the opportunity to tell their stories and to confront offenders with their sense of injury, anger and outrage. Responses by offenders show more frequent acknowledgment of guilt, deeper appreciation for the consequences of their wrongdoing and a greater sense of remorse. The statistics from carefully monitored evaluations of a variety of programmes evidence the extraordinary success of victim-offender mediation and the validity of the claims of its proponents.¹¹

In research conducted in 1996 into the impact on victims of family group conferencing, Allison Morris and Gabrielle Maxwell from the Institute of Criminology, Victoria University of Wellington, found:

Our research showed that, when victims were involved, many found this a positive process. About 60 percent of the victims interviewed described the family group conference they attended as helpful, positive and rewarding. Generally, they said that they were effectively involved in the process and felt better as a result of participating. Victims also commented on two other specific benefits for them. First, it provided them with a voice in determining appropriate outcomes. Second, they were able to meet the offender and the offender's family face to face so they could assess their attitude, understand more why the offence had occurred and assess the likelihood of it recurring.¹²

The British Home Office reviewed all of the victim-offender programmes in Britain. It found that, as in the US, victims express extremely high levels of satisfaction both in terms of the fairness of the process and the opportunity to participate. Through mediated contracts victims received higher levels of compensation than as a result of mandatory orders. Lower rates of recidivism reflected improvements in offender behaviour.

Probably the best model to reflect upon is the process of the Children, Young Persons and Their Families Act, which has been tremendously successful in New Zealand. Since the act came into force in 1989, using a restorative philosophy and the family group conference as its principle mechanism, the number of young offenders appearing before the courts has dropped from 13,000 cases a year to 1800. Clearly the rate of young people undergoing custodial sentences has also shown a dramatic reduction. Restorative conferencing among the young is obviously having some success.

New Zealand's principal Youth Court judge, Michael Brown, says the primary objectives of a criminal justice system must include healing the breach of social harmony and social relationships, putting right the wrong, and making reparation rather than concentrating on punishment. The ability of the victim to have input at the family group conference is, or ought to be, one of the most significant virtues of the youth justice procedures. On the basis of our experience to date, we can expect to be amazed at the generosity of spirit of many victims and (to the surprise of the professionals participating) the absence of retributive demands and vindictiveness. Victims' responses are in direct contrast to the hysterical, media-generated responses to which we are so often exposed.¹³

The New Zealand police are equally enthusiastic. Senior Sergeant Laurie Gabites of Police National Headquarters, Wellington, sees the act as law that has offered the community more benefits than many other pieces of legislation. It has offered benefits for both victims and offenders. It has offered offenders a chance to participate in the decision-making. It has offered help and support for victims and given them a chance to play a part in the justice system that has probably never been equalled anywhere else in the world.

It has also involved families in a way that has seen them making decisions about breaches of the law by way of consensus. He believes the law deserves closer examination as a blueprint for legislation to be applied to adults.¹⁴

Gabrielle Maxwell studied the act in its first three years of operation.

We looked at nearly 700 young offenders. We looked at over 200 cases which went to a family group conference and 70 cases that appeared in the Youth Court. I want to celebrate some of the successes we saw at that time. I want to allay some of the myths there are about the problems with the FGCs and I also want to identify some of the weaknesses, bearing in mind that this was 1990 and 1991, just a year after the act got under way and I think we need time to learn

how to operate a new system. In fact in some ways I want to stress how extraordinary these successes are in such a revolutionary endeavour.¹⁵

Criminology Professor Allison Morris writes: There are a number of clear advantages in restorative justice: offenders can be held accountable, victims can be heard, victims may feel better as a result of the process, and outcomes which more fully address victims' and offenders needs or interests can be reached. Importantly, many of the defects arising from current examples of restorative justice relate to bad practice rather than to fundamental flaws in its underlying properties.

In addition, there are advantages in restorative justice to the State. Family group conferencing in the youth justice system, for example, has resulted in fewer court appearances – a reduction by almost two thirds between 1987 and 1996 – and fewer custodial sentences – a reduction by more than 50% between 1987 and 1996. And, contrary to public and media perceptions, juvenile crime is not escalating out of control. Though it has increased, the rate of increase over the last ten years is smaller than for adults. The fastest growing crime population has been the over 30s: an increase of 155% compared with an increase of 24% in juvenile crime!

But the most important question is, 'does restorative justice reduce reconviction'? There are some encouraging data here from some pilot restorative justice projects but the follow up period was very short. Gabrielle Maxwell and I, on the other hand, have been involved in trying to track a sample of young offenders who took part in family group conferences in 1990–91. We found that about three-quarters were not convicted within a year, around a third were conviction free after six years and that around a third were persistently reconvicted after six years.

Is this better or worse than the previous youth justice system or than the adult system? It is impossible to say with confidence – there are no comparable data. A recent study by Psychological Services in the Department of Corrections showed that the reconviction rates after five years of offenders aged 14 to 17 who received adult sanctions were between 85% and 90%. Clearly, against this, the conferencing sample did quite well, but this is not really an appropriate comparison because of differences between the two samples in terms of severity of offence or persistence of offending. It does show, however, that conventional penal sanctions have minimal effect and it is difficult to imagine that conferencing could do any worse than this.¹⁶

Praise for the act comes from Australia too. Criminologist John Braithwaite, of the Australian National University, Canberra, writes that reforms to the New Zealand juvenile justice system since 1989 have had the effect of bringing shame and personal and family accountability for wrongdoing back into the justice process.

He says if the young offender's football coach is a person looked upon with respect, then he could be invited to the FGC. Braithwaite has attended a conference with 30 members of the community in the room. Conservative politicians who say they want to strengthen the family and do something for victims as the forgotten people in the criminal process should support this process, Braithwaite says.¹⁷

New Zealand's Future: Restorative Justice for Adults

Things have been moving in New Zealand towards restorative justice for adults for some years, and facilitation groups have been established in many parts of the country. In Timaru, for example, Project Turnaround, an official government pilot programme, has been operating very successfully for two years and has dealt with with more than 200 cases. Fewer than 10 percent of contracts agreed to at restorative conferences fail to be completed and result in the offender returning to court. Both imprisonment and re-offending rates have dropped dramatically in that time. In 1993 under the old regime, 116 people went to prison from South Canterbury. In 1997 only 30 were jailed. Crime has gone down in the region in practically every year since this form of sentencing was introduced. For example, in 1997 crime levels dropped 7 percent regionally while the national crime level continued to rise.

In Auckland more than 70 cases of adult restorative justice were held in 1998 involving community group conferences. Nearly all contracts were accepted by the court and completed by the offenders. One or two high-profile ones were not.

A sampling of those cases includes:

- A man charged with dangerous driving causing death. There were 15 present at the CGC, which took three hours. After apologies and explanations from the defendant and responses from the victim's family, the CGC recommended a \$6000 donation go to an education fund in memory of the deceased, and that the defendant do some community work.
- A woman charged with threatening to kill, possession of a firearm and forgery of a prescription. She expressed deep regret and explained the reasons for her actions. There were seven present at the two-hour conference, which recommended psychiatric, drug and alcohol assessment, attendance at an anger-management programme and extensive counselling.
- A man charged with assault with intent to injure. There were eight present for the CGC. After apology and explanations, the conference recommended alcohol counselling, an anti-violence programme and community work.
- Two young men charged with the aggravated robbery of a dairy with a toy pistol. The offenders showed deep remorse. They apologised to the 12 people present at the CGC, offered to do community work and pay some compensation. The CGC, which lasted more than two hours, accepted a probation officer's recommendation of a two-year suspended prison sentence.
- A club manager charged with theft as a servant. He apologised to club officials in a CGC and agreed to repay the \$6500 stolen in instalments. The police later withdrew the charge.

- A man charged with common assault. He agreed at his CGC to recommendations that he do an anger-management programme, pay \$500 towards new dentures for the victim, attend alcohol abuse counselling and write a letter of apology to his victim, who was not present. Seven attended his conference.
- A man charged with assault with intent to commit grievous bodily harm. The offender apologised to his victim at his CGC, at which five were present. The conference recommended he do an anger-management programme, write a letter of apology, do 50 hours of night classes for School Certificate English and maths, go to race relations classes at the local polytech, and that he and his partner (his victim) attend marriage couple counselling.
- A man charged with aggravated robbery, attempted kidnapping, threatening to kill and assault with a weapon attended a CGC with 10 others. He showed genuine remorse, and listened intently to the victims as they expressed their outrage at what had happened. The conference recommended that given the likelihood of a prison sentence, he should develop work skills, do anger management, get some education and seek psychological counselling while in prison. He later received 18 months' imprisonment, a substantial reduction because of his remorse and willingness to change.
- A grandfather charged with indecent assault and doing an indecent act attended a CGC with 10 others. After apology and explanation, many tears and much anger, the conference recommended counselling and therapy, that he do the SAFE programme for sexual offenders, be given some form of periodic detention and a suspended prison term. Later the judge agreed with the non-custodial recommendations, but noted that 15 months' imprisonment would have been the alternative, had the man not shown remorse and a desire to change.
- A woman charged with fraud by using a document to obtain pecuniary advantage attended a CGC. She apologised for her behaviour and showed genuine remorse. She accepted the recommendations of the conference that she write a letter of apology, repay \$1500 at \$50 per week, and perform 80 hours of community service.
- A young man charged with three counts of theft attended a CGC. He apologised to his victim and agreed he had let down everyone who had tried to help him. The conference recommended reparation of \$100, 40 hours of community work, that he seek out a drug programme and get himself physically fit.
- A young man charged with excess alcohol, causing death and injury and driving while disqualified came to a CGC attended by nine people, including the dead person's parents. He offered an apology and showed remorse. The conference acknowledged that imprisonment was likely but, even in the face of this, the offender agreed to write full letters of apology to all affected, do a drug and alcohol programme, attend an alternatives to violence programme, continue study for his trade certificate and, at their invitation, to continue to correspond with the deceased's parents. He later received 18 months' imprisonment.

Some dimensions of restorative justice already have widespread support in New Zealand. In early 1994 a *Listener*/Heylen poll found that in response to the statement 'offenders should meet with their victims and where possible try to put things right', 55 percent agreed or agreed strongly, while a further 20 percent were either neutral or didn't know. Only a quarter disagreed. In response to a further statement that we should 'place more emphasis on probation where offenders may be supervised in the community', 62 percent agreed or agreed strongly, a further 20 percent were either neutral or didn't know, and only 18 percent disagreed.

It would appear that, contrary to radio talkback wisdom, there is a reasonable foundation in the wider community prepared to accept a structural move away from imprisonment towards more positive, restorative, non-custodial options in New Zealand.

In November 1997 the New Zealand Cabinet accepted a proposal recommending four pilot restorative justice processes be set up to last a period of three years, and sought \$7.2 million to fund them. About 1200 cases were expected to be dealt with in this time. The money was not forthcoming from the 1998 Budget but should be available in the future. These pilots would be in addition to any existing schemes, such as Project Turnaround.

In July 1998 the Court of Appeal in New Zealand heard its first case involving restorative justice. The court made it clear in its judgment, *R v. Clotworthy* (CA114/98), that it believed restorative justice principles were already in place in New Zealand law. The judges found for the Crown in this particular case on charges which involved wounding with intent and aggravated assault. However, in their judgment they said:

We would not wish this judgment to be seen as expressing any general opposition to the concept of restorative justice (essentially the policies behind sections 11 and 12 of the Criminal Justice Act). Those policies must, however, be balanced against other sentencing policies, particularly in this case those inherent in section 5, dealing with cases of serious violence. Which aspect should predominate will depend on an assessment of where the balance should lie in a particular case. Even if the balance is found, as in this case, to lie in favour of section 5 policies, the restorative aspects can have, as here, a significant impact on the length of the term of imprisonment which the court is directed to impose. They find their place in the ultimate outcome that way.

Conclusion

Many people said in years past that the youth justice system was beyond reform. Our history of Social Welfare homes, borstals, detention centres, youth prisons and corrective training was one of failure, yet because they were such a part of an entrenched retributive and punishing philosophy, little could be done to change the situation. It was all a part of our English retributive heritage, and the radical shift

needed to really make any substantial difference would never happen. History has shown such sceptics to be wrong.

Restorative justice is a philosophy that offers us a chance to practise the qualities that make people great – true justice based on apology, compassion, healing, mercy, reconciliation, forgiveness and, where appropriate, sanction. It offers the processes whereby those affected by criminal behaviour – be they victims, offenders, the families involved or the wider community – all can have a part in resolving the issues that flow from the offending.

We need a quality of criminal justice that recognises the immense value that these virtues bring to the quality of life and acknowledges the centrality of and need to enhance and protect the common good. No-one is saying 'be soft on crime'. Rather the plea is to take this tougher option and utilise all the great human qualities that reflect a power that can and does change human behaviour for the better.

Now is the time for a radical shift to a parallel system of criminal justice involving restorative justice processes. These include conferencing, victim-offender facilitation and more diversion.

History is teaching us every day that if we continue to operate a criminal justice system oriented principally towards punishment based on vengeance, and continue to ignore the opportunities that restorative justice offers, we will continue to reap its bitter harvest of high crime rates, fear and insecurity. The time for change is now if we are to bequeath the 21st century a criminal justice system worthy of its name.

Footnotes

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Glossary

Maori

Aotearoa

traditional name for New Zealand believed given by Maori explorer Kupe, now in general use as an alternative name

aroaha

love

hara

crime, offence

hapu

sub-tribe

hui

gathering, meeting

iwi

tribe, people

karakia

prayers

kaumatua

elder

kawanatanga

government

kei te pai

all right, OK, good

kuia

woman elder, old wise woman

mana

personal standing, prestige, influence, power

Maori

name given to the indigenous people of Aotearoa/New Zealand

marae

meeting ground

marama

light, daylight

matuatanga

parenting role

mea tuhonohono

bringing harmony, togetherness

murū

rob, plunder, confiscate

Ngai Tahu

major tribe in the South island

Ngati Kahu

North Island tribe

Ngati Porou

major tribe on the East Coast, North Island

Ngati Te Rangi

tribe on the west coast, North Island

Ngati Ranginui

tribe on the west coast, North Island

Nga Puhi

major tribe in Northland

Pakeha

name given by Maori to those of European descent

pakeke

adult, difficult

putao

widow

JAMES TRACY

Direct Action

RADICAL PACIFISM
FROM THE UNION EIGHT
TO THE CHICAGO SEVEN

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Introduction

In the 1940s, a small but dauntless movement, whose adherents termed themselves "radical pacifists," emerged out of the conscientious objector population of World War II. Between 1940 and 1970, these radical pacifists became the principal interpreters of Gandhism on the American Left. Despite its small size, their movement made an enormous impact on postwar American dissent. Groups such as the Congress of Racial Equality, the War Resisters League, the Fellowship of Reconciliation, and the Committee for Nonviolent Action played key roles in determining the tactics, structure, and culture of the postwar Left. These groups would stamp postwar American dissent with certain characteristics: a tactical commitment to direct action; an agenda that posited race and militarism (instead of labor) as the central social issues in the United States; an experimental protest style that emphasized media-savvy, symbolic confrontation with institutions deemed oppressive; an ethos that privileged action

over analysis and extolled nonviolent individual resistance, especially when it involved "putting one's body on the line"; and an organizational structure that was nonhierarchical, decentralized, and oriented toward consensus decision making. Genealogies of the Civil Rights, antiwar, and antinuclear movements in this period are incomplete without understanding the history of radical pacifism.

Part of the explanation for the disproportionate influence this small movement exerted upon the culture of postwar political dissent is that radical pacifists touched in a distinctive way upon a growing ambivalence Americans felt about the implications of the Cold War for democracy. Radical pacifists were, at root, radical libertarians, attempting to reassert autonomous individualism amidst modern mass society. This orientation made them particularly sensitive to all forms of authoritarianism. Their forms of protest, which explicitly and implicitly hearkened back to nineteenth-century ideals of American individualism, resonated with increasing numbers of people in the postwar period.

Along with their influence on the American political tradition, radical pacifists provide intriguing personal histories, replete with tales of courage, commitment, heroic struggle against remarkable odds, and tragedy. The people who led radical pacifism—such as Dave Dellinger, A. J. Muste, and Bayard Rustin—seasoned its history with their inimitable styles. In order to effectively portray the people who made this history, I have written this book as a collective biography in narrative form. This format helps to bring out the drama of the passionate struggles of radical pacifists to transform America over the course of three decades, amid innumerable contingencies.

The full history of radical pacifism, however, is not a triumphant one. In the 1940s and 1950s, radical pacifists developed a protest style that was, of necessity, tailored to small groups of activists. One of their most impressive accomplishments was that they intrepidly remained active at the height of the Cold War and the Red Scare. Yet the tactics and ethos that suited small groups calling out in the political wilderness of the 1940s

and 1950s were not particularly apt for the mass-based movements that emerged in the 1960s. Radical pacifism's influence upon the foundations of the new radicalism, I argue, was both a major reason for the powerful symbolism of public protest during the late 1950s and 1960s and a key contributory factor in the ultimate unraveling of the Left in the late 1960s. Radical pacifism, in short, was better suited for symbolic activism engaged in by small groups than for the instrumentalist work of building sustainable mass movements. The history of radical pacifism, then, has explanative value for the course taken by the American Left during and after the 1960s. It also reveals at once the strengths and limitations of American individualism. For this reason, the history of radical pacifism is instructive for both the Left and the Right in America.

Six

THE VIETNAM ERA

THE NEW RADICALISM

The New Radicalism is pluralistic, amorphous, and multilayered. Its three political strands—anarchism, pacifism, and socialism—mingle in different proportions. . . . At its surface, political level, the New Radicalism is an anti-Establishment protest against all the obvious inequities of American life. It says that Negroes should vote, that America should follow a peaceful, noninterventionist foreign policy. . . . It is a series of individual criticisms many liberals can agree with. . . . At its second, more complex level, this movement is a moral revulsion against a society that is becoming increasingly corrupt. . . . Feeling this ethical vacuum in the country, the New Radicals have made morality and truth the touchstones of their movement. Like Gandhi, they try to “speak truth to power.” Their politics are not particularly concerned with power or success, but rather with absolute moral alternatives like love, justice, equality, and freedom. Practical, programmatic goals are of little interest. . . . At its third,

subterranean level, the New Radicalism is an existential revolt against remote, impersonal machines that are not responsive to human needs. The New Radicals feel sharply the growing totalitarianism of life in this technological, urban decade. . . . From their fury at arbitrary power wielded by impersonal machines (governments, college administrations, welfare bureaucracies, draft boards, television networks) come some of the New Radicals' most innovative ideas. Participatory democracy—the notion that ordinary people should be able to affect all the decisions that control their lives. . . . It is its brilliant insight into the creeping authoritarianism of modern technology and bureaucracy that gives the New Radicalism its definitive qualities of decentralism, communitarianism, and existential humanism. Historically, the New Radicals' forebearers are the Whitman-Emerson-Thoreau transcendentalists, and the Joe Hill-Bill Hayward Wobblies.¹

The above statement was not written to describe radical pacifism in the 1940s or 1950s but, rather, was written by Jack Newfield in 1966 to describe the student New Left identified most readily with SDS. This resemblance arises from the central role radical pacifism played in forging the underlying ethos of the new radical culture in the early- to mid-1960s.

The spirit of creative experimentalism that marked radical pacifism from its inception in the 1940s led it to develop a protest style more attuned to the tenor of the times than groups that had remained in one way or another shackled to organizations and concerns of the Old Left. Historian Penina M. Glazer, who has argued that the 1940s was a “decade of transition” in which the radicalism of the 1960s had its origins, posits that the groups most willing to experiment during this period were the groups that eventually exerted most influence on subsequent protest movements. In this regard, she concludes that “the radical pacifists were particularly dynamic.”²

Centrally concerned with reasserting an autonomous self in modern life, radical pacifists rejected the Old Left from the start for its authoritarian tendencies. Freed from the organizational

assumptions that still held other radical organizations of the Old Left enthralled, radical pacifists were the first group on the American Left in the 1940s to shift their agenda from labor to posit race and militarism as the key social issues of the day; to build an organizational structure that was decentralized and emphasized participatory democracy while questioning the necessity of strong leadership; that focused tactically on nonviolent civil disobedience as its primary methodology; and that developed a movement ethos that called for total lifestyle commitment and emphasized action over analysis, especially glorifying those such as Corbett Bishop and Jim Peck who "put their body upon the line."

The student leaders of the New Left were certainly influenced by people and movements other than radical pacifism—notably, European existentialists, such as Camus and Sartre, and American thinkers associated with *Politics* magazine, such as C. Wright Mills and David Riesman (all of whom had influenced radical pacifists as well). Yet the genealogy of radical pacifist influence upon the protest ethos of the emergent new radicalism of the 1960s is clear: Dwight Macdonald's essays on the centrality of individual moral sensibility that appeared in *Politics* during the mid-1940s, when he was deeply influenced by, and identified with, the radical pacifist movement; the role of CORE in establishing small-group direct action as a paradigmatic tactic for protest against segregation and the subsequent close association the student leaders of the sit-in movement and SNCC had with CORE, still under the leadership of Farmer and Peck; the influence Glenn Smiley, Bayard Rustin, and other radical pacifists had on the protest tactics adopted by King and the SCLC; the CNVA protests such as the Golden Rule and Brad Lytle's actions as well as the Catholic Worker's civil defense protests, which attracted young white militants; Ken Calkins's Student Peace Union, which brought CNVA's methods to campus peace efforts; Muste's role in reaching out to young activists through his coalition work and his founding of *Liberation*; and the central role played by radical pacifists in the protests against American intervention in Vietnam are just the more sa-

lient means by which radical pacifists played a central role in shaping the ethos of postwar radicalism. Student activists of the early 1960s such as the founders of SDS assimilated much of this ethos from divergent sources on the Left, often unaware these influences had World War II C.O. pedigrees.

There was, however, a dark side to this radical pacifist influence upon the student activism of the 1960s. By reacting against the excesses of the Old Left, radical pacifists embraced a structure and program that were well suited to small groups crying out in the political wilderness of the 1940s and early 1950s but were not particularly suited to movements with a mass base. Decentralized organizations that embraced nonhierarchical, participatory methods and nonexclusion were vulnerable to takeover from within by disciplined, insurgent fringe groups. The primacy of action over analysis in radical pacifist culture had been a breath of fresh air on the Left in the 1950s after so many years of the stale, paralyzing scholasticism of the Old Left. The radical pacifist penchant for cathartic symbolic protest proved a powerful method for nonviolently facing down oppressive institutions, such as segregation in the South, in a way that captured media attention. With CNVA, however, this emphasis took on added degrees of impatience and bravado, marked by a glorification of placing one's body at risk, such as swimming aboard a disembarking nuclear attack submarine, to demonstrate the depth of one's convictions. Such methods often necessitated a continual increase in the militancy—or at least novelty—of actions in order to keep the public's limited attention focused on the protests. This proclivity, that lies in the very nature of symbolic protest in an age of mass media, privileged the most militant Jacobins who periodically arose within organizations of the new radicalism throughout the 1950s and 1960s. In the hands of groups such as SDS, which lacked the discipline of Gandhist underpinnings, the tendency toward expressionist activism eventually eclipsed the more instrumentalist task of building sustainable movements altogether by the late 1960s. Reflecting back on the 1960s, Paul Booth, former president of SDS, recalls: "We didn't start out with very good ideas about

strategy, in part because the pacifist-direct action people who influenced us weren't into strategy. . . . Unfortunately, the Old Left didn't influence us: we viewed them as intellectually bankrupt. But they were the only people in the society who knew what . . . a mass organization was or how you worked in one."³ While the radical pacifist ethos of putting one's body upon the line that infused dissent in the late 1950s and 1960s would generate some of the most poignant and searing images of creative protest in American history, the privileging of such action at the expense of analysis would result in a Left remarkably devoid of intellectual content after the collapse of its activist momentum in 1969. As late as 1963, however, no one would have predicted that the denouement of the history of radical pacifism—and of the postwar Left in general—would take place over the issue of United States intervention in Vietnam.

RESISTANCE TO THE VIETNAM WAR

Protest against U.S. intervention in Vietnam was a lonely affair in the early 1960s. Prior to 1963, the Vietnam conflict, when it was mentioned at all at peace demonstrations, was subsumed in a list of grievances. The first demonstration solely on the issue of Vietnam took place in 1963 when two young Catholic Workers, Tom Cornell and Christopher Sanders Kearns, held a vigil for nine days in front of the home of South Vietnam's observer at the United Nations. Dave McReynolds of the WRL arranged for about 250 of the regular New York activists, including Muste, to turn out for the tenth and last day of the protest. This was a sizable turnout for radical pacifism in the early 1960s. Cornell recalls that "we never had a demonstration of more than 250 people until the war got going."⁴

Gradually in 1964 Vietnam began to play a more important role in the thinking of radical pacifist activists, but in this they were almost alone on the Left. The Johnson administration was hardening its commitment to the South Vietnamese government, and the number of American advisors there was climbing. But the involvement of the United States in Vietnam was still

far short of what could be termed war, and the news about America's growing commitment there was tucked away in the back pages of newspapers. SDS, two years old in 1964 and just beginning to emerge as the most influential student group in the country, was engrossed with its own Economic Research and Action Project (ERAP), whereby white college students were sent into ghettos to organize community action for better living and working conditions. The results were less than spectacular, but SDS remained committed to the idea and largely oblivious to events in Southeast Asia throughout 1964.

On July 3, 1964, radical pacifists held a demonstration against the American escalation in Vietnam just outside the White House gates. Protesters included such stalwarts as Muste and Dellinger as well as some fresh faces in the antiwar camp, Joan Baez and the brothers Daniel and Philip Berrigan. The Berrigans were Catholic priests who were on the small progressive wing of the Catholic Church in America that included the Catholic Worker and Thomas Merton.

At the La Guardia airport that morning, a telling interchange occurred. Dave Dellinger bumped into Bayard Rustin, who, by coincidence, was traveling to the White House to participate in the ceremony for the signing of the 1964 Civil Rights Act that same day. Rustin had sat in on the planning meetings for the antiwar demonstration, in which a statement against the escalation in Vietnam had been drafted. Rustin, however, had been unwilling to sign the statement. Sitting on the flight to Washington together, Dellinger tried to persuade Rustin to stop by the peace rally on his way from the White House to sign the antiwar statement with one of the pens passed out at the signing of the landmark Civil Rights legislation. Significantly, Rustin refused to combine the two issues. "That was the point when I knew he'd gone over the hill," Dellinger remembers.⁵

This exchange was a clear indication of the deepening rift between Rustin and radical pacifists. In the early- to mid-1960s, Rustin increasingly opposed an alliance between the leadership of the black freedom struggles and his former radical pacifist cohorts. Rustin repeatedly and strenuously advised King against

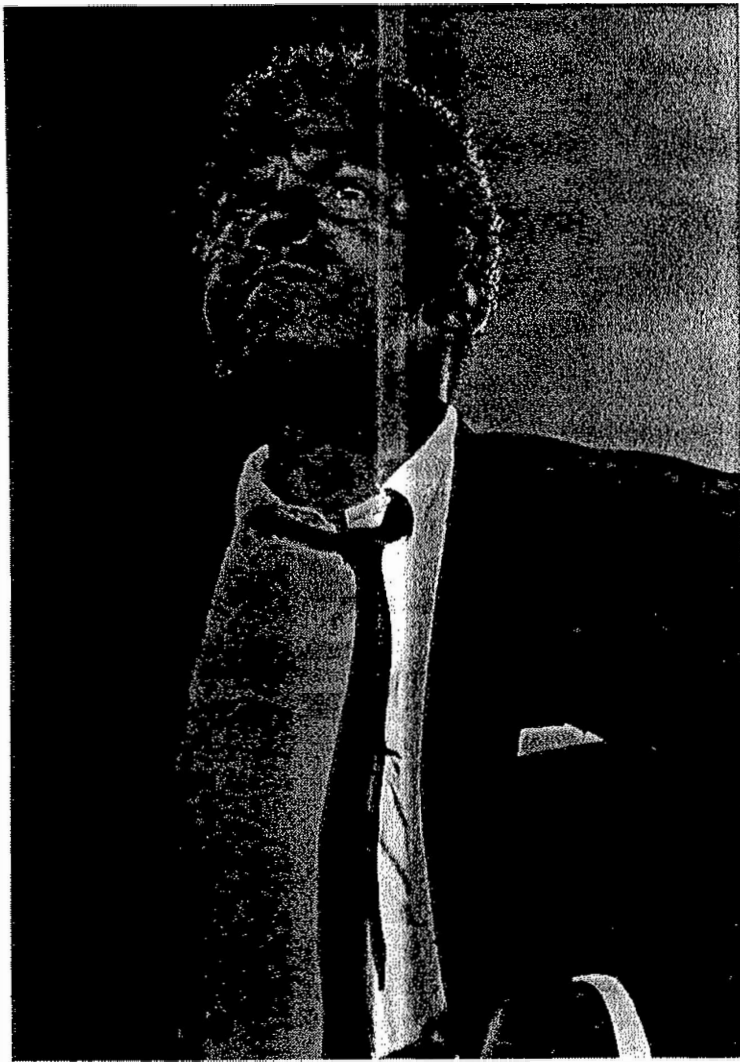
taking a public stand in opposition to the Vietnam War, arguing that it would be detrimental to King's leadership of black America to take a stand on controversial issues outside the direct concern of Civil Rights struggles. Increasingly associating himself with Randolph, Rustin felt that the most useful allies for Civil Rights leaders were to be found in labor unions and the liberal establishment. Such an approach obviously precluded overt criticism of American policy in Vietnam, which was being directed by a Democratic president and was supported by most mainstream labor groups.

In February 1965, Rustin gave full expression to his journey from radicalism to a cautious liberalism in an article entitled "From Protest to Politics."⁶ In this article, Rustin argued that the protest methods of the black freedom struggles were beginning to reach the limits of their efficacy. Rustin called upon black leaders to pursue a new alignment with such mainstream liberal institutions as the labor movement (which did not have a stellar record on the issue of race) and the Democratic party in order to more effectively translate black America's discontent into concrete legislation and programs. Looking back on the past decade of black activism, Rustin concluded: "What began as a protest movement is being challenged to translate itself into a political movement." Failure to forge alliances with liberals, he warned, would relegate the Civil Rights movement to "majestic isolation, except for a tiny band of fervent white initiates." Rustin followed through on his ideas by becoming executive director of the A. Philip Randolph Institute, which worked closely with the AFL-CIO, and by urging black leaders to support—or at least stay silent about—Johnson's burgeoning war effort in Vietnam in order to keep the administration's momentum behind the War on Poverty. Rustin made many enemies throughout the Left when he urged the Mississippi Freedom Democratic party to accept Johnson's token compromise at the Democratic convention in 1964 and when he tried to prevent a march against the Vietnam War sponsored by SDS in 1965.

Rustin's convictions that street protest against racial discrimination was coming up against its own limitations and that the

progressive Left and the liberal establishment needed each other have in certain respects proved remarkably prescient. Yet Rustin's shift to the center, occurring at precisely the time when most activists felt that direct action was proving to be a powerful method for social transformation, and when they increasingly viewed the Johnson administration's policy in Southeast Asia as blatantly immoral, left radical pacifists aghast. Staughton Lynd, whose work as director of the Freedom Schools sponsored by SNCC in Mississippi during the "Freedom Summer" of 1964⁷ had left him in no mood to soften his criticisms of the Johnson administration, wrote a scathing condemnation of Rustin's new positions in *Liberation*, a magazine on whose editorial board Rustin and Lynd both still sat. Lynd pulled few punches in his article, "Coalition Politics or Nonviolent Revolution?" stating: "Rustin has permitted himself to drift into that posture which once evoked epithets such as 'labor lieutenant of capitalism.'"⁸ Lynd's anger arose in part from personal feelings of betrayal. "I singled out Bayard . . .," he later wrote, "most of all because Bayard Rustin has for so long inspired myself and others of my generation as a passionate practitioner of radical civil disobedience and nonviolent revolution."⁹

Lynd's strident condemnation of Rustin unleashed a storm of debate on the Left. Lynd was taken to task in a letter to *Liberation's* editors signed by, among others, Michael Harrington, Irving Howe, Norman Thomas, and radical pacifists Mulford Sibley and George Willoughby. These signatories characterized Lynd's article as a "character assassination" that "does not belong on the democratic Left." Lynd, they wrote, "resorts to language which he may consider natural to the 'new Left' but which strikes us as a dismal echo from the old and discredited Left."¹⁰ The editors of *Liberation*, who had encouraged Lynd's criticisms, now, in turn, rose to his defense, declaring that they "never regarded Staughton Lynd's article as in any sense constituting 'character assassination' of Bayard Rustin. . . . Persons impressed by Staughton's courageous opposition to the Vietnam war might well question the appropriateness of what might be considered an organized attempt to brand Staughton Lynd as a 'character



Bayard Rustin. Photo Courtesy, Estate of Bayard Rustin.

assassin."¹¹ Rustin declined to publish a response to Lynd's criticism in *Liberation*, and he resigned from its editorial board in early 1966.

By the time of this exchange, Vietnam was arriving front and center in American politics. Vietnam had been thrust into greater domestic prominence after a Communist attack on United States troops at Pleiku in February of 1965. The Johnson administration seized upon the attack to pursue a dramatic escalation of American involvement in the Vietnam War. As domestic attention shifted to the tiny Asian nation few had much knowledge about, teach-ins were organized on college campuses across the country throughout the spring to educate the intellectual community about the war. Many at the teach-ins, especially a student body restive after the 1964 Freedom Summer in Mississippi and the Free Speech Movement at Berkeley, found the administration's propositions for the necessity of such intervention unconvincing. The teach-ins, consequently, contributed to a groundswell of student pressure on SDS to take a stand against the war.

SDS leaders, however, hesitated to divert their focus to the war. Paul Potter, SDS president at the time, feared that Vietnam was a marginal and transitory issue that would distract the organization from its focus on the ERAP work in American ghettos. Reluctantly, though, he agreed to sponsor a march against the war in Washington in April. Over twenty thousand people, mostly student age, participated in the SDS rally, where they were addressed by Potter, I. F. Stone, SNCC leader Robert Parris (formerly and subsequently Bob Moses), and Staughton Lynd, among others. The rally received widespread media attention, which convinced college students across the country for years to come that SDS was the chief organization expressing opposition to the Vietnam War. Ironically, however, hawkish criticism in the press convinced the leadership of SDS to back away from sponsoring further such rallies.

Meanwhile, radical pacifists were planning a demonstration

of their own in Washington for August of 1965. The size of the April demonstration organized by SDS had surprised everyone. Muste, Dellinger, and Lynd hoped to have a similar turnout for their demonstration, built on the broadest possible coalition of activist forces, including traditional and radical pacifists, unionists, black activists, and students. The ideological umbrella they hoped would unify such diverse interests was drawn from recent speeches Lynd had been giving that portrayed the government as unresponsive to democratic impulses. The war in Vietnam and the government's economic and racial policies, Lynd argued, were the creation of a bureaucracy that did not truly represent the interests of people at the grassroots level. Thus was born the Assembly of Unrepresented People, which began on the twentieth anniversary of the atomic bombing of Hiroshima and ended on the anniversary of Nagasaki's destruction. The turnout for the assembly did not match the SDS march, but radical pacifist organizers were nonetheless pleased to have from one to two thousand participants, of whom about 350 were arrested for committing civil disobedience at the Capitol building.

The assembly began with a silent vigil followed by a rally at the White House. The next day, the crowd dispersed to workshops on a wide array of issues and concerns. On the last day of the rally, protesters marched to the Capitol building, led by Lynd, Dellinger, and Bob Moses of SNCC. Along the route, counterdemonstrators splashed red paint on the three of them. The image the media carried of these three activists marching on the Capitol with red paint streaked over their faces and clothes resonated with Americans' ambivalent view of antiwar demonstrators: undaunted by criticism and assault but, in the popular mind, still smeared with suspicions of being "red."

The radical pacifist organizers were thrilled with the assembly, hoping that it betokened a new broad-based coalition. On the initiative of Jerry Rubin, who had made his mark as organizer of the Vietnam Day Committee in Berkeley, they optimistically formed the National Coordinating Committee to End the War in Vietnam (NCCEWVN) during the weekend. Radical pacifists at the time failed to fully appreciate the seriousness



Dave Dellinger, Staughton Lynd, and Robert Parris Moses leading the Assembly of Unrepresented People while spattered with red paint, Washington, D.C., August 1965. Photo by Neil Haworth, reprinted with permission from the War Resisters League files.

of the rifts on the Left that would make a multi-issue umbrella organization so difficult to maintain in the 1960s: there was great tension over the primacy of race among activists and SDS persisted in backing away from any protest against the Vietnam War since its April demonstration. Yet the radical pacifists' faith in the efficacy of coalition building would make NCCEWVN the forerunner of more successful such organizations—at the helm of which Muste and Dellinger would soon be regularly calling tens of thousands of people into the streets to demonstrate against the escalating war in Southeast Asia.

In 1966, Lynd took a daring step when he traveled to Hanoi with Tom Hayden of SDS and Herbert Aptheker, a Marxist historian. Lynd, who had been reared in the upper echelons of

academia, was then a prominent historian of colonial America struggling to balance his activism with his role as a member of Yale's history department. Shortly after his return to the United States, however, Yale denied him tenure.

Trips to Vietnam would become somewhat popular on the Left. Dellinger made such a junket later in 1966. A month before his death in 1967, Muste traveled to Vietnam with Barbara Deming and representatives from Women Strike for Peace. While visiting Saigon, Muste and Deming engaged in civil disobedience to protest the policies of the South Vietnamese government. Deming recalls being concerned about Muste's health at one point on the hot day when they were arrested. Just then, Muste looked across at her, smiled, and exclaimed, "It's a good life!"¹² In 1968, it would be the turn of Howard Zinn and Dan Berrigan. And many other antiwar activists would make the trip in subsequent years, although doing so had lost some of its controversiality by the 1970s. In part, such trips were viewed as a means to personally convey opposition to the United States government's execution of the war in a way that was sure to stir controversy. Such trips also stemmed for some participants from a tendency on the Left to romanticize armed Third World revolutionaries—a weakness, oddly, that some radical pacifists shared at the time.

In early 1967, Muste and Dellinger were again hard at work organizing a broad-based coalition. Originally initiated by students who wanted to demonstrate the growing strength of the antiwar movement by holding a protest with perhaps tens of thousands of marchers, the ad hoc Spring Mobilization to End the War in Vietnam far exceeded the modest goals of its planners. As the scale of the planning grew, primary responsibility for organizing the rally moved from the students who had envisioned it to the experienced hands of Muste, Dellinger, and Sidney Peck, a professor at Case Western Reserve University who had been involved in the teach-in movement.

At the same time, SDS, despite the hesitations of its leadership, was beginning to show a new willingness to focus on the Vietnam War. There were many factors contributing to this.

There was, of course, the rapid escalation of the war itself. By 1967, American troop commitment in Vietnam was at nearly 400,000—and growing. Few issues were more pressing in the minds of the male rank and file within SDS than that of the draft. SDS realized just in time that the New Left would pass it by if it did not lead its members on the issue of Vietnam.

SDS was also driven into the antiwar camp in 1967 by the emergence of the black power movement. First arising within SNCC (and associated with Stokely Carmichael), black power swept across the spectrum of black militancy in 1966. Undoubtedly its most visceral organizational symbol was the gun-toting Black Panther party. "Black power" was nowhere clearly defined, but it generally denoted a move in the black community toward black-led institutions. This shift caught white activists by surprise.

Closely allied with SNCC since the sit-in movement, Farmer, joined by black activists Floyd McKissick and Roy Innis, quickly followed SNCC's lead by heading CORE in a black power direction in 1966. CORE's twenty-third annual convention in July of 1966 was marked by militant rhetorical flourishes, and at the 1967 convention the word "multiracial" was voted out of the organization's constitution.¹³

CORE's black power stance led to an exodus of white liberal support that would seriously undermine the organization's membership—not to mention its financial—base. Author Lillian Smith, the Georgia native who had written *Strange Fruit* and other books challenging racial discrimination and had been an active member of CORE since the late 1940s, resigned from the organization immediately after the 1966 convention. "CORE has been infiltrated by . . . nihilists, black nationalists, and plain old-fashioned haters, who have finally taken over," she lamented.¹⁴

Although CORE never officially barred whites from the organization, Jim Peck was unmistakably squeezed out. A loophole in the organization's rules protected Peck from being fired as editor of the group's newsletter, the *CORElator*, a post he had held since 1948. CORE's leadership got around this by sim-

ply abolishing the CORElator. Dave McReynolds believes that Peck was forced out of CORE in a "terribly undignified way." Peck, he thinks, was "never intellectually able to understand why it was necessary" for the movement to expel whites.¹⁵ Bill Sutherland recalls that Peck was "very bitter," feeling that "people like Farmer had betrayed him and betrayed the ideal of CORE."¹⁶ Peck wrote an angry—and, at times, plaintive—essay in the October 1966 issue of *Liberation*. "I worked for CORE, without remuneration," he wrote, "from the initial freedom ride (Journey of Reconciliation) in 1947 until 1965 when I was ousted because of my skin color." He reminded readers that "I was beaten almost to death on the first of the 1961 Freedom Rides," and he concluded, "Why can't we end this period of . . . dissension in the Movement and resume non-violent action in the streets, singing 'We Shall Overcome'—and without deleting the stanza 'Black and white together?'"¹⁷

Black power advocates cast SDS members out of the militant wing of the black freedom struggle as well. Many in SDS had participated with SNCC in Freedom Summer and other activities in the deep South, but these white activists now found almost as much hostility to their continued participation from black activists as they did from white segregationists. SDS's ERAP workers also found blacks in the urban ghettos less hospitable to white college students who came in with visions of leading them to the political Promised Land. Precluded from further action on the race and urban fronts, SDS leaders moved back to the issue of Vietnam in 1967. Ironically, many college students who looked to SDS for leadership in the antiwar movement never knew that SDS had moved away from the issue after the April 1966 protest in Washington.

When SDS did resolve to embrace the Vietnam War as its focal point in 1967, new student leaders within the organization brought a frenzied edge to their war resistance that grew from an amalgam of mounting anger about the war, drug-induced unreality, and emulation of the Black Panthers' "in-your-face" belligerence that teetered dangerously at the edge of romanticizing violence. These tendencies within SDS would present

themselves most clearly when Bay Area students engaged police in street battles as part of an attempt to shut down the Oakland induction center in October of 1967.

Radical pacifists looked to a coalition with these younger radicals. Muste, Dellinger, and Lynd publicly supported much of the new militancy, although they persistently urged adherence to nonviolent methods for social change. Lynd, for instance, expressed strong empathy for black power advocates in a 1966 *Liberation* article, where he compared the new slogan favorably to the thinking of DuBois. But he closed with a cautionary reminder that DuBois "continued to advocate nonviolence."¹⁸ As the student antiwar movement shifted from protest against the war to active attempts on the domestic front to disrupt the government's ability to wage the war, Lynd quickly supported and encouraged the confrontational tactics. Lynd, for instance, in an article in *Liberation* entitled "Resistance: From Mood to Strategy," commented favorably that, "as usual, Berkeley points a direction in its week-long attempt to obstruct the functioning of the Oakland Induction Center."¹⁹

Dellinger particularly among radical pacifists sought to build an alliance with this new student activism and attempted to steer it into broader coalitions. Dellinger's rhetoric during these years appeared intemperate to some pacifists. Dave McReynolds considers Dellinger "a person to be arrested with," because of Dellinger's personal warmth, yet McReynolds always tried to avoid speaking before Dellinger at a protest, because, he says, Dellinger, "has to position himself to the Left of you." Dellinger, McReynolds sums up, was "correct twice a day, like a broken clock."²⁰ Ira Sandperl feels that Dellinger "wants to be seen as 'in' all the time" and that Dellinger and Muste "loved the huge number of marvellous young kids that were gathering under their feet." Sandperl believes that Muste and Dellinger "became very shy about speaking about nonviolence" once "they got a movement going," and he even asserts that Dellinger "went back on his pacifist position . . . in the sixties."²¹ Dellinger, however, maintains that he "never changed basically from being totally committed to nonviolence."²²

While in retrospect the rhetoric of Dellinger (and, to be sure, many others on the Left) in the late 1960s sometimes appears overblown, unconsidered, and even occasionally affected, this was nonetheless the lexicon of their milieu—at a moment that was easily misperceived as revolutionary. By positioning himself further leftward than some other pacifists, Dellinger certainly remained consistent with his lifelong rebel stance, and he proved effective at reaching out to the new batch of student leaders. It must also be borne in mind that, prior to 1968, the irrationalism and violence that inhered in student rebellion had not fully surfaced. After the Chicago debacle, Dellinger would cast a more critical eye on the student-led New Left and counterculture.

On February 10, 1967, the antiwar movement lost its most venerable leader when A. J. Muste died at the age of eighty-two—true to form, less than a month after his trip to Vietnam. The mantle of leadership of the pacifist wing in the antiwar movement was now fully assumed by Dave Dellinger, who plunged into preparations for the Spring Mobilization to End the War in Vietnam (Spring Mobe).

Realizing the logistical difficulty of getting a bicoastal movement to converge in one large demonstration but determined to demonstrate the mass base that the antiwar movement had gained, organizers decided to hold simultaneous rallies in New York and San Francisco on April 15. The scale of the turnout exceeded all expectations. More than fifty thousand people marched in San Francisco. Estimates of the crowd in New York City ranged from 200,000 to half a million, with groups ranging from SANE to SNCC represented.

Against the strong opposition of some of his closest advisers, including Rustin and New York lawyer Stanley Levison, Martin Luther King spoke against the war at the Spring Mobe rally. King had been playing Hamlet over the issue of the war for more than a year. King himself appears to have felt that the Vietnam War was a mistaken and morally suspect venture, but he was under enormous pressure from both sides. On the one hand, he was held back in part by Rustin and others in the black

movement who felt that he should steer clear of the war issue. On the other hand, King felt pressured by militants in SNCC who had come out forcefully against the war in 1966.

Finally, on April 4, King made his first public commitment to the antiwar movement in a speech at New York City's Riverside Church. Meanwhile, he agreed to participate in the Spring Mobilization of April 15. Yet still he equivocated. When King learned that the program also included Stokely Carmichael of SNCC, who had alienated King with his Black Power slogan during their joint march through Mississippi the previous year, King reconsidered his participation in the rally. Long meetings ensued over this and subsequent concerns expressed by King and his aides. Dellinger believes that a turning point occurred when he spelled out to Andy Young, close aide to King, that the rally was sizing up to be the largest antiwar demonstration to date. King, Dellinger told Young, "is long overdue on this question and if he fails to act now history will pass him by and from now on his influence will be minimized."²³ King, in the end, did participate in the Spring Mobilization on the same program as Carmichael. After his speech, he commented to Dellinger that the rally was "greater than the '63 civil rights rally" (the March on Washington).²⁴

Due to his stature as a Civil Rights leader, King had to withstand a torrent of public excoriation for his identification with the antiwar movement, including harsh condemnation by Ralph Bunche, another African-American winner of the Nobel Peace Prize. His decision to participate also meant a shift in King's inner circle. Rustin would never again have King's ear as he had in the late 1950s and early 1960s.

Thrilled by the April 15 demonstrations, Dellinger converted what had been an ad hoc Spring Mobilization Committee into a permanent organization, the Mobilization Committee to End the War in Vietnam (Mobe). At the same time, he initiated a series of planning discussions that led to a call for a national demonstration in Washington for October of 1967. Again, the radical pacifist leadership placed considerable emphasis on making the demonstration as broadly representative of

antiwar forces as possible, an emphasis that was key to ensuring a sizable turnout. To help the Mobe organize the all-important student faction, Dellinger recruited Jerry Rubin to join the planning committee. Rubin had proven an able organizer in the Bay area. To Dellinger's surprise, however, Rubin had undergone a transformation since Dellinger and Lynd had last seen him at the Vietnam Day rally Rubin organized at Berkeley.

In concert with Abbie Hoffman, Rubin had founded a new subgroup within the student Left: the Yippies. Rubin and Hoffman visualized the Yippies as a synthesis of hippie counterculture with the radical politics of the New Left. Never more than a handful of adherents, the Yippies were able to capture considerable media attention with their outrageous antics, usually symbolic clowning with political overtones that provided ready-to-order sound bytes for the media. The consequent attention paid to the Yippies made them appear far more numerous and influential than they were. This style of media-oriented symbolic protest by a handful of creative activists was similar in certain respects to the tactics used by small groups of radical pacifists in the 1940s and 1950s, yet the Yippies added a dangerous layer of irrationalism.

The Mobe's original plan had been to begin the October demonstration with a rally at the Lincoln Memorial, followed by a march to the Pentagon, where those who chose to would participate in civil disobedience. This agenda tried to provide for an array of participants with various forms of protest. After Rubin's arrival at the Mobe office, a levitation of the Pentagon and an exorcism of the building's evil spirits were added to the agenda.

As the antiwar movement built steam, it became more fractious. Even within radical pacifism, which had largely avoided the major schisms that marked the Old Left, new fault lines became evident. Dave McReynolds resigned from *Liberation* in June of 1967, charging that Dellinger was too domineering and was losing his pacifist moorings. Doubtless, Muste would have been able to hold the editorial staff together if he had been alive.

Yet the October demonstration in Washington managed in

many ways to accommodate—even to celebrate—the diversity of the antiwar coalition that had coalesced in 1967, with protest ranging from quiet witness to disciplined civil disobedience to Yippie hijinks. Over 100,000 people gathered at the Lincoln Memorial on October 21 to hear a long series of speeches by William Sloane Coffin, John Lewis of SNCC, and Dellinger, as well as the political folk music of Phil Ochs. In the early afternoon, Dellinger commenced the march to the Pentagon, warning the crowd that illegal civil disobedience would take place there. The slogan the organizers had adopted for the rally was "From Protest to Resistance," capturing the increasingly confrontative mood of the movement as well as posing a counterpoint to Rustin's article, "From Protest to Politics."²⁵ Now, organizers hoped to bring massive resistance to the steps of the Pentagon itself.

Over fifty thousand people joined in the march across Washington to the Pentagon, under the careful watch of both the military and the media. The organizers had a permit for a peaceful protest outside the building. Shortly after arriving there, however, Dave Dellinger and Brad Lyttle led a small group that included Noam Chomsky in committing civil disobedience by entering an area that was outside the permit's specifications.

The decision by Dellinger and Lyttle to commit civil disobedience left the crowd in an awkward position after the only clear leaders of the rally had been hauled away. No one appears to have given clear thought to what the demonstrators would do at the Pentagon. Some student radicals cursed the soldiers and threw things at them, but they were quickly caught, beaten, and arrested. This was one of the first times that a national audience had seen such "trashing" tactics, and middle America was not amused. A number of Yippies engaged in their new "flower power" tactics, which also challenged the sensibilities of the American public. The most lasting and poignant image to come from the Pentagon action, though, was the photograph of a countercultural young man placing a flower in the barrel of a bayoneted gun held by a soldier of about the same age.

Sydney Peck tried to bring some order to the proceedings as dusk descended on the rally, but most people simply milled around. Gradually, much of the crowd drifted away. Several thousand did stay on the Pentagon steps through the night, ringed in by soldiers. Protesters tried, unsuccessfully, to get the soldiers to mutiny. In the morning, only a few hundred stalwarts persisted in the Pentagon vigil. Those who stayed on after the expiration of the permit were promptly carted off to new accommodations.

The critical reviews of the Pentagon Action were decidedly mixed. Many liberals and conservatives alike were horrified at the behavior of the more countercultural demonstrators. Dellinger, on the other hand, wrote enthusiastically that "a revolutionary elan" had "developed among the resisters" over the weekend, proving that a "creative synthesis of Gandhi and guerrilla" was "practical."²⁶ Dellinger saw in the predominantly peaceful and diverse action convincing evidence that broad-based coalitions such as the Mobe continued to prove their worth as the movement grew. "Without the massive numbers made possible by the presence of all these types . . . , the day would have had far less impact," he concluded.²⁷

Growing numbers of activists in 1967 believed that they were living in a revolutionary moment. Only two years before, organizers for the Assembly of Unrepresented People had been pleased with a turnout that spilled over into four figures. The explosive growth of the movement fed a mistaken belief that revolution was imminent. This in turn encouraged increasingly incendiary rhetoric on the radical edge of activism, fostering a climate in which pacifists were often dismissed as political milquetoasts by student militants. Dellinger tried to appeal to student radicals with his proposed "synthesis of Gandhi and guerrilla," which he conceived as "a militant form of Gandhism" to be a "substitute" for violence.²⁸ Dellinger also admonished other activists that "we must not cut ourselves off from the millions who are just beginning to oppose the war, . . . who are

prepared to dissent but not to rebel."²⁹ Yet even as mainstream America came to oppose the war in greater numbers, the increasingly violent tenor and style of the antiwar movement—especially the student wing of the movement—alienated many potential participants.

CHICAGO

1968 was among the most wrenching and disorienting years in America's history. For some time, the American military and political leadership had been assuring the public that the war in Vietnam was being won. Then, in late January, Communist forces mounted the Tet Offensive, a simultaneous assault on over thirty of the largest cities throughout South Vietnam. While the intention of the offensive remains unclear and while the military aftermath of the offensive left the Communist forces in the South exposed and vulnerable, the most important result of the Tet Offensive was its impact on the "credibility gap" between the Johnson administration and the American people. Tet convinced many Americans that the Vietnam War, whatever its morality, was unwinnable. When General Westmoreland, commander of American forces in Vietnam, asked for over 200,000 more troops in the aftermath of the Tet Offensive to supplement the half-million U.S. soldiers already there, the Johnson administration balked. At least part of the administration's consideration was its fear of the antiwar movement's potential to wreak domestic havoc if Westmoreland's request were met. Then came the final blow to Johnson's presidency. Senator Eugene McCarthy, an uninspiring candidate running for the Democratic party's presidential nomination on a peace platform, humiliated the incumbent by running about even with Johnson in the New Hampshire primary on March 12. On the last day of March, Johnson announced that he would not seek reelection.

Yet the shocks of 1968 were just getting underway. A few days after Johnson's surprise announcement, on April 4, Martin Luther King was felled by an assassin's bullet. Two months later, on June 6, Robert Kennedy was murdered while attending a

celebration for his victory in the California Democratic primary.

Death, destruction, and unpredictable change hung like a sword of Damocles over 1968. Americans watching the nightly news were regularly updated by Walter Cronkite on the week's war casualties. From their living rooms, Americans watched youths influenced by Western counterculture briefly liberate Czechoslovakia, only to be crushed by Soviet tanks. And they saw students aligned with labor unions battle police in the streets of Paris.

Turmoil became normative on America's college campuses in 1968. In April, an SDS protest escalated into a student takeover of Columbia University. Columbia became a model for campus takeovers across the country. The subsequent brutality displayed by police while clearing Columbia's buildings after several days of standoff fed a disturbing and increasingly common belief among activists on the nation's campuses that it was a revolutionary activity to engage in petty provocation of the police.

On May 17, nine radical pacifists led by the Berrigan brothers destroyed draft files in Catonsville, Maryland, by burning them with napalm. This action, led by two Catholic priests, sent a jolt through America's Catholic community and was much analyzed in public discourse. What was perhaps most instructive about the action, however, was that such willful destruction of federal property, which would have rent CNVA asunder ten years before, seemed relatively tame in its nonviolent discipline compared to the action regularly taking place on the nation's streets and campuses in 1968.

Meanwhile, plans for a protest at the Democratic convention, slated for Chicago in August, were underway in the Mobe's headquarters. Dellinger and Tom Hayden were the key organizers. Under Dellinger's leadership, the Mobe had increasingly become a three-part organization representing radical pacifists, New Left student activists led by Hayden and Rennie Davis, and Yippies, led by Rubin and Hoffman. Dellinger managed

to maintain some semblance of broad-based cohesion, but the cohesion was tenuous. As August approached, for instance, it became clear that the major groups within Mobe could not agree on protest rhetoric or tactics, so it was decided that each group would hold its own Chicago demonstration under the nominal aegis of the Mobe and with some loose coordination between the leadership. It was becoming painfully evident that the Left was fracturing beyond the ability to lead.

The shift in the makeup of the Mobe was evident in the new tone of *Liberation* which Dellinger effectively inherited after Muste's death. More countercultural articles appeared with titles such as "The Yippies Are Coming!" written by Marty Jezer (the most thoughtful of the group around Hoffman),³⁰ and "The Post-Competitive, Comparative Game of a Free City," written by the Diggers, the scions of Haight-Ashbury.³¹

As plans for a demonstration at the Democratic convention progressed through the summer, the rhetoric on both sides led many well-meaning moderates to steer far clear of what was coming to appear like a showdown at high noon. Mayor Daley made it clear that he intended to teach the protesters a lesson, while Hayden, Rubin, and Hoffman continued to give public pronouncements that did not appear designed to defuse the situation.

A foreboding sense of danger hung over the last days of preparation for the Chicago protest, which resulted in a much smaller turnout than organizers had planned. About five thousand demonstrators eventually made their way into Lincoln Park on the last weekend in August as the convention got underway a short distance and many billy clubs away. The demonstrators were met by nearly twenty thousand police and National Guard troops. The police showed a rabid contempt for the demonstrators, who did little to assuage such feelings.

Chicago's police soon made good on Daley's threats, as the bloodiest political convention in American history got underway. The troops assaulted protesters regardless of their behavior. Dellinger's pacifist contingent was beaten as they sat nonviolently just as savagely as the SDS people who engaged in mobile

street battles. Journalists and television newspeople were beaten, as well, in what a subsequent government investigation termed a "police riot." Dellinger desperately exhorted the crowd to remain nonviolent, but few among the protesters heeded him. In the face of such repression, Hayden exhorted the crowd with angry rhetoric: "If they want blood to flow from our heads the blood will flow from a lot of other heads around this city and around the country."³²

As the violence continued night after night in the streets of Chicago, television coverage of the Democratic convention gradually gave way to the war zone just outside the hall. On the evening that delegates were nominating Hubert Humphrey as the Democratic standard-bearer, images of events unfolding in the streets outside suddenly appeared on television monitors scattered about the convention floor, prompting Senator Ribicoff to excoriate Daley from the convention podium for using "Gestapo tactics" to quell dissent. At this, the convention exploded into disarray. America, it seemed, was coming apart, with the whole world watching, under the glare of television floodlights.

Dellinger's reaction to the convention was complex. On the one hand, he was outraged at the brutality of the police.³³ He even appeared to feel a certain exhilaration over the street battles with the police. Using heavily male-gendered language, he wrote in *Liberation* that "the triumph of Chicago was the triumph of street protesters who displayed courage, imagination, flexibility, and fraternal solidarity as they refused to knuckle under to the police. . . . There is a heady sense of manhood that comes from advancing from apathy to commitment, from timidity to courage, from passivity to aggressiveness. . . . There is an intoxication that comes from standing up to the police at last."³⁴ Such a statement veered perilously close to the rhetoric of those self-styled urban guerrillas in SDS who touted street violence. Dellinger, to be sure, believed that with proper, experienced leadership the younger generation of radicals could be

led to dissent in ways that were more meaningful to the crisis of the times than calling police Nazis or trashing city streets. In order to provide this leadership in the milieu of the late 1960s, it may, indeed, have been necessary to prove adept at the game of revolutionary rhetoric. Never one to be outflanked on his left, Dellinger had always been multilingual in this regard, sounding remarkably Old Left when he felt this was the lexicon of his target audience.³⁵ Old Left rhetoric, after all, was what radicals of Dellinger's generation had cut their teeth on in the 1930s, and now knee-jerk confrontationalism with a revolutionary patina was decidedly hip.

On the balancing side, Dellinger chided many of his fellow pacifists for their timidity in choosing not to participate in the protest, where their experience might have leavened the proceedings with more discipline and content. "I wish," he wrote, "that there had been a greater turnout of people experienced in militant nonviolence—more, for example, who do not think it is revolutionary to taunt the police by screaming 'oink, oink' or 'pig' at them."³⁶

The Chicago protest was a turning point for the antiwar movement. After the convention, the remnants of SDS spun off into new realms of irrationalism marked by a glorification of dadaistic violence, evident in 1969's puerile "Days of Rage." After the last convention of SDS in 1969, the splinter group, Weatherman, went underground to conduct a terrorist bombing campaign. And strange groups, such as Up Against the Wall, Motherfucker, began to wield some influence in radical circles.

Radical pacifists increasingly voiced their criticisms of these and other antiwar groups in 1969. In June, Staughton Lynd wrote in *Liberation* that he felt "sharply critical of present tendencies in national SDS" (although he added that "no one . . . wants to question the movement's historical commitment to non-exclusionism").³⁷ Later in the year, *Liberation* carried an article by a young student radical who took the new SDS leadership directly to task. Weatherman, wrote Carol McEldowney in the November issue, "is now the prime example of people into totally antagonistic politics which don't provide alternatives,

which don't speak to people's needs . . . , which are based on hate that has slightly fascistic overtones."³⁸

Increasingly, pacifists began to question the wisdom of maintaining the alliances with SDS and the Yippies Dellinger had forged. Antiwar sentiment was growing in middle America, where millions were coming to question the efficacy, if not the morality, of the Vietnam War. Many activists in 1969 and 1970 began to call for a return to traditional pacifist methods of non-violent protest—marches, speeches, and vigils—by which they hoped to lead the more moderate movement center.

THE CHICAGO TRIAL

In late March of 1969, Dellinger was indicted on charges of conspiracy along with Rubin, Hoffman, Hayden, and four other organizers of the Chicago protest, who became firmly fixed in the public imagination as the Chicago Seven (after the separation of Bobby Seale's defense from the rest), codefendants in the most celebrated and notorious trial of the decade. With the nation scrutinizing the trial of the antiwar movement's biggest celebrities, the Chicago Seven decided to attempt to turn the proceedings into an indictment of the Vietnam War. Judge Hoffman's iron-fisted style played into this tactic, for his repression of the defendants in the courtroom allowed them to more convincingly portray the trial as an authoritarian attempt to repress dissent against the war. To the surprise of no one who had followed the trial, the Chicago Seven were convicted. The convictions, however, were overturned in 1972.

Photographs from the trial show a striking dichotomy: Dellinger, in a suit and tie, looking stiff and uncomfortable alongside codefendants Hoffman and Rubin, dressed in hippy garb and engaging in prankish antics. Whether he willed it or no, Dellinger was finding that the youth leadership of the antiwar movement had shifted so far in the direction of the outrageous that his style of protest now spoke for moderate, even respectable, dissent. In 1952, Dellinger had looked to lifestyle as the key to revolutionary activity and had been critical of Muste's

call for a fuller development of radical pacifism's discipline and ideological program. Ironically, in 1969 Dellinger found himself joining those who criticized the excesses of his ideological and stylistic heirs when he wrote: "Side by side with the creative insights [of the Yippies] are the ego-tripping, the fantasies and the bullshit—which in the end get in the way of making a revolution." Dellinger advocated more responsible dissent. "It is Yippie adventurism," he wrote, "to suggest there is any way of getting rid of repressive institutions without immense sacrifice, dedication and responsibility."³⁹

NEW DIRECTIONS

For more than thirty-six blustery hours in November 1969 the March Against Death continued in an unbroken chain outside the White House. One by one, in peaceful and mournful protest, marchers in single file stopped to shout the name of an American soldier who had died in the Vietnam War, until all 45,000 had been accounted for. The morning after the March Against Death ended, more than half a million people filled downtown Washington in an overwhelmingly peaceful protest. The November demonstration had been largely organized by a new incarnation of the several Mobes, now called the New Mobilization Committee to End the War in Vietnam (New Mobe), founded in October of 1969 around a commitment to hold a massive but peaceful demonstration the following month. Dellinger led the New Mobe along with several moderates. They coordinated planning for the demonstration with the Vietnam Moratorium Committee (VMC), an organization founded by people in the orbit of Al Lowenstein and Eugene McCarthy, as well as Stewart Meacham, a Quaker who had conceived the dramatic March Against Death. The liberals in the VMC were suspicious of allying with radical pacifists, but the attempt at rapprochement with liberal doves signified a genuine return to the center for many in the Mobe.

The timing for such an action was perfect. During the summer, SDS had held its last national convention, which was so

chaotic and extreme that the organization simply splintered out of existence. Although events would galvanize renewed unrest on campuses in 1970, the national organizations of the student Left were largely defunct and discredited after 1969, leaving liberals as the only plausible coalition partners for the Mobe's antiwar leaders. Then in early November President Nixon delivered a national address in which he asserted that a "silent majority" of Americans supported his policies in Vietnam. This speech was delivered at a time when polls showed a developing majority of Americans opposed to the war. Nixon's speech drew lines that forced liberals and radical pacifist antiwar leaders more clearly, albeit shakily, into the same camp and set their determination to harness and demonstrate the opposition to the war felt in culturally mainstream sectors of American society.

On that Saturday, November 15, several hundred thousand participants listened to a plethora of speakers that included Dave Dellinger and Senators Eugene McCarthy and George McGovern, a platform organized by Brad Lytle. The predominantly peaceful and festive spirit of the day was accentuated by its music, which included performances by Pete Seeger, the group Peter, Paul, and Mary, and Arlo Guthrie.

The November Mobilization, then, betokened a new desire on the part of many—though not all—radical pacifists to forge antiwar coalitions with liberal doves and to return to such traditional peace movement methods as marches and vigils. In a sense, these radical pacifists had come full circle by 1970. No longer envisioning revolution after the events of the late 1960s, increasing numbers of peace activists settled into organizing protests with the feel of a large outing for diverse groups of people whose politics were often no more revolutionary than a shared opposition to the government's policies in Vietnam.

Radical pacifism's impact upon protest movements in the era after World War II has left an ambivalent legacy. Radical pacifist groups played an instrumental role in defining the methods, organizational structure, and ethos of postwar dissent. During this

period, they established nonviolent direct action as a major protest method on the American Left, and many of their leaders became key figures in the reconstitution of American dissent during the 1950s and 1960s. Yet, in the end, the movements radical pacifists led or influenced proved far more adept at challenging and disrupting the institutions or policies they deemed unjust than in creating sustainable alternatives. And the decentralism and nonexclusion that radical pacifists embraced rendered their organizational vehicles vulnerable to the destructive sectarianism that reemerged on the Left in the late 1960s.

The radical pacifist program of direct action, decentralism, and participatory democracy within organizations has continued to deeply inform American protest since the Vietnam era, as is evident in the history of the antinuclear and environmental movements of recent decades. Nonviolent direct action is often used today by groups on both the Left and the Right whose leaders have little or no knowledge of radical pacifist history. The forms, if not always the spirit, of radical pacifism have become paradigmatic for grassroots dissent in contemporary American society. Perhaps this is because the radical pacifist style allows activists to remain immersed within a libertarian tradition around which there is much consensual agreement while challenging public opinion on particular social issues. Yet the American Left today is also disjointed, episodic, and obsessed with individualistic lifestyle concerns. Perhaps this, too, is at least in part a legacy of radical pacifist history.

A WORLD PEACE GUARD

To Michael ~
Charles Walter
July 1983

A RECURRING IDEA

The idea of international peacekeeping forces is a resilient one. Throughout the past 23 years there has been at least one UN force in operation somewhere in the world. About 100,000 soldiers from some 50 nations have participated, despite repeated vows of "never again."¹

As early as 1913 in South Africa, Mahatma Gandhi proposed the idea of a "peace army," based on nonviolence. This idea too has often arisen at crisis times.

Larry Fabian, in his Brookings Institution study, "Soldiers Without Enemies" concluded:

There seems to be wide agreement that peacekeeping institutions and skills are distinguishable by these two integral qualities: political impartiality and noncoerciveness.

He added that impartial intentions may not preclude partisan effects, and noncoercive methods may be tinged with coercion. He nevertheless insisted that these two qualities "embody the norms that peacekeepers are guided by; they are the underlying sources of peacekeepers' strength and influence."²

Brian Urquhart, summarizing basic principles of United Nations peacekeeping, wrote a decade later:

The most important of these is that a peacekeeping force can function properly only with the full cooperation of the parties concerned and with their understanding of and acquiescence in what the force is trying to do.....

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The importance of a peacekeeping force does not lie in its numerical strength or military capacity. It lies in the international political will which it represents and in the capacity of its members to conduct a 24-hours-a-day exercise in conciliation and de-escalation. A peacekeeping force should never get into the position of regarding any party as the enemy.³

This does not lead very many people to conclude that soldiers can be replaced entirely by unarmed units. Peacekeepers drawn from the military or from the group of experts for whom military power is an article of faith are usually bemused by the idea, regarding it as unrealistic or substantial. They may be rightfully skeptical of plans which avoid the security issue directly and emphasize service or negotiation. Indeed, some proposals based on nonviolence have been simplistic, failing to acknowledge intractable features of the international system, or persistent security needs as usually perceived. More seriously, they may offer nonpolitical answers to essentially political questions.

On the other hand, the same military leaders who have worked in peacekeeping operations and have seen first hand some of the limits and liabilities of military approaches have done more to encourage the idea of unarmed contingents than either conventional political experts or most nonviolent actionists.

There are numerous situations where the military know what they are supposed to do (even if it doesn't always work). They have sometimes improvised tactics based on nonviolence. Antony Gilpin, former Deputy Chief of Civilian Operations in the Congo, tells of an occasion where Sudanese UN troops had been surrounded and shelled. A Nigerian police band "marched through the

lines and, under cover of martial music, led out the beleaguered Sudanese."⁴ Major General Indarjit Rikhye, many times a key figure in UN peacekeeping operations, reports incidents where soldiers were commanded to "take casualties" rather than precipitate disastrous situations had they used firepower.

EXPERIENCE IN UNARMED PEACEKEEPING

During the past several decades, practitioners of non-violent action have learned and applied lessons from a wide variety of experiences in unarmed peacekeeping. This phenomenon has appeared many times in different parts of the world. Sometimes the action has been improvised, at other times carefully planned and executed. Note such examples as these:

- * establishing and monitoring a cease-fire between guerrillas and governmental authorities
- * intervening in riotous and deadly conflicts involving many thousands of people
- * policing an area where soldiers and authorities have fled in face of advancing armies
- * disarming bandits who have for generations defied control by the central authorities
- * managing an area taken over in a nonviolent occupation by landless peasants
- * handling severe neighborhood conflict in urban districts which the police had virtually abandoned
- * de-fusing border incidents between rival nations

CEASE-FIRE IN NAGALAND

One of the most significant precedents to study in detail is the Peace Mission in Nagaland, in northeastern India.

To achieve the 1964 cease-fire, the underground leaders were sought out in their remote headquarters by Michael Scott, Jayaprakash Narayan and B. P. Chaliha--all three no longer young. The trip by jeep was extremely hazardous. Each side set forth agreements: the government limiting or suspending certain operations, such as raiding guerrilla camps; and the underground stopping sabotage, kidnapping, arms smuggling and the like.

Monitoring the cease-fire, finally accomplished in September 1964, were Peace Observers, in particular two stalwarts from the Gandhian movement, Dr. M. Aram and Marjorie Sykes. They had to cope with rumours of attack by nearby villagers, charges of truce violations, disruption of elections, sporadic and sometimes deadly incidents. The peace held despite obstacles. The story, an authentic application of nonviolence to a difficult and volatile situation, deserves to be better known and studied.⁵

WORLD PEACE BRIGADE

The World Peace Brigade (1962-64) envisaged peace-keeping at the request of independence movements unable to cope with colonial authorities. For example, had the Freedom March from Tanganyika (Tanzania) into Northern Rhodesia (Zambia) been accomplished, Kenneth Kaunda requested that special teams cooperate with local political workers. Among the tasks were maintaining a nonviolent discipline at political rallies, dealing with agents provocateur, and rebuilding villages and areas destroyed in violent incidents.⁶

Peace Brigade Leaders--two of its co-chairmen--were later involved in the Nagaland Peace Mission.

BANGLADESH AND THE SHANTI SENA PROPOSAL

In 1971 during the Bangladesh crisis, the UN or coalitions of countries had been prevented from performing any peacekeeping role. The Shanti Sena (Peace Brigade) in India sent a formal letter signed by its chairman Jayaprakash Narayan to U Thant, UN Secretary-General, proposing that unarmed contingents be formed to help in such crises. Vinoba Bhave suggested that India should offer 100,000 volunteers initially. The proposal was not pursued by the UN. Vinoba reiterated the idea in 1980.⁷

The experience of Gandhians suggests that getting recruits who will risk their lives is not the major problem. In the mid-1950s, when 72 Indians walked into Goa to demand its return from Portugal, Portuguese authorities machine-gunned all 72 as they continued to walk in turn into the range of fire. Immediately hundreds of Indian satyagrahis (nonviolent actionists) volunteered to march again, but governmental authorities intercepted them to prevent another possible massacre.

INTERNATIONAL PEACE ACADEMY

The International Peace Academy, which uniquely specializes in peacekeeping matters, sent a letter (November 1971) to all UN missions. The letter included this paragraph:

The time has come when each country would undoubtedly wish to consider creating groups or contingents of persons trained in the techniques of nonviolent action for conciliation and conflict resolution. These groups or contingents could then be made available to Member States, at the behest of the appropriate organ of the United Nations, to help in the resolving of specific tensions or conflicts.⁸

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Mission members and delegates (more than 50) were sounded out before this proposal was formally sent. Almost without exception, they encouraged Peace Academy officials to pursue the idea and offer consultative services. For adventitious reasons, the idea did not move forward. Later that month the proposal was discussed at a consultation on peacekeeping attended by UN delegates, mission staff, former officials and academic specialists. The consensus: the idea should be explored.⁹ A Peace Academy consultation including UN peacekeeping specialists along with experienced nonviolent actionists was being set up for November 1977 in Philadelphia, but was not consummated.

CYPRUS RESETTLEMENT PROJECT

The Cyprus Resettlement Project (1972-74) had on hand riot specialists of extraordinary skill and experience to deal with incidents that could occur when Turkish refugees returned to their villages. The Turkish areas were starting to be cleared for re-occupancy when war terminated the project.¹⁰

PERSIAN GULF PROPOSAL

In November 1980, a ranking US official called for interjecting "an international presence" between the hostile armies of Iran and Iraq in the Persian Gulf. He suggested "one form or another of phased withdrawal.....so that there is at least a separation of forces—atleast some terrain where you might interject an international presence."

This sounds much like other proposals in hot conflicts. In this case, the official included two significant points. He said the presence need not be an armed peacekeeping force such as the United Nations Interim Force in Leba-

non. It might be a "mediatory, conciliatory or observer presence." Furthermore, he did not limit the sponsorship to the UN, but said "some other party" might come in [emphasis added]. He thought the Soviet Union might support this proposal after a cease-fire.¹¹

Perhaps the idea of an unarmed contingent was designed to forestall fears of Great Power penetration of the conflict, or of adding more soldiers to an already explosive situation. That is precisely one of the significant advantages of unarmed units. As soon as soldiers enter the picture, even if not equipped for combat, military considerations figure in the equations.

The proposal might go further: recruit persons experienced in hot conflicts yet committed to a discipline of nonviolence, and include training to cope with stressful and dangerous situations without arms. This would not only minimize some of the hazards which the participants would face. It would also signal all parties that the operation was not a pretext or forerunner for a subsequent, wider military involvement.

A NEW ALLIANCE

Perhaps it's time for a fresh look at what is possible now. What could bring about a new potential within several years would be an exploratory alliance of such groups as these:

- * participants in past UN operations
- * experts who worked within that orbit
- * a new set of specialists drawn to this idea
- * participants in international nonviolent actions and peacekeeping projects
- * key departments in several governments

- * pivotal UN personnel
- * private funding sources for preliminary work

Several informal consultations within the past decade provide grounds to believe that more sustained effort could yield significant results.

HOW COULD IT BE APPLIED?

Three situations could provide the time and setting for establishing an unarmed peacekeeping contingent.

SPECIAL OPPORTUNITY ANY TIME

Peacekeeping under a discipline of nonviolence has already been accomplished. One can cite "Kenneth Boulding's Law" that anything that has been done is possible. There could be special situations in the developed worlds where only an unarmed unit would be acceptable to the disputing parties. The unit could be put together under the United Nations, by an alliance of governments and nongovernmental organizations, even by an ad hoc group.

TRANSITION TO DISARMAMENT

Whether in a geographical zone moving toward disarmament, or on a world scale, a World Peace Guard could provide an instrument to help in the transition. Such plans as have been advanced usually include armed forces routinely as an automatic assumption. The dangers of a supranational armed group at such a time have not been realistically assessed. (Some proposals have even envisaged a world army equipped with nuclear weapons) On the other hand, given the will to disarm and a schedule to implement, a World Peace Guard could do the job, and

the hazards distinctively associated with it would be no greater and perhaps less than those in these use of troops.

WITHIN A DISARMED POLITICAL STRUCTURE

A World Peace Guard could be a major instrument in dealing with threats to the peace, either within a disarmed political unit (a zone of peace) or at its borders. Under conditions of universal disarmament, a World Peace Guard is more appropriate and serviceable. The conditions in a disarmed world would be so drastically different--in organization, education, politics--that plans too detailed now would likely be outmoded and need to be radically revised.

Major General Frederick Carpenter, late commandant of Canada's National Defense College and a UN peacekeeping veteran, put it well: "The technical problem is really quite complex, but easy to solve. The political problem is quite simple, but terribly difficult to solve."¹²

Despite novel aspects of the idea, its major features are not difficult to envisage. A former commander of a United Nations unit told me: the main difficulty may not be in theory, organization, or even politics, but primarily in matters of tactics.¹³

In times of uncertainty and turmoil, new occasions teach new duties. No one can tell who will "pull the plug" (in Herbert Butterfield's phrase) touching off a dramatic chain of events where old certainties crumble and new possibilities appear.

TRAINING: SOME CONSIDERATIONS

Many of the UN peacekeeping missions had practically no training, beyond briefing. Col. Bjørn Egge has said

I was sent to the Congo by plane, had a blue helmet stuck on my head and told: "Now you are a soldier of peace." I asked what is a soldier of peace, but no one could answer. They said: "Do your best. We must avoid war.".....[The troops] were trained as military--to kill and to conquer. How on earth can you tell them that now you cannot do that, you are a policeman?¹

Sometimes national manuals for Canada were used, with a new UN cover.

The WPG should not be held to near-impossible standards. Any new venture usually means trial and error. The World Peace Guard, however, can draw on the extensive operational experience of UN peacekeepers, as well as the considerable experience of those who have worked under a discipline of nonviolence.

Training is one way to enhance the powers of the Guard, to prevent needless mistakes, to minimize problems in working with the indigenous population and in operating the Guard unit. For 15 years groups engaged in international nonviolent action have taken training seriously, developing theory, technology and a repertory of techniques for such operations. Processes for evaluating training are becoming more sophisticated and reliable.²

Training can help introduce unit members into a situation requiring both personal and group disciplines.

The word discipline often evokes negative images, with authoritarian implications, but as Richard Gregg writes, "A discipline is like a tool. Tools, whether tangible or intangible, make it possible for ordinary men to do what was formerly possible only to men of very unusual skill, strength or intellect."³ Simply put, discipline's main function is not to prohibit but to enable: it can help a group do corporately what its members wish to do. Discipline is closely related to morale. The most serious problems usually arise not out of situations of intense conflict but amid routine and boredom.

METHODS

The main impetus for training UN peacekeepers has come from the International Peace Academy. At their training seminars, the sections dealing with negotiations and with the control of violence are quite specific and hard-working. At its Vienna (1970) and Helsinki (1971) seminars, the IPA used simulation studies, scenario writing and roleplays in terms composed of specialists, scholars, peace activists, diplomats, generals, community organizers and others, examining conflicts in Cyprus, Namibia, or the Middle East.⁴

Nonviolent actionists have used some of these methods, for example extended roleplay in the Grindstone Island experiment.⁵ They tend to concentrate on skills, attitudes and group functioning. Operation Namibia, preparing for an arduous voyage from London to Walvis Bay, found strategy exercises of special value.⁶ As the military well knows, training is a continuing task. Military historian S. L. A. Marshall writes, "It must be accepted as a principle that training carries on into the battle zone until the end of combat, and that there is no release from it, even for the best of troops."⁷

RESOURCES

Larry Fabian suggests that the work of peacekeepers in its more intense phases resembles dealing with urban riots and disorders. Experienced people can be recruited from this field, people who have worked in the streets at the time and in post-riot situations. The Shanti Sena's experience in communal riots is unparalleled. Valuable lessons can be drawn from peacekeeping missions in mountainous areas or other hostile terrains. Lessons learned by Gandhians in disarming "hostiles" need to be studied: the underground in Nagaland, tribal groups on the border disarmed by the Pathans, rioting groups in communal strife, the dacoits (bandits) who surrendered responding to initiatives by Vinoba Bhave and Jayaprakash Narayan.⁸

SPECIAL PROBLEMS

The political "education" of recruits is a difficult matter. "Political officers" of the WPG would have a special function for the unit as a whole. Transnational nonviolent actions have encountered serious obstacles and conflicts arising from substantial differences in political analysis and outlook on the part of participants and of some with heavy leadership responsibilities. In the Culebra project in Puerto Rico, the Delhi-Peking March in Asia, the Sahara project in Africa and others, political differences were not serious enough to be disabling, but intruded significantly on the operations. No one "line" can be handed down, but a better way needs to be found for handling differences.

Another difficult problem is the style of leadership and decision-making, and the standard operating procedures (SOPs) that go with it. It is not easy to work these matters out with people from extremely different traditions: authoritarian to liberation, consensus-oriented to command-

oriented, traditionalists to almost-anything-goes. A UN peacekeeping commander, commenting on a WPG proposal, said, "I know the nonmilitary equivalents of command and control. No command and no control." "Experience suggests we can do better than that."

Language problems persist even with the best of intentions. They affect morale (members divide along language lines), communication, time necessary to come with problems, vagaries of translation and translators, and nearly every phase of operations. Implicit are also cultural issues and ways of thinking and acting which are sometimes surprising (for example, the rituals of approaching another; prohibitions on smiling during serious differences—as Quakers found among some American Indians, the direct vs. the indirect way of speaking. Negotiators may think they have achieved some agreement, only to discover next day that "Yes" did not necessarily mean what they thought.

One of the best expositions of the qualities and skills required by peacekeepers is Arthur Waskow's Peace-makers Academy. Waskow writes of the trainees:

[Those] who would work in such a service would be [people] of a new profession, with a new career line; and like all professionals they would have to learn their craft. Such [people] scarcely exist today, though one can see the ancestry of their vocation scattered in a dozen different places: the American Seabee, the British Bobby, the Cuban militiawoman, the peace corpsman, the Shanti Sena nonviolent policeman, and the Red Cross worker.⁹

Some of the main areas of training are likely to be:

- * investigating and reporting incidents; evaluating information

- * mediation, negotiation, conciliation
- * languages
- * first aid; personal health care in unsettled areas
- * problems of living in another culture
- * communication, deployment, mobilization
- * working in teams
- * nonmilitary equivalents of "command and control"
- * policing skills
- * facing provocation, harassment
- * facing deadly threats.

Few of these ingredients in a training program are unique to nonviolent actionists. There is no shortage of trainers, except in controversial areas where consensus on approach has yet to be achieved. Michael Harbottle, compiler and editor of *Peacekeeper's Handbook*,¹⁰ has covered a substantial amount of the "preparation and preparedness" a World Peace Guard would require.

The first need is not for a manual—that seems premature—but for an inventory of problems that need to be handled. Another need is for a set of scenarios based on different kinds of conflict situations where a World Peace Guard might be used, and estimates of the kinds of people likely to be needed: country or culture, skill, age, language, experience level and the like. These scenarios will also reveal a range of problems requiring careful planning and perhaps minimal training.

The three salient aspects of training will probably relate to working with the indigenous population, coping with characteristic types of conflicts, and maintaining the in-

frastructure of the Guard. In all three instances, close collaboration between organizers and trainers will be required from the outset and throughout the mission.

BEYOND PEACEKEEPING

Peacekeeping will not occur among the Great Powers, and probably not where their interests are seriously jeopardized. One result of being a Great Power, notes Johan Galtung, is that they do their own peacekeeping. Thus, UN peacekeeping has been in the periphery of the central power structure, in the Third World. In effect, it is regional hegemony which prevails, within which the Great Powers deal with threats to their peace.

Charges are heard, from the Third World in particular, that peacekeeping characteristically freezes the status quo and forestalls basic change. Proponents of peacekeeping quickly reply that they favour peaceful change, but they are usually vague or unpersuasive about specifics.

Some peacekeeping proposals emphasize "constructive work" as part of a unit's appeal. Such activity has indeed been carried out, but less in size and scope than one might imagine.

In Cyprus, when the UN found itself at an impasse over resettling refugees, both Greek and Turkish authorities welcomed help from the Cyprus Resettlement Project. Nevertheless, a thick UN file of proposals for technical and educational aid remained unimplemented because of thorny political implications. Mild UN attempts to help one side were severely criticized by the other, as partisan or not exactly comparable.

Any problem grave enough to require international action will be bound up with deep-seated problems and

conflicts, perhaps recurring over long time periods, probably involving social, political and economic structures. Such problems are not readily amenable to change by improvised or ad hoc or short-term action, especially by outside groups. To cope with them requires more fundamental, sustained action and decision, possibly involving the character of a socio-economic regime. Positive gains may be made here and there but they may help more in image-building than in nation-building.

A "DISSOCIATIVE" PROCESS

Galtung and other observers claim it's not really a matter of hypocrisy. The dynamic of peacekeeping is "dissociative" in the sense of keeping belligerents apart for a time: by a Green Line, or a demilitarized zone. In time, as passions cool and peacemaking is invoked, a tolerable peace is supposed to emerge which is at least superior to frenzied fighting. It doesn't seem to work that way. One noticeable feature of peacekeeping assignments is how long they persist. Galtung describes peacebuilding as an "associative" process, which may have destabilizing effects on dominating systems and therefore on what is perceived as civil peace.

Whose peace is to be kept, and what kind of peace—these questions will rise higher on the political agenda. Even if direct and overt violence poses harsh questions, especially about the speed and scope of destruction, the indirect impetus to violence through unjust social structures is also a serious problem for a peaceful world. What is to be done if the price of controlling direct violence is to entrench imperial relations?

Some analysts hold that revolutionary upheavals, violent or nonviolent, are necessary for peace, that the indirect

violence of imperial power also needs to be resisted. Thus, instead of taking an evenhanded stance, they say, peace forces should "tilt" to the weaker in the power scales. Cuba claims to be playing such a role in the African continent. Thus again military intervention is called a peace action.

These problems face an unarmed force too. Armed forces have many political strings attached even if they come from in-between or smaller powers. It seems to me that Third World nations should urge the development of unarmed contingents, as more servicable for their needs, and a safeguard against military penetration by powers with their own axes to grind.

THREE REPLIES

One resolution of the constructive work question, at the level of today's peacekeeping operations, may be in parallel action. The WPG may identify or foresee special needs and pave the way quietly for initiative by other groups, national or international. A party in the dispute can make its own arrangements based on its own interests. On the other hand, one can imagine a need, for example in a river valley or watershed which encompasses areas in both jurisdictions, where the Peace Guard could facilitate a coordinated effort. The WPG should routinely get, as part of its mandate, authority flexible enough to pursue opportunities or needs with a bearing on the mission's basic task.

A second reply could be people's brigades composed from the region itself. This was done in the Kashmir conflict at one time, and has been proposed by Robert Overy or Northern Ireland. These brigades would combine a

force from below with decided but nonpartisan peacekeepers who enlist for such a cause.

A third reply is to recognize that to some degree the problem is beyond complete resolution, and that every conflict will have to be adjudged in context. Even the best peacekeeping in the present international system suffers under substantial limitations. A system change is also required.

Advocates of peacekeeping sometimes propose development tasks to gain access more readily to crisis areas. If they mean access before the crisis, this hit-or-miss method would be too expensive a gamble on where the next peacekeeping mission would be stationed. In a crisis, as happened to the U.S. Peace Corps, the unit might be forced to leave because of changed conditions or suspicious, whether well founded or not.

To the analysis presented here, friendly critics reply that it's not good enough simply to say the Powers will do what they wish to. Ways and means must be found to counteract unilateral power. True enough. Other instrumentalities for peace must also be developed further: peaceful settlement, economic sharing. Some nongovernmental organizations wish to establish automatic procedures which can be invoked no matter whose ox is being gored. That is a very hard battle to win. Even modest moves in this direction have been brushed aside. So, the critic says, keep trying, just as advocates of a World Peace Guard should keep trying.

So long as peacekeeping stands on its own feet and does not offer exaggerated hopes about "working with the people," perhaps these problems are obstacles to overcome rather than decisive objections. In peacekeeping by peo-

ple's brigades, it's precisely such peaceworkers, volunteers who are known for dedicated community service, who should be recruited in large numbers for emergency peace action.

CONCLUSIONS

The basic idea of a World Peace Guard is indeed a resilient one, cropping up particularly at times of crisis. It is then left stranded for lack of money, organizational and political support, or impetus from peacekeeping specialists.

The task of peacekeeping does not commend itself to some advocates of nonviolence. Many of them carry the scars of battles with "law and order." Others believe too much compromise with coercive elements in peacekeeping would belie their commitments.

Many charges against peacekeeping are heard: that it is a job for "peace pigs," a chestnuts-out-of-the-fire service to Big Power politics, a diversion from work for basic social change, a task not needed by the time it could be accomplished, a liberal left-over from pre-fascism days, an aid to "the peaceful perpetuation of disputes." Some of these contain grains of truth, some are merely epithets, some are persuasive.

How are the most militant nonviolent people to respond when a beleaguered group asks them for help in a non-violent struggle where third-party help may enable them to avoid being crushed? To say we will try to change the national policy in which the problem is set (if our nation is part of the problem) is partly rightful humility, but mostly escapism. The likelihood that nonviolent forces can fashion some sort of interpositionary group is much greater than the chances they could change national policy, even setting aside the time problem.

If peacekeeping by military forces is increasingly unacceptable, particularly in the Third World, are there not intermediate roles for unarmed peace contingents that are at least preferable to leaving the field to the warriors, tyrants, imperialists and adventurers? Cannot some initiatives be fashioned to help those caught up in historic enmities which lock them into either impasse or bitter and unavailing struggle?

I am persuaded that the disinclination, uncertainty or faint praise are likely to continue until advocates of unarmed peacekeeping, instead of focussing on indirect approaches, concentrate on four matters:

1. the strategy and tactics of unarmed peacekeeping in face of overt conflict, disorder or other threats to the peace; based to some extent on experience in domestic and transnational actions but also on fresh integration of approaches
2. Scenarios, extended roleplays (as the military theorist Liddell Hart suggested) and strategy exercises applying principles and guidelines to specific problem areas, to gain insight, identify subjects for intensive study, and enlist the help of appropriate experts and specialists
3. a sourcebook on "intervention episodes" and on major examples of unarmed peacekeeping
4. renewed attention to the politics of peacekeeping, more political dialogue with those who have worked in this field or could become involved, initiated by WPG advocates.

A new alliance even of modest beginnings could find ways to pursue the idea systematically. New interest at a crisis time may provide some impetus.

Perhaps someone will try again—as in Cyprus and Nagaland—until the right moment for a breakthrough comes, and what seems like just another needful project “takes off,” opening the way to new opportunities.

It is my own view that a WPG unit is most likely to be introduced in the wake of a political catastrophe or crisis, where good fortune provides access, perhaps beginning with emergency work of some sort or advancing from that beached with the help of international aid people. UN personnel who would know of the WPG idea, people with access to some of the political authorities involved.

At that time, one limiting factor will be the “state of the art.” Persistent effort, perhaps through a study and consultative group, could identify those interested in this field and available for some role in a crisis opportunity, not only experts and specialists but groups from which the personnel for a World Peace Guard could be rapidly recruited.

The World Peace Brigade started work on its Ready Reserve roster. The difficulties were predictable, partly the result of limited funds and attention, and unsophisticated technology. Other ways could be used, perhaps learning from some of the conferences on earmarking UN forces. Getting recruits does not appear to be the big hurdle.

Few of the technical studies required are likely to prove more difficult than those the UN has needed. Many of the experts on call would be the same people. Existing studies, for example in stages of rapid and orderly deployment of personnel and equipment, could be used with little change, such as parts of the Harbottle handbook. Political

studies, on the other hand, promise to be more difficult, more demanding, harder to recruit for.

One need is apparent now: to record, analyze and publish case histories and accounts of “intervention episodes” based on a nonviolent approach. Another need is no less apparent: an ongoing dialogue between those experienced in UN missions over the years and those intent on developing a related but alternative model such as a World Peace Guard.

Another but expanded consultation, similar to the 1971 Philadelphia occasion, appears to be an appropriate next step. At this writing (March 1981) planning for an international consultation has begun, to be held in Canada in late summer 1981. In the meantime, let those of us who want to work further on this proposal write, talk and meet so that a way opens.

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for the Protection of Human Rights**

*Liam Mahony
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Introduction: Breaking New Ground

WHEN THE MUTUAL SUPPORT GROUP for Families of the Disappeared rose from the ashes of genocidal violence in Guatemala in 1984 to demand respect for human rights, it was considered suicidal. But the organization survived—with the constant presence of Peace Brigades International (PBI) volunteers at their side. When Sri Lankan police abducted and killed noted journalist Richard De Zoysa in 1990, his mother took the unprecedented risk of pressing charges against the chief of police and requested protective accompaniment from international volunteers for both herself and her lawyer. Protected by unarmed volunteers, Nobel Peace Prize winner Rigoberta Menchú risked several visits from exile back to Guatemala. Guatemalan activist Amilcar Mendez, 1990 winner of the Robert F. Kennedy Foundation Human Rights Award, states simply, “Without accompaniment I would not be alive today.”

Before returning home from camps in Mexico in 1993, thousands of Guatemalan refugees insisted that the Guatemalan government recognize their right to the protection of international nongovernmental volunteers. Within a year, dozens of foreign volunteers, sometimes hundreds, were living and traveling with the refugees in the jungles that had previously been the army's private war zone.

The accompaniment volunteer is literally an embodiment of international human rights concern, a compelling and visible reminder to those using violence that it will not go unnoticed. The volunteers act essentially as unarmed bodyguards, often spending twenty-four hours a day with human rights workers, union leaders, peasant groups, and other popular organizations that face mortal danger from death squads* and state forces. The premise of accompaniment is that there will be an international response to whatever violence the volunteer witnesses. Behind such a response lies the implied threat of diplomatic and economic pressure—pressure that the sponsors of such violence may wish to avoid.

*Death squads (or hit squads in the Sri Lankan context) are paramilitary commando units that carry out anonymous attacks on civilians, usually with political motives. Although they operate with varying levels of autonomy and are sometimes used by private citizens for personal gain, in all the cases we've studied, these squads were developed by the government as part of a counterinsurgency strategy, enabling political killings without the embarrassing use of government uniforms. Death squads can be composed of military or police personnel operating out of uniform, or they may be paid thugs.

Victims of human rights abuse are frequently those attempting to organize social change movements that question their society's powerful elites. An international presence can be a source of hope to these activists. It assures them that they are not alone, that their work is important, and that their suffering will not go unnoticed by the outside world. The volunteer's presence not only protects but also encourages.

There is no guarantee of safety in being a foreigner. The Sri Lankan army deliberately attacked an ambulance of the Doctors Without Borders, and the Salvadoran government carried out a campaign of harassment and expulsion of foreigners. Peace Brigades' volunteers in Guatemala were bombed and knifed. Do such incidents call into question the concept of protective accompaniment, or are they exceptions proving the rule?

Human rights scholars and activists may be inspired by personal experience and convictions, but they must be guided by sober and objective analysis. To presume, without evidence, that accompaniment is effective protection would be irresponsible for the scholar and downright dangerous for the human rights activist. A deeper analysis must comprehend the uncertainties of complex situations and, more importantly, the perceptions and points of view of a wide range of key actors in each scenario.

There are good reasons to trust the veracity and analysis of the victim over that of the attacker. But this bias must be tempered by the recognition that even heroic human rights activists who risk their lives every day may be ill-informed and mistaken in their analysis, and they may lie. A death squad leader or dictator, in turn, might be intelligent and may be telling the truth. An activist for justice may, without contradiction, be quite power-driven, and a military officer quite susceptible to moral persuasion. The accompaniment volunteer, as well as the scholar, without sacrificing any moral convictions, must look beyond the good guy-bad guy dichotomy and comprehend the thinking of all the key players.

We use the term "accompaniment" to refer to the physical presence of foreign volunteers with the dual purpose of protecting civilian activists or organizations from violent, politically motivated attacks and encouraging them to proceed with their democratic activities. Our specific focus is the accompaniment provided by nongovernmental organizations (NGOs). The generic term "activists" refers to those who use accompaniment for protection. Finally, we refer to those individuals providing this service as "volunteers," even though some are paid employees of NGOs.*

An unarmed international presence as protection is not a new concept. An evangelical Salvadoran government official even cited the example of

St. Paul the Apostle to us: his clout as a Roman gave him the political freedom to take risks that the other apostles could not. In the early colonial history of the Western Hemisphere, some European missionaries stood up against conquistadors for the rights and lives of indigenous people. Gandhi made sure to have foreign journalists in the right places at the right times to dramatize to the outside world the injustice of the British occupation. In the United States, "freedom riders" of the civil rights movement of the 1950s and 1960s provided domestic nonviolent accompaniment, bringing young white northerners to southern states to take part in, and offer protective accompaniment to, southern black integration initiatives.

The modern notion of a nongovernmental, international protective presence can be traced at least to the formation of the International Committee of the Red Cross (ICRC) in 1863, the first NGO to convince warring nations to honor the moral and symbolic force of an outside neutral party. The bulk of subsequent international human rights and humanitarian law presupposes a deterring effect of international moral pressure.

The formation and growth of NGOs such as Amnesty International in the 1960s and 1970s broadened this concept by involving everyday citizens in direct pressure campaigns. By building a network of letter writers, Amnesty proved that even unknown prisoners in obscure parts of the world could be protected by the power of international opinion. Whereas Amnesty protects the rights of political prisoners by exerting pressure with an onslaught of letters, accompaniment manifests similar pressure much more immediately, with volunteers risking their lives to stand beside human rights activists—to prevent arrest or attack.

Implementing accompaniment is not easy. Resources are needed to build organizations, recruit volunteers, and maintain them in the field. Volunteers must be selected and trained. Each one must confront a certain degree of fear about engaging in this risky service. Networks must be built to back up the symbolic nature of the volunteer's presence with international clout. It is a considerable investment for the direct protection of relatively few people at any given moment.¹

Overcoming these hurdles required a confluence of factors and circumstances that were provided by the Central American conflicts of the 1980s. The institutions pioneering accompaniment brought together strands of several international movements. The loosely knit nonviolence movement included activists from around the world, some tracing their commitment back to Gandhi, others to resistance to military conscription, struggles against the Vietnam War, or the more recent antinuclear efforts. In addition, the human rights movement, spearheaded and popularized by Amnesty International in the 1970s, was growing and diversifying rapidly. Finally, in the early 1980s, the Central American solidarity movement burst onto

* Obviously, local human rights workers are usually volunteers, and international volunteers are also activists, and accompaniment could be defined much more broadly. The nomenclature is thus not entirely accurate, but it adds clarity and simplicity to the subsequent analysis.

the global scene. International solidarity brought together the socialist tenet, "Workers of the world, unite!" and a global extension of the religious demand to "love thy neighbor." It was not a new concept, but the intersection in Central America of revolutionary resistance movements, liberation theology, and uncontrolled state violence against civilians inspired historically unprecedented international support movements around the world.

From this convergence, two organizations were born in two very different ways. PBI was founded in late 1981 at an international conference on nonviolence held in Canada. From Europe, Asia, and the Americas, the participants brought decades of experience working in a variety of conflicts and organizations: Quakers, Indian activists in the Gandhian tradition, others seeking models to prompt future large-scale initiatives in the United Nations, and many more. What they had in common was an idea: that active nonviolence was a practical and vital tool for confronting violent conflicts. The new organization's statement of principles was simple but ambitious:

We are forming an organization with the capacity to mobilize and provide trained units of volunteers . . . in areas of high tension, to avert violent outbreaks. . . . Peace brigades, fashioned to respond to specific needs and appeals, will undertake nonpartisan missions which may include peacemaking initiatives, peacekeeping under a discipline of nonviolence, and humanitarian service. . . . [A] brigade may establish and monitor a cease-fire, offer mediatory services, or carry on works of reconstruction and reconciliation. . . . Those who undertake these tasks will face risks and hardships. . . .

We are building on a rich and extensive heritage of nonviolent action. . . . We are convinced that this commitment of mind, heart, and dedicated will can make a significant difference in human affairs.²

The next year was spent building interest and support for the organization. A second meeting in 1982 in the Netherlands approved committees to investigate project possibilities in Central America, Sri Lanka, Namibia, Pakistan, and the Middle East.³ Seven months later, in March 1983, PBI installed its first team in Guatemala.

Meanwhile, the Nicaraguan revolution had captured the imagination of progressives around the world. A month after PBI started in Guatemala, a delegation of U.S. Christian church activists from North Carolina went to Nicaragua on a fact-finding tour. On a visit to a small village that had just been attacked by the U.S.-backed contras, the U.S. activists asked people, "Why aren't they shooting now?" The answer, "Because you're here." The group was so moved by the experience that some of them considered staying. Instead, they went home to organize a long-term constant presence of U.S. citizens in Nicaragua. Thus Witness for Peace was born.⁴

Unlike PBI, Witness for Peace emerged from a specific shared experience, a Christian solidarity with other Christians in a particular struggle, and a profound sense of responsibility—even guilt—that these U.S. citizens felt

about their own country's policies and its victims. They contacted others who had been moved by the Nicaraguan struggle and found that the idea was contagious. In a few months, Witness for Peace began sending hundreds of people, and eventually thousands, to Nicaragua on short-term visits. The organization pioneered a unique integration of community-level accompaniment, guided small-group visits to Nicaragua, and public education and lobbying in Washington. Although one of its tools was protective accompaniment, its broader mission was to educate the American public and change U.S. policy.

It was no coincidence that the two organizations that first succeeded in implementing protective accompaniment were doing their work in Central America. The focus of global attention on this region provided both the potential for interested and inspired volunteers to take on the risk and the necessary network of international support and pressure to back them up. Accompaniment was attempted in regions lacking such international solidarity networks only after the Central American experiments proved that the service was possible.

In the 1990s, accompaniment expanded so quickly that we cannot pretend to offer an exhaustive survey of all the ongoing work in the field.⁵ Instead, we focus on extensive experiences in three countries—Guatemala, El Salvador, and Sri Lanka—and add some contrasting analysis of two more recent projects in Colombia and Haiti. We concentrated the majority of our research on the efforts of a single organization, PBI. This allowed a comparative study of several conflicts, since PBI is one of the only organizations providing accompaniment in different parts of the world. PBI also has the longest history of accompaniment, allowing for a study of how the service changed over time. This choice, however, is by no means a statement about the relative value of different organizational efforts. Many important accompaniment efforts have been carried out by other organizations. We touch upon some of these, but space does not allow for the thorough treatment they all deserve.

We used the accompaniment experience in Guatemala as our centerpiece, because Guatemala has the longest available accompaniment history. The extent and variety of accompaniment efforts there provide a wealth of lessons. The accompaniment idea was born at a moment of near-total paralysis of civilian democratic activity in 1984, when PBI helped facilitate the founding of the first human rights organization to survive Guatemalan terror. As the civilian movement grew, accompaniment grew with it, playing a significant role in a protracted national transition. A decade later, the sustained multiorganizational accompaniment of the returning Guatemalan refugees proved that protective accompaniment could be implemented on a large scale.

Other wars presented other challenges. In El Salvador, foreign volunteers lived precariously in a war zone, facing a government that openly hated them. In Sri Lanka and Colombia, accompaniment was started without the benefit of any significant solidarity network, and it operated within multiple conflicts between politically sophisticated government and rebel armies. In Haiti, the accompaniment volunteers lived in terrorized villages where activists dared not work publicly.

Some analysts categorize accompaniment using the conflict-resolution terminology of "third-party intervention." Others speak of multitrack diplomacy, where "track 1" is between governments and "track 2" involves NGOs. The field of international humanitarian intervention has broadly embraced the classifications of "peacemaking, peacekeeping, and peacebuilding."⁶ In this breakdown, *peacemaking* interventions are those that serve to bring about an immediate cessation of hostilities, such as facilitating a negotiation process. *Peacekeeping* efforts serve to keep hostile parties separate, to prevent the conflict from erupting again immediately—for example, a UN armed buffer force. *Peacebuilding* works toward long-term stability, establishing institutions and understandings addressing the root causes of conflict. Galtung distinguishes peacekeeping as *dissociative*, keeping the conflicting parties apart, whereas peacemaking and peacebuilding are *associative*, bringing the parties together. Lisa Schirch, emphasizing the primary goal of preventing a hostile attack, categorizes accompaniment within this scheme as peacekeeping.⁷

Although accompaniment is certainly a third-party intervention, it is more fundamentally a *tool* used by actors in the conflict. As such, it traverses all the above categories. It is not solely dissociative peacekeeping, since its protection allows the victims to confront, communicate, and negotiate with their attackers (peacemaking). The act of encouragement and empowerment, overcoming internalized terror, is in itself a key aspect of long-term peacebuilding. Whereas many existing models and examples of international humanitarian intervention rest on the often unarticulated assumption that external actors can solve problems, accompaniment helps local civilian activists become protagonists in their own search for peace.

Accompaniment is still a young practice: ten years of experience in a limited number of countries. Before accompaniment, the projection of the human rights movement into the field of conflict was largely limited to brief fact-finding missions or lone field-workers collecting data. Now, more and more international organizations are using accompaniment. This analysis of recent experience should help guide future accompaniment efforts in other conflicts. Meanwhile, it is our hope that the story of accompaniment will educate and inspire the public at large to further support and protect the efforts of courageous human rights activists around the world.

Notes

1. Wiseberg ("Protecting Human Rights Activists"), in one of the earliest references in the human rights literature, describes accompaniment as a potentially effective but "costly" protection.
2. Peace Brigades International founding statement, issued at Grindstone Island consultation, Ontario, Canada, September 1981.
3. Peace Brigades International, meeting minutes, Bergen, Netherlands, August 28, 1982.
4. The Witness for Peace model developed in quite a different direction from PBI and is not the focus of this study. For a dramatic and perceptive analysis of Witness's growth and work in Nicaragua, see Griffin-Nolan, *Witness for Peace*.
5. For a brief survey and categorization of related efforts prior to 1995, see Schirch, *Keeping the Peace*.
6. Galtung, "Three Approaches to Peace."
7. Schirch, *Keeping the Peace*.

Principles in Action

ORGANIZATIONAL DECISION MAKING and planning can be broken down into four stages: principles, objectives, strategies, and tactics. Different accompaniment organizations may seem to be implementing the same tactic, but they start from a wide range of basic principles and objectives. The strategies chosen to implement the accompaniment are in turn conditioned by varying political analyses and by resource constraints. Faced with a difficult situation in the field, two different organizations, or even two individuals, frequently make different—even contradictory—tactical choices.

For example, PBI arrived in Guatemala with certain principles, including nonviolence, nonpartisanship, and a belief in local empowerment. Its objective, in broadest terms, based on those principles, was to aid in the development of nonviolent movements for social justice. It chose an overall strategy of sending small peace teams into conflict zones. At a critical moment in 1985, accompaniment burst into being as an immediate tactical response to external events. But PBI's lack of money, people, and political clout made it difficult to implement.

But accompaniment is much more than an immediate tactic, and over time, it was transformed into a broad objective requiring a long-term strategy. It required substrategies for communicating with the army, building political clout, making diplomatic contacts, recruiting and training adequate volunteers, finding funding, and developing an emergency response network. These substrategies are conditioned by basic principles but are also designed to alleviate resource limitations and actively change the political context.

Consider the International Red Cross: its principles include a fundamental commitment to working within the framework of international law. The ICRC has multiple objectives, and its strategy is one of collaborating with military authorities. Its resource limitations are of a different magnitude than most NGOs, and its clout is enormous. In this context, when accompaniment is chosen as a tactic, the implementation is unique.

The intersection of different organizational choices with varying conflict situations yields scenarios too numerous to analyze exhaustively. We limit ourselves here to a discussion of some of the more controversial variances in principles and strategy.

Nonpartisanship, Independence, and Noninterference

Nonpartisanship is a widely misunderstood issue facing all humanitarian organizations working in conflict situations. Larry Minear and Thomas Weiss of the Humanitarianism and War Project have attempted to codify the concept in their "Providence Principles" for humanitarian action: "Humanitarian action responds to human suffering because people are in need, not to advance political, sectarian, or other extraneous agendas. It should not take sides in conflicts." They go on to argue that humanitarian action must serve victims rather than causes and should not embrace political parties or religious or cultural ideologies. "When multiple objectives exist, humanitarian considerations are frequently crowded out."¹

Minear and Weiss distinguish, however, between nonpartisanship and *impartiality*. Most humanitarian organizations affirm a partiality for the poor, the suffering, and the marginalized while maintaining a nonpartisan position with respect to the armed parties in conflict. Semantically, the words nonpartisanship and impartiality are almost identical, but the distinction in practice is essential. Nonpartisan service responds to demonstrable objective and external criteria rather than to alignments in the conflict. Categories such as the poor, the suffering, and those in need are criteria that cross boundaries of specific political conflicts. To be partial but nonpartisan, then, is to say, "We will be *at your side* in the face of injustice and suffering, but we will not *take sides against* those you define as enemies."

Many organizations serve a specifically defined population. The UNHCR, for instance, has an externally defined mandate to serve refugees. If all Sri Lankan refugees at a given moment are Tamil, the UNHCR's service is still nonpartisan, as long as it is available in the event of a Sinhala refugee situation. Quaker Peace and Service in Batticaloa established an objective criterion that it would not transport anyone carrying a gun. The criterion is nonpartisan, even if all armed individuals requesting transport happened to come from one group.

With respect to accompaniment, then, we define nonpartisanship as a refusal to condition accompaniment according to political alignment or ideology and a refusal to support any side in an armed conflict. Using Minear and Weiss's terminology, all accompaniment is *partial* to those it protects, supporting their right to live and work free from attack. But not all accompaniment organizations are nonpartisan.

Peace Brigades International maintains a strict commitment to nonpartisanship, refraining from any advocacy role. Accompaniment is made available to groups and individuals from varying political factions, the only criteria being that the accompanied group be committed to unarmed struggle

for human rights and justice. However, in situations of state terror, it is invariably the activists with strong political agendas opposed to the state who come under threat. PBI accompanied groups in Central America because they were in danger, not because they were opposed to the government. The fact that nearly all of them *were* opposed to the government was not coincidental, but this does not contradict the nonpartisanship—although it may be impossible to convince the government of this commitment.

The concept of *independence* in international humanitarian work generally means avoiding being controlled by local actors, including local government authorities. Although accompaniment organizations might desire such independence, if they raise the ire of the host government, they can be expelled at any moment. To the extent that an organization must measure its actions against the threat of expulsion, as PBI did in the Olga María incident, its independence from government manipulation is circumscribed. Yet if it ignores such diplomatic concerns, expulsion is much more likely, resulting in an end to the protective service altogether.

International organizations must accept the reality that local actors may try to exert influence over them. Accompaniment organizations frequently encounter pressures to act outside their mandates; often the pressures come from the very people being accompanied. Although such influence can never be completely avoided and is not necessarily damaging, organizations committed to independence try to control such manipulation. One method is for an organization to define strict limits on what it will or will not do and resist pressure from local activists to extend these limits.

Independence, as such, is not sought by all accompaniment groups. Many individual volunteers and smaller organizations attach themselves to a particular civilian organization as helpers and accompaniment, offering any type of assistance within their means and ceding decision making and independence to the local group. The Marin County group's accompaniment was managed by the Salvadoran Human Rights Commission. The GAM and the CERJ in Guatemala each recruited its own multipurpose volunteers for short periods, specifically in response to PBI's unwillingness to provide other services beyond accompaniment. Sometimes the strategy of local control is the only available option: the Cry for Justice, for instance, would have ground to a halt without Haitian guidance and management.

Ceding accompaniment control to local activists can be defended firmly on the grounds of supporting the *self-determination* and *empowerment* of indigenous organizations and avoiding the risk that the foreigner, or the foreign organization, is being manipulative in setting conditions of service. This principled choice has strategic costs. Independence and nonpartisanship tend to give an organization credibility in the eyes of both local governments and the international community. Dispensing with both concepts

weakens the clout of the deterrence. Organizations that choose this option must build clout in other ways.

In practice, accompaniment projects managed by the local activists frequently suffer functional problems. The activists, overwhelmed with their own local struggles, have neither the inclination nor the time to fulfill all the administrative and decision-making needs of the volunteers. The volunteers, in turn, face a decision-making void that they have not been given the authority to fill. Their role is often vaguely defined, with multiple objectives, and they lack the guidance to know when they are doing something inappropriate until it is too late. Although some volunteers adapt well to these conditions, frustration and confusion are frequent. If the accompanied organization or community is itself involved in internal power conflicts (a common occurrence), a nonindependent accompaniment status becomes almost untenable, since it is no longer clear who has legitimate authority.

From a different perspective, an accompaniment organization's commitment to independence and nonpartisanship is consistent with respect for the activists' empowerment and self-determination, based on the related concept of *noninterference*. Volunteers are naturally curious and are usually inspired by and committed to the causes of those they accompany. Without a clear role definition, they often gradually get more involved in the internal workings of the accompanied group, sometimes reaching the point of giving strategic advice or helping with policy making. This shift may not be actively opposed by the accompanied group—it may even be invited—but it may be resented later as inappropriate interference. Some accompaniment organizations believe that both organizational independence and a clearly defined and limited role (such as accompaniment) help avoid this tendency.

Similarly, some accompaniment groups studiously avoid any material aid relationship (providing funds, supplies, or technical expertise) with local groups to minimize the risk of long-term dependency. This stance minimizes the risk that activists may cultivate accompaniment not for protection but for the material advantage of the relationship. It also presents an unambiguous message to the host government, which cannot use the material relationship to discredit the objectivity of the accompaniment as witness.

This skepticism about the decision-making role of foreigners in the third world is one of the things that draws many people to an accompaniment model based on nonpartisanship and noninterference. They are looking for a way to serve in the third world while avoiding the paternalistic trappings of missionary and development work, which often dominate such international relationships. The volunteers are proud of "not doing for them what they can do for themselves," and they frequently point out, "We don't tell anyone what to do."

Short of "telling someone what to do," there is still the gray area of giving advice. Advice from external NGOs may be heeded because it is good advice or because of unspoken, even unconscious, pressures. Based on other experiences with foreign NGOs, an activist may assume that the accompaniment service will be withheld if advice is not heeded, or that this outsider is an "expert" and should be listened to. It is often difficult to assess the competence of "expertise" from a different cultural context. Thus the mere offering of advice might be a type of interference, even when it is explicitly requested. The paradox is that accompaniment deterrence, as we saw in Colombia, may be more effective when it is a *joint* strategy implemented in a coordinated fashion by both the activists and the accompaniment organization. Developing a joint strategy inevitably involves a give-and-take of mutual advice; thus a strict adherence to noninterference might limit the construction of an effective strategy.

Nonviolence

Nonviolence as a guiding principle is common to many, but not all, accompaniment organizations. Principled nonviolence usually implies a commitment to reconciliation, a basic respect for life, and a refusal to recognize violence as a legitimate method of struggle. In the field, the principle is generally interpreted conservatively to mean that accompaniment should be limited to those who do not use violent means of struggle and do not collaborate with armed groups.

Activists sometimes have to choose among different modes of protection. Some activists never ask for accompaniment, counting on their own ability to defend themselves—sometimes with weapons. Others opt for both accompaniment and armed protection. PBI accompanied Batty Weerakoon in Sri Lanka and Rigoberta Menchú in Guatemala while each had armed police escorts, although the protection of the police in both cases was at best ambiguous. An organization might have a constant accompaniment presence, but when its office is surrounded or attacked, machetes, batons, or even Molotov cocktails might come out of the back room.

When the Colombian Association of Families of the Disappeared (ASFADDES) refused armed protection, it wrote to the government, "Conceptually this humanitarian option of accompaniment is absolutely coherent with our own principles: as family members, the negative psychological impact of the idea of armed escorts is unacceptable."²

When Osiris Bayter explained CREDHOS's similar decision, she emphasized the practical disadvantages of having armed men hanging around a human rights office, but added: "The psychological tension of having an

armed man at your side is unbearable, especially when you believe that it is not weapons that save lives. That's why the possibility of PBI accompaniment appealed to us."³

Although neither CREDHOS nor ASFADDES explicitly espouses nonviolence in its rhetoric, their comments demonstrate a repugnance of weapons and a deep understanding of nonviolence as both principle and strategy.

Nonviolence is consistent with struggles for human rights and social justice, but it is interpreted in many different ways. Many of the groups asking for accompaniment use nonviolent tactics and strategies as a matter of necessity but have no principled commitment to nonviolence. Many people, including many of the individual volunteers doing accompaniment, endorse the right to use violence in self-defense, as punishment, or simply as a useful tactic when necessary.

For a brief period in Guatemala, the GAM advocated the death penalty for those responsible for disappearances. PBI continued to accompany but found this espousal of an obviously violent policy quite unsettling. In Sri Lanka, volunteers accompanied a labor struggle in which the workers they were ostensibly protecting initiated a violent action against the police. PBI withdrew, despite the fact that the police might have retaliated with even greater violence against the workers in PBI's absence. These are extremely difficult decisions, since, given the often unequal correlation of forces, all violence cannot be considered equal. Guatemalan soldiers in the returned refugee village of La Aurora (see chapter 10) may have been provoked and intimidated in a way that some would characterize as violent. An accompaniment volunteer, had one been present, would have had a hard time explaining a withdrawal on those grounds, given the massacre that followed.

In the context of popular insurgency, some argue that a commitment to nonviolence is neither necessary nor desirable, and that solidarity with an oppressed people should not try to dictate that people's tactics. The Salvadoran FMLN guerrilla movement built a vast array of international contacts and alliances, including mass-based U.S. organizations such as CISPES and various European solidarity groups. Through such organizations, it encouraged many foreigners to come support the "people's struggle." Accompaniment of popular mobilizations was combined with direct material aid to the FMLN. A commitment to nonviolence or nonpartisanship in this case would be contradictory. But given the political clout of groups such as CISPES and the indiscriminate animosity of the Salvadoran military toward foreigners, it would be difficult to claim that volunteers committed to nonviolence provided any greater protective value than those who were not.

Organizations trying to maintain a commitment to nonviolence are often on thin ice, politically. In Guatemala or El Salvador, for instance, most

accompanied groups promoted political platforms almost identical with those of the guerrilla movements. This coincidence was logical, given the governmental policies that both opposed, but accompaniment groups could never really know the extent to which those they accompanied consciously collaborated with the guerrillas. Since even the hint of such collaboration was dangerous, it could not be investigated. The guerrilla movements were both military and political, so such collaboration was not a priori violent. But politics is a continuation of war, as much for a guerrilla army as for a government, so there was always some risk that nonviolent tactics were being used strategically for military ends. Nonviolent accompaniment could thus be indirectly facilitating a violent military strategy.

Any policy, however principled, in which outsiders place conditions on access to an important resource risks being a manipulation or an interference with the self-determination of the population being served. One of the primary arguments against making nonviolence a condition for access to accompaniment is that such a policy influences people's choices and thus interferes inappropriately. A completely noninterfering accompaniment policy, by this argument, would be available to any threatened activist regardless of whether he or she espoused guerrilla warfare or any other violent tactic.

This is but one of numerous examples in which basic principles collide in practice. Each accompaniment organization has to prepare for these collisions by establishing priorities among principles, with an understanding of the flexibility necessary for applying them in practice.

Education

The concept of empowerment works in both directions: a key objective of some accompaniment projects is the empowerment and education of the volunteers themselves, and the *movement-building* impact of the work they can do upon their return. This objective, which we refer to here as *education*, might be considered a secondary objective of a deterrence strategy, since over the long haul, movement building strengthens the global support network backing up the accompaniment and expands the financial and human resources available for the work. Education can also be an objective in and of itself. The Canadian Project Accompaniment confronted the paternalistic assumption that volunteers are "doing a favor" for accompanied activists with a commitment to *mutuality*: accompaniment as a relationship of mutual encouragement and empowerment. On this basis, a significant portion of its strategic planning revolved around empowerment and movement building in Canada, a process that simultaneously fulfilled the mutuality principle and strengthened the protective value of the presence.

Whether principled or strategic, the education objective affects how the accompaniment is implemented. If it is given a high priority, it has two particularly controversial potential drawbacks. One is that it can reinforce a natural curiosity and inquisitiveness that can easily go beyond the bounds of discretion or safety. The volunteer, after all, wants to go back home with the best possible stories and information to educate the home community and may not be aware of how intrusive this "research" can be. Human rights activists operating under state terror and frequent surveillance are suspicious of people who ask too many questions, even well-intended ones. Even if the questions are not a security risk, they can be an annoyance, distracting the activist from the work at hand.

The second drawback is that a high priority on education usually leads to very short stays for volunteers, frequently as little as two weeks. The tendency is logical: allowing short stays makes accompaniment service possible for many more people who may not have time for longer periods of foreign service. This allows numerous volunteers to serve for short periods and return home, speeding up the movement-building process.

The risks of such short-term service should be obvious, but they had to be learned the hard way by most organizations. Inexperienced volunteers, without time to adapt and "learn the ropes," make mistakes that can be dangerous or costly to the reputation of the organization—and to that of other organizations as well. Cultural ignorance results in offensive behavior, damaging the relationship of trust with the accompanied groups. The hurry to get the most out of a short stay exacerbates the inquisitiveness problem. Accompanied activists, meanwhile, live through a stream of volunteers whom they watch make the same errors over and over. But even if the deployment of short-term volunteers were impeccable, the accompanied activists must constantly expend valuable energy orienting and relating to them.

In contrast, a project without a movement-building component can find itself with insufficient support. PBI after 1989, for instance, prioritized discretion and security concerns far above education and allowed only long-term volunteers. But PBI was supported by a Central America-focused solidarity network built largely by other organizations. When PBI expanded to Sri Lanka, there was no such network to depend on, and the organization had no strategy or capacity to build one. This weakness led to consistent resource and personnel shortages. Many of those volunteers who were recruited had little prior knowledge or analysis of Sri Lanka's politics, as there were no local organizations to nurture their interest.

Different models have met with varying success in confronting these pitfalls. Witness for Peace sent long-term volunteers to both Nicaragua and Guatemala, where they stayed anywhere from nine months to several years. A key part of their work was organizing and supervising "delegations" of

ten to twenty people who visited for two or three weeks on carefully guided tours. Delegation members were given a participatory role in certain decisions, and the long-term team controlled those aspects that could not be handled responsibly by newcomers. These delegations lived—and thus accompanied—in rural villages for part of their stay but were also given the opportunity to attend educational sessions with local leaders or authorities. Such meetings with authorities served to demonstrate—numerically—the force of the movement behind the accompaniment.

Canadian Project Accompaniment, the Holland Accompaniment Project (HOLACOM), and others used a system of sending long-term paid staff to Guatemala to supervise a steady flow of volunteers. These volunteers accompanied returned refugee villages for six weeks or more. Although six weeks is still relatively short, the permanent staff could maintain a constant relationship with the Guatemalan groups being accompanied and help the other volunteers avoid pitfalls.

Other combinations exist, and the ones that work all involve some level of supervision of short-term volunteers by either staff or longer-term volunteers who can provide continuity of analysis and build long-term relationships with the various groups. This supervision is usually combined with explicit behavioral guidelines, clear role definitions, and careful screening of volunteers. The all-too-common system that doesn't work at all is for an organization to simply send short-term volunteers without guidelines or rigorous supervision, or for inexperienced volunteers to come without any organization at all. Although many of these volunteers do excellent accompaniment, the exceptions wreak havoc, damaging the credibility and effectiveness of all other accompaniment groups working in the conflict. The risk can be reduced through supervision or training but never entirely eliminated.

Tactics in the Field: Two Camera Incidents

Even when principles, objectives, and strategies are clear and consistent, accompaniment demands a constant contextual reevaluation of tactics. A decision as simple as taking a picture, for instance, has complex ramifications.

In 1987–88, Peace Brigades volunteers maintained a twenty-four-hour-a-day, thirteen-month presence on the sidewalk outside the Lunafil factory in Guatemala, which was occupied by striking workers. The workers feared retaliation because they knew of union activists who had been killed at the owner's other factories. Using more subtle tactics, the owner threatened to close the factory permanently. One day, a caravan of trucks arrived with a police escort to remove the raw materials from the factory buildings,

ostensibly to be auctioned elsewhere. After one such incident, the strikers built a concrete barricade a few feet high in the entranceway to prevent trucks from entering again.

That night, while union activists and a PBI volunteer slept on the sidewalk, thirty armed men in civilian clothes showed up with attack dogs. After threatening everyone present, they destroyed the barricade with picks and shovels. The PBI volunteer got out her camera to record the event. The other union members quietly motioned for her not to take the picture: they were afraid that the camera flash in the dark would be too provocative and might upset the men with guns. Thus the logical, almost textbook, response for a human rights observer—to take photos to document a threatening event—was deemed inappropriate. The photo was not going to stop the men who had come so prepared to carry out their task. The benefit of documentary evidence was not worth the risk of angering them.

In early 1993 in Sri Lanka, PBI observed a labor demonstration at the entrance to the free trade zone north of Colombo. The police demanded that the demonstrators disperse. In response the demonstrators sat down peacefully, and the police began dragging them away by force. One of the PBI volunteers attempted to photograph a plain-clothes police officer who was wielding a long wooden switch at a woman in the crowd. The police detained the volunteer, removed the film, and exposed it to sunlight. A second PBI observer also had her camera taken and film destroyed. The officer in charge told them that he found PBI's action provocative and that he did not want his men to be portrayed in an unsavory light.

This time, the union activists urged PBI to take legal action against the police for taking the cameras and destroying the film. They argued that if PBI let them take the cameras and didn't denounce it, the police would think that they could get away with it again, or perhaps take further advantage. According to the activists, such acquiescence would weaken the strength of the accompaniment. PBI chose to let the matter drop rather than initiate an additional confrontation.

Taking the whole progression as a single event, one might argue that the deterrence commitment represented by the camera was weak. The threat of taking a picture is not much of a threat if you simply acquiesce when they take your camera. The police might assume from such weakness that the organization cannot follow through on its commitments. Since the aggressor's belief in such follow-through is a crucial factor in the effectiveness of deterrence, this perception weakens the future protective value of the camera and perhaps even of the volunteers' presence.

However, one can also look at the incident as an unfolding series of events that called for a series of tactical decisions as the context changed. Thus, as the demonstration progressed, the volunteers had their cameras

visible, as always. When the police began beating the demonstrators, the act of taking photos was a necessary follow-through on the commitment implied by the presence of the cameras. What would be the point, after all, of having a camera but refraining from using it to document the moment of violence you had hoped to deter? At the same time, the very use of the camera might be an effective intervention to calm the violence. It might either prompt the police to consider the political consequences of the attack or distract them into the more benign pastime of detaining the volunteers and their cameras.

In this analysis, the photo taking may have served its deterring purpose. The photos themselves might be less important than the interruption caused by the act of taking them. So, when later faced with the expropriation of the cameras by police officers who may have needed a face-saving conclusion to the episode, PBI acquiesced to lessen the tension and polarization of the situation. The benefits of ending the conflict outweighed the cost of losing the film.

These contradictory analyses coexist side by side. We do not know whether those police officers, in the end, felt that PBI made a reasonable compromise or simply displayed weakness. In any case, the camera is not an end in itself but rather a tool in a complex strategy. These incidents illustrate the importance of understanding in advance the functions and objectives of any such tool. Accompaniment organizations must try to prepare volunteers for the decisions they may be faced with.

To implement any humanitarian work in conflict zones, one must deal with competing principles, strategies, and tactics under conditions of considerable uncertainty. Organizations may work from different principles and multiple objectives, but the clarity of their work depends on their understanding of the strategic and tactical implications of those principles and objectives. Given the complexities in the field, even the most thorough analysis will not suffice without a heavy dose of tolerance for paradox and ambiguity.

Notes

1. Minear and Weiss, *Humanitarian Action*, p. 23.
2. ASFADDES, letter to Carlos Vicente de Roux, Presidential Counsel for Human Rights, December 16, 1994.
3. Osiris Bayter, tape-recorded interview by authors, Bogota, December 1995.

Looking Ahead

A Brief Assessment

ACCOMPANIMENT HAS ACHIEVED some notable successes in human rights protection. In addition to saving lives, this international presence has helped catalyze the formation of new human rights organizations, enabled their growth, added to their stability, and strengthened their international credibility. Death squads and governments alike have been forced to take notice.

Despite numerous successes and considerable expansion and flexibility, accompaniment projects have been dogged by chronic weaknesses. The accompaniment movement is young and is still learning by trial and error. Because the work arose largely from grassroots nonviolence and solidarity movements, there is an unfortunate reticence to learn from the more experienced, established humanitarian organizations already working in conflict zones, such as the ICRC, Doctors Without Borders, and others. The reticence is in some cases ideological, but it is also based on simple ignorance of prior relevant experience and lack of time for adequate investigation. Accompaniment organizations spend a lot of time and effort learning some of the basic realities of functioning in conflict zones—realities that other organizations have been experiencing for decades. The volunteers themselves are usually young and often lack prior experience working in conflict zones or even in NGOs. The result is often an amateurish and nonrigorous application of a delicate tool.

Yet the grassroots nature of accompaniment is one of its greatest strengths. In the field, the accompaniment movement's steadfast recognition that the local activists must be the protagonists in their own search for solutions is something that some of the more establishment humanitarian interventions could learn from. And even if dependence on volunteers poses a risk of amateurism, accompaniment challenges average citizens to take risks in the struggle for human rights and creates opportunities for volunteers to put their beliefs into action. The long-term empowering effect of the accompaniment experience on the volunteers has added global strength to the worldwide grassroots movements for nonviolence and human rights, as volunteers return home and continue their activism.

Asking the Right Questions

The lessons of any limited experience must be viewed with careful skepticism when they are applied to new situations. The implementation of accompaniment, as we have seen, is extremely context specific. The future will bring countless new conflicts with many different causes and dimensions. Bluntly projecting a lesson or rule into a different conflict can result in grave errors. Dismissing past lessons, though, can be equally risky, condemning an accompaniment project to repeat the errors of the past. The challenge is to distinguish which aspects of these experiences are solely dependent on context and which are transferable.

Accompaniment does not by itself end wars or resolve conflicts. It is but one tool for pressure in a complicated interaction of many players. International presence affects power relationships, or, as we have described it, it shifts perceptions of available political spaces. But since there are always other factors conditioning the political reality, accompaniment cannot guarantee safety. The inherent risks run by both activists and volunteers demand that accompaniment organizations carefully analyze their own political space. We believe that an understanding of deterrence theory, state terror, psychological encouragement, trust, and certain basic concepts of political psychology is essential to this analysis. This framework, and these case studies, should be helpful in determining the relevance of accompaniment in many possible future contexts.

We have, by and large, come up with more questions than answers. But there are no simple rules of thumb for accompaniment. If we can learn from the past what the right questions are, we have come a long way. Consider a hypothetical future request for an accompaniment project in a country in conflict. What does the accompaniment organization need to know to respond?

A first set of basic questions concerns the scenario where the tool is being considered:

- What is the conflict, and who are the actors involved?
- What exactly is the perceived threat, and what is expected from the accompaniment?
- Are the available information and analysis on the conflict trustworthy and thorough?
- Is there reason to believe that the aggressor party would be susceptible to international pressure and, thus, sensitive to the accompaniment presence? What are the lines of communication for this pressure? What

are the aggressor's international strategies and relationships to external actors such as other states, NGOs, foreigners in general?

- What is the ideological and cultural context? What are the biases and stereotypes of both the aggressor and the group requesting accompaniment that might affect their attitudes toward the accompaniment organization?
- Who are potential allies? What other foreign NGOs are on the scene, and what has their experience been? Is there an existing global network of organizations, individuals, and politicians who are interested in the particular conflict? Does the organization have access to this network?

To develop the accompaniment strategy, other questions need answering:

- Which types of human rights abuses are going to constitute the focus of attention and protection? What types of conduct by the aggressor will be defined as unacceptable?
- What is the deterrence commitment? That is, what will the accompaniment organization do to "punish" the aggressor in the event of unacceptable human rights abuse? What international bodies can be counted on to apply pressure? How frequently can such pressure be applied? Is it credible and sufficient to deter?
- How will the accompaniment organization inform the aggressor of its deterrence commitment?
- What is the aggressor's cost-benefit analysis? Are there external benefits to attacking that outweigh the costs the international community can inflict?

Other questions deal with the relationship with the accompanied party:

- How are the activists measuring the danger? What other protective tactics are they using? What experiences have other threatened activists had in this context?
- What relationship and communication do the activists have with the aggressor? Does this relationship in any way constrain or aid the potential communication between the accompaniment organization and the aggressor?
- Do the activists expect anything more than accompaniment from the volunteers?
- Is there any risk of building a dependency relationship?

Finally, these answers should lead the accompaniment organization to question itself:

- What is the organization's position with respect to the principles of non-partisanship, independence, noninterference, and nonviolence? How will these positions influence the implementation of the accompaniment?
- What will be the selection criteria for volunteers in this accompaniment situation? What are the linguistic and physical demands? Do they have the political analysis and judgment, cultural sensitivity, patience, humility, and diplomacy necessary to carry out the task safely and effectively? What security measures must volunteers follow?
- Can the organization find and train enough qualified volunteers and generate the resources and political support to meet the need on a continuing basis? Does the organization have the political maturity and administrative capacity to take on the challenge?
- Is the organization capable of evaluating its own effectiveness and recognizing when its presence is no longer needed?

We are not suggesting that it will ever be possible to find satisfactory answers to all these and other questions before embarking on an accompaniment mission. Sometimes there is not enough information or too much ambiguity. The urgent demands of a pressing human rights crisis sometimes leave little time for adequate investigation. But the organization must be sensitive to the risks involved in proceeding without answers. At the very least, a clear understanding of where the uncertainties lie can help in the development of fallback plans in case of surprises.

Challenges

There are still some critical problems that have not been sufficiently addressed in practice by accompaniment groups. One of these is the development of strategies for accompanying those who are not threatened by governments or state-controlled groups. Human rights activists in Sri Lanka, for instance, were threatened and killed by both the JVP guerrillas and the Tamil Tigers. PBI in Colombia consciously targeted its accompaniment in regions where state security forces were the major force, avoiding areas where the key players were either drug cartels or "independent"

paramilitary groups. In other conflicts, such as the southern Sudan or Chad, accompaniment has been considered, but not implemented, where nonstate forces commit serious human rights abuses.

The general models developed here, as well as the specific lists of questions above, should be useful in analyzing the possibility of deterring non-state aggression as well. The basic objective is the same: to exert enough external pressure to change behavior. But how does one exert this pressure? Most international law applies only to states. Governments have explicit and unique mechanisms for transmitting and absorbing international pressure, and to the extent that economic and trade policy is controlled by the same entity as human rights policy, there is a built-in reason for sensitivity. A guerrilla or other clandestine organization, in contrast, is difficult to communicate with and is generally dependent on deliberately concealed sources of support.

Consider, for example, the Liberation Tigers of Tamil Eelam. We discussed the idea of accompaniment as protection against the Tigers with one courageous Sri Lankan activist who has repeatedly condemned the Tigers' abuses in print. He dismissed it as foolishly ideal; his security choice is clandestinity.

In theory, a coherent pressure campaign might investigate all the Tigers' international sources of support, all its clandestine businesses and trade partners, and so forth to find potential points of pressure. It could also pressure the Tamil exile community. If possible, direct meetings with Tigers leadership might help clarify their sensitivity to pressure. The ICRC experience has shown that the Tigers are open to communication with NGOs when it is in the Tigers' interest. It has also shown the utility of reaching clear agreements with such parties before taking the risk of placing people in the field.

There is no reason to assume *a priori* that a rebel terrorist group is not susceptible to pressure or open to communication. When Amnesty International issues a report criticizing the Tigers' human rights abuses, the Tigers' moral legitimacy is questioned, and international support of its cause is weakened. Simultaneously, the Sri Lankan government uses the criticism to strengthen its own international legitimacy, improving its chances of obtaining military aid—clearly a negative consequence for the Tigers.

Human rights activists who attempt to take on nonstate aggressors with accompaniment protection are exploring uncharted territory. Even if an accompaniment strategy is possible in theory, the uncertainties present huge risks. Who wants to be a test case? Still, human rights activists are constantly testing limits, and the global human rights movement must develop strategies to support them. A protection limited to only one source of danger is at best incomplete.

A second problematic area for accompaniment work is related to the fact that most volunteers come from the so-called first world, and most projects operate in the third world. PBI has fielded a few volunteers from Argentina, Brazil, Chile, Colombia, Japan, and India. Christian Peacemaker Teams in Haiti included volunteers of African American and Caribbean descent. But these are exceptions. Most accompaniment volunteers have been Western European or North American and white. The primary explanation for this is that all these NGOs were conceived and based in Northern countries, but this tendency is compounded by the common perception that the supposed immunity and protective power of the volunteers is based on their skin color or national background.

There are several interrelated but distinct dynamics at play here: the imbalances of political-economic power among nations, the influence of colonial traditions and history, and stereotypes or prejudices connected to physical characteristics such as skin color. Thus, some Salvadorans we interviewed insisted that because of U.S. political influence, the protection offered by a U.S. citizen would be greater than that of a European; one stated that the protection of a Latin American volunteer would be inadequate. Colonial histories—and the resulting shared languages—lead to a different reception of Spaniards in Central America or English volunteers in Sri Lanka than of volunteers from other nations. Sri Lankans repeatedly stated that the protection was dependent on the “white face” and that a volunteer from another South Asian country would do no good, despite the fact that India is the regional superpower. Likewise, although Mexico wields far more clout in Guatemala than does, for instance, New Zealand, a white New Zealander is symbolically more powerful than a Mexican accompaniment volunteer. The dynamic is further complicated by the fact that different actors will respond to different influences—a high-level policy maker, for instance, may be more affected by global politics, whereas a local thug may exaggerate visual or cultural biases.

Evidence in some cases has shown that Northern volunteers are less frequently mistreated by authorities than those from southern countries with less clout.* Although this differential treatment of different foreigners does not automatically imply a difference in the protective clout of their accompaniment, the factors involved are similar. Any deterrence analysis has to be done within the context of these dominant political perceptions and local attitudes, regardless of their subjective character. If some Salvadorans

* We have already discussed the differential treatment in El Salvador. In Sri Lanka, a PBI volunteer of partial Indian descent was the only foreigner to be struck by a policeman during the violent break-up of a demonstration.

or Sri Lankans feel more protected by a Western or a white-skinned volunteer, their attackers might share the same perception.

Accompaniment organizations often suggest that, in a kind of moral jujitsu, they turn global structural inequities and prejudices against the oppressors by protecting the victims. But any tactic that relies for its effectiveness on a system of unequal worth may, to a certain extent, lend an unintended but insidious credence to that very inequality.¹ A protective presence may be encouraging, but the constant physical reminder of global social inequities may be a heavy, and disempowering, burden for the activists who live with it.

Yet African Americans in Haiti, Colombians in El Salvador, and Japanese in Sri Lanka have often sensed a deeper connection with those they accompany than their Northern or white teammates, with a correspondingly enhanced ability to empathize and encourage. Linguistic and cultural proximity, or a sense of shared oppression, can overcome trust barriers. A multicultural organization may have more credibility with the protected activists than one that is a mirror image of the globally dominant white power structure.

The objective of multinational, multicultural accompaniment requires a strategy to address both the stereotypical perceptions and the potentially real differences in security for different volunteers. One obvious step is building organizational credibility and power, such that the volunteer's symbolic clout is respected regardless of ancestry, origin, or skin color. A corollary step is a system of identification so that the volunteer is clearly and visibly associated with the clout of the organization.

The United Nations, for instance, sends multinational unarmed missions into conflict zones. These UN workers generally wear some sort of identifying clothing—in some cases, as simple as a blue cap clearly labeling them "UN." The label calls attention to the inherent clout of their organizational affiliation rather than to the volunteers' physical traits. The International Red Cross, although using primarily Swiss foreign staff, hires many workers in country. It uses the universally recognized white vehicle with a red cross to protect them. Gene Stolfus of Christian Peacemaker Teams has suggested that peace teams and accompaniment groups learn from the Red Cross example and adopt a uniform symbol or logo for their volunteers to use in conflict zones. In time, this symbol would become, like the red cross/red crescent, universally recognized and respected.²

PBI has experimented with various types of markings. The Guatemala volunteers have ID cards that they sometimes wear on their chests. At other times, they have used colored armbands to separate themselves visibly while accompanying mass events. Members of the Sri Lanka PBI team wear bright yellow vests at public events, identifying them as international

observers. But for the most part, accompaniment organizations have not attempted to distinguish themselves visually.

Variations, Expansion, and Enhancement

Many efforts have expanded the accompaniment experience, sometimes transforming it significantly. In the early 1990s, for instance, after several violent confrontations between native people and the Canadian government, PBI began a project that aimed to provide a pacifying presence based on the models it had developed in other conflicts. But the geographic and cultural context demanded something quite different. Sometimes, PBI found itself training local human rights watch groups near native reserves where conflicts were likely; in other cases, PBI volunteers were a conciliatory third-party presence in intracommunity conflicts with no easily identifiable villains. In addition, the project worked on antiracist education and building cultural sensitivity to native concerns—in particular, the harsh political and economic pressures native people face. Thus, an initial accompaniment impetus expanded into much broader strategies for reconciliation and social justice, reclaiming the broad mandate of nonviolence work upon which PBI had been founded.

In 1994, the Balkans Peace Team International placed volunteer teams in Zagreb and Split, Croatia, and in Belgrade, Serbia. These teams, supported by a coalition of European and international organizations, offer accompaniment in some situations, for example, to protect ethnic Serbs against a policy of systematic eviction in Croatia. Volunteers also directly collaborate with local human rights organizations, offering services such as language classes and translation. They try to serve as a channel of independent and nonpartisan information and analysis of what is going on in these extremely complex conflicts.

Most accompaniment organizations are small, with severe resource limits. The larger organizations generally take on accompaniment only sporadically, as a collateral effect to other higher-priority work, or, like the UNHCR, with a mandate limiting the population they can serve. Accompaniment may not help in all conflicts, but the demand has consistently exceeded the capacities of existing organizations. If, as we suggest, accompaniment is a promising tool for human rights protection, the international community should work toward an expanded and improved implementation.

Unfortunately, given the heart-wrenching and unanswered demands of human rights victims, the drive for expansion can sometimes be a detriment. Accompaniment results are not measured by the number of warm bodies sent out into the field. It must be implemented carefully and rigorously.

Bigger is not necessarily better. All accompaniment would benefit from clearer strategies and planning, more extensive analysis and training, and more critical selection of volunteers. Organizational effectiveness also depends on building both grassroots and high-level political clout, strengthening existing issue-area networks, and improving information flow. Each of these demands requires investments of resources and time. Humanitarian organizations and volunteers, however, are so driven by the immediacy of the vulnerable activists' plight that such long-term investments often fall by the wayside.

Part of the necessary rigor must be supplied by the research community. It has been a privilege to do this study, as much for the chance to meet so many courageous and dynamic people as for the opportunity to study the pioneering texts in human rights research and analysis that pointed our way. We cannot help but think, however, that given the monumental importance of the issue of human rights to both world politics and human dignity, there is a vast need for more study and analysis, both empirical and documentary. Such study helps activists learn from the past and improve their analyses, strategies, and chances for survival.

There are several ways that the utilization of accompaniment might be expanded. The first is that existing or yet-to-be-formed groups will expand their grassroots organizing and funding and gradually extend their range of operation. The strategies and tactics of this process are as varied as the organizations. A second possibility is that large organizations that already have both resources and political clout will adopt accompaniment as a method of humanitarian intervention. This might include human rights groups, such as Amnesty International,* or progressive development organizations that recognize that respect for human rights is a precondition for development.

Intergovernmental and governmental bodies may also incorporate more accompaniment in their work. Recent UN peace missions were discussed in chapter 13. The newly established UN High Commissioner for Human Rights might be another mechanism. Regional bodies, such as the Organization of American States, the Organization of African Unity, or the European Community, also have the resources and political motivation to include accompaniment in their range of responses to conflict. The European Parliament, for instance, invited accompaniment organizations to a series of consultations in 1995 and 1996 on a proposed Civil Peace Corps that would include protective accompaniment as a possible area of work.³

*A working group at the May 1996 Amnesty International conference on the protection of human rights monitors in Latin America recommended accompaniment to AI as a tactic for serious consideration. (See the conference document: "Propuestas en torno a campañas, publicidad y mecanismos de protección," Amnesty International, Santa Fe de Bogotá, Colombia, May 22-25, 1996.)

Individual governments may consider accompaniment as a potential complement to their existing foreign aid programs. Many already support human rights and "democracy enhancement" efforts. German churches and NGOs, for instance, are proposing that their government fund a Civilian Peace Service. Citing PBI and the Balkan Peace Team as precedents, the German proposals suggest that volunteers work in a variety of capacities, including as international observers and protective accompaniment for refugee repatriations.⁴

The groups being accompanied may react quite differently to government-aligned protection than to independent NGOs. We've already seen that the UN is sometimes mistrusted. Regional or single-government efforts might suffer an even greater alienation, as they would be suspected of hidden agendas motivated more by bilateral political or economic relations than by the genuine needs of the people. Threatened activists should be suspicious of political strings attached to accompaniment. The entire strategy of deterrence can easily be distorted. For instance, for extraneous political reasons, a governmental organization may be unwilling to exert punitive pressure just when accompaniment strategy calls for it. Despite these limitations, governments undeniably have clout and resources that the NGO community lacks, and threatened activists have the right to choose from every possible protective option.

An intermediary possibility is the development of collaborative projects between existing accompaniment organizations and some of the larger organizations already mentioned. Informally, collaboration already occurs, for instance, between UN monitors and accompaniment volunteers in Guatemala and Haiti. In creative collaborations, different organizations' strengths and weaknesses can complement one another, thus meeting vital needs that might otherwise go unmet. But, as the previous chapter suggests, even apparently minor differences in mandates can lead to tensions and dilemmas in the field. Collaboration should be carefully strategized in advance, and it requires a high level of trust, clarity, flexibility, and mutual respect.

Aside from the obvious physical risks—which any foreign service work in a conflict entails—accompaniment presents political risks to organizations that do it. The difficulty accompaniment groups have convincing governments of their commitment to nonpartisanship or noninterference might well scare off many "establishment" organizations concerned about their image. An activist's claim of being threatened is often an unprovable allegation, and accompaniment can be interpreted as a direct accusation against the alleged threatener. Many organizations are loath to put their names even indirectly behind such accusations without proof. But accompaniment is preventive. If you wait for proof of the threat, it may be too late.

The fledgling and impoverished accompaniment movement could gain a lot from collaborations with larger and more established organizations. Political clout should logically increase the protective power of accompaniment, so protected activists should also benefit. But the net gain is questionable if a by-product of establishment clout is political temerity. Bureaucratic, political, or image concerns cannot be allowed to constrain the availability of accompaniment to the activists who most need it. These concerns, though, are a cost of doing business for international organizations, and the resulting constraints are often directly related to organizational size and political influence. There will always be a role for small NGOs willing to risk their own credibility to protect the activists that others are unable to help.

In the mid-1990s, Nineth Montenegro and Amilcar Mendez in Guatemala, Humberto Centeno in El Salvador, and Venerable Baddegama Samitha in Sri Lanka are all either running for office or serving in congress or parliament. Nineth's daughter, Alejandra, accompanied in her infancy, is now a healthy teenager, but Humberto Centeno's son was brutally murdered in 1996, four years after the Salvadoran civil war officially ended. Guatemala, El Salvador, and Haiti are struggling through difficult transitions, speaking of "democracy" and "postwar" development. Sri Lanka and Colombia are still mired in conflict.

Meanwhile, as new conflicts erupt around the world, new requests for international accompaniment arise, from Turkey to the former Soviet republics to the Sudan. The "internationalism" that so confused General Gramajo's army ten years ago is now stronger than ever, and the previously inviolable "sovereignty" argument can no longer justify state human rights abuses. Human rights activists around the world are communicating more efficiently, discussing options for solidarity and protection. When a new threat arises, a request for accompaniment can now be transmitted around the world in moments on the Internet.

But will anyone respond? The human rights movement has grown remarkably in the last two decades, and accompaniment has steadily matured as a method of protection. But most new requests for accompaniment still go unanswered. The international community has thus far been unable to effectively marshal the necessary resources and commitment to meet the ever-increasing need.

Accompaniment extends the boundaries of the "international community." The international community goes beyond governments, beyond the UN, beyond the establishment humanitarian agencies and the existing human rights NGOs. Accompaniment has helped connect grassroots efforts for justice and human rights around the world with these larger international

structures. The accompaniment volunteers are a living bridge between the threatened activists and the outside world, and also between their own home communities and the reality of the global struggle for human rights.

These links may help overcome the seemingly impossible challenge of human rights protection. In the final analysis, the international community's response to human rights abuse is not a question of resources but one of hope and empowerment. Accompaniment volunteers experience a rare privilege of standing at the side of some of the world's most courageous and committed activists. This courage injects immeasurable energy into the international community's efforts.

A request for human rights protection should never fall on deaf ears. Like the GAM in Guatemala, the international community must redefine the possible. We can take the lead from these threatened activists who are asking for our support. They do the impossible every day.

Notes

1. Coy, "Protective Accompaniment."
2. Gene Stolzhus, presentation at the Global Peace Service conference, New York City, December 1993 (author's notes).
3. Ernst Gulcher (European Parliament member), memo on Civilian European Peace Corps, Brussels, December 20, 1995; David Phillips (European Parliament), European Centre for Common Ground, conference report on "Establishing a European Civil Peace Corps," Brussels, November 6, 1995.
4. Forum Ziviler Friedensdienst (Civilian Peace Service Forum), proposal to German parliament, January 12, 1996; Forum Ziviler Friedensdienst brochure: "Civilian Peace Service: 18 Questions, 18 Answers."

Christian Peacemaker Teams
October 26, 2000
VIEQUES, PR: In prison for peacemaking

by Cliff Kindy

The people of the small island of Vieques, Puerto Rico are nonviolently resisting the bombing and military maneuvers that have been carried out there for 60 years. In 1999 a civil disobedience presence in the bombing zone stopped all bombs for over one year. That victory has been the impetus for additional forays into the land controlled by the Navy each time there is an announcement of military exercises starting again on the island.

I was privileged to be part of a group that entered the restricted area on the west end of Vieques October 1, 2000. I spent six days in prison as a consequence of that action. After the initial arrest it was eight hours before the Navy passed us to the federal marshals for transport to the Metropolitan Detention Center in Guaynabo.

From Roosevelt Roads Naval Station we traveled in a corrections bus with two escort vehicles. We obeyed no traffic lights or speed limits, honking and riding the bumper of any vehicle in our way. The escorts even pulled over and thrust a shotgun in the window of a car that was slowing us down to show support for the Vieques struggle.

In the prison we were stripped, had our body cavities searched, given prison clothes, fingerprinted twice, photographed twice, given TB and tetanus shots as part of a medical intake, questioned about our psychological history and given bedding and toiletries. It was an eight hour process for 37 of us, so we spent some waiting time with all of us packed in a holding cell 7' x 18'.

We were housed in Unit 1-B, primarily for inmates charged with immigration or Vieques resistance violations. There were two people in each cell with a double tier of cells surrounding the central mess hall that measured 30' x 120'. Additional rooms housed a library (2 short rows of books), barber chair, laundry, and typewriter, a chapel, and a large gymnasium which doubled as a smoking area.

Fellow inmates were very supportive and interested in the Vieques arrestees. When I was by myself for five days, individuals were regularly coming up to offer toiletries I didn't have, support, and willingness to help. Interestingly, even prison officials voiced their strong support for the Vieques struggle. I had invited one of the federal marshals to consider disobeying orders to prosecute the good people of Vieques. As I was shuffling up the courthouse stairs in chains the next day he said, "Cliff, I struggled through the night with your invitation. I can't do it right now."

I have three observations: 1) The fewer physical and psychological needs/expectations with which one enters prison, the freer one is in a setting that is intended to dehumanize inmates. 2) The Navy and judicial system reacting as though they are backed against a wall. Clearly they are losing the battle for the hearts and minds of the people of Vieques. 3) The people within the system who are changing their allegiance are a clear sign of the imminent loss of control by the Navy. Our ability to maintain the humanity of each person we meet in the process of being in prison for peacemaking is another step for the redemption of the island of Vieques and of each human being.

Christian Peacemaker Teams is a program of Brethren, Quaker and Mennonite Churches. CPT P. O. Box 6508 Chicago, IL 60680 tel. 312-455-1199 FAX 312-432-1213, E-Mail: cpt@igc.org
WEB www.prairienet.org/cpt

Types of Intervention

● Local Nonviolent Actions and Campaigns

Intention: to take nonviolent action locally in support of a struggle in another country.

[Among examples Burrowes cites is the boycott of South African goods during the Apartheid period.]

● Mobilisation Actions

Intention: to draw attention to a grievance of international concern and to mobilise people to act in response to that concern.

[For instance: the 1960-61 San Francisco-Moscow March.]

● Nonviolent Humanitarian Assistance

Intention: to provide humanitarian assistance despite the danger and in defiance of the legal, political, economic and/or military constraints imposed by elites.

[For instance Operation Omega, 1971-73, to East Pakistan/Bangladesh; and Operation Namibia, 1976.]

● Nonviolent Reconciliation and Development

Intention: to facilitate conflict resolution, community reconciliation, and/or community development by participating in projects that encourage conflicting parties to work together to achieve shared aims in defiance of the legal, political, economic and/or military constraints imposed by elites.

[For instance the Cyprus Resettlement Project, 1972-74, aimed at getting Greek and Turkish communities to work together to repair and build houses in a village from which Turkish people had fled or been expelled.]

● Nonviolent Witness and Accompaniment

Intention: to create a safe, localised political space so that activists can engage in nonviolent activity.

[For instance the accompaniment work of Peace Brigades International in Central America and Sri Lanka.]

● Nonviolent Intercession

Intention: to be present in a zone of political, social, economic or ecological violence; to highlight the suffering

(sometimes limited to lobbying elites) by grassroots activists and networks in other parts of the world; and, if possible, to stop the violence directly.

[For instance the voyage of the *Golden Rule*, 1958, to the US nuclear testing site in the Pacific, and the Sahara Protest Team, 1959-60, aimed at preventing French nuclear tests in the Sahara.]

● Nonviolent Solidarity

Intention: to be present in a zone of military violence to share the danger with local people; to highlight the suffering the violence is causing; to generate awareness of, and support for, grassroots initiatives to halt the war; and generate solidarity action by grassroots activists and networks in other parts of the world.

[For instance the international march in April-May 1992 from the Thai border of Cambodia to Phnom Penh – and subsequent years – to promote peace and reconciliation in Cambodia. The march is known as the Dhammayietra.]

● Nonviolent Interposition

Intention: to position nonviolent activists between conflicting parties to help prevent or halt war.

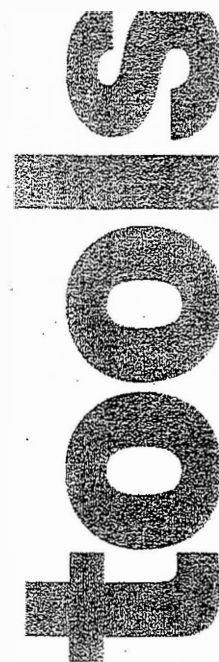
[For instance the efforts by Maude Royden in 1932 to raise a nonviolent "peace army" to position itself between Chinese and Japanese forces in Shanghai, or the attempts by the Nonviolent Action in Vietnam group in 1968 to place themselves in US target areas in North Vietnam.]

● Nonviolent Invasion

Intention: to invade, and perhaps occupy, a violent (or potentially violent) space to lower the risk or level of violence, or to expedite social change.

[Example: the attempts by Indian satyagrahis in 1955 to invade Portuguese controlled Goa.]

Text based on an extract from Robert Burrowes' *Cross-border Nonviolent Intervention: A Typology* (see p32).



Contacts

● **Balkan Peace Team (BPT)**, its roles range from accompaniment to monitoring to education, depending on the needs of local groups. currently has a team in Kosovo@.

Balkan Peace Team, Ringstr 9a, 32427 Minden, Germany (+49 571 20776; fax 23019; bprio@BalkanPeaceTeam.org; <http://www.BalkanPeaceTeam.org>).

● **Christian Peacemaker Teams (CPT)**, currently has projects in the West Bank, Mexico, and North America; see also articles on pages 26 and 27.

Christian Peacemaker Teams, PO Box 6508, Chicago, IL 60680-6508, USA (fax +1 312 666 2677; email cpt@igc.org; <http://www.priori.net.org/cpt/>).

● **European Platform on Conflict Prevention and Transformation** publishes the *Conflict Prevention Newsletter* (+31 30 253 75 28; fax 31 30 253 7529; email euconflict@antenna).

● **Friends Peace Teams Project**, PO Box 10372, San Antonio, TX 78210 0372, USA (+1 877 814 6972; email fptp@quaker.org; <http://www.quaker.org/fptp>).

● **Global Nonviolent Peace Force (GNPF)**, 801 Front Ave, St Paul, MN 55103, USA (+1 651 487 0800; fax 489 1335; email info@nonviolentpeaceforce.org; website <http://www.nonviolentpeaceforce.org>).

● **International Alert (IA)**, aim to identify and address the root causes of violence and contribute to the just and peaceful transformation of violent internal conflict.

International Alert, 1 Glyn Street, London SE11 5HT, Britain (+44 20 7793 8383; fax 7793 7975; email general@international-alert.org; <http://www.international-alert.org>).

● **Michigan Peace Team**, 1516 Jerome St., Lansing MI 48912, USA (+1 517 484 3178; fax 484 4219; email michpeaceteam@peacenet.org; <http://www.traverse.net/nonprofit/peaceteam/default.html>).

● **Nonviolence International** maintains offices in Southeast Asia, the Caucasus, and the USA. Website:

www.members.tripod.com/nviusa

● **Peace Brigades International (PBI)**, modelled in part on *Shanti Sena*, placed its first nonviolent accompaniment team in Nicaragua in 1983. Subsequent projects have included Guatemala (1983-1998), El Salvador, and Sri Lanka (~1998).

Peace Brigades International (international office), 5 Caledonian Rd, London N1 9DX, Britain (fax +44 20 7837 2290; email pbio@gn.apc.org; <http://www.igc.org/pbi/>).

● **Servicio Internacional Para La Paz (SIPAZ)**, is a multinational observer/accompaniment project in the Mexican state of Chiapas.

SIPAZ, PO Box 2415, Santa Cruz, CA 95063, USA (fax +1 408 425 257; email sipaz@igc.org; <http://www.nonviolence.org/sipaz>).

● **UN Volunteers** are sent to work alongside civilian monitoring, relief, and election programmes.

United Nations Volunteers, Humanitarian Relief Unit, Palais des Nations, CH-1211, Genève 10, Switzerland.

● **Voices in the Wilderness** challenges the sanctions on Iraq through delivery of medical and other aid.

Voices in The Wilderness, 1460 West Carmen Avenue, Chicago, IL 60640 USA (+1 773 784 8065; fax 784 8837; email kkelly@igc.org; <http://www.nonviolence.org/vitw>).

● **Witness for Peace**, which began its work with nonviolent interposition during the Contra war in Nicaragua, now sends short-term delegations of US citizens to Latin American countries undergoing social or structural violence.

Witness for Peace, 1229 15th Street NW, Washington, DC 20005 (+1 202 588 1471; fax 588 1472; email witness@witnessforpeace.org; <http://www.witnessforpeace.org>).

● **An excellent website** with details of forthcoming international peace team volunteering opportunities, plus contact details for around 20 (predominantly US-based) peace team organisations, can be found at <http://www.traverse.net/nonprofit/peaceteam/schedule>

NGO interpositions

1932-39 Peace Army, Shanghai (abortive); Palestine
1957-75 Shanti Sena, India
1962 World Peace Brigade, India/China
1967 Nonviolent Action Vietnam, North Vietnam
1990-91 Gulf Peace Team, Saudi Arabia/Iraq
1993 Mir Sada, Bosnia
1992- Christian Peacemaker Teams, Palestine/
Bosnia/Chechnya/Haiti/North America
(proposed) Global Nonviolent Peace Force

"Quasi-governmental NGOs" in intervening roles

Organisation for Security and
Cooperation in Europe
Council of Europe
International Crisis Group
United Nations Volunteers

Governmental unarmed interventions

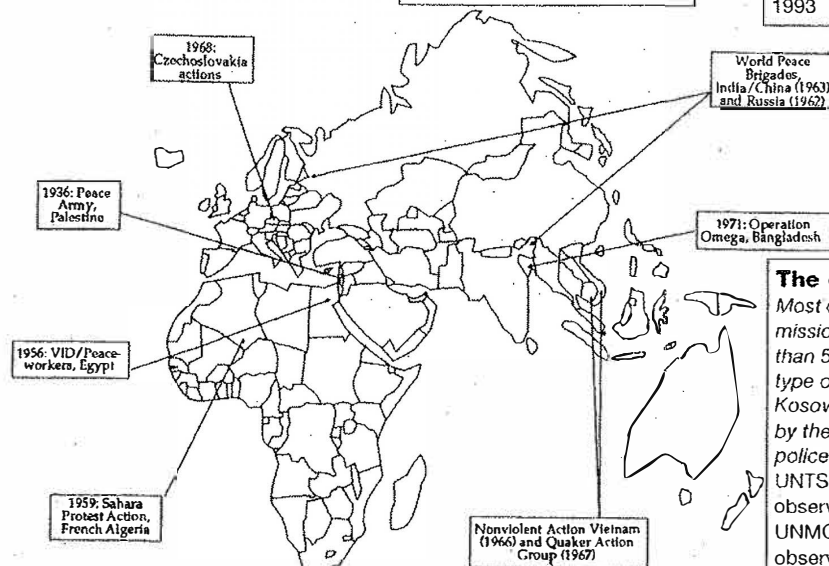
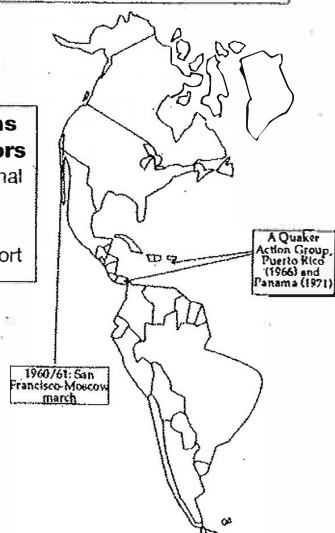
Election monitoring, by several
governments and groups of
governments
Temporary International Pres
ence in Hebron (see cover
picture and page 19)

NGO accompaniments

1937 Basque children's evacuation, Spanish civil war
1966 A Quaker Action Group, Puerto Rico
1981- Peace Brigades International, Central America/
Sri Lanka/North America/Colombia/West Timor
1989-91 Going Home, Honduras/El Salvador
1989-94 Project Accompaniment, Mexico/Guatemala
1994- Balkan Peace Team, Croatia/Serbia/Kosovo
1993 Cry for Justice, Haiti

NGOs which act as mediators/animations

Nonviolence International
International Alert
Committee for Conflict
Transformation Support



The other side ... UN military interventions

Most of the 15 current United Nations peacekeeping missions began more than five years ago; two are more than 50 years old. The list below briefly describes the type of mission in each case. Note that in Bosnia and Kosovo, the military role has been formally transferred by the UN to NATO; hence, the UN appears only in a police and administrative role.

UNTSO (Middle East, 1948) military and civilian observers
UNMOGIP (India-Pakistan, 1949) military and civilian observers
UNFICYP (Cyprus, 1964) military and police observers
UNDOF (Golan Heights, 1974) military observers
UNIFIL (Lebanon, 1978) military force
MINURSO (Western Sahara, 1991) administrative and military
UNIKOM (Iraq/Kuwait, 1991) military observers
UNOMIG (Georgia, 1993) military observers
UNMIBH (Bosnia & Herzegovina, 1995) police and administrative
UNMOP (Croatia, 1996) military observers
MONUC (Democratic Republic of the Congo, 1999) military observers
UNAMSIL (Sierra Leone, 1999) military force
UNMIK (Kosovo, 1999) police and administrative
UNTAET (East Timor, 1999) military force, police, and administrative
UNMEE (Ethiopia and Eritrea, 2000) military observers

Other NGO interventions

This category includes the more overtly political interventions, most of which had the intention of "internationalising" particular conflicts. These took the form of challenges to political sovereignty, symbolic deliveries of aid, and so forth.

1959 Sahara Protest Action, Ghana/French West Africa
1967 A Quaker Action Group, Vietnam
1968 Support Czechoslovakia Actions, Eastern Europe
1971- Greenpeace International, nuclear test sites etc
1971 Operation Omega, East Bengal
1977 Operation Namibia
1990 Christian Peacemaker Teams, Iraq
1991- Committee of Soldiers' Mothers, Russia/Chechnya
1991-92 Lusitania Expresso, East Timor
1991- Voices in the Wilderness, Iraq

NGO observer missions

1961- Amnesty International, worldwide
1981- Witness for Peace, Central America/Colombia
1990-92 Mid-East Witness, Palestine
1991-95 Memorial, Caucasus
1999 IFET Observer Programme, East Timor
Other organisations have had a significant role as observers, though formally this has been incidental to their main mandate: Human Rights Watch, International Committee of the Red Cross, Oxfam, Christian Aid, Médecins sans frontières, International Federation of Jurists, etc.

Peace armies fight violence with nonviolence

COULD NON-VIOLENT INTERVENTION DO A BETTER JOB OF BRINGING DEMOCRACY TO IRAQ?

Not all the news from troubled zones is sad and tragic. The British magazine *New Internationalist* (August 2005) points to a number of positive developments occurring as part of citizen initiatives. An increasing number of people are applying to non-governmental organizations like Nonviolent Peaceforce and Peace Brigades International to join civilian peacekeeping armies. In contrast to United Nations peacekeeping forces, these armies do not answer to any national or political authority, which means they can operate with neutrality. Their primary duty is to foster understanding between the conflicting parties, to help them solve disputes on their own. These civilian "troops" also protect non-combatant citizens and offer peace education to show people the overall consequences of war.

If you think it all sounds hippie-ish,

World's biggest spenders on weapons and military

| Country | Military expenditures (in billions of U.S. dollars) | Expenditures per capita | Percentage of world expenditures |
|---------------|-----------------------------------------------------|-------------------------|----------------------------------|
| United States | 455.3 | 1533 | 47% |
| Great Britain | 47.4 | 798 | 5% |
| France | 46.2 | 764 | 5% |
| Japan | 42.2 | 332 | 4% |
| China* | 35.4 | 27 | 4% |
| Germany | 33.9 | 411 | 3% |
| Italy | 27.8 | 484 | 3% |
| Russia* | 19.4 | 136 | 2% |
| Canada | 10.6 | 336 | 1% |
| Australia | 10.1 | 507 | 0-1% |

* = Estimates

Sources: Stockholm International Peace Research Institute: *SIPRI Yearbook 2005*, Oxford University Press, www.sipri.org; *New Internationalist* (August 2005)

naive or wimpy, you're wrong. Most participants in peacekeeping armies are not moral crusaders, but pragmatic citizens who have come to view non-violence as the best strategy for achieving peace. And they're certainly not wimps. The American magazine *Peace Power* (summer 2005) reports on non-violent actions by Chicago's Voices in the Wilderness. Members of this peace group risked massive fines and even prison sentences to deliver humanitarian aid to Iraq personally during the period of economic sanctions before the war, and took part in the "human shield" actions in which more than 500 foreigners positioned themselves at strategic sites such as hospitals and water-purification installations during the bombing of Iraq.

These peace-keeping groups share a common vision: to get enough people involved so peace-keeping armies can be deployed at a moment's notice to help solve conflicts anywhere in the world. The big question, however, is not whether this would be achievable, but if it would be effective. The organizers believe it would of course and like to answer that question with another: How effective is violent intervention?

Take the U.S.-UK invasion of Iraq (with help from the Netherlands, Poland, Italy and other countries). Since March 2003, tens of thousands of Iraqis (mainly civilians) have been killed, bloody attacks have been carried out almost daily, malnourishment among children has doubled and child mortality has tripled.

Participants in the Nonviolent Peace-

force say peacekeeping armies are much more effective—and cheaper—than military armies. They estimate an army of just 1,000 peacekeeping soldiers (one of whom costs 30,000 U.S. dollars a year) would have been enough to stop the violence and genocide that engulfed Yugoslavia. The peace groups also point to successful historic examples of non-violent actions: economic boycotts, strikes and mass demonstrations have brought down totalitarian regimes in places like South Africa and



attitude that caused President Suharto of Indonesia—the world's largest Muslim nation—to be ousted in 1998, almost completely without violence, after 33 years of ruling with an iron fist. (Suharto had far more blood on his hands than Hussein, yet the U.S. and other Western powers cooperated with him almost until the end.) The same has happened in other Muslim countries: Sudanese tyrant Jaafar Nimeiry was ousted almost wholly non-violently in

1985, as was Bangladesh's Hussain Muhammed Ershad in 1990, and Mali's Moussa Traoré in 1991.

These new peacekeeping armies don't just face the challenge of convincing the local population that non-violence is the path to peace. According to *New Internationalist*, that's a relatively simple task compared with convincing Western powers, whose economic policies and arms industries maintain the spiral of violence (see box). Western leaders have scant understanding of the power of non-violence, as has become apparent in places like Nicaragua. When that country's citizens peacefully rebelled against the punishing economic measures enacted by President Arnoldo Alemán

in 1997, he reversed his decision and restored many of the cuts in social spending. But not for long. The International Monetary Fund, under pressure from the United States, forced the Nicaraguan government to restore the cuts, causing the influential Nicaraguan intellectual Alejandro Bendaña to ask: "Will the people of the North allow the people of the South to succeed through nonviolence?"

Eastern Europe. The Philippine ruler Ferdinand Marcos was deposed in 1986 virtually non-violently; the same happened to Serbian President Slobodan Milosevic in 2000.

What would have happened if Americans had not intervened in Iraq? Would the Iraqis have been able to oust Hussein themselves, perhaps even without violence? There is a real chance they could have, according to *New Internationalist*, because Islam emphasizes that a social contract exists between a ruler and his subjects whereby citizens have the right—even the duty—to refuse to cooperate with

More information:
www.nonviolentpeaceforce.org,
www.peacebrigades.org,
www.nonviolence.org, www.vitw.org

Ode

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Illustration: Jeffrey Murd

THE BUDDHA IN THE BATTLEFIELD: MAHA GHOSANANDA BHIKKHU AND THE DHAMMAYIETRA ARMY OF PEACE

Yeshua Moser-Puangsuwan

We have already discussed the power and significance of walking in nonviolence. In this essay Moser-Puangsuwan gives us an insider's look at a special walk, called a Dhammayietra, which embodies Cambodia's ongoing struggle for peace. In 1997, with Cambodia in the midst of a violent civil war, Maha Ghosananda and his followers still walked on Dhammayietra VI. The walk called for an end to domestic violence against women, revealing the fundamental association between hearing the voices of women and advancing the cause of nonviolence. First nominated for the Nobel Peace Prize in 1994, Maha Ghosananda was awarded the prestigious Niwano Peace Prize on May 9, 1998 in Tokyo. In the third millennium, he vows to continue the Dhammayietras "until we have peace."

Hatred never ceases by hatred.
Violence never ceases by violence.
This is eternal law.
—The Buddha¹

¹*The Dhammapadam*. This is a collection of aphorisms (It. Words of the Truth) from the long discourses of the Buddha, put together long after his death by the monastic order for simple and easy understanding of Buddhist Doctrine. This is the 5th of 423. Several verses are given throughout this article, from different translations.

Three days before the fall of Saigon in 1975, a little known guerrilla force from the rural northeast of Cambodia swept into Phnom Penh from the jungles to claim a military victory over the central government. Called the Khmer Rouge, they had grown in strength in direct reaction to the US aerial bombing and land invasion of Cambodia from Vietnam, and the CIA-engineered overthrow of a neutral government. These victorious guerrilla fighters were greeted by the population of the capital who had hope that this was the final scene in their recent years of intense civil war, and that there would again be peace in their homeland. Instead a new and shadowy regime, known only as Angka (the organization) ordered the evacuation of all major cities in the opening step of its campaign to create a perfect proletarian state of rural workers. This vast social experiment, one of the most ambitious of its kind since the Cultural Revolution in China or the population displacements ordered by Stalin in the former USSR, resulted in the direct deaths through starvation or extra-judicial execution of between one to three million people, and a civil war that continues to today.²

As a result, an entire generation of men have been armed or sent into combat. Weapons are readily available throughout the country, and readily used. Weapons of war are often engaged to settle personal, marital, and business disputes. According to the Project on Domestic Violence in Phnom Penh, which has looked into the effects of the Khmer Rouge conditioning on Cambodian society today, "Violence became an integral part of the social order. Many were ordered to

²The political history of Cambodia is one of the richest in SE Asia and far beyond the scope of this manuscript to present. The Kingdom of Ankor was one of the first great civilizations in the lands south of China. It was saved from oblivion as a French colony in Indochina, although significantly smaller in size. For recent political history see: W. Shawcross: *Sideshow: Kissinger, Nixon and the Destruction of Cambodia* (London, UK: Deutsch, 1979) and W. Shawcross: *Quality of Mercy: Cambodia, Holocaust, and Modern Conscience* (London, UK: Deutsch, 1984) also N. Chanda: *Brother Enemy: The War After the War* (New York, NY: Collier Books, 1986) and D. Chandler: *Brother Number One: A Political Biography of Pol Pot* (Boulder, CO: Westview Press, 1992).

perpetrate violence while others volunteered. Violence was a learned and common response to a wrong or perceived wrong." This has created individuals who must be alert to enemies at all times and prepared to retaliate, even in the most trivial of circumstances.³

Happiness follows a good action
Like the wheel of a cart follows the Ox.
— The Buddha⁴

Maha Ghosananda Bhikkhu is a humble and elderly Buddhist monk. He speaks little about himself and his early life. We know he was born in the early 1920s into a farming family in Takeo, a rural southern province of Cambodia. He entered a local monastery as a Samanera at the age of ten for several years of study and decided to take full ordination as a Buddhist monk on coming of age in 1943. Today, he is recognized as a living link to Khmer Buddhism from before the war years, and is revered throughout Cambodia as a voice of compassion and wisdom amidst the chaos that otherwise dominate the daily lives of the Cambodian people.

He will usually be found surrounded by a crowd of several hundred people who will come to hear his moral and spiritual teachings. Although all immediate members of Ghosananda's family "disappeared" under rule of the Khmer Rouge regime, today if asked how to respond to the Khmer Rouge, his being emanates compassion:

Noble minded or good people are embraced spontaneously by our love, but the unwholesome-minded must be included because they are the ones who need loving kindness the most. In many of them, the seed of goodness may have died because warmth was lacking for its growth. It perished from coldness in a world without compassion. Gandhi said "No one is

³*Plates in a Basket Will Rattle* (P.A.D.V., Phnom Penh) see particularly Part II, "Causes and Excuses."

⁴See note 1.

beyond redemption." I do not question that loving one's oppressors—Cambodians loving the Khmer Rouge—may be the most difficult attitude to achieve. But it is the law of the universe that retaliation, hatred, and revenge only continue the cycle and never stop it.⁵

Buddhism focuses on the study of the mind as a path to liberation from the causes of suffering. It teaches that our own suffering and the suffering of others is completely linked and interdependent. The center of Buddhist ethics is the Noble Eightfold Path, and the Five Precepts by which Buddhists live. The Eightfold Path includes Right Livelihood, namely a livelihood that does not cause suffering to ourselves and others. Over 2,500 years ago the Buddha listed as unskillful livelihoods the manufacture and sale of arms or any occupation, such as being a soldier or butcher, that involves taking the lives of sentient beings. The first of the Five Precepts is to avoid killing.

For his part, Maha Ghosananda has focused his teaching of peace and peacemaking directly on these basic Buddhist tenets. During a demonstration against the ongoing war he said:

All of us should observe the five precepts . . . but just keep one for now, that's enough. Just stop killing one another. If each one of us just stops killing, we will stop the war. It starts from one person . . . but it is not enough just to not kill, we have to tell everyone else around us so that it will spread. When you go home remind your family that everyone wants to live. Tell your husbands who are soldiers on this side in town, and your relatives who are soldiers on that side, in the forest, as well.⁶

⁵Maha Ghosananda, *Step by Step: Meditations on Wisdom and Compassion* (San Francisco, CA: Parallax Press, 1991).

⁶Bernstein, Moser, "We Shall Cultivate Peace" *Seeds of Peace*, Sept. 1995.

As Ghosananda re-entered the world after a time of intensive meditation practice, his actions demonstrated the well known Buddhist Bodhisattva Vow: To Save All Beings from Suffering—in Cambodia and the Whole World. Just as Ghosananda left his quiet solitude, the first refugees from the darkness of the Khmer Rouge time began to spill into Thailand and create vast refugee camps. Maha Ghosananda visited them immediately, helping to found temples in the camps, regardless of which political faction controlled it. He also began to travel farther abroad, ministering to the spiritual needs of Cambodian refugees who had resettled in France, Australia and North America.

After his extensive service to Cambodian refugees, Ghosananda's understanding that only the practice of moral virtue can overcome dark politics in the world led him to co-found the Peace Council with other respected religious and social leaders such as the Dalai Lama, Bishop Desmond Tutu, and Oscar Arias in 1994.⁷ Peace Councilors are not concerned with reconciling creed or theology, but instead concentrate their attentions on the world's agonies: war, violence, pollution, poverty, divisiveness, disregard for justice, aggression and hatred in the name of religion, social decay, environmental disasters, and despair. Although linking with religious peacemakers across the globe, Maha Ghosananda's most active work remains focused on his homeland, of which the most visible manifestation has been the mass walks for peace and reconciliation that have crossed Cambodia, step by step.

The Dhammayietras⁸

The collapse of the Cold War also meant a collapse of will for the political sponsors of war in Cambodia, and brought about the

⁷From the founding statement of the Peace Council: "[we] can work together to build bridges among all people, no matter how grave the differences may seem. With so much suffering on this Earth, the Peace council can help to bring our message of nonviolence, compassion and universal responsibility to people everywhere." —Maha Ghosananda

⁸Dhamma (truth) Yietra (pilgrimage or going on foot): The Pilgrimage of Truth.

conditions for talks on a "comprehensive political settlement." The superpowers now had need to demonstrate their concern for the suffering they had funded in Cambodia (and avoid any suit of war reparations). Within Cambodia, the primary combatants⁹ were in a military stalemate and protracted conflict in a domestically unsustainable war lay on the horizon. After several pre-conferences that set conditions, all fighting factions in Cambodia and their political sponsors signed the Paris Peace Accords for a comprehensive political settlement in Cambodia. This laid the basis for the largest United Nations (U. N.) intervention in any country prior to that time. In fact, the U. N. was to become a government of a country by taking over key government ministries and disarming and reincorporating soldiers of various factions into civil society. The United Nations High Commission on Refugees (UNHCR) was to arrange the return of all refugees living in camps in neighboring countries (predominantly Thailand) to available lands within the country.¹⁰

Throughout the process of political negotiations and bargaining in the late 80s and early 90s, Maha Ghosananda acted to keep the focus on compassion for the suffering of the ordinary Cambodian. Then, as factional leaders met for the peace talks that led to the Peace Accords in Jakarta, Indonesia in 1988, Maha Ghosananda laid the groundwork for the events that have now become world famous, the Dhammayietra Walks for Peace and Reconciliation in Cambodia. He astonished the leaders of the four armed factions by announcing that he was launching a "fifth army—an Army of Peace." The simple monk asserted that it would be "an army absolutely without guns or

⁹The Four Factions involved in armed struggle in Cambodia were: The State of Cambodia (SOC), created under Vietnamese occupation in 1980; The Khmer Rouge (also DK or Democratic Kampuchea); The Royalist Sihanouk faction, known by their acronym in French-FUNCINPEC; and the KPNLF, a non-Communist group receiving US aid. The latter three were forced into an uneasy coalition called the Khmer Seri (Free Khmer) by international sponsors (led by China and the US) who were too embarrassed to be seen aiding only the Khmer Rouge. The DK however were the successful military force against the SOC.

¹⁰Yeshua Moser-Puangsuwan, "A UN Peacekeeping in Cambodia: Whose Needs Were Met?," *Pacific Review* 7 (1995).

partisan politics, an army of reconciliation with so much courage that it turns away violence, an army dedicated wholly to peace and to the end of suffering." When asked by a reporter what the army of reconciliation might use for ammunition, Ghosananda replied, "Bullets of loving-kindness."

As the date for United Nations involvement in Cambodia, and the return of Cambodian refugees from Thailand drew near, fears about repatriation became widespread through the hundreds of thousands of refugees living on the Khmer/Thai border. Maha Ghosananda, with the help of the Coalition of Peace and Reconciliation,¹¹ mobilized his Fifth Army: the *Dhammayietra for Peace and Reconciliation in Cambodia*, intending to combat the peoples' fear by a peace walk through Cambodia to the capital city of Phnom Penh. The prevailing fear among Cambodians was of encountering the enemy, returning Cambodians). In response, the Dhammayietra proposed humanizing the opponent.

The Dhammayietra was opposed by political powers at all levels. First, Thailand refused to allow the refugee walkers to return to their camps and share their experience after the pilgrimage (an integral part of the process of the walk). Thai authorities only wanted them to go home and never return. Then the UNHCR did not want to surrender its authority over the refugees, even though joining the event was absolutely voluntary. So the UNHCR issued a threat that any refugee who joined the walk would lose all their privileges under the United Nations program. Finally the government in Phnom Penh, accustomed to absolute control over everything in the country, could not accept anything independently organized.

Maha Ghosananda nevertheless proclaimed that the walk would go on, and would advance over obstacles step by step. A small

¹¹The Coalition for Peace and Reconciliation was founded in 1989 by the venerable Yos Hut and Brother Bob Maat S.J., both of whom had worked for the UN in the Cambodian refugee camps on the Thai border. They were disturbed to see how the UN was being manipulated by Security Council members and Thailand into supporting a civil war, and founded an organization to give a voice against the exploitation of the refugees by powers with other agendas than peace and reconciliation.

contingent of Buddhists from surrounding countries came to help, and sacred Bodhi trees from Sri Lanka were sent to be planted along the walk route. Two days before the walk was to begin two Japanese monks of the Nipponzan Myohoji Buddhist order began chanting in front of the regional Thai military command office, vowing not to leave until permission for the walk to proceed was granted. Within hours the Thai authorities granted permission to proceed. On the day the walk was to begin, nothing had yet been heard from the Cambodian capital. Thus the walk left on schedule with over a hundred refugees from several border camps who remained committed to the Dhammayietra regardless of the UNHCRs threat of loss of benefits. At the Thai-Cambodian border, the immigration authorities made no effort to hinder the group from crossing, and for many refugees, a journey home was about to begin.

From the very beginning this first walk by the Army of Peace began to have an effect. Unforeseen and unplanned for, walkers from the refugee camps began finding family members living in Cambodia whom they did not know were still living, from whom they had been separated for ten, fifteen, or twenty years. Walkers from the refugee camps in Thailand would briefly leave the walk for a house on the side of the road, or set out once the Dhammayietra arrived in a town, only to reappear hours later, beaming. An older woman returned to the Dhammayietra one morning in tears exclaiming, "I found my daughter! After twenty years! Now she has a daughter! And she told me my other daughter is alive! She lives near Phnom Penh and I can see her too when we get there." The following day another walker ran up and announced to the walk excitedly, "I just went to visit my uncle who I knew lived in this village, and there in his house was my father! I hadn't seen him in twelve years! Oh, how lucky I am!" That evening while some of the walkers were sitting under a tree where they would sleep another walker returned with two young boys. "Please meet my sons. They are twins. Thirteen years old! I last saw them when they were only twenty days old. Babies. We were forced apart by the war and now they don't know me." Deep reconciliation and re-connection were the result of the Army of Peace. This reconciliation became such

a daily occurrence that walkers began renaming the walk Dhamma Teekong or True Contact.¹²

The Army of Peace had begun to heal the wounds of war. That healing also took symbolic form in the water blessing. The throwing of water is traditional during Khmer New Years festivities that were occurring at the beginning of the walk, and it is expected from the ordained clergy at times of auspicious rites such as weddings. However water blessing was sustained throughout the month of the walk, with people coming out along the roadside with buckets of water seeking the walkers' blessing by asking the walkers to throw it over them. Walkers would do so with their dippers or leafy branches and murmur "Songkriem jop howie" "The war is over!" As Maha Ghosananda explained to a walker from another country, "Mine are a simple people. To us water means cleansing. We are washing away the blood."

The Army of Peace also washed away psychic wounds as the walk unexpectedly began to attract hundreds of local participants as it passed through Cambodia. In Battambang, Cambodia's second largest city, several thousand people greeted the walk. One early morning a local woman came to the walk and said, "Last night I dreamt of my mother. I haven't seen her in a dream since she died during the Khmer Rouge period. She was making an offering to many monks. She looked happy. This morning I came to the market and saw the Dhammayietra with many monks walking in the front. It is a sign, and I know I must join you. I ran home to get some clothes and now I will walk with you relieved that my mother's spirit is now at peace." Some people joined only for a day, bringing rice and mangos, which were necessary for the sustenance of the walk. Others walked the entire way, and by the time the walk reached the capital thirty days later over a thousand walkers were at its core.

The Dhammayietra entered the capital on the day of the full moon in May, Buddhism highest holy day, Vesak. Tens of thousands

¹²Maat, Bernstein & Moser, "Washing Away The Blood," *Nonviolence Today* 29 (November-December 1992): 5-7.

of people looked on, or joined the Army of Peace, which now stretched for twelve kilometers along the main boulevard, walked in quiet dignity through the centre of Phnom Penh's war-weary population. As the "Army" decamped at a temple in the capital that night one of the eldest "soldiers," a grandmother, summed up the emotions of the walkers with words reminiscent of another Freedom Marcher in the American South, "My feet are sore, but my spirit is at rest."¹³

If you make rice, you eat rice.

— Cambodian Proverb

The Dhammayietra Movement

The Dhammayietra was originally planned as a one-time event. No one foresaw the results of deep reconciliation that the Walk had manifested. Many of those who had join from the refugee camps simply stayed in Cambodia after the walk, now settled with relatives with whom they had previously lost contact. Afterwards, the UNHCR that had so vehemently opposed the walk facilitated showing videos about the walk in the camps as a triumph in reconciliation. The Peace Walk now had wide publicity and wonderful success. And still there was need for peace, for more healing, for more reconciliation. Maha Ghosananda began forming a second Dhammayietra.

While the second Dhammayietra was assembling, potential disaster hit. The temple in which people had begun to gather for the pilgrimage became a battlefield as Khmer Rouge troops exchanged fire with Government soldiers and police. Combatants took positions on different sides of the temple and much of their ordinance went directly though it, wounding two people who had come to walk. During the fire fight, Maha Ghosananda appeared unshakable as he maintained a meditative posture throughout the attack at the base of the temples main altar. A rocket-propelled grenade that spun into the

¹³Ibid.

temple impacted a nearby wall but failed to explode, leaving only a full imprint in the fresco painted concrete wall. The following day was spent in introspection on the wisdom of pressing forward. Walkers reflected on a story from the time of the Buddha, in which he did not avoid walking into areas of conflict to settle a dispute. Maha Ghosananda counseled proceeding forward with compassion and conviction, "Indeed, this is why we must walk! Years of violence have brought great tragedy. More violence can only bring more harm. Now is the time for peace." Summoning their courage, the Army of Peace walked into northern war-torn Cambodia the next day.

In a later reflection on walking in northern Cambodia, one of the monks said, "Although it was not far from the capital, it was like a different country. People slept in bunkers at night for fear of rocket attacks. They came to share their suffering with us, baring their souls before we even asked how they were. Yet seeing us walking to visit them was healing. It was like visiting a sick person. Even if you don't have any medicine with you, the person feels better afterwards, just because of the visit. Echoing the monks observation in different words, a farmer who stood along the road cradling his son in his arms had said, "If this Dhammayietra brings us even a moment of peace, I offer my deepest gratitude, for then we can hope."¹⁴

The Army of Peace was able to win this reprieve for the villages through which it passed. As the Dhammayietra proceeded it became a moving zone of peace, for once again there was no military activity where the Walkers stayed for a meal or a night, or directly where they walked, even though acts of war could be heard on the horizon. As the walk progressed, many soldiers began to lay down their weapons and seek the blessing of the Dhammayietra. At one temple several heavily armed soldiers arrived to seek the blessing of protection from Maha Ghosananda, one of them saying, "We don't want anyone to be killed or hurt." One said, "Even though I am a soldier, I have no ill will in my heart. But I have to be a soldier so my family will eat. So

¹⁴Maat, Bernstein & Moser, "A Moment of Peace, A Glimmer of Hope," *Nonviolence Today* 34 (September/October 1993): 5-7.

please bless us in a way that our bullets don't hit anyone, and so that no one else's bullets hurt us."¹⁵

Before the second Dhammayietra reached Phnom Penh, the city was tense with the expectation of widespread violence in the coming election days. As the walk approached the capital, its number increased to over three thousand as many people spontaneously joined the walk. As the Dhammayietra traversed the capital, many businesses shut down with the swell of people joining the walk. One person who joined said "People were so afraid of the elections. They had started stockpiling rice in their homes. The walk has relieved us of our fear and given us new hope."

For the following two days the Dhammayietra focused on calming the capital. Despite rain, mud, and heat, thousands joined in walks around the capital, stopping for a time to hold public meditation at key points in the city. Normally busy intersections became quiet as thousands of people sat in them and softly chanted in Pali, "*Natthi santi param sukham*" "There is no happiness higher than peace."

News media from around the world had flown into Phnom Penh to record the predicted collapse of the world's largest peacekeeping effort in the forecast bloody elections. Most flew out the following week, disappointed by the elections in which over ninety percent of those registered took part in peaceful elections, bitterly claiming that there was no news to report. How typical: violence and war was considered "news"; the astonishing courage and success of peacemakers was not.

Since the 1993 elections, the Dhammayietras have grown into an annual event. They bring the message that peace is possible to a different part of Cambodia each year. While the Dhammayietra continues to call for an end to the civil war, it has added new issues on which it campaigns as well. The Dhammayietras call attention to the accelerated deforestation and drawing the link between logging and the ongoing civil war. There is also public education along the walk route of the dangers of land mines and unexploded ordnance

(including how to avoid being injured, and information on where rehabilitation help is available). The Dhammayietra has begun a nonviolence training program that now holds sessions in over half the provinces of the country.

No longer just an annual event, The Dhammayietras have become a movement. The most remarkable aspects of this social movement is its specific focus on the development of Compassion. As a component of a mass movement, the focus on the development of compassion is certainly unique to Asia. The Dhammayietra movement believes that no other skill is as important as the development of compassion, a key virtue in Buddhism—both a method and a result—on the path of personal and social liberation. This dual focus that links personal and social change is perhaps one of the most unique aspects of the Dhammayietra as a mass movement.

The Walk itself is a tool for cultivation of compassion since, under Maha Ghosananda's spiritual leadership, it is mindful walking meditation. Mindfulness creates an active rather than a reactive mind. With enough time and effort, the serious practitioner of these methods of mental cultivation can confront extremely difficult situations. They can then respond quickly, with great clarity of mind, or with patience according to the situation. Without clarity of mind, people are prone to be reactionary, they are still controlled by the event that precipitated the reaction. The cultivation of non-reactivity does not mean inactivity. It means breaking the chain of being controlled by the event, and an ability to truly act creatively. Only the mind free of reactivity is truly capable of peace in action.

Each year the Dhammayietra movement is attracting more people, as they begin to understand the Dhammayietra path to peace. This path is expressed most eloquently in a series of banners now carried by the walk that proclaim the Dhammayietra prayer.

Cambodia has suffered deeply.
From deep suffering comes deep compassion.
From deep compassion comes a peaceful heart.
From a peaceful heart comes a peaceful person.

¹⁵Maat, Bernstein & Moser, "A Moment of Peace, 5-7.

From a peaceful person comes a peaceful family and community.

From peaceful communities come a peaceful nation.

From peaceful nations come a peaceful world.¹⁶

When asked how they can continue walking and organizing year after year when they still have not yet attained their goal, veteran walk organizer Kim Leng answered, "We know that the road to peace is a long one. But it is the only road. What is the alternative in the midst of all this violence? Do nothing? Then it's as if we're just lying around waiting to die."¹⁷ When asked how long the Dhammayietras will continue, Maha Ghosananda smiles radiantly and says, "Until we have peace!"

Maha Ghosananda on Peacemaking

Peacemaking requires compassion. It requires the skill of listening. To listen, we have to give up ourselves, even our own words. We listen until we can hear our peaceful nature.

As we learn to listen to ourselves, we learn to listen to others as well, and new ideas grow. There is an openness, a harmony. As we come to trust one another, we discover new possibilities for resolving conflicts. When we listen well, we will hear peace growing.

Peacemaking requires selflessness. There is no peace with jealousy, self-righteousness or meaningless criticism. We must decide that making peace is more important than making war. Peacemaking is selflessness taking root. To make peace, the skills of teamwork and cooperation are essential. There is little we can do for peace as long as we feel that we are the only ones who know the way. The road to peace is called the

¹⁶Yeshua Moser-Puangsuwan, "A Million Kilometres For Peace," paper delivered at the International Peace Research Association in Brisbane, Australia in July 1996.

¹⁷"On the March Again for Nonviolence," *Phnom Penh Post*, May 31, 1996, 14.

middle path. It is beyond all duality and all opposites. Peace comes only when we stop struggling with opposites. The middle path has no beginning and no end, so we do not need to travel far on the middle path to find peace.

The middle path is not only the road to peace, it is also the road of peace. It is very safe, and very pleasant to travel.

Peacemaking requires wisdom. Peace is a path that is chosen consciously. It is not an aimless wandering, but a step-by-step journey.¹⁸

Noble Eightfold Path

An active path to be followed through this life as it avoids the extreme of self-mortification, which leads to a weakened intellect, and the extreme of self-indulgence that retards one's moral progress.

Right Understanding: Understanding of oneself as one really is.

Right Thoughts: Thoughts of selflessness, goodwill and harmlessness.

Right Speech: Refraining from falsehood, slandering, harsh words and frivolous talk.

Right Action: Not killing, stealing or committing sexual misconduct.

Right Livelihood: Not working in the five forbidden trades: Trading in arms, human beings, animal slaughter, intoxicants or poisons.

Right Effort: Applying oneself to practice of the teachings instead of simply making offerings or prayers.

Right Mindfulness: Maintaining a meditative attention to body, feelings, thoughts and mind objects whenever possible.

Right Concentration: The culmination of a life dedicated to the perfection of the prior seven factors bring this one into

¹⁸Maha Ghosananda, *Step by Step*, 51-53.

existence, which leads to penetrative insight into the nature of reality.

Five Precepts

The basic precepts of a Buddhist. Others are added on certain holy days which come four times per month in accordance with the phases of the moon:¹⁹

Now I will teach the precepts of conduct for a householder:

- (1) Let him or her not destroy life nor cause others to destroy life and also, not approve of others killing. Let him or her refrain from oppressing all living beings in the world, whether weak or strong.
- (2) Knowing what belongs to others let him or her not steal anything from any place, nor cause to steal, nor approve of others stealing.
- (3) Let him or her not transgress on another's spouse.
- (4) Avoid telling lies, and do not cause others to tell lies, nor approve of others' telling lies.
- (5) He or she should not indulge in taking intoxicants, nor should he or she cause or approve of others doing so.

The householder observing these duties with diligence is reborn in the sphere of self-luminant beings.¹⁹

¹⁹The Buddha, *Sutta Nipata*.

8

MARTIN LUTHER KING JR. AND NONVIOLENT JUSTICE SEEKERS IN LATIN AMERICA AND THE CARIBBEAN

Paul Dekar

In Latin America and the Caribbean, with Paul Dekar as our guide, we will meet many peacemakers, such as Raul Suarez Ramos, Reverend Clara Rodes, and Virgilio and Margarita Mendez. All of these share Martin Luther King's vision "to promote genuine fraternity amongst the races; to work for economic justice; to render Christian faith concrete; to resist evil with the force of love." What impresses me most is the ordinariness of these extraordinary people. I doubt any of them will ever be internationally recognized. Yet it is the life and work of such people that the future of nonviolence depends. I hope their stories will inspire the rest of us ordinary people to struggle even more for the coming of the reign of justice and peace.

One day, Martin Luther King Jr. believed, youngsters will learn words they will not understand. Children from India will ask, "What is hunger?" Children from Alabama will ask, "What is racism?" Children from Hiroshima and Nagasaki will ask, "What is the atomic bomb?" Children from

Yes, let the civil rights movement, the peace movement spread to every nation and to every nation.

As leaders of religions, we must work together in this revolution, putting aside the comparatively minor differences over doctrine. We can have unity without unanimity. We can have diversity without division. And eventually, we can have a world community without the scourge of racial hate and oppression, the suffering of poverty, the madness of war.

I call upon this conference to be courageous, to speak loud and clear to the issues, and then to move forth with an action programme. Be assured that time is running out. Unless we speak today, then there may be no tomorrow. Somehow I can hear the voice of Jesus Christ, a great Saviour, a great Prophet, a great personality, saying to us as he said to the church at Sardis through John on Patmos Island: "You have the reputation of being alive, but I know that you are dead. Strengthen what remains, even though it be on the verge of nothing".

NON-VIOLENT ACTION FROM A VIETNAMESE BUDDHIST VIEWPOINT

By

VEN. THICH THIEN-MINH

ON BEHALF OF all Buddhists as well as all the Vietnamese people suffering in the present war, I would like to send you sincere greetings. The problem of Vietnam nowadays naturally demands your attention and makes a profound impression. It could be said that Vietnam is the one place where the worst imaginable criminal acts of war have occurred and continue to occur. It is also the place where there has been suffering and massacre for 25 years. Therefore, the very theme of this Conference, which is peace, should be specifically peace in Vietnam. This should be of central importance to the Conference. Being representatives of all spiritual traditions, we all correctly realize the anxieties of mankind, the failure of our technological civilization, and the unstable future caused by the threat of nuclear arms. Religions have appeared according to the requirements of mankind, and religions will exist only as long as these requirements continue to exist.

As the Secretary-General of the United Nations has said, the Vietnam war is the worst and bloodiest war in human history. Truly, war not only destroys lives, but also destroys our civilization. Moreover, the Vietnam war does not only cause uncount-

able casualties in Vietnam, but it also causes suffering in the United States, in the turmoil of the American moral conscience. As a religious man, I think it is unreasonable to live by taking the lives of others. It is through conscience, that the Vietnamese Buddhists are contributing by many ways and means toward the end of the present Vietnam war. Of these ways and means, non-violent action has been deemed the most suitable for Buddhist religious principles.

There are those who assert that nonviolent action does not work. I think that this rejection is too facile. In Vietnam, violence has not worked for 25 years. Instead, violence has bred more violence. But, the critics will say, nonviolence has not worked in Vietnam either. It is true that the nonviolent struggle in Vietnam has not been able to bring an end to the war. But that does not mean that nonviolence does not work. Permit me to tell you the reasons.

Vietnam has become an international conflict in which all the big powers are involved, directly or indirectly. The non-violent struggle, in order to succeed, needs to be carried out on an international scale. Left alone, how can the Vietnamese succeed in the struggle? This remark is an urgent call for participation in the Vietnamese nonviolent struggle by everyone in the world who believes in nonviolence, especially in the religious, humanist, youth, and intellectual communities.

Further, the nonviolent struggle has succeeded to a certain extent in preventing the violence from spreading too quickly. The nonviolent struggle for peace gets the support from the people in condemning violence and war-like attitudes. The warring parties thus are anxious to show that they are also for peace, and that they fight because they cannot do otherwise. Therefore, they have had to refrain to a certain extent from that use of violence which could result in political disaster.

Lastly, nonviolent action is much more taxing than violent action. The force of nonviolent action is not the gun, but the heart. Are we fit for a nonviolent struggle? That is a question the nonviolent combatant must ask himself again and again.

In Vietnam, we have been trying nonviolent approaches to end the conflict and the external intervention. We have suffered and sacrificed much during the struggle. We have had both successes and failures. I am not in a position to tell this Conference the techniques to follow in a nonviolent struggle. I can only share with you some of our experiences.

I consider the problem of leadership in a nonviolent struggle as one of the most important problems. The leader of a non-violent struggle cannot be trained in any school. He must be a man of great compassion, courage, and integrity. By his life, by his acts, he moves the hearts of the people. He must be a symbol of love and the readiness to accept any sacrifice for the common cause. What we can do to solve this problem of leadership is simply to be ready and willing to recognize a leader. We should not judge him through conventional criteria. He may not be a man of erudition, a professional politician, or a religious leader. He may be just a peasant.

The techniques of nonviolent action are not nonviolent action itself. They are merely forms of action, not the essence. The essence is love, courage, and the willingness to act. Once we are motivated by love, once we are inspired by love, and when we directly face our problems and difficulties, we shall be creative in our efforts to find forms of action appropriate to a given situation. It is necessary to discuss techniques of nonviolent action, but it is equally obvious that, without the inspiration of love and sacrifice, these techniques cannot be successful. They will lack their deeper strength.

In Vietnam, Buddhists have adapted the following forms of actions: 1. To fast and pray for solidarity; 2. To burn oneself to awaken the people;* 3. To carry family altars in the streets to oppose tanks; 4. To shave one's head in protest; 5. To practise non-cooperation; 6. To promote dialogue and co-operation between religious groups; 7. To establish relationships with the

* The self-immolation by fire of Buddhists in Vietnam is never seen as a "technique" of action. The peace movement never plans or organizes self-immolation. The act always comes from the determination of the individual, motivated by love and the willingness to sacrifice. At times when Buddhists burn themselves to support the struggle, Buddhist leaders always ask people to refrain from this painful action.

nonviolent movements outside the country; 8. To use folk poetry, satirical songs, oracles, and prayers as means of education; 9. To develop important anti-war literature; and 10. To try to give positive answers to social and political problems.

Vietnam is the most painful sore in the world. Will the non-violent struggle succeed there? Let me turn the question back to you and put it in another way: will the Vietnamese people succeed in their nonviolent struggle if they are left alone, caught in between violent forces? It is a necessity that all men of faith engage themselves in the struggle, so that it will be vigorous enough to deal with violence which is of an international nature.

THE BLOCKS TO WORLD COMMUNITY

By

DR. EUGENE CARSON BLAKE

I WOULD LIKE to emphasize two uses of the English word, "transcendent", both of which apply to our problem here and our opportunity. Generally speaking, men of faith represented here as world religions believe that there is a duty, a reality, something beyond upon which we are dependent. It is to bring this transcendent reality into our own lives and the lives of all mankind that I think we must find our way together. There is the other use of transcendent and that is not so metaphysical as it is geographical. That is to say, can we with this common religious transcendence really transcend the societies, the cultures, the nations, and the groupings of which we are each a part?

This is our problem. The critical nature of the problem, which my friend Dr. Ralph Abernathy had concluded with, is caused in part by a technical development which has moved so rapidly and continues to move so rapidly that most men do not know how to act in the new world village where we all must live together. Communication, transportation, economic inter-independence, political inter-independence—all of these things are relatively new. We are all now in one small world, not that it has shrunk geographically, but in fact it has shrunk in terms of our abilities, our possibilities for good or for evil.